

CV Communities
Attention: Adam Smith
3121 Michelson Drive, Suite 150
Irvine, CA 92612

September 24, 2015

Subject: Date Change to November 10, 2015 for the National Pollutant Discharge Elimination System Public Hearing

Dear Mr. Smith:

This letter is to inform you that the date for the National Pollutant Discharge Elimination System (NPDES) Public Hearing has been rescheduled. The new date of the Public Hearing is being scheduled for Tuesday, November 10, 2015 at 6:00 p.m., or as soon thereafter as the matter is called. Attached are updated documents, including a new ballot for casting your vote. Please note the enclosed ballot will supersede your previous ballot; if your previously ballot was returned it will be discarded.

Please ensure that your new ballot is marked, signed, and returned to the City Clerk's office before the November 10, 2015 Public Hearing in order for your ballot to be included in the official count. Approving the NPDES rate to be applied on your property tax bill will fulfill the Land Development Division's Condition of Approval LD39 (to provide an ongoing funding source for the NPDES program).

If you have any questions about the mail ballot proceeding process, please contact Jennifer Terry, Senior Management Analyst, with the City's Special Districts Division at 951.413.3505 or via email at JenniferT@moval.org during the City's business hours, which are Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 7:30 a.m. to 4:30 p.m.

Sincerely,

Ahmad Ansari
Public Works Director/City Engineer


Jennifer Terry
Senior Management Analyst

Enclosures:

TEL: 951.413.3480
FAX: 951.413.3498
WWW.MOVAL.ORG



14331 FREDERICK STREET, SUITE 2
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

CV Communities
Attention: Adam Smith
3121 Michelson Drive, Suite 150
Irvine, CA 92612

September 24, 2015

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM RESIDENTIAL REGULATORY RATE FOR APNs 474-490-024, 474-490-025, and 474-040-032

******* OFFICIAL BALLOT ENCLOSED *******

Introduction

In November of 1996, California voters passed Proposition 218 (“The Right to Vote on Taxes Act”). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor’s Parcel Numbers (APNs) 474-490-024, 474-490-025, and 474-040-032 the opportunity to express support for or opposition to the approval of the NPDES Maximum Residential Regulatory Rate and services. Approval of the NPDES Maximum Residential Regulatory Rate through a mail ballot proceeding will fulfill Conditions of Approval LD39 from the Land Development Division to provide a funding source for the NPDES program.

Background

The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in storm water runoff from all development types. The City provides the services necessary to meet mandates of the Federal Clean Water Act. NPDES Maximum Residential Regulatory Rate provides financial support for monitoring, maintaining, and if necessary, improving the storm water discharge system, and performing inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

Services Provided

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall provide the necessary services for the continuous operation, enhancement, and maintenance of the storm water discharge system, and perform inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements.

How is the Amount of the Charge Determined?

Each fiscal year (FY), the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The

rate levied shall not exceed the rate previously approved by the property owner.

Proposed Charge

For FY 2015/16, the NPDES Maximum Residential Regulatory Rate is \$302.32 per parcel. The total amount of the NPDES rates levied for FY 2015/16 for the program as a whole was \$446,716.88.

Annual Adjustment

Beginning in FY 2016/17, the NPDES Maximum Residential Regulatory Rate will be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

Duration of the Charge

Upon approval of the NPDES Maximum Residential Regulatory Rate, the annual levy amount will be assessed to APNs 474-490-024, 474-490-025, and 474-040-032 (and any division thereof) and shall be placed on the Riverside County property tax bill or included as a monthly charge on a utility bill. The NPDES Maximum Residential Regulatory Rate will be levied each following year at the proposed rate, which includes an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City has scheduled a Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Hearing

Tuesday, November 10, 2015
6:00 P.M.
(Or As Soon Thereafter As The
Matter May Be Called)

Tabulation of returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if the Charge is Approved

Approval of the NPDES Maximum Residential Regulatory Rate will be confirmed if the ballot is marked in favor of the NPDES rate. Approving the NPDES Maximum Residential Regulatory Rate through a mail ballot proceeding will fulfill the Land Development's Condition of Approval LD39 (to provide an ongoing funding source for the NPDES program).

