



REVISED AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF
MORENO VALLEY
BOARD OF LIBRARY TRUSTEES

June 22, 2010

SPECIAL PRESENTATIONS – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.

City Council Closed Session

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

City Council Study Sessions

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

City Council Meetings

Second and Fourth Tuesdays – 6:30 p.m.

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Mel Alonzo, ADA Coordinator at 951.413.3027 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Robin N. Hastings, Mayor Pro Tem
Jesse L. Molina, Council Member

Bonnie Flickinger, Mayor

Richard A. Stewart, Council Member
William H. Batey II, Council Member

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 22, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing National Field Day - June 25 - 27, 2010
2. "Spotlight on Moreno Valley Business"

REVISED AGENDA *
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO
VALLEY AND THE BOARD OF LIBRARY TRUSTEES

REGULAR MEETING - 6:30 PM
JUNE 22, 2010

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, Community Redevelopment Agency, and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item)

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

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

PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL WILL BE HEARD PRIOR TO CITY COUNCIL REPORTS AND CLOSING COMMENTS. IN THE EVENT THAT THE AGENDA ITEM FOR SUCH PUBLIC COMMENTS HAS NOT BEEN CALLED BY 9:00 P.M., IT SHALL BE CALLED AS THE NEXT ITEM OF BUSINESS FOLLOWING THE CONCLUSION OF ANY ITEM BEING HEARD AT 9:00 P.M. Those wishing to speak should submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

JOINT CONSENT CALENDARS (SECTIONS A-D)

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the Council, Community Services District, Redevelopment Agency or the Board of Library Trustees requests that an item be removed for

separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

A.4 APPROVAL OF CHECK REGISTER FOR APRIL, 2010 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of \$12,644,433.01.

Resolution No. 2010-57

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of April, 2010

A.5 WASTE MANAGEMENT OF THE INLAND EMPIRE FY 2010/2011 RATE ADJUSTMENT (Report of: Public Works Department)

Recommendation:

Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM C.4) (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Patriot Park Improvements

Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code; and
3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

A.7 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021) (Report of: Public Works Department)

Recommendation:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021; and
2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

Resolution No. 2010-58

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Updated Energy Efficiency Targets for the Moreno Valley Electric Utility Mandated by Assembly Bill 2021

A.8 APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES (Report of: Human Resources Department)

Recommendation:

Approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

A.9 RESOLUTION TO RATIFY THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND TO ACCEPT THE \$110,266.00 ALLOCATION TO THE CITY (Report of: Community Development Department)

Recommendation:

Approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice

Assistance Grant and to accept the \$110,266 allocated to the City.

Resolution No. 2010-59

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Grant Application Submitted by the Code & Neighborhood Services Division to the Office of Justice Programs for the Edward Byrne Memorial Justice Assistance Grant and Accept the \$110,266 Allocation

- A.10 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM C.3) (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder;
2. Authorize the City Manager to execute the contract with San Pedro Sign Company, and to subsequently assign said contract to the Community Redevelopment Agency; and
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City Attorney.

- A.11 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM B.4) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
 - e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;

- h. TownGate Boulevard between Frederick Street and Heritage Way;
- i. Bay Avenue between Kristina Court and Courage Street;
- j. Alessandro Boulevard between Chagall Court and Elsworth Street;
- k. Alessandro Boulevard between Joy Street and Cactus Avenue;
- l. Resource Way between Frederick Street and Corporate Way;
- m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
- n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
- o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
- p. New Hope between Veterans Way and Elsworth; and
- q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

- a. Petaluma Avenue between Napa Valley and Morrison Street;
- b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
- c. Lakeport Drive at Cottonwood Avenue;
- d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
- e. Rockport Drive between Yuba Pass Road and Morrison Street;
- f. Dracaea Avenue between Morrison Street and Nason Street;
- g. Letterman Street at Cottonwood Avenue;
- h. Athletics Drive at Cottonwood Avenue; and
- j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

- A.12 APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG);

Resolution No. 2010-63

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake Or Streambed Alteration Agreement Between the State of California, Acting by and Through the Department of Fish & Game, and the City of Moreno Valley For Project No. 98-25897

2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for \$250,125 (\$217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720); and
 3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.
- A.13 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (RECEIVED FIRST READING AND INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Attorney)

Recommendation:

Adopt Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

- A.14 ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE (RECEIVED FIRST READING AND

INTRODUCTION ON JUNE 8, 2010 ON A 5-0 VOTE) (Report of: City Manager's Office)

Recommendation:

Adopt Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code.

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

A.15 APPROVAL OF THE AMENDED EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER (Report of: Human Resources Department)

Recommendation:

Approve the amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

B.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

B.3 EXTENSION OF CONTRACT - APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of \$148,680.00; \$122,760.00 for Community Services

District ("CSD") Zone A and \$25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and
3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:
 - a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS (\$122,760.00) for CSD Zone A for twelve months, and;
 - b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS (\$25,920.00) for CFD #1 for twelve months.

B.4 AUTHORIZATION TO CLOSE PUBLIC STREETS FOR THE INDEPENDENCE DAY FESTIVITIES ON SATURDAY, JULY 3, 2010 AND SUNDAY, JULY 4, 2010 (ITEM ALSO LISTED AS ITEM A.11) (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
 - e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Elsworth Street;
 - k. Alessandro Boulevard between Joy Street and Cactus Avenue;
 - l. Resource Way between Frederick Street and Corporate Way;
 - m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;
 - n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
 - o. Veterans Way between Cactus Avenue and Alessandro Boulevard;

- p. New Hope between Veterans Way and Elsworth; and
- q. Heritage Way between TownGate Boulevard and Town Circle.

2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.

- a. Petaluma Avenue between Napa Valley and Morrison Street;
- b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
- c. Lakeport Drive at Cottonwood Avenue;
- d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
- e. Rockport Drive between Yuba Pass Road and Morrison Street;
- f. Dracaea Avenue between Morrison Street and Nason Street;
- g. Letterman Street at Cottonwood Avenue;
- h. Athletics Drive at Cottonwood Avenue; and
- j. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

C.3 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT - PROJECT NO. 08-89791725 (ITEM ALSO LISTED AS ITEM A.10) (Report of: Public Works Department)

Recommendation:

1. Accept the assignment of the contract with San Pedro Sign Company from the City;
2. Authorize the City Manager, acting in his capacity as the Executive

Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement on behalf of the Community Redevelopment Agency; and

3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

- C.4 NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT - PROJECT NO. 08-28268628 (ITEM ALSO LISTED AS ITEM A.6) (Report of: Public Works Department)

Recommendation:

Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- D.2 MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

E. PUBLIC HEARINGS

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration. Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Bailiff.

- E.1 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the City's appropriations limit for Fiscal Year 2010-11; and

2. Adopt Resolution No. 2010-60 establishing the appropriations limit at \$84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

Resolution No. 2010-60

A Resolution of the City Council of the City of Moreno Valley, California, Establishing the Appropriations Limit for Fiscal Year 2010-11

E.2 PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS ("GANN") LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11 (Report of: Financial & Administrative Services Department)

Recommendation:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District's appropriations limit for Fiscal Year 2010-11; and
2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at \$13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

Resolution No. CSD 2010-19

A Resolution of the Moreno Valley Community Services District Establishing the Appropriations Limit for Fiscal Year 2010-11

E.3 PUBLIC HEARING FOR DELINQUENT RESIDENTIAL SOLID WASTE ACCOUNTS (Report of: Public Works Department)

Recommendation:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and
2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

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

G. REPORTS

*G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

G.2 CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE ALLOWING THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES) (Report of: City Manager's Office)

Recommendation: That the City Council:

Deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a foundation and slab only building permit.

G.3 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:

Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

G.4 APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS (Report of: City Clerk's Department)

Recommendation: That the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or
2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

G.5 RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."
2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the general municipal elections held within Riverside County on that date.

Resolution No. 2010-61

A Proposed Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of a General Municipal Election on Tuesday, November 2, 2010, for the Submission to the Voters of the City a Proposed Initiative Ordinance Amending the City's Transient Occupancy Tax; and Requesting the County of Riverside to Consolidate the City's General Municipal Election Held Within Riverside County on that Date

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Resolution No. 2010-62

A Proposed Resolution of the City Council of the City Of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial Analysis, Setting Priorities for Filing Written Arguments, and Providing for Rebuttal Arguments Regarding the Moreno Valley Transient Occupancy Tax Measure

G.6 PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND

RESOLUTION FOR TAX CREDIT APPLICATION (Report of: Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

Resolution No. RDA 2010-03

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Supporting the Rancho Dorado South Apartments Housing Development, Ratifying Certain Findings and Determinations Made Under Resolution No. 2008-11 and Affirming its Intention to Provide Assistance to MV Rancho Dorado Limited Partnership, a Subsidiary of Palm Desert Development Company, Inc.

G.7 ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of the staff report;
2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. 2010-64

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Operating Budget for Fiscal Year 2010-11

3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");

Resolution No. CSD 2010-20

A Resolution of the Moreno Valley Community Services District, Adopting the Operating Budget for Fiscal Year 2010-11

4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

Resolution No. RDA 2010-04

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Operating Budget for Fiscal Year 2010-11

G.8 ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN
(CONTINUED FROM JUNE 8, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A");

Resolution No. 2010-65

A Resolution of the City Council of the City of Moreno Valley, California, Adopting the Capital Improvement Plan for Fiscal Year 2010-11;

2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A"); and

Resolution No. CSD 2010-21

A Resolution of the Moreno Valley Community Services District Adopting the Capital Improvement Plan for Fiscal Year 2010-11

3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

Resolution No. RDA 2010-05

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley, California Adopting the Capital Improvement Plan for Fiscal Year 2010-11

- G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Bailiff. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Materials related to an item on this Agenda submitted to the City Council/Community Services District/Community Redevelopment Agency or the Board of Library Trustees after distribution of the agenda packet are available for public inspection in the City Clerk's office at 14177 Frederick Street during normal business hours.

CLOSED SESSION

A Closed Session of the City Council, Community Services District and Community Redevelopment Agency of the City of Moreno Valley will be held in the City Manager's Conference Room, Second Floor, City Hall. The City Council will meet in Closed Session to confer with its legal counsel regarding the following matter(s) and any additional matter(s) publicly and orally announced by the City Attorney in the Council Chamber at the time of convening the Closed Session.

• PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

There is a three-minute time limit per person. Please complete and submit a BLUE speaker slip to the City Clerk. All remarks and questions shall be addressed to the presiding officer or to the City Council and not to any individual Council member, staff member or other person.

The Closed Session will be held pursuant to Government Code:

*1 SECTION 54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

a Case: *Kevon Gordon, Ronald Jones, Raymond Barnes v. City of Moreno Valley; City of Moreno Valley Police Department; Rick Hall, Chief of the Moreno Valley Police Department, in his official capacity; Kristy Underwood, Executive Officer of the California Board of Barbering and Cosmetology, in her official capacity; Stan Sniff, Riverside County Sheriff, in his official capacity; and DOES 1-20*

Court: United States District Court, Central District of California
Case No: EDCV 09-00688b

2 SECTION 54956.9(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

3 SECTION 54956.9(c) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 2

4 SECTION 54957.6 - LABOR NEGOTIATIONS

a) Agency Representative: William Bopf

Employee Organization: MVCEA

b) Agency Representative: William Bopf
Employee Organization: MVMA

c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential
Management Employees

5 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC
EMPLOYMENT

a) City Manager Recruitment

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

ADJOURNMENT

MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
June 8, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer Ted Morgan

Chief Anderson introduced Officer Morgan
Council Member Stewart presented the handcuffs

2. "Saved by the Helmet" Award Presentation to Luryn Hills

Sgt Jackie Horton introduced Luryn Hill
Council Member Batey presented certificate and helmet

3. Verizon Donation to the Moreno Valley Black Chamber of Commerce Literacy Program

Mr. McAllister presented the grant donation and introduced Ms. Wright to recognize the MVBCC literacy program; \$21,000

4. "Spotlight on Moreno Valley Business"

Mayor Flickinger presented to major employer, Burlington Coat Factory, Marie Fairbanks, Store Manager

Mayor Flickinger presented to Zapata's Mexican Restaurant, Lisa Samiento, Owner

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:30 PM
June 8, 2010**

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:36 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE was led by Council Member Stewart

INVOCATION – Council Member Richard A. Stewart

ROLL CALL

Council:

Bonnie Flickinger	Mayor
Robin N. Hastings	Mayor Pro Tem
William H. Batey II	Council Member
Jesse L. Molina	Council Member
Richard A. Stewart	Council Member

Staff:

Jane Halstead	City Clerk
Steve Elam	Interim Financial and Admin. Services Director
William Bopf	Interim City Manager
John Ruiz	Interim Human Resources Director
Robert Hansen	City Attorney
Rick Hartmann	Interim Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Kyle Kollar	Interim Community Development Director
Barry Foster	Economic Development Director
Paula Smus	Acting Principal Librarian
Patty Grube	Management Analyst I

JOINT CONSENT CALENDARS (SECTIONS A-D) OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, MORENO VALLEY COMMUNITY SERVICES DISTRICT, COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY AND THE BOARD OF LIBRARY TRUSTEES

Mayor Flickinger opened the agenda items for the Consent Calendars for public comments, which were received from Pete Bleckert (Item A13) and Oscar Valdepena (Item A13).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.3 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of May 19 - June 1, 2010.

A.4 CONFLICT OF INTEREST CODE - AGENCY REVIEW (Report of: City Clerk's Department)

Recommendation:
Direct each agency, which has adopted a Conflict of Interest Code pursuant to the provisions of the Political Reform Act of 1974 (Government Code §87100, et. seq.), to review its Conflict of Interest Code, and if a change is necessary, to submit its biennial report to the City Clerk no later than October 1, 2010.

A.5 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 3 (AUTO MALL REFINANCING) (Report of: Public Works Department)

Recommendation:
That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 3 (Auto Mall Refinancing) ("CFD No. 3"), approve and adopt No. 2010- 37 to accept and approve the Annual Special Tax Report for fiscal year

(FY) 2010/11, on file in the office of the City Treasurer.

Resolution No. 2010-37

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 3 of the City of Moreno Valley (Auto Mall Refinancing)

A.6 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE) (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) ("CFD No. 87-1") approve and adopt the following:

Resolution No. 2010-38 to accept and approve the Special Tax Report for fiscal year (FY) 2010/11 regarding CFD No. 87-1;

Resolution No. 2010-38

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate); and

2. Resolution No. 2010-39 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1.

Resolution No. 2010-39

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) of the City of Moreno Valley, Approving the Submittal of an Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1

A.7 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 87-1 (TOWNGATE)

IMPROVEMENT AREA NO. 1 (Report of: Public Works Department)

Recommendation:

1. That the City Council, acting in their capacity as the legislative body of the Moreno Valley Community Facilities District (CFD) No. 87-1 (Towngate) Improvement Area No. 1 ("CFD No. 87-1, Improvement Area No. 1") approve and adopt the following:

Resolution No. 2010-40 to accept and approve the Annual Special Tax Report for fiscal year (FY) 2010/11 for CFD No. 87-1 Improvement Area No. 1; and

Resolution No. 2010-40

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1; and

2. Resolution No. 2010-41 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for CFD No. 87-1 Improvement Area No. 1.

Resolution No. 2010-41

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 87-1 (Towngate) Improvement Area No. 1 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 87-1 Improvement Area No. 1

- A.8 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR CITY AND COMMUNITY SERVICES DISTRICT FUNDS TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS B4) (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council approve and adopt the proposed Resolution No. 2010-42 to authorize the Mayor to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for Fiscal Year (FY) 2010/11.

Resolution No. 2010-42

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Mayor to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller's Office

A.9 APPROVAL AND ADOPTION OF THE ANNUAL SPECIAL TAX REPORT AND ANNUAL ACCOUNTABILITY REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 5 FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

1. That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 5 adopt the following:

Resolution No. 2010-43 to accept and approve the Annual Special Tax Report for fiscal year ("FY") 2010/11 regarding Community Facilities District No. 5; and

Resolution No. 2010-43

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 5

2. Resolution No. 2010-44 to approve the submittal of the Annual Accountability Report in compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5.

Resolution No. 2010-44

A Resolution of the City Council of the City of Moreno Valley, California, Acting as the Legislative Body of Community Facilities District No. 5 of the City of Moreno Valley, Approving the Submittal of the Annual Accountability Report in Compliance with Government Code Sections 53410 and 53411 for Community Facilities District No. 5

A.10 APPROVAL AND ADOPTION OF THE SPECIAL TAX REPORT FOR MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 4— MAINTENANCE FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as the legislative body of Moreno Valley Community Facilities District No. 4—Maintenance (“CFD No. 4—M”) approve and adopt Resolution No. 2010-45 to accept and approve the Annual Special Tax Report for fiscal year (“FY”) 2010/11 regarding CFD No. 4—M.

Resolution No. 2010-45

A Resolution of the City Council of the City of Moreno Valley, California, Accepting and Approving the Annual Special Tax Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 4-Maintenance

- A.11 PARCEL MAP 33726 - COMMERCIAL - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF IRIS AVENUE AND PERRIS BOULEVARD ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY CORPORATION, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

- 1. Adopt Resolution No. 2010-46 authorizing the acceptance of the public improvements within Parcel Map 33726 - Commercial as complete and accepting the portion of Iris Avenue and Perris Boulevard associated with the project into the City’s maintained street system; and

Resolution No. 2010-46

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Commercial, and Accepting the Portion of Iris Avenue and Perris Boulevard Associated with the Project into the City’s Maintained Street System

- 2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A.12 PARCEL MAP 33726 - STORM DRAIN - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF RED MAPLE LANE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: IRIS PARTNERS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY, UPLAND, CA 91784 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2010-47 authorizing the acceptance of the public improvements within Parcel Map 33726 - Storm Drain as complete and accepting the portion of Red Maple Lane associated with the project into the City's maintained street system; and

Resolution No. 2010-47

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Parcel Map 33726 - Storm Drain, and Accepting the Portion of Red Maple Lane Associated with the Project Into the City's Maintained Street System

2. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received.

- A.13 ANNUAL AGREEMENTS FOR SERVICES WITH THE CHAMBERS OF COMMERCE (Report of: Economic Development Department)

Recommendation:

Review and approve the annual Agreements for Services with two of the local chambers of commerce – The Moreno Valley Chamber of Commerce and the Moreno Valley Hispanic Chamber of Commerce.

- A.14 APPROVAL OF PROGRAM SUPPLEMENT AGREEMENT FOR FEDERALLY FUNDED PROJECT NO. HSIPL 5441 (046) AND FUNDING APPROPRIATION TO RETROFIT 117 EXISTING SIGNALIZED INTERSECTIONS WITH EMERGENCY VEHICLE PRE-EMPTION SYSTEM, UNDER THE HIGHWAY SAFETY IMPROVEMENT (HSIP) PROGRAM (Report of: Public Works Department)

Recommendation:

1. Approve and adopt proposed Resolution No. 2010-48, and authorize the execution of Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIPL).

Resolution No. 2010-48

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of Program Supplement No. 025-N, to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Project No. HSIP 5441 (046) Between the State of California, Acting by and Through the Department of Transportation, and the City of Moreno Valley, for the Highway Safety Improvement Program (HSIP)

2. Authorize the Public Works Director/City Engineer to execute Program Supplement Agreement No. 025-N to Administering Agency-State Agreement No. 08-5441R for Federal-Aid Projects No. HSIPL 5441 (046), Highway Safety Improvement Program (HSIP).

A.15 APPROVE AND AUTHORIZE EXECUTION OF AGREEMENT REGARDING PROPOSED STREAM OR LAKE ALTERATION, AND AUTHORIZE A PURCHASE ORDER FOR THE SANTA ANA WATERSHED ASSOCIATION FOR THE INDIAN DETENTION BASIN DRAINAGE IMPROVEMENTS, AND IRONWOOD AVENUE STREET IMPROVEMENTS FROM HEACOCK STREET TO NITA DRIVE - PROJECT NO. 09-89791726 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to execute the Agreement Regarding Proposed Stream or Lake Alteration, including any amendments, subject to approval of the City Attorney;
2. Authorize the issuance of a Purchase Order for the Santa Ana Watershed Association (SAWA) for \$163,350 (\$148,500 plus 10% contingency of \$14,850) for environmental mitigation associated with the construction of the Indian Detention Basin Drainage Improvements and the Ironwood Avenue Street Improvements from Heacock Street to Nita Drive; and
3. Authorize the City Manager to execute the Purchase Requisition for the SAWA up to but not exceeding the Purchase Order

amount of \$163,350.

- A.17 AUTHORIZE A CHANGE ORDER TO INCREASE THE PURCHASE ORDER WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE SUNNYMEAD BOULEVARD REVITALIZATION PROJECT FROM FREDERICK STREET TO PERRIS BOULEVARD PROJECT NO. 04-8928022-1 (Report of: Public Works Department)

Recommendation:

1. Authorize a Change Order to increase the Purchase Order with Environmental Construction, Inc. in the amount of \$195,000 for additional services for the Sunnymead Boulevard Revitalization Project from Frederick Street to Perris Boulevard (Account No. 501.82125); and
2. Authorize the City Manager to execute the Purchase Order for Environmental Construction, Inc.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- B.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

- B.3 APPROVAL AND ADOPTION OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 1 ANNUAL SPECIAL TAX REPORT FOR FISCAL YEAR 2010/11 (Report of: Public Works Department)

Recommendation:

That the Mayor and City Council acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") and as the legislative body of Community Facilities District No. 1 ("CFD No. 1" or "District") approve and adopt Resolution No. CSD 2010-07 to accept and approve the Annual Special Tax Report on file in the office of the City Treasurer and authorize the City Treasurer to levy the special tax in accordance with the rate and method of apportionment required to cover the annual special tax requirement of CFD No. No. 1.

Resolution No. CSD 2010-07

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Accepting and Approving the Report for Fiscal Year 2010/11 Regarding Community Facilities District No. 1

- B.4 AUTHORIZATION FOR THE MAYOR TO SIGN THE PROPOSITION 218 LETTER FOR EACH CITY AND COMMUNITY SERVICES DISTRICT FUND TO BE TRANSMITTED WITH THE FIXED CHARGE SUBMITTAL, AS REQUIRED BY THE COUNTY OF RIVERSIDE (ITEM ALSO LISTED AS A8) (Report of: Public Works Department)

Recommendation:

That the City Council acting in their capacity as President and Members of the Board of Directors of the CSD (“CSD Board”), approve and adopt the proposed Resolution No. CSD 2010-08 to authorize the Mayor, acting in the capacity of the CSD President, to sign the Proposition 218 letter to be sent to the Riverside County Auditor-Controller for FY 2010/11.

Resolution No. CSD 2010-08

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Authorizing the Mayor, Acting as President of the Moreno Valley Community Services District, to Sign the Proposition 218 Letter to be Sent to the County of Riverside Auditor-Controller’s Office

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

- C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- C.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

- D.2 MINUTES - REGULAR MEETING OF MAY 25, 2010 (Report of: City Clerk)

Recommendation:

11

MINUTES
June 8, 2010

Approve as submitted.

**Motion to Approve by m/Council Member William H. Batey II,
s/Council Member Richard A. Stewart**
Approved by a vote of 5-0.

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING REGARDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATORY RATE SCHEDULE FOR NEW RESIDENTIAL AND COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE DEVELOPMENT PROPOSED FISCAL YEAR (FY) 2010/2011 ANNUAL RATES (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct a Public Hearing to consider all objections or protests of the "NPDES Regulatory Rate Schedule for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development" as provided in the Public Notice; and
2. Adopt "Resolution No. 2010-50, A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll."

Resolution No. 2010-50

A Resolution of the City of Moreno Valley, California, Authorizing and Approving the Levy of the National Pollutant Discharge Elimination System (NPDES) Regulatory Rate for New Residential and Common Interest, Commercial, Industrial and Quasi-Public Use Development on the County of Riverside Property Tax Roll

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

**Motion to Approve by m/Council Member William H. Batey II,
s/Mayor Pro Tem Robin N. Hastings**
Approved by a vote of 5-0.

E.2 PUBLIC HEARING TO CONSIDER APPROVING THE CONTINUANCE OF CURRENT MORENO VALLEY COMMUNITY SERVICES DISTRICT

ANNUAL PARCEL CHARGES PROPOSED FOR FISCAL YEAR 2010/11
(Report of: Public Works Department)

Mayor Flickinger opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

1. That the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board") conduct a Public Hearing for the CSD Zones A, B, C, D, E, E-1A, E-3A, E-4A, M, and S; and approve and adopt the proposed resolution for CSD 2010-09 (Zone A);

Resolution No. CSD 2010-09

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone A (Parks and Community Services) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

2. Approve and adopt the proposed Resolution No. CSD 2010-10 (Zone B);

Resolution No. CSD 2010-10

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone B (Residential Street Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

3. Approve and adopt the proposed Resolution No. CSD 2010-11 (Zone C);

Resolution No. CSD 2010-11

A Resolution of the Moreno Valley Community Services District

of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone C (Arterial Street Lighting and Intersection Lighting) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

4. Approve and adopt the proposed Resolution No. CSD 2010-12 (Zone D);

Resolution No. CSD 2010-12

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone D (Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

5. Approve and adopt the proposed Resolution No. CSD 2010-13 (Zone E);

Resolution No. CSD 2010-13

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E (High-Service-Level Parkway Landscape Improvement and Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

6. Approve and adopt the proposed Resolution No. CSD 2010-14 (Zone E-1A);

Resolution No. CSD 2010-14

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-1A (Renaissance Park – Walls/Internal Parkway Landscape

Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

7. Approve and adopt the proposed Resolution No. CSD 2010-15 (Zone E-3A);

Resolution No. CSD 2010-15

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-3A (Lasselle Powerline Parkway – Walls/Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

8. Approve and adopt the proposed Resolution No. CSD 2010-16 (Zone E-4A);

Resolution No. CSD 2010-16

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone E-4A (Daybreak Development – Internal Parkway Landscape Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

9. Approve and adopt the proposed Resolution No. CSD 2010-17 (Zone M); and

Resolution No. CSD 2010-17

A Resolution of the Moreno Valley Community Services District of the City Of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone M (Commercial/Industrial/Multifamily Improved Median Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

10. Approve and adopt the proposed Resolution No. CSD 2010-18 (Zone S)

Resolution No. CSD 2010-18

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving the Calculation of the Parcel Charge for Providing Zone S (Sunnymead Boulevard Maintenance) Services During Fiscal Year 2010/2011

Motion to Approve by m/Board Member Richard A. Stewart, s/Board Member William H. Batey II
Approved by a vote of 5-0.

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

Mayor Flickinger opened the agenda items for public comments; there being none, public comments were closed.

- A.16 APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO AMEND THE ELECTRIC RATES FOR MORENO VALLEY UTILITY (Report of: Public Works Department)

Recommendation:

Approve Resolution No. 2010-49 amending the Electric Rates for Moreno Valley Utility

Resolution No. 2010-49

A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates, and Electric Service Rules, Fees, and Charges for Moreno Valley

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

- A.18 APPROVAL OF AMENDMENTS TO MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE CITY'S MANAGEMENT ASSOCIATIONS (MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL

MANAGEMENT EMPLOYEES (Report of: Human Resources Department)

Recommendation: That the City Council:

That the City Council approve amendments to the Fiscal Year 2009-10 Memoranda of Understanding between the City of Moreno Valley and the City's Management Associations (Moreno Valley Management Association and Moreno Valley Confidential Management Employees) concerning benefit levels provided to employees who voluntarily separate from City employment and then are rehired within one year.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member Richard A. Stewart
Approved by a vote of 5-0.

G. REPORTS

G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)

a) Council Member Richard A. Stewart report on March Joint Powers Commission (MJPC)

Council Member Stewart reported on March LifeCare groundbreaking. St. Bernardine Hospital and Riverside Medical Clinic are partnering with March LifeCare. A good medical team will be involved. The total project is over \$3B, and the total number of jobs is over 7,000 full-time jobs with the medical aspect. The project will be phased over a period of ten years, and will include research and treatment component. The newspapers are carrying bi-line about Moreno Valley.

Mayor Flickinger, who spoke at groundbreaking, added that it was a remarkable ceremony. With the new healthcare laws, healthcare is going to be delivered in a very different manner than in the past. They are prepared to be state of the art leaders. An exciting time for the development, Moreno Valley and the entire region.

G.2 GENERAL MUNICIPAL ELECTION – NOVEMBER 2, 2010
RESOLUTIONS CALLING AND GIVING NOTICE; REQUESTING
CONSOLIDATION WITH STATEWIDE GENERAL ELECTION; AND
ADOPTING REGULATIONS PERTAINING TO CANDIDATES'
STATEMENTS; ORDERING THE SUBMISSION TO THE QUALIFIED
ELECTORS OF TWO ADVISORY BALLOT MEASURES RELATING TO
CHANGING FROM AN APPOINTED TO AN ELECTED MAYOR;
DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL

ANALYSIS; AND PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR BALLOT MEASURES (Report of: City Clerk and City Attorney)

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder.

Recommendation: That the City Council:

1. Adopt:

Resolution No. 2010-51, calling and giving notice of the holding of a general municipal election on Tuesday, November 2, 2010 of certain officers as required by the provisions of the laws of the State of California relating to general law cities;

Resolution No. 2010-51

A Resolution of the City Council of the City of Moreno Valley, California, Calling and Giving Notice of the Holding of a General Municipal Election on Tuesday, November 2, 2010, of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

2. Resolution No. 2010-52, requesting the Board of Supervisors of the County of Riverside to consolidate a general municipal election with the statewide general election to be held on Tuesday, November 2, 2010, pursuant to §10403 of the California Elections Code;

Resolution No. 2010-52

A Resolution of the City Council of the City of Moreno Valley, California, Requesting the Board of Supervisors of the County of Riverside to Consolidate a General Municipal Election With the Statewide General Election to be Held on Tuesday, November 2, 2010, Pursuant to Section 10403 of the California Elections Code

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

3. Resolution No. 2010-53, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 2, 2010;

Resolution No. 2010-53

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters for the Election to be Held on Tuesday, November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

4. Resolution No. 2010-54, ordering the submission to the qualified electors of the City of Moreno Valley at the general municipal election to be held on Tuesday, November 2, 2010 of two advisory ballot measures relating to changing from an appointed to an elected mayor;

Resolution No. 2010-54

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Submission to the Qualified Electors of the City of Moreno Valley at the General Municipal Election to be Held on Tuesday, November 2, 2010 of Two Advisory Ballot Measures Relating to Changing from an Appointed to An Elected Mayor

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

5. Resolution No. 2010-55, directing the City Attorney to prepare an impartial analysis regarding the advisory ballot measures relating to changing from an appointed to an elected mayor for the general municipal election to be held on November 2, 2010; and

Resolution No. 2010-55

A Resolution of the City Council of the City of Moreno Valley, California, Directing the City Attorney to Prepare an Impartial

Analysis Regarding the Advisory Ballot Measure Relating to Changing From an Appointed to an Elected Mayor for the General Municipal Election to be Held on November 2, 2010

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

6. Resolution No. 2010-56, providing for the filing of rebuttal arguments for ballot measures submitted at municipal elections.

Resolution No. 2010-56

A Resolution of the City Council of the City of Moreno Valley, California, Providing for the Filing of Rebuttal Arguments for Ballot Measures Submitted at the November 2, 2010 Municipal Election

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

7. Approve the attached Municipal Information Form and authorize the City Clerk to submit the completed form and the resolutions to the Registrar of Voters.

Motion to Approve by m/Mayor Pro Tem Robin N. Hastings, s/Council Member William H. Batey II
Approved by a vote of 5-0.

Mayor Flickinger's recommendation - one sentence should be bolded; pgs 344/345.

- G.3 SHOP MOVAL PROGRAM (Report of: Economic Development Department)

Recommendation: That the City Council:
Provide feedback and/or input as to the proposed components of the expanding SHOP MOVAL program.

Mayor Flickinger opened the agenda item for public comments, which were received from Oscar Valdepena and Daryl Terrell.

- G.4 ORDINANCE NO. 811, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04

OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS (CONTINUED FROM MAY 11, 2010) (Report of: City Attorney)

Recommendation: That the City Council:

Introduce Ordinance No. 811, an ordinance amending Chapter 11.04 to add new sections relating to drinking in public and trespassing and amending Section 6.04.080 relating to notice of nuisance violations.

Ordinance No. 811

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Chapter 11.04 of the City of Moreno Valley Municipal Code, Relating to Drinking in Public and Trespassing Offenses and Amending Section 6.04.080 Relating to Notice of Nuisance Violations

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Motion to Approve by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

- G.5 A PROPOSED AMENDMENT TO CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE OF THE MORENO VALLEY MUNICIPAL CODE AND REQUEST FOR PROPOSALS FOR THE IMPLEMENTATION OF A CITYWIDE ROTATIONAL TOW SERVICE PROGRAM (CONTINUED FROM MAY 25, 2010) (Report of: City Manager's Office)

Mayor Flickinger opened the agenda item for public comments, which were received from Glenn Tucker.

Recommendation: That the City Council:

1. Introduce Ordinance No. 812 amending Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12 of the Moreno Valley Municipal Code, and

Ordinance No. 812

An Ordinance of the City Council of the City of Moreno Valley, California Amending Title 12 of the City of Moreno Valley Municipal Code by Repealing Chapter 12.14 Relating to Rotational Towing Services for the City of Moreno Valley and

adding Thereto a New Chapter 12.14 Entitled Police and City of Moreno Valley Rotational Tow Service

Section 12.14.100A was amended to read: “storage space for a minimum of one-hundred fifty (150) vehicles of outside storage” and “Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.”

Motion to Approve as amended by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

2. Approve the Request for Proposals (RFP) to solicit proposal to participate in the City’s Rotational Tow Service Program and authorize City Staff to circulate the RFP to qualified tow operators and businesses.

Motion to Approve by m/Council Member William H. Batey II, s/Mayor Pro Tem Robin N. Hastings
Approved by a vote of 5-0.

RECESS;
RECONVENED

G.6 CONTINUED DISCUSSION OF FISCAL YEAR 2010-11 OPERATING BUDGET AND DEFICIT REDUCTION PLAN (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Continue discussion of the Fiscal Year 2010-11 Operating Budget and Deficit Reduction Plan; and
2. Consider the Interim City Manager’s proposed budget balancing plan.

Mayor Flickinger opened the agenda item for public comments, which were received from Deanna Reeder, Daryl Terrell and Pete Bleckert.

Consensus of the Council was to reinstate funding for neighborhood cleanup for the recommendation included on the Public Works Department list of Deficit Reduction Options.

G.7 FY 2010-11 PROPOSED CAPITAL IMPROVEMENT PLAN REVIEW (CONTINUED FROM MAY 25, 2010) (Report of: Public Works Department)

Recommendation: That the City Council:

Review and discuss the FY 2010-11 Proposed Capital Improvement Plan (CIP) and provide concurrence with the proposed priorities or direction for new priorities for implementation of capital projects.

**Motion to Continue by m/Council Member William H. Batey II,
s/Council Member Richard A. Stewart**
Approved by a vote of 5-0.

- G.8 PA07-0090 – ACCEPT THE AGREEMENT FOR LINE ‘F’ STORM DRAIN SECURITY ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK, BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET - DEVELOPER: HF LOGISTICS - SKX T1, LLC, MORENO VALLEY, CA (Report of: Public Works Department)

Mayor Flickinger opened the agenda item for public comments; there being none, public comments were closed.

Recommendation: That the City Council:

1. Accept the Agreement for Line ‘F’ Storm Drain Security;

**Motion to Approve by m/Council Member Richard A. Stewart,
s/Council Member Jesse L. Molina**
Approved by a vote of 5-0.

2. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the two (2) escrow accounts;
3. Direct the City Clerk to forward the signed Agreement to the County Recorder’s Office for recordation; and
4. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required storm drain improvements are not completed within said timeframe.

**Motion to Approve by m/Council Member Richard A. Stewart,
s/Council Member Jesse L. Molina**
Approved by a vote of 5-0.

G.9 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

City Manger Bopf announced the following:

1) MVTV3 is a finalist among the National Association of Telecommunication Officers and Advisors. The two items being featured are a monthly news update and "You Spray, You Pay" Graffiti Removal Program.

2) The two Fresh & Easy stores that were completed but not yet opened will likely open by the end of this year.

3) Staff met with the new owners of the Moreno Beach Plaza - Phase II. We lost three anchor stores there. The new owners are in the market for the long haul, and the City will work closely with them to attract new tenants.

4) Sales tax is down 5.8% in the County and 5.4% in the City. The sales price of homes increased in April.

5) Two foreclosure workshops were held on May 22 and June 7. The next one will be held on June 26.

6) Thanked Steve Elam and Cynthia Fortune for an excellent development and presentation of the budget.

7) Thanked Rick Hartmann for coming back to assist staff.

H. LEGISLATIVE ACTIONS

H.1 ORDINANCES - 1ST READING AND INTRODUCTION - NONE

H.2 ORDINANCES - 2ND READING AND ADOPTION - NONE

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

Sue Gilchrist

1) Shooting at the Equestrian Center

Deanna Reader - no comment

Daryl Terrell

1) Budgeting approach and strategies

Pete Bleckert

- 1) Equestrian Center; supports target shooting at Equestrian Center
- 2) Stop lights
- 3) Chambers of Commerce

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,
COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT
AGENCY**

Council Member Batey

- 1) Attended the Taste of the Valley; it was very successful.
- 2) Asked residents to ensure that brush and vegetation are cleared around the houses.

Mayor Pro Tem Hastings

- 1) Attended the Taste of the Valley and the Rotary Truck Party which provides scholarships. Congratulated the Chamber for the Taste of the Valley; it was a great event
- 2) Since the Grand Opening of Bob's Big Boy, there have been two car shows; it has drawn a lot of business to the Stoneridge Center.

Council Member Stewart

- 1) Rick Hartmann has been an asset to the March Joint Powers; appreciates his input.
- 2) The City of Pomona is in discussions to eliminate their Police Department due to budget and contract it out.
- 3) The Taste of the Valley was fantastic.
- 4) A free concert has been scheduled for Thursday, June 10 at the C&RC. Yankee Doodle Dandies is the theme.
- 5) Skechers' grading is underway.
- 6) The efforts by Economic Development are important. The ICSC is a critical trade show for businesses. Important to keep our economic efforts going to fill the empty buildings.

Council Member Molina

- 1) Thanked Interim City Manager for the great job. There will be tough challenges next year.
- 2) Thanked staff for working on the budget.

Mayor Flickinger

- 1) At a recent RCTC Programs and Projects Committee meeting, learned that the California Department of Transportation has approved the funding of the final improvements to the 60/215 interchange west of Day Street. Construction is expected to begin this summer. It will connect the car pool lanes in both directions, will modify and realign the northbound Box Springs exit ramp and realign and widen Box Springs to four lanes. May

take three years to complete.

2) The Employment Resource Center is helping residents to find jobs.

3) We are in the middle of the third round of Foreclosure Prevention Workshops.

4) A Job Fair sponsored by Congresswoman Mary Bono Mack was held yesterday.

5) The low income exemption from paying the utility tax is another way the City is helping residents ease the economic burden.

6) The Patriot Park dedication will be held on June 14 at Perris and Filaree. It is a major improvement for Warner Ranch.

7) The Moreno Valley Historical Society needs a volunteer to manage and update their website.

CLOSED SESSION

PUBLIC COMMENTS ON MATTERS ON THE CLOSED SESSION AGENDA UNDER THE JURISDICTION OF THE CITY COUNCIL

- a) Agency Representative: William Bopf
Employee Organization: MVCEA

- b) Agency Representative: William Bopf
Employee Organization: MVMA

- c) Agency Representative: William Bopf
Employee Organization: Moreno Valley Confidential
Management Employees

- a) a) City Manager Recruitment

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m. by unanimous informal consent.

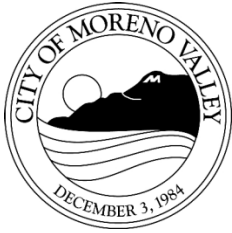
Submitted by:

Jane Halstead, City Clerk, CMC
Secretary, Moreno Valley Community Services District
Secretary, Community Redevelopment Agency of the City of Moreno Valley
Secretary, Board of Library Trustees

Approved by:

Bonnie Flickinger
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: June 22, 2010

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of June 2-15, 2010.

<i>Reports on Reimbursable Activities</i> June 2-15, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley
	6/14/10	Moreno Valley Chamber of Commerce 9 th Annual Rally Round the Flag
Robin N. Hastings	6/14/10	Moreno Valley Chamber of Commerce 9 th Annual Rally Round the Flag
Jesse L. Molina	6/14/10	Moreno Valley Chamber of Commerce 9 th Annual Rally Round the Flag
Richard A. Stewart	6/5/10	Moreno Valley Chamber of Commerce Taste of the Valley

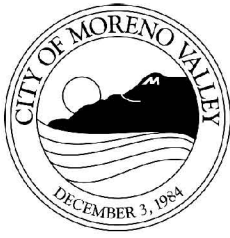
Prepared By:
Cindy Miller
Executive Assistant to the Mayor/City Council

Department Head Approval:
Jane Halstead
City Clerk

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

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>REA</i>
CITY MANAGER	<i>WES</i>

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR APRIL, 2010

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-57, approving the Check Register for the month of April, 2010 in the amount of \$12,644,433.01.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of \$25,000 or greater, followed by a listing in alphabetical order of all checks less than \$25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2009-10 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2010-57
Check Register for Month of April, 2010

Prepared By:
Domilena R. Gonzales
Interim Principal Accountant

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

Concurred By:
Cynthia A. Fortune
Financial Operations Division Manager

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

RESOLUTION NO. 2010-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF APRIL, 2010

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period April 1, 2010 through April 30, 2010, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period April 1, 2010 through April 30, 2010, in the total amount of \$12,644,433.01 is approved.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]



City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF \$25,000 OR GREATER				
A N R INDUSTRIES, INC				
4/26/2010	202094	43,022.52	PROPERTY REHAB-24654 SINALOA	43,022.52
4/26/2010	202096	34,520.99	PROPERTY REHAB-25909 PARSLEY	34,520.99
4/26/2010	202097	31,068.87	PROPERTY REHAB-12177 INDIAN ST	31,068.87
Vendor Total		108,612.38		
FYTD for A N R INDUSTRIES, INC		131,454.88		
AFTERSCHOOL STORE.COM				
4/5/2010	201559	34,902.91	SNACK SVCS-STARS	34,902.91
4/26/2010	202100	33,718.19	SNACK SVCS-STARS	33,718.19
Vendor Total		68,621.10		
FYTD for AFTERSCHOOL STORE.COM		264,673.53		
AVI-CON INC.				
4/5/2010	201573	35,985.24	PUB SFTY BLDG CONVERSION PROJ	35,985.24
Vendor Total		35,985.24		
FYTD for AVI-CON INC.		35,985.24		
BANK OF AMERICA				
4/12/2010	1004021	101,438.62	ACQ & ESCROW 14669 RIO HONDO	101,438.62
Vendor Total		101,438.62		
FYTD for BANK OF AMERICA		1,635,117.43		



City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				
4/26/2010	202109	25,382.76		
			LANDSCAPE MAINT-PARKS	735.00
			LANDSCAPE MAINT-PARKS	262.50
			LANDSCAPE MAINT-PARKS	850.50
			LANDSCAPE MAINT-PARKS	525.00
			LANDSCAPE MAINT-PARKS	1,785.00
			LANDSCAPE MAINT-PARKS	600.00
			LANDSCAPE MAINT-PSB	1,197.58
			LANDSCAPE MAINT-ANML SHLTR	520.00
			LANDSCAPE MAINT-STARs BLDG	300.00
			LANDSCAPE MAINT-CITY YARD	250.00
			LANDSCAPE MAINT-MVU	480.00
			LANDSCAPE MAINT-UT SUBSTATION	480.00
			LANDSCAPE MAINT-LIBRARY	520.00
			LANDSCAPE MAINT-BIKE AQDCT	400.00
			LANDSCAPE MAINT-BIKE AQDCT	400.00
			LANDSCAPE MAINT-E2	16,077.18
	Vendor Total	25,382.76		
FYTD for BEMUS LANDSCAPE, INC.		405,497.56		
CALPERS				
4/12/2010	201844	100,445.13		
			ARC PAYMENT LESS RET MED PAYOU	100,445.13
	Vendor Total	100,445.13		
FYTD for CALPERS		871,257.69		
CITIZENS BUSINESS BANK				
4/6/2010	1004011	64,316.88		
			ACQ & ESCROW 14131 ST TROPEZ	64,316.88
	Vendor Total	64,316.88		
FYTD for CITIZENS BUSINESS BANK		1,193,438.72		
COMPU COM				
4/19/2010	201968	113,901.13		
			MS LICENSING	113,901.13
	Vendor Total	113,901.13		
FYTD for COMPU COM		116,885.38		
CRITICAL SOLUTIONS				
4/26/2010	202125	30,625.69		
			EMRGNCY OPS CTR PROJ SVCS	30,625.69
	Vendor Total	30,625.69		
FYTD for CRITICAL SOLUTIONS		373,417.72		



City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DESERT CONCEPTS CONSTRUCTION, INC				
4/26/2010	202128	35,041.50		
			PATRIOT PARK IMPRVMENTS PROJ	35,041.50
Vendor Total		35,041.50		
FYTD for DESERT CONCEPTS CONSTRUCTION, INC		68,339.70		
EASTERN MUNICIPAL WATER DISTRICT				
4/19/2010	201976	36,753.92		
			WATER CHRGS FOR MARCH	1,189.26
			WATER CHRGS FOR MARCH	977.05
			WATER CHRGS FOR MARCH	161.63
			WATER CHRGS FOR MARCH	786.23
			WATER CHRGS FOR MARCH	105.72
			WATER CHRGS FOR MARCH	3,952.73
			WATER CHRGS FOR MARCH	2,883.97
			WATER CHRGS FOR MARCH	776.52
			WATER CHRGS FOR MARCH	3,333.48
			WATER CHRGS FOR MARCH	1,665.99
			WATER CHRGS FOR MARCH	4,222.48
			WATER CHRGS FOR MARCH	8,861.96
			WATER CHRGS FOR MARCH	1,402.32
			WATER CHRGS FOR MARCH	48.12
			WATER CHRGS FOR MARCH	1,406.30
			WATER CHRGS FOR MARCH	2,222.01
			WATER CHRGS FOR MARCH	634.32
			WATER CHRGS FOR MARCH	212.01
			WATER CHRGS FOR MARCH	341.03
			WATER CHRGS FOR MARCH	189.35
			WATER CHRGS FOR MARCH	96.23
			WATER CHRGS FOR MARCH	398.90
			WATER CHRGS FOR MARCH	578.38
			WATER CHRGS FOR MARCH	307.93
Vendor Total		36,753.92		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		931,665.18		
EMPLOYMENT DEVELOPMENT DEPARTMENT				
4/9/2010	2618	36,515.45		
			STATE INCOME TAX W/H 04/09/10	36,515.45
4/23/2010	2626	34,979.98		
			DEP STATE TAX W/H 04/23/10	34,979.98
Vendor Total		71,495.43		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		1,107,620.34		



City of Moreno Valley

Check Register

For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/5/2010	201620	164,385.60		
			PROF SVCS-IRIS/PERRIS	220.50
			PROF SVCS-SKETCHERS	1,286.26
			PROF SVCS-RANCHO DORADO	604.09
			PROF SVCS-STREET LGHT RMVL	280.82
			PROF SVCS-FRAZEE PAINT	48.79
			PROF SVCS-FRAZEE PAINT	24.40
			DISTRIBUTION CHRGS	128,570.82
			SPECIAL CHRGS	6,259.00
			ONLINE UTILITY SVCS	212.70
			PERRIS BL 12KV FEEDER/IRIS-JFK	7,842.98
			BAD DEBT DEDUCTION	-5,033.41
			CACTUS/LASSELLE 12KV CIRC TIE	588.00
			CACTUS/LASSELLE 12KV CIRC TIE	11,479.97
			GOLDENCREST-ELSWORTH BACKBONE	317.93
			GOLDENCREST-ELSWORTH BACKBONE	772.92
			6TH CIRC MOVAL SUBST. WORK	10,909.83
	Vendor Total	164,385.60		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		1,855,108.05		
HABITAT FOR HUMANITY RIVERSIDE				
4/26/2010	202145	51,801.66		
			REIMB REQUEST-HOUSING AGREEMNT	51,801.66
	Vendor Total	51,801.66		
FYTD for HABITAT FOR HUMANITY RIVERSIDE		53,733.66		
INTERNAL REVENUE SERVICE				
4/9/2010	2617	129,392.33		
			FED INCOME TAX W/H 04/09/10	129,392.33
4/23/2010	2625	126,336.75		
			DEP FED TAX W/H 04/23/10	126,336.75
	Vendor Total	255,729.08		
FYTD for INTERNAL REVENUE SERVICE		3,184,348.99		
MORENO VALLEY CACTUS RANCH, LLC				
4/5/2010	201684	59,569.00		
			REIMBURSEMENT AGREEMENT	59,569.00
	Vendor Total	59,569.00		
FYTD for MORENO VALLEY CACTUS RANCH, LLC		59,569.00		
MORENO VALLEY PROPERTIES, LLC				
4/27/2010	1004111	605,000.00		
			REFUND EROSION CTRL CASH SEC	605,000.00
	Vendor Total	605,000.00		
FYTD for MORENO VALLEY PROPERTIES, LLC		605,000.00		



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MORENO VALLEY UTILITY				
4/19/2010	202019	48,062.98		
			ELECTRICITY	122.06
			ELECTRICITY	649.79
			ELECTRICITY	200.99
			ELECTRICITY	1,609.70
			ELECTRICITY	8,716.31
			ELECTRICITY	9,006.33
			ELECTRICITY	2,451.17
			ELECTRICITY	3,954.87
			ELECTRICITY	707.51
			ELECTRICITY	1,412.71
			ELECTRICITY	11,843.84
			ELECTRICITY	6,663.48
			ELECTRICITY	188.94
			ELECTRICITY	117.77
			ELECTRICITY	75.48
			ELECTRICITY	56.85
			ELECTRICITY	56.61
			ELECTRICITY	131.58
			ELECTRICITY	96.99
Vendor Total		48,062.98		
FYTD for MORENO VALLEY UTILITY		626,837.30		
MOSS BROS CJD, INC.				
4/5/2010	201690	52,736.07		
			SPECIAL TAX REIMBURSEMENT	52,736.07
Vendor Total		52,736.07		
FYTD for MOSS BROS CJD, INC.		52,736.07		
MOSS BROS HONDA, INC.				
4/5/2010	880299	53,821.71		
			SPECIAL TAX REIMBURSEMENT	53,821.71
Vendor Total		53,821.71		
FYTD for MOSS BROS HONDA, INC.		53,821.71		
MOSS MO VAL PROPERTIES, LLC				
4/12/2010	201886	163,255.49		
			SPECIAL TAX REIMBURSEMENT	163,255.49
Vendor Total		163,255.49		
FYTD for MOSS MO VAL PROPERTIES, LLC		163,255.49		
MV RANCHO DORADO II LTD. PARTNERSHIP				
4/12/2010	1004041	1,300,000.00		
			LOAN AGRMNT-RANCHO DORADO SO.	1,300,000.00
Vendor Total		1,300,000.00		
FYTD for MV RANCHO DORADO II LTD. PARTNERSHIP		2,800,000.00		



