

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

First Industrial, LP
Attn: Michael Goodwin
898 N Sepulveda Blvd, Suite 175
El Segundo, CA 92501

March 29, 2017

Subject: Mail Ballot Proceeding for the National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory for PA13-0037

Dear Mr. Goodwin:

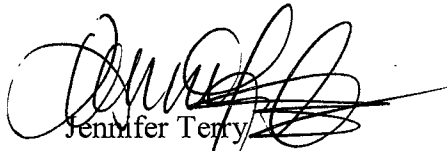
Please find the enclosed NPDES Ballot and Official Notice. Per your request, you have chosen to satisfy Land Development's condition of approval LD52 to provide a funding source for the NPDES program by approving the rate to be applied on your property tax bill.

- A completed ballot marked yes will satisfy the project's condition of approval LD52 to provide a funding source for the NPDES program.
- A completed ballot marked no or an invalid ballot (not marked and/or signed) will not satisfy the project's condition of approval LD52 to provide a funding source for the NPDES program and may delay the project obtaining a final inspection for Certificate of Occupancy.

Please ensure that your marked and signed ballot is returned to the City Clerk's office before the May 16, 2017 Public Hearing in order for your ballot to be included in the official count. If you have any questions about the proposed program, the annual charge, or about the mail ballot proceeding process, please contact Jennifer Terry, Senior Management Analyst, with the City's Special Districts Division at 951.413.3505 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

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MORENO VALLEY, CA 92552-0805

First Industrial, LP
Attn: Michael Goodwin
898 N Sepulveda Blvd, Suite 175
El Segundo, CA 90245

March 29, 2017

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE FOR APNS 316-210-002, 316-210-003, 316-210-004, 316-210-005, 316-210-006, 316-210-007, 316-210-008, 316-210-009, 316-210-010, 316-210-011, 316-210-016, 316-210-017, 316-210-018, 316-210-051, AND 316-210-055

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

Introduction

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval by the property owner of record. In compliance with Proposition 218 legislation, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 316-210-002, 316-210-003, 316-210-004, 316-210-005, 316-210-006, 316-210-007, 316-210-008, 316-210-009, 316-210-010, 316-210-011, 316-210-016, 316-210-017, 316-210-018, 316-210-051, and 316-210-055 the opportunity to express support for or opposition to the approval of the NPDES Maximum Commercial/Industrial Regulatory Rate and services. Approval of the NPDES Maximum Commercial/Industrial Regulatory Rate through a mail ballot proceeding fulfills Land Development Division's Condition of Approval LD52 to provide a funding source for the NPDES financial program.

Background

The Clean Water Act of 1987 established requirements for the discharge of Urban Runoff from Municipal Separate Storm Sewer Systems under the National Pollution Discharge Elimination System (NPDES) Program. The NPDES Program is administered by the Santa Ana Regional Water Quality Control Board through the issuance of a Permit. The City's current NPDES Permit mandates all new development projects comply with storm water management activities. The NPDES Program requires public agencies to obtain coverage under the Permit to discharge urban storm water runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels.

Services Provided

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall provide annual and periodic facility inspections for site design, NPDES permit compliance, and Best Management Practices implementation and maintenance for specified facilities.

How is the Amount of the Charge Determined?

Each fiscal year (FY), the City of Moreno Valley determines the type of services necessary to comply with NPDES Permit requirements and levies the rate applicable for that service, not to exceed the rate previously approved by the property owner.

Proposed Charge

For FY 2016/17, the NPDES Maximum Commercial/Industrial Regulatory Rate is \$232.28 per parcel. The total amount of the NPDES rates levied for FY 2016/17 for the program as a whole was \$460,001.98.

Annual Adjustment

Beginning in FY 2017/18, the NPDES Maximum Commercial/Industrial 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 Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 316-210-002, 316-210-003, 316-210-004, 316-210-005, 316-210-006, 316-210-007, 316-210-008, 316-210-009, 316-210-010, 316-210-011, 316-210-016, 316-210-017, 316-210-018, 316-210-051, and 316-210-055 (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 Commercial/Industrial 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, May 16, 2017
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 testimony portion of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk in compliance with the City's Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if the Charge is Approved

Approval of the NPDES Maximum Commercial/Industrial Regulatory Rate will be confirmed if the ballot is marked in favor of the NPDES rate. Approving the NPDES Maximum Commercial/Industrial Regulatory Rate through a mail ballot proceeding will fulfill the Land Development Division's Condition of Approval LD52 to provide an ongoing funding source for the NPDES financial program.