Effect if the Charge is Not Approved

Not approving the NPDES Maximum Residential Regulatory Rate to meet federally mandated NPDES Permit requirements will not satisfy the Land Development Division's Condition of Approval LD39. If the returned ballot is marked "No", the NPDES rate will not be levied on the property tax bill.

Effect if the Ballot is Deemed Invalid or Incomplete

Not marking the corresponding box on the ballot next to the APN (in support of or opposition to the proposed program and annual rate) and/or not signing the ballot will result in an invalid ballot. In order to satisfy the Land Development Division's Condition of Approval LD39 by placement of the charge on the annual property tax bill, the mail ballot proceeding and 45-day noticing period will need to start over. Reinitiating the process will require payment of the mail ballot proceeding fee.

For More Information

If you have any questions about the mail ballot proceeding process, please contact Jennifer Terry, Senior Management Analyst, with the City's Special Districts Division at 951.413.3505 or via email at JenniferT@moval.org during the City's business hours.

Questions regarding the NPDES program, the annual rate, or the Land Development Division's Condition of Approval LD39 should be directed to the Land Development Division at 951.413.3120 or via email at landdevelopment@moval.org during the City's business hours.

The City's business hours are Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 7:30 a.m. to 4:30 p.m.

Completing Your Ballot

Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballot are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed program and annual rate **by placing a mark in the corresponding box next to the APN.** Ballots received without a designated vote will be considered invalid.
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your completed ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the public testimony portion of the Public Hearing scheduled for **Tuesday, November 10, 2015**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:00 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

Ballot Marks

Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:



A check mark substantially inside a box;



An X mark substantially inside a box;



A dot or oval mark substantially inside a box;



A completely shaded or filled mark substantially inside a box;



A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box and/or associated clause; or



A square or rectangle around the box and/or associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

RESIDENTIAL NPDES RATE SCHEDULE
 Adopted by the City Council on June 10, 2003 (Level I, II, III, IV)
 Adopted by the City Council on June 10, 2008 (Level II-A)

LEVEL I			LEVEL II			Level II-A			LEVEL III			LEVEL IV		
NPDES Administration <i>(Not covered by CSA 152)</i>			Water Quality Pond/Basin Maintenance			Sand Filter Maintenance			Water Quality Pond/Basin Remediation/Reconstruction			Water Quality System Retrofit		
Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various storm water reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with the maintenance and monitoring of the water quality pond/basin. This includes, but is not limited to maintenance on a quarterly basis of vegetative material, civil work and utility and personnel costs. Level II, in addition to Level I is levied on all properties within tracts that have a water quality pond/basin or on properties that benefit from a neighboring water quality pond/basin.			Costs associated with the maintenance and monitoring of the sand filter within a water quality pond/basin. This includes, but is not limited to maintenance of a sand bed, bleeder lines and costs for personnel. Level II-A, in addition to Level II and Level I is levied on all properties within residential developments that have a water quality pond/basin with a sand filter or on properties that benefit from a neighboring water quality pond/basin with a sand filter.			Costs associated with the remediation and reconstruction of water quality pond/basin. Remediation and reconstruction may include the following: replacement of soil, plants, irrigation, removal and hauling of wastes and possible civil work.			Costs associated with the retrofitting, replacement, monitoring and maintenance of the water quality pond/basin systems and appurtenances. This may include retrofitting of catch basin insert filters, vortex devices, installation of in-line filter systems, and nutrient baskets, etc.		
Parcel Rate	Per/Mon. \$3.31	Per/Yr. \$39.66	Parcel Rate	Per/Mon. \$6.28	Per/Yr. \$75.36	Parcel Rate	Per/Mon. \$2.86	Per/Yr. \$34.35	Parcel Rate	Per/Mon. \$5.60	Per/Yr. \$67.22	Parcel Rate	Per/Mon. \$12.75	Per/Yr. \$152.95