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NATIONWIDE RETIREMENT SOLUTIONS				
4/23/2010	2622	25,942.07		
			DEF COMP 457 & 401(A) 04/23/10	25,942.07
Vendor Total		25,942.07		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		744,535.11		
PALP, INC. DBA EXCEL PAVING COMPANY				
4/5/2010	201703	58,861.31		
			SUNNYMD BLVD REVIT PROJ SVCS	58,861.31
4/12/2010	201891	193,092.74		
			SUNNYMD BLVD REVIT PROJ SVCS	19,501.02
			SUNNYMD BLVD REVIT PROJ SVCS	158,390.72
			SUNNYMD BLVD REVIT PROJ SVCS	15,201.00
Vendor Total		251,954.05		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		2,132,594.03		
PARSONS TRANSPORTATION GROUP, INC.				
4/5/2010	201707	29,114.65		
			SR-60/MOR BCH DR INTRCHNG PROJ	17,379.48
			SR-60/NASON ST OVRCRSSNG PROJ	11,735.17
Vendor Total		29,114.65		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		1,001,522.33		
PERS HEALTH INSURANCE				
4/6/2010	1003181	195,392.38		
			EMPL HEALTH INS 04/06/10	195,392.38
Vendor Total		195,392.38		
FYTD for PERS HEALTH INSURANCE		1,931,136.41		
PERS RETIREMENT				
4/2/2010	2610	191,827.82		
			PERS RETIREMENT 04/02/10	191,827.82
4/16/2010	2619	188,540.40		
			PERS RETIREMENT 04/16/10	188,540.40
4/30/2010	2627	192,441.55		
			PERS RETIREMENT 04/30/10	192,441.55
Vendor Total		572,809.77		
FYTD for PERS RETIREMENT		4,707,592.48		
RICHARD LOPEZ CONSTRUCTION				
4/12/2010	201900	464,257.08		
			ELECTRIC UTILITY PROJECTS SVCS	464,257.08
Vendor Total		464,257.08		
FYTD for RICHARD LOPEZ CONSTRUCTION		1,074,059.47		



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ROESLING NAKAMURA TERADA ARCHITECTS, INC				
4/19/2010	880365	65,233.37		
			PUB SFTY BLDG CONVERSION PROJ	65,233.37
Vendor Total		65,233.37		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC		233,733.59		
SEMPRA ENERGY SOLUTIONS				
4/12/2010	880342	106,708.95		
			POWER PURCHASE	106,708.95
4/19/2010	880366	181,393.99		
			POWER PURCHASE	74,585.99
			POWER PURCHASE	106,808.00
Vendor Total		288,102.94		
FYTD for SEMPRA ENERGY SOLUTIONS		5,349,705.91		
SHELL ENERGY NORTH AMERICA (US) L.P.				
4/12/2010	201908	328,486.00		
			ELECT ENERGY PURCHASE	328,486.00
Vendor Total		328,486.00		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		999,740.00		



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SOUTHERN CALIFORNIA EDISON				
4/5/2010	201742	27,708.59		
			WDAT CHRGS-FREDERICK	1,825.29
			WDAT CHRGS-GLOBE	6,435.81
			WDAT CHRGS-GRAHAM	3,727.65
			WDAT CHRGS-IRIS	2,625.22
			WDAT CHRGS-NANDINA	2,647.31
			WDAT CHRGS-SUBSTATION	10,447.31
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4/19/2010	202060	148,329.95		
			ELECTRICITY	568.13
			ELECTRICITY	21.80
			ELECTRICITY	284.83
			ELECTRICITY	596.63
			ELECTRICITY	110.48
			ELECTRICITY	2,318.77
			ELECTRICITY	826.47
			ELECTRICITY	841.75
			ELECTRICITY	2,928.85
			ELECTRICITY	1,079.98
			ELECTRICITY	1,225.30
			ELECTRICITY	20.38
			ELECTRICITY	96,828.47
			ELECTRICITY	35,452.82
			ELECTRICITY	4,667.40
			ELECTRICITY	22.57
			ELECTRICITY	42.95
			ELECTRICITY	22.14
			ELECTRICITY	65.68
			ELECTRICITY	81.52
			ELECTRICITY	279.54
			ELECTRICITY	43.49
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Vendor Total		176,038.54		
FYTD for SOUTHERN CALIFORNIA EDISON		6,495,377.09		
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SOUTHERN CALIFORNIA EDISON CO.				
4/26/2010	202185	90,005.55		
			REPLCMNT OF FACILITIES-DAY ST.	90,005.55
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Vendor Total		90,005.55		
FYTD for SOUTHERN CALIFORNIA EDISON CO.		90,005.55		
<hr/>				
STANDARD INSURANCE CO				
4/12/2010	201916	30,515.59		
			LIFE & DISABILITY INSURANCE	12,695.73
			LIFE & DISABILITY INSURANCE	17,928.95
			LIFE & DISABILITY INSURANCE	-109.09
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Vendor Total		30,515.59		
FYTD for STANDARD INSURANCE CO		326,752.74		



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U.S. BANK/CALCARDS				
4/12/2010	1004031	77,320.28		
			CALCARD PMT CYCLE END 04/07/10	77,320.28
4/29/2010	1004121	93,568.19		
			CALCARD PMT CYCLE END 04/22/10	93,568.19
	Vendor Total	170,888.47		
FYTD for U.S. BANK/CALCARDS		1,701,409.71		
U.S. TREASURY				
4/12/2010	201923	30,771.33		
			SF-425 EXCESS CASH	30,771.33
	Vendor Total	30,771.33		
FYTD for U.S. TREASURY		30,771.33		
UNITED CONTRACTORS COMPANY INC.				
4/26/2010	880405	325,530.00		
			EMRGNCY OPS CTR PROJ SVCS	325,530.00
	Vendor Total	325,530.00		
FYTD for UNITED CONTRACTORS COMPANY INC.		1,860,030.00		
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
4/5/2010	201773	30,000.00		
			RENTAL ASSIST SVCS-HPRP PRGM	20,000.00
			RENTAL ARREARS SVCS-HPRP PRGM	10,000.00
	Vendor Total	30,000.00		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		95,282.23		
WELLS FARGO CORPORATE TRUST				
4/29/2010	1004071	100,475.80		
			INT ON 1997 LEASE REV BND	100,475.80
4/29/2010	1004061	1,018,874.40		
			INT ON 2005 LEASE REV BND	1,018,874.40
4/29/2010	1004081	1,110,899.07		
			2007 LRB DEBT SVC PAYMENT	1,110,899.07
4/30/2010	1004131	1,171,349.06		
			DEBT SVC-SPECIAL TAXES	1,171,349.06
	Vendor Total	3,401,598.33		
FYTD for WELLS FARGO CORPORATE TRUST		9,029,485.43		



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WHEELER PAVING, INC.				
4/5/2010	880324	46,251.00	LASSELLE ST WIDENING PROJ SVCS	46,251.00
4/12/2010	880346	596,778.41	EMERG STREET PAVEMNT WORK LASSELLE ST WIDENING PROJ SVCS	13,190.38 583,588.03
4/26/2010	880407	530,370.16	LASSELLE ST WIDENING PROJ SVCS LASSELLE ST WIDENING PROJ SVCS LASSELLE ST WIDENING PROJ SVCS LASSELLE ST WIDENING PROJ SVCS	1,345.73 57,869.77 449,898.09 21,256.57
Vendor Total		1,173,399.57		
FYTD for WHEELER PAVING, INC.		2,711,147.09		
WINZLER & KELLY CONSULTING ENGINEERS				
4/5/2010	201781	31,240.00	TEMP STAFFING SVCS-CAP PROJS TEMP STAFFING SVCS-CAP PROJS	15,840.00 15,400.00
Vendor Total		31,240.00		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS		367,617.59		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
4/19/2010	202088	44,370.00	TUMF RESIDENTIAL FEES	44,370.00
Vendor Total		44,370.00		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		1,115,467.42		
Subtotal		11,272,631.06		



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CHECKS LESS THAN \$25,000				
TRANSOFT SOLUTIONS, INC.				
4/19/2010	201933	1,289.00	AUTOTURN SOFTWARE UPGRADE	1,289.00
Vendor Total		1,289.00		
FYTD for TRANSOFT SOLUTIONS, INC.		1,289.00		
452ND AIR MOBILITY WING				
4/8/2010	201829	20.00	BRIG GEN. MELIN RETIREMNT 4/10	20.00
Vendor Total		20.00		
FYTD for 452ND AIR MOBILITY WING		117.00		
4G WIRELESS, INC				
4/5/2010	201552	60.18	REFUND-BUS LIC OVRPMT	60.18
Vendor Total		60.18		
FYTD for 4G WIRELESS, INC		60.18		
A - POSTAL EXPRESS				
4/19/2010	201934	43.50	REFUND-BUS LIC OVRPMT	43.50
Vendor Total		43.50		
FYTD for A - POSTAL EXPRESS		43.50		
A & I REPROGRAPHICS 2406362				
4/5/2010	201553	79.93	RPRGRPHC SVCS-PAVEMNT RESURF	79.93
4/12/2010	201830	1,788.29	RPRGRPHC SVCS-ST IMPRVMNT PRGM	54.70
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	1,593.95
			RPRGRPHC SVCS-DAY ST IMPRVMNTS	139.64
4/26/2010	202093	244.74	RPRGRPHC SVCS-KITCHING ST PROJ	48.69
			RPRGRPHC SVCS-AUTO MALL PROJ	196.05
Vendor Total		2,112.96		
FYTD for A & I REPROGRAPHICS 2406362		19,563.04		
A & J GRADING CONTRACTORS				
4/5/2010	201554	29.50	REFUND-BUS LIC OVRPMT	29.50
Vendor Total		29.50		
FYTD for A & J GRADING CONTRACTORS		29.50		



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A A A PAVING COMPNAY				
4/19/2010	201935	32.41		
			REFUND-BUS LIC OVRPMT	32.41
Vendor Total		32.41		
FYTD for A A A PAVING COMPNAY		32.41		
A C C O ENGINEERED SYSTEMS, INC				
4/19/2010	201936	23.80		
			REFUND-BUS LIC OVRPMT	23.80
Vendor Total		23.80		
FYTD for A C C O ENGINEERED SYSTEMS, INC		23.80		
A N R INDUSTRIES, INC				
4/12/2010	201831	0.00		
			PROPERTY REHAB-25106 FAY AVE	6,478.50
			PROPERTY REHAB-24654 SINALOA	8,547.00
			PROPERTY REHAB-24654 SINALOA	38,185.00
			PROPERTY REHAB-24654 SINALOA	3,250.00
			PROPERTY REHAB-12177 INDIAN ST	9,775.00
			PROPERTY REHAB-12177 INDIAN ST	24,735.00
			PROPERTY REHAB-12177 INDIAN ST	490.00
			PROPERTY REHAB-25909 PARSLEY	8,709.00
			PROPERTY REHAB-25909 PARSLEY	25,078.00
			PROPERTY REHAB-25909 PARSLEY	16,213.00
			PROPERTY REHAB-25106 FAY AVE	-6,478.50
			PROPERTY REHAB-24654 SINALOA	-8,547.00
			PROPERTY REHAB-24654 SINALOA	-38,185.00
			PROPERTY REHAB-24654 SINALOA	-3,250.00
			PROPERTY REHAB-12177 INDIAN ST	-9,775.00
			PROPERTY REHAB-12177 INDIAN ST	-24,735.00
			PROPERTY REHAB-12177 INDIAN ST	-490.00
			PROPERTY REHAB-25909 PARSLEY	-8,709.00
			PROPERTY REHAB-25909 PARSLEY	-25,078.00
			PROPERTY REHAB-25909 PARSLEY	-16,213.00
4/26/2010	202095	22,842.50		
			PROPERTY REHAB-25106 FAY AVE	22,842.50
Vendor Total		22,842.50		
FYTD for A N R INDUSTRIES, INC		131,454.88		
ABEYTA, GINNY				
4/19/2010	201937	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for ABEYTA, GINNY		20.00		



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ABSOLUTE SURVEILLANCE				
4/5/2010	880258	3,717.53		
			GPS VEH TRACKER-POLICE DEPT	988.56
			GPS VEH TRACKER-ACTIVATION	65.14
			GPS VEH TRACKER-SVC PLAN	2,085.39
			GPS VEH TRACKER-BATTERY	578.44
Vendor Total		3,717.53		
FYTD for ABSOLUTE SURVEILLANCE		3,717.53		
ACCESS SECURITY CONTROLS INT., INC.				
4/5/2010	201555	1,060.00		
			SEC MONITORING SVC-FAC STRG	75.00
			SEC MONITORING SVC-ERC	75.00
			SEC MONITORING SVC-ASES BLDG	75.00
			SEC MONITORING SVC-ASES BLDG	75.00
			SEC MONITORING SVC-FIRE INSPCT	760.00
Vendor Total		1,060.00		
FYTD for ACCESS SECURITY CONTROLS INT., INC.		13,182.59		
ACCOUNTEMPS				
4/5/2010	201556	828.00		
			TEMP SVCS-APODACA W/E 3/19	828.00
4/12/2010	201832	905.25		
			TEMP SVCS-APODACA W/E 3/26	828.00
			TEMP SVCS-APODACA BKGRD	77.25
4/19/2010	201938	839.50		
			TEMP SVCS-APODACA W/E 4/2	839.50
4/26/2010	202098	828.00		
			TEMP SVCS-APODACA W/E 4/9	828.00
Vendor Total		3,400.75		
FYTD for ACCOUNTEMPS		10,438.75		
ACE CASH EXPRESS #4116				
4/5/2010	201557	141.26		
			REFUND-BUS LIC OVRPMT	141.26
Vendor Total		141.26		
FYTD for ACE CASH EXPRESS #4116		141.26		
ACE FOOTWARE				
4/19/2010	201939	24.19		
			REFUND-BUS LIC OVRPMT	24.19
Vendor Total		24.19		
FYTD for ACE FOOTWARE		24.19		



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ACUNA, LUIS A.				
4/5/2010	201558	1,166.40	REFUND-ADMIN CITATION FEES	1,166.40
Vendor Total		1,166.40		
FYTD for ACUNA, LUIS A.		1,166.40		
ADAMS, MARK L.				
4/5/2010	201783	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for ADAMS, MARK L.		3,187.30		
ADLERHORST INTERNATIONAL INC.				
4/12/2010	880327	425.01	CANINE TRAINING-BLUE	141.67
			CANINE TRAINING-MAX/LEX	283.34
Vendor Total		425.01		
FYTD for ADLERHORST INTERNATIONAL INC.		4,697.84		
ADMINSURE				
4/12/2010	201833	2,600.00	WRKMNS COMP ADMN SVCS	2,600.00
Vendor Total		2,600.00		
FYTD for ADMINSURE		26,000.00		
ADVANCED ELECTRIC				
4/19/2010	201940	2,945.00	ELECT WORK-PARKS	900.00
			ELECT WORK-PARKS	238.00
			ELECT WORK-PARKS	343.00
			ELECT WORK-PARKS	62.00
			ELECT WORK-PARKS	514.00
			ELECT WORK-PARKS	187.00
			ELECT WORK-PARKS	253.00
			ELECT WORK-PARKS	183.00
			ELECT WORK-PARKS	203.00
			ELECT WORK-PARKS	62.00
4/26/2010	202099	477.00	ELECT WORK-CFD#1	62.00
			ELECT WORK-CFD#1	415.00
Vendor Total		3,422.00		
FYTD for ADVANCED ELECTRIC		78,524.00		



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ALCORN FENCE COMPANY				
4/5/2010	201560	23.52	REFUND-BUS LIC OVRPMT	23.52
Vendor Total		23.52		
FYTD for ALCORN FENCE COMPANY		23.52		
ALICEA, RICHARD				
4/19/2010	201941	155.50	MILEAGE REIMBURSEMENT	74.50
			MILEAGE REIMBURSEMENT	81.00
Vendor Total		155.50		
FYTD for ALICEA, RICHARD		543.85		
ALL DISCOUNT INSURANCE SERVICE, INC.				
4/5/2010	201561	97.50	REFUND-BUS LIC OVRPMT	97.50
Vendor Total		97.50		
FYTD for ALL DISCOUNT INSURANCE SERVICE, INC.		97.50		
ALLEY, ERIN				
4/26/2010	202101	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for ALLEY, ERIN		20.00		
ALLIANCE RESOURCE CONSULTING, LLC				
4/5/2010	201562	7,260.75	EXEC RECRUITMENT SVCS	7,260.75
Vendor Total		7,260.75		
FYTD for ALLIANCE RESOURCE CONSULTING, LLC		7,260.75		
ALLIANT INSURANCE SERVICES, INC.				
4/5/2010	201563	1,361.08	INSURANCE-SPCL EVENTS	1,361.08
Vendor Total		1,361.08		
FYTD for ALLIANT INSURANCE SERVICES, INC.		10,003.88		
ALLIANZ LIFE INSURANCE CO				
4/12/2010	201834	75.00	NON-EXEMPT ANNUITY	75.00
Vendor Total		75.00		
FYTD for ALLIANZ LIFE INSURANCE CO		750.00		



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AMERICAN BUILDING MAINTENANCE CO				
4/19/2010	201942	46.42		
			REFUND-BUS LIC OVRPMT	46.42
Vendor Total		46.42		
FYTD for AMERICAN BUILDING MAINTENANCE CO		46.42		
AMERICAN FORENSIC NURSES				
4/12/2010	880328	583.00		
			BLOOD DRAWS	583.00
4/19/2010	880349	93.40		
			BLOOD DRAWS	93.40
4/26/2010	880376	513.50		
			BLOOD DRAWS	513.50
Vendor Total		1,189.90		
FYTD for AMERICAN FORENSIC NURSES		21,750.30		
AMERICAN PUBLIC POWER ASSOCIATION				
4/19/2010	201943	3,975.21		
			MEMBERSHIP DUES-59815	662.54
			MEMBERSHIP DUES-59815	3,312.67
Vendor Total		3,975.21		
FYTD for AMERICAN PUBLIC POWER ASSOCIATION		3,975.21		
AMERICAN QUICK PRINTING				
4/19/2010	202090	2,175.00		
			ANML CNTRL NOTICES	2,175.00
Vendor Total		2,175.00		
FYTD for AMERICAN QUICK PRINTING		3,994.83		
AMERICAN ROTARY BROOM CO.				
4/5/2010	201564	3,310.02		
			STREET SWEEPING BROOM KITS	493.09
			STREET SWEEPING BROOM KITS	1,189.62
			STREET SWEEPING BROOM KITS	1,180.15
			STREET SWEEPING BROOM KITS	447.16
4/26/2010	202102	1,656.92		
			STREET SWEEPING BROOM KITS	604.88
			STREET SWEEPING BROOM KITS	716.67
			STREET SWEEPING BROOM KITS	335.37
Vendor Total		4,966.94		
FYTD for AMERICAN ROTARY BROOM CO.		29,921.61		



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AMTECH ELEVATOR SERVICES				
4/19/2010	201944	118.37	ELEVATOR SVC-CITY HALL	118.37
Vendor Total		118.37		
FYTD for AMTECH ELEVATOR SERVICES		1,700.41		
ANAYA, KIM REYE				
4/19/2010	201945	254.50	TRAVEL EXP-BOOST CONFERENCE	48.00
			TRAVEL EXP-BOOST CONFERENCE	206.50
4/26/2010	202103	45.50	MILEAGE REIMBURSEMENT	45.50
Vendor Total		300.00		
FYTD for ANAYA, KIM REYE		335.00		
ANDREWS-BAKER, SUE				
4/12/2010	201835	75.00	INSTRUCTOR SVCS-CPR	75.00
4/19/2010	201946	75.00	INSTRUCTOR SVCS-CPR	75.00
Vendor Total		150.00		
FYTD for ANDREWS-BAKER, SUE		525.00		
ANGELA NAILS & SPA				
4/5/2010	201565	46.60	REFUND-BUS LIC OVRPMT	46.60
Vendor Total		46.60		
FYTD for ANGELA NAILS & SPA		46.60		
ANIMAL EMERGENCY CLINIC, INC.				
4/19/2010	202091	350.00	EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	70.00
			EMERGENCY VET SVCS	75.00
			EMERGENCY VET SVCS	55.00
			EMERGENCY VET SVCS	75.00
Vendor Total		350.00		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		4,534.00		



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ANIMAL PEST MANAGEMENT SERVICES, INC.				
4/5/2010	201566	600.00		
			PEST CNTRL-BEE RMVL AT BAYSIDE	300.00
			EMERG BEE RMVL-CRC	300.00
4/26/2010	202104	2,290.00		
			PEST CNTRL-PARKS	665.00
			PEST CNTRL-PARKS	255.00
			PEST CNTRL-MARCH FLD	330.00
			PEST CNTRL-PAL	100.00
			PEST CNTRL-CFD #1	160.00
			PEST CNTRL-GLF CRS	180.00
			PEST CNTRL-STARS BLDG	100.00
			PEST CNTRL-PARKS	100.00
			PEST CNTRL-PARKS	200.00
			PEST CNTRL-PARKS	200.00
Vendor Total		2,890.00		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		20,000.00		
ARBY'S				
4/5/2010	201567	84.11		
			REFUND-BUS LIC OVRPMT	84.11
Vendor Total		84.11		
FYTD for ARBY'S		84.11		
ARCHER, TRAVIS				
4/12/2010	201836	210.00		
			REFUND-CITATION OVRPMT	210.00
Vendor Total		210.00		
FYTD for ARCHER, TRAVIS		210.00		
ARCHITECTURAL DESIGN & SIGN, INC.				
4/5/2010	201568	49.49		
			REFUND-BUS LIC OVRPMT	49.49
Vendor Total		49.49		
FYTD for ARCHITECTURAL DESIGN & SIGN, INC.		49.49		
ARCHIVE MANAGEMENT SERVICE				
4/19/2010	201947	1,365.53		
			OFFSITE STORAGE-CITY CLERKS	1,365.53
Vendor Total		1,365.53		
FYTD for ARCHIVE MANAGEMENT SERVICE		13,343.69		



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ARCO AM/PM - CAR WASH				
4/5/2010	201569	30.28		
			REFUND-BUS LIC OVRPMT	30.28
Vendor Total		30.28		
FYTD for ARCO AM/PM - CAR WASH		30.28		
AREA0WEST FENCE CO				
4/19/2010	201948	25.00		
			REFUND-BUS LIC OVRPMT	25.00
Vendor Total		25.00		
FYTD for AREA0WEST FENCE CO		25.00		
ARROWHEAD WATER				
4/5/2010	201570	150.00		
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-CRC	25.00
4/12/2010	201837	25.00		
			WTR PURIF RNTL-FAC ANNX	25.00
4/19/2010	201949	25.00		
			WTR PURIF RNTL-STARS	25.00
4/26/2010	202105	340.78		
			WTR PURIF RNTL-CITY HALL	125.01
			WTR PURIF RNTL-CITY YARD	25.00
			WTR PURIF RNTL-TRNS TRLR	25.00
			WTR PURIF RNTL-LIBRARY	25.00
			WTR PURIF RNTL-FS #6	25.00
			WTR PURIF RNTL-FS #48	25.00
			WTR PURIF RNTL-FS #2	25.00
			WTR PURIF RNTL-FS #58	15.77
			WTR PURIF RNTL-FS #91	25.00
			WTR PURIF RNTL-FS #65	25.00
Vendor Total		540.78		
FYTD for ARROWHEAD WATER		5,563.57		
ASHLEY, THOMAS				
4/26/2010	202106	50.00		
			REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for ASHLEY, THOMAS		50.00		



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ASIAN IMPORT MARKET				
4/5/2010	201571	67.94	REFUND-BUS LIC OVRPMT	67.94
Vendor Total		67.94		
FYTD for ASIAN IMPORT MARKET		67.94		
ASSOCIATED ENGINEERS, INC.				
4/19/2010	201950	20,520.00	HEACOCK ST WIDENING PROJ SVCS	20,520.00
Vendor Total		20,520.00		
FYTD for ASSOCIATED ENGINEERS, INC.		56,874.11		
ASSOCIATION'S EQUITY MANAGEMENT, INC				
4/19/2010	201951	22.97	REFUND-BUS LIC OVRPMT	22.97
Vendor Total		22.97		
FYTD for ASSOCIATION'S EQUITY MANAGEMENT, INC		22.97		
AT&T MOBILITY				
4/5/2010	201572	92.35	COMMUNICATION SVCS-MBL CMMND	92.35
4/26/2010	202107	92.42	COMMUNICATION SVCS	92.42
Vendor Total		184.77		
FYTD for AT&T MOBILITY		1,011.62		
AT&T/MCI				
4/12/2010	201838	183.59	COMMUNICATION SVCS-GTF	183.59
Vendor Total		183.59		
FYTD for AT&T/MCI		1,836.88		
AVILA, GRISELDA				
4/19/2010	201952	56.00	REFUND-ANML SVCS FEES	30.00
			REFUND-ANML SVCS FEES	10.00
			REFUND-ANML SVCS FEES	16.00
Vendor Total		56.00		
FYTD for AVILA, GRISELDA		56.00		
BACHER, GRACE				
4/5/2010	201574	305.60	RETIREE MEDICAL BENEFIT	305.60
Vendor Total		305.60		
FYTD for BACHER, GRACE		2,436.81		



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BARNES, DARLENE				
4/5/2010	201784	114.50	RETIREE MEDICAL BENEFIT	114.50
Vendor Total		114.50		
FYTD for BARNES, DARLENE		1,115.56		
BARON POOL PLASTERING OF SO. CA.				
4/5/2010	201575	26.93	REFUND-BUS LIC OVRPMT	26.93
Vendor Total		26.93		
FYTD for BARON POOL PLASTERING OF SO. CA.		26.93		
BASIC BACKFLOW				
4/5/2010	201576	30.00	BACKFLOW TESTING	30.00
Vendor Total		30.00		
FYTD for BASIC BACKFLOW		1,324.65		
BATTERYZONE, INC.				
4/26/2010	202108	3,475.12	BATTERIES-POLICE DEPT	3,400.00
			BATTERIES-SALES TAX	297.50
			BATTERIES-SHIPPING	75.12
			BATTERIES-SALES TAX ACCRUAL	-297.50
Vendor Total		3,475.12		
FYTD for BATTERYZONE, INC.		3,475.12		
BEAR VALLEY CLEANERS				
4/19/2010	201953	90.92	REFUND-BUS LIC OVRPMT	90.92
Vendor Total		90.92		
FYTD for BEAR VALLEY CLEANERS		90.92		
BECKNER, PATRICK				
4/5/2010	201577	923.70	RETIREE MEDICAL BENEFIT	923.70
Vendor Total		923.70		
FYTD for BECKNER, PATRICK		1,750.10		
BELLING, JESSICA A.				
4/5/2010	201578	914.08	REFUND-ADMIN CITATION FEES	914.08
Vendor Total		914.08		
FYTD for BELLING, JESSICA A.		914.08		



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BEMUS LANDSCAPE, INC.				
4/5/2010	201579	162.48		
			IRRIG DMG REPAIRS-EOC PROJECT	162.48
4/12/2010	201839	17,984.66		
			LANDSCAPE MAINT-E4	35.57
			LANDSCAPE MAINT-E4	935.50
			LANDSCAPE MAINT-E4	92.32
			LANDSCAPE MAINT-E4	193.92
			LANDSCAPE MAINT-E4	101.68
			LANDSCAPE MAINT-E4	77.25
			LANDSCAPE MAINT-E4	15,650.96
			LANDSCAPE MAINT-E4A	367.64
			LANDSCAPE MAINT-E3A	429.25
			IRRIG DMG REPAIR-PSB CONV PROJ	100.57
Vendor Total		18,147.14		
FYTD for BEMUS LANDSCAPE, INC.		405,497.56		
BEN BLUE DVM, MS				
4/12/2010	201840	740.00		
			EMERG VET SVCS	550.00
			EMERG VET SVCS	190.00
4/26/2010	202110	195.00		
			EMERG VET SVCS	195.00
Vendor Total		935.00		
FYTD for BEN BLUE DVM, MS		935.00		
BENESYST				
4/19/2010	880352	20.13		
			COBRA SUBSIDY-APR2010	14.43
			COBRA SUBSIDY-APR2010	5.70
Vendor Total		20.13		
FYTD for BENESYST		40.26		
BENESYST, INC.				
4/26/2010	202111	470.34		
			FLEX ADMIN SVCS	225.34
			FLEX ADMIN SVCS	245.00
Vendor Total		470.34		
FYTD for BENESYST, INC.		4,988.66		
BENFORD, MICHAEL				
4/26/2010	202112	65.00		
			REFUND-RNTL DEP	65.00
Vendor Total		65.00		
FYTD for BENFORD, MICHAEL		65.00		



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BEST, BEST & KRIEGER, LLP				
4/12/2010	201841	183.00		
			LEGAL SVCS	115.50
			LEGAL SVCS	67.50
4/26/2010	202113	130.54		
			LEGAL SVCS	52.50
			LEGAL SVCS	68.35
			LEGAL SVCS	9.69
Vendor Total		313.54		
FYTD for BEST, BEST & KRIEGER, LLP		13,389.64		
BEVILLE'S AIR CONDITIONING				
4/5/2010	201580	40.75		
			REFUND-BUS LIC OVRPMT	40.75
Vendor Total		40.75		
FYTD for BEVILLE'S AIR CONDITIONING		40.75		
BIO-TOX LABORATORIES				
4/19/2010	201954	3,689.98		
			TOXICOLOGY TESTS	407.07
			TOXICOLOGY TESTS	1,258.01
			TOXICOLOGY TESTS	2,024.90
Vendor Total		3,689.98		
FYTD for BIO-TOX LABORATORIES		36,199.25		
BITS BYTES & MORE				
4/19/2010	201955	70.93		
			REFUND-BUS LIC OVRPMT	70.93
Vendor Total		70.93		
FYTD for BITS BYTES & MORE		70.93		
BLUE SHIELD OF CALIFORNIA				
4/19/2010	201956	522.87		
			HEALTH INS PREMIUM	278.85
			HEALTH INS PREMIUM	244.02
Vendor Total		522.87		
FYTD for BLUE SHIELD OF CALIFORNIA		9,158.80		
BOBO II, FELIX				
4/5/2010	201581	71.00		
			MILEAGE REIMBURSEMENT	71.00
4/26/2010	202114	62.00		
			MILEAGE REIMBURSEMENT	62.00
Vendor Total		133.00		
FYTD for BOBO II, FELIX		631.15		



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BP WEST COAST PRODUCTS, LLC				
4/5/2010	201582	57.29		
			REFUND-BUS LIC OVRPMT	23.11
			REFUND-BUS LIC OVRPMT	34.18
Vendor Total		57.29		
FYTD for BP WEST COAST PRODUCTS, LLC		147.09		
BPS TACTICAL, INC				
4/26/2010	202115	18.49		
			PATCHES-POLICE DEPT	8.70
			PATCHES-POLICE DEPT	9.79
Vendor Total		18.49		
FYTD for BPS TACTICAL, INC		39.07		
BRITO, TRACY				
4/12/2010	201842	37.00		
			REFUND-SHELTER FEE	37.00
Vendor Total		37.00		
FYTD for BRITO, TRACY		37.00		
BROOKS, KEMETHRA				
4/19/2010	201957	122.00		
			REFUND-MATH REGIST	122.00
Vendor Total		122.00		
FYTD for BROOKS, KEMETHRA		122.00		
BUCKINGHAM, STAN				
4/5/2010	201583	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for BUCKINGHAM, STAN		1,274.92		
BURLINGTON COAT FACTORY OF CA, LLC				
4/5/2010	201584	1,977.50		
			REFUND-BUS LIC OVRPMT	1,977.50
Vendor Total		1,977.50		
FYTD for BURLINGTON COAT FACTORY OF CA, LLC		1,977.50		
C H J INC.				
4/5/2010	201585	44.10		
			REFUND-BUS LIC OVRPMT	44.10
Vendor Total		44.10		
FYTD for C H J INC.		44.10		



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CA STATE TEACHER'S RETIREMENT SYSTEM				
4/13/2010	1004051	12,170.22	ANNL LTR/CREDIT 97 CH REFI COPS	12,170.22
Vendor Total		12,170.22		
FYTD for CA STATE TEACHER'S RETIREMENT SYSTEM		12,170.22		
CAIN, GREGORY				
4/5/2010	201785	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CAIN, GREGORY		2,549.85		
CALAVERAS STANDARD MATERIALS				
4/26/2010	202116	747.23	CEMENT PURCHASE	747.23
Vendor Total		747.23		
FYTD for CALAVERAS STANDARD MATERIALS		20,117.98		
CALIFORNIA BUILDING STANDARDS COMMISSION				
4/12/2010	201843	639.90	PERMIT VALUATION FEES	639.90
Vendor Total		639.90		
FYTD for CALIFORNIA BUILDING STANDARDS COMMISSION		2,244.60		
CALIFORNIA DEPARTMENT OF FISH AND GAME				
4/5/2010	201586	560.25	MAJOR AMENDMNT FEE-SR60/NASON	560.25
Vendor Total		560.25		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME		5,810.25		
CALIFORNIA POOLS & SPAS, INC.				
4/19/2010	201958	48.15	REFUND-BUS LIC OVRPMT	48.15
Vendor Total		48.15		
FYTD for CALIFORNIA POOLS & SPAS, INC.		48.15		
CALIFORNIA WATERSHED ENGINEERING CORP.				
4/26/2010	880377	500.25	PROF SVCS-PA090025	500.25
Vendor Total		500.25		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		2,271.75		



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CALVARY CHAPEL OF MORENO VALLEY				
4/19/2010	201959	100.00	REFUND-RNTL DEP	100.00
Vendor Total		100.00		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		100.00		
CANNON, ANA M.				
4/5/2010	201587	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CANNON, ANA M.		1,274.92		
CANON FINANCIAL SERVICES, INC.				
4/5/2010	201588	7,590.68	COPIER LEASE	7,059.29
			COPIER LEASE-SALES TAX	531.39
Vendor Total		7,590.68		
FYTD for CANON FINANCIAL SERVICES, INC.		75,906.80		
CARBONE, GABRIELA				
4/26/2010	202117	132.00	INSTRUCTOR SVCS-FOLKLORIC DANC	132.00
Vendor Total		132.00		
FYTD for CARBONE, GABRIELA		513.00		
CARTER, ROSALYN				
4/5/2010	201786	594.00	RETIREE MEDICAL BENEFIT	594.00
Vendor Total		594.00		
FYTD for CARTER, ROSALYN		2,766.36		
CASKEY, DEBRA C.				
4/5/2010	201787	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CASKEY, DEBRA C.		2,549.85		
CERTIFIED CREDIT REPORTING, INC				
4/19/2010	201960	18.33	CREDIT PROFILE SVCS	18.33
Vendor Total		18.33		
FYTD for CERTIFIED CREDIT REPORTING, INC		196.18		



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CHANCY, CHIZURU				
4/26/2010	202118	163.80		
			INSTRUCTOR SVCS-HAWAIIAN DNC	93.60
			INSTRUCTOR SVCS-HAWAIIAN DNC	46.80
			INSTRUCTOR SVCS-HAWAIIAN DNC	23.40
Vendor Total		163.80		
FYTD for CHANCY, CHIZURU		1,427.40		
CHANDLER ASSET MANAGEMENT, INC				
4/19/2010	880353	6,919.00		
			INVESTMENT MGT SVCS	6,919.00
Vendor Total		6,919.00		
FYTD for CHANDLER ASSET MANAGEMENT, INC		6,919.00		
CHAPMAN, STEVE				
4/5/2010	201589	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CHAPMAN, STEVE		3,187.30		
CHAPPELL, ISAAC				
4/5/2010	201590	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CHAPPELL, ISAAC		3,187.30		
CHAVEZ, ANGELA/JOSE				
4/5/2010	201591	30.00		
			REFUND ANML SVCS FEES	20.00
			REFUND-ANML SVCS FEES	10.00
Vendor Total		30.00		
FYTD for CHAVEZ, ANGELA/JOSE		30.00		
CHERRY VALLEY FEED				
4/19/2010	201961	115.05		
			DOG FOOD-K9 MAX	115.05
Vendor Total		115.05		
FYTD for CHERRY VALLEY FEED		1,677.84		
CHINESE GOURMET				
4/19/2010	201962	57.00		
			REFUND-BUS LIC OVRPMT	57.00
Vendor Total		57.00		
FYTD for CHINESE GOURMET		57.00		



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CHRISTIAN, OWEN				
4/5/2010	201788	194.53	RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for CHRISTIAN, OWEN		2,220.76		
CHULA VISTA POLICE FOUNDATION				
4/19/2010	201963	150.00	SO. CA GANG CONF.-MAY 27-28	50.00
			SO. CA GANG CONF.-MAY 27-28	50.00
			SO. CA GANG CONF.-MAY 27-28	50.00
Vendor Total		150.00		
FYTD for CHULA VISTA POLICE FOUNDATION		150.00		
CINDY FARRAR FAMILY DAYCARE				
4/5/2010	201592	26.43	REFUND-BUS LIC OVRPMT	26.43
Vendor Total		26.43		
FYTD for CINDY FARRAR FAMILY DAYCARE		26.43		



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CINTAS CORPORATION				
4/5/2010	201594	307.00		
			UNIFORM RNTL SVC-MAINT CREW	8.37
			UNIFORM RNTL SVC-MAINT CREW	8.37
			UNIFORM RNTL SVC-MAINT CREW	8.37
			UNIFORM RNTL SVC-EQUIP MAINT	16.82
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-STREET MAINT	5.58
			UNIFORM RNTL SVC-STREET MAINT	5.58
			UNIFORM RNTL SVC-STREET MAINT	5.58
			UNIFORM RNTL SVC-STRM DRN MAIN	2.79
			UNIFORM RNTL SVC-STRM DRN MAIN	2.79
			UNIFORM RNTL SVC-STRM DRN MAIN	2.79
			UNIFORM RNTL SVC-STREET MAINT	44.28
			UNIFORM RNTL SVC-STREET MAINT	44.28
			UNIFORM RNTL SVC-CONCRETE MNT	8.37
			UNIFORM RNTL SVC-CONCRETE MNT	8.37
			UNIFORM RNTL SVC-CONCRETE MNT	8.37
			UNIFORM RNTL SVC-TRFFC MAINT	11.23
			UNIFORM RNTL SVC-STRIPING CREW	13.85
			UNIFORM RNTL SVC-FAC MAINT	16.65
			UNIFORM RNTL SVC-FAC MAINT	16.65
4/12/2010	201845	210.63		
			UNIFORM RNTL SVCS-PURCHASING	3.96
			UNIFORM RNTL SVCS-PURCHASING	3.96
			UNIFORM RNTL SVCS-PURCHASING	3.96
			UNIFORM RNTL SVCS-PURCHASING	3.96
			UNIFORM RNTL SVCS-PARKS MAINT	53.01
			UNIFORM RNTL SVCS-PARKS MAINT	53.01
			UNIFORM RNTL SVCS-TRFFC MAINT	11.23
			UNIFORM RNTL SVCS-TRFFC MAINT	11.23
			UNIFORM RNTL SVCS-SIGNING CREW	13.85
			UNIFORM RNTL SVCS-SIGNING CREW	13.85
			UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
			UNIFORM RNTL SVCS-CFD#1 STAFF	10.98
			UNIFORM RNTL SVCS-FAC MAINT	16.65
4/19/2010	201964	80.64		
			UNIFORM RNTL SVC-PARKS MAINT	53.01
			UNIFORM RNTL SVC-CFD STAFF	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
4/26/2010	202120	928.33		
			UNIFORM RNTL SVC-ST MAINT	428.40
			UNIFORM RNTL SVC-ST MAINT	41.49
			UNIFORM RNTL SVC-ST MAINT	86.49
			UNIFORM RNTL SVC-ST MAINT	66.49
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85



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			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GOLF CRS	5.85
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-GRAFFITI CREW	8.37
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-EQUIP MAINT	21.40
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-TREE MAINT	8.37
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST SWEEPING	5.58
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-ST DRN MAINT	2.79
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-CONC MAINT	8.37
			UNIFORM RNTL SVC-TRAFFIC MAINT	11.23
			UNIFORM RNTL SVC-SIGNING CREW	13.85
			UNIFORM RNTL SVC-PARKS	53.01
			UNIFORM RNTL SVC-CFD #1	10.98
			UNIFORM RNTL SVC-FAC MAINT	16.65
Vendor Total		1,526.60		
FYTD for CINTAS CORPORATION		6,590.70		
CITY OF MORENO VALLEY VEBA TRUST				
4/12/2010	880329	4,062.50	EXEMPT VEBA	4,062.50
Vendor Total		4,062.50		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		42,162.50		
CIVICSTONE				
4/12/2010	880330	255.00	CONSULTING SVCS	255.00
Vendor Total		255.00		
FYTD for CIVICSTONE		9,710.90		
CLAYTON, SIMONNE				
4/5/2010	201595	20.00	REFUND-RABIES FEE DEPOSIT	20.00
Vendor Total		20.00		
FYTD for CLAYTON, SIMONNE		20.00		



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CLINICA MEDICA PARA TODOS				
4/5/2010	201596	90.54	REFUND-BUS LIC OVRPMT	90.54
Vendor Total		90.54		
FYTD for CLINICA MEDICA PARA TODOS		90.54		
CNOA REGION V				
4/5/2010	201597	135.00		
			4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
			4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
			4/28/10 DRUG TRENDS/ABUSE TRNG	45.00
Vendor Total		135.00		
FYTD for CNOA REGION V		675.00		
COAST SIGN INC				
4/19/2010	201965	47.79	REFUND-BUS LIC OVRPMT	47.79
Vendor Total		47.79		
FYTD for COAST SIGN INC		47.79		
COLONIAL SUPPLEMENTAL INSURANCE				
4/26/2010	202121	7,137.63	SUPPLEMENTAL INSURANCE	7,137.63
Vendor Total		7,137.63		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		79,053.78		
COM DOOR & HARDWARE, INC				
4/19/2010	201966	79.53	REFUND-BUS LIC OVRPMT	79.53
Vendor Total		79.53		
FYTD for COM DOOR & HARDWARE, INC		79.53		
COMMUNITY HEALTH CHARITIES				
4/12/2010	201846	151.47	CHC CONTRIBUTIONS	151.47
4/26/2010	202122	151.47	CHC CONTRIBUTIONS	151.47
Vendor Total		302.94		
FYTD for COMMUNITY HEALTH CHARITIES		8,018.43		



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COMPETITIVE STRIDE				
4/5/2010	201598	1,489.88		
			SPORTS AWARDS	1,489.88
4/19/2010	201967	1,007.84		
			SPORTS AWARDS	1,007.84
	Vendor Total	2,497.72		
FYTD for COMPETITIVE STRIDE		5,136.38		
CONTINUING EDUCATION OF THE BAR				
4/12/2010	201847	137.89		
			LEGAL SUBSCRIPTION	137.89
	Vendor Total	137.89		
FYTD for CONTINUING EDUCATION OF THE BAR		785.87		
COSTCO				
4/5/2010	201599	1,505.27		
			MISC SUPPLIES-CHILDS PLC	1,505.27
4/12/2010	201848	366.53		
			MISC SUPPLIES-SKT PARK	366.53
4/19/2010	201969	1,331.24		
			MISC SUPPLIES-STARS	58.84
			MISC SUPPLIES-STARS	107.56
			MISC SUPPLIES-STARS	65.68
			MISC SUPPLIES-STARS	165.59
			MISC SUPPLIES-STARS	67.07
			MISC SUPPLIES-STARS	205.22
			MISC SUPPLIES-EDD	661.28
4/26/2010	202123	397.54		
			MISC SUPPLIES-CHILDS PLC	77.13
			MISC SUPPLIES-STARS	87.76
			MISC SUPPLIES-STARS	140.03
			MISC SUPPLIES-STARS	92.62
	Vendor Total	3,600.58		
FYTD for COSTCO		45,321.91		
COSTILOW, MARY JO				
4/12/2010	201849	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	54.50		
FYTD for COSTILOW, MARY JO		54.50		



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COUNSELING TEAM, THE				
4/12/2010	201850	1,250.00		
			EMPLOYEE CNSLNG SVCS	1,250.00
4/26/2010	202124	1,250.00		
			EMPLOYEE CNSLNG SVCS	1,250.00
	Vendor Total	2,500.00		
FYTD for COUNSELING TEAM, THE		12,500.00		
COUNTRY SQUIRE ESTATES				
4/19/2010	201970	165.72		
			REFUND-UT USER TAXES	90.98
			REFUND-UT USER TAXES	74.74
	Vendor Total	165.72		
FYTD for COUNTRY SQUIRE ESTATES		609.13		
COUNTY OF RIVERSIDE - RMAP				
4/12/2010	201851	41.25		
			RECORDATION RQSTS	41.25
	Vendor Total	41.25		
FYTD for COUNTY OF RIVERSIDE - RMAP		366.60		
COUNTY OF RIVERSIDE AUDITOR				
4/5/2010	201600	8,246.00		
			PARKING CNTRL FEES	6,320.00
			PARKING CNTRL FEES	1,926.00
	Vendor Total	8,246.00		
FYTD for COUNTY OF RIVERSIDE AUDITOR		95,804.95		
CRANE ARCHITECTURAL GROUP				
4/12/2010	201852	2,405.00		
			PUB SFTY BLDG CONVERSION PROJ	1,715.00
			PUB SFTY BLDG CONVERSION PROJ	690.00
	Vendor Total	2,405.00		
FYTD for CRANE ARCHITECTURAL GROUP		6,700.00		
CROWN CASTLE MU, LLC				
4/5/2010	201601	31.30		
			REFUND-BUS LIC OVRPMT	31.30
	Vendor Total	31.30		
FYTD for CROWN CASTLE MU, LLC		31.30		



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CTAI PACIFIC GREENSCAPE				
4/26/2010	880378	4,997.03		
			LANDSCAPE MAINT-DSG1W	4,897.13
			LANDSCAPE MAINT-DSG1W	75.15
			LANDSCAPE MAINT-DSG1W	24.75
Vendor Total		4,997.03		
FYTD for CTAI PACIFIC GREENSCAPE		52,011.07		
CUEVAS, KATIE				
4/19/2010	201971	37.60		
			REFUND-TIME FOR TOTS	37.60
Vendor Total		37.60		
FYTD for CUEVAS, KATIE		37.60		
D & D SERVICES DBA D & D DISPOSAL, INC.				
4/19/2010	201972	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
Vendor Total		745.00		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		7,600.00		
D & S CONSTRUCTION				
4/5/2010	201602	75.00		
			REFUND-BUS LIC OVRPMT	75.00
Vendor Total		75.00		
FYTD for D & S CONSTRUCTION		75.00		
D L S LANDSCAPE, INC				
4/5/2010	201603	29.38		
			REFUND-BUS LIC OVRPMT	29.38
Vendor Total		29.38		
FYTD for D L S LANDSCAPE, INC		29.38		
DAILY JOURNAL CORPORATION				
4/5/2010	201604	753.64		
			SUBSCRIPTION RNWL-LADJ	753.64
Vendor Total		753.64		
FYTD for DAILY JOURNAL CORPORATION		6,349.64		
DALE, KATHLEEN				
4/5/2010	201789	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for DALE, KATHLEEN		3,158.54		



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DANIEL'S PHARMACY				
4/5/2010	201605	57.00	REFUND-BUS LIC OVRPMT	57.00
Vendor Total		57.00		
FYTD for DANIEL'S PHARMACY		57.00		
DATA TICKET, INC.				
4/5/2010	880266	22,543.54		
			CITATION PRCSSNG-PD	6,883.50
			CITATION PRCSSNG-PD	3,242.29
			CITATION PRCSSNG-PD	4,391.37
			CITATION PRCSSNG-BLDG/SFTY	240.50
			CITATION PRCSSNG-BLDG/SFTY	284.32
			CITATION PRCSSNG-CODE	7,396.56
			CITATION APPLIC MAINT/SUPPORT	105.00
4/12/2010	880331	5,477.25		
			CITATION PRCSSNG-CODE	945.10
			CITATION PRCSSNG-CODE	1,467.51
			CITATION PRCSSNG-CODE	1,519.82
			CITATION PRCSSNG-BLDG/SFTY	1,544.82
4/26/2010	880379	4,629.33		
			CITATION PRCSSNG-CODE	2,462.75
			CITATION PRCSSNG-CODE	2,166.58
Vendor Total		32,650.12		
FYTD for DATA TICKET, INC.		155,174.52		
DATAQUICK CORPORATE HEADQUARTERS				
4/26/2010	202126	130.50		
			ONLINE SVCS-POLICE	130.50
Vendor Total		130.50		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		2,205.00		
DAVID EVANS & ASSOCIATES, INC.				
4/5/2010	201606	372.50		
			SUNNYMD BLVD REVIT PROJ SVCS	372.50
4/26/2010	202127	7,207.50		
			SUNNYMD BLVD REVIT PROJ SVCS	7,207.50
Vendor Total		7,580.00		
FYTD for DAVID EVANS & ASSOCIATES, INC.		26,554.59		
DEBINAIRE COMPANY				
4/5/2010	201607	375.00		
			BOILER MAINT-CITY HALL	140.00
			BOILER MAINT-PSB	140.00
			BOILER MAINT-CRC	95.00
Vendor Total		375.00		
FYTD for DEBINAIRE COMPANY		1,780.65		



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DEERY AMERICAN CORP				
4/19/2010	880354	18,947.86		
			SEALANT FOR CRACK SEALING PRGM	17,421.75
			FREIGHT CHARGE	1,580.00
			SEALANT FOR CRACK SEALING PRGM	26.33
			.50% USE TAX ACCRUAL	-80.22
	Vendor Total	18,947.86		
FYTD for DEERY AMERICAN CORP		37,224.32		
DELTA DENTAL				
4/5/2010	201608	11,054.59		
			EMPLOYEE DENTAL INSURANCE	11,054.59
	Vendor Total	11,054.59		
FYTD for DELTA DENTAL		114,223.80		
DELTACARE USA				
4/12/2010	201853	6,388.50		
			EMPLOYEE DENTAL INSURANCE	6,388.50
	Vendor Total	6,388.50		
FYTD for DELTACARE USA		67,276.71		
DENNIS GRUBB & ASSOCIATES, LLC				
4/5/2010	880267	800.00		
			PLAN REVIEW SVCS-FIRE	800.00
	Vendor Total	800.00		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC		9,685.00		
DENNIS ORTIZ - RENTALS				
4/19/2010	201973	89.73		
			REFUND-BUS LIC OVRPMT	89.73
	Vendor Total	89.73		
FYTD for DENNIS ORTIZ - RENTALS		89.73		
DEPARTMENT OF CONSERVATION				
4/12/2010	201854	1,292.37		
			SMI FEES LESS RETAINAGE	1,360.39
			SMI FEES LESS RETAINAGE	-68.02
	Vendor Total	1,292.37		
FYTD for DEPARTMENT OF CONSERVATION		4,423.15		
DEPARTMENT OF ENVIRONMENTAL HEALTH				
4/19/2010	201974	274.00		
			HEALTH PERMIT FEE	274.00
	Vendor Total	274.00		
FYTD for DEPARTMENT OF ENVIRONMENTAL HEALTH		482.00		