Effect if the Charge is Not Approved

Not approving the NPDES Maximum Commercial/Industrial Regulatory Rate to meet state and federally mandated NPDES Permit requirements will not satisfy the Land Development Division's Condition of Approval LD52 to provide a funding source for the NPDES financial program. If the returned ballot is marked "No", the NPDES rate will not be levied on the property tax bill.

Effect if the Ballot is Deemed Invalid or Incomplete

Not marking the corresponding box on the ballot in support of or opposition to the proposed program and annual rate and/or not signing the ballot will result in an invalid ballot. In order to satisfy the Land Development Division's Condition of Approval LD52 by placement of the NPDES rate on the annual property tax bill, the mail ballot proceeding and 45-day noticing period will need to start over. Reinitiating the process will require payment of the mail ballot proceeding fee.

For More Information

If you have any questions about the mail ballot proceeding process, please contact 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 financial program, the annual rate, or the Land Development Division's Conditions of Approval should be directed to the Land Development Division at 951.413.3120 or via email at landdevelopment@moval.org during the City's business hours.

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

Completing Your Ballot

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

1. Mark the enclosed ballot in support of or opposition to the proposed program and annual rate **by placing a mark in the corresponding box.** Ballots received without a designated vote will be considered invalid.
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your completed ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.
4. Ballot(s) must be **received** by the City Clerk prior to the close of the public testimony portion of the Public Hearing scheduled for **Tuesday, May 16, 2017**, 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.

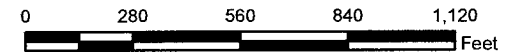
Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered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

First Industrial, LP Proposed 1.4 Million SF Warehouse

-  PA13-0037
-  Roads
-  Parcels
-  City Boundary

Map reflects all changes indicated
on Riverside County Assessor Maps
as of October 12, 2016.



G:\VP\SDA\PA13-0037.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.



COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
 Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance		
(Not covered by CSA 152)					
Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Level I is levied on all parcels conditioned for the NPDES Rate Schedule.					
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on 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					
PARCEL RATE	Per Month	Per Year	PARCEL RATE	Per Month	Per Year
	\$3.39	\$40.62		\$15.97	\$191.66

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = (\$33.00 & \$158.00)

FY 2007/2008 - 3.1% = (\$34.00 & \$163.00)

FY 2008/2009 - 4.2% = (\$35.00 & \$170.00)

FY 2009/2010 - no change = (\$35.00 & \$170.00)

FY 2010/2011 - no change = (\$35.00 & \$170.00)

FY 2011/2012 - 3.8% = (\$36.00 & \$176.00)

FY 2012/2013 - 2.7% = (\$37.00 & \$181.00)

FY 2013/2014 - 2.0% = (\$38.00 & \$185.00) rounded to the nearest dollar

FY 2014/2015 - 1.14% = (\$39.52 & \$186.49) Pursuant to City Council approval on June 10, 2014.

FY 2015/2016 - 0.73% = (\$39.81 & \$187.85)

FY 2016/2017 - 2.03% = (\$40.62 & \$191.66)

**OFFICIAL MAIL BALLOT for Assessor's Parcel Numbers (APNs)
316-210-002, 316-210-003, 316-210-004, 316-210-005, 316-210-006,
316-210-007, 316-210-008, 316-210-009, 316-210-010, 316-210-011,
316-210-016, 316-210-017, 316-210-018, 316-210-051, and 316-210-055
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate**

YES* — as property owner of the above referenced APNs, I approve the NPDES Maximum Commercial/Industrial Regulatory Rate and services. For fiscal year (FY) 2016/17, the NPDES Maximum Commercial/Industrial Regulatory Rate is \$232.28 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the annual Riverside County property tax bill or included as a monthly charge on a utility bill. Beginning FY 2017/18, 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 shall provide annual and periodic facility inspections for site design, NPDES permit compliance, and Best Management Practices implementation and maintenance for specified facilities. I understand approving the ballot will satisfy the project's condition of approval to provide a funding source for the NPDES program.

NO** — as property owner of the above referenced APNs, I do not approve the NPDES Maximum Commercial/Industrial Regulatory Rate and services. The NPDES maximum commercial/industrial regulatory rate will not be levied on the annual Riverside County property tax bill. I understand that not approving the ballot will not satisfy the project's conditions of approval to provide a funding source for the NPDES program.

YES*	NO**	Weighted Ballot Count*	Fiscal Year 2016/17 NPDES Maximum Commercial/Industrial Regulatory Rate per Parcel
<input type="checkbox"/>	<input type="checkbox"/>	15	\$232.28

*Each Assessor's Parcel Number equals 1 Weighted Ballot.

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the public testimony portion of the Public Hearing to be held on May 16, 2017, 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 May 16, 2017 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.