Each Service Level may be imposed on an as-needed basis and cumulative (if required)




Fiscal Year (FY) 2003/2004 - Base Year Calculation, subject to inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index


Inflation Factor Adjustments:

2004/2005 - 1.8% = (\$31.00, 58.00, 52.00 & 118.00)
 2005/2006 - 4.4% = (\$32.00, 61.00, 54.00 & 123.00)
 2006/2007 - 4.5% = (\$33.00, 64.00, 56.00, & 128.00)
 2007/2008 - 3.1% = (\$34.00, 66.00, 58.00, & 132.00)
 2008/2009 - 4.2% = (\$35.00, 69.00, 31.00, 60.00, \$138.00)
 2009/2010 - no change = (\$35.00, 69.00, 31.00, 60.00, \$138.00)
 2010/2011 - no change = (\$35.00, 69.00, 31.00, 60.00, \$138.00)
 2011/2012 - 3.8% = (\$36.00, 72.00, 32.00, 62.00, \$143.00)
 2012/2013 - 2.7% = (\$37.00, 74.00, 33.00, 64.00, \$147.00)
 2013/2014 - 2.0% = (\$38.00, 75.00, 34.00, 65.00, \$150.00) rounded to the nearest whole dollar
 2014/2015 - 1.14% = (\$39.38, 74.82, 34.10, 66.73, \$151.84) Pursuant to City Council approval on June 10, 2014.
 2015/2016 - 0.73% = (\$39.66, 75.36, 34.35, 67.22, \$152.95)