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DESTINY DANCEWEAR, INC				
4/5/2010	201609	17.94	REFUND-BUS LIC OVRPMT	17.94
Vendor Total		17.94		
FYTD for DESTINY DANCEWEAR, INC		17.94		
DEXTER, TIMOTHY L.				
4/5/2010	201610	1,851.00	REFUND-ADMIN CITATION FEES	651.00
			REFUND-ADMIN CITATION FEES	1,200.00
Vendor Total		1,851.00		
FYTD for DEXTER, TIMOTHY L.		1,851.00		
DISTINCTIVELY YOURS				
4/26/2010	202129	150.08	EMPLOYEE UNIFORM-PW	150.08
Vendor Total		150.08		
FYTD for DISTINCTIVELY YOURS		150.08		
DISTINGUISHED FLYING CROSS SOCIETY				
4/26/2010	202130	30.00	GROUND BREAKING-AIR MUSEUM	10.00
			GROUND BREAKING-AIR MUSEUM	10.00
			GROUND BREAKING-AIR MUSEUM	10.00
Vendor Total		30.00		
FYTD for DISTINGUISHED FLYING CROSS SOCIETY		30.00		
DOLEX DOLLAR EXPRESS, INC				
4/5/2010	201611	24.45	REFUND-BUS LIC OVRPMT	24.45
Vendor Total		24.45		
FYTD for DOLEX DOLLAR EXPRESS, INC		24.45		
DONAHUE APPRAISAL ASSOCIATES				
4/26/2010	880380	11,820.00	PERRIS BLVD WIDENING PROJ SVCS	9,100.00
			PERRIS BLVD WIDENING PROJ SVCS	2,720.00
Vendor Total		11,820.00		
FYTD for DONAHUE APPRAISAL ASSOCIATES		62,300.00		
DORY, ALLEEN F.				
4/5/2010	201612	415.53	RETIREE MEDICAL BENEFIT	194.53
			RETIREE MEDICAL BENEFIT	221.00
Vendor Total		415.53		
FYTD for DORY, ALLEEN F.		2,974.14		



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DREXLER, DAVID				
4/15/2010	201931	325.00	PER DIEM-ECONOMIC CRIMES CLASS	325.00
Vendor Total		325.00		
FYTD for DREXLER, DAVID		520.00		
DURAN, BLANCA				
4/12/2010	201855	315.00	INSTRUCTOR SVCS-FOLKLORIC DNC	173.00
			INSTRUCTOR SVCS-FOLKLORIC DNC	142.00
Vendor Total		315.00		
FYTD for DURAN, BLANCA		2,226.00		
E.R. BLOCK PLUMBING & HEATING, INC.				
4/5/2010	201613	774.84	BACKFLOW RPLCMNT-MATERIAL	532.82
			BACKFLOW RPLCMNT-LABOR	170.00
			BACKFLOW RPLCMNT-MATERIAL	35.62
			BACKFLOW TESTING	36.40
4/12/2010	201856	145.60	BACKFLOW TESTING	145.60
4/26/2010	202131	691.60	BACKFLOW TESTING-E1	72.80
			BACKFLOW TESTING-E2	436.80
			BACKFLOW TESTING-E15	36.40
			BACKFLOW TESTING-ZN M	36.40
			BACKFLOW TESTING-DSG1	72.80
			BACKFLOW TESTING-ZN S	36.40
Vendor Total		1,612.04		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		29,106.39		
EAGLETIME COUNSELING SERVICES				
4/19/2010	201975	25.00	REFUND-BUS LIC OVRPMT	25.00
Vendor Total		25.00		
FYTD for EAGLETIME COUNSELING SERVICES		25.00		
EARLY, PAUL				
4/26/2010	202132	177.00	PER DIEM-LCC ATTYS SPRING CONF	177.00
Vendor Total		177.00		
FYTD for EARLY, PAUL		177.00		



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EASTERN MUNICIPAL WATER DISTRICT				
4/5/2010	201614	7,349.26		
			WATER CHRGS-EMERG OPS CTR PROJ	331.70
			WATER CHRGS FOR FEBRUARY	51.68
			WATER CHRGS FOR MARCH	66.28
			WATER CHRGS FOR MARCH	319.55
			WATER CHRGS FOR MARCH	1,280.09
			WATER CHRGS FOR MARCH	48.27
			WATER CHRGS FOR MARCH	1,611.64
			WATER CHRGS FOR MARCH	1,172.35
			WATER CHRGS FOR MARCH	1,399.00
			WATER CHRGS FOR MARCH	14.45
			WATER CHRGS FOR MARCH	213.96
			WATER CHRGS FOR MARCH	303.84
			WATER CHRGS FOR MARCH	66.19
			RCLMD WATER-DRAIN MAINT PRGM	60.75
			RCLMD WATER-ST. SWEEPING PRGM	60.75
			RCLMD WATER-ST. SWEEPING PRGM	260.74
			RCLMD WATER-STREET MAINT PRGM	88.02
4/12/2010	201857	16,638.04		
			WATER CHRGS FOR MARCH	74.81
			WATER CHRGS FOR MARCH	1,525.25
			WATER CHRGS FOR MARCH	38.40
			WATER CHRGS FOR MARCH	2,415.34
			WATER CHRGS FOR MARCH	6,954.75
			WATER CHRGS FOR MARCH	1,938.39
			WATER CHRGS FOR MARCH	1,337.84
			WATER CHRGS FOR MARCH	642.23
			WATER CHRGS FOR MARCH	927.94
			WATER CHRGS FOR MARCH	181.59
			WATER CHRGS FOR MARCH	162.11
			WATER CHRGS FOR MARCH	245.24
			WATER CHRGS FOR MARCH	139.66
			WATER CHRGS FOR MARCH	54.49
4/26/2010	202133	14,313.80		
			WATER CHRGS FOR MARCH	278.32
			WATER CHRGS FOR MARCH	5,328.11
			WATER CHRGS FOR MARCH	1,667.71
			WATER CHRGS FOR MARCH	2,563.91
			WATER CHRGS FOR MARCH	274.62
			WATER CHRGS FOR MARCH	1,796.36
			WATER CHRGS FOR MARCH	1,332.81
			WATER CHRGS FOR MARCH	225.13
			WATER CHRGS FOR MARCH	366.09
			WATER CHRGS FOR MARCH	480.74
Vendor Total		38,301.10		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		931,665.18		



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ECOLAB INC.				
4/5/2010	201615	63.38	REFUND-BUS LIC OVRPMT	63.38
Vendor Total		63.38		
FYTD for ECOLAB INC.		63.38		
ECOMOTION, INC.				
4/5/2010	201616	4,548.43	CONSULTING SVCS-SPCL DIST	4,548.43
4/19/2010	201977	4,481.41	CONSULTING SVCS-UTILITY	4,481.41
Vendor Total		9,029.84		
FYTD for ECOMOTION, INC.		11,842.34		
EDGELANE MOBILE PARK				
4/12/2010	880332	12.97	REFUND-UT USER TAXES	12.97
Vendor Total		12.97		
FYTD for EDGELANE MOBILE PARK		99.17		
EDITH F. NAVARRO				
4/19/2010	201978	54.67	REFUND-BUS LIC OVRPMT	54.67
Vendor Total		54.67		
FYTD for EDITH F. NAVARRO		54.67		
EGGERSTEN, ANNE				
4/5/2010	201617	305.60	RETIREE MEDICAL BENEFIT	305.60
Vendor Total		305.60		
FYTD for EGGERSTEN, ANNE		2,838.23		
EMPIRE INSULATION, INC				
4/5/2010	201618	25.00	REFUND-BUS LIC OVRPMT	25.00
Vendor Total		25.00		
FYTD for EMPIRE INSULATION, INC		25.00		
EMPIRE SPORTS				
4/19/2010	880355	5,216.96	SPORTS UNIFORMS-PARKS	148.16
			SPORTS UNIFORMS-PARKS	5,068.80
Vendor Total		5,216.96		
FYTD for EMPIRE SPORTS		14,889.16		



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ENCHANTED VILLAGE OF GIFTS				
4/5/2010	201619	12.03		
			REFUND-BUS LIC OVRPMT	12.03
Vendor Total		12.03		
FYTD for ENCHANTED VILLAGE OF GIFTS		12.03		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
4/12/2010	201858	3,750.00		
			CBNT LEASE-CTTNWD	47.14
			CBNT LEASE-CTTNWD	1,202.86
			CBNT LEASE-INDIAN/NANDINA	81.32
			CBNT LEASE-INDIAN/NANDINA	1,168.68
			CBNT LEASE-IRIS	98.05
			CBNT LEASE-IRIS	1,151.95
4/19/2010	201979	23,657.16		
			GIS DATA CONVERSION	630.70
			ELECT METER FEES	20,307.46
			ELECT METER FEES	2,719.00
Vendor Total		27,407.16		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		1,855,108.05		
ENVIRONMENTAL MOLDING CONCEPTS, INC				
4/5/2010	201621	70.97		
			REFUND-BUS LIC OVRPMT	70.97
Vendor Total		70.97		
FYTD for ENVIRONMENTAL MOLDING CONCEPTS, INC		70.97		
ESPINOZA, ROSY				
4/19/2010	201980	750.00		
			REFUND-RNTL DEP 4/3	750.00
Vendor Total		750.00		
FYTD for ESPINOZA, ROSY		750.00		
EVANS, MELVA				
4/12/2010	201859	329.50		
			REFUND-CITATION OVRPMT	329.50
Vendor Total		329.50		
FYTD for EVANS, MELVA		329.50		
EWING IRRIGATION PRODUCTS, INC.				
4/26/2010	202134	599.04		
			IRRIGATION SUPPLIES	583.06
			IRRIGATION SUPPLIES	15.98
Vendor Total		599.04		
FYTD for EWING IRRIGATION PRODUCTS, INC.		13,412.95		



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EXCEL LANDSCAPE, INC				
4/12/2010	201860	3,889.00		
			LANDSCAPE MAINT-WQF	530.50
			LANDSCAPE MAINT-WQF	2,200.00
			LANDSCAPE MAINT-WQF	980.00
			LANDSCAPE MAINT-WQF	178.50
4/26/2010	202135	12,674.22		
			LANDSCAPE MAINT-E7	2,666.81
			LANDSCAPE MAINT-CELEB PARK	1,070.36
			LANDSCAPE MAINT-PROM PARK	1,501.98
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-WQF	1,945.00
			LANDSCAPE MAINT-WQB	1,944.00
			LANDSCAPE MAINT-E15	85.00
Vendor Total		16,563.22		
FYTD for EXCEL LANDSCAPE, INC		205,148.38		
FAIR HOUSING COUNCIL OF RIV CO, INC.				
4/26/2010	880381	3,476.18		
			CDBG FUNDED SVCS-FRCLSR PREV	2,039.24
			CDBG FUNDED SVCS-FRCLSR PREV	1,436.94
Vendor Total		3,476.18		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.		42,942.80		
FANNING, JEFFREY DEAN				
4/19/2010	201981	494.00		
			INSTRUCTION SVCS-13 DAYS	494.00
Vendor Total		494.00		
FYTD for FANNING, JEFFREY DEAN		494.00		
FEDERAL EXPRESS				
4/12/2010	201861	17.41		
			257317200-EXPRESS MAILING	17.41
Vendor Total		17.41		
FYTD for FEDERAL EXPRESS		122.00		
FEENSTRA, JOHN				
4/5/2010	201790	361.25		
			RETIREE MEDICAL BENEFIT	361.25
Vendor Total		361.25		
FYTD for FEENSTRA, JOHN		3,612.50		



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FENCETECH, INC				
4/5/2010	201622	150.00	REFUND-BUS LIC OVRPMT	150.00
Vendor Total		150.00		
FYTD for FENCETECH, INC		150.00		
FINESSE PERSONNEL ASSOCIATES				
4/5/2010	201623	7,055.13	TEMP SVCS-BECKNER W/E 3/13	1,596.81
			TEMP SVCS-BECKNER W/E 3/20	1,854.36
			TEMP SVCS-BECKNER W/E 3/27	1,854.36
			TEMP SVCS-NELSON W/E 3/13	874.80
			TEMP SVCS-NELSON W/E 3/20	874.80
4/12/2010	201862	2,729.16	TEMP SVCS-NELSON W/E 3/27	874.80
			TEMP SVCS-BECKNER W/E 4/3	1,854.36
4/19/2010	201982	2,729.16	TEMP SVCS-NELSON W/E 4/3	874.80
			TEMP SVCS-BECKNER W/E 4/10	1,854.36
4/26/2010	202136	3,875.41	TEMP SVCS-NELSON W/E 2/27	656.10
			TEMP SVCS-NELSON W/E 3/6	850.50
			TEMP SVCS-NELSON W/E 4/17	656.10
			TEMP SVCS-BECKNER W/E 4/17	1,712.71
Vendor Total		16,388.86		
FYTD for FINESSE PERSONNEL ASSOCIATES		16,388.86		
FIRST AMERICAN CORE LOGIC, INC.				
4/12/2010	201863	538.00	ONLINE PROP INFO-CODE	85.00
			ONLINE PROP INFO-CDD	277.00
			ONLINE PROP INFO-NSP	176.00
4/26/2010	202137	592.00	ONLINE PROP INFO-CODE	85.00
			ONLINE PROP INFO-CDD	331.00
			ONLINE PROP INFO-NSP	176.00
Vendor Total		1,130.00		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		4,480.00		



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FIRST CHOICE SERVICES				
4/5/2010	880269	63.90		
			COFFEE SVCS-EMP PAID	32.24
			COFFEE SVCS-EMP PAID	31.66
4/12/2010	880333	29.38		
			COFFEE SVCS-EMP PAID	29.38
4/19/2010	880356	580.04		
			COFFEE SVCS-EMP PAID	80.91
			COFFEE SVCS-EMP PAID	95.76
			COFFEE SVCS-EMP PAID	177.68
			COFFEE SVCS-EMP PAID	109.17
			COFFEE SVCS-EMP PAID	88.14
			COFFEE SVCS-EMP PAID	28.38
4/26/2010	880382	36.51		
			COFFEE SVCS-EMP PAID	36.51
Vendor Total		709.83		
FYTD for FIRST CHOICE SERVICES		8,197.32		
FITNESS 19 CA 155 11C				
4/26/2010	202138	281.00		
			GYM MEMBERSHIP DEDUCTIONS	281.00
Vendor Total		281.00		
FYTD for FITNESS 19 CA 155 11C		2,915.00		
FOLEY & LARDNER				
4/29/2010	202211	3,000.00		
			LEGAL SVCS-RETAINER	3,000.00
Vendor Total		3,000.00		
FYTD for FOLEY & LARDNER		3,000.00		
FOSTER, NANCY A.				
4/5/2010	201624	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for FOSTER, NANCY A.		1,265.50		
FOTO FANTASY, INC				
4/5/2010	201625	40.42		
			REFUND-BUS LIC OVRPMT	40.42
Vendor Total		40.42		
FYTD for FOTO FANTASY, INC		40.42		



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FRANCE PUBLICATIONS, INC.				
4/12/2010	201864	1,800.00	ADVERTISING SVCS-EDD	1,800.00
Vendor Total		1,800.00		
FYTD for FRANCE PUBLICATIONS, INC.		9,600.00		
FRANCHISE TAX BOARD				
4/12/2010	201865	675.95	GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.45
			GARNISHMENT	254.00
4/26/2010	202139	676.38	GARNISHMENT	12.50
			GARNISHMENT	50.00
			GARNISHMENT	359.88
			GARNISHMENT	254.00
Vendor Total		1,352.33		
FYTD for FRANCHISE TAX BOARD		11,541.09		
FRANKLIN, L. C.				
4/12/2010	201866	207.00	MILEAGE REIMBURSEMENT	207.00
Vendor Total		207.00		
FYTD for FRANKLIN, L. C.		1,448.70		
FRED'S GLASS & MIRROR, INC.				
4/5/2010	201626	723.00	WINDOW FRAME RPLCMNT-SR CTR	598.00
			WINDOW SEAL SVC-FS #58	125.00
Vendor Total		723.00		
FYTD for FRED'S GLASS & MIRROR, INC.		1,089.03		
FULBRIGHT & JAWORSKI, L.L.P.				
4/19/2010	201983	8,794.40	LEGAL SVCS-UTILITIES	8,794.40
Vendor Total		8,794.40		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		212,500.08		
GASTELUM, LEOBARDO				
4/26/2010	202140	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for GASTELUM, LEOBARDO		20.00		



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GASTON, RICHARD				
4/5/2010	201791	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for GASTON, RICHARD		3,187.30		
GENERAL SECURITY SERVICES, INC.				
4/5/2010	201627	184.08	SECURITY SVCS-CRC	184.08
4/5/2010	880271	460.20	SECURITY SVCS-SENIOR CTR SECURITY SVCS-CRC	245.44 214.76
4/12/2010	880334	2,086.24	SECURITY SVCS-LIBRARY SECURITY SVCS-LIBRARY SECURITY SVCS-LIBRARY SECURITY SVCS-LIBRARY SECURITY SVCS-CRC SECURITY SVCS-CRC	122.72 122.72 613.60 613.60 306.80 306.80
4/19/2010	880357	184.08	SECURITY SVCS-TWNGTE SECURITY SVCS-TWNGTE	107.38 76.70
4/26/2010	880383	2,116.92	SECURITY SVCS-CRC SECURITY SVCS-CRC SECURITY SVCS-UTILITIES ANNX SECURITY SVCS-LIBRARY SECURITY SVCS-LIBRARY	306.80 306.80 276.12 613.60 613.60
Vendor Total		5,031.52		
FYTD for GENERAL SECURITY SERVICES, INC.		46,767.95		
GEORGE SALINAS TREE PRESERVATION				
4/5/2010	201628	2,011.95	TREE TRIMMING SVC-DSG2 TREE TRIMMING SVC-E1 TREE TRIMMING SVC-E1A TREE TRIMMING SVC-E2 TREE TRIMMING SVC-ZN M	447.10 178.84 223.55 804.78 357.68
4/19/2010	201984	50.84	REFUND-BUS LIC OVRPMT	50.84
Vendor Total		2,062.79		
FYTD for GEORGE SALINAS TREE PRESERVATION		89,560.26		



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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
4/5/2010	880272	1,811.70		
			LEGAL SVCS	680.50
			LEGAL SVCS	1,131.20
4/19/2010	880358	2,846.00		
			LEGAL SVCS-COMM PRK SOCCER FLD	2,846.00
4/26/2010	880384	5,996.09		
			LEGAL SVCS-COMM PRK SOCCER FLD	4,015.45
			LEGAL SVCS	1,980.64
Vendor Total		10,653.79		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		144,601.09		
GIPSON, MIRANDA				
4/12/2010	201867	195.20		
			REFUND-PERMIT FEES	97.60
			REFUND-PERMIT FEES	97.60
Vendor Total		195.20		
FYTD for GIPSON, MIRANDA		195.20		
GOLDEN'S ELECTRONIC'S				
4/19/2010	201985	24.42		
			REFUND-BUS LIC OVRPMT	24.42
Vendor Total		24.42		
FYTD for GOLDEN'S ELECTRONIC'S		24.42		
GOMEZ, GERARDO & GABRIELA				
4/26/2010	202141	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for GOMEZ, GERARDO & GABRIELA		20.00		
GONG ENTERPRISES, INC.				
4/12/2010	201868	4,850.00		
			PLAN CHECK SVCS	2,500.00
			PLAN CHECK SVCS	2,350.00
Vendor Total		4,850.00		
FYTD for GONG ENTERPRISES, INC.		8,614.50		
GONZALES, BRIAN				
4/26/2010	202142	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for GONZALES, BRIAN		20.00		



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GONZALEZ, MARIBEL				
4/12/2010	201869	54.50	REFUND-CITATION DISMISSED	54.50
Vendor Total		54.50		
FYTD for GONZALEZ, MARIBEL		54.50		
GORDON, WILLIAM IRVING III				
4/5/2010	201629	233.28	REFUND-PD CITATION FEES	233.28
Vendor Total		233.28		
FYTD for GORDON, WILLIAM IRVING III		233.28		
GORM INC.				
4/26/2010	202143	3,488.83	JANITORIAL SUPPLIES-PARKS MAIN	1,362.42
			JANITORIAL SUPPLIES-PARKS MAIN	1,585.38
			JANITORIAL SUPPLIES-PARKS MAIN	541.03
Vendor Total		3,488.83		
FYTD for GORM INC.		11,069.31		
GOYA FOODS OF CALIFORNIA				
4/5/2010	201630	49.74	REFUND-BUS LIC OVRPMT	49.74
Vendor Total		49.74		
FYTD for GOYA FOODS OF CALIFORNIA		49.74		
GOZDECKI, DAN				
4/5/2010	880273	783.00	INSTRUCTOR SVCS-KUNG FU	351.00
			INSTRUCTOR SVCS-KUNG FU	432.00
Vendor Total		783.00		
FYTD for GOZDECKI, DAN		6,291.00		
GRAF, ADAM				
4/5/2010	201631	75.00	REFUND-SPAY/NEUTER FEES	75.00
Vendor Total		75.00		
FYTD for GRAF, ADAM		75.00		
GRAFFITI TRACKER, INC.				
4/5/2010	880274	340.00	CAMERA REPAIR	340.00
Vendor Total		340.00		
FYTD for GRAFFITI TRACKER, INC.		28,340.00		



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GRANICUS, INC.				
4/5/2010	201632	1,395.22		
			MANAGED SVC-VIDEO STREAMING	1,350.00
			MANAGED SVC-VIDEO STREAMING	45.22
4/19/2010	201986	130.00		
			PODCASTING MANAGED SVC	130.00
	Vendor Total	1,525.22		
FYTD for GRANICUS, INC.		14,342.20		
GRAPHIC SOLUTIONS LTD.				
4/5/2010	201633	175.00		
			SUNNYMD BLVD REVIT PROJ SVCS	175.00
	Vendor Total	175.00		
FYTD for GRAPHIC SOLUTIONS LTD.		3,601.25		
GRIFFIN, MARLENE C				
4/5/2010	201792	305.60		
			RETIREE MEDICAL BENEFIT	305.60
	Vendor Total	305.60		
FYTD for GRIFFIN, MARLENE C		2,436.81		
GROUP DELTA CONSULTANTS, INC				
4/26/2010	202144	1,955.00		
			PUB SFTY BLDG CONVERSION PROJ	1,955.00
	Vendor Total	1,955.00		
FYTD for GROUP DELTA CONSULTANTS, INC		2,315.00		
GUEST SERVICES				
4/12/2010	201870	234.48		
			COURSE: R123/APR26-MAY7, 2010	234.48
	Vendor Total	234.48		
FYTD for GUEST SERVICES		234.48		
GUILLAN, REBECCA S.				
4/5/2010	201634	263.06		
			RETIREE MEDICAL BENEFIT	263.06
	Vendor Total	263.06		
FYTD for GUILLAN, REBECCA S.		1,107.91		
GUILLIS, LINDA B.				
4/5/2010	201635	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for GUILLIS, LINDA B.		3,187.30		



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GUTIERREZ, ROBERT				
4/5/2010	201636	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for GUTIERREZ, ROBERT		1,892.90		
GUY'S LANDSCAPE MAINTENANCE				
4/5/2010	201637	36.89	REFUND-BUS LIC OVRPMT	36.89
Vendor Total		36.89		
FYTD for GUY'S LANDSCAPE MAINTENANCE		36.89		
GUZMAN'S CART SERVICE				
4/12/2010	880335	4,049.00	CART RTRVL SVCS	4,049.00
Vendor Total		4,049.00		
FYTD for GUZMAN'S CART SERVICE		40,490.00		
H & P NAIL				
4/5/2010	201638	91.00	REFUND-BUS LIC OVRPMT	91.00
Vendor Total		91.00		
FYTD for H & P NAIL		91.00		
H & R BLOCK				
4/12/2010	201871	125.03	BUS. LIC. OVRPMT RFND	70.28
			BUS. LIC. OVRPMT RFND	54.75
Vendor Total		125.03		
FYTD for H & R BLOCK		125.03		
H C I, INC.				
4/5/2010	201639	45.00	REFUND-BUS LIC OVRPMT	45.00
Vendor Total		45.00		
FYTD for H C I, INC.		45.00		
HAMBURG, IRENE				
4/5/2010	201793	956.19	RETIREE MEDICAL BENEFIT	956.19
Vendor Total		956.19		
FYTD for HAMBURG, IRENE		4,291.67		



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HAMLIN, WILLIAM R.				
4/5/2010	201794	315.59	RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for HAMLIN, WILLIAM R.		3,238.04		
HANANIA, RANDA				
4/19/2010	201987	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for HANANIA, RANDA		81.00		
HANDY REPAIR SERVICE				
4/5/2010	201640	31.08	REFUND-BUS LIC OVRPMT	31.08
Vendor Total		31.08		
FYTD for HANDY REPAIR SERVICE		31.08		
HANES, MARTIN D.				
4/5/2010	201795	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HANES, MARTIN D.		3,187.30		
HANSEN, ROBERT L.				
4/26/2010	202146	177.00	PER DIEM-LCC ATTYS SPRING CONF	177.00
Vendor Total		177.00		
FYTD for HANSEN, ROBERT L.		354.00		
HAPPY TIME BOOK STORE				
4/19/2010	201988	71.22	REFUND-BUS LIC OVRPMT	71.22
Vendor Total		71.22		
FYTD for HAPPY TIME BOOK STORE		71.22		
HARDING, JOHN S.				
4/5/2010	201641	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HARDING, JOHN S.		3,187.30		



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HARTMANN, RICK				
4/5/2010	201642	637.46	RETIREE MEDICAL BENEFIT	637.46
Vendor Total		637.46		
FYTD for HARTMANN, RICK		2,454.77		
HATFIELD, CHARLES				
4/5/2010	201643	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HATFIELD, CHARLES		2,549.85		
HAUSER, ADRIANA				
4/19/2010	201989	798.00	INSTRUCTION SVCS-21 DAYS	798.00
Vendor Total		798.00		
FYTD for HAUSER, ADRIANA		3,306.00		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES				
4/5/2010	201644	4,255.20	CONTRACT SVCS-SALES TAX	900.00
			AUDIT SVCS-SALES TAX	2,882.63
			AUDIT SVCS-SALES TAX	472.57
Vendor Total		4,255.20		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES		16,039.71		
HEERY INTERNATIONAL, INC.				
4/19/2010	880359	17,480.00	NEW MAIN LIBRARY PROJ SVCS	17,480.00
Vendor Total		17,480.00		
FYTD for HEERY INTERNATIONAL, INC.		215,052.75		
HEFFLEY, ROSS W.				
4/5/2010	201796	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HEFFLEY, ROSS W.		2,549.85		
HEMPHILL DAYCARE				
4/5/2010	201645	54.00	REFUND-BUS LIC OVRPMT	54.00
Vendor Total		54.00		
FYTD for HEMPILL DAYCARE		54.00		



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HERMAN WEISSKER, INC.				
4/5/2010	201646	75.15	REFUND-BUS LIC OVRPMT	75.15
Vendor Total		75.15		
FYTD for HERMAN WEISSKER, INC.		75.15		
HERRICK, ROBERT D.				
4/5/2010	201647	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HERRICK, ROBERT D.		3,187.30		
HESLIN, MICHAEL K.				
4/12/2010	201872	318.30	TRAVEL EXP-ANNL CA GIS CONF.	62.30
			TRAVEL EXP-ANNL CA GIS CONF.	256.00
Vendor Total		318.30		
FYTD for HESLIN, MICHAEL K.		929.00		
HICKORY FARMS				
4/5/2010	201648	24.01	REFUND-BUS LIC OVRPMT	24.01
Vendor Total		24.01		
FYTD for HICKORY FARMS		24.01		
HIGGS, DEBRA				
4/26/2010	202147	252.00	INSTRUCTOR SVCS-OIL PAINTING	144.00
			INSTRUCTOR SVCS-OIL PAINTING	28.00
			INSTRUCTOR SVCS-OIL PAINTING	80.00
Vendor Total		252.00		
FYTD for HIGGS, DEBRA		1,116.00		
HOGARD, JOHN T.				
4/5/2010	201649	700.00	RETIREE MEDICAL BENEFIT	700.00
Vendor Total		700.00		
FYTD for HOGARD, JOHN T.		817.15		
HOLTZ, GLORIA				
4/19/2010	201990	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for HOLTZ, GLORIA		40.00		



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HOUSER, EDITH E.				
4/5/2010	201650	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HOUSER, EDITH E.		3,187.30		
HUB CONSTRUCTION SPECIALITES, INC				
4/19/2010	201991	44.58	REFUND-BUS LIC OVRPMT	44.58
Vendor Total		44.58		
FYTD for HUB CONSTRUCTION SPECIALITES, INC		44.58		
HUBBARD, MONET				
4/19/2010	201992	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for HUBBARD, MONET		20.00		
HUNT, LEXY				
4/19/2010	201993	52.00	REFUND-TIME FOR TOTS	52.00
Vendor Total		52.00		
FYTD for HUNT, LEXY		52.00		
ICMA RETIREMENT CORP 457				
4/9/2010	2616	9,689.54	DEF COMP 457 04/09/10	9,689.54
4/23/2010	2624	12,410.37	DEF COMP 457 04/23/10	12,410.37
Vendor Total		22,099.91		
FYTD for ICMA RETIREMENT CORP 457		311,584.81		
IL SORRENTO MOBILE PARK				
4/12/2010	201873	158.25	REFUND-UT USER TAXES	158.25
Vendor Total		158.25		
FYTD for IL SORRENTO MOBILE PARK		1,676.31		



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IMANI, KING				
4/5/2010	201651	123.00		
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	20.00
			REFUND-VARIOUS A/C FEES	18.00
			REFUND-VARIOUS A/C FEES	15.00
			REFUND-VARIOUS A/C FEES	50.00
Vendor Total		123.00		
FYTD for IMANI, KING		123.00		
IMPERIAL CUSTOM CABINETS, INC				
4/19/2010	201994	23.50		
			REFUND-BUS LIC OVRPMT	23.50
Vendor Total		23.50		
FYTD for IMPERIAL CUSTOM CABINETS, INC		23.50		
ING USA ANNUITY & LIFE INSURANCE CO.				
4/12/2010	201874	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		475.00		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		4,750.00		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
4/26/2010	202148	1,193.25		
			NUISANCE ABTMNT SVCS-486102015	1,193.25
Vendor Total		1,193.25		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		12,120.56		
INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,				
4/5/2010	201652	32.64		
			REFUND-BUS LIC OVRPMT	32.64
Vendor Total		32.64		
FYTD for INLAND EMPIRE ARCHITRCTURAL SPECIALTIES,		32.64		
INLAND EMPIRE MAGAZINE				
4/12/2010	201875	1,295.00		
			ADVERTISING SVCS-EDD	1,295.00
Vendor Total		1,295.00		
FYTD for INLAND EMPIRE MAGAZINE		5,180.00		



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INLAND EMPIRE PROPERTY SERVICE, INC				
4/19/2010	880360	824.20		
			NUISANCE ABTMNT SVC-297180006	477.20
			NUISANCE ABTMNT SVC-KITCHING/M	150.00
			NUISANCE ABTMNT SVC-13371 PAN	122.00
			HALT SVCS-CODE	75.00
Vendor Total		824.20		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		75,437.10		
INLAND LIBRARY SYSTEM				
4/12/2010	201876	1,863.01		
			2009/10 MEMBERSHIP DUES	1,863.01
Vendor Total		1,863.01		
FYTD for INLAND LIBRARY SYSTEM		2,047.71		
INSIDE PLANTS, INC.				
4/26/2010	880385	316.00		
			PLANT MAINT-CRC	316.00
Vendor Total		316.00		
FYTD for INSIDE PLANTS, INC.		3,160.00		
INTERNAL REVENUE SERVICE				
4/1/2010	2611	2,000.00		
			DEP FED TAX W/H 4/1/10	2,000.00
Vendor Total		2,000.00		
FYTD for INTERNAL REVENUE SERVICE		3,184,348.99		
IRON MOUNTAIN OFF-SITE DATA PROTECTION				
4/5/2010	201653	946.99		
			DATA STORAGE SVCS	946.99
4/26/2010	202149	1,015.54		
			DATA STORAGE SVCS	1,015.54
Vendor Total		1,962.53		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		11,587.44		
IRONWOOD SMOKE SHOP				
4/19/2010	201995	71.96		
			REFUND-BUS LIC OVRPMT	71.96
Vendor Total		71.96		
FYTD for IRONWOOD SMOKE SHOP		71.96		



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ISG THERMAL SYSTEMS USA, INC				
4/5/2010	201654	557.64		
			THERMAL IMAGING CAMERA REPAIR	557.64
			THERMAL IMAGING CAMERA REPAIR	1.54
			THERMAL IMAGING CAMERA REPAIR	-1.54
Vendor Total		557.64		
FYTD for ISG THERMAL SYSTEMS USA, INC		964.89		
ISS SWEEPING, INC.				
4/5/2010	880280	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
4/26/2010	880386	2,265.70		
			POWER SWEEPING SVCS	1,545.70
			POWER SWEEPING SVCS	720.00
Vendor Total		4,531.40		
FYTD for ISS SWEEPING, INC.		23,550.40		
J D H CONTRACTING				
4/5/2010	880281	3,315.00		
			CONTRACT SVCS-FS #58	3,315.00
Vendor Total		3,315.00		
FYTD for J D H CONTRACTING		66,351.84		
JACKSON, JERAMY				
4/12/2010	201877	1,230.00		
			TUITION REIMBURSEMENT	1,230.00
Vendor Total		1,230.00		
FYTD for JACKSON, JERAMY		1,763.50		
JANNEY & JANNEY ATTORNEY SVCS, INC.				
4/12/2010	201878	75.00		
			LEGAL COURIER SVCS	75.00
Vendor Total		75.00		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		1,853.00		
JAUREGUI, OSCAR				
4/5/2010	201655	184.00		
			REFUND-CITATION OVRPMT	184.00
Vendor Total		184.00		
FYTD for JAUREGUI, OSCAR		1,031.82		



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JDEDGE SOFTWARE, LLC				
4/5/2010	201797	750.00		
			CONSULTING SVCS-SOFTWARE DEV	750.00
4/12/2010	880336	255.00		
			CONSULTING SVCS-HR	255.00
4/19/2010	880361	5,440.00		
			CONSULTING SVCS	5,440.00
Vendor Total		6,445.00		
FYTD for JDEDGE SOFTWARE, LLC		106,697.68		
JH DESIGN & ASSOCIATES				
4/1/2010	880257	821.00		
			NAME PLQ DISPLAY-EDD	821.00
Vendor Total		821.00		
FYTD for JH DESIGN & ASSOCIATES		8,471.00		
JIMENEZ, EMMANUEL				
4/26/2010	202150	102.00		
			REFUND-BANK FEES ON OVRCHRGD D	102.00
Vendor Total		102.00		
FYTD for JIMENEZ, EMMANUEL		102.00		
JJ'S MARKET & LIQUOR				
4/5/2010	201656	156.90		
			REFUND-BUS LIC OVRPMT	150.08
			REFUND-BUS LIC OVRPMT	6.46
			REFUND-BUS LIC OVRPMT	0.36
Vendor Total		156.90		
FYTD for JJ'S MARKET & LIQUOR		156.90		
JOHN DEERE LANDSCAPES, INC.				
4/19/2010	201996	74.64		
			REFUND-BUS LIC OVRPMT	74.64
Vendor Total		74.64		
FYTD for JOHN DEERE LANDSCAPES, INC.		74.64		
JOHNSON, DELIA				
4/26/2010	202151	72.00		
			INSTRUCTOR SVCS-AEROBICS	72.00
Vendor Total		72.00		
FYTD for JOHNSON, DELIA		432.00		



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JOLLI BEE				
4/19/2010	201997	77.38	REFUND-BUS LIC OVRPMT	77.38
Vendor Total		77.38		
FYTD for JOLLI BEE		77.38		
JONES III, JOSEPH				
4/19/2010	201998	85.50	MILEAGE REIMBURSEMENT	34.50
			MILEAGE REIMBURSEMENT	51.00
Vendor Total		85.50		
FYTD for JONES III, JOSEPH		571.85		
JONES, SUSAN				
4/5/2010	201798	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for JONES, SUSAN		3,187.30		
JOURNEYS #1017				
4/5/2010	201657	85.25	REFUND-BUS LIC OVRPMT	85.25
Vendor Total		85.25		
FYTD for JOURNEYS #1017		85.25		
JTB SUPPLY CO., INC.				
4/19/2010	201999	8,210.63	SVC CABINET FOR TRAF SIGNAL	8,210.63
Vendor Total		8,210.63		
FYTD for JTB SUPPLY CO., INC.		53,008.41		
JUANITAS MARKET				
4/5/2010	201658	67.00	REFUND-BUS LIC OVRPMT	67.00
Vendor Total		67.00		
FYTD for JUANITAS MARKET		67.00		
K C WEST, INC				
4/5/2010	201659	57.00	REFUND-BUS LIC OVRPMT	71.23
			REFUND-BUS LIC OVRPMT	-14.23
Vendor Total		57.00		
FYTD for K C WEST, INC		57.00		



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KAISER PERMANENTE				
4/19/2010	202000	30.00	REFUND-FALSE ALARM FEE	30.00
Vendor Total		30.00		
FYTD for KAISER PERMANENTE		3,741.82		
KASHEFIPOUR, HOSSEIN				
4/5/2010	201660	134.51	MILEAGE REIMBURSEMENT	34.01
			MILEAGE REIMBURSEMENT	100.50
Vendor Total		134.51		
FYTD for KASHEFIPOUR, HOSSEIN		472.21		
KDM MERIDIAN, INC.				
4/26/2010	880387	8,610.00	BOEING/MCDONNELL SIDEWALK PROJ	3,795.00
			TEMCO ST. SIDEWALK PROJ	4,470.00
			VOUGHT ST. SIDEWALK PROJ	345.00
Vendor Total		8,610.00		
FYTD for KDM MERIDIAN, INC.		76,845.00		
KEEGAN, CAROL				
4/19/2010	202001	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for KEEGAN, CAROL		20.00		
KENNETH JOHNSON				
4/5/2010	201661	58.00	REFUND-BUS LIC OVRPMT	58.00
Vendor Total		58.00		
FYTD for KENNETH JOHNSON		58.00		
KERENYI, JOHN				
4/5/2010	201662	192.00	PER DIEM-TRANSIMS CONF.	192.00
Vendor Total		192.00		
FYTD for KERENYI, JOHN		198.00		
KING, PATRICIA A.				
4/5/2010	201663	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for KING, PATRICIA A.		2,549.85		



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KOA CORPORATION				
4/5/2010	201664	15,723.10		
			RECHE VISTA DR REALIGNMNT PROJ	14,093.10
			RECHE VISTA DR REALIGNMNT PROJ	1,560.00
			RECHE VISTA DR REALIGNMNT PROJ	70.00
4/26/2010	202152	10,841.25		
			RECHE VISTA DR REALIGNMNT PROJ	10,841.25
Vendor Total		26,564.35		
FYTD for KOA CORPORATION		211,877.00		
KOLB, CHARLES E.				
4/5/2010	201799	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for KOLB, CHARLES E.		3,187.30		
KOLLAR, KYLE				
4/5/2010	201665	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for KOLLAR, KYLE		1,274.92		
KYLE, GARY M.				
4/5/2010	201800	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for KYLE, GARY M.		2,549.85		
L & G CABLE CONSTRUCTION				
4/19/2010	202002	57.00		
			REFUND-BUS LIC OVRPMT	57.00
Vendor Total		57.00		
FYTD for L & G CABLE CONSTRUCTION		57.00		
LABELLE-MARVIN, INC.				
4/26/2010	202153	8,100.00		
			SUNNYMD BLVD REVIT PROJ SVCS	8,100.00
Vendor Total		8,100.00		
FYTD for LABELLE-MARVIN, INC.		8,100.00		
LAFATA, JOSEPHINE				
4/5/2010	201801	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for LAFATA, JOSEPHINE		3,158.54		



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LANDERS, ORETHA				
4/5/2010	201666	200.00	REFUND-RENTAL DEP 3/20/10	200.00
Vendor Total		200.00		
FYTD for LANDERS, ORETHA		200.00		
LANGENDORF, BENJAMIN				
4/5/2010	201667	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for LANGENDORF, BENJAMIN		2,868.57		
LATHAM & WATKINS, LLP				
4/26/2010	202154	4,745.00	PROF SVCS-LAND DEV	662.50
			PROF SVCS-LAND DEV	405.00
			PROF SVCS-LAND DEV	675.00
			PROF SVCS-LAND DEV	1,087.50
			PROF SVCS-LAND DEV	1,915.00
Vendor Total		4,745.00		
FYTD for LATHAM & WATKINS, LLP		4,745.00		
LATITUDE 3 MEDIA GROUP				
4/12/2010	201879	1,650.00	ADVERTISING SVCS-EDD	1,650.00
Vendor Total		1,650.00		
FYTD for LATITUDE 3 MEDIA GROUP		3,300.00		
LAWN TECH EQUIPMENT				
4/5/2010	880287	441.67	MISC PARTS-MAINT & OPER	388.20
			MISC PARTS-MAINT & OPER	53.47
Vendor Total		441.67		
FYTD for LAWN TECH EQUIPMENT		3,200.28		
LAWYERS TITLE INC				
4/19/2010	202003	450.00	PRELIM TITLE RPT-CORP YRD PROJ	450.00
4/21/2010	1004091	12,988.50	ESCROW DEPOSIT-EASEMENT PURCH.	12,988.50
Vendor Total		13,438.50		
FYTD for LAWYERS TITLE INC		211,850.50		



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LEE, PHILLIP MICHAEL				
4/5/2010	201668	480.57	REFUND-ADMIN CITATION FEES	480.57
Vendor Total		480.57		
FYTD for LEE, PHILLIP MICHAEL		480.57		
LEIGHTON CONSULTING, INC.				
4/12/2010	880337	10,044.00	LASSELLE ST WIDENING PROJ SVCS	10,044.00
Vendor Total		10,044.00		
FYTD for LEIGHTON CONSULTING, INC.		72,846.64		
LEONS MASTER CLEANING				
4/5/2010	201669	27.29	REFUND-BUS LIC OVRPMT	27.29
Vendor Total		27.29		
FYTD for LEONS MASTER CLEANING		27.29		
LEWIS, CAROLYN S.				
4/5/2010	201802	315.59	RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for LEWIS, CAROLYN S.		3,155.30		
LEXISNEXIS				
4/26/2010	880388	1,480.00	ONLINE LEGAL SVCS-CTY ATTORNEY	740.00
			ONLINE LEGAL SVCS-CTY CLERKS	370.00
			ONLINE LEGAL SVCS-CDD	370.00
Vendor Total		1,480.00		
FYTD for LEXISNEXIS		15,195.00		
LEXISNEXIS PRACTICE MGMT.				
4/26/2010	202155	1,479.46	TM/BM ANNUAL MAINTENANCE	535.00
			TM/BM ANNUAL MAINTENANCE	944.46
Vendor Total		1,479.46		
FYTD for LEXISNEXIS PRACTICE MGMT.		1,479.46		
LIM & NASCIMENTO ENGINEERING CORP.				
4/26/2010	202156	21,687.70	PERRIS BL WIDENING FROM RAM XP	21,687.70
Vendor Total		21,687.70		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		555,801.37		



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LIMON, JOSE M, M.D.				
4/5/2010	201670	33.36	REFUND-BUS LIC OVRPMT	33.36
Vendor Total		33.36		
FYTD for LIMON, JOSE M, M.D.		33.36		
LINDO, HERMINA G.				
4/5/2010	201803	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for LINDO, HERMINA G.		2,741.44		
LIPSCOMB, RAYMOND				
4/19/2010	202004	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for LIPSCOMB, RAYMOND		75.00		
LISA JARMAN CONSULTING				
4/12/2010	201880	1,063.00	CONSULTING SVCS-NSP	1,063.00
Vendor Total		1,063.00		
FYTD for LISA JARMAN CONSULTING		1,063.00		
LITTLE BEIJING				
4/19/2010	202005	87.45	REFUND-BUS LIC OVRPMT	87.45
Vendor Total		87.45		
FYTD for LITTLE BEIJING		87.45		
LOGAN, CHARLES				
4/5/2010	201804	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for LOGAN, CHARLES		2,408.61		
LONE DRAINER & PRONTO NO 4, THE				
4/5/2010	201671	33.00	REFUND-BUS LIC OVRPMT	33.00
Vendor Total		33.00		
FYTD for LONE DRAINER & PRONTO NO 4, THE		33.00		



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LOR GEOTECHNICAL GROUP, INC.				
4/19/2010	880362	570.00		
			PATRIOT PARK PROJ SVCS	430.00
			PATRIOT PARK PROJ SVCS	140.00
4/26/2010	880389	2,245.00		
			VOUGHT ST. SIDEWALK PROJ	1,260.00
			TEMCO ST. SIDEWALK PROJ	985.00
	Vendor Total	2,815.00		
FYTD for LOR GEOTECHNICAL GROUP, INC.		63,071.60		
LOUIS, LILIA				
4/5/2010	201672	61.00		
			REFUND-CLASS REGIS/ARENA SOCCR	61.00
	Vendor Total	61.00		
FYTD for LOUIS, LILIA		61.00		
LOW PRICE AUTO GLASS #60				
4/5/2010	201673	77.60		
			REFUND-BUS LIC OVRPMT	77.60
	Vendor Total	77.60		
FYTD for LOW PRICE AUTO GLASS #60		77.60		
LUMLEY, ROBERT C.				
4/5/2010	201805	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for LUMLEY, ROBERT C.		3,187.30		
M & M HAIR SALON				
4/19/2010	202006	35.25		
			REFUND-BUS LIC OVRPMT	35.25
	Vendor Total	35.25		
FYTD for M & M HAIR SALON		35.25		
M J CLEANING COMPANY				
4/19/2010	202007	42.57		
			REFUND-BUS LIC OVRPMT	42.57
	Vendor Total	42.57		
FYTD for M J CLEANING COMPANY		42.57		
M W H AMERICAS, INC.				
4/19/2010	202008	37.50		
			REFUND-BUS LIC OVRPMT	37.50
	Vendor Total	37.50		
FYTD for M W H AMERICAS, INC.		37.50		



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MACTEC CLEANUP CORPORATION				
4/19/2010	202009	42.00	REFUND-BUS LIC OVRPMT	42.00
Vendor Total		42.00		
FYTD for MACTEC CLEANUP CORPORATION		42.00		
MAGNOLIA POOL AND SPA SUPPLY				
4/5/2010	201674	51.25	REFUND-BUS LIC OVRPMT	51.25
Vendor Total		51.25		
FYTD for MAGNOLIA POOL AND SPA SUPPLY		51.25		
MANAGEMENT ADDED SERVICES				
4/19/2010	202010	27.38	REFUND-BUS LIC OVRPMT	27.38
Vendor Total		27.38		
FYTD for MANAGEMENT ADDED SERVICES		27.38		
MANZANO, KARLA				
4/19/2010	202011	200.00	REFUND-RENTAL DEPOSIT	200.00
Vendor Total		200.00		
FYTD for MANZANO, KARLA		312.00		
MARIN, MARTHA				
4/5/2010	201675	59.00	REFUND-CLASS REGIS/ARENA SOCCR	59.00
Vendor Total		59.00		
FYTD for MARIN, MARTHA		59.00		
MARK BEAMISH WATERPROOFING, INC.				
4/5/2010	201676	87.00	REFUND-BUS LIC OVRPMT	87.00
Vendor Total		87.00		
FYTD for MARK BEAMISH WATERPROOFING, INC.		87.00		
MARROQUIN, EDDY				
4/12/2010	201881	240.00	REFUND-RNTL DEP	140.00
			REFUND-RNTL DEP	100.00
Vendor Total		240.00		
FYTD for MARROQUIN, EDDY		240.00		



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MARTINEZ, FRANK				
4/12/2010	201882	165.00	PER DIEM-ANNL FIRE PREV WRKSHP	165.00
Vendor Total		165.00		
FYTD for MARTINEZ, FRANK		165.00		
MATHIS, NOLAN				
4/5/2010	201677	296.00	RETIREE MEDICAL BENEFIT	296.00
Vendor Total		296.00		
FYTD for MATHIS, NOLAN		2,900.80		
MATICH CORPORATION				
4/19/2010	880363	5,253.35	ASPHALTIC MATERIAL	1,324.68
			ASPHALTIC MATERIAL	1,324.68
			ASPHALTIC MATERIAL	1,272.45
			ASPHALTIC MATERIAL	1,331.54
Vendor Total		5,253.35		
FYTD for MATICH CORPORATION		35,724.35		
MAXINOSKI, SUE A.				
4/5/2010	201806	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for MAXINOSKI, SUE A.		3,187.30		
MC CONNELL CABINETS, INC.				
4/5/2010	201678	25.04	REFUND-BUS LIC OVRPMT	25.04
Vendor Total		25.04		
FYTD for MC CONNELL CABINETS, INC.		25.04		
MC NEEL'S EDUCATIONAL FAMILY DAY CARE				
4/5/2010	201679	33.05	REFUND-BUS LIC OVRPMT	33.05
Vendor Total		33.05		
FYTD for MC NEEL'S EDUCATIONAL FAMILY DAY CARE		33.05		
MCCARTHY & BERLIN, LLP				
4/19/2010	880364	1,545.00	LEGAL SVCS-UTILITIES	1,545.00
Vendor Total		1,545.00		
FYTD for MCCARTHY & BERLIN, LLP		31,175.99		



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MCI				
4/26/2010	202157	1,197.57	INTERNET CONNECTION SVCS	1,197.57
Vendor Total		1,197.57		
FYTD for MCI		13,356.71		
MCI WORLDCOM				
4/26/2010	202158	1,028.12	COMMUNICATION SVCS	1,028.12
Vendor Total		1,028.12		
FYTD for MCI WORLDCOM		10,292.24		
MELAD & ASSOCIATES				
4/12/2010	201883	2,150.68	PLAN CHECK SVCS	2,150.68
Vendor Total		2,150.68		
FYTD for MELAD & ASSOCIATES		38,379.36		
MENGISTU, YESHIALEM				
4/12/2010	201884	118.50	MILEAGE REIMBURSEMENT	118.50
Vendor Total		118.50		
FYTD for MENGISTU, YESHIALEM		995.55		
MENOS STEREOS				
4/5/2010	201680	71.31	REFUND-BUS LIC OVRPMT	71.31
Vendor Total		71.31		
FYTD for MENOS STEREOS		71.31		
MESSIN, LOUIS				
4/5/2010	201807	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for MESSIN, LOUIS		2,549.85		
MGT OF AMERICA, INC.				
4/12/2010	880338	3,000.00	COST CLMING SVCS-4TH QTR 09/10	2,500.00
			COST CLMING SVCS-4TH QTR 09/10	500.00
Vendor Total		3,000.00		
FYTD for MGT OF AMERICA, INC.		12,000.00		



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MICHAEL ZAKHAROV SCAFFOLDING				
4/5/2010	201681	25.77	REFUND-BUS LIC OVRPMT	25.77
Vendor Total		25.77		
FYTD for MICHAEL ZAKHAROV SCAFFOLDING		25.77		
MILES, ROBERT				
4/5/2010	201808	194.53	RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for MILES, ROBERT		2,220.76		
MINARD, MARK E.				
4/5/2010	201809	308.17	RETIREE MEDICAL BENEFIT	308.17
Vendor Total		308.17		
FYTD for MINARD, MARK E.		2,986.51		
MIRACLE RECREATION EQUIPMENT				
4/19/2010	202012	1,075.49	PLAYGROUND EQUIP-PARKS	897.94
			PLAYGROUND EQUIP-PARKS	177.55
4/26/2010	202159	1,571.83	PLAYGROUND EQUIP-PARKS	599.26
			PLAYGROUND EQUIP-PARKS	164.02
			PLAYGROUND EQUIP-PARKS	209.29
			PLAYGROUND EQUIP-PARKS	599.26
Vendor Total		2,647.32		
FYTD for MIRACLE RECREATION EQUIPMENT		7,416.24		
MISSION SHEET METAL, INC.				
4/19/2010	202013	57.25	REFUND-BUS LIC OVRPMT	57.25
Vendor Total		57.25		
FYTD for MISSION SHEET METAL, INC.		57.25		
MITCHELL, DAVID				
4/19/2010	202014	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for MITCHELL, DAVID		20.00		



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MODERN IMAGE				
4/19/2010	202015	68.94	REFUND-BUS LIC OVRPMT	68.94
Vendor Total		68.94		
FYTD for MODERN IMAGE		68.94		
MOLLICA, MIKE				
4/5/2010	201810	401.42	RETIREE MEDICAL BENEFIT	401.42
Vendor Total		401.42		
FYTD for MOLLICA, MIKE		3,211.37		
MONTIEL, ORLANDO				
4/19/2010	202016	15.00	REFUND-ANML LICENSE FEE	15.00
Vendor Total		15.00		
FYTD for MONTIEL, ORLANDO		15.00		
MORA, PATRICIA A.				
4/5/2010	201811	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for MORA, PATRICIA A.		3,187.30		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				
4/5/2010	201682	100.00	REFUND-MBL STAGE RNTL DEP	100.00
4/5/2010	201683	1,375.00	BUSINESS SVCS-4TH INSTLMNT	1,375.00
Vendor Total		1,475.00		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE		5,893.00		
MORENO VALLEY CHAMBER OF COMMERCE				
4/12/2010	201885	6,075.00	BUSINESS SVCS-4TH QTR 09/10	6,000.00
			WAKE-UP MEETING-3/24	15.00
			WAKE-UP MEETING-3/24	15.00
			WAKE-UP MEETING-3/24	15.00
			WAKE-UP MEETING-3/24	15.00
			WAKE-UP MEETING-3/24	15.00
Vendor Total		6,075.00		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		29,100.00		



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MORENO VALLEY CITY EMPLOYEES ASSOC.				
4/9/2010	2615	1,579.00		
			MVCEA DUES 04/09/10	1,579.00
4/23/2010	2623	1,579.00		
			MVCEA DUES 04/23/10	1,579.00
	Vendor Total	3,158.00		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		34,853.50		
MORENO VALLEY CLINICA MEDICA FAMILIAR				
4/19/2010	202017	105.97		
			REFUND-BUS LIC OVRPMT	105.97
	Vendor Total	105.97		
FYTD for MORENO VALLEY CLINICA MEDICA FAMILIAR		105.97		
MORENO VALLEY COMMUNITY EDUCATION CENTER				
4/26/2010	202160	745.75		
			TUTORING PRGM-CDBG	745.75
	Vendor Total	745.75		
FYTD for MORENO VALLEY COMMUNITY EDUCATION CENTER		6,190.30		
MORENO VALLEY GATEWAY, LLC				
4/26/2010	880390	21,093.43		
			LEASE-FACILITIES ANNX BLDG	2,458.97
			LEASE-TECH SVCS ANNX	5,475.90
			LEASE-SPCL DIST ANNX	13,158.56
	Vendor Total	21,093.43		
FYTD for MORENO VALLEY GATEWAY, LLC		210,934.30		
MORENO VALLEY LAW CENTER				
4/19/2010	202018	69.88		
			REFUND-BUS LIC OVRPMT	69.88
	Vendor Total	69.88		
FYTD for MORENO VALLEY LAW CENTER		69.88		
MORENO VALLEY TOYOTA				
4/5/2010	201685	0.00		
			SPECIAL TAX REIMBURSEMENT	163,255.49
			SPECIAL TAX REIMBURSEMENT	-163,255.49
	Vendor Total	0.00		
FYTD for MORENO VALLEY TOYOTA		0.00		



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MORENO VALLEY UNIFIED SCHOOL DISTRICT				
4/5/2010	201686	19,560.00	TRANSPORTATION COSTS-STARS	19,560.00
4/5/2010	201687	288.00	FACILITY RNTL-FRCLSR PREV WRKS	288.00
4/5/2010	201688	306.00	FACILITY RNTL-FRCLSR PREV WRKS	306.00
Vendor Total		20,154.00		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		424,860.07		
MORENO VALLEY UTILITY				
4/26/2010	202161	62.01	ELECTRICITY-UT FLD OFFICE	62.01
Vendor Total		62.01		
FYTD for MORENO VALLEY UTILITY		626,837.30		
MORENO VALLEY WASH HOUSE				
4/5/2010	201689	22.50	REFUND-BUS LIC OVRPMT	22.50
Vendor Total		22.50		
FYTD for MORENO VALLEY WASH HOUSE		22.50		
MORGAN, LISA A.				
4/5/2010	201812	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for MORGAN, LISA A.		3,187.30		
MORROW MEADOWS CORPORATION				
4/19/2010	202020	50.64	REFUND-BUS LIC OVRPMT	50.64
Vendor Total		50.64		
FYTD for MORROW MEADOWS CORPORATION		50.64		
MUNICIPAL EQUIPMENT MAINTENANCE ASSO				
4/5/2010	201691	75.00	MEMBERSHIP RENEWAL	75.00
Vendor Total		75.00		
FYTD for MUNICIPAL EQUIPMENT MAINTENANCE ASSO		75.00		



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MUZAK, LLC				
4/19/2010	202021	63.03	REFUND-BUS LIC OVRPMT	63.03
Vendor Total		63.03		
FYTD for MUZAK, LLC		63.03		
NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF				
4/26/2010	202162	3,256.00	ADVERTISING SVCS-EDD	3,256.00
Vendor Total		3,256.00		
FYTD for NAIOP-NATIONAL ASSOC OF INDUSTRIAL & OFF		6,512.00		
NANCY'S TRUCKING, INC				
4/5/2010	201692	69.00	REFUND-BUS LIC OVRPMT	69.00
Vendor Total		69.00		
FYTD for NANCY'S TRUCKING, INC		69.00		
NATIONWIDE RETIREMENT SOLUTIONS				
4/9/2010	2613	6,547.79	PST DEF COMP FOR FICA 04/09/10	6,547.79
4/9/2010	2614	21,409.52	DEF COMP 457 & 401(A) 04/09/10	21,409.52
4/23/2010	2621	8,627.31	PST DEF COMP FOR FICA 04/23/10	8,627.31
Vendor Total		36,584.62		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		744,535.11		
NAVARRETTE, RALPH				
4/5/2010	201693	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for NAVARRETTE, RALPH		1,274.92		
NAVARRO, HERIBERTO				
4/19/2010	202022	750.00	REFUND-RNTL DEP 3/30	750.00
Vendor Total		750.00		
FYTD for NAVARRO, HERIBERTO		1,050.00		



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NAVCO SECURITY SYSTEMS				
4/5/2010	880300	8,339.48		
			CAMERA & EQUIP-LOGISTICS AREA	4,148.19
			CAMERA & EQUIP-PSB FRONT LOBBY	4,191.29
4/26/2010	880391	343.00		
			DVR REPAIR-POLICE DEPT	343.00
	Vendor Total	8,682.48		
FYTD for NAVCO SECURITY SYSTEMS		9,880.00		
NBS GOVERNMENT FINANCE GROUP				
4/5/2010	880301	419.20		
			ANNUAL LICENSE FEE	419.20
	Vendor Total	419.20		
FYTD for NBS GOVERNMENT FINANCE GROUP		7,919.20		
NELSON, ROBERT				
4/5/2010	201694	305.60		
			RETIREE MEDICAL BENEFIT	305.60
	Vendor Total	305.60		
FYTD for NELSON, ROBERT		2,436.81		
NELSON, RUTH L.				
4/5/2010	201813	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for NELSON, RUTH L.		3,187.30		
NELSON, TIMOTHY IVAN				
4/19/2010	202023	760.00		
			INSTRUCTION SVCS-20 DAYS	760.00
	Vendor Total	760.00		
FYTD for NELSON, TIMOTHY IVAN		1,102.00		
NELSON, VIVIAN				
4/26/2010	202163	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	20.00		
FYTD for NELSON, VIVIAN		20.00		
NEUSTAEDTER, CRAIG S				
4/5/2010	201695	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for NEUSTAEDTER, CRAIG S		3,187.30		



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NEW HOPE CHRISTIAN CENTER, INC.				
4/5/2010	201696	45.12	REFUND-BUS LIC OVRPMT	45.12
Vendor Total		45.12		
FYTD for NEW HOPE CHRISTIAN CENTER, INC.		45.12		
NEW HORIZON MOBILE HOME PARK				
4/12/2010	201887	8.64	REFUND-UT USER TAXES	8.64
Vendor Total		8.64		
FYTD for NEW HORIZON MOBILE HOME PARK		80.49		
NIEBURGER, JUDITH A.				
4/5/2010	201697	401.42	RETIREE MEDICAL BENEFIT	401.42
Vendor Total		401.42		
FYTD for NIEBURGER, JUDITH A.		4,014.20		
NINYO & MOORE GEOTECHNICAL				
4/12/2010	201888	1,295.25	EMRGNCY OPS CTR PROJ SVCS	1,295.25
Vendor Total		1,295.25		
FYTD for NINYO & MOORE GEOTECHNICAL		67,903.12		
NIP & CUT HAIR STUDIO				
4/19/2010	202024	32.34	REFUND-BUS LIC OVRPMT	32.34
Vendor Total		32.34		
FYTD for NIP & CUT HAIR STUDIO		32.34		
NOBEL SYSTEMS				
4/26/2010	880392	18,929.44	PROF SVCS-TS	1,000.00
			PROF SVCS-TS	14,947.20
			PROF SVCS-TS	2,982.24
Vendor Total		18,929.44		
FYTD for NOBEL SYSTEMS		60,769.44		
OCAMPO, JULIE				
4/19/2010	202025	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for OCAMPO, JULIE		75.00		



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OLD COUNTRY BAKERY				
4/5/2010	201698	37.10	REFUND-BUS LIC OVRPMT	37.10
Vendor Total		37.10		
FYTD for OLD COUNTRY BAKERY		37.10		
OLIPHANT, SONJA D.				
4/12/2010	201889	123.00	REFUND-PERMIT FEES	122.00
			REFUND-PERMIT FEES	0.90
			REFUND-PERMIT FEES	0.10
Vendor Total		123.00		
FYTD for OLIPHANT, SONJA D.		123.00		
ONE BEAUTY SUPPLY & SALON (SUPPLY)				
4/5/2010	201699	25.12	REFUND-BUS LIC OVRPMT	25.12
Vendor Total		25.12		
FYTD for ONE BEAUTY SUPPLY & SALON (SUPPLY)		25.12		
OPERATION SAFEHOUSE, INC.				
4/26/2010	202164	882.88	SHELTER PRGM-CDBG	491.97
			SHELTER PRGM-CDBG	390.91
Vendor Total		882.88		
FYTD for OPERATION SAFEHOUSE, INC.		6,044.28		
ORACLE AMERICA				
4/5/2010	201700	22,459.82	SOFTWARE UPDATE/SUPPORT	22,459.82
Vendor Total		22,459.82		
FYTD for ORACLE AMERICA		89,578.72		
OUTBACK PATIO & SUN ROOMS				
4/5/2010	201701	42.51	REFUND-BUS LIC OVRPMT	42.51
Vendor Total		42.51		
FYTD for OUTBACK PATIO & SUN ROOMS		42.51		



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OVERLAND PACIFIC & CUTLER, INC.				
4/19/2010	202026	12,100.00		
			SR-60/NASON ST INTRCHNG PROJ	12,100.00
4/26/2010	202165	6,720.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	6,720.00
Vendor Total		18,820.00		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		151,329.50		
PACIFIC GREEN HORTICULTURAL SVC				
4/12/2010	201890	947.83		
			LANDSCAPE MAINT-E14	130.00
			LANDSCAPE MAINT-E3	235.54
			LANDSCAPE MAINT-E4	433.49
			LANDSCAPE MAINT-E1	108.51
			LANDSCAPE MAINT-E7	40.29
4/26/2010	202166	125.00		
			BEE CONTROL-DSG1E	125.00
Vendor Total		1,072.83		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		10,103.29		
PACIFIC SAFETY COUNCIL				
4/5/2010	201702	2,613.70		
			SAFETY TRAINING-VIDEO	8.70
			SAFETY TRAINING-WORKSHOP	1,969.92
			SAFETY TRAINING-WORKSHOP	635.08
4/26/2010	202167	389.79		
			SAFETY TRAINING-VIDEO	9.79
			SAFETY TRAINING-MBRSHR RNWL	355.13
			SAFETY TRAINING-MBRSHR RNWL	24.87
Vendor Total		3,003.49		
FYTD for PACIFIC SAFETY COUNCIL		8,928.57		
PACIFIC TELEMAGEMENT SERVICES				
4/26/2010	202168	438.48		
			PAYPHONE SVCS-PD	62.64
			PAYPHONE SVCS-CITYWIDE	375.84
Vendor Total		438.48		
FYTD for PACIFIC TELEMAGEMENT SERVICES		2,580.76		
PACIFIC UTILITY INSTALLATION, INC				
4/19/2010	202027	46.65		
			REFUND-BUS LIC OVRPMT	46.65
Vendor Total		46.65		
FYTD for PACIFIC UTILITY INSTALLATION, INC		46.65		



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PAM'S DONUTS				
4/5/2010	201704	36.08	REFUND-BUS LIC OVRPMT	36.08
Vendor Total		36.08		
FYTD for PAM'S DONUTS		36.08		
PANDA BOWL				
4/5/2010	201705	29.41	REFUND-BUS LIC OVRPMT	29.41
Vendor Total		29.41		
FYTD for PANDA BOWL		29.41		
PARSON, REGINA				
4/5/2010	201706	61.00	REFUND-CLASS REGIS/ARENA SOCCR	61.00
Vendor Total		61.00		
FYTD for PARSON, REGINA		61.00		
PARSONS TRANSPORTATION GROUP, INC.				
4/26/2010	202169	17,464.08	SR-60/MOR BCH DR INTRCHNG PROJ	17,464.08
Vendor Total		17,464.08		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		1,001,522.33		
PATTERSON, ALFREY				
4/5/2010	201708	194.53	RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for PATTERSON, ALFREY		2,111.91		
PAVER, JACQUELINE G.				
4/12/2010	201892	825.00	PROF SVCS-WEBB	825.00
Vendor Total		825.00		
FYTD for PAVER, JACQUELINE G.		825.00		
PBS & J				
4/12/2010	880339	4,005.00	SHEILA ST NGHBRHOOD PARK PROJ	4,005.00
Vendor Total		4,005.00		
FYTD for PBS & J		36,312.82		



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PECORARO, HEIDI				
4/12/2010	201893	20.00	REFUND-RABIES DEP	20.00
4/26/2010	202170	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		95.00		
FYTD for PECORARO, HEIDI		95.00		
PENIGAR TAX SERVICE				
4/19/2010	202028	45.13	REFUND-BUS LIC OVRPMT	45.13
Vendor Total		45.13		
FYTD for PENIGAR TAX SERVICE		45.13		
PENTON MEDIA, INC.				
4/26/2010	202210	2,700.00	ADVERTISING SVCS-EDD	2,700.00
Vendor Total		2,700.00		
FYTD for PENTON MEDIA, INC.		8,100.00		
PEREZ, JOSE				
4/26/2010	202171	54.50	REFUND-CITATION OVRPMT	54.50
Vendor Total		54.50		
FYTD for PEREZ, JOSE		54.50		
PERRY, NORMA				
4/5/2010	201709	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for PERRY, NORMA		3,187.30		
PERS LONG TERM CARE PROGRAM				
4/12/2010	201894	433.87	LONG TERM CARE INSURANCE	433.87
4/26/2010	202172	433.87	LONG TERM CARE INSURANCE	433.87
Vendor Total		867.74		
FYTD for PERS LONG TERM CARE PROGRAM		11,287.53		
PERVO PAINT CO.				
4/5/2010	201710	114.19	PAINT-TRAFFIC DIV	114.19
Vendor Total		114.19		
FYTD for PERVO PAINT CO.		39,410.52		



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PETERSEN DEAN, INC.				
4/5/2010	201711	50.00	REFUND-BUS LIC OVRPMT	50.00
Vendor Total		50.00		
FYTD for PETERSEN DEAN, INC.		100.00		
PETERSON, CHRISTINE				
4/19/2010	202029	253.50	TRAVEL EXP-BOOST CONFERENCE	47.00
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		253.50		
FYTD for PETERSON, CHRISTINE		349.55		
PICECH-GARTINELLI, ANDREA				
4/19/2010	202030	107.00	REFUND-CLASS REGIST	107.00
Vendor Total		107.00		
FYTD for PICECH-GARTINELLI, ANDREA		107.00		
PIP PRINTING				
4/26/2010	880394	988.00	PRINTING-FY10/11 CIP BINDERS	988.00
Vendor Total		988.00		
FYTD for PIP PRINTING		4,122.99		
POIEMA LANDSCAPE, INC.				
4/26/2010	880395	3,464.85	LANDSCAPE MAINT-ZN S	1,333.85
			LANDSCAPE MAINT-E12	2,131.00
Vendor Total		3,464.85		
FYTD for POIEMA LANDSCAPE, INC.		30,559.13		
POLLARD, ROCHELLE				
4/19/2010	202031	254.00	TRAVEL EXP-BOOST CONFERENCE	47.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		254.00		
FYTD for POLLARD, ROCHELLE		303.00		
POOLE, LILLIE				
4/5/2010	201712	52.00	REFUND-REGIS SKATEBRD CLASS	52.00
Vendor Total		52.00		
FYTD for POOLE, LILLIE		52.00		



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POUK & STEINLE, INC.				
4/5/2010	201713	1,458.00		
			COTTONWD/PATTILYNN DR TRAF SIG	1,458.00
4/12/2010	201895	14,484.58		
			RETENTION RLS-CTTNWD/PATTILYNN	14,484.58
	Vendor Total	15,942.58		
FYTD for POUK & STEINLE, INC.		350,854.88		
PRICE, GEORGE E.				
4/5/2010	201814	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for PRICE, GEORGE E.		3,187.30		
PRO-CRAFT PLUMBING COMPANY, INC				
4/19/2010	202032	79.67		
			REFUND-BUS LIC OVRPMT	79.67
	Vendor Total	79.67		
FYTD for PRO-CRAFT PLUMBING COMPANY, INC		79.67		
PROTECT YOUR HOME				
4/19/2010	202033	86.65		
			REFUND-BUS LIC OVRPMT	86.65
	Vendor Total	86.65		
FYTD for PROTECT YOUR HOME		86.65		
PROTECTION ONE, INC.				
4/12/2010	201896	40.00		
			SECURITY SVCS-PRO SHOP	20.00
			SECURITY SVCS-MVTV	20.00
	Vendor Total	40.00		
FYTD for PROTECTION ONE, INC.		400.00		
PSOMAS				
4/12/2010	201897	8,003.50		
			LASSELLE ST WIDENING PROJ SVCS	8,003.50
	Vendor Total	8,003.50		
FYTD for PSOMAS		178,701.26		
PULLIAM, TRENT D.				
4/5/2010	201714	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for PULLIAM, TRENT D.		3,187.30		



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PW ENHANCEMENT CENTER				
4/26/2010	880396	739.59	EMERG SVCS PROG-CDBG	739.59
Vendor Total		739.59		
FYTD for PW ENHANCEMENT CENTER		116,746.08		
Q NAILS & SPA				
4/19/2010	202034	55.07	REFUND-BUS LIC OVRPMT	55.07
4/19/2010	202035	71.73	REFUND-BUS LIC OVRPMT	71.73
Vendor Total		126.80		
FYTD for Q NAILS & SPA		126.80		
QAZI MEDICAL GROUP, INC				
4/5/2010	201715	81.83	REFUND-BUS LIC OVRPMT	81.83
Vendor Total		81.83		
FYTD for QAZI MEDICAL GROUP, INC		81.83		
R & S OVERHEAD DOORS, INC.				
4/5/2010	880304	2,062.00	DOOR MAINT-FACILITIES	50.34
			DOOR MAINT-FACILITIES	50.33
			DOOR MAINT-FACILITIES	50.33
			DOOR MAINT-PSB	57.00
			DOOR MAINT-PSB	114.00
			DOOR MAINT-FS #6	201.00
			DOOR MAINT-SENIOR CTR	161.00
			DOOR MAINT-UT FLD OFFICE	121.00
			DOOR MAINT-FS #65	141.00
			DOOR MAINT-FS #91	201.00
			DOOR MAINT-FS #2	201.00
			DOOR MAINT-CITY YARD	241.00
			DOOR MAINT-FS #58	201.00
			DOOR MAINT-FS #48	141.00
			DOOR MAINT-ANML SHLTR	131.00
4/26/2010	880397	302.50	DOOR MAINT-PSB	6.00
			DOOR MAINT-PSB	150.00
			DOOR MAINT-PSB	146.50
Vendor Total		2,364.50		
FYTD for R & S OVERHEAD DOORS, INC.		26,744.50		



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RALLY MANAGEMENT SERVICES, LLC				
4/5/2010	201716	719.28	TEMP SVCS-HENDERSON W/E 3/7	719.28
4/12/2010	201898	3,669.87	TEMP SVCS-HENDERSON W/E 2/28	719.28
			TEMP SVCS-HENDERSON W/E 3/14	719.28
			TEMP SVCS-HENDERSON W/E 3/21	719.28
			TEMP SVCS-MEDINA W/E 3/7	373.82
			TEMP SVCS-MEDINA W/E 3/14	418.93
			TEMP SVCS-HENDERSON W/E 3/28	719.28
4/26/2010	202173	719.28	TEMP SVCS-HENDERSON W/E 4/4	719.28
Vendor Total		5,108.43		
FYTD for RALLY MANAGEMENT SERVICES, LLC		12,242.09		
RAMIREZ, FERNANDO				
4/19/2010	202036	31.00	REFUND-ANML LICENSE FEE	31.00
Vendor Total		31.00		
FYTD for RAMIREZ, FERNANDO		31.00		
RAMIREZ, MANUEL S.				
4/5/2010	201717	22.07	REFUND-BUS LIC OVRPMT	22.07
Vendor Total		22.07		
FYTD for RAMIREZ, MANUEL S.		22.07		
RAYMOND, DENISE M.				
4/5/2010	201718	318.50	PER DIEM-CHAMELEON CONF.	318.50
Vendor Total		318.50		
FYTD for RAYMOND, DENISE M.		318.50		
RAYNE WATER CONDITIONING				
4/5/2010	201719	22.50	REFUND-BUS LIC OVRPMT	22.50
Vendor Total		22.50		
FYTD for RAYNE WATER CONDITIONING		22.50		
RE PLANET				
4/5/2010	201720	22.52	REFUND-BUS LIC OVRPMT	22.52
Vendor Total		22.52		
FYTD for RE PLANET		22.52		



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REGENTS UC / UNIVERSITY OF CALIFORNIA				
4/19/2010	202037	18.00	CUC MEETING	18.00
Vendor Total		18.00		
FYTD for REGENTS UC / UNIVERSITY OF CALIFORNIA		40.00		
RENTAL SERVICE CORP.				
4/5/2010	201721	57.01	REFUND-BUS LIC OVRPMT	57.01
Vendor Total		57.01		
FYTD for RENTAL SERVICE CORP.		57.01		
REVENUE EXPERTS, INC.				
4/12/2010	201899	2,939.60	CITATION PRCSSNG-ANML SVCS	2,939.60
Vendor Total		2,939.60		
FYTD for REVENUE EXPERTS, INC.		35,992.05		
RGC CONSTRUCTION				
4/19/2010	202038	43.07	REFUND-BUS LIC OVRPMT	43.07
Vendor Total		43.07		
FYTD for RGC CONSTRUCTION		43.07		
RGIS, LLC				
4/5/2010	201722	95.64	REFUND-BUS LIC OVRPMT	95.64
Vendor Total		95.64		
FYTD for RGIS, LLC		95.64		
RICE FIRE PROTECTION				
4/5/2010	201723	331.00	REFUND-BUS LIC OVRPMT	81.00
			REFUND-BUS LIC OVRPMT	250.00
Vendor Total		331.00		
FYTD for RICE FIRE PROTECTION		331.00		
RICHARD LOPEZ CONSTRUCTION				
4/19/2010	202039	91.08	REFUND-BUS LIC OVRPMT	91.08
Vendor Total		91.08		
FYTD for RICHARD LOPEZ CONSTRUCTION		1,074,059.47		



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RINA'S BEAUTY DESIGN				
4/5/2010	201724	40.36		
			REFUND-BUS LIC OVRPMT	40.36
Vendor Total		40.36		
FYTD for RINA'S BEAUTY DESIGN		40.36		
RIQUIER, SARA				
4/5/2010	201725	75.00		
			REFUND-SPAY/NEUTER FEES	75.00
Vendor Total		75.00		
FYTD for RIQUIER, SARA		75.00		
RIVERSIDE AREA RAPE CRISIS CENTER				
4/26/2010	202174	432.99		
			CDBG FUNDED SVCS-PREV PRGM	432.99
Vendor Total		432.99		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER		7,031.63		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
4/5/2010	201726	1,833.10		
			RADIO SVCS-PD	1,789.70
			VPN CONNECTION SVCS	43.40
4/26/2010	202175	43.40		
			VPN CONNECTION SVCS	43.40
Vendor Total		1,876.50		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		20,848.63		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
4/12/2010	201901	395.95		
			GARNISHMENT	395.95
4/26/2010	202176	792.16		
			GARNISHMENT	792.16
Vendor Total		1,188.11		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		9,295.93		
RIVERSIDE COUNTY SHERIFF MV				
4/12/2010	201902	330.13		
			EXTRA DUTY-2/17 CK POINT	330.13
Vendor Total		330.13		
FYTD for RIVERSIDE COUNTY SHERIFF MV		10,019.10		



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RIVERSIDE RUBBER STAMP & ENGRAVING				
4/12/2010	201903	16.51		
			APPROVAL STAMP-PURCHASING	13.01
			APPROVAL STAMP-PURCHASING	3.50
Vendor Total		16.51		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		16.51		
RJ RAYMOND PET SERVICES				
4/19/2010	202040	27.02		
			REFUND-BUS LIC OVRPMT	27.02
Vendor Total		27.02		
FYTD for RJ RAYMOND PET SERVICES		27.02		
RLZ ENGINEERING				
4/12/2010	880340	6,370.50		
			TEMP STAFFING SVCS-CAP PROJS	6,370.50
Vendor Total		6,370.50		
FYTD for RLZ ENGINEERING		130,599.75		
ROBERTSON, ANTOINETTE Z.				
4/12/2010	201904	25.00		
			REFUND-CITATION DISMISSED	25.00
Vendor Total		25.00		
FYTD for ROBERTSON, ANTOINETTE Z.		25.00		
ROBINSON, ERIC				
4/19/2010	202041	35.00		
			PER DIEM-MADD RECOGNITION EVNT	35.00
Vendor Total		35.00		
FYTD for ROBINSON, ERIC		35.00		
ROBINSON-DAVIS, YAVONNE				
4/5/2010	201727	50.00		
			REFUND-TRAP RENTAL DEP	50.00
Vendor Total		50.00		
FYTD for ROBINSON-DAVIS, YAVONNE		50.00		
ROCHA, SARA L.				
4/5/2010	201728	888.30		
			RETIREE MEDICAL BENEFIT	888.30
Vendor Total		888.30		
FYTD for ROCHA, SARA L.		2,664.90		



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ROCKWELL, JACQUELINE				
4/12/2010	201905	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for ROCKWELL, JACQUELINE		75.00		
RODRIGUEZ, CARLOS				
4/12/2010	201906	165.00	PER DIEM-ANNL FIRE PREV WRKSHP	165.00
Vendor Total		165.00		
FYTD for RODRIGUEZ, CARLOS		165.00		
RODRIGUEZ, LAUREN				
4/19/2010	202042	253.00	TRAVEL EXP-BOOST CONFERENCE	46.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		253.00		
FYTD for RODRIGUEZ, LAUREN		483.00		
RODRIGUEZ, OMAR				
4/15/2010	201932	325.00	PER DIEM-ECONOMIC CRIMES CLASS	325.00
Vendor Total		325.00		
FYTD for RODRIGUEZ, OMAR		453.00		
ROGERS, EUGENE				
4/5/2010	201815	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for ROGERS, EUGENE		2,549.85		
ROJAS, STEVE				
4/26/2010	202177	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for ROJAS, STEVE		20.00		
ROMAN, MIRIAM				
4/5/2010	201729	20.00	REFUND-RABIES FEE DEPOSIT	20.00
Vendor Total		20.00		
FYTD for ROMAN, MIRIAM		20.00		



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ROMEROS FOOD PRODUCTS				
4/5/2010	201730	21.00	REFUND-BUS LIC OVRPMT	21.00
Vendor Total		21.00		
FYTD for ROMEROS FOOD PRODUCTS		21.00		
ROSS, DAVID T.				
4/5/2010	201816	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for ROSS, DAVID T.		3,187.30		
ROSSON, LOUIS A.				
4/5/2010	201817	289.86	RETIREE MEDICAL BENEFIT	96.50
			RETIREE MEDICAL BENEFIT	193.36
Vendor Total		289.86		
FYTD for ROSSON, LOUIS A.		2,759.57		
RUSSELL, FRANK				
4/26/2010	202178	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for RUSSELL, FRANK		20.00		
RUSSO, JOHN				
4/5/2010	201818	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for RUSSO, JOHN		3,187.30		
SA ASSOCIATES				
4/26/2010	880398	12,600.00	TEMP STAFFING SVCS-CAP PROJS	12,600.00
Vendor Total		12,600.00		
FYTD for SA ASSOCIATES		111,112.50		
SAM KHUMORO CHIROPRACTIC PROF CORP				
4/19/2010	202043	43.30	REFUND-BUS LIC OVRPMT	43.30
Vendor Total		43.30		
FYTD for SAM KHUMORO CHIROPRACTIC PROF CORP		43.30		



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SANO ATTORNEY SERVICE				
4/12/2010	201907	110.00	LEGAL SVCS-ROCHA	110.00
Vendor Total		110.00		
FYTD for SANO ATTORNEY SERVICE		810.00		
SAPIEN, RALPH G.				
4/5/2010	201731	151.94	REFUND-ADMIN CITATION FEES	151.94
Vendor Total		151.94		
FYTD for SAPIEN, RALPH G.		151.94		
SAVER CUT				
4/5/2010	201733	20.48	REFUND-BUS LIC OVRPMT	20.48
Vendor Total		20.48		
FYTD for SAVER CUT		20.48		
SAV-ON CARPET & TILE				
4/5/2010	201732	64.19	REFUND-BUS LIC OVRPMT	64.19
Vendor Total		64.19		
FYTD for SAV-ON CARPET & TILE		64.19		
SC SIGNS				
4/19/2010	202044	1,260.00	PUBLIC HEARING SIGNS	945.00
			PUBLIC HEARING SIGNS	315.00
Vendor Total		1,260.00		
FYTD for SC SIGNS		5,355.00		
SCMAF S. CA MUNI. ATHLETIC FEDERATION				
4/19/2010	202045	175.00	2009 FLAG FOOTBALL ENTRY FEES	175.00
4/19/2010	202046	525.00	YTH BASKETBALL ENTRY FEES	525.00
Vendor Total		700.00		
FYTD for SCMAF S. CA MUNI. ATHLETIC FEDERATION		1,234.00		
SCMAF-INLAND VALLEYS				
4/19/2010	202047	50.00	A&I INSTALLATION EVENT	50.00
Vendor Total		50.00		
FYTD for SCMAF-INLAND VALLEYS		50.00		



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SCREENVISION DIRECT				
4/26/2010	202179	1,328.00		
			ADVERTISING SVCS-ERC	768.00
			ADVERTISING SVCS-ERC	560.00
Vendor Total		1,328.00		
FYTD for SCREENVISION DIRECT		7,540.00		
SECURITY LOCK & KEY				
4/5/2010	201734	73.25		
			LOCK SVC-DUP KEYS	73.25
4/12/2010	201930	61.50		
			LOCK REPAIRS-PARKS	61.50
4/26/2010	880399	49.50		
			LOCK REPAIRS-POLICE	49.50
Vendor Total		184.25		
FYTD for SECURITY LOCK & KEY		16,078.28		
SELAH/SOUND THEOLOGY CHRISTIAN STORE				
4/5/2010	201735	87.68		
			REFUND-BUS LIC OVRPMT	87.68
Vendor Total		87.68		
FYTD for SELAH/SOUND THEOLOGY CHRISTIAN STORE		87.68		
SELECT BUILD				
4/5/2010	201736	23.00		
			REFUND-BUS LIC OVRPMT	23.00
Vendor Total		23.00		
FYTD for SELECT BUILD		23.00		
SEWELL'S RIVERSIDE DAIRY INC				
4/19/2010	202048	71.51		
			REFUND-BUS LIC OVRPMT	71.51
Vendor Total		71.51		
FYTD for SEWELL'S RIVERSIDE DAIRY INC		71.51		
SHAH, JAGDISH				
4/19/2010	880367	20,520.00		
			TEMP STAFFING SVCS-CAP PROJS	20,520.00
Vendor Total		20,520.00		
FYTD for SHAH, JAGDISH		185,280.00		



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SHARKEY, ROBIN				
4/19/2010	202049	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for SHARKEY, ROBIN		75.00		
SHARRETT, SHARON K.				
4/5/2010	201737	193.36	RETIREE MEDICAL BENEFIT	193.36
Vendor Total		193.36		
FYTD for SHARRETT, SHARON K.		1,848.40		
SHELDON, STUART H.				
4/5/2010	201738	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SHELDON, STUART H.		3,187.30		
SHELL OIL CO.				
4/19/2010	202050	208.22	FUEL PURCHASES-ANIMAL SVCS	157.93
			FUEL PURCHASE-SPEC DISTRICTS	50.29
4/26/2010	202180	1,524.60	FUEL PURCHASES-PD MOTORCYCLES	1,307.35
			FUEL PURCHASES-PD CRIME PREV	217.25
Vendor Total		1,732.82		
FYTD for SHELL OIL CO.		16,884.42		
SHIPMAN, MICHAEL				
4/19/2010	202051	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for SHIPMAN, MICHAEL		20.00		
SHREINER, REBECCA				
4/19/2010	202052	50.00	REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for SHREINER, REBECCA		50.00		
SHURTLEFF, JEANNETTE L.				
4/19/2010	202053	798.00	INSTRUCTION SVCS-21 DAYS	798.00
Vendor Total		798.00		
FYTD for SHURTLEFF, JEANNETTE L.		3,268.00		



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SINGER & COFFIN, APC				
4/26/2010	880400	3,889.50		
			LEGAL SVCS-SR60/NASON ST PROJ	3,649.50
			LEGAL SVCS-SR60/NASON ST PROJ	240.00
Vendor Total		3,889.50		
FYTD for SINGER & COFFIN, APC		69,051.65		
SINGLETON-DECUIR, JANISHEIA				
4/19/2010	202092	354.00		
			MILEAGE REIMBURSEMENT	93.00
			TRAVEL EXP-BOOST CONFERENCE	54.50
			TRAVEL EXP-BOOST CONFERENCE	206.50
Vendor Total		354.00		
FYTD for SINGLETON-DECUIR, JANISHEIA		740.85		
SKY PUBLISHING				
4/19/2010	202054	8,773.50		
			PRINTING SVCS-SUMMER10	8,773.50
Vendor Total		8,773.50		
FYTD for SKY PUBLISHING		48,444.50		
SKY TRAILS MOBILE VILLAGE				
4/12/2010	201909	26.19		
			REFUND-UT USER TAXES	26.19
Vendor Total		26.19		
FYTD for SKY TRAILS MOBILE VILLAGE		228.60		
SLAGERMAN, SUSAN A.				
4/5/2010	201819	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SLAGERMAN, SUSAN A.		3,749.76		
SMITH, ERNEST FRANK				
4/5/2010	201739	637.46		
			RETIREE MEDICAL BENEFIT	637.46
Vendor Total		637.46		
FYTD for SMITH, ERNEST FRANK		5,268.41		
SMITH, LISA				
4/5/2010	201740	30.71		
			REFUND-BUS LIC OVRPMT	30.71
Vendor Total		30.71		
FYTD for SMITH, LISA		30.71		



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SMITH, MARIA A.				
4/5/2010	201820	315.59	RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for SMITH, MARIA A.		1,546.10		
SMOKE PLUS				
4/19/2010	202055	21.23	REFUND-BUS LIC OVRPMT	21.23
Vendor Total		21.23		
FYTD for SMOKE PLUS		21.23		
SMOKE SHOP TOBACCO				
4/19/2010	202056	33.33	REFUND-BUS LIC OVRPMT	33.33
Vendor Total		33.33		
FYTD for SMOKE SHOP TOBACCO		33.33		
SO. CALIF SCHOOL OF MUSIC				
4/26/2010	202181	1,100.25	INSTRUCTOR SVCS-GUITAR	189.00
			INSTRUCTOR SVCS-PIANO	297.00
			INSTRUCTOR SVCS-PIANO	189.00
			INSTRUCTOR SVCS-PIANO	209.25
			INSTRUCTOR SVCS-PIANO	216.00
Vendor Total		1,100.25		
FYTD for SO. CALIF SCHOOL OF MUSIC		9,890.25		
SOCO GROUP, INC				
4/5/2010	201741	11,864.58	FUEL PURCHASE	5,893.95
			FUEL PURCHASE	5,970.63
4/26/2010	202182	21,260.96	FUEL PURCHASE	5,544.41
			FUEL PURCHASE	4,537.51
			FUEL PURCHASE	5,746.92
			FUEL PURCHASE	5,432.12
Vendor Total		33,125.54		
FYTD for SOCO GROUP, INC		149,145.14		
SODEN ENTERPRISES, INC. DBA EASY YOGA				
4/26/2010	202183	154.80	INSTRUCTOR SVCS-YOGA	77.40
			INSTRUCTOR SVCS-YOGA	77.40
Vendor Total		154.80		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA		567.60		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SONG, HELEN				
4/19/2010	202057	112.00	REFUND-CLASS REGIST	112.00
Vendor Total		112.00		
FYTD for SONG, HELEN		112.00		
SOSA, JORGE				
4/12/2010	201910	352.20	INSTRUCTOR SVCS-NINPO FOR KIDS	96.00
			INSTRUCTOR SVCS-KARATEDO	256.20
Vendor Total		352.20		
FYTD for SOSA, JORGE		3,604.20		
SOUTH BAY MASONRY				
4/19/2010	202058	57.00	REFUND-BUS LIC OVRPMT	57.00
Vendor Total		57.00		
FYTD for SOUTH BAY MASONRY		57.00		
SOUTH COAST AIR QUALITY MGMT DISTRICT				
4/12/2010	201911	109.00	EMISSIONS FEE-FS #58	109.00
4/12/2010	201912	293.21	ANNL OPERATING FEES-FS #58	293.21
Vendor Total		402.21		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT		3,615.17		
SOUTH COAST AQMD				
4/19/2010	202059	154.81	REG-EMPL TRANSP COORD TRNG	154.81
Vendor Total		154.81		
FYTD for SOUTH COAST AQMD		154.81		



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SOUTHERN CALIFORNIA EDISON				
4/5/2010	201743	5,481.67		
			ELECTRICITY	104.70
			ELECTRICITY	20.78
			ELECTRICITY	765.01
			ELECTRICITY	1,522.60
			ELECTRICITY	133.45
			ELECTRICITY	214.92
			ELECTRICITY	433.18
			ELECTRICITY	692.29
			ELECTRICITY	133.85
			ELECTRICITY	239.03
			ELECTRICITY	1,021.41
			ELECTRICITY	156.39
			ELECTRICITY	44.06
4/12/2010	201913	6,410.52		
			ELECTRICITY	43.24
			ELECTRICITY	108.04
			ELECTRICITY	62.75
			ELECTRICITY	1,348.04
			ELECTRICITY	821.47
			ELECTRICITY	841.36
			ELECTRICITY	464.09
			ELECTRICITY	484.09
			ELECTRICITY	878.01
			ELECTRICITY	93.57
			ELECTRICITY	21.36
			ELECTRICITY	894.73
			ELECTRICITY	147.93
			ELECTRICITY	138.36
			ELECTRICITY	63.48
4/12/2010	201914	14,146.73		
			IFA CHARGES-SUBSTATION	14,146.73
4/19/2010	202061	345.71		
			ELECTRIC CHARGES	345.71
4/26/2010	202184	18,786.90		
			ELECTRICITY	174.64
			ELECTRICITY	5,071.43
			ELECTRICITY	2,657.47
			ELECTRICITY	19.18
			ELECTRICITY	557.87
			ELECTRICITY	1,880.42
			ELECTRICITY	132.16
			ELECTRICITY	4,858.31
			ELECTRICITY	274.09
			ELECTRICITY	140.04
			ELECTRICITY	1,539.29
			ELECTRICITY	242.01
			ELECTRICITY	420.98
			ELECTRICITY	504.65
			ELECTRICITY	152.45
			ELECTRICITY	138.80
			ELECTRICITY	23.11



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Vendor Total		45,171.53		
FYTD for SOUTHERN CALIFORNIA EDISON		6,495,377.09		
SOUTHERN CALIFORNIA FIRE PROTECTION, INC				
4/5/2010	201744	75.00	REFUND-BUS LIC OVRPMT	75.00
Vendor Total		75.00		
FYTD for SOUTHERN CALIFORNIA FIRE PROTECTION, INC		75.00		
SOUTHERN CALIFORNIA GAS CO.				
4/19/2010	202062	6,728.68		
			GAS CHARGES	32.88
			GAS CHARGES	865.62
			GAS CHARGES	2,555.87
			GAS CHARGES	21.33
			GAS CHARGES	105.63
			GAS CHARGES	760.22
			GAS CHARGES	169.37
			GAS CHARGES	111.61
			GAS CHARGES	842.53
			GAS CHARGES	213.50
			GAS CHARGES	247.20
			GAS CHARGES	170.35
			GAS CHARGES	138.41
			GAS CHARGES	252.90
			GAS CHARGES	241.26
Vendor Total		6,728.68		
FYTD for SOUTHERN CALIFORNIA GAS CO.		261,387.79		
SOUTHWEST HEALTHCARE SYSTEM				
4/26/2010	202186	900.00	FORENSIC EXAM-POLICE	900.00
Vendor Total		900.00		
FYTD for SOUTHWEST HEALTHCARE SYSTEM		1,800.00		
SPARKLETTS				
4/5/2010	201745	13.10		
			WATER SVCS-EMERG OPER	4.50
			WATER SVCS-CREEKSIDE ELEM	8.60
4/26/2010	202187	15.72		
			WATER SVCS-SNNYMD ELEM	15.03
			WATER SVCS-GOLF CRS	0.69
Vendor Total		28.82		
FYTD for SPARKLETTS		394.99		



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SPECK, GARY B.				
4/5/2010	201821	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SPECK, GARY B.		3,187.30		
SPECTRUM CARE				
4/5/2010	201746	74.00	REFUND-BUS LIC OVRPMT	74.00
Vendor Total		74.00		
FYTD for SPECTRUM CARE		98,740.64		
SPENCER, MARTHA				
4/5/2010	201822	194.53	RETIREE MEDICAL BENEFIT	194.53
Vendor Total		194.53		
FYTD for SPENCER, MARTHA		2,220.76		
SPORTS INNOVATORS				
4/12/2010	201915	3,475.00	SPORTS OFFICIATING SVCS	75.00
			SPORTS OFFICIATING SVCS	3,400.00
Vendor Total		3,475.00		
FYTD for SPORTS INNOVATORS		25,895.00		
SPRINT				
4/5/2010	201747	20.00	SUBPOENA COMPLIANCE FEE	20.00
Vendor Total		20.00		
FYTD for SPRINT		110.00		
SPRINT/NEXTEL				
4/12/2010	880343	33.86	417544340-CELL PH CHRG GTF	33.86
Vendor Total		33.86		
FYTD for SPRINT/NEXTEL		696.18		
STANDARD INSURANCE CO				
4/5/2010	201748	1,652.56	SUPPLEMENTAL INSURANCE	1,652.56
Vendor Total		1,652.56		
FYTD for STANDARD INSURANCE CO		326,752.74		



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STANLEY CONVERGENT SECURITY SOLUTIONS, I				
4/19/2010	202063	196.99	REFUND-BUS LIC OVRPMT	196.99
Vendor Total		196.99		
FYTD for STANLEY CONVERGENT SECURITY SOLUTIONS, I		196.99		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
4/5/2010	880313	1,544.83	MONITORING SVCS-CRC	175.00
			MONITORING SVCS-CRC	492.00
			MONITORING SVCS-MFPCC	105.00
			MONITORING SVCS-TWNGTE	220.98
			MONITORING SVCS-TECH SVCS	105.00
			MONITORING SVCS-SPCL DIST	147.00
			MONITORING SVCS-PSB	194.85
			MONITORING SVCS-ANNX #1	105.00
4/12/2010	880344	0.00	MONITORING SVCS-TWNGTE	16.08
			MONITORING SVCS-TWNGTE	559.19
			MONITORING SVCS-TWNGTE	-16.08
			MONITORING SVCS-TWNGTE	-559.19
4/26/2010	880401	493.01	MONITORING SVCS-GTF	99.00
			MONITORING SVCS-PARKS	166.85
			MONITORING SVCS-PARKS	227.16
Vendor Total		2,037.84		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		26,108.46		
STANTEC CONSULTING, INC.				
4/5/2010	201749	82.34	REFUND-BUS LIC OVRPMT	82.34
Vendor Total		82.34		
FYTD for STANTEC CONSULTING, INC.		82.34		
STAR CLEANERS				
4/5/2010	201750	26.50	REFUND-BUS LIC OVRPMT	26.50
Vendor Total		26.50		
FYTD for STAR CLEANERS		26.50		



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STATE BOARD OF EQUALIZATION				
4/19/2010	202064	800.00		
			ANNEXATION CERT FEE-60/DAY ST.	800.00
4/27/2010	33110	3,594.00		
			SALES & USE TAX	3,594.00
	Vendor Total	4,394.00		
FYTD for STATE BOARD OF EQUALIZATION		35,918.29		
STATE CONTROLLER'S OFFICE				
4/26/2010	202188	2,312.86		
			ANNUAL STREET REPORT 08/09	2,312.86
	Vendor Total	2,312.86		
FYTD for STATE CONTROLLER'S OFFICE		4,812.86		
STATE DISBURSEMENT UNIT				
4/1/2010	2603	1,499.52		
			CHILD SUPPORT W/H 04/01/10	1,499.52
4/15/2010	2612	1,123.52		
			CHILD SUPPORT W/H 04/15/10	1,123.52
4/29/2010	2620	1,123.52		
			CHILD SUPPORT W/H 04/29/10	1,123.52
	Vendor Total	3,746.56		
FYTD for STATE DISBURSEMENT UNIT		39,214.50		
STATE NET				
4/19/2010	880369	1,350.00		
			CONTRACTED SVCS	1,350.00
	Vendor Total	1,350.00		
FYTD for STATE NET		1,350.00		
STATE OF CALIF/DEPT OF INDUSTRIAL				
4/12/2010	201917	105.00		
			PERMIT FEE-CRC	105.00
	Vendor Total	105.00		
FYTD for STATE OF CALIF/DEPT OF INDUSTRIAL		210.00		



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STATE OF CALIFORNIA DEPT. OF JUSTICE				
4/5/2010	201751	3,313.00		
			FINGERPRINTING SVCS-PD	3,313.00
4/19/2010	202065	1,394.00		
			FINGERPRINTING SVCS-HR	64.00
			BLOOD ALCHL ANLYS-PD	1,330.00
4/26/2010	202189	864.00		
			FINGERPRINTING SVCS-STARS	512.00
			FINGERPRINTING SVCS-TREASURY	288.00
			FINGERPRINTING SVCS-TS	64.00
Vendor Total		5,571.00		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		51,544.00		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
4/26/2010	202190	309.79		
			REFUND-MV UTILITY	103.11
			REFUND-MV UTILITY	22.30
			REFUND-MV UTILITY	33.18
			REFUND-MV UTILITY	151.20
Vendor Total		309.79		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		1,388.53		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN				
4/19/2010	202066	2,849.28		
			TRANSCRIPTION SVCS-PD	2,849.28
Vendor Total		2,849.28		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		32,329.28		
STERICYCLE (BFI)				
4/26/2010	880402	517.86		
			WASTE HAULING SVCS-ANML SHLTR	517.86
Vendor Total		517.86		
FYTD for STERICYCLE (BFI)		4,498.16		
STEVE'S LANDSCAPING & WEED ABATEMENT				
4/5/2010	201752	60.00		
			REFUND-BUS LIC OVRPMT	60.00
Vendor Total		60.00		
FYTD for STEVE'S LANDSCAPING & WEED ABATEMENT		46,636.75		
STEVE'S VALLEY NURSERY				
4/5/2010	201753	87.37		
			REFUND-BUS LIC OVRPMT	87.37
Vendor Total		87.37		
FYTD for STEVE'S VALLEY NURSERY		204.82		



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STEWART, CLIFFORD				
4/5/2010	201823	251.09	RETIREE MEDICAL BENEFIT	251.09
Vendor Total		251.09		
FYTD for STEWART, CLIFFORD		1,996.81		
STONERIDGE CENTER PARTNERS				
4/5/2010	201754	120.00	REFUND-BUS LIC OVRPMT	120.00
Vendor Total		120.00		
FYTD for STONERIDGE CENTER PARTNERS		455,825.73		
STRADLING, YOCCA, CARLSON & RAUTH				
4/12/2010	201918	53.00	LEGAL SVCS-RISK MGT	53.00
Vendor Total		53.00		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		81,382.78		
STREICH, TERRY L.				
4/5/2010	201755	30.33	RETIREE MEDICAL BENEFIT	30.33
Vendor Total		30.33		
FYTD for STREICH, TERRY L.		580.31		
STRICKLER II, JOHN W.				
4/5/2010	201756	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for STRICKLER II, JOHN W.		2,549.85		
SUMERFORD, CHRISTINA				
4/26/2010	202191	38.00	INSTRUCTION SVCS-1 DAY	38.00
Vendor Total		38.00		
FYTD for SUMERFORD, CHRISTINA		380.00		



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SUNNYMEAD ACE HARDWARE				
4/5/2010	201757	13.56		
			MISC SUPPLIES-FIRE	5.43
			MISC SUPPLIES-FIRE	8.13
4/12/2010	201919	433.29		
			MISC SUPPLIES-POLICE	10.50
			MISC SUPPLIES-POLICE	9.33
			MISC SUPPLIES-POLICE	364.31
			MISC SUPPLIES-POLICE	1.70
			MISC SUPPLIES-POLICE	20.64
			MISC SUPPLIES-POLICE	21.64
			MISC SUPPLIES-POLICE	5.17
4/19/2010	202067	7.33		
			MISC SUPPLIES-FIRE	7.33
Vendor Total		454.18		
FYTD for SUNNYMEAD ACE HARDWARE		3,516.02		
SUNNYMEAD MONTESSORI SCHOOL				
4/19/2010	202068	64.32		
			REFUND-BUS LIC OVRPMT	64.32
Vendor Total		64.32		
FYTD for SUNNYMEAD MONTESSORI SCHOOL		64.32		
SUPERIOR FURNITURE				
4/5/2010	201758	47.36		
			REFUND-BUS LIC OVRPMT	47.36
Vendor Total		47.36		
FYTD for SUPERIOR FURNITURE		47.36		
SWEET FACTORY #489				
4/5/2010	201759	46.22		
			REFUND-BUS LIC OVRPMT	46.22
Vendor Total		46.22		
FYTD for SWEET FACTORY #489		46.22		
T M S ASSOCIATES				
4/19/2010	202069	48.21		
			REFUND-BUS LIC OVRPMT	48.21
Vendor Total		48.21		
FYTD for T M S ASSOCIATES		48.21		
T.Y. LIN INTERNATIONAL				
4/26/2010	202192	7,661.71		
			GRAHAM ST OVRCRSSNG/SR-60 PROJ	7,661.71
Vendor Total		7,661.71		
FYTD for T.Y. LIN INTERNATIONAL		68,192.50		