CV COMMUNITIES Tract 31592

APN

-  474040032
-  474490024
-  474490025

 Roads

 Parcels

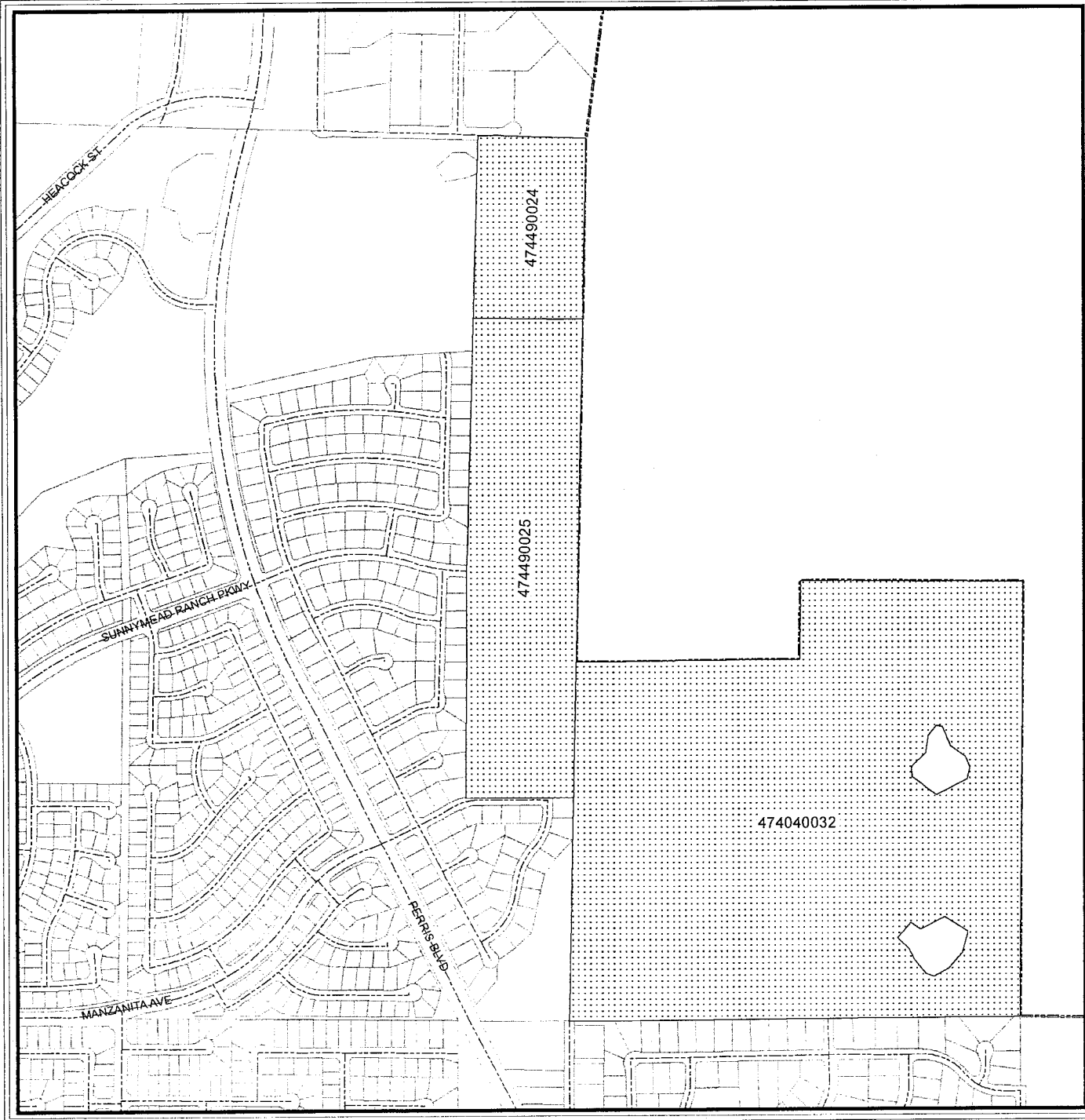
 City Boundary

Map reflects all changes indicated
on Riverside County Assessor Maps
as of August 13, 2015.



G:\VAP\SDA\Tract 31592 P13-078.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recycled or resold.



**OFFICIAL MAIL BALLOT for
Assessor's Parcel Numbers (APNs) 474-490-024,
474-490-025, and 474-040-032**

**National Pollutant Discharge Elimination System (NPDES)
Maximum Residential Regulatory Rate**

YES* — as property owner of APNs 474-490-024, 474-490-025, and 474-040-032, **I approve** the NPDES Maximum Residential Regulatory Rate and services. For fiscal year (FY) 2015/16, the NPDES Maximum Residential Regulatory Rate is \$302.32 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or included as a monthly charge on a utility bill. Beginning FY 2016/17, the maximum regulatory rate will be subject to an annual adjustment based on the percentage change calculated for the previous year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The City will provide storm water maintenance to residential neighborhoods for the continuous operation, systems evaluation/enhancement of the affected areas and the implementation of federally mandated NPDES requirements. Additionally, the rate schedule provides funds for monitoring, maintaining, and if necessary, for improving the storm water discharge system.

NO** — as property owner of APNs 474-490-024, 474-490-025, and 474-040-032, **I do not approve** the NPDES Maximum Residential Regulatory Rate and services. I understand that not approving the NPDES Maximum Residential Regulatory Rate to fund federally mandated NPDES Permit requirements may result in noncompliance with the project's Conditions of Approval. If the NPDES Maximum Residential Regulatory Rate is not approved the rate will not be levied on the Riverside County property tax bill.

Assessor's Parcel Numbers	YES*	NO**	NPDES Maximum Residential Regulatory Rate
474-490-024 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$302.32
474-490-025 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$302.32
474-040-032 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$302.32

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on November 10, 2015, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:00 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's office in the enclosed envelope prior to the close of the public testimony portion of the November 10, 2015 Public Hearing.

Ballot(s) deemed invalid or incomplete will be discarded and a new process must be initiated in order to place the charge on the annual Riverside County property tax bill, which includes payment of the mail ballot fee.