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TAQUERIA GUADALUPANA				
4/19/2010	202071	37.90	REFUND-BUS LIC OVRPMT	37.90
Vendor Total		37.90		
FYTD for TAQUERIA GUADALUPANA		37.90		
TECHNICARE COMPUTER SYSTEMS, INC				
4/5/2010	201760	38.80	REFUND-BUS LIC OVRPMT	38.80
Vendor Total		38.80		
FYTD for TECHNICARE COMPUTER SYSTEMS, INC		38.80		
THE BARBERS				
4/19/2010	202072	34.53	REFUND-BUS LIC OVRPMT	34.53
Vendor Total		34.53		
FYTD for THE BARBERS		34.53		
THERMAL-COOL INC.				
4/5/2010	201761	302.00	AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
			AC UNIT SVC-SUNNYMD PRK SN BAR	85.00
			AC UNIT SVC-EQUESTRIAN CTR	66.00
			AC UNIT SVC-EQUESTRIAN CTR	66.00
Vendor Total		302.00		
FYTD for THERMAL-COOL INC.		18,850.36		
THOMCO CONSTRUCTION, INC.				
4/5/2010	201762	13,741.45	ARTERIAL WALL REFURBISHMNT/E-4	12,367.31
			ARTERIAL WALL REFURBISHMNT/E-4	1,374.14
Vendor Total		13,741.45		
FYTD for THOMCO CONSTRUCTION, INC.		13,741.45		
TIOS TACO NO 3				
4/5/2010	201763	63.38	REFUND-BUS LIC OVRPMT	63.38
Vendor Total		63.38		
FYTD for TIOS TACO NO 3		63.38		
T-MOBILE				
4/19/2010	202070	57.00	REFUND-BUS LIC OVRPMT	57.00
Vendor Total		57.00		
FYTD for T-MOBILE		182.00		



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TOMISELLI, ANGELO				
4/12/2010	201920	54.50	REFUND-CITATION DISMISSED	54.50
Vendor Total		54.50		
FYTD for TOMISELLI, ANGELO		54.50		
TORRES, ROBERT				
4/12/2010	201921	43.50	REIMB-INFOPEOPLE WORKSHOP	43.50
Vendor Total		43.50		
FYTD for TORRES, ROBERT		43.50		
TRAFFIC CONTROL SERVICE, INC.				
4/26/2010	202193	5,174.50	TRAFFIC FLAGS, SIGNS & STANDS	4,758.16
			SALES TAX	416.34
Vendor Total		5,174.50		
FYTD for TRAFFIC CONTROL SERVICE, INC.		5,174.50		
TRAN, NGUYET				
4/19/2010	202073	52.00	REFUND-ANML LICENSE FEE	52.00
Vendor Total		52.00		
FYTD for TRAN, NGUYET		52.00		
TREASURE BOX, INC.				
4/5/2010	201764	21.13	REFUND-BUS LIC OVRPMT	21.13
Vendor Total		21.13		
FYTD for TREASURE BOX, INC.		21.13		
TREE OF LIFE, INC.				
4/5/2010	201765	23.21	REFUND-BUS LIC OVRPMT	23.21
Vendor Total		23.21		
FYTD for TREE OF LIFE, INC.		23.21		



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TRICHE, TARA				
4/26/2010	202195	1,931.40		
			INSTRUCTOR SVCS-BALLET	355.20
			INSTRUCTOR SVCS-BALLET/ACRO	88.80
			INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
			INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
			INSTRUCTOR SVCS-DANCE EXPLOR.	310.80
			INSTRUCTOR SVCS-DANCE EXPLOR.	177.60
			INSTRUCTOR SVCS-HIP HOP DANCE	288.60
			INSTRUCTOR SVCS-INTERMD BALLET	88.80
Vendor Total		1,931.40		
FYTD for TRICHE, TARA		19,291.80		
TRI-CITY LINEN SUPPLY, INC.				
4/26/2010	202194	47.50		
			LINEN RENTAL FOR CRC	22.50
			LINEN RENTAL FOR CRC	25.00
Vendor Total		47.50		
FYTD for TRI-CITY LINEN SUPPLY, INC.		1,640.70		
TROPICAL PLAZA NURSERY, INC.				
4/26/2010	202196	18,913.68		
			IRRIG REPAIRS-ZONE E-2	996.23
			LNDSCP MAINT-ZONE E-2	15,700.00
			LNDSCP MAINT-ZONE E-16	2,217.45
Vendor Total		18,913.68		
FYTD for TROPICAL PLAZA NURSERY, INC.		183,251.75		
TRUGREEN LANDCARE				
4/26/2010	202197	21,957.40		
			IRRIG REPAIRS-ZONE DSG-2	13.11
			IRRIG REPAIRS-TRACT 31284	56.43
			IRRIG REPAIRS-TRACT 30027	9.99
			IRRIG REPAIRS-TRACT 20272	20.63
			IRRIG REPAIRS-TRACT 19208	64.70
			IRRIG REPAIRS-TRACT 19208	13.84
			LNDSCP WORK-TRACT 86	630.00
			LNDSCP MAINT-ZONE M	5,324.89
			LNDSCP MAINT-ZONE DSG-1E	7,403.38
			LNDSCP MAINT-ZONE DSG-2	3,511.29
			LNDSCP MAINT-ZONE DSG-2	4,909.14
Vendor Total		21,957.40		
FYTD for TRUGREEN LANDCARE		303,017.02		



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TUNTLAND, JAMES				
4/5/2010	201824	251.09	RETIREE MEDICAL BENEFIT	251.09
Vendor Total		251.09		
FYTD for TUNTLAND, JAMES		1,996.81		
TURBOSCAPE, INC.				
4/26/2010	880403	6,424.80	ANNL MULCHING IN ZONE E-4	6,424.80
Vendor Total		6,424.80		
FYTD for TURBOSCAPE, INC.		9,577.20		
TWIN GRAPHICS				
4/26/2010	880404	163.13	VEHICLE GRAPHICS FOR PD UNIT	163.13
Vendor Total		163.13		
FYTD for TWIN GRAPHICS		4,359.76		
U.S. HEALTHWORKS MEDICAL GROUP				
4/12/2010	201922	65.00	EMPLOYEE DOT/DMV EXAM	65.00
4/19/2010	202074	5,151.00	NEW EMPLOYEE PHYSICALS	256.00
			NEW EMPLOYEE PHYSICALS	3,299.00
			NEW EMPLOYEE PHYSICALS	1,596.00
Vendor Total		5,216.00		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		15,136.00		
UC REGENTS - GOVT'L & COMMUNITY RELATION				
4/5/2010	201767	54.00	3/24, 4/28, 5/26-MTGS	54.00
Vendor Total		54.00		
FYTD for UC REGENTS - GOVT'L & COMMUNITY RELATION		198.00		
U-HAUL CO OF CALIFORNIA				
4/5/2010	201766	69.00	REFUND-BUS LIC OVRPMT	69.00
Vendor Total		69.00		
FYTD for U-HAUL CO OF CALIFORNIA		69.00		
ULMER INDUSTRIES, INC.				
4/19/2010	202075	8,614.31	RAILING FABRICATION FOR BRIDGE	8,614.31
Vendor Total		8,614.31		
FYTD for ULMER INDUSTRIES, INC.		8,614.31		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNION BANK OF CALIFORNIA				
4/5/2010	201768	336.00		
			INVESTMENT SAFEKEEPING SVCS	336.00
4/19/2010	202076	170.00		
			MONTHLY LOC TRANSFER FEES	170.00
	Vendor Total	506.00		
FYTD for UNION BANK OF CALIFORNIA		287,579.49		
UNITED INSPECTION & TESTING INC				
4/26/2010	202198	1,719.15		
			ANNL PAVEMNT RESURFACING PROJ	1,719.15
	Vendor Total	1,719.15		
FYTD for UNITED INSPECTION & TESTING INC		20,568.40		
UNITED POWER GENERATION, INC.				
4/5/2010	201769	3,015.00		
			GENERATOR LOAD BANK TEST-FS#58	410.00
			GENERATOR LOAD BANK TEST-SHLTR	505.00
			GENERATOR LOAD BANK TEST-C.H.	640.00
			GENERATOR LOAD BANK TEST-PSB	640.00
			GENERATOR LOAD BANK TEST-FS#6	410.00
			GENERATOR LOAD BANK TEST-FS#48	410.00
4/19/2010	202077	1,230.00		
			GENERATOR LOAD BANK TEST-FS#91	171.40
			GENERATOR LOAD BANK TEST-FS#91	238.60
			GENERATOR LOAD BANK TEST-FS#2	140.57
			GENERATOR LOAD BANK TEST-FS#2	269.43
			GENERATOR LOAD BANK TEST-FS#65	215.00
			GENERATOR LOAD BANK TEST-FS#65	195.00
	Vendor Total	4,245.00		
FYTD for UNITED POWER GENERATION, INC.		21,990.66		
UNITED SITE SERVICES OF CA, INC.				
4/5/2010	201770	61.70		
			REFUND-BUS LIC OVRPMT	61.70
4/5/2010	880316	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
4/12/2010	880345	184.72		
			PORTABLE TOILET SVC-GOLF CTR	77.33
			FENCE RENTAL-ANIMAL SHELTER	107.39
4/19/2010	880370	97.55		
			PORTABLE TOILET SVC-M&O DIV.	97.55
	Vendor Total	441.52		
FYTD for UNITED SITE SERVICES OF CA, INC.		9,451.65		



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For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED STATES TREASURY				
4/12/2010	201924	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
4/26/2010	202199	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
Vendor Total		100.00		
FYTD for UNITED STATES TREASURY		5,570.00		
UNITED WAY OF INLAND VALLEYS				
4/12/2010	201925	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
4/26/2010	202200	627.18		
			UNITED WAY CONTRIBUTIONS	627.18
Vendor Total		1,254.36		
FYTD for UNITED WAY OF INLAND VALLEYS		18,163.90		
UPTON, EMIKO				
4/19/2010	202078	66.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	16.00
Vendor Total		66.00		
FYTD for UPTON, EMIKO		66.00		
USA ALARM SYSTEMS, INC.				
4/19/2010	202079	30.00		
			REFUND-BUS LIC OVRPMT	30.00
Vendor Total		30.00		
FYTD for USA ALARM SYSTEMS, INC.		30.00		
USA MOBILITY/ARCH WIRELESS				
4/19/2010	880371	96.99		
			PAGER SVC-PARK RANGERS	2.03
			PAGER SVC-TRANSP DIV.	5.09
			PAGER SVC-CITZ PATROL VOLNTRS.	33.54
			PAGER SVC-ANIMAL SVCS	38.90
			PAGER SVC-SPARES & TAXES	17.43
Vendor Total		96.99		
FYTD for USA MOBILITY/ARCH WIRELESS		826.67		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY				
4/5/2010	880317	1,205.00		
			PEST CNTRL-UTILITY FLD OFFICE	45.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-FIRE ST #48	45.00
			PEST CNTRL-FIRE ST #2	45.00
			PEST CNTRL-FIRE ST #58	45.00
			PEST CNTRL-FIRE ST #65	45.00
			PEST CNTRL-FIRE ST #6	45.00
			PEST CNTRL-FIRE ST #91	45.00
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MTV STUDIO	22.50
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TRANSP. TRLR	45.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-PUB SAFETY BLDG	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-MARB HOBBY SHOP	45.00
			PEST CNTRL-STARS BLDG/MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
4/26/2010	880406	590.00		
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			GOPHER CONTROL-ELECTR SUBST.	40.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
			PEST CONTROL-AQUEDUCT BIKEWAY	50.00
Vendor Total		1,795.00		
FYTD for VACATE PEST ELIMINATION COMPANY		15,275.00		
VALI COOPER & ASSOCIATES, INC.				
4/5/2010	880318	9,450.00		
			TEMP STAFFING SVCS-CAP PROJS	9,450.00
Vendor Total		9,450.00		
FYTD for VALI COOPER & ASSOCIATES, INC.		138,847.50		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VANDER HAWK CONSULTING, LLC				
4/19/2010	202080	2,200.00		
			PAVEMNT MGMT PRGM UPDATE SVCS	2,200.00
Vendor Total		2,200.00		
FYTD for VANDER HAWK CONSULTING, LLC		47,593.00		
VAS ASSOCIATES, INC.				
4/19/2010	880372	20,520.00		
			TEMP STAFFING SVCS-CAP PROJS	20,520.00
Vendor Total		20,520.00		
FYTD for VAS ASSOCIATES, INC.		184,725.00		
VERDIN CONCRETE, INC.				
4/5/2010	201771	60.00		
			REFUND-BUS LIC OVRPMT	60.00
Vendor Total		60.00		
FYTD for VERDIN CONCRETE, INC.		60.00		
VERIZON				
4/12/2010	201926	1,700.96		
			BACKBONE CHRGS	1,700.96
Vendor Total		1,700.96		
FYTD for VERIZON		16,832.85		



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VERIZON CALIFORNIA				
4/12/2010	201927	10,625.51		
			TELEPHONE CHRGS	232.13
			TELEPHONE CHRGS	301.96
			TELEPHONE CHRGS	189.47
			TELEPHONE CHRGS	523.77
			TELEPHONE CHRGS	368.38
			TELEPHONE CHRGS	83.73
			TELEPHONE CHRGS	354.32
			TELEPHONE CHRGS	352.89
			TELEPHONE CHRGS	78.97
			TELEPHONE CHRGS	335.43
			TELEPHONE CHRGS	253.72
			TELEPHONE CHRGS	531.82
			TELEPHONE CHRGS	202.38
			TELEPHONE CHRGS	496.02
			TELEPHONE CHRGS	478.39
			TELEPHONE CHRGS	192.27
			TELEPHONE CHRGS	85.05
			TELEPHONE CHRGS	256.84
			TELEPHONE CHRGS	18.82
			TELEPHONE CHRGS	123.17
			TELEPHONE CHRGS	262.78
			TELEPHONE CHRGS	10.21
			TELEPHONE CHRGS	10.21
			TELEPHONE CHRGS	41.26
			TELEPHONE CHRGS	25.93
			TELEPHONE CHRGS	42.92
			TELEPHONE CHRGS	19.58
			TELEPHONE CHRGS	20.63
			TELEPHONE CHRGS	20.63
			TELEPHONE CHRGS	199.40
			TELEPHONE CHRGS	146.57
			TELEPHONE CHRGS	58.00
			TELEPHONE CHRGS	65.28
			TELEPHONE CHRGS	158.94
			TELEPHONE CHRGS	72.90
			TELEPHONE CHRGS	19.07
			TELEPHONE CHRGS	76.98
			TELEPHONE CHRGS	376.08
			TELEPHONE CHRGS	3,538.61
4/26/2010	202201	618.25		
			TELEPHONE CHRGS-ERC	618.25
Vendor Total		11,243.76		
FYTD for VERIZON CALIFORNIA		100,300.09		
VIDEO SHORES				
4/19/2010	202081	27.07		
			REFUND-BUS LIC OVRPMT	27.07
Vendor Total		27.07		
FYTD for VIDEO SHORES		27.07		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VIGIL, ERNEST				
4/5/2010	201825	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for VIGIL, ERNEST		3,187.30		
VISION 4 DEZIGN				
4/19/2010	202082	20.07	REFUND-BUS LIC OVRPMT	20.07
Vendor Total		20.07		
FYTD for VISION 4 DEZIGN		20.07		
VISION SERVICE PLAN				
4/5/2010	880320	4,321.25	EMPLOYEE VISION INSURANCE	4,321.25
Vendor Total		4,321.25		
FYTD for VISION SERVICE PLAN		44,201.21		
VISTA PAINT CORPORATION				
4/5/2010	201772	87.53	SUPPLIES FOR GRAFFITI RMVL	46.22
			SUPPLIES FOR GRAFFITI RMVL	41.31
4/19/2010	202083	905.97	PAINT/SUPPLS FOR GRAFFITI RMVL	905.97
Vendor Total		993.50		
FYTD for VISTA PAINT CORPORATION		11,933.49		
VISTERRA CREDIT UNION				
4/26/2010	202202	750.00	REFUND-RNTL DEP 4/12	750.00
Vendor Total		750.00		
FYTD for VISTERRA CREDIT UNION		850.00		
VOYAGER FLEET SYSTEM, INC.				
4/5/2010	880321	1,920.25	CNG FUEL FOR STREET PRGM	1,668.33
			CNG FUEL FOR DRAIN MAINT PRGM	251.92
Vendor Total		1,920.25		
FYTD for VOYAGER FLEET SYSTEM, INC.		17,644.64		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VULCAN MATERIALS CO, INC.				
4/5/2010	201774	1,101.81		
			ASPHALTIC MATERIAL	213.15
			ASPHALTIC MATERIAL	177.10
			ASPHALTIC MATERIAL	283.84
			ASPHALTIC MATERIAL	213.86
			ASPHALTIC MATERIAL	213.86
4/19/2010	202084	6,444.70		
			ASPHALTIC MATERIAL	2,120.68
			ASPHALTIC MATERIAL	1,901.55
			ASPHALTIC MATERIAL	284.54
			ASPHALTIC MATERIAL	211.03
			ASPHALTIC MATERIAL	177.80
			ASPHALTIC MATERIAL	177.10
			ASPHALTIC MATERIAL	228.16
			ASPHALTIC MATERIAL	141.76
			ASPHALTIC MATERIAL	283.14
			ASPHALTIC MATERIAL	230.11
			ASPHALTIC MATERIAL	164.86
			ASPHALTIC MATERIAL	130.94
			ASPHALTIC MATERIAL	130.94
			ASPHALTIC MATERIAL	262.09
Vendor Total		7,546.51		
FYTD for VULCAN MATERIALS CO, INC.		101,872.08		
WAGGONER JR., GLENN C.				
4/5/2010	201826	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for WAGGONER JR., GLENN C.		3,187.30		
WAGNER, GARY D.				
4/5/2010	201827	315.59		
			RETIREE MEDICAL BENEFIT	315.59
Vendor Total		315.59		
FYTD for WAGNER, GARY D.		3,174.74		
WAGY, CARYLON				
4/5/2010	201775	637.46		
			RETIREE MEDICAL BENEFIT	637.46
Vendor Total		637.46		
FYTD for WAGY, CARYLON		3,187.30		
WAHEED, MUNEEB				
4/19/2010	202085	200.00		
			REFUND-RNTL DEP 4/3	200.00
Vendor Total		200.00		
FYTD for WAHEED, MUNEEB		200.00		



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WASHINGTON INVENTORY SERVICE				
4/5/2010	201776	67.86	REFUND-BUS LIC OVRPMT	67.86
Vendor Total		67.86		
FYTD for WASHINGTON INVENTORY SERVICE		67.86		
WASHINGTON, ARTESIA				
4/5/2010	201777	200.00	GEN LIAB SETTLEMENT	200.00
Vendor Total		200.00		
FYTD for WASHINGTON, ARTESIA		200.00		
WASSON, KIRK				
4/19/2010	880373	342.00	INSTRUCTION SVCS-9 DAYS	342.00
Vendor Total		342.00		
FYTD for WASSON, KIRK		1,900.00		
WASTE MANAGEMENT OF THE INLAND EMPIRE				
4/26/2010	202203	1,244.51	STORAGE BIN RENTALS	1,244.51
Vendor Total		1,244.51		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE		13,339.71		
WATKINS, ANNIE				
4/5/2010	201778	80.00	REFUND-VARIOUS A/C FEES	30.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	20.00
Vendor Total		80.00		
FYTD for WATKINS, ANNIE		80.00		
WEEMS, MEGAN E.				
4/12/2010	201928	40.00	REFUND-CITATION OVRPMT	40.00
Vendor Total		40.00		
FYTD for WEEMS, MEGAN E.		40.00		
WELLS FARGO BANK				
4/26/2010	202204	2,000.00	ANNUAL ADMIN FEE	2,000.00
Vendor Total		2,000.00		
FYTD for WELLS FARGO BANK		18,530.00		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WELLS FARGO CORPORATE TRUST				
4/1/2010	1003231	1,225.88	INTEREST VARIABLE RATE BOND	1,225.88
Vendor Total		1,225.88		
FYTD for WELLS FARGO CORPORATE TRUST		9,029,485.43		
WEST GOVERNMENT SERVICES				
4/26/2010	202205	500.00	"CLEAR" AUTO TRACK SVCS FOR PD	500.00
Vendor Total		500.00		
FYTD for WEST GOVERNMENT SERVICES		4,500.00		
WEST GROUP				
4/19/2010	880374	664.12	ONLINE CHRGS-LEGAL INFO	184.12
			LEGAL PUBLICATIONS SUBSCRPTNS	480.00
Vendor Total		664.12		
FYTD for WEST GROUP		7,556.61		
WESTERN MUNICIPAL WATER DISTRICT				
4/26/2010	202206	771.75	WATER CHRGS-MARB BALLFIELDS	359.03
			WATER CHRGS-MFPCC LNDSCP	357.42
			WATER CHRGS-MFPCC BLDG	55.30
Vendor Total		771.75		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		21,423.98		
WHISHER, KYLE				
4/19/2010	202086	50.00	REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for WHISHER, KYLE		50.00		
WHITE, C.L.				
4/26/2010	202207	0.00	REFUND-CITATION OVRPMT	100.00
			REFUND-CITATION OVRPMT	-100.00
4/29/2010	202212	100.00	REFUND-CITATION OVRPMT	100.00
Vendor Total		100.00		
FYTD for WHITE, C.L.		100.00		



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For Period 4/1/2010 through 4/30/2010

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WIELIN, RONALD A.				
4/5/2010	201828	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for WIELIN, RONALD A.		3,187.30		
WILLDAN AND ASSOCIATES				
4/5/2010	201779	21,235.03	MOR BEACH DR WIDENING PROJ	21,235.03
4/12/2010	201929	23,755.42	MOR BEACH DR WIDENING PROJ	23,755.42
4/19/2010	202087	540.00	EASTRIDGE EIR REVIEW SVCS	540.00
Vendor Total		45,530.45		
FYTD for WILLDAN AND ASSOCIATES		269,186.00		
WILLDAN FINANCIAL SERVICES				
4/26/2010	202208	2,000.00	FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
			FY 08/09 ANNUAL DISCLOSURE SVC	1,000.00
Vendor Total		2,000.00		
FYTD for WILLDAN FINANCIAL SERVICES		10,125.77		
WILLIAMS, JANE L.				
4/5/2010	201780	122.38	RETIREE MEDICAL BENEFIT	122.38
Vendor Total		122.38		
FYTD for WILLIAMS, JANE L.		1,221.62		
WREDE, SHARON				
4/5/2010	201782	100.00	REFUND-PD CITATION FEES	100.00
Vendor Total		100.00		
FYTD for WREDE, SHARON		100.00		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				
4/12/2010	880347	900.00	FEB-10 DAY PORTER SVCS	900.00
4/19/2010	880375	22,699.28	EXTRACT WATER/FAN-OFFICE @ PSB	50.00
			JANITORIAL SVCS-MARCH FLD PARK	955.70
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRLR	98.40
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FAC. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-GANG TSK FORCE	112.32
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
			MAR-10 DAY PORTER SVCS	1,140.00
4/26/2010	880408	2,814.41	JANITORIAL SVCS-SENIOR CTR	260.00
			JANITORIAL SVCS-CONF & REC CTR	950.00
			JANITORIAL SVCS-EMP RES CTR	348.96
			JANITORIAL SVCS-SUNNYMD ELEM.	184.10
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
Vendor Total		26,413.69		
FYTD for WURM'S JANITORIAL SERVICES, INC.		258,387.77		
XEROX				
4/19/2010	202089	2,671.73	COPIER RNTL/MAINT-PD	33.51
			COPIER RNTL/MAINT-PD	54.00
			COPIER RNTL/MAINT/EXC PRNTS-PD	268.06
			COPIER RNTL/MAINT/EXC PRNTS-PD	148.78
			COPIER RNTL/MAINT/EXC PRNTS-PD	260.00
			COPIER RNTL/MAINT/EXC PRNTS-PD	1,509.59
			COPIER RNTL/MAINT-GRAPHICS DIV	397.79
4/26/2010	202209	4,000.22	COPIER RNTL/MAINT-PARKS	359.34
			COPIER RNTL/MAINT/PRINTS-PARKS	1,409.08
			COPIER RNTL/MAINT-STARS	107.00
			COPIER EXC PRINTS CHRГ-STARS	2,124.80
Vendor Total		6,671.95		
FYTD for XEROX		59,862.99		

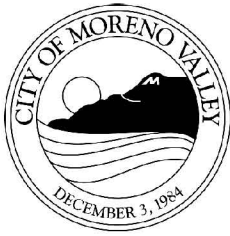


City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ZUMAR INDUSTRIES, INC.				
4/5/2010	880326	5,592.37		
			SIGNS FOR TRANSP. DIV	411.08
			SIGNS FOR TRANSP. DIV	5,044.26
			SIGNS FOR PARKS	137.03
4/12/2010	880348	306.24		
			SIGNS HARDWARE FOR PARKS	306.24
4/26/2010	880409	685.13		
			SIGNS FOR PARKS	193.09
			SIGNS FOR PARKS	492.04
Vendor Total		6,583.74		
FYTD for ZUMAR INDUSTRIES, INC.		36,711.16		
Subtotal		1,371,801.95		
GRAND TOTAL		12,644,433.01		



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>But</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: June 22, 2010

TITLE: Waste Management of the Inland Empire FY 2010/2011 Rate Adjustment

RECOMMENDED ACTION

Staff recommends that the City Council approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.

BACKGROUND

Waste Management of the Inland Empire has had an exclusive agreement with the City of Moreno Valley for the collection, transportation, recycling, and disposal of solid waste since April of 1991. The terms and conditions of the original contract were renegotiated and adopted on July 1, 2008. As part of this agreement, the Contractor Service Rates are to be adjusted annually to reflect changes in the Consumer Price Index (CPI), disposal (e.g. tipping fees or tonnage increases), changes in service, and extraordinary costs. The City Council has the authority to approve these annual rate adjustments.

DISCUSSION

The franchise agreement with Waste Management of the Inland Empire stipulates that annual CPI adjustment shall be made effective the first day of July of each calendar year and other adjustments such as tipping fees, service costs, and extraordinary costs, shall be made effective as they occur. The agreement with Waste Management states that the CPI shall be derived by multiplying the service component (Waste Management's cost to provide service to Moreno Valley) by the percentage increased or decreased in the CPI for March of the immediate preceding year. The CPI adjustment for FY 2010/2011 of 1.855% and the decrease in household disposal results in a residential service component rate increase of \$0.28 per month, per home. The average

pounds per household decreased by 4% for refuse and decreased by 6% for green waste

Due to changes in the County's handling of green waste at landfills for use as alternate daily cover, Waste Management began to diversify the processing of green waste to ensure the most beneficial outcome. As such, Waste Management, Inc. now takes green waste to be processed to BP John and ultimately Colmac to be processed as transformation, the El Sobrante landfill to be used as alternative daily cover, or Synagro to be used as transformation. As a result of this shift, the cost for processing green waste resulted in an annual increase. However, Waste Management has indicated that they will absorb this additional cost and not seek adjustments to the rates for this additional expense this year.

Additionally, an additional decrease of \$0.03 has been applied to the disposal component to account for the 2010 estimated annual rebate amount for the bulky item program. This rebate is administered by the Riverside County Waste Management Department under a program initiated in 1999 that provides a rebate for waste services program that include bulky item pick-up services. The net effect of the decreased pounds per household and bulky item rebate is a disposal component rate decrease of \$0.30 per month, per home.

Accordingly, with a decrease in the disposal component of \$0.30 and an increase in the residential service component of \$0.28 per month, the new monthly residential rate reflects a total change of a decrease of \$0.02 and the new rate is \$21.11.

Additionally, although there has been a decrease in the total tons of commercial waste from 28,851 tons to 26,751 tons, the commercial rates have increased this year due to the increase in CPI. The attached exhibit shows details of the proposed new fees for FY 2010/2011 for all classifications.

ALTERNATIVES

1. Approve the Waste Management of the Inland Empire proposed Fiscal Year (FY) 2010/2011 Rate Adjustment.
2. Do not approve the Waste Management of the Inland Empire proposed FY 2010/2011 Rate Adjustment. *This could result in Waste Management's inability to continue to perform their service as per the contract specifications and would jeopardize the City's agreement with Waste Management.*

FISCAL IMPACT

The City receives a 12.13% franchise fee on all monies collected by Waste Management of the Inland Empire. Any increase or decrease in rates has a proportionate effect on revenues received by the City. Any decrease in the current rates would negatively affect the general fund.

CITY COUNCIL GOALS

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

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

NOTIFICATION

Publication of the City Council Agenda.

ATTACHMENTS

Exhibit "A": City of Moreno Valley Summary of Refuse/Recycling Rates as of July 1, 2010.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

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

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

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**CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010**

	03/2009	03/2010	Change	% of Change	
CPI	221.36	225.48	4.11	1.855%	1.855%
Total 2009-2010 Service Adjustment					1.855%

CURBSIDE RESIDENTIAL SERVICE

Basic Service	
Single Family Rate	\$21.11
Senior Citizen Discount Rate	\$19.00
Optional Residential Refuse Charges	
"Hard-to-Service" Areas	1.5x approved rate
Container changes in excess of once per year	\$9.95
Additional bulky item pickup (in excess of one item weekly)	\$16.06 minimum
Commercial bin service in lieu of residential curbside collection service	Approved commercial rates
Additional 35-gallon refuse container	\$3.56 /per month
Additional 64-gallon refuse container	\$4.63 /per month
Additional 64-gallon greenwaste container	N/C
Additional 96-gallon refuse container	\$6.17 /per month
Additional 96-gallon greenwaste container	\$5.69 /per month
Additional 96-gallon recycling container	\$2.31 /per month
Per bag charge for trash beyond allowable periodic excess collections	\$2.49
Curbside E-waste pickup (over 3 free)	\$16.06
Temporary bin service (up to 7 days)	\$124.47
Temporary bin service (30 days)	\$274.72
Set up fee	\$12.05

MULTI-FAMILY REFUSE SERVICE

Size	QTY	Pick-ups per Week					
		One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL REFUSE SERVICE

Size	QTY	Pick-ups per Week					
		One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	78.72	141.82	201.05	258.43	319.56	378.81
2.0 Cubic Yard	One	91.51	164.92	233.78	300.56	371.63	440.52
3.0 Cubic Yard	One	117.07	210.97	299.22	384.87	475.72	563.94
4.0 Cubic Yard	One	149.22	269.01	381.53	490.81	606.59	719.12
6.0 Cubic Yard	One	188.74	341.98	486.57	627.23	775.80	920.38

COMMERCIAL COMPACTOR SERVICE

Size	QTY	Pick-ups per Week					
		One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	100.40	185.17	266.07	345.13	427.93	508.66
2.0	One	120.41	222.72	320.48	416.17	516.13	613.93
3.0	One	160.42	297.67	429.27	558.28	692.48	824.05
4.0	One	207.02	384.62	554.94	722.01	895.59	1,065.94

OPTIONAL COMMERCIAL REFUSE CHARGES

Temporary Bin Service (up to 7 days)	\$ 124.46
Temporary Bin Service (30 days)	\$ 274.72
Extra Empty - First Bin	\$ 50.08
Extra Empty Additional Bins	\$ 21.47
Handling Charge (Pull Outs)	
Per Month, Per Bin - 16 - 35 Feet	
16-35 Feet	\$ 14.43
36-50 Feet	\$ 21.65
OVER 51 Feet	\$ 28.87
Locking Container	\$ 36.09
Restart Fee	\$ 43.30
Special Bin/Container Ltd	\$ 14.24
Overage Fees	\$ 50.10
Bin Exchange	\$ 72.07
Bulky Item Collection	\$ 16.06
Set Up Fee	\$ 25.09
Redelivery Fee	\$ 50.19

COMMERCIAL RECYCLING SERVICE

Size	QTY	Pick-ups per Week	
		One	Two
All Sizes	One	\$ 60.80	\$ 121.60

(disposal component = 0)

EXHIBIT A

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

ROLLOFF REFUSE SERVICES

Hauling Fee	\$ 204.77	+ landfill fees
Compactor Hauling Fee	\$ 296.00	+ landfill fees
Monthly Minimum Pull Fee (rolloff)	\$ 204.77	
Monthly Minimum Pull Fee (compactor)	\$ 296.00	
Temporary Flat Fee (includes 4 tons)	\$ 364.13	+ landfill fees over 4 tons
C&D Flat Fee (4 includes tons)	\$ 384.50	+ landfill fees over 4 tons
Co-mingle C&D Haul Fee	\$ 392.14	+landfill fees
Delivery	\$ 71.36	
Extra Trip	\$ 71.36	
Relocation	\$ 71.36	
Set Up Fee	\$ 25.09	

CITY OF MORENO VALLEY
SUMMARY OF REFUSE/RECYCLING RATES
AS OF JULY 1, 2010

DISPOSAL COMPONENTS OF RATES

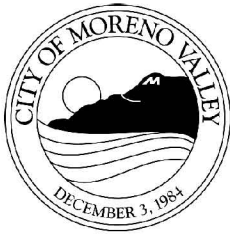
RESIDENTIAL DISPOSAL COMPONENT			TRASH	GREEN WASTE			
	Pounds per household per week		53.22	21.35			
	Pounds-to-tons factor	+	2,000.00	2,000.00			
	Monthly factor	x	4.33	4.33			
	Riverside County landfill rate as of 7/1/09	x	34.37	\$30.06			
	Franchise fee factor	-	0.8787	0.8787			
	Monthly Disposal Component for One Residential Household		4.50	\$1.58			
	Less Bulky Good Disposal Credit - 2010 year credit (Est.)		(0.03)				
	Total Combined Disposal Rate		6.05				
COMMERCIAL DISPOSAL COMPONENT							
		2009	2010	Change			
	Tonnage	28,851.52	26,751.93	(2,099.59)			
	Disposal Gate Fee	\$ 34.37	\$ 34.37				
	Franchise Fee Factor	87.87%	87.87%				
	Total Cost	\$ 1,128,516	\$ 1,046,391	-7.28%			
SCHEDULE CALCULATION: DISPOSAL COMPONENT MULTIPLIED BY SIZE, QUANTITY, AND FREQUENCY							
		Pick-ups per Week					
Size	Qty	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	10.84	21.67	32.51	43.35	54.19	65.02
2.0	One	14.45	28.90	43.35	57.81	72.25	86.70
3.0	One	21.67	43.35	65.02	86.70	108.38	130.06
4.0	One	28.90	57.81	86.70	115.60	144.50	173.41
6.0	One	43.35	86.70	130.06	173.41	216.75	260.10

Start here

SERVICE COMPONENT OF RATES
(Rate less Disposal Component)

RESIDENTIAL CURBSIDE SERVICE							
Single Family Rate		\$15.057					
COMMERCIAL REFUSE SERVICE							
		Pick-ups per Week					
Size	QTY	One	Two	Three	Four	Five	Six
1.5 Cubic Yard	One	\$67.89	\$120.14	\$168.53	\$215.08	\$265.37	\$313.78
2.0	One	\$77.06	\$136.02	\$190.43	\$242.75	\$299.38	\$353.81
3.0	One	\$95.40	\$167.62	\$234.19	\$298.16	\$367.34	\$433.86
4.0	One	\$120.32	\$211.21	\$294.83	\$375.21	\$462.09	\$545.72
6.0	One	\$145.39	\$255.27	\$356.51	\$453.82	\$559.06	\$660.28

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

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

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.
3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of \$246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of \$282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*
2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District’s Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)..... \$397,297

CONSTRUCTION RELATED COSTS:

Construction	\$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	\$56,000
Construction Geotechnical Services	\$6,000
Construction Survey Services.....	\$16,000
Project Administration*	<u>\$70,000</u>
Total Construction Related Costs	\$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley’s future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:

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

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD’s maintained system.

ATTACHMENT

Attachment “A” – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs
Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

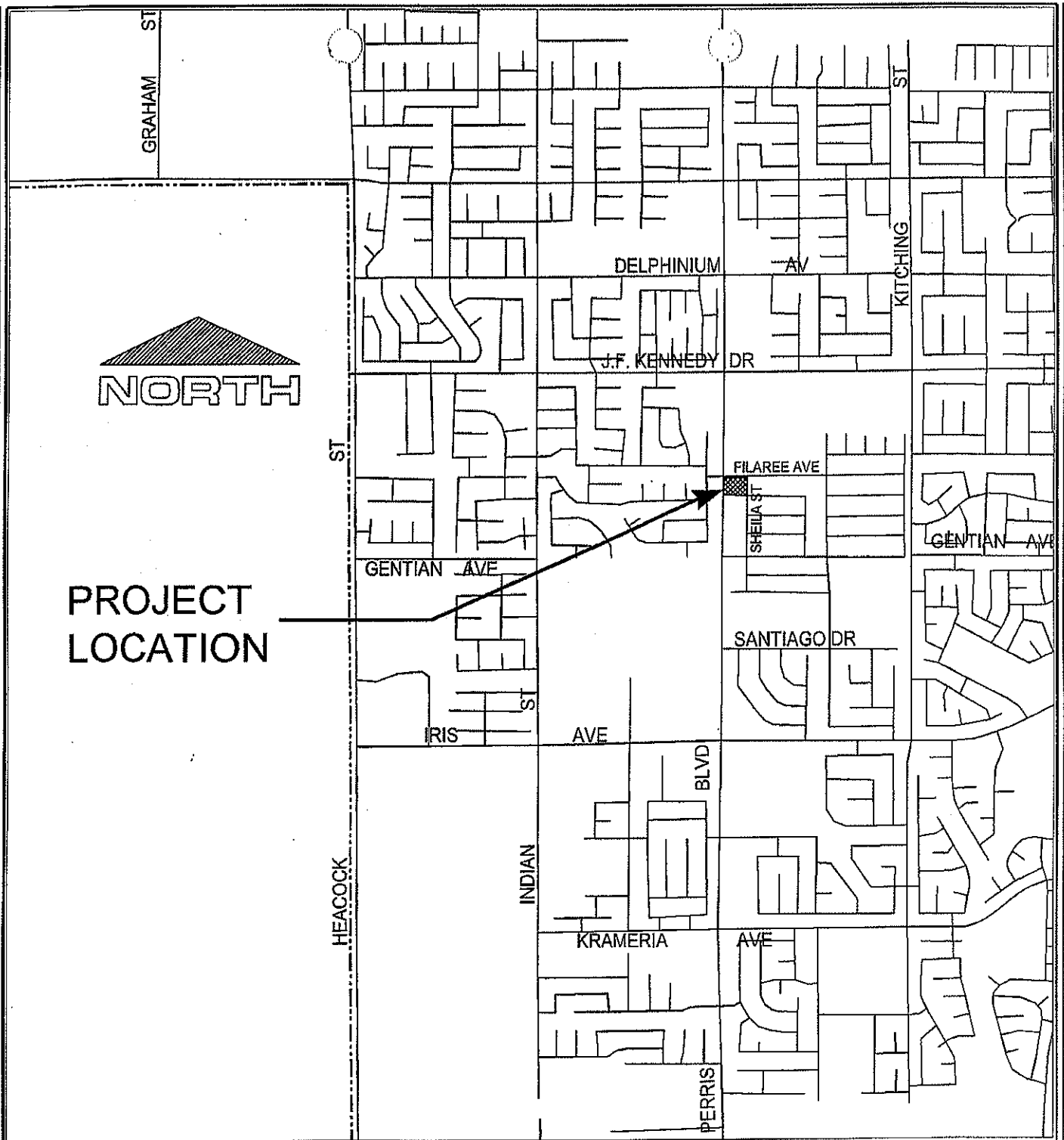
Department Head Approval
Mike McCarty
Parks and Community Services Director

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

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

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

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PROJECT
LOCATION

LOCATION MAP



Public Works Department
Capital Projects Division

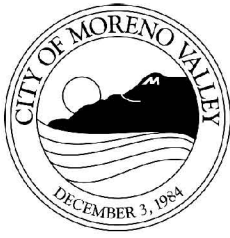
Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RA</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: June 22, 2010

TITLE: 2010 MORENO VALLEY ELECTRIC UTILITY TEN (10) YEAR ENERGY EFFICIENCY PORTFOLIO PLAN AS REQUIRED BY ASSEMBLY BILL 2021 (AB 2021)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt the 2010 Moreno Valley Utility 10-Year Energy Efficiency Portfolio Plan as Required by AB 2021.
2. Approve Resolution 2010-58 adopting the 2010 the Moreno Valley Utility Energy Efficiency Targets.

BACKGROUND

California Assembly Bill 2021 (AB 2021) (Levine, Chapter 734, Statutes of 2006) was signed into law in September 2006. The statute requires that the California Energy Commission (CEC), in conjunction with the California Public Utility Commission (CPUC), and local publicly-owned utilities (POUs), develop statewide estimates for energy efficiency targets in a public process. AB 2021 applies to all POUs in California. Pursuant to the statute, POUs must: 1) Identify all potentially achievable, cost-effective energy efficiency savings; 2) Establish annual targets for energy efficiency savings and demand reduction over 10 years; and 3) Report targets, programs, expenditures, results and cost-effectiveness (including methodologies and independent evaluation) to governing members and to the California Energy Commission every three (3) years. POUs are mandated to consider energy efficiency as a preferred resource, estimate energy efficiency potential, and establish targets for achieving that potential.

In response to AB 2021, the members of California Municipal Utility Association (CMUA), Northern California Power Agency (NCPA), and Southern California Public Power Authority (SCPPA) joined together to collaborate on the development of individual utility energy efficiency and demand reduction targets. Initially in 2007, a total of 35 POUs, including MVU, participated in the development of the report. The collaboration included retaining Rocky Mountain Institute (RMI), an independent organization with well-accepted energy efficiency expertise in the energy industry. RMI's role was to establish a common, transparent tool used to determine utility specific energy efficiency projections. RMI's work provided the participating utilities with an independent, defensible methodology for analyzing energy efficiency potentials.

The members of CMUA, NCPA and SCPPA selected Summit Blue Consulting, LLC (now part of Navigant Consulting) as the independent consultant for developing the energy efficiency models for 2010 updates. Workshops were held in late 2009 to help individual POUs update their individual targets for energy efficiency savings. The data for all participating utilities and summaries will be included in a report presented to the CEC from the CMUA in June 2010.

DISCUSSION

The City of Moreno Valley Electric Utility (Moreno Valley Utility or MVU) was established in 2001 and began providing service to customers in 2004. Currently, MVU provides service to over 5,400 customers.

The analytical tool provided by Summit Blue Consulting, LLC was adjusted to the age of the utility and utilized various methods to update the calculations of potential energy savings. The consortium of POUs and two Joint Power Authorities, together with Summit Blue Consulting, LLC, updated methodology, and identified both potential energy efficiency targets and demand reduction targets for each of the participating agencies.

Summit Blue Consulting modified the methodology from the previous report, the 10-year targets are reported at a more specific level. To summarize, MVU's Market Energy Potential averages 26.5 MWh per year, and MVU's Market Demand Potential averages 70.9 kW per year. MVU will pursue the most cost-effective programs and target the loads with the largest potential for reductions. When compared to other established electric utilities, MVU's market potential will be lower because all the buildings in MVU service area meet Title 24 energy requirements.

ALTERNATIVES

1. Adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *The approval of the resolution will have no direct monetary impact to the City.*

2. Do not adopt 2010 MVU 10-year energy efficiency portfolio plan as required by AB 2021 and do not approve the proposed resolution accepting the Energy Efficiency Targets developed through a collaboration of the City of Moreno Valley Electric Utility, Summit Blue Consulting LLC, CMUA, NCPA and SCPPA. *This would result in the city paying an independent consultant for a study to develop energy efficiency targets completely independent of all the other Publicly-Owned Utilities in the State of California.*

FISCAL IMPACT

There is no direct fiscal impact. The cost of the CMUA report is included in the fees MVU pays for membership.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the economic development within the community.

NOTIFICATION

Posting of Agenda

ATTACHMENTS

Attachment: Proposed Resolution

Prepared By:
Michelle Pierce
Electric Utility Project Coordinator

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

Concurred By:
George Hanson
Electric Utility Manager

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

RESOLUTION NO. 2010-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO APPROVE THE UPDATED ENERGY EFFICIENCY TARGETS FOR THE MORENO VALLEY ELECTRIC UTILITY MANDATED BY ASSEMBLY BILL 2021.

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

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

WHEREAS, on September 26, 2006, California Assembly Bill 2021 (Levine) was signed into law which requires Publicly-Owned Utilities (POU) to identify all potentially achievable cost-effective electricity efficiency savings every three (3) years and establish annual targets for energy efficiency demand reduction for the next 10-year period; and

WHEREAS, the California Municipal Utilities Association (CMUA) in partnership with the Northern California Power Agency (NCPA) and the Southern California Public Power Authority (SCPPA) collaborated in the development of individual utility energy efficiency and demand reduction targets and submitted the initial report in 2007; and

WHEREAS, analytical methodology developed originally by Rocky Mountain Institute and followed this year by Summit Blue Consulting (Navigant Consulting) was used by the majority of POU's in California to develop individual targets of reduction and peak demand; and

WHEREAS, the City of Moreno Valley Electric Utility updated the targets set for energy efficiency savings and set achievable goals for reducing peak demand.

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

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

1. The City Council hereby adopts the updated Moreno Valley Utility's Energy Efficiency Targets in response to AB2021.

APPROVED AND ADOPTED this 22nd day of June 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

RESOLUTION JURAT

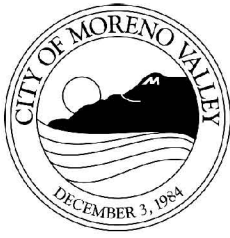
[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

Attachment 1

Resolution No. 2010-58
Date Adopted: June 22, 2010

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>WDS</i>

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: APPROVAL OF A POLICY TO ESTABLISH GUIDELINES FOR THE ETHICAL STANDARDS OF CONDUCT FOR CITY OF MORENO VALLEY OFFICIALS AND EMPLOYEES

RECOMMENDED ACTION

Staff recommends that the City Council approve the Standards of Ethics Policy regarding the conduct of City officials and employees.

BACKGROUND

At the conclusion of the fiscal year 2007-08 comprehensive audit, the City's independent auditor recommended the City adopt and implement an "ethics policy" to guide the conduct of City Officials and employees. The proposed policy was to ensure better internal control of the City's financial transactions.

DISCUSSION

The proposed "Standards of Ethics" Policy (see Exhibit "A" attached) is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interests and breach of ethical standards. The guiding principle to be observed is that conflicts of interests are to be avoided in the first place.

The proposed "Standards of Ethics" Policy (the "Policy") defines those individuals affected by the Policy and certain key terms and phrases as well as responsibilities of City offices, specific guidelines, conflicts of interests, procedures (i.e. here to seek advice, what to do if uncertain, how to declare a possible conflict of interest, etc.), and accountability. A number of State of California local government agencies have adopted such a policy since State legislators passed AB 1234.

ALTERNATIVES

1. Approve the proposed “Standards of Ethics” Policy (**Staff recommended action**).
2. Refer the matter back to Staff to explore other options to the proposed “Standards of Ethics” Policy.
3. Take no action. This alternative would be contrary to auditor’s recommendation.

FISCAL IMPACT

The proposed Policy will have no fiscal impact on the City’s budget.

SUMMARY

The City of Moreno Valley is proposing to adopt a “Standards of Ethics” Policy for the conduct of City officials and employees. The proposed Policy is a guideline to ensure those covered by the Policy minimize conflicts of interests and to recognize when such conduct is contrary to good government and practice.

ATTACHMENTS

Exhibit “A” – Standards of Ethics Policy

Prepared By:
John Ruiz
Interim HR Director

Department Head Approval:
William L. Bopf
Interim City Manager

Concurred By:
Steve Elam
Interim Financial & Administrative Services Director

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

STANDARDS OF ETHICS

PURPOSE: The purpose of this Administrative Policy is to establish guidelines for ethical standards of conduct which shall govern City of Moreno Valley officials and employees.

This policy is intended to provide general guidelines for ethical conduct, by setting forth those acts or actions that are incompatible with the best interests of the City and provide positive direction in order to prevent potential conflicts of interest and breach of ethical standards. The guiding principle to be observed is that conflicts of interest are to be avoided in the first instance.

DEFINITIONS: City Official: Any person holding a position by election in the service of the City, whether paid or unpaid, and members of any board, committee, or commission thereof.

Employee: Any person, other than a City official, holding a position by appointment or employment in the service of the City, whether paid or unpaid and whether full-time or part-time, career or temporary.

Conflict of Interest: A situation in which an employee or City official makes a decision, participates in making a decision, or uses his or her position to influence the outcome of a decision when it is reasonably likely that the decision will materially affect the financial interest of the employee or City official or a member of their immediate family in a manner different from the way the decision affects the public generally, whether positively or negatively.

Disclosure: Revealing and making known information and/or interest.

Financial interest: As the meaning set out in Section 87103 of the Government Code.

Official Act or Action: Refers to any legislative, administrative, appointive or discretionary act of any City employee or official performed as part of his or her City duties in the course of work performed for the City.

POLICY:

I Organizations Affected:

- A. All City officials and employees and all other City of Moreno Valley entities including commissions, Redevelopment Agency and Community Services District.

II Responsibilities of City Office:

- A. The policy of the City is that City officials and employees shall observe the highest standards of ethics and discharge faithfully the duties of their offices regardless of personal considerations, recognizing that the public interest must be their primary concern.

- B. City officials or employees shall conduct themselves with honesty and integrity so as to maintain public confidence in their performance and public trust in the government they represent. City officials and employees should avoid any participation in transactions or services involving their City duties that could reasonably be

Approved by: City Council
00/00/00
Revised: 00/00/00

STANDARDS OF ETHICS

perceived to place their personal financial interests in conflict with the City's interests or result in personal financial gain or loss. They shall avoid any appearance of conflict between their City duties and their personal interests.

III Policy Guidelines:

- A. Officials and employees of a public entity are vested with a public trust to which such individuals owe the highest degree of fidelity. The ethical operation of democratic government requires that public officials and employees be independent, impartial and responsible to the citizens. All decisions and policies must be made in the proper channels of the government structure, and public office may not be used for personal gain.
- B. City officials and employees shall not perform, participate in or advise regarding any official act or action in which they know or have reason to know that they have a personal financial interest, including, but not limited to any such act that would be a conflict of interest under the California Fair Political Practices Act and/or any regulation adopted pursuant thereto. A City official or employee will excuse themselves from participating in decisions when their personal or immediate family's financial interests may be affected by their decision.
- C. City officials and employees shall request, use, permit the use of City property or resources, including the work of City officials or employees, only to carry out the duties of their City employment or position, or as authorized by City ordinances, resolutions or written policies.
- D. City officials and employees will treat each other and the public with patience, courtesy and civility, even when there are disagreements on what is best for the community.
- E. All individuals and organizations shall receive fair and equal treatment. A City official or employee shall not grant to any member of the public or any other organization any consideration, treatment or advantage that is not available to any other member of the public or other organization except in accordance with City policies regarding partnerships, joint ventures and/or sponsorships officially recognized by the City. This provision shall not be construed to prohibit City officials and employees from responding to requests from colleagues as a matter of professional courtesy.
- F. City officials and employees will promote full participation and public involvement in the City's decision-making processes and will obey and encourage compliance with all laws and regulations relating to open meetings and access to public records. All persons will be treated in a fair and equitable manner and decisions will be based on the merits of the issue. All substantive information that is relevant to a matter under consideration from sources outside the public decision-making process will be shared with all governing board members and staff. City officials and employees will contribute to a strong organization that exemplifies transparency and open communication.
- G. City officials and employees will not knowingly use false or inaccurate information to support any position or opinion. All will safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial relationships and transactions that may compromise or give the appearance of compromising objectivity, independence and honesty.
- H. City officials and employees should act reasonably to avoid either the actuality or the appearance of undue influence, conflicts of interest, nepotism or favoritism.

Approved by: City Council
00/00/00
Revised: 00/00/00

EXHIBIT A

STANDARDS OF ETHICS

IV. Conflicts of Interests:

- A. Specific conflicts of interest are enumerated below for the guidance of employees and City officials. This list is merely illustrative and not exclusive:
1. **Gifts and Favors.** City officials and employees shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the City, which is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits that would violate the law or might compromise their independence of judgment or action to give the impression of being compromised.
 2. **Confidential or Privileged Information.** City officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential or privileged information without legal authority, nor use such information to advance their financial or other private interests. (Gov. Code Section 1098)
 3. **Outside or Incompatible Employment.** City officials and employees are expected to devote their best efforts to the interests of the work of the City. Therefore, City officials and employees who are paid in whole or in part by the City shall not engage in or accept other employment or render services to other interests when such employment or service would be incompatible with or would create a conflict of loyalties with regard to the proper discharge of his or her official City duties.
 4. **Use of Public Resources.** City officials and employees will not use public resources such as staff time, equipment, supplies or facilities for private gain or personal purposes. All will demonstrate concern for the proper use of City assets and follow established procedures for their use.
 5. **Future Employment.** A former City official or employee shall not, within one year after termination of service or employment, appear before any board, commission, committee, or agency of the City in relation to any case, proceeding, application or contact in which he or she personally participated during the period of his or her service or employment, except in representation or furtherance of the interests of the City.
 6. **Political Activity.** A City official or employee shall not promise an appointment to any position with the City as a reward for any political activity. No official or employee shall solicit or participate in soliciting any assessment, subscription or contribution to any political party during working hours or on the premises of any governmental property owned by the City and shall at all times conform to the provisions of all applicable state and federal laws regarding political activities.
 7. **Contracts with the City.** City officials and employees cannot be involved in any way, with any contract or sale in which they have a financial interest. This means that officials and employees shall not exercise any decision-making authority over, nor make any recommendations on behalf of or to the City, or otherwise participate in or attempt to influence any City decision with respect to any contract or sale involving the City if that employee is directly or indirectly financially interested in the contract or sale.

Approved by: City Council
00/00/00
Revised: 00/00/00

STANDARDS OF ETHICS

8. **Personal Investments.** It shall be improper to make personal investments which could reasonably be expected to create a conflict between private interests and public interests. If a City official or employee has a financial interest in a matter coming before him or her, or before the department in which he or she is employed, the person should disqualify themselves from any participation in the matter.
9. **Representing the Interest of Others.** City officials or employees shall not appear before any agency of the City on behalf of other interests for pay.
10. **Use of Public Resources.** Officials and employees shall not use public resources not available to the public in general, for private or political purposes. Officials and employees will use their title(s) only when conducting official City business. Public resources should only be used for a community event or activity when authorized by the City Council and/or City Manager or his or her designee and only when there is a benefit to the City for the use of such resources.
11. **Cost Control.** To effectively conserve City resources, officials and employees will attempt to use the most economical and cost efficient transportation, lodging, meals, telecommunication, and parking when traveling to conduct City business for which the City may reimburse them.

V Procedures:

A. Where to seek advice:

1. City officials or employees who have questions about the ethics of an action or situation should discuss the matter with their supervisors, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.

B. What To Do If Uncertain:

1. An ethical issue may not arise until a situation is underway. In such cases, there may not be time to contact someone for advice. Rather than risk a violation of the ethics policy, the safest course of action for the City official or employee is simply to declare that a conflict may exist that prevents him or her from participating, then follow the procedures of this policy to receive guidance on the proper course of action.

C. How To Declare a Possible Conflict of Interest:

1. Officials or Employees who believe they may have a conflict of interest should immediately advise their supervisor, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney.
2. City officials or employees who believe they may have a conflict of interest should immediately announce the possible conflict in the official records of the City and refrain from any further participation in the matter.

D. How To Handle or Report a Possible Conflict of Interest:

Approved by: City Council
00/00/00
Revised: 00/00/00

STANDARDS OF ETHICS

1. City officials and employees have a duty to prevent and report possibly unethical or illegal action. City officials and employees who know of such action and do nothing also act unethically. Therefore, City officials and employees are obligated to counsel an official or employee who is engaged or is about to engage in unethical behavior. If counseling is not effective, City officials and employees are obligated to report the unethical behavior.
 - a. City employees should notify their supervisor or other management staff within the department, Human Resources staff, City Manager, Assistant City Manager, Deputy City Manager or City Attorney. City officials should notify the City Manager, Assistant City Manager, Deputy City Manager or City Attorney.
 - b. City Officials and employees shall never attempt to use their authority or influence for the purpose of intimidating, threatening, or influencing any person with the intent of interfering with the individual's duty to disclose unethical or illegal actions. Further, City officials or employees shall not attempt to use their authority or influence for the purpose of retaliation against another City official or employee who reports unethical or illegal behavior.
 - c. All attempts will be made to keep confidential the identity of a City official or employee who reports unethical behavior, however, there can be no guarantees in the event of administrative, criminal or civil proceedings and/or investigations.

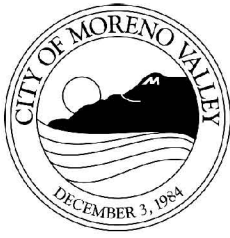
VI Accountability:

A. Adherence to the standards of ethics:

1. Will be considered in evaluating the job performance of City employees and those City officials who are subjected to performance reviews. Violations of the standards of this policy will be measured against a "reasonable person" standard. Violations of this policy may subject City officials and employees to a variety of penalties, including employee discipline or termination of employment, depending on the specifics of the situation.

Approved by: City Council
00/00/00
Revised: 00/00/00

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WLB</i>

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Interim Community Development Director

AGENDA DATE: June 22, 2010

TITLE: Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the \$110,266 allocation to the City.

RECOMMENDED ACTION

Staff recommends that the City Council approve Resolution 2010-59 to ratify the application by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant and to accept the \$110,266 allocated to the City.

BACKGROUND

The U.S. Department of Justice, through the Office of Justice Programs, provides federal leadership for the development of the nation's ability to prevent and control crime. This is carried out through the formation of partnerships with other federal, state and local agencies. Additionally, the Office of Justice administers grants that assist states, tribes and local governments to focus on programs that address youth crime, substance abuse, family violence and other enforcement programs. The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows jurisdictions to support activities that prevent and control crime. This includes support for programs that address various enforcement needs, the prosecution of offenders, crime prevention and education of the community.

In 2010, the JAG program has allocated \$110,266 to the City of Moreno Valley for programs with an emphasis on crime prevention through enforcement efforts. The Code and Neighborhood Services Division is proposing to apply for these funds to hire part time code enforcement personnel whose efforts would be primarily focused on foreclosure enforcement activities and also for the continuation of the Graffiti Tracker contract services.

DISCUSSION

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

ALTERNATIVES

Not applicable

FISCAL IMPACT

The grant funding will provide for the hiring of part time code enforcement personnel. Grant funding would cover all costs associated with these part time personnel and/or contract services; there would be no impact on the City general fund. The grant funds would be deposited in a separate account and identified with a separate expenditure number.

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 2010-59 to authorize the submission of a code enforcement grant application to the U.S. Department of Justice, Bureau of Justice Assistance.

ATTACHMENTS

- ATTACHMENT A** Resolution 2010-59
- ATTACHMENT B** Grant Application – Program Narrative
- ATTACHMENT C** Grant Application – Budget Review
- ATTACHMENT D** Grant Application – Program Review
- ATTACHMENT E** Grant Application – Abstract

Prepared By: Al Brady
Code and Neighborhood Services Official

Department Head Approval: Kyle Kollar
Interim Community Development Director

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

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RESOLUTION NO. 2010-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE GRANT APPLICATION SUBMITTED BY THE CODE & NEIGHBORHOOD SERVICES DIVISION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AND ACCEPT THE \$110,266 ALLOCATION

WHEREAS, The City of Moreno Valley, a city within the State of California, has applied for the Edward Byrne Memorial Justice Assistance Grant

WHEREAS, the Office of Justice notified the City of Moreno Valley that \$110,266 was allocated to the City for preventing and controlling crime

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

1. The City Council approves the grant application submitted by the Code & Neighborhood Services Division for the Edward Byrne Memorial Justice Assistance Grant.
2. The City Council accepts the \$110,266 allocation from the grant and hereby directs the Finance Department to establish a separate account identified with a separate unique expenditure activity number.
3. The City of Moreno Valley hereby agrees to use the funds in the manner presented in the grant application and in accordance with the application package. It also may execute any and all instruments required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.
4. The City of Moreno Valley authorizes the City Manager to execute in the name of the City of Moreno Valley the grant application, and all other documents required by the Office of Justice for participation in the Edward Byrne Memorial Justice Assistance Grant Program.

APPROVED AND ADOPTED this 22nd day of June, 2010.

1

Bonnie Flickinger, Mayor
Resolution No. 2010-59
Date Adopted: June 22, 2010

ATTACHMENT A

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Edward Byrne Memorial Justice Assistance Grant Program Narrative

The City of Moreno Valley Code and Neighborhood Services Division is responsible for the enforcement of City's municipal codes relating to neighborhood nuisances, health and safety, substandard housing, vehicle abatement, zoning/land use, illegal signs, parking control, business licenses, illegal vendors and graffiti restitution. Blight and nuisances can devalue, detract and degrade the quality of any neighborhood. The City has adopted codes that govern the use and maintenance of private property in order to enhance and protect the quality of life for all who work, live and play in Moreno Valley.

The City of Moreno Valley has been heavily impacted by the foreclosure crisis for the last two years. In response to this, the City Council directed the Code and Neighborhood Services Division to assemble a proactive team of inspectors to address unmaintained foreclosed properties. The team was composed of two Building Inspectors and two Code Compliance Officers responsible for addressing property maintenance issues at affected properties.

However, the City's budget challenges have led to reduced staffing within the Division. These reductions have challenged staff's ability to pursue foreclosure compliance activities as vigilantly as before.

Therefore, staff is proposing to utilize a portion of the 2010 JAG grant funds to augment current staffing levels. Staff is recommending funds be utilized to hire two part-time officers who would be deployed to conduct proactive inspections of foreclosed properties citywide.

In addition, staff is proposing to apply the remainder of funds to continue contract services with Graffiti Tracker Incorporated (GTI).

(GTI) utilizes the combination of GPS technology and web based software to provide superior graffiti data retention services. GTI's staff analyzes photographs provided by City staff, identifies the gang moniker, categorizes, determines abatement cost and stores photographic images on their website for reference.

City personnel are able to search the organized database to determine patterns of graffiti vandalism. Determining these patterns can assist law enforcement to concentrate their resources accordingly and ultimately result in more targeted police efforts and enhanced restitution.

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**Edward Byrne Memorial Justice Assistance Grant
Budget Review**

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to use JAG funds for two City programs; the foreclosure enforcement program and the graffiti abatement program.

Staff plans to utilize JAG funds to augment current staffing levels of the City's proactive foreclosure program. Code staff has researched the approximate cost for staffing and additional costs. Staff has attached all related costs such as standard equipment for field personnel and supplementary costs such as gasoline and vehicle maintenance within the Budget Detail Worksheet as per JAG requirements.

In addition, Staff is proposing to utilize funding to continue contract services with Graffiti Tracker Incorporated (GTI) for a term of seventeen (17) months. The monthly costs to GTI are constant and based upon the number of graffiti occurrences categorized and stored within their database monthly.

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Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	\$20,283.00
Code Compliance Officer I	18 hrs. weekly X 52 weeks = 936 hrs. X 21.67 an hour	\$20,283.00
SUB-TOTAL		\$40,566.00

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Not applicable		
SUB-TOTAL		\$0.00
Total Personnel & Fringe Benefits		\$40,566.00

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Not applicable				
TOTAL				\$0.00

D. Equipment - List non-expendable items that are to be purchased. Non-expendable equipment is tangible property having a useful life of more than two years and an acquisition cost of \$5,000 or more per unit. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Expendable items should be included either in the "supplies" category or in the "Other" category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the "Contractual" category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
Not applicable		
TOTAL		\$0.00

ATTACHMENT C

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. (Note: Organization's own capitalization policy may be used for items costing less than \$5,000). Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Miscellaneous office supplies	\$300 per year per officer	\$600.00
TOTAL		\$600.00

F. Construction - As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Check with the program office before budgeting funds in this category.

Purpose	Description of Work	Cost
Not applicable		
TOTAL		\$0.00

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
<i>Subtotal</i>			\$0.00

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
<i>Subtotal</i>			\$0.00

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost
Graffiti Tracker Incorporated provides web based GPS graffiti software tracking system for the systematic categorization of all graffiti vandalism in the City.	\$61,200.00
<i>Subtotal</i>	
TOTAL	
\$61,200.00	

H. Other Costs - List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Office phones	\$150 per officer per year	\$300.00
Cell phones	\$600 per officer per year	\$1,200.00
Wireless air cards for tablet PC's	\$600 per officer per year	\$1,200.00
Vehicle maintenance	\$600 per officer per year	\$1,200.00
Fuel charges	\$2,000 per officer per year	\$4,000.00
TOTAL		\$7,900.00

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost
TOTAL		\$0.00

Budget Summary- When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	\$40,566.00
B. Fringe Benefits	\$0.00
C. Travel	\$0.00
D. Equipment	\$0.00
E. Supplies	\$600.00
F. Construction	\$0.00
G. Consultants/Contracts	\$61,200.00
H. Other	\$7,900.00
Total Direct Costs	\$110,266.00
I. Indirect Costs	\$0.00
TOTAL PROJECT COSTS	\$110,266.00
Federal Request	_____
Non-Federal Amount	_____

**Edward Byrne Memorial Justice Assistance Grant
Review Narrative**

A Resolution to ratify the application for the Edward Byrne Memorial Justice Assistance Grant and to accept the \$110,266 allocation from this grant was added to the Council Consent Calendar for the City Council Meeting on June 22, 2010. A staff report and Resolution have been prepared and submitted to the City Clerk's Office to be included in the City Council Agenda for the Meeting. In addition, staff has attached the program narrative, budget narrative, review narrative and abstract to the staff report which will be available for public review and comment.

Upon ratification of the Resolution, the City of Moreno Valley will notify the Office of Justice that the Resolution has been passed so that the grant application submitted to the Office of Justice for the Edward Byrne Memorial Justice Assistance Grant can be processed and the funding released to the City of Moreno Valley. Also, any public comments made will be included in the submittal to the Office of Justice.

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**Edward Byrne Memorial Justice Assistance Grant
Abstract**

Applicant's Name: City of Moreno Valley, CA

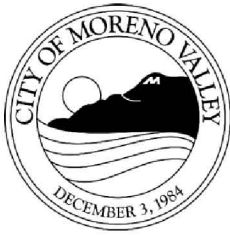
Title of Project: Foreclosure Enforcement and Graffiti Abatement Program

The City of Moreno Valley's Code and Neighborhood Services Division is proposing to utilize JAG grant funds for the purpose hiring part time staff for foreclosure enforcement. The new staff members would improve code's ability to respond to unmaintained foreclosed properties. Staff is also proposing to direct funds towards the continued financial support of the City's contract graffiti retention database. The continuation of this contract is essential to the success of the City's graffiti abatement program in regards to the apprehension of graffiti vandals and restitution efforts.

Goals and Objectives:

- Create a trust fund to deposit allocated funds.
- Conduct recruitments for two part time Code Enforcement Officer I positions with an approximate start date of January 2011.
- The enforcement program implemented will focus on foreclosure enforcement activities described above in effort to reduce blight.
- Augment existing staff and better direct division focus towards property maintenance efforts in blighted residential areas.
- Utilize the graffiti categorization efforts to increase the arrest and conviction rates of graffiti vandals.
- Conduct quarterly programmatic and financial reports to assess grant objectives, and verify that grant funds are being utilized appropriately and efficiently.
- Complete the dispersing of funds in a timely manner within the four year allocation.

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Ret</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.
2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.
3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be "Categorical Exemption" (CE) pursuant to Section 15311, "Accessory Structures" and Section 15301, "Existing Facilities", of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

<u>CONTRACTORS</u>	<u>Bid Amount</u>
1. San Pedro Sign Company	\$706, 716.00
2. National Sign & Marketing Corp.	\$719,814.00
3. Sign Industries, Inc.....	\$756,898.65
4. YESCO.....	\$777,915.00
5. Flouresco Lighting & Signs.....	\$948,769.00
6. Ad Art, Inc.....	\$1,146,180.00
Engineer's Estimate	\$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... \$1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services.....	\$10,000
Contractor Construction Costs (includes 15% contingency).....	\$813,000
Project Administration and City Inspection Costs*	\$ 50,000
Construction Geotechnical Services.....	\$ 12,000

Miscellaneous	\$ 5,000
Total Estimated Construction Related Costs	\$890,000

** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	July 2010
Start Construction.....	August 2010
Complete Construction.....	March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley’s future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall’s location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of \$812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

- Attachment “A” – Vicinity Map
- Attachment “B” – Agreement with San Pedro Sign Company
- Attachment “C” – Assignment Agreement

Prepared By:
 Guy Pegan, P.E.
 Senior Engineer

Department Head Approval:
 Barry Foster
 Economic Development Director

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

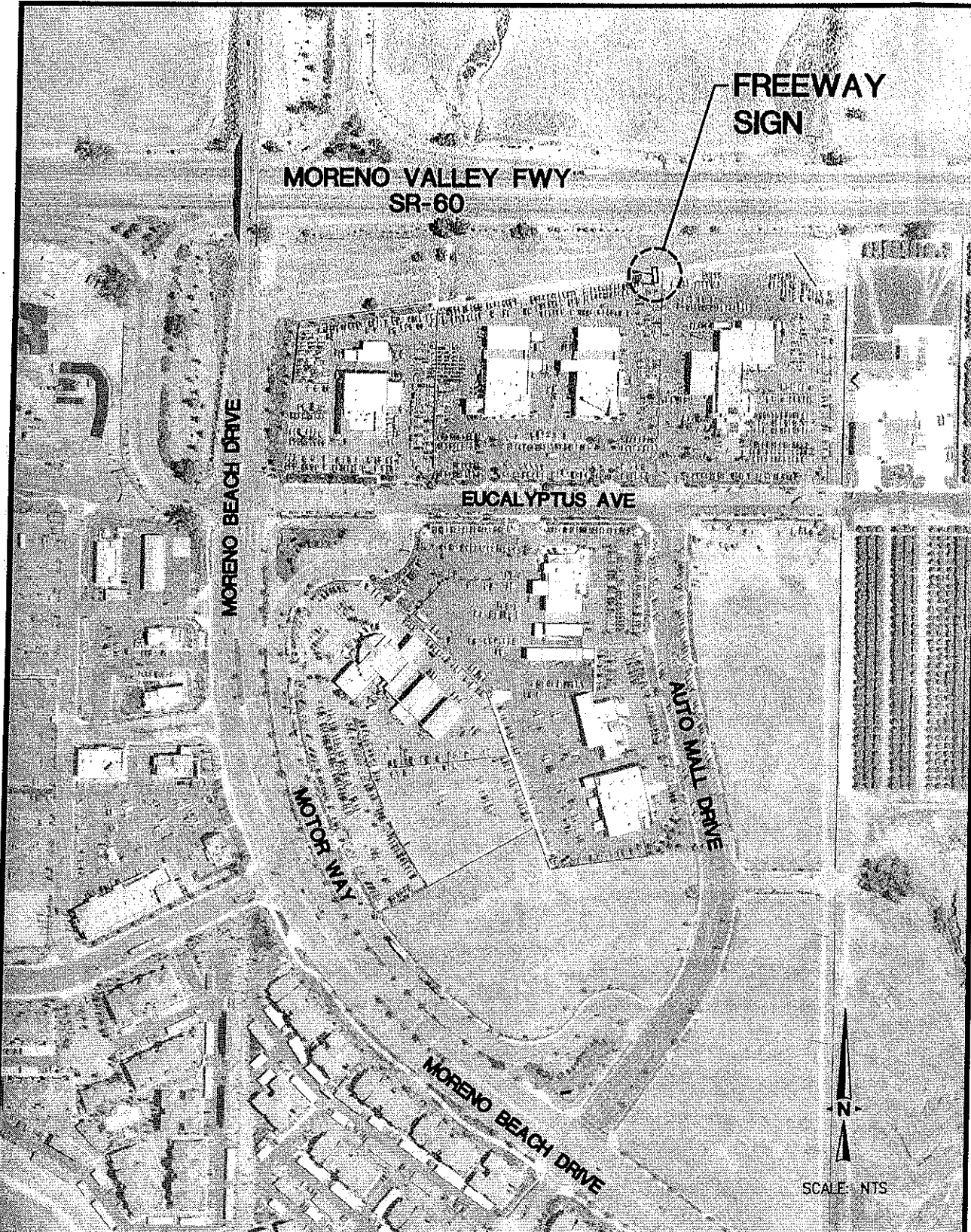
Department Head Approval:
 Chris A. Vogt, P.E.
 Public Works Director/City Engineer

Concurred By:
 Michele Patterson
 Redevelopment & Neighborhood Programs Administrator

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

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Drawing Name: X:\Projects\1034_0801\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by abosman



VA Consulting, Inc.
CONSULTING ENGINEERS • PLANNERS • SURVEYORS

EXHIBIT A
VICINITY MAP

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AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and San Pedro Sign Company hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
 - a. Any and all Contract Change Orders issued after execution of this Agreement
 - b. Addenda Nos. 2 inclusive, issued prior to the opening of the Bids
 - c. The bound Bid Documents
 - d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
 - e. The project Plans
 - f. The Standard Plans
 - g. The Standard Specifications
 - h. Reference Specifications, all of which are essential parts of this Agreement
 - i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.
3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **\$706,716.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.
4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).
5. The City and Contractor hereby agree that in case all construction called for under the Contract is

AGREEMENT
PROJECT NO. ED-09-89791725

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of \$600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

**AGREEMENT
PROJECT NO. ED-09-89791725**

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	\$500,000.00	\$2,000,000.00	\$2,000,000.00
Property Damage	---	\$2,000,000.00	\$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of \$2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than \$1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

AGREEMENT
PROJECT NO. ED-09-89791725

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

AGREEMENT
PROJECT NO. ED-09-89791725

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

**AGREEMENT
PROJECT NO. ED-09-89791725**

THE CITY OF MORENO VALLEY,
Municipal Corporation

TBD CONTRACTOR

BY: _____
City Manager

License No./ Classification: _____

DATE: _____

Expiration Date: _____

Federal I.D. No.: _____

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

City Attorney

Date
RECOMMENDED FOR APPROVAL:

Economic Development Director / Date

Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____
(Here insert name and title of the officer)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

• Securely attach this document to the signed document.

BOND NO. _____

PREMIUM \$ _____

**FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)**

PROJECT NO. ED-09-89791725

**CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT**

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and _____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, (\$ _____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

**FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725**

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 20____.

CONTRACTOR (Principal)

SURETY

Contractor Name: _____

Name: _____

Address: _____

Address: _____

Telephone No.: _____

Telephone No.: _____

Print Name: _____

Print Name: _____

Attorney-in-Fact

Signature: _____

Signature: _____

Approved as to Form this

_____ day of _____ 20____

City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
 Corporate Officer

(Title)

- Partner (s)
 Attorney-in-Fact
 Other _____

BOND NO. _____

PREMIUM \$ _____

**LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)**

PROJECT NO. ED-09-89791725

**CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT**

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company**, as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____ dollars, (\$ _____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

**LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725**

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 20 ____.

CONTRACTOR (Principal)

SURETY

Contractor Name: _____

Name: _____

Address: _____

Address: _____

Telephone No.: _____

Telephone No.: _____

Print Name: _____

Print Name: _____

Attorney-in-Fact

Signature: _____

Signature: _____

Approved as to Form this

_____ day of _____ 20 ____

City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

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 Corporate Officer

(Title)

- Partner (s)
 Attorney-in-Fact
 Other _____

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- Securely attach this document to the signed document.

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ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

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

City of Moreno Valley

Company Name

By: _____
William Bopf
City Manager

By: _____
Name
President

Date: _____

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

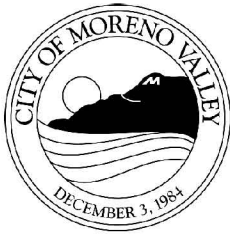
Date: _____

Approved as to Legal Form:

Suzanne Bryant
Deputy City Attorney

Date: _____

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
 - e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Elsworth Street;
 - k. Alessandro Boulevard between Joy Street and Cactus Avenue;
 - l. Resource Way between Frederick Street and Corporate Way;
 - m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

- n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
 - o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
 - p. New Hope between Veterans Way and Elsworth; and
 - q. Heritage Way between TownGate Boulevard and Town Circle.
2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.
- a. Petaluma Avenue between Napa Valley and Morrison Street;
 - b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
 - c. Lakeport Drive at Cottonwood Avenue;
 - d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
 - e. Rockport Drive between Yuba Pass Road and Morrison Street;
 - f. Dracaea Avenue between Morrison Street and Nason Street;
 - g. Letterman Street at Cottonwood Avenue;
 - h. Athletics Drive at Cottonwood Avenue; and
 - i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.
2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010, street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
Cecilia Gonzales
Community Services Supervisor

Department Head Approval:
Michael McCarty
Parks and Community Services Director

Concurred By:
Eric Lewis
City Traffic Engineer

Concurred By:
John Anderson
Police Chief

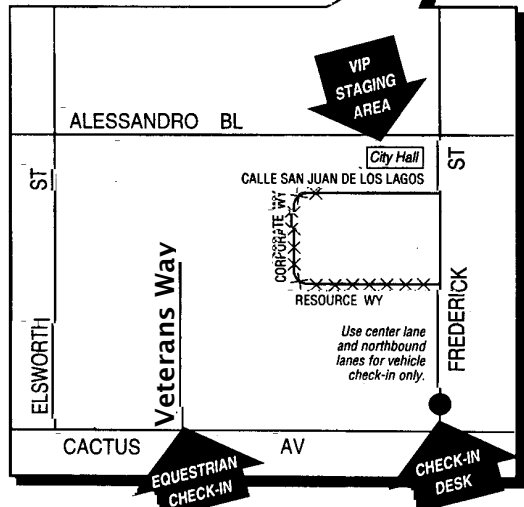
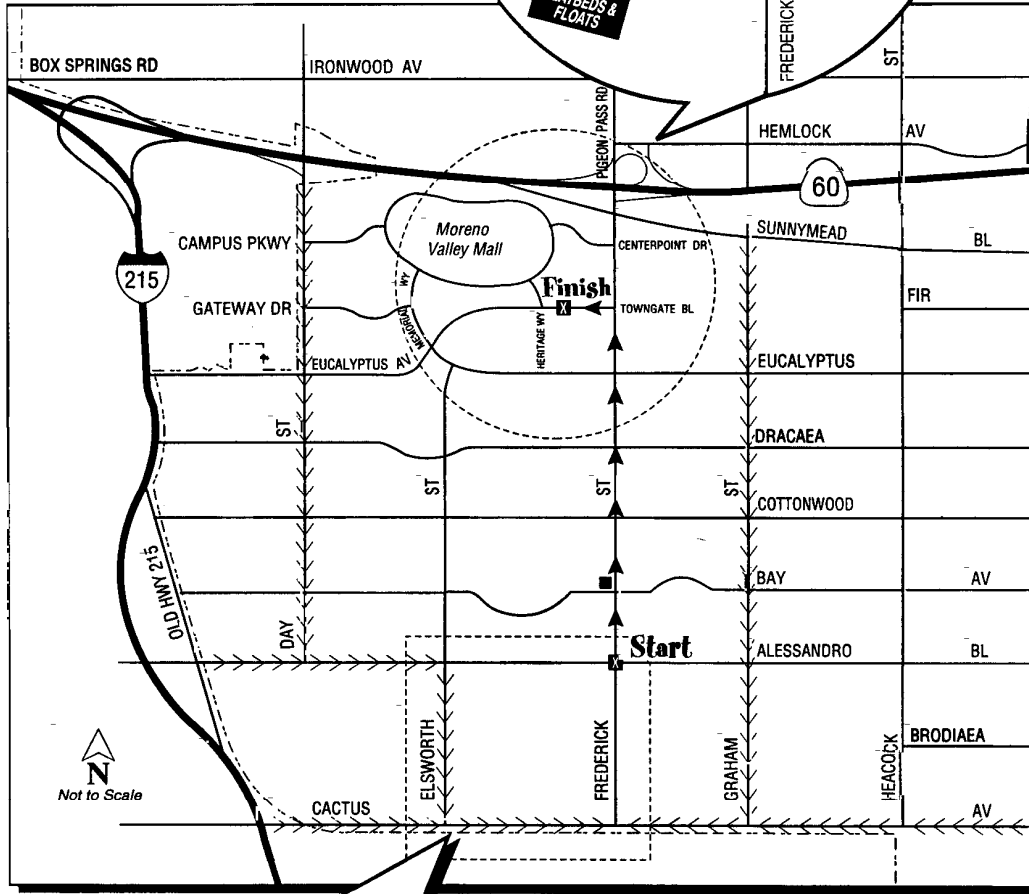
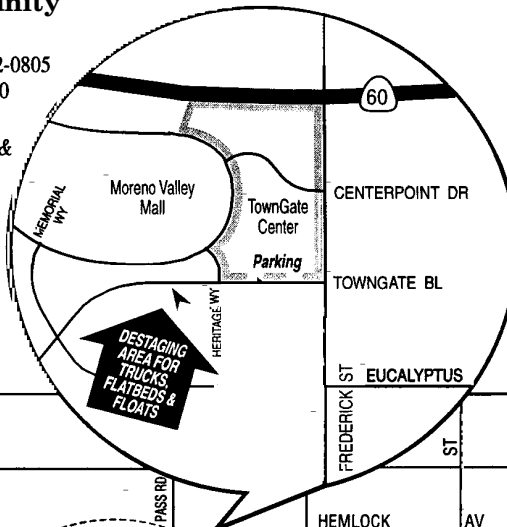
Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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**Moreno Valley
Parks & Community**

P.O. Box 88005
Moreno Valley, CA 92552-0805
Telephone: (951) 413-3280
FAX: (951) 413-3719
For pre-recorded parade & festival information, call:
(909) 413-3281

**Independence Day
Parade Route
Saturday, July 3, 2010**



**IMPORTANT—
Please Read!**

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

Please note the following timetable:
Saturday, July 3, 2010

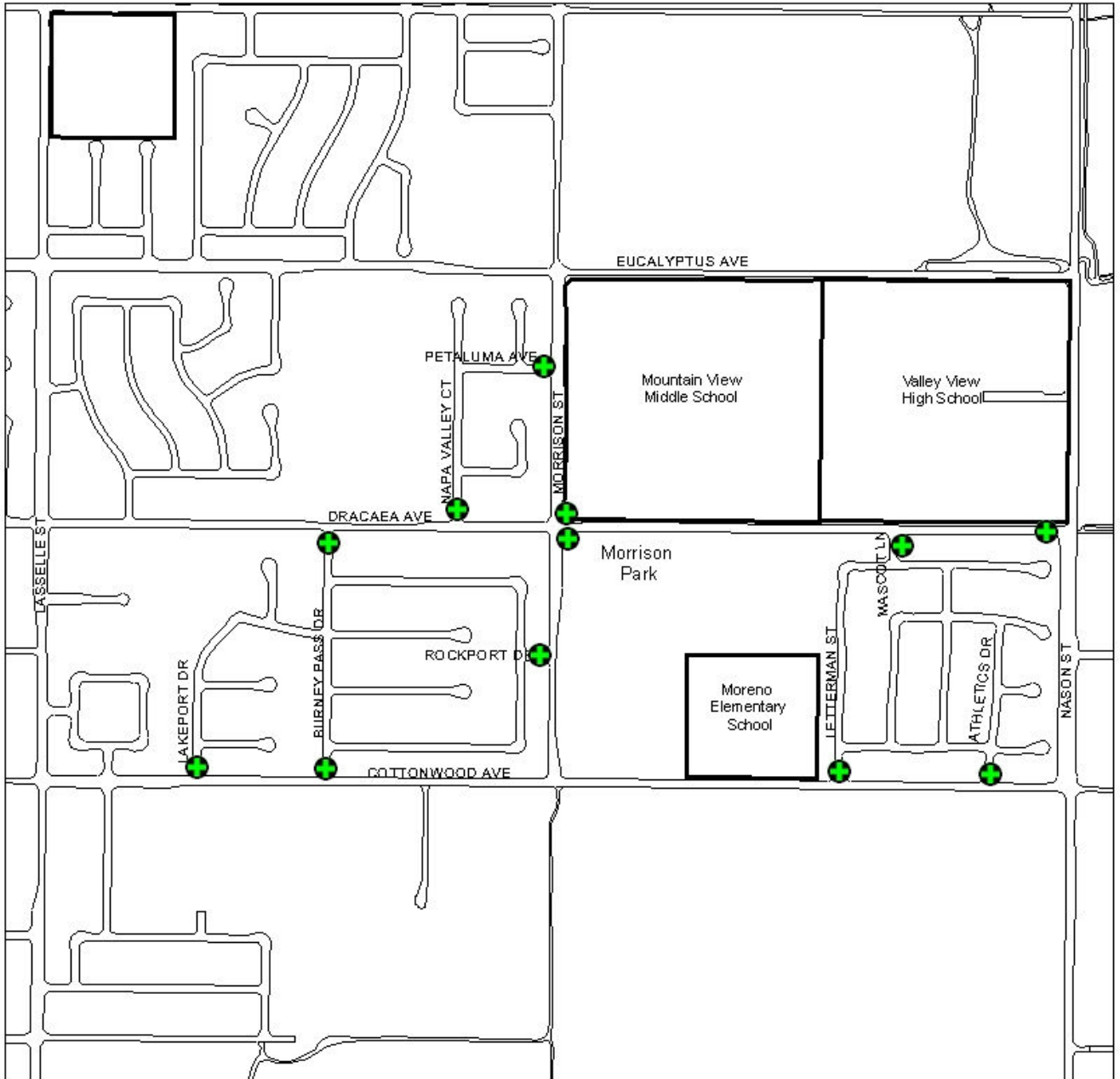
- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- Judging Stand

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July 4th Festival Street Closures



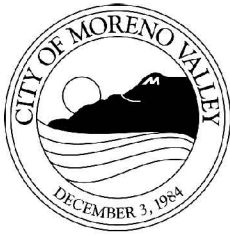
Traffic Control Notes

- ➕ Barricade with
“ROAD CLOSED”
signs



Not To Scale

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RAH</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: June 22, 2010

TITLE: APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH & GAME AND AUTHORIZE PURCHASE ORDER FOR SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG).
2. Authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for \$250,125 (\$217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720).
3. Authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvement Project is to improve the Route 60/Nason Street interchange ramps through reconstruction and realignment, while providing a design that will accommodate future ultimate bridge widening improvements needed to serve anticipated future traffic demand.

On October 30, 2003, Caltrans and the Federal Highway Administration (FHWA) approved a Categorical Exception/Categorical Exclusion (CE/CE) requiring the City to mitigate the permanent impact to 0.58 acres of California Department of Fish and Game (CDFG) jurisdictional drainages and habitat due to the proposed construction.

On April 11, 2006, the City Council adopted Resolution No. 2006-40, approving and authorizing execution of an "Agreement Regarding Proposed Stream or Lake Alteration" with the California Department of Fish and Game (CDFG). The agreement is required as part of the environmental mitigation for the Route 60/Nason Street Interchange Improvement project. Additionally the City Council authorized the Public Works Director to execute the "Agreement Regarding Proposed Stream or Lake Alteration," including any minor amendments. The Council further authorized the Public Works Director to execute a conservation easement deed at a future date.

On December 8, 2009, the City Council authorized the issuance of a purchase order to the San Jacinto Basin Resource Conservation District (SJBRCDC) to develop a conservation easement deed agreement and to fund an endowment to maintain and monitor the mitigation area to be constructed by the City for the project. The issuance of a purchase order not to exceed \$345,000 was authorized for this purpose. Negotiations were initiated between the City and SJBRCDC.

Project plans are 100% complete. Environmental permits for construction have been submitted to and/or received by the appropriate agencies. Utility relocation that must be completed in advance of the interchange construction has been completed. Right-of-way acquisition has also been completed.

DISCUSSION

According to the April 11, 2006 Agreement, the City was required to mitigate permanent impacts resulting from the project by creating a wetland and riparian habitat mitigation area with native riparian plant species and by removing all non-native plants in a designated area of 0.58 acres located north of State Route 60 and east of Nason Street. The area is designated as Open Space/Park area and is owned by the City. The City was required to construct the mitigation area during project construction. Plans and specifications have been completed and are contained within the 100% plans.

Once the mitigation area was to have been constructed and the construction warranty period was completed, the City was required to ensure long-term maintenance to protect the riparian habitat on the site in perpetuity. The City was required to place a conservation easement on the site. The area was to be restricted to habitat protection only and was not allowable as a park or recreation site. The SJBRCDC was designated as the appropriate entity to hold the easement and maintain the area. However, during negotiations, it became apparent that the City and SJBRCDC would not be able to reach agreement on terms for the proposed Conservation Easement Deed (agreement), including complete, exclusive, cost-effective, long-term maintenance of the area by

SJBRCD. After several months of negotiations, the City approached CDFG and the other resource agencies to evaluate more viable options.

As a result, a new, more viable opportunity for mitigation became available. The City will pay mitigation fees to SAWA to remove tamarisk and invasive plants necessary to enhance wetlands and wildlife habitats at an offsite location in the Badlands area of the San Jacinto Basin. SAWA, a CDFG-sanctioned entity, conducts an in-lieu fee program associated with environmental mitigation efforts. The benefits to the City in paying a fee to SAWA are the elimination of the long-term maintenance burden on the City for the on-site riparian area, the contribution of funds to an established conservation program, and a substantial reduction in the project mitigation cost. Upon payment of the mitigation fee, the resource agencies' concurrence to proceed with construction is achieved. CDFG is expected to issue an amendment that stipulates use of the in-lieu fee program for off-site mitigation. The City Council is requested to authorize the Public Works Director to execute the Amendment to Lake or Streambed Alteration Agreement.

SAWA has provided an estimate of \$217,500 based upon the acreage of impacts and a pre-set fee structure. A contingency of up to 15% is included in the event of adjustments. The City Council previously authorized the issuance of a purchase order not to exceed \$345,000 for the establishment of the SJBRCD endowment and associated set-up costs. A new purchase order in the amount of \$250,125 is requested using the funds released by closing the purchase order with SJBRCD. This action represents a cost savings of approximately \$100,000 as well as relief from additional long-term maintenance responsibilities and costs.

ALTERNATIVES

1. Adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for \$250,125 (\$217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration Agreement. *This alternative will enable the City to amend the "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*
2. Do not adopt Resolution No. 2010-63, which approves and authorizes the execution of an Amendment to Lake or Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), do not authorize the issuance of a purchase order to the Santa Ana Watershed Association (SAWA) for \$250,125 (\$217,500 plus 15% contingency) for environmental mitigation associated with the SR-60/Nason Street Interchange Improvement Project (Account No. 125.89720), and do not authorize the Public Works Director/City Engineer to execute the amendment regarding the Lake or Streambed Alteration

Agreement. *This alternative would not allow the City to amend its "Agreement Regarding Proposed Stream or Lake Alteration" with CDFG.*

FISCAL IMPACT

The project is currently funded using federal funds and matching Measure "A" funds (Fund 125). The City has successfully obtained approximately \$7.4 million of federal funds, portions of which have been used for design and right-of-way. Remaining construction funding consists of Surface Transportation Program funds, Transportation Efficiency Act of the 21st Century demonstration funds and DIF Interchange funds. It is anticipated the balance of construction will be funded using Measure "A" funds.

All funding sources for this project (Measure "A," Surface Transportation Program, Transportation Efficiency Act, and DIF Interchange funds) are restricted for capital improvements related to transportation projects or for the SR-60/Nason Interchange and cannot be utilized for operational activities. The allocated amounts below are specifically designated for the SR-60/Nason Interchange Improvements Project. There is no impact to the General Fund.

FY 2009/10 BUDGETED FUNDS

TEA 21 Demonstration Funds (125.66929).....	\$ 4,500,000
STPL Discretionary Funds (125.67029).....	\$ 1,770,000
Measure "A" Funds (125.89720).....	\$ 7,435,000
Total Available Funds.....	\$13,705,000

FY 2009/10 ESTIMATED RELOCATION AND RIGHT-OF-WAY COSTS

Utility Relocation (EMWD & SCE).....	\$ 1,951,000
SAWA In-lieu Fee.....	\$ 250,000
Right-of-Way Acquisition.....	\$ 1,891,000
Total Estimated Costs.....	\$ 4,092,000

ANTICIPATED PROJECT SCHEDULE

Caltrans Approval to Advertise Construction.....	July 2010
Interchange Construction Start Date*.....	October 2010
Interchange Construction End Date.....	September 2011

**pending Caltrans approval*

CITY COUNCIL GOALS

ADVOCACY:

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

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

SUMMARY

The City is amending the Lake or Streambed Alteration Agreement entered into with the California Department of Fish and Game. The amendment will allow the City to participate in an in-lieu fee program administered by the Santa Ana Watershed Association. The Council is asked to adopt a resolution authorizing the Public Works Director/City Engineer to execute the Amendment to Lake or Streambed Alteration Agreement and authorize the payment of in-lieu mitigation fees. This action represents a cost savings of approximately \$100,000 to the project as well as relief from additional long-term maintenance responsibilities.

ATTACHMENTS/EXHIBITS

Attachment "A" - Resolution No. 2010-63 -- A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Execution of the Amendment to Lake or Streambed Alteration Agreement Between the State of California, Acting By and Through the Department of Fish & Game, and the City of Moreno Valley for Project No. 98-25897

Prepared By:
 Margery A. Lazarus
 Senior Engineer, P.E.

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

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

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

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RESOLUTION NO. 2010-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING EXECUTION OF THE AMENDMENT TO LAKE OR STREAMBED ALTERATION AGREEMENT BETWEEN THE STATE OF CALIFORNIA, ACTING BY AND THROUGH THE DEPARTMENT OF FISH & GAME, AND THE CITY OF MORENO VALLEY FOR PROJECT NO. 98-25897

WHEREAS, the environmental document for the State Route 60/Nason Street Interchange Improvements requires mitigation for the permanent impact to 0.58 acres of CDFG jurisdictional drainages and habitat by onsite creation of a minimum of 0.58 acres of wetland and riparian habitat within the City of Moreno Valley Open Space/Park area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street;

WHEREAS, ensuring compliance with the environmental document is made available through an agreement between the State of California and the City of Moreno Valley; and

WHEREAS, the City desires to amend the Lake or Streambed Alteration Agreement entered into on April 11, 2006, Notification No. 6-2003-015 (Revision 6), by submitting an application to participate in an in-lieu fee program instead of constructing a mitigation area adjacent to the project site, located north of State Route 60 off ramp and east of Nason Street.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6), between the State of California, acting by and through the Department of Fish and Game, and the City of Moreno Valley, for Project No. 98-25897, provides compliance with the environmental document for individual project and said Amendment to Lake or Streambed Alteration Agreement, Notification No. 6-2003-015 (Revision 6) is hereby approved and the Public Works Director shall execute the same on behalf of the City.

SIGNATURE PAGE FOLLOWS:

APPROVED AND ADOPTED this 22nd day of June 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING CHAPTER 11.04 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, RELATING TO DRINKING IN PUBLIC AND TRESPASSING OFFENSES AND AMENDING SECTION 6.04.080 RELATING TO NOTICE OF NUISANCE VIOLATIONS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

1.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.065 to read as follows:

“Section 11.04.062 – Drinking in Public.

A. No person shall drink any beverage containing an alcoholic content in excess of one percent by volume upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property.

B. Pursuant to California Business and Professions Code Section 25620, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage which has been opened, or a seal broken, or the contents of which have been partially removed upon any public street, sidewalk, alley, park, playground, recreation area or other public place within the City where such premises have not been licensed by the Alcohol, Beverage and Control Department of the State of California, for sale of alcoholic beverages to be consumed on the premises; or upon any private property which is open to the public view without the consent of the owner or person in lawful possession or control of said property. A violation of this section shall be an infraction.

C. Pursuant to California Penal Code Section 647e, no person shall be in possession of any bottle, can or other receptacle containing an alcoholic beverage

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Date Adopted: May , 2010

which has been opened, or a seal broken, or the contents of which have been partially removed upon the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 of the California Business and Professions Code, or upon any public sidewalk immediately adjacent to the licensed and posted premises. A violation of this section shall be an infraction.

D. A violation of this section may be enforced by the filing of a criminal misdemeanor or infraction citation, or through the issuance of civil citations pursuant to Chapter 1.10 of this Code.”

SECTION 2. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.090 to read as follows:

“Section 11.04.090 – Trespass Upon Private Property.

A. Definitions.

1. As used in this Section, “Posted Property” means any property at each corner of which, and at each identifiable road, trail or driveway entering the property, and at intervals of not less than three per mile, a sign of not less than 1 square foot in size is posted and visible containing in legible print not less than two inches in height, the words “PRIVATE PROPERTY – NO TRESPASSING” or words of similar meaning or effect.

2. As used in this Section, “Owner” shall mean the owner of record, the owner’s agent, or a lessee or tenant in lawful possession.

B. No person shall remain upon any private property or business premises, after being notified by the owner or by a peace officer acting at the request of the owner to remove therefrom. The owner may make a written request for peace officer assistance in the enforcement of this Section. Such a request shall cover a period of not more than one year and shall specify specific dates, times and locations for which enforcement is requested. Furthermore, the request shall identify any individuals authorized by Owner to be on the premises. During such times and dates, a peace officer may act to remove a trespasser without the necessity of the Owner making a separate request on each occasion when peace officer assistance in dealing with a trespasser is requested.

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Date Adopted: May , 2010

C. No person, without permission, expressed or implied, from the Owner, shall enter upon private property or business premises after having been notified by the Owner to keep off or keep away therefrom.

D. No person shall enter or remain upon posted property without the permission, expressed or implied, of the Owner of such posted property or premises.

E. This Section shall not apply in any of the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application results in, or is coupled with, any act prohibited by Section 356 of the California Penal Code or any other provision of law relating to duties of innkeepers and common carriers;

3. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

4. Where its application would result in an interference with or inhibition of any other exercise of a constitutionally protected right of freedom of speech; or,

5. Where the person who is upon another's private property or business premises is there under claim or color of legal right."

SECTION 3. MUNICIPAL CODE AMENDED:

2.1 Chapter 11.04 of the Moreno Valley Municipal code is hereby amended by adding new Section 11.04.100 to read as follows:

"Section 11.04.100 – Trespass Upon Public Property.

A. As used in this Section, "City" shall mean the City of Moreno Valley, the Moreno Valley Redevelopment Agency, Community Service Districts and any other public agency formed and/or by the City of Moreno Valley.

B. No person shall remain upon any public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City, after having been found to have violated any City ordinance, resolution, policy, rule or regulation, where that person has been given a warning by authorized City personnel or a peace officer to cease the violation, and where that person continues the violation and has been asked to leave the premises.

B. Any person who has been found by authorized City personnel or a peace officer to have violated any ordinance, resolution, rule or regulation of the City may be banned by said personnel, or a peace officer provided that the violation relates to the facility from which the person has been banned. The violator must be personally served with a letter advising of the ban. The letter shall contain notice of the rule or regulation that was broken and state a specific location from which the individual shall be banned and state a time period, not exceeding one year that the ban will be in effect.

C. No person shall enter or remain upon any City owned or controlled public park, playground, recreation facility, open space, library, or any other property owned, operated or maintained by the City after having been banned therefrom.

D. This Section shall not apply in the following circumstances:

1. Where its application results in or is coupled with any acts prohibited by the Unruh Civil Rights Act or any other provision of law relating to prohibited discrimination against any person on account of color, race, religion, sexual orientation, creed, ancestry or national origin;

2. Where its application would result in an interference with or inhibition of peaceful labor picketing or other lawful labor activities;

3. Where its application would result in an interference with or inhibition of any other exercise of a statutory or constitutional right' or,

4. Where it is necessary for the person to enter City owned or controlled property from which that person has been banned in order to conduct City business but only for as long as necessary to conduct said City business.”

SECTION 4. MUNICIPAL CODE AMENDED:

4.1 Chapter 6.04 of the Moreno Valley Municipal code is hereby amended by amending Section 6.04.080 to read as follows:

Ordinance No. ____
Date Adopted: May , 2010

“Section 6.04.080 - Notification of nuisance.

A. When the city manager or authorized representative thereof determines that any condition on property within the city constitutes a nuisance as declared in Section 6.04.040, such person shall give written notice to abate to responsible person(s), as identified on public records or tax rolls, ordering the abatement of said nuisance.

B. The notice to abate shall contain the following information:

1. The name of the record owner of the property;
2. The date of the inspection;
3. The date of the violation(s);
4. The street address, assessor’s parcel number or other definite description of the location where the violation(s) exist;
5. The code sections violated;
6. A description of the condition of the property creating the nuisance;
7. A list of necessary corrections to bring the property into compliance;
8. A reasonable time limit for correction based upon the nature of the nuisance;
9. A reference to the potential consequences for failure to abate the nuisance by the specified time period;
10. An order prohibiting the continuation or repeated occurrence of the nuisance;
11. The name and signature of the enforcement officer; and,
12. Notice of the right to appeal.

C. Notice required by this chapter may be served in any of the following manners:

1. Personal service on the responsible person;

2. Regular mail addressed to the responsible person, at the address shown on the last available assessment roll, or as otherwise known or posting in a conspicuous place on the premises or abutting the right-of-way;

3. Insertion of a legal advertisement at least once a week for a period of two weeks in a newspaper of general circulation in the city. The newspaper advertisement shall be a general notice that property in the city has been posted and contain a general statement of the effect of such postings.

D. Failure of any person to receive a copy of any notice issued pursuant to this chapter shall not affect the validity of any proceedings or actions taken under this chapter.

E. Nothing in this chapter shall be construed or interpreted to require the issuance of a notice to abate as a prerequisite to the issuance of an administrative citation or the filing of any civil action or criminal complaint.”

SECTION 5. EFFECT OF ENACTMENT:

5.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6. NOTICE OF ADOPTION:

6.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be publicly posted in three places within the city.

SECTION 7. EFFECTIVE DATE:

7.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this day of, 2010.

Mayor

Ordinance No. ____
Date Adopted: May , 2010

ATTEST:

City Clerk
APPROVED AS TO FORM:

City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

ORDINANCE No. 812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA AMENDING TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE BY REPEALING CHAPTER 12.14 RELATING TO ROTATIONAL TOWING SERVICES FOR THE CITY OF MORENO VALLEY AND ADDING THERETO A NEW CHAPTER 12.14 ENTITLED POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

The City Council of the City of Moreno Valley, California does ordain as follows:

SECTION 1: REPEAL OF CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service of Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby repealed. The repeal will only to be effective upon the effective date following the adoption of the reenactment of said Chapter 12.14 as set for in Section 2 of this Ordinance.

SECTION 2: ADDING CHAPTER 12.14, POLICE AND CITY OF MORENO VALLEY ROTATIONAL TOW SERVICE

Title 12, Vehicles and Traffic of the Moreno Valley Municipal Code is hereby amended by adding thereto Chapter 12.14, Police and City of Moreno Valley Rotational Tow Service to read as follows:

**Chapter 12.14
POLICE AND CITY OF MORENO VALLEY
ROTATIONAL TOW SERVICE**

Section:

- 12.14.010 Intent and purpose.**
- 12.14.020 Definitions.**
- 12.14.030 City business license and permits required.**
- 12.14.040 Selection of towing services.**
- 12.14.050 Rotation tow lists.**
- 12.14.060 Official police department and city tow operator's permit.**
- 12.14.070 Tow truck driver's permit.**
- 12.14.080 Tow truck classifications.**
- 12.14.090 Liability insurance.**
- 12.14.100 Storage facility.**
- 12.14.110 Standard rules of operation.**

- 12.14.120 Additional services to be provided.**
- 12.14.130 Response to calls.**
- 12.14.140 Rates.**
- 12.14.150 Suspension and revocation.**
- 12.14.160 Summary suspension of permit pending opportunity for hearing.**
- 12.14.170 Hearing and procedure.**
- 12.14.180 Hearing officer.**
- 12.14.190 Hearing officer—Power and duties.**
- 12.14.200 Findings and determination by the hearing officer.**
- 12.14.210 Notice and surrender.**
- 12.14.220 Surrender of permit.**
- 12.14.230 Appeal to city council.**
- 12.14.240 Permits in effect at the time of adoption.**

12.14.010 Intent and purpose.

A. It is the intent of this chapter to prescribe the basic regulations for the operation of an official Rotational Tow Service Program in police emergency situations, removal of illegally parked, vehicles that are being operated contrary to law, and/or in the removal of vehicles which are apparently abandoned, or involved in an accident, or which constitute an obstruction to traffic because of mechanical failure.

B. The intent of this chapter is to also establish regulations and procedures for the abatement of abandoned, inoperative and dismantled vehicles as set forth in chapter 11.24 of this code.

C. It is the purpose of the City Council in enacting the ordinance codified in this chapter to provide a fair and impartial means of distributing requests for towing services among qualified firms, and to ensure that such service is prompt and reasonably priced, and in the best interests of the public as well as the interest of efficient policing operations for the removal of such vehicles from public streets.

12.14.020 Definitions.

Unless the context in which used requires otherwise, the following words and variant thereof, shall have the following meanings:

“Appeal” means the final level of review for written reprimands, suspensions, terminations, or review of a decision regarding disciplinary action.

“Area” means the corporate boundary of the City of Moreno Valley.

“Attendant” means individual responsible for staffing the storage yard facility.

“Base Services” means any service or Tow which is performed when the vehicle Operator or agent is present and the vehicle is not stored at the direction of an officer.

“City” means the City of Moreno Valley.

“Financial & Administrative Services Director” means the position in the Financial & Administrative Services Department in charge of the administration of the financial affairs of the City.

“Driver” means a trained and/or qualified licensed individual who operates/drives a Tow car or Tow Truck.

“Driver’s Permit” means the driver’s Permit issued to a driver that has completed an application and complied with the requirements outlined in Section 12.14.070.

“Enrollment Period” means the period of time when a Tow Operator or Business may submit an application for inclusion on the City’s rotation Tow list.

“Garage or Storage Facility” means the area where a Tow Operator or Business stores or impounds vehicles in connection with the City’s Rotational Tow Service Program and complied with the requirements outlined in Section 12.14.100.

“License Division” means the City Business license division of the Financial & Administrative Services Department.

“Load Salvage Operations” means any Operator or Business involving the recovery of a load which has been spilled, or the off-loading and reloading of a load from an overturned vehicle performed in order to upright the vehicle. This will be limited to operations involving Class B, C, and D Tow Trucks.

“Notice” means any notices shall be in writing and delivered to the other party in person, via facsimile, and/or by first-class U.S. Mail from a duly authorized representative of the City or Operator.

“Official Police and City of Moreno Valley Tow Service” or “Operator” means a Towing Operator or Business that has a valid agreement with the City and is selected to be used, on call, and on an alternate basis, where a Tow Truck is required.

“Permit” means the Operator’s Permit issued to a Tow Operator or Business that has complied with all sections of this chapter to the satisfaction of the City Council.

“Personal Property” means items which are not permanently affixed to the vehicle.

“Rate” means the rate charged by the Tow Operator or Business to a vehicle’s owner or his/her agent as approved by the City Council.

“Response Time” means the period of time between when an Operator is notified by the City or Police Department of a call to the arrival of the Tow Truck at the location requested.

“Rotational Tow Service Program” means the City’s official program of selecting Tow Operators to assist the Police Department and City in removing vehicles from the public right-of-way and private property as set forth in this chapter.

“Suspension” means the removal of an Operator from the City’s Tow rotation list for a specified period of time regardless of any contract period or time.

“Termination” means the permanent removal of a Tow Operator from the City’s Rotation Tow List for the remainder of the term of the Tow Service Agreement and disqualification from any further participation in the City’s Rotation Tow Service Program.

“Tow Car” or “Tow Truck” is a motor vehicle which has been altered or designed and equipped for and exclusively used in the business of towing vehicles by means of a crane, towbar, towline or dolly or is otherwise exclusively used to render assistance to other vehicles and in compliance with section 615 of the California Vehicle Code. Also includes slide-back carriers and wheel-lift vehicles.

“Tow Operator” or “Business” means a company approved by the City to remove, impound and store vehicles in association with the City’s Rotational Tow Service Program.

“Tow Service Agreement” means a document which sets forth the terms and conditions of an agreement between the City and Operator on the tow rotation list.

“Vehicle Recovery Operation” means an operation involving the process of uprighting an overturned vehicle or returning a vehicle to a normal position on the roadway which requires the use of auxiliary equipment due to the size or location of the vehicle. This will normally be limited to operations requiring a Class B, C, or D Tow Truck(s).

12.14.030 City business license and permits required.

A. No firm may participate in the assignment of service calls on a rotational basis by the Police Department or the City unless it has a valid City business license to do business as a Tow Operator in the City as set forth in this code.

B. No person shall operate a Tow Truck as part of the City’s Rotational Tow Service in the City unless he or she holds a valid Tow Truck Driver’s Permit issued by the City.

C. Only those Tow Operators or Businesses approved by the City and possessing a valid Tow Operator's Permit and Tow Service Agreement shall be permitted to remove, tow, impound and/or store a vehicle as part the City's Rotational Tow Service Program.

12.14.040 Selection of towing services.

A. The City Manager or his/her designee shall solicit proposals from Tow Operators to participate in the City's Rotational Tow Service Program. The proposals shall be accompanied by the fee as established by resolution of the City Council. The fee is not refundable.

B. Proposals submitted by Tow Operators shall be evaluated by City staff and presented to the City Council for approval

C. The term of a Tow Service Agreement shall not exceed five (5) years. Tow Operators not participating in the process will not be eligible to participate in the City's Rotational Tow Service until the City establishes an open enrollment period. The enrollment period shall be open for at least 30 days.

D. Only those Tow Operators who enter into a contractual agreement with the City shall be permitted and be required to affix a decal or other permanent marking "Official Police and City of Moreno Valley Rotational Tow Service" to permitted Tow Trucks. Tow truck and/or other vehicles owned and operated by the Tow Operators that have not been inspected and approved by the City to participate in the City's Rotational Tow Service Program shall not, in any way, maintain a decal or other markings or advertisement that the vehicle or vehicles are part of the Program.

E. Tow Operators applying for the City's Rotational Tow Service shall have a minimum of three (3) verifiable years of for-hire towing experience, as an owner or principal, prior to the final filing date of an enrollment period in order to qualify for the program. The City shall verify that a Tow Operator meets the minimum three (3) years of experience.

F. A Tow Operator or Business not having a valid Tow Operator Permit or Tow Services Agreement shall be prohibited from participating in the City's Rotational Tow Service Program. Any tow person violating this chapter shall be guilty of a misdemeanor and shall be prosecuted either criminally or civilly pursuant to Chapter 1.10, Civil Citations, of the Moreno Valley Municipal Code.

G. Tow Operators who enter into a contractual agreement with the City shall deposit with the City the fee established by resolution of the City Council to cover its costs to administer the terms and conditions of the Tow Service Agreement and the regulations of this chapter. A Tow Operator that fails to deposit with the City the required funds as set forth in the resolution of the City Council shall be in violation of this chapter and shall be prosecuted accordingly.

12.14.050 Rotation Tow lists.

A. For operational reasons, the Police Department and City shall maintain the same rotation tow lists where practical and establish policies and procedures as to fairly distribute calls to the Tow Operators or Businesses approved by the City to participate in the Rotational Tow Service Program. Each list will include the same Tow Operators as approved by the City Council and have a valid Tow Service Agreement.

B. Nothing shall prohibit a Class B, Class C or Class D operator from maintaining a place on a lighter class rotation list. (See Section 12.14.080 for description of classifications.)

Regardless of the class of Tow Truck used in response to a call from the City, charges to the vehicle's registered owner or his/her authorized agent shall not be more than the class of vehicle towed or serviced, except when recovery operations require a larger class of truck.

C. If two or more Tow Operators are called to the same incident, distribution of the vehicles shall be at the discretion of the Police Department or City.

The Police Department may direct a Tow Operator to move vehicles to help clear a roadway or for lifesaving operations. Tow Operators shall provide the requested assistance at no cost to the City.

D. At the direct request from an owner of a vehicle or his/her authorized agent, a police officer may contact any Tow Business for services unless said request would be in violation of local, state or federal law or regulation or cause a delay in protecting the public's general health and safety. If an owner of a vehicle or his/her authorized agent request a tow service of their choosing, they assume full responsibility for any fees for service the owner's tow service may impose.

E. After any type of major collision, the Police Department shall have the authority to order any Tow Operator to tow vehicles to any location necessary for investigative purposes.

12.14.060 Official police department and city tow operator's permit.

A. In addition to having a valid City Business license to conduct Business in the City, the Tow Operator participating in the City's Rotation Tow Services Program shall also apply for and receive a Tow Operator's Permit. A Tow Operator's Permit application shall be filed with the Financial & Administrative Services Director or his/her designee, shall be verified under penalty of perjury, and shall be accompanied by the fee as established by resolution of the City Council. The fee shall not be refundable. It shall contain or be accompanied by the information and documentation specified in this section. Applications for Permits to conduct the Tow Business shall be filed with the City on a form approved by the Financial & Administrative Services Director or his/her

designee. Such application shall demonstrate that the applicant possesses a business license pursuant to Chapter 5.02 of this code. In addition, such application shall provide the following information:

1. Name/Description. Name and description of applicant.
2. Address. Permanent home address and full business address of applicant if an individual; of each partner if a partnership; and of each officer if a corporation.
3. Garage or Storage Facility. The place where the vehicles towed are to be stored or impounded.
4. Fingerprints and Photographs. Applicant shall be fingerprinted and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The cost of the foregoing shall be established by resolution of the City Council and be borne by the applicant. The photographs taken by the Police Department will be used throughout the permit process, whenever photographs are required to be made part of the record.
5. Criminal Record. A statement as to whether or not the applicant, or any officer or partner of the applicant has been convicted of a felony within the immediately preceding ten (10) years, and the nature of each such offense and the punishment or penalty assessed, thereof.
6. Vehicle Data. The number of Tow Trucks to be operated or controlled by the applicant in the conduct of the Tow Business, and the make, body style, year, vehicle identification number, state license plate number, and the name of legal and registered owner of each vehicle.
7. Vehicle Description. A description of the proposed color scheme, insignia, trade-style and any other distinctive characteristic or design to be used to identify such vehicles.
8. Previous Licensing. A statement of whether or not the applicant has ever had any permit or franchise for a Tow Business issued to him/her that has been suspended or revoked, and, if so, the circumstances of each such suspension or revocation, whether in the City or elsewhere.
9. Insurance. A certification or policy of insurance in the manner and form required by Section 12.14.090.
10. Corporation Data. If the applicant is a corporation, a copy of the current Articles of Incorporation, certified as to being true and correct by the California Secretary of State, within sixty (60) days prior to the date of application, the most

current corporate bylaws and any applications, permits or notifications for the issuance of shares filed with or issued by the commissioner of corporations.

11. Business Office and Telephone Maintenance. A statement that the applicant will maintain at the principal place of business located in the City of Moreno Valley, and in operating order at all times, at least one telephone line. At all times there will be an attendant in charge of said telephone or telephones to dispatch Tow Trucks in response to requests therefor. After-hour answering services fulfill this requirement.

B. Prior to the issuance of a Tow Service Agreement by the City Council, the Tow Operator shall provide evidence that:

1. The application conforms in all respects to the provisions of this chapter.

2. The applicant's garage or storage facility is located within City limits.

3. The applicant is financially responsible and otherwise able to provide the service.

4. The applicant, and all officers or partners are likely to provide Tow services in a responsible and satisfactory manner. In making such determination, the Financial & Administrative Services Director or his/her designee shall consider whether the applicant or any officer or partner of the applicant;

a. Has previously provided responsible and satisfactory tow services,

b. Has not previously violated the terms of this chapter or of any similar enactment of the City or of any other jurisdiction.

C. A Tow Operator shall not have a financial interest in any other tow business participating in the City's Rotational Tow Service Program. Any violation of this section shall cause the immediate revocation of a Tow Operator's Permit for the balance of the contract period.

D. A Tow Operator's Permit is valid for one year. The failure of a Tow Operator or Business to apply for and receive approval of a subsequent permit by the City shall suspend the Tow Operator from participating in the City's Rotational Tow Service Program. At such time the Tow Operator or Business is issued a valid permit, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.070 Tow truck driver's permit.

A. The Tow Operator shall ensure that only qualified and competent Tow drivers respond to calls initiated by the Police Department or City. All Tow Truck Drivers must obtain a permit from the City's Financial & Administrative Services Director or his/her designee. Each applicant shall be required to be photographed and fingerprinted. Each Tow Truck Driver's Permit application, including renewal, replacement and duplicate applications, shall include the following information:

1. The name of the applicant, including all other names if any, by which the applicant has been known.
2. The applicant's race, color of eyes and hair.
3. Whether the applicant has been convicted or pled guilty or nolo contendere to any felony within the prior ten (10) years, and if so, the date, nature of the offense, the punishment or penalty assessed therefor, and the court in which such conviction was obtained or plea of guilty or nolo contendere was entered.
4. The class and number of the applicant's California Driver's License and restrictions thereon, if any, and whether any license of applicant to drive has ever been suspended or refused or revoked, and if so, details of the reasons therefor and the disposition of the matter, including the dates of any such suspension or revocation.
5. A statement showing each address at which the applicant has resided during the preceding year.
6. A statement of the applicant's physical condition, including a statement of whether the applicant has ever had epilepsy, blackout periods, fainting spells, or been addicted to the use of alcohol, narcotics or other dangerous drugs.
7. A current California Driver's License record listing driving violations, if any, issued by the California Department of Motor Vehicles within thirty (30) days prior to the date of application. This California Driver's License shall be valid for the class of Tow Trucks to be driven by the driver.

B. Record Check. Applicant shall be finger printed and photographed by the Police Department upon referral of the Financial & Administrative Services Director or his/her designee, and a record check made. The fee for the foregoing shall be as set by resolution of the City Council and the fee shall be paid by the applicant at the time the application is submitted. The photographs taken by the Police Department will be used in all cases where photographs are required for implementation of this chapter.

C. Employment of Qualified Drivers. Every holder of City Tow Operator Permit to do business as a Tow Operator in the City shall employ as drivers only persons who are physically and mentally fit and able to perform such duties. It shall be

the responsibility of the Tow Operator Permit holder to select and employ drivers who are familiar with the streets and addresses in the City. No Tow Operator Permit holder shall employ or retain in employment any person as a driver who violates laws governing morals, motor vehicle operations, or any provision of this chapter.

D. Nontransferable. Tow Truck Driver's Permits are not transferable, except that the holder of such a Permit may use the same Permit if he or she changes employment from one Tow Operator to another.

E. Termination. Within ten (10) days of terminating any driver, the Tow Operator shall serve notice to the Police Department and the City.

F. Tow Operators shall comply with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991 and subsequent revisions.

G. Tow Operators shall be enrolled in the Employer Pull Notice program as set forth in California Vehicle Code Section 1808.1. The Tow Operator shall include mandated and non-mandated employees that are required to drive as part of his/her duties for the Tow Business.

H. A Tow Truck driver's Permit is valid for one year. The failure of a Tow Truck driver to apply for and receive approval of a subsequent Permit by the City shall suspend the driver from participating in the City's Rotational Tow Service Program. At such time the Tow Truck Driver is issued a valid Permit and is employed by a Tow Operator licensed pursuant to this chapter, he/she shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.080 Tow truck classifications.

A. An Operator shall equip and maintain Tow Trucks in accordance with the provisions set forth in the California Vehicle Code (CVC), Title 13 of the California Code of Regulations and the specifications contained in this chapter, and consistent with industry standards and practices by the City.

Any and all Tow Trucks used by a Tow Operator or Business in connection with the City's Rotational Tow Service Program shall be inspected annually by the California Highway Patrol and be issued a commercial vehicle safety alliance (CVSA) decal prior to permitting a tow truck to participate in the City's Rotational Tow Service Program. A Tow Operator shall produce current California Highway Patrol forms CHP 407F, Safetynet Driver/Vehicle Inspection Report, and CHP 234B; Tow Truck Inspection Guide, at the time a Tow Operator applies for a Tow Truck Permit. If the Tow Operator or Business fails to have the Tow Truck or Trucks inspected, such Tow Truck or Trucks shall not be permitted to participate in the City's Rotational Tow Service Program. Once the City has inspected the Tow Truck or Trucks and has determined it meets the provisions of the California Vehicle Code and this Chapter, the Tow Truck or Trucks will

be permitted to tow vehicles in connection with the City's Rotational Tow Service Program.

B. Notwithstanding Section 615 CVC, all Tow Trucks shall have recovery capabilities, wheel lift capabilities, and a boom meeting the specifications contained in this chapter. For the purpose of this chapter, "a trailer for hire that is being used to transport a vehicle" shall not qualify as a primary Tow Truck for Tow rotation lists.

A violation of the Gross Vehicle Weight Rating (GVWR) and safe loading requirements of a Tow Truck shall be cause for immediate suspension as defined and outlined in this chapter. This includes exceeding the Tow Truck's GVWR, front axle weight rating, rear axle weight rating, maximum tire weight ratings, or not maintaining fifty (50) percent of the Tow Truck's unladen weight on the front axle when lifting/carrying a load.

C. There will be four classes of Tow Trucks covered under this chapter. If the weight rating of the class of Tow Truck changes, said weight ratings of the class of Tow Truck or Trucks shall replace those weight ratings described below.

1. Class A—Light Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 14,000 pounds with wheel-lift capability, and may have a car carrier.

a. A Tow Truck company that has a car carrier may be exempted from the wheel-lift capability requirements. However, the car carrier must be an additional unit.

b. A "trailer for hire" shall not be approved for listing as a Class A Tow Truck.

2. Class B—Medium Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 26,000 pounds. The Truck shall be capable of providing air to the towed vehicle's brakes.

a. A Tow Truck company may also have a car carrier. However, the car carrier must be an additional unit.

3. Class C—Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating (GVWR) of at least 48,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

4. Class D—Super Heavy Duty. A Tow Truck with a manufacturer's gross vehicle weight rating of at least 52,000 pounds. The Truck shall be equipped with air brakes and must be capable of providing air to the towed vehicle's brakes.

D. To properly and safely tow and service the wide variety of vehicles being operated on the highway, a Tow Operator shall equip all Tow Trucks participating in the City Rotational Tow Service Program with the appropriate equipment as required by the California Vehicle Code and other regulations governing Tow Trucks.

12.14.090 Liability insurance.

A. Insurance — Motor Vehicle Liability Policy Required. Before any Permit may be issued for a Tow company, the owner or Tow Operator shall file with the City's Risk Manager a motor vehicle liability insurance policy, or a certification of the coverage required by this section, covering each Tow Truck used in the permitted business and a California admitted corporation shall issue the liability insurance in the state of California, which policy shall conform in all respects to the requirements of this chapter.

B. Liability Amounts. The required motor vehicle liability policy shall insure the owner, the City and its officers, agents and employees as additional insured, and any other person using or responsible for the use of any such vehicle with the consent, expressed or implied of such owner, against loss from the liability imposed upon such owner or person by law for injury to, or death of any person, or damage to property growing out of the maintenance, operation or ownership of any Tow Truck, in the minimum amount set forth by the City's Risk Manager for public liability and for property damage.

C. Compliance. All motor vehicle liability policies shall be subject to the approval of the City's Risk Manager. At any time a motor vehicle liability policy is found to be insufficient for any cause, the City Manager or his/her designee will remove the affected Tow service Business from the Rotational Tow Service Program. If the owner fails to replace the motor vehicle policy or policies within ten (10) days after the City Manager gives notice of such insufficiency with good and sufficient policies approved by the Risk Manager, then the Tow Operator's Tow Service Agreement issued hereunder shall be automatically suspended until such time as a sufficient policy has been furnished. Upon direction of the City Manager, the Police Department shall enforce such suspension.

D. Policy Endorsement. Every policy and every certificate of motor vehicle liability insurance coverage filed pursuant to the provisions of this chapter shall contain the following endorsements:

1. It is hereby understood and agreed that, notwithstanding expressions or provisions consistent with or contrary thereto in this policy contained, the policy is expressly issued to cover a motor vehicle regulated by the provisions of Chapter 12.14 of the Moreno Valley Municipal Code. This policy shall inure to, and be for the benefit and protection of, each person who shall sustain any damages or injury, or to the heirs, personal representatives, administrators, executors or assigns of any such person who may be so damaged or injured or suffer death by reason of the operation of a motor vehicle covered by this policy or from the defective condition

thereof. Liability under this policy shall be in no manner abrogated or abated by the death of the tort-feasor or the insured.

2. This is a continuing liability for claims incurred up to the full amount hereof, notwithstanding any action or recovery thereon.

3. No cancellation or reduction in coverage of this policy for any reason whatsoever shall become effective until the expiration of thirty (30) days after written notice of such cancellation or reduction in coverage shall have been given in writing to the City Manager or his/her designee. The thirty (30) day period shall commence upon the date the notice is actually received by the City Manager if personally delivered, or, if by registered United States mail with return receipt requested, on the second business day after the notice is deposited in the United States Mail, postage prepaid or on the date of receipt shown on the return receipt, whichever is later.

12.14.100 Storage facility.

A. Storage Facility Standards. The Tow Operator shall provide for the City's Tow rotation program, storage space for a minimum of one-hundred fifty (150) vehicles of outside storage and five (5) vehicles of indoor storage. Said outdoor and indoor spaces shall be dedicated to the City's Rotational Tow Service program. The following standards of performance must be maintained:

1. Storage Facilities must be located within the City and clearly marked. Any and all signage for the facilities must be in conformance with the City's municipal code.

2. All vehicles are to be stored at a Storage Facility properly zoned for this use within the City. Vehicles that have been approved by the Department of Motor Vehicles for lien sale must be sold from a storage facility or other approved location by the City to conduct such a business within the City limits.

3. Each impounded or stored vehicle shall be a minimum of two and one-half feet from any other vehicle, structure or object.

4. All stored vehicles shall be reasonably accessible to the vehicle's owner or vehicle owner's agent and the Police Department or City for retrieval, inspection and/or identification.

5. Owners shall be able to retrieve a stored vehicle 24 hours a day, seven days a week including holidays, within one hour upon notification by the Police Department or City that the vehicle can be released to its owner or authorized agent.

6. Storage facilities shall be monitored by an electronic monitoring or security system. Said system shall be subject to review and approval by the Police

Department before the Tow Business is permitted to tow and store or impound vehicles as part of the City's Rotational Tow Service Program to said lot.

7. Storage Facilities shall be properly lighted and secured by a six (6) foot high fence as set forth in Title 9 of this code. The fence shall be installed in compliance with any applicable provision of this code and approved by the Police Department and City before the Tow Business is permitted to tow vehicles as part of the City's Rotational Tow Service Program.

8. Storage Facilities owned by a Tow Operator shall not be shared with another Tow Operator. However, a Tow Operator or Business may be permitted on the same lot as long as there is a clear separation between Tow Operators. Each Tow Operator shall fully comply with the provisions of this code.

B. Personal property may be removed from the vehicle and shall be released to the owner of a vehicle at the request of the vehicle owner or his/her agent. When a vehicle has been impounded for evidence or investigation, the Operator shall notify the Police Department or City depending on the agency directing the storage of the vehicle, prior to the removal of property from a stored vehicle and will provide a receipt, with a copy placed in the stored vehicle.

C. Vehicles ordered towed by the Police Department or City will only be released by the Tow Operator under the regulations of the Vehicle Code and the City of Moreno Valley. The City will provide Tow Operators with appropriate regulations including updates to these regulations as they occur.

D. Prior to the utilization of new storage facilities that were not listed on the Tow Operator's Permit application for the Rotation Tow Service Program, the Tow Operator shall obtain the approval of the City to ensure that the new Garage or Storage Facility meets all applicable regulations.

E. The Operator shall maintain, at a minimum, business hours at the primary place of business of the Tow Operator of Monday through Friday, eight a.m. to five p.m. except for the following recognized holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and the day after Thanksgiving Day, and Christmas Day.

F. Annual storage facility inspections. Tow Operators shall have its Storage Facility inspected annually. The failure of a Tow Operator or Business to have its Storage Facility inspected annually by the City shall have its Tow Permit suspend and shall not participate in the City's Rotational Tow Service Program. At such time the Storage Facility is inspected by the City and found to be in compliance with this Chapter, the Tow Operator or Business shall be permitted to participate in the City's Rotational Tow Service Program.

12.14.110 Standard rules of operation.

A. Any requests for the removal of traffic hazards shall be made through the Police Department.

B. When it becomes evident that there will be a delay in responding to a Police Department or City request for towing service, the responding Towing Operator shall advise the agency requesting the tow services if the delay will exceed the maximum response time in Section 12.14.130(A).

C. The Tow Operator or Business shall be capable of responding to Police or City requests for towing of vehicles and release a vehicle to an owner of a vehicle or his/her authorized agent twenty-four (24) hours a day, seven days a week. An answering service fulfills this requirement.

D. Removing Hazards. After being dispatched by the Police Department or City to the scene, the Tow Truck Driver shall cooperate with the police officer(s) or City official in removing hazards and illegally parked vehicles as requested. It is the duty of the police officers or City to determine when such a vehicle should be impounded or moved, and the driver shall abide by their decisions.

E. Each Towing Operator or Business shall comply with Section 27907 of the Vehicle Code of the state of California regarding signs on Tow Trucks. Only Tow Trucks bearing the name of the Tow Operator called shall be dispatched to the scene of need.

F. All Tow Operators shall conduct their business in an orderly, ethical, businesslike manner and use reasonable means to obtain and keep the confidence of the motoring public.

G. Towing Operators participating in City's Rotational Tow Service Program shall be responsible for the acts of their employees (office and field personnel) while on duty. A Tow Operator shall be responsible for damage to vehicles while in their possession.

H. A Tow Operator's records, equipment and Storage Facilities shall be subject to periodic checks by Police Department investigators and/or the City during regular Business hours. Failure to permit the periodic checks will be considered a breach of the Rotational Tow Service Agreement and shall cause the immediate suspension of the Tow Operator from the City's Rotational Tow Service Program.

I. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be made available to the owner of the vehicle or his representatives, an authorized insurance agent, insurance adjustor, or body shop or car dealer, for the purpose of estimating or appraising damages, with the exception of

vehicles with a “police hold.” The Tow Operator shall keep a written record of every vehicle stored for a period longer than twelve (12) hours pursuant to section 1065(a) of the California Vehicle Code.

J. The permitted Tow Business shall record their time in and their time out on every City requested tow truck assignment. Such records shall be available and open to examination by the Police Department and/or City.

K. All permitted Tow Businesses shall submit a monthly Rotational Tow Service Program report to the Police Department and City within ten (10) Business days of the last day of each month. The report shall include the following:

1. Total Police and City impounds;
2. Number of times dispatched by Police Department or City;
3. Number of these calls resulting in impounds;
4. Number of vehicles sold on lien sale under authority of Section 3072, Civil Code, and reporting said lien sales as per authority of Section 851.2 CVC;
5. Number of vehicles sold under low value vehicles as defined by California Vehicle Code Section 22851.3;
6. Number of calls which required more than one hour’s time.

L. All Tow Trucks used shall have two-way communication with the Tow Operator’s communication center.

M. A Tow Operator shall not proceed with any repair work on a vehicle or place any charges against a vehicle other than those occasioned by removal from the street and storage unless authorized by the vehicle owner or his designated agent.

N. A Tow Operator, when disposing or dismantling of unclaimed vehicles, shall abide by all Civil and Vehicle Code Sections pertaining thereto.

O. All vehicles stored or impounded as a result of a tow ordered by the Police Department or City shall be towed directly to a Tow Operator’s approved Storage Facility unless the Police Department, City or other person legally in charge of the vehicle requests that it be taken to some other location.

P. A Tow Operator shall not begin the lien-sale process for a minimum of five (5) days after the Tow Operator took possession of a vehicle under the City’s Rotational Tow Service Program.

Q. The City shall conduct, at a minimum, one (1) annual meeting to discuss with the Tow Operators or his/her designee, the City's Rotational Tow Service Program. Attendance at the meeting is mandatory. The City shall give a 30-day written notice of the meeting.

If a Tow Operator fails to attend the meeting, said Tow Operator shall be suspended until such time that the Tow Operator can attend an alternate annual meeting with the Police Department and City to discuss the Rotational Tow Service Program. Said meeting is mandatory and will be held within sixty (60) days from the date the meeting was originally to be held.

Failure to attend a second, rescheduled mandatory meeting will lead to the termination of the Tow Rotation Service Agreement with the City for the duration of the contract period.

12.14.120 Additional services to be provided.

Any Tow Operator selected to be part of the Rotational Tow Service Program shall provide to the City, at no charge, emergency response to aid and service all City owned and Police Department vehicles within a reasonable radius of the City.

12.14.130 Response to calls.

A. The Tow Operator shall respond to Police Department or City calls twenty-four (24) hours a day, seven days a week, within the maximum response time of twenty (20) minutes. The Tow Operator will advise the Police Department dispatch or City, at the time of notification, if they are either unable to respond or unable to meet the maximum response time. If, after accepting the call, the Tow Operator is unable to respond or will be delayed in responding, the Tow Operator shall immediately notify central dispatch or the City. The Tow Operator shall not assign calls to other Tow Operators and/or Tow Truck Drivers not employed by said tow Operator.

1. A call to a Tow Operator shall constitute one turn on the list and the Tow Operator shall be moved to the bottom of the list. This includes when the Tow Operator fails to answer the phone, is unable to respond, is unable to perform the required service, refuses to respond or provide service, or is canceled due to excessive response time. The City and Police Department shall keep separate Tow rotation lists.

2. Repeated failure to respond and/or failure(s) to respond within the maximum response time requirements, on a continuous basis, shall constitute failure to comply with the terms and conditions of this chapter and the City Council Tow service agreement.

B. A Tow Operator shall not respond to a Police Department or City call assigned to another Tow Operator unless requested to do so by the Police Department or City.

1. There may be times when a driver, who was not called to a scene, comes upon a collision scene where a vehicle or vehicles are blocking a roadway and a Police officer requests his/her assistance in clearing the roadway. In such a case, the driver may be requested to move the vehicle to a safe location, as directed by the officer, and leave it. There shall be no charge for this assistance, and the assistance provided shall not change the Tow Operator's place in the rotation.

12.14.140 Rates.

A. All fees and storage rates shall be charged to a vehicle's owner or authorized agent. Said fees and storage rates charged for response calls originating from the Police Department or City shall be reviewed by the City Council and shall be reasonable and not in excess of those rates charged for similar services provided in response to request initiated by any other public agency or private person. The reasonableness of the fees charged will be determined in the following manner:

1. The rate for Towing shall be from portal to portal and may be charged at a one-hour minimum. Charges in excess of one hour may be charged in fifteen (15) minute increments. There shall be no additional charges for mileage, labor, etc. Secondary towing requested by the customer may be negotiated by the Tow Operator in accordance with his/her private business practices.

B. Rates for service calls (out of gas, lock outs, etc.) shall be from portal to the end of the service, and may be at the hourly rate with a thirty (30) minute minimum. Charges in excess of thirty (30) minutes may be charged in fifteen (15) minute increments.

C. The fees added for after business hours release of a vehicle shall be no more than one-half the hourly rate, and shall only be allowed if there is no person available at the Storage Facility for release and a call back is required.

D. Storage fees shall be charged by calendar day except that vehicles stored eight hours or less shall be charged no more than one day storage.

E. The schedule of rates shall be posted in the lobby of the Tow Business. These rates shall be displayed on an eleven (11) inch by seventeen (17) inch minimum sign in one-inch lettering. Additionally, rates shall be made available upon demand to person(s) for whom the tow services were provided or his/her agent.

12.14.150 Suspension and revocation.

A. Tow Operator and Tow Truck Driver Permits may be suspended or revoked by the City after notice and hearing with respect thereto, on the following grounds:

1. That the Tow Operator or Truck Driver has failed to operate in accordance with the provisions of this chapter and the Tow Service Agreement approved by the City Council.

2. That the Tow Operator has failed to maintain or secure insurance on any Tow Truck.

3. That the Tow Operator has failed to provide reasonable services to the City or the Police Department.

4. That the public safety or convenience and necessity would be best served by such revocation or suspension of the Tow Permit for any Tow Operator or Business.

5. That the Tow Permit in question was obtained on the basis of misrepresentation made or induced by or on behalf of the holder of the Tow Permit.

6. That the Tow Operator has engaged in conduct which would have constituted grounds for denial of an application for such a Tow Permit.

7. That the Tow Operator Permits a Tow Truck Driver to respond to a call by the Police Department and/or City in violation of this chapter.

8. That a Tow Operator or Business intentionally overcharges or demonstrates a pattern of overcharging customers.

9. That a Tow Operator or Business fails to maintain a Tow Truck's safety equipment, safe overloading requirements of a Tow Truck, and/or a Tow Truck's gross vehicle weight rating while towing a vehicle.

10. That a Tow Operator fails to permit the Police Department and/or City to inspect its Storage Facilities.

B. The City Council shall establish the manner in which disciplinary action will be considered and the terms for suspension and even termination of a Tow Operator from the City's Rotational Tow Service Program.

C. Nothing shall preclude the City from taking the appropriate enforcement or administrative action for any violation of law.

D. Violations of the terms and conditions of the Tow Service Agreement or this chapter may be cause for disciplinary action in the following manner:

1. First violation within a twelve (12) month period – letter of written reprimand.

2. Second violation within a twelve (12) month period – 1 to 30-day suspension.
3. Third violation within a twelve (12) month period – 60 to 90-day suspension.
4. Fourth violation within a twelve (12) month period – termination of the Tow service agreement for the current contract period.

E. A Tow Operator or Business participating in the City's Rotational Tow Service Program found guilty of a felony is prohibited from participating in the City's Rotational Tow Services program for the current contract period.

12.14.160 Summary suspension of permit pending opportunity for hearing.

Notwithstanding section 12.14.170, any police officer duly acting as such within the City has the authority to temporarily suspend a Tow Truck Driver's Permit immediately if the driver thereof is arrested for conduct which jeopardizes the public health or safety.

12.14.170 Hearing and procedure.

Prior to any suspension or revocation of a Tow Permit the City Manager or his/her designee shall give the permit holder notice of intent to suspend or revoke the permit and state the proposed grounds for the suspension and revocation. A hearing shall be held within twenty (20) days on whether a Tow Permit should be suspended or revoked. Notice of hearing shall be mailed at least ten (10) days before the hearing by certified mail, with a five-day return requested, to the permittee. If any of the foregoing notices are returned undeliverable by the United States Post Office, the hearing shall be continued to a date not less than ten (10) days from the date of the return and may then be conducted on the date to which continued whether or not the party is present.

12.14.180 Hearing officer.

All hearings under this chapter shall be held before a hearing officer. The City Manager, or his/her designee, shall be the hearing officer of the City.

12.14.190 Hearing officer—Power and duties.

The hearing officer shall hear all facts and testimony which he or she deems pertinent. The hearing officer shall not be limited by the technical rules of evidence, but may consider any evidence upon which a prudent person might rely in arranging his or her own affairs. The permittee may appear in person at the hearing or present a written statement in time for consideration at the hearing.

12.14.200 Findings and determination by the hearing officer.

The hearing officer may impose such conditions and take such other action as he or she deems appropriate under the circumstances to carry out the purpose of this chapter. If an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision. The hearing officer shall have thirty (30) days in which to render a decision.

12.14.210 Notice and surrender.

No temporary suspension shall be for a period of more than twenty (20) calendar days. Notice of suspension or revocation shall be given by either personal service on the permittee or by certified mail, return receipt requested and addressed to the address of record on his or her application and, where appropriate, to the address of his or her employer.

12.14.220 Surrender of permit.

A Tow Operator’s Permit issued pursuant to this chapter which have been suspended or revoked must be surrendered to the Financial & Administrative Services Director or his/her designee within ten (10) days of the giving of notice to the holder that the Permit has been suspended or revoked. The operation of any Tow Business or driver authorized by any such Permit shall cease upon receipt by the holder of the notice of suspension or revocation. Such notice shall be deemed to have been received by the holder of the Permit when personally delivered to such person or, if given by certified United States mail with return receipt requested, on the second City business day after the notice has been deposited in the United States mail.

12.14.230 Appeal to city council.

Any interested party may appeal the decision of the hearing officer pursuant to the hearing and appeal procedure set forth in Sections 2.04.100 through 2.04.130.

12.14.240 Permits in effect at the time of adoption.

Any Tow Operator Permit in effective at the time this ordinance is adopted shall be null and void unless said Tow Operator is offered a Tow Service Agreement to participate in the City’s Rotational Tow Service Program. Said Permit would expire on the date noted on the Tow Operator Permit. A new Tow Operator Permit may be granted at that time if all of the terms and conditions of the City and all regulations of this code are complied with.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective thirty days after the date of its adoption.

SECTION 4: SEVERABILITY

If any provision of the ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and the provisions of this ordinance are declared to be severable.

SECTION 5: NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and cause it to be posted in at least three places within the City designated for such posting by the City Council.

Approved and adopted this ____ day of _____, 2010.

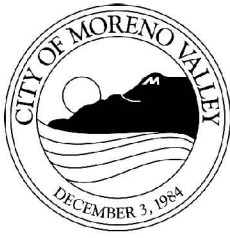
Bonnie Flickinger, Mayor

ATTEST:

Jane Halstead, City Clerk

APPROVED AS TO FORM:

Robert Hansen, City Attorney



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rest</i>
CITY MANAGER	<i>WRS</i>

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: June 22, 2010

TITLE: Approval of the Amended Employment Agreement for Interim City Manager

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached amended employment agreement with William L. Bopf for the position of Interim City Manager. The amendment would continue the current employment agreement on a month to month basis until a permanent City Manager is hired by the City Council. All other terms and conditions of the employment agreement will remain unchanged.

BACKGROUND

Mr. William L. Bopf's employment agreement as Interim City Manager is due to expire June 30, 2010. It is necessary to extend Mr. Bopf's current employment agreement.

DISCUSSION

Mr. Bopf has served as Interim City Manager since November 24, 2009. During this period the City has been in the process of selecting a full-time City Manager. The process is still in progress and it is unsure when a full-time City Manager will begin employment prior to June 30, 2010. Because Mr. Bopf's employment agreement is due to expire June 30, 2010, he has agreed to continue as Interim City Manager on a month to month basis. Staff is recommending his employment agreement be amended to reflect this extension until a permanent City Manager is hired by the City Council.

ALTERNATIVES

1. Approve the amendment to the employment agreement.
2. Not approve the amendment to the agreement and provide further direction to staff.

FISCAL IMPACT

The employment agreement provides for monthly compensation in the amount of \$20,587.52, which amount remains unchanged with this amendment.

ATTACHMENTS/EXHIBITS

Exhibit "A" – Amendment to Employment Agreement

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
Richard Hartmann
Interim Assistant City Manager

Concurred By:
John Ruiz
Interim HR Director

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

ADMENDMENT TO AGREEMENT

This First Amendment to (Employment Agreement) is made and entered into between the City of Moreno Valley (hereinafter referred to as "CITY"), and William L. Bopf (hereinafter referred to as "BOPF") and is effective the date the City signs this Amendment.

WHEREAS, the CITY and BOPF entered into an Employment Agreement dated November 23, 2009 (hereinafter "Employment Agreement").

WHEREAS, BOPF is serving as Interim City Manager and performing all functions, duties and services set forth in Section 1.5 [Duties] of the Employment Agreement.

WHEREAS, the purpose of the Employment Agreement was to employ BOPF as Interim City Manager until a permanent City Manager is hired by CITY.

WHEREAS, the Employment Agreement provides for an extension up to the employment commencement date of a permanent City Manager employed by CITY upon concurrence of both parties.

WHEREAS, the parties desire to extend the Employment Agreement on a month to month basis until a permanent City Manager is hired by CITY.

THEREFORE, CITY and BOPF do hereby agree to amend the Employment Agreement as follows:

Section 1 – Amendment to Agreement.

1.2 The Term of the Employment Agreement shall be amended to provide its continued effectiveness on a month-to-month basis until such time as a permanent City Manager is hired by CITY or is otherwise terminated as provided for in the Employment Agreement.

Section 2 – Other Terms to Remain.

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

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

City of Moreno Valley

William L. Bopf

By: _____
Bonnie Flickinger
Mayor

By: _____
William L. Bopf

Date: _____

Date: _____

ATTEST:

By: _____
Jane Halstead
City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney

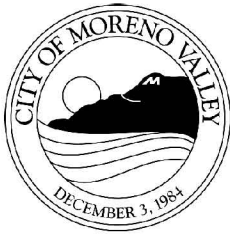
Date: _____

**MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report
of: City Clerk's Department)**

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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APPROVALS	
BUDGET OFFICER	<i>conf</i>
CITY ATTORNEY	<i>Ret</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: **EXTENSION OF CONTRACT** - Approve First Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of \$148,680.00; \$122,760.00 for Community Services District ("CSD") Zone A and \$25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;
3. Authorize the Purchasing and Facilities Division Manager on July 1, 2010, to issue open purchase orders to DLS Landscape, Inc., in the amounts of:
 - a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS (\$122,760.00) for CSD Zone A for twelve months, and;
 - b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS (\$25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District (“MVCS D”) voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was \$148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the first of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expires on June 30, 2010. In May 2010, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor’s contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the first term of the contract. Therefore, staff recommends that the Board of Directors of the MVCS D retain the services of DLS Landscape, Inc. and extend the contract for the first of four, twelve-month extensions. The contract amount for the first extension shall remain the same at \$148,680.00.

ALTERNATIVES

1. Approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCS D to execute the First Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2010/2011. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1. Staff recommends this alternative.*
2. Elect not to approve the First Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1. Staff does not recommend this alternative.*

FISCAL IMPACT

The necessary annual purchase orders for the term of this First Amendment will obligate the CSD to pay a total of \$148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2010-2011 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of \$122,760.00; and CFD #1 account 184.18410.6261 in the amount of \$25,920.00.

City Council Goals

By approving this First Amendment to Agreement with DLS Landscape, Inc., the Board of the MCVCS will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the First Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of \$148,680.00 (\$122,760.00 for CSD Zone A and \$25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the First Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchase and Facilities Division Manager on July 1, 2010 to issue purchase orders in the amounts of:
 - a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS (\$122,760.00) for CSD Zone A for twelve months, and;
 - b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS (\$25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

- Attachment 1: First Amendment to Agreement
Attachment 2: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

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

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

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

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

SIGNATURE PAGE TO FOLLOW

Community Services District of the
City of Moreno Valley

DLS Landscape, Inc.

By: _____
President

By: _____
Daniel Sanchez, President

Date: _____

Date: _____

INTERNAL USE ONLY

ATTEST:

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

Department Head

Date: _____

**AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.**

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

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

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

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

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.
2. **CONSIDERATION:**
 - A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
 - B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
 - C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
 - D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 2

3. SCOPE OF SERVICES.

- A. Contractor will perform services listed in the attached Exhibit A.
- B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. PERFORMANCE STANDARDS. While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. PREVAILING WAGES. Prevailing wages are not required for the work described.

6. PAYMENTS. For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. CONTRACTOR'S COMPENSATION

- i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

- ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars (\$12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars (\$148,680.00).**

- iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.
- iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

- v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.
- vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

- vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.
- viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of \$148,680.00 for each contract year during the term of this Agreement.
- ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:
 1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.
 2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.
 3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein; or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of \$100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

- A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.
- B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

- A. By executing this Agreement, Contractor represents that Contractor has:
 - i. Carefully investigated and considered the scope of services to be performed.
 - ii. Carefully considered how the services should be performed.
 - iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.
 - iv. Contractor is entering into Agreement under Contractor's own free will and volition.
 - v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. **TERMS.** The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. **TIME FOR PERFORMANCE.** Contractor will not perform any work under this Agreement until:

- A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and
- B. CSD gives Contractor a written Notice to Proceed.
- C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. **TIME EXTENSIONS.** Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. **TAXPAYER IDENTIFICATION NUMBER.** Contractor will provide CSD with a Taxpayer Identification Number.

15. **PERMITS AND LICENSES.** Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. **WAIVER.** CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. TERMINATION.

- A. Either party may terminate this Agreement at any time with thirty (30) days written notice.
- B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.
- C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.
- D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnify Contractor for same.

19. PUBLICATION OF DOCUMENTS. Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. INDEMNIFICATION. Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the CSD's employees and all claims which arise from or are connected with the negligent performance or failure to perform the services or other obligations of the CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD or under its control or direction; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the negligence or willful misconduct of the Contractor, its officers, agents or employees.

21. PUBLIC RECORDS ACT. The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. ASSIGNABILITY. This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. INDEPENDENT CONTRACTOR. The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. AUDIT OF RECORDS. Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

- A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits (combined single)</u>
Commercial general liability:	\$1,000,000 per occurrence \$ 500,000 Property Damage \$2,000,000 aggregate
Business automobile liability	\$1,000,000
Workers' compensation	Statutory requirement.

- B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.
- C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.
- D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

- E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.
- F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-.VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.
- G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:

DLS Landscape, Inc.
 1652 Plum Lane, Suite 104
 Redlands, CA 92374
 Attention: Daniel Sanchez

If to CSD:

Community Services District of the
 City of Moreno Valley
 15670 Perris Boulevard
 Moreno Valley, CA 92551
 Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

- A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.
- B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. **SOLICITATION.** Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. **THIRD PARTY BENEFICIARIES.** This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. **INTERPRETATION.** This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. **JURISDICTION/VENUE.** Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. **COMPLIANCE WITH LAW.** Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. **RULES OF CONSTRUCTION.** Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. **SEVERABILITY.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. AUTHORITY/MODIFICATION. The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. ACCEPTANCE OF FACSIMILE SIGNATURES. The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. CAPTIONS. The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. TIME IS OF ESSENCE. Time is of the essence for each and every provision of this Agreement.

41. FORCE MAJEURE. Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. STATEMENT OF EXPERIENCE. By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

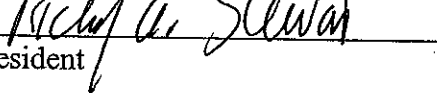
43. PROTECTION OF RESIDENT WORKERS. The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW


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

Community Services District of the
City of Moreno Valley

BY: 
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: 
Daniel Sanchez, President


Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

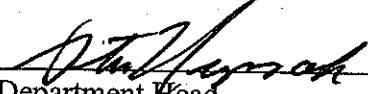

City Clerk

APPROVED AS TO LEGAL FORM:


City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:


Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage only during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

- a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.
- b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.
- c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.
- d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.
- e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.
- f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.
- g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.
- h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.
- i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.
- j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.
- k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.
 1. Have no more than one-third of living branches removed annually.
 2. Be fertilized only as directed by the Director or his designee.

2. DEBRIS/LITTER

- a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.
- b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.
- c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.
- d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.
- e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.
- f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

- a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.
- b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.
- c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.
- d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.
- e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET

Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	\$395.00	\$4,740.00
Bayside Park	66,317 SF	\$165.00	\$1,980.00
Bethune Park	113,168 SF	\$285.00	\$3,420.00
El Potrero Park	564,147 SF	\$1,400.00	\$16,800.00
Fairway Park	205,846 SF	\$515.00	\$6,180.00
Gateway Park	299,908 SF	\$745.00	\$8,940.00
JFK Park	240,500 SF	\$600.00	\$7,200.00
March Field Park	98,305 SF	\$245.00	\$2,940.00
March Field Community Center	45,068 SF	\$115.00	\$1,380.00
Community Park	215,452 SF	\$540.00	\$6,480.00
Morrison Park	273,549 SF	\$680.00	\$8,160.00
Parque Amistad Park	162,059 SF	\$400.00	\$4,800.00
Pedrorena Park	183,642 SF	\$460.00	\$5,520.00
Ridge Crest Park	197,421 SF	\$490.00	\$5,880.00
Sunnymead Park	353,967 SF	\$880.00	\$10,560.00
Towngate I Park	233,416 SF	\$580.00	\$6,960.00
Victoriano Park	105,645 SF	\$270.00	\$3,240.00
Westbluff Park	125,525 SF	\$315.00	\$3,780.00
Weston Park	176,434 SF	\$440.00	\$5,280.00
Woodland Park	285,385 SF	\$710.00	\$8,520.00
TOTAL	4,103,983 SF	\$10,230.00	\$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	\$420.00	\$5,040.00
Rock Ridge Park	78,269 SF	\$195.00	\$2,340.00
Shadow Mountain Park	263,314 SF	\$655.00	\$7,860.00
Towngate II Park	251,391 SF	\$625.00	\$7,500.00
Vista Lomas Park	106,269 SF	\$265.00	\$3,180.00
TOTAL	868,491 SF	\$2,160.00	\$25,920.00

Zone A

\$10,230.00 per month

\$122,760.00 per year

Community Facilities District #1

\$2,160.00 per month

\$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

\$12,390.00 per month

\$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.
3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed \$148,680.00 annually.
2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.
3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.
4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

ACORD <small>TM.</small> CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 10/08/2009
PRODUCER Phone: (818) 592-4440 Fax: (818) 592-4449 BUSINESS & CONTRACTORS INSURANCE SERVICES, INC. 900 N. CUYAMACA STREET SUITE 110 EL CAJON CA 92020 Agency Lic#: 0F82058		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED DLS LANDSCAPE INC. C/O DANIEL SANCHEZ PO BOX 67 REDLANDS CA 92373		INSURERS AFFORDING COVERAGE NAIC #
INSURER A: Navigators Insurance Company AXCA		42307
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		


COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADDL	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	YES	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	0410095450 ✓	09/12/09	09/12/10	EACH OCCURRENCE \$ 1,000,000 ✓ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 ✓ MED. EXP (Any one person) \$ 5,000 ✓ PERSONAL & ADV INJURY \$ 1,000,000 ✓ GENERAL AGGREGATE \$ 2,000,000 ✓ PRODUCTS-COMP/OP AGG. \$ 1,000,000 ✓
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS / UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$			By <i>M. Alonzo</i> 10-26-09 Date	EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE-EA EMPLOYEE \$ E.L. DISEASE-POLICY LIMIT \$
		OTHER:				

RISK MANAGEMENT
Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/ SPECIAL PROVISIONS
 Cancellation: 10 days for non payment, 30 days all other
 City of Moreno Valley, Moreno Valley Community Services District, & Redevelopment Agency of Moreno Valley are named Additional Insured,
 endorsement to follow from carrier
 Re: Various locations

CERTIFICATE HOLDER City of Morena Valley 15670 Perris Blvd Moreno Valley CA 92552 Attn: Parks Maintenance Dept Attention: 951-243-1405 Liz	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <div style="text-align: right;">  Joshua K Schwartz </div>
--	---

Dec. 8. 2009 10:29AM

ALLSTATE INSURANCE COMPANY OF CALIFORNIA
STATE OF INSURANCE

ALLSTATE INSURANCE COMPANY ALLSTATE INDEMNITY COMPANY ALLSTATE TEXAS LLOYD'S
 THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE
 HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

CERTIFICATE HOLDER	NAMED INSURED
Name and Address of Party to Whom this Certificate is Issued	Name and Address of Insured
CITY OF MORENO VALLEY PO BOX 88005 MORENO VALLEY, CA 92552	DLS LANDSCAPE, INC P.O. BOX 67 REDLANDS, CA 92373

This is to certify that policies of insurance listed below have been issued to the insured named above subject to the expiration date indicated below, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE AND LIMITS			
COMMERCIAL GENERAL LIABILITY	Policy Number	Effective Date	Expiration Date
Limit		Amount	
GENERAL AGGREGATE LIMIT (Other than Products - Completed Operations)			
PRODUCTS - COMPLETED OPERATIONS AGGREGATE LIMIT			
PERSONAL AND ADVERTISING INJURY LIMIT			
EACH OCCURRENCE LIMIT		ANY ONE LOSS	
PHYSICAL DAMAGE LIMIT		ANY ONE PERSON	
MEDICAL EXPENSE LIMIT			
WORKERS' COMPENSATION & EMPLOYERS' LIABILITY	Policy Number	Effective Date	Expiration Date
Coverage	Limits		
WORKERS' COMPENSATION	STATUTORY - applies only in the following states:		
	BODILY INJURY BY ACCIDENT		EACH ACCIDENT
EMPLOYERS' LIABILITY	BODILY INJURY BY DISEASE		EACH EMPLOYEE
	BODILY INJURY BY DISEASE		POLICY LIMIT
AUTOMOBILE LIABILITY	Policy Number 048688337	Effective Date 11/08/2009	Expiration Date 11/08/2010
Coverage Basis		Limits	
<input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS		Combined Single Limit of Liability	
		BODILY INJURY & PROPERTY DAMAGE	\$1,000,000 / EACH ACCIDENT
<input type="checkbox"/> SPECIFIED AUTO <input checked="" type="checkbox"/> NON-OWNED AUTOS		Split Liability Limits	
		Bodily Injury	Property Damage
<input type="checkbox"/> OWNED PRIVATE PASSENGER AUTOS			Each PERSON
<input type="checkbox"/> OWNED AUTOS OTHER THAN PRIVATE PASSENGER			ACCIDENT
UMBRELLA LIABILITY	Policy Number	Effective Date	Expiration Date
EACH OCCURRENCE	GENERAL AGGREGATE	PRODUCTS - COMPLETED OPERATIONS AGGREGATE	
OTHER (Show type of Policy)	Policy Number 050001000	Effective Date 1/17/2008	Expiration Date 1/17/2009

RISK MANAGEMENT
 Approved

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS
 CERTIFICATE HOLDER(S) NAMED AS ADDITIONAL INSURED(S)

[Signature]
 By _____ Date _____

CANCELLATION
 Number of days notice 30 *[Signature]* DOUG MOORE (909) 463-6716 December 8, 2009
 Authorized Representative Date

Should any of the above described policies be cancelled before the expiration date, the issuing company will endeavor to mail within the number of days entered above, written notice to the certificate holder named above. But failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives



P.O. BOX 420807, SAN FRANCISCO, CA 94142-0807

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

NR-5 (CA)
ISSUE DATE: 11-01-2009

GROUP: 000238
POLICY NUMBER: 0013056-2009
CERTIFICATE ID: 5
CERTIFICATE EXPIRES: 11-01-2010
11-01-2009/11-01-2010

MORENO VALLEY COMMUNITY SERVICES DISTRICT SJ
PO BOX 88005
MORENO VALLEY CA 92552

This is to certify that we have issued a valid Workers' Compensation insurance policy in a form approved by the California Insurance Commissioner to the employer named below for the policy period indicated.

This policy is not subject to cancellation by the Fund except upon 10 days advance written notice to the employer.

We will also give you 10 days advance notice should this policy be cancelled prior to its normal expiration.

This certificate of insurance is not an insurance policy and does not amend, extend or alter the coverage afforded by the policy listed herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate of insurance may be issued or to which it may pertain, the insurance afforded by the policy described herein is subject to all the terms, exclusions, and conditions, of such policy.

James Neary
AUTHORIZED REPRESENTATIVE

Janet Frank
PRESIDENT

EMPLOYER'S LIABILITY LIMIT INCLUDING DEFENSE COSTS: \$1,000,000 PER OCCURRENCE.

ENDORSEMENT #1600 - SANCHEZ, DANIEL, PRESIDENT - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, TERRY, VICEPRES - EXCLUDED.

ENDORSEMENT #1600 - SANCHEZ, NATHAN, SECRETARY TREASURER - EXCLUDED.

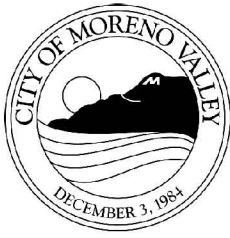
RISK MANAGEMENT
Approved

M. Wong 11/4/09
By Date

EMPLOYER

DES LANDSCAPE INC
PO BOX 67
REDLANDS CA 92373

SJ



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council, and the Mayor and City Council, acting in their capacity as President and Board of Directors for the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: June 22, 2010

TITLE: Authorization to Close Public Streets for the Independence Day Festivities on Saturday, July 3, 2010 and Sunday, July 4, 2010.

RECOMMENDED ACTION

Staff recommends that the City Council and the Mayor and the President and Board of Directors for the Moreno Valley Community Services District:

1. Authorize the closure of the following streets between the hours of 7:00 a.m. and 12:00 noon for the purpose of conducting the Fourth of July Parade scheduled to take place on July 3, 2010.
 - a. TownGate Boulevard between Frederick Street, Eucalyptus Avenue and Memorial Way;
 - b. Frederick Street between Centerpointe Drive and Cactus Avenue;
 - c. Cottonwood Avenue between Pan Am Boulevard and Dunhill Drive;
 - d. Eucalyptus Avenue between Pan Am Boulevard and Kochi Drive;
 - e. Dracaea Avenue between Pan Am Boulevard and Kochi Drive;
 - f. Atlantic Circle east of Frederick Street;
 - g. Brabham Street between Frederick Street and Andretti Street;
 - h. TownGate Boulevard between Frederick Street and Heritage Way;
 - i. Bay Avenue between Kristina Court and Courage Street;
 - j. Alessandro Boulevard between Chagall Court and Elsworth Street;
 - k. Alessandro Boulevard between Joy Street and Cactus Avenue;
 - l. Resource Way between Frederick Street and Corporate Way;
 - m. Corporate Way between Calle San Juan de Los Lagos and Resource Way;

- n. Calle San Juan de Los Lagos between Frederick Street and Veterans Way;
 - o. Veterans Way between Cactus Avenue and Alessandro Boulevard;
 - p. New Hope between Veterans Way and Elsworth; and
 - q. Heritage Way between TownGate Boulevard and Town Circle.
2. Authorize the closure of the following streets to through traffic, to remain open only to residents, between the hours of 11:00 a.m. and 9:00 p.m. for the purpose of conducting the Fourth of July Festival and Fireworks Program scheduled to take place on July 4, 2010.
- a. Petaluma Avenue between Napa Valley and Morrison Street;
 - b. Napa Valley between Dracaea Avenue and Petaluma Avenue;
 - c. Lakeport Drive at Cottonwood Avenue;
 - d. Burney Pass Drive between Cottonwood Avenue and Dracaea Avenue;
 - e. Rockport Drive between Yuba Pass Road and Morrison Street;
 - f. Dracaea Avenue between Morrison Street and Nason Street;
 - g. Letterman Street at Cottonwood Avenue;
 - h. Athletics Drive at Cottonwood Avenue; and
 - i. Mascot Lane at Dracaea Avenue.

The streets closed to through traffic are to prevent overflow parking from the fireworks program into residential areas. Also, for a short period and immediately following the fireworks display, staff recommends that the City Council authorize one-way traffic on various streets in the vicinity of Morrison Park as directed by the Moreno Valley Police Department.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

For the past 24 years, the City has sponsored the Independence Day Celebration, which includes the parade, festivities, and fireworks program. Last year's parade was a success with more than 100 entries comprised largely of local businesses, church groups, youth groups, and other non-profit organizations. The proposed parade route is similar to last year's parade route. The parade street closures are similar to the street closures for the 2009 parade route. Approximately 7,000 spectators attended the 2009 Independence Day Parade.

The Independence Day Festival and Fireworks Display were also successful in attracting an estimated 20,000 spectators to Morrison Park and Mountain View Middle School. Those in attendance enjoyed the festival atmosphere throughout the day and the excitement of the fireworks display that evening.

DISCUSSION

The 2010 Independence Day festivities this year will be a two-day celebration. Detailed below is the discussion of the events planned and street closures for the Independence Day Program activities:

1. Parade Discussion

The parade this year will take place on July 3, 2010. Similar to the 2009 parade route, staff is recommending utilizing the parking lot at Gateway Commercial Center (south of City Hall) as parade parking. Parade participants will enter north onto Veterans Way from Golden Crest or Cactus Avenue and check in near San Juan De Los Lagos. Staging for the parade will take place on Calle San Juan de Los Lagos, Corporate Way and Resource Way. The parade route will begin on Frederick Street at Alessandro Boulevard and go north on Frederick Street to TownGate Boulevard, turn west on TownGate Boulevard, turn north onto Heritage Way and disband into the parking lot located between the rear of the Mervyns store and the theater in the TownGate Shopping Center. The parade will begin promptly at 9:30 a.m. and conclude prior to 12:00 noon.

The street closures being requested will allow sufficient time for safe passage during the event for all event participants and spectators. Traffic entering and/or leaving commercial establishments will be restricted during the parade. All barricades at intersections will be removed no later than 12:00 noon. Police officers will be stationed at the following major intersections for safety purposes.

- Cactus Avenue and Frederick Street
- Alessandro Boulevard and Frederick Street
- Cottonwood Avenue and Frederick Street
- Frederick Street and TownGate Boulevard
- TownGate Boulevard and Heritage Way
- Veterans Way and Alessandro Boulevard
- Heritage Way and Town Circle

2. Festival and Fireworks Display Discussion

The second day of the festivities will continue on July 4, 2010 from 2 p.m. - 10:00 p.m. with the Family Fun Fest activities at Mountain View Middle School/Morrison Park. Similar to last year's 2009 festival, the afternoon activities will be held at Mountain View Middle School and Morrison Park. Staff is anticipating approximately 20,000 spectators to attend the festivities. The concert headliner this year is "The Beach Toys" who promises to bring back great memories with "A Tribute to the Beach Boys" and "Paperback Writer who promises to bring back great memories with "A Tribute to the Beatles". The afternoon festivities begin at 2:00 p.m., and will conclude at approximately 9:30 p.m. with the fireworks

display. Activities at the festival also include food, arts and crafts, and non-profit information booths.

Based on past years, the Moreno Valley Police Department and the Transportation Division are recommending closure of the previously mentioned streets to allow sufficient time for safe passage before, during and after the event for all event participants and spectators. All barricades at intersections will be removed no later than 10:00 p.m. Police officers will be stationed at major intersections as directed by the Moreno Valley Police Department.

As part of the Fourth of July planning process, businesses and residents that are potentially affected by the street closures will receive written notification of the street closures scheduled to take place on July 3, 2010 and July 4, 2010.

ALTERNATIVES

1. Approve street closures as outlined above.
2. Provide direction to staff on alternate parade route and/or street closures.

FISCAL IMPACT

The planning and coordinating of this event begin prior to the FY 2010/2011. Funds proposed for the Independence Day Celebration are partially allocated in the Moreno Valley Community Services District Zone A fund FY 2009/2010 and partially allocated in the proposed Moreno Valley Community Services District Zone A fund FY 2010/2011. In an effort to offset expenditures staff has been soliciting sponsors for this event.

CITY COUNCIL GOALS

Not applicable.

SUMMARY

The 2010 Independence Day festivities this year will be a two-day celebration. Staff is requesting that City Council authorize the street closures outlined above for the City's Independence Day Celebration. The parade street closures are similar to the street closures for the 2009 parade route. The parade will take place on Saturday, July 3, 2010 and will step off at 9:30 a.m. from Frederick Street, south of Alessandro Boulevard. The festival will take place on Sunday, July 4, 2010, street closures are similar to the 2009 street closures adjacent to the festival.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

1. 2010 Proposed Parade Route Map
2. 2010 Proposed Closure Map

Prepared By:
 Cecilia Gonzales
 Community Services Supervisor

Department Head Approval:
 Michael McCarty
 Parks and Community Services Director

Concurred By:
 Eric Lewis
 City Traffic Engineer

Concurred By:
 John Anderson
 Police Chief

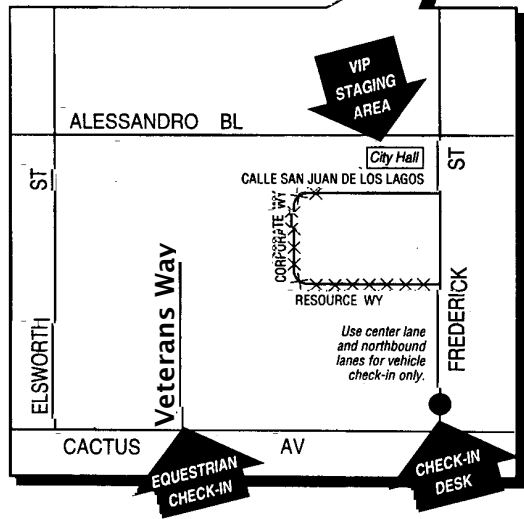
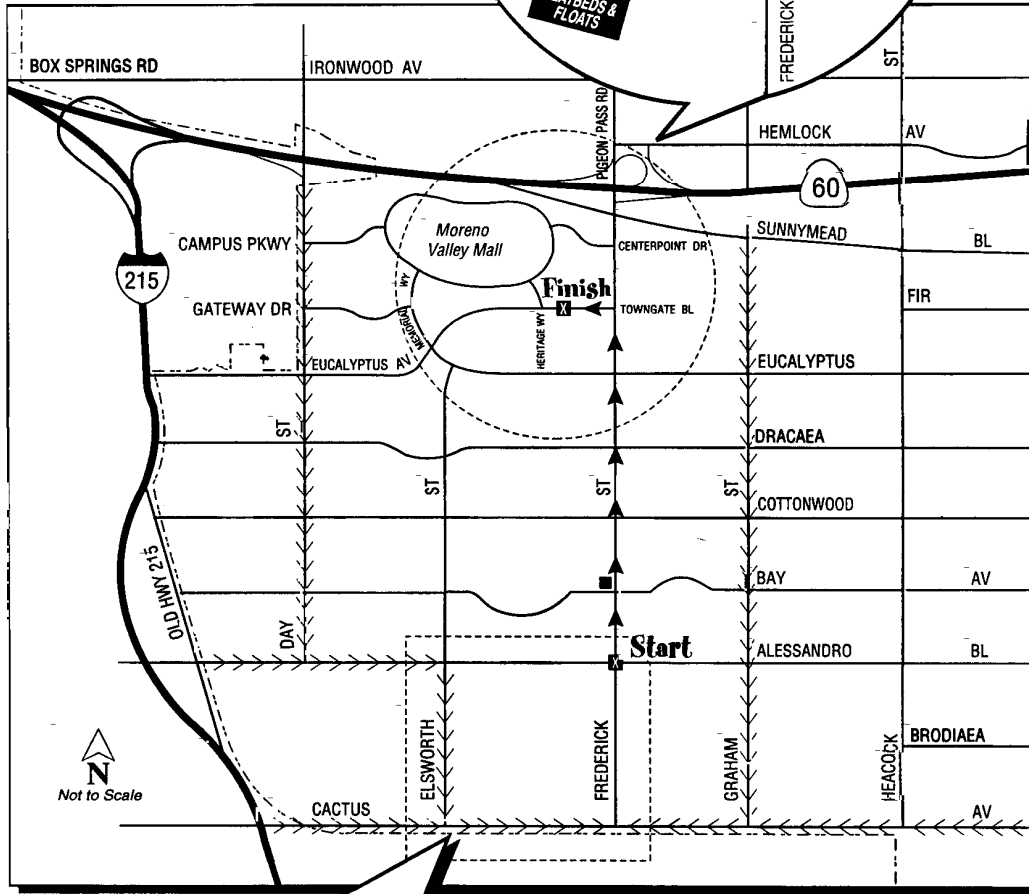
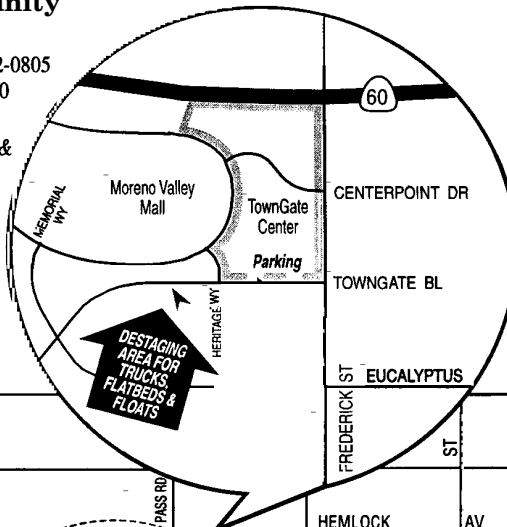
Council Action	
Approved as requested:	Referred to:
Approved as amended:	For:
Denied:	Continued until:
Other:	Hearing set for:

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**Moreno Valley
Parks & Community**

P.O. Box 88005
 Moreno Valley, CA 92552-0805
 Telephone: (951) 413-3280
 FAX: (951) 413-3719
 For pre-recorded parade & festival information, call:
 (909) 413-3281

**Independence Day
Parade Route
Saturday, July 3, 2010**



**IMPORTANT—
Please Read!**

Please report first to the check-in desk located on Frederick Street north of Cactus Avenue. Equestrian check-in desk is located at Newhope Street & Cactus Avenue.

**Please note the following timetable:
Saturday, July 3, 2010**

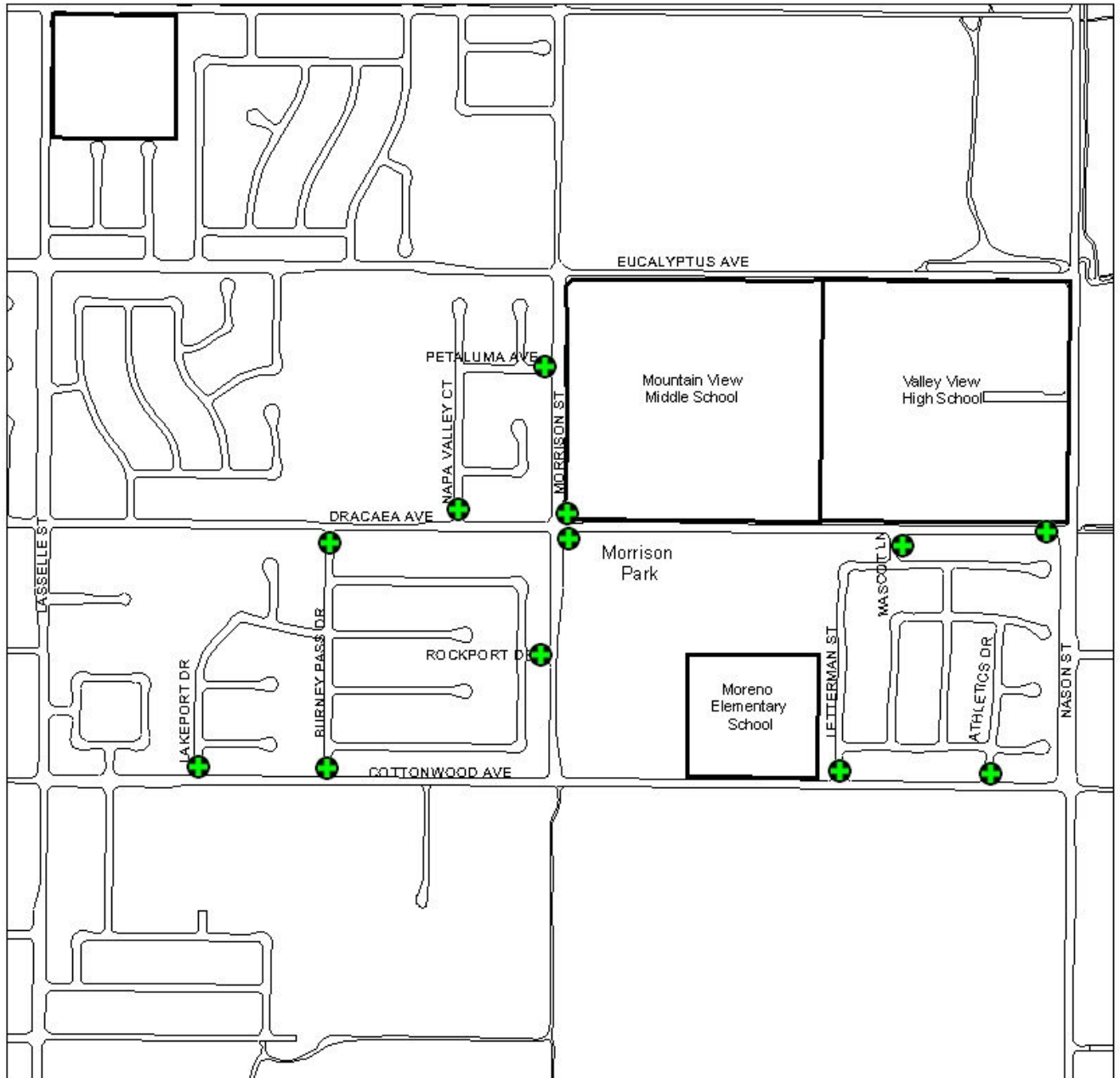
- Check-in and staging begins at 7:30 a.m.
- Parade will begin at approximately 9:30 a.m.

Legend

- ▲ Parade Route
- × Staging Area
- > Check-In Approach Routes
- Judging Stand

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July 4th Festival Street Closures



Traffic Control Notes

-  Barricade with "ROAD CLOSED" signs



Not To Scale

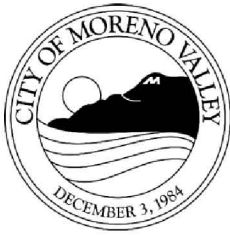
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**MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report
of: City Clerk's Department)**

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council and Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director
Chris A. Vogt, P.E., Public Works Director/City Engineer

AGENDA DATE: June 22, 2010

TITLE: AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR AUTO MALL FREEWAY PYLON SIGN PROJECT
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder.
2. Authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency.
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City Attorney.

Staff recommends that the Community Redevelopment Agency:

1. Accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto.

2. Authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency.
3. Authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725)

BACKGROUND

The preliminary engineering and conceptual design plan for the Auto Mall Improvements was awarded to VA Consulting, Inc. by the City Council at its meeting on September 23, 2008. On January 13, 2009, the City Council approved the Auto Mall Improvements Project as part of the reprioritization of Capital Projects to be funded by 2007 RDA Bonds. A final conceptual plan to rejuvenate the mall was presented to the City Council Study Session on March 17, 2009 and was approved for final design. VA Consulting, Inc. was authorized to proceed with the final design plans and specifications by the City Council at its meeting on April 28, 2009. The major elements of the plan consist of sign monuments, vehicle display areas and landscaping enhancement of Auto Mall Drive. The pylon sign is the first improvement in the two-phase conceptual improvement plan.

DISCUSSION

The Moreno Valley Auto Mall is currently comprised of five (5) auto dealerships and six (6) vacant parcels. The City and the Redevelopment Agency have been working with the Auto Mall dealers to explore various ways to increase business advantages by creating attractive visual displays of dealer products and other aesthetic elements. The goal is to help provide increased awareness and interaction between prospective customers and business owners. The increase in Auto Mall business has the potential to increase additional opportunities for employment and enhance other long term related business benefits for the local community.

The pylon sign is an integral element of the conceptual plan. The sign is located on the south side of the SR60 freeway, east of Moreno Beach Drive. This project will replace the existing aged and worn freeway sign with a new up-to-date high-tech two- (2) sided sign that includes a larger video display. The sign will be, in conformance with the "Specific Plan #5 Sign", 31 feet wide and stand approximately 85 feet in height, as seen from the freeway.

The new pylon sign will enhance awareness of the Auto Mall's location from both directions of the freeway with its highly visible color video display, which measures approximately 21 feet high by 29 feet wide. To augment awareness of the Auto Mall dealers, there will be eight (8) large dealership panels below the video display.

This project was determined to be “Categorical Exemption” (CE) pursuant to Section 15311, “Accessory Structures” and Section 15301, “Existing Facilities”, of the State CEQA Guidelines.

The project was advertised for bids on April 22, 2010. Formal bidding procedures were followed in conformance with the Public Contract Code (PCC) and the City Clerk opened bids at 2:00 p.m., on May 25, 2010, for the subject project.

Six (6) valid bids received are as follows:

<u>CONTRACTORS</u>	<u>Bid Amount</u>
1. San Pedro Sign Company	\$706, 716.00
2. National Sign & Marketing Corp.	\$719,814.00
3. Sign Industries, Inc.....	\$756,898.65
4. YESCO.....	\$777,915.00
5. Flouresco Lighting & Signs.....	\$948,769.00
6. Ad Art, Inc.....	\$1,146,180.00
Engineer’s Estimate	\$1,218,200.00

Staff has reviewed the bid by San Pedro Sign Company and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by San Pedro Sign Company.

The project was bid on the basis of a Base Bid and one (1) Additive Alternate "A" Bid. The Base Bid includes the design, manufacturing, and installation of the pylon sign. Additive Alternate Bid "A" includes a stone veneer base and extended sign programming maintenance warranty and service agreement. The bid documents stipulated that the low bidder would be determined on the basis of the total of the Base Bid and the Additive Alternate Bid. Staff recommends, and this Report reflects, the award of the Contract to cover the Base Bid plus the Additive Alternate Bid "A" option.

The requested subsequent assignment of the contract from the City to the Community Redevelopment Agency will obligate the RDA funds and not the General Fund.

ALTERNATIVES

1. Award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City

Attorney; accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will allow for much needed improvements.*

2. Do not award the construction contract for the Auto Mall Freeway Pylon Sign Project to San Pedro Sign Company, 701 Lakme Avenue, Wilmington, CA 90744, the lowest responsible bidder; do not authorize the City Manager to execute the contract with San Pedro Sign Company, in the form attached hereto, and to subsequently assign said contract to the Community Redevelopment Agency; do not authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with San Pedro Sign Company, up to but not to exceed the Purchase Order contingency of \$106,008, subject to the approval of the City Attorney; do not accept the assignment of the contract with San Pedro Sign Company from the City in the form attached hereto; do not authorize the City Manager, acting in his capacity as the Executive Director of the Community Redevelopment Agency of the City of Moreno Valley, to execute the Assignment Agreement in the form attached hereto on behalf of the Community Redevelopment Agency; do not authorize the issuance of a Purchase Order to San Pedro Sign Company in the amount of \$812,724 (\$706,716 for the Base Bid and Additive Alternate "A" plus \$106,008 for the 15% contingency) when the contract has been signed by all parties. (Account Number 897.91725) *This alternative will delay the completion of much needed improvements.*

FISCAL IMPACT

The Moreno Valley Auto Mall Improvements construction phase of this project is included in Fiscal Year 2009-2010 Budget and is funded by Fund 897 (RDA 2007 Tax Allocation Bonds). **These funds have been allocated for the Moreno Valley Auto Mall Improvements project and cannot be utilized for operational activities.** There is no impact on the General Fund.

AVAILABLE FUNDS:

Fiscal Year 2009/2010 Budget (Account No. 897.91725)..... \$1,742,000

ESTIMATED CONSTRUCTION RELATED COSTS:

Design Support Services.....	\$10,000
Contractor Construction Costs (includes 15% contingency).....	\$813,000
Project Administration and City Inspection Costs*	\$ 50,000
Construction Geotechnical Services.....	\$ 12,000

Miscellaneous	\$ 5,000
Total Estimated Construction Related Costs	\$890,000

** Public Works and consultant staff will provide Project Administration and inspection services.*

ANTICIPATED PROJECT SCHEDULE:

Notice of Award	July 2010
Start Construction.....	August 2010
Complete Construction.....	March 2011

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley’s future.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The proposed project constructs a new pylon sign for the Moreno Valley Auto Mall. The sign will enhance awareness of the Auto Mall’s location from both directions of the freeway and will provide the opportunity for increased business by creating attractive aesthetic elements. The City Council is requested to approve the award of the construction to San Pedro Sign Company and the Community Redevelopment Agency is requested to accept the assignment of the construction contract to San Pedro Sign Company and to issue a Purchase Order in the amount of \$812,724.

NOTIFICATION

Adjacent property owners, law enforcement, fire department and other emergency services responders in the area will be notified of the proposed construction.

ATTACHMENTS

- Attachment “A” – Vicinity Map
- Attachment “B” – Agreement with San Pedro Sign Company
- Attachment “C” – Assignment Agreement

Prepared By:
 Guy Pegan, P.E.
 Senior Engineer

Department Head Approval:
 Barry Foster
 Economic Development Director

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

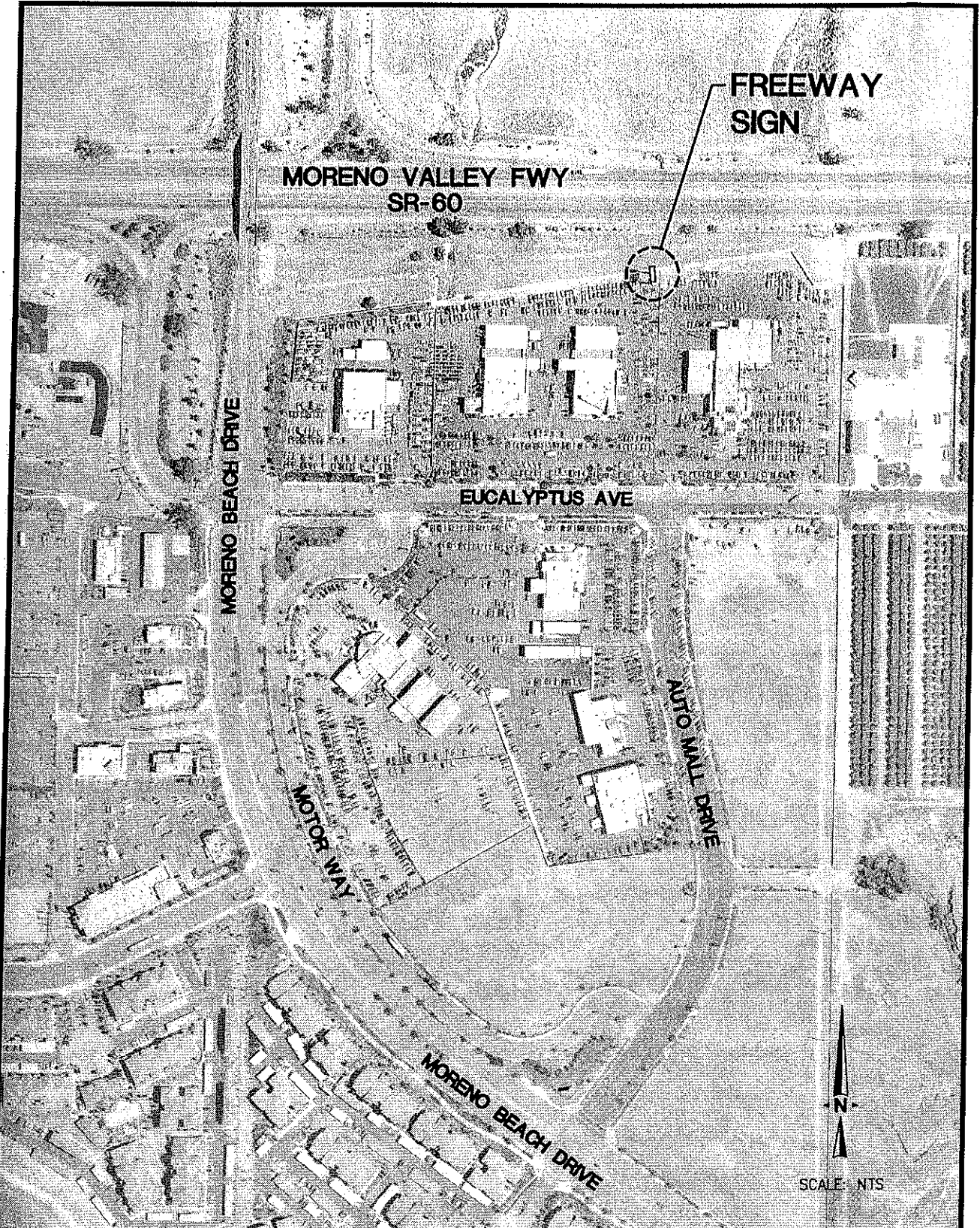
Department Head Approval:
 Chris A. Vogt, P.E.
 Public Works Director/City Engineer

Concurred By:
 Michele Patterson
 Redevelopment & Neighborhood Programs Administrator

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

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Drawing Name: X:\Projects\1034_0801\Eng\CADD\DWG\Exhibits\EXH04_PLOT PLANS\1034_0601-EXH-SitePlan.dwg
Last Opened: Mar 18, 2010 - 8:51am by abosman



VA Consulting, Inc.
CONSULTING ENGINEERS - PLANNERS - SURVEYORS

EXHIBIT A
VICINITY MAP

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AGREEMENT

PROJECT NO. ED-09-89791725

CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT

THIS Contract Agreement, made and entered into as of the date signed by the City Manager of the City of Moreno Valley, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and San Pedro Sign Company hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following:
 - a. Any and all Contract Change Orders issued after execution of this Agreement
 - b. Addenda Nos. 2 inclusive, issued prior to the opening of the Bids
 - c. The bound Bid Documents
 - d. The Special Provisions which include the General Provisions and Technical Provisions, all of which are parts of this Agreement
 - e. The project Plans
 - f. The Standard Plans
 - g. The Standard Specifications
 - h. Reference Specifications, all of which are essential parts of this Agreement
 - i. The Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit

In the event of any conflict in the provisions thereof, the terms of said Bid Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **\$706,716.00**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fourteen (14) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **ONE HUNDRED SIXTY-FIVE (165) working days** after said date in the first "Notice to Proceed," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is

ATTACHMENT "B"

AGREEMENT
PROJECT NO. ED-09-89791725

not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of \$600.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy.

It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (60) days prior written notice by certified or registered mail of amendments or cancellation to the City. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 60 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate

**AGREEMENT
PROJECT NO. ED-09-89791725**

protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	\$500,000.00	\$2,000,000.00	\$2,000,000.00
Property Damage	---	\$2,000,000.00	\$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of \$2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than \$1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or material for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

AGREEMENT
PROJECT NO. ED-09-89791725

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), the Moreno Valley Community Services District (CSD), its officers, agents, employees, representatives and consultants harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

AGREEMENT
PROJECT NO. ED-09-89791725

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

**AGREEMENT
PROJECT NO. ED-09-89791725**

THE CITY OF MORENO VALLEY,
Municipal Corporation

TBD CONTRACTOR

BY: _____
City Manager

License No./ Classification: _____

DATE: _____

Expiration Date: _____

Federal I.D. No.: _____

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

City Attorney

Date
RECOMMENDED FOR APPROVAL:

Economic Development Director / Date

Public Works Director/City Engineer / Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____
(Here insert name and title of the officer)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

• *Securely* attach this document to the signed document.

BOND NO. _____

PREMIUM \$ _____

**FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)**

PROJECT NO. ED-09-89791725

**CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT**

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City," has awarded to **San Pedro Sign Company** as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager of the City of Moreno Valley, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and _____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, (\$ _____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

**FAITHFUL PERFORMANCE BOND
PROJECT NO. ED-09-89791725**

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 20____.

CONTRACTOR (Principal)

SURETY

Contractor Name: _____

Name: _____

Address: _____

Address: _____

Telephone No.: _____

Telephone No.: _____

Print Name: _____

Print Name: _____

Attorney-in-Fact

Signature: _____

Signature: _____

Approved as to Form this

_____ day of _____ 20____

City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
 Corporate Officer

(Title)

- Partner (s)
 Attorney-in-Fact
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

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- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

BOND NO. _____

PREMIUM \$ _____

**LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)**

PROJECT NO. ED-09-89791725

**CITY OF MORENO VALLEY AUTO MALL
FREEWAY PYLON SIGN PROJECT**

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City of Moreno Valley, State of California, known as "City", has awarded to **San Pedro Sign Company**, as Principal hereinafter designated as "Contractor" and have entered into a Contract Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Contract Agreement, effective on the date signed by the City Manager, and identified as **Project No. ED-09-89791725**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____ dollars, (\$ _____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

**LABOR AND MATERIALS PAYMENT BOND
PROJECT NO. ED-09-89791725**

BOND NO.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 20 ____.

CONTRACTOR (Principal)

SURETY

Contractor Name: _____

Name: _____

Address: _____

Address: _____

Telephone No.: _____

Telephone No.: _____

Print Name: _____

Print Name: _____

Attorney-in-Fact

Signature: _____

Signature: _____

Approved as to Form this

_____ day of _____ 20 ____

City Attorney

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledgement to me that he/she they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Notary Seal)

Signature of Notary Public

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS BOND SIGNATURE PAGE

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
 Corporate Officer

(Title)

- Partner (s)
 Attorney-in-Fact
 Other _____

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
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 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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ASSIGNMENT OF CONSTRUCTION AGREEMENT

Whereas, on _____, the City of Moreno Valley entered into a Construction Agreement for the Auto Mall Freeway Pylon Sign Project Improvements ("Agreement") with _____, hereinafter referred to as "Contractor".

Whereas, for accounting, clarity, and other purposes, the City of Moreno Valley desires to assign all of its interest, rights, and obligations in the Agreement to the Community Redevelopment Agency of the City of Moreno Valley, hereinafter referred to as "RDA".

Section 1. Assignment

1.1 The City of Moreno Valley hereby assigns all of its interests, rights, and obligations in and to the Agreement to the Community Redevelopment Agency of the City of Moreno Valley. The RDA shall be obligated to the same terms of the City in the Agreement.

1.2 By signing this Assignment, the City of Moreno Valley, the RDA, and the Contractor agree to this Assignment.

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

City of Moreno Valley

Company Name

By: _____
William Bopf
City Manager

By: _____
Name
President

Date: _____

Date: _____

Community Redevelopment Agency of the City of Moreno Valley

By: _____
William Bopf
Executive Director

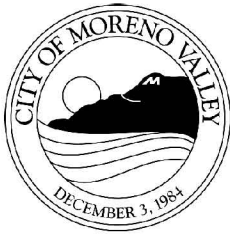
Date: _____

Approved as to Legal Form:

Suzanne Bryant
Deputy City Attorney

Date: _____

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council, and Acting in their Respective Capacities as President and Members of the Board of Directors of the Moreno Valley Community Services District

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

AGENDA DATE: June 22, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF THE PATRIOT PARK IMPROVEMENTS PROJECT
PROJECT NO. 08-28268628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211.
2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code.
3. Authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.

Staff recommends that the Board of Directors:

4. Authorize the President of the Board of Directors of the Community Services District (CSD) to accept the improvements into the CSD's maintained system.

BACKGROUND

On November 10, 2009, the City Council awarded the construction contract in the amount of \$246,001.41 to Desert Concepts Construction, Inc., for the Patriot Park

Improvements Project. A Purchase Order in the amount of \$282,901.62 (the bid amount plus 15% contingency) was issued to the Contractor.

DISCUSSION

The project involved the construction of the Patriot Park improvements on a vacant (approximate) one-half acre CSD property located at the southeast corner of Perris Boulevard and Filaree Avenue. The park improvements included play apparatus, a decomposed granite walking path, natural turf play area, picnic tables and benches together with landscaping, irrigation, area lighting, and perimeter fencing.

There was one Contract Change Order for this project. Contract Change Order No. 1 (Final) extended the construction completion date by 4 days but there was no change in the contract amount. The improvements were completed within the extended contract time of April 27, 2010, within budget, and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in payment to the Contractor and acceptance of the improvements into the CSD's maintained system.*
2. Do not accept the work as complete for the Patriot Park Improvements Project constructed by Desert Concepts Construction, Inc., 77-770 Country Club Drive, Suite D, Palm Desert, CA 92211, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code, do not authorize the Financial and Administrative Services Director to release the retention to Desert Concepts Construction, Inc., within thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project, and do not authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD's maintained system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the CSD's maintained system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Community Development Block Grant (CDBG) funds (Fund 282). Funding for maintenance is included in the Parks and Community Services District’s Fiscal Year 2009/2010 budget, and proposed for the Fiscal Year 2010/2011 budget.

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2009/2010 Funds (Account 282.68628)..... \$397,297

CONSTRUCTION RELATED COSTS:

Construction	\$246,000
City Purchased Equipment and Play Apparatus for Contractor Installation	\$56,000
Construction Geotechnical Services	\$6,000
Construction Survey Services.....	\$16,000
Project Administration*	<u>\$70,000</u>
Total Construction Related Costs	\$394,000

* Including: project construction management, reproduction, bid, award, and project closeout efforts

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

Create a positive environment for the development of Moreno Valley’s future.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:

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

SUMMARY

Desert Concepts Construction, Inc. has completed the Patriot Park Improvements Project. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to Desert Concepts Construction, Inc., and authorize the President of the Board of Directors of the CSD to accept the improvements into the CSD’s maintained system.

ATTACHMENT

Attachment “A” – Location Map

Prepared By:
Henry Ngo
Senior Engineer, P.E.

Concurred By:
Michele Patterson
Redevelopment & Neighborhood Programs
Administrator

Concurred By:
Tony Hetherman
Parks Project Coordinator

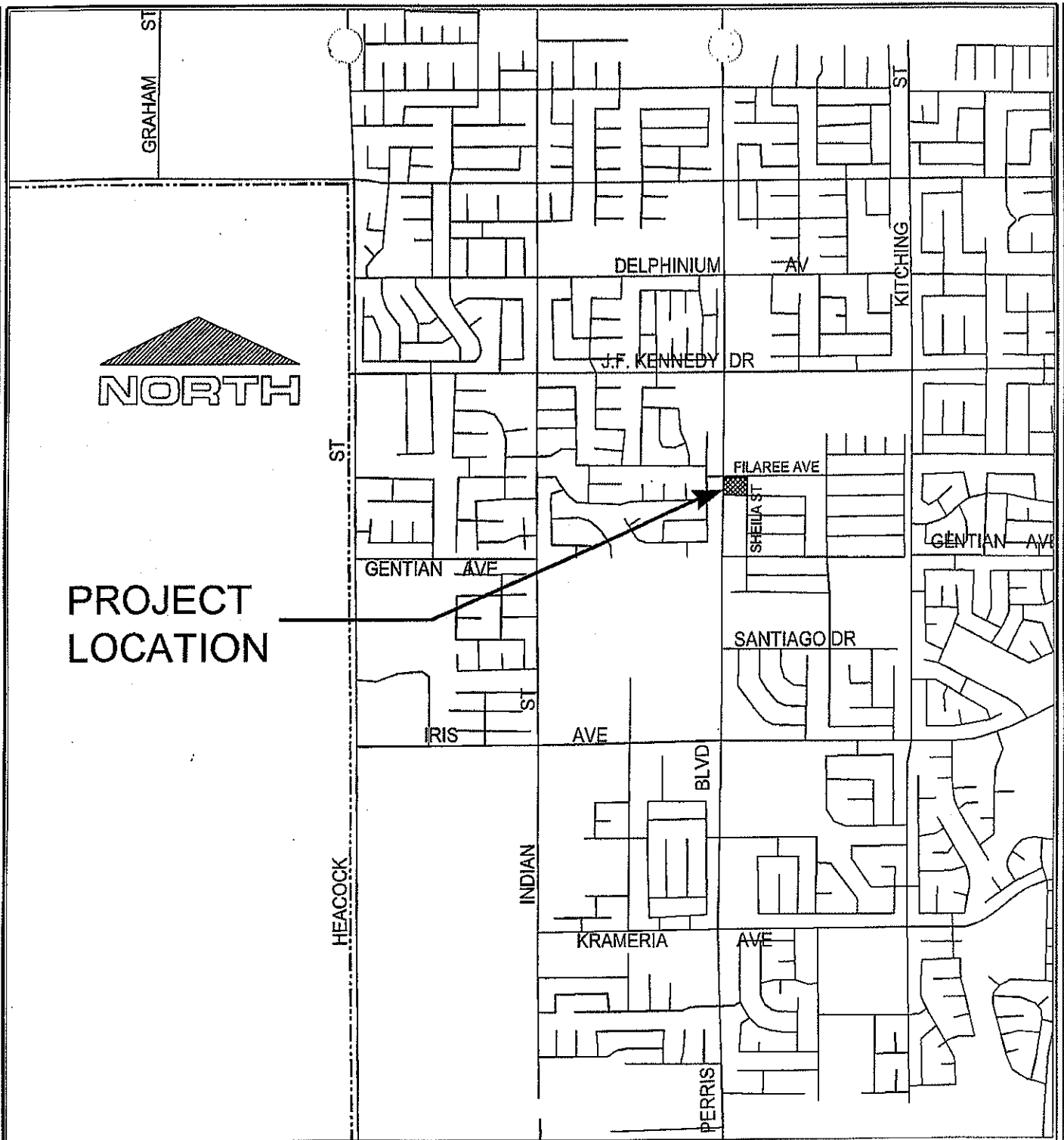
Department Head Approval
Mike McCarty
Parks and Community Services Director

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

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

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

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PROJECT
LOCATION

LOCATION MAP



Public Works Department
Capital Projects Division

Scale: None

Attachment "A"

Patriot Park

PROJECT NUMBER 08-28268628

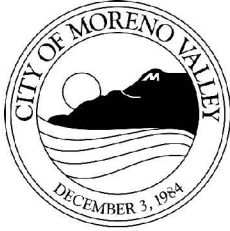
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**MINUTES - REGULAR MEETING OF JUNE 8, 2010 (Report
of: City Clerk's Department)**

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Ret</i>
CITY MANAGER	<i>WLB</i>

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE CITY OF MORENO VALLEY FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a Public Hearing to receive public comments on the City’s appropriations limit for Fiscal Year 2010-11; and
2. Adopt Resolution No. 2010-60 establishing the appropriations limit at \$84,193,306 for the City of Moreno Valley for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIIIB of the State Constitution. Article XIIIB sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the “Gann Limit”. Fiscal Year 1984-85 appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.
- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.
- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIII B of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.
- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.
- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds \$100,000.
- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.
- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the City's Fiscal Year 2010-11 appropriations limit is presented in Exhibit A, Proceeds of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The City's appropriations limit for Fiscal Year 2009-10 was \$85,198,650. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of \$84,193,306.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The City's total projected revenue proceeds from the General Fund are \$67,754,400. Of this amount, \$50,777,288 is identified as coming from tax proceeds, while \$16,977,112 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of \$50,777,288. This amount is \$33,416,018 below the City's legal appropriations limit of \$84,193,306.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Adopt Resolution No. 2010-60 establishing the City's Fiscal Year 2010-11 appropriations limit at \$84,193,306;
2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The City is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the City is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the City's appropriations limit is calculated to be \$84,193,306. The City's Preliminary Base Operating Budget contains appropriations subject to the limit totaling \$50,777,288. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is \$33,416,018 less than the City's Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations ("Gann") Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

- Resolution No. 2010-60
- Exhibit A - Proceeds of Tax Calculation
- Exhibit B - Appropriations (Gann) Limit Calculation
- Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
 Steve Hargis
 Acting Treasury Operations Division Manager

Department Head Approval:
 Steve Elam
 Interim Financial & Administrative Services Director

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

RESOLUTION NO. 2010-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIIB of the California Constitution and Section 7910 of the California Government Code require that each year the City of Moreno Valley shall by resolution, establish an appropriations limit for the City for the following fiscal year; and

WHEREAS, the City Council has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the City for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the City Council; and

WHEREAS, the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11 is hereby established at \$84,193,306, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be \$50,777,288.

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

1. That \$84,193,306 is hereby established as the appropriations limit for the City of Moreno Valley for Fiscal Year 2010-11.
2. The City Council hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriations (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the City of Moreno Valley reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIIB of the California Constitution if such changes or revisions would result in a more advantageous appropriation limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor of the County of Riverside.
4. Within fifteen days after the adoption of this Resolution, the City Clerk shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

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EXHIBIT A

CITY OF MORENO VALLEY
 APPROPRIATIONS (GANN) LIMIT
 PROCEEDS OF TAX CALCULATION
 GENERAL FUND FY 10/11

<u>REVENUE SOURCE</u>	<u>BUDGETED PROCEEDS OF TAX</u>	<u>BUDGETED NON-PROCEEDS OF TAX</u>	<u>TOTAL REVENUE</u>
<u>Taxes</u>			
Property (1)	\$ 20,369,500		\$ 20,369,500
Sales (2)	9,735,100		9,735,100
Motor Vehicle In-Lieu	360,000		360,000
Business Gross Receipts	906,500		906,500
Utility Users	15,200,000		15,200,000
Other Taxes	850,000		850,000
<u>Fees</u>			
Franchise		4,800,000	4,800,000
Development Fees		3,597,700	3,597,700
Other Fees, Permits & Licenses		2,772,800	2,772,800
Fines & Forfeitures		1,000,000	1,000,000
Administrative Charges		2,691,500	2,691,500
Intergovernmental		283,500	283,500
Miscellaneous		709,300	709,300
Total	\$ 47,421,100	\$ 15,854,800	\$ 63,275,900
% of Total	74.94	25.06	100.00
Allocation of Interest	3,356,188	1,122,312	4,478,500
Adjusted Total	\$ 50,777,288	\$ 16,977,112	\$ 67,754,400

Revenues are based on FY 2010/11 Proposed Budget

Notes:

- (1) Includes Property Tax In-Lieu of Vehicle License Fees
- (2) Includes Property Tax In-Lieu of Sales Tax

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EXHIBIT B

**CITY OF MORENO VALLEY
 APPROPRIATIONS (GANN) LIMIT CALCULATION
 GENERAL FUND FY 2010-11**

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	\$ 67,754,400
Less: Non-Proceeds of Tax	16,977,112
A) Total Appropriations Subject to the Limit	<u>\$ 50,777,288</u>

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit	\$ 85,198,650												
C) Change Factor **	<table border="0"> <tr> <td></td> <td align="center"><u>% Increase</u></td> <td align="center"><u>Factor</u></td> </tr> <tr> <td>Cost of Living Adjustment - CPI</td> <td align="center">-2.54</td> <td align="center">0.9746</td> </tr> <tr> <td>Population Adjustment - PA</td> <td align="center">1.40</td> <td align="center">1.0140</td> </tr> <tr> <td>Change Factor (CPI x PA)</td> <td align="center"><u>0.9882</u></td> <td></td> </tr> </table>		<u>% Increase</u>	<u>Factor</u>	Cost of Living Adjustment - CPI	-2.54	0.9746	Population Adjustment - PA	1.40	1.0140	Change Factor (CPI x PA)	<u>0.9882</u>	
	<u>% Increase</u>	<u>Factor</u>											
Cost of Living Adjustment - CPI	-2.54	0.9746											
Population Adjustment - PA	1.40	1.0140											
Change Factor (CPI x PA)	<u>0.9882</u>												
D) Increase (decrease) in Appropriations Limit	(1,005,344)												
E) FY 2010-11 Appropriations Limit (B x C)	<u>\$ 84,193,306</u>												

REMAINING APPROPRIATIONS CAPACITY

(E - A)	<u>\$ 33,416,018</u>
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	<u>39.69</u>

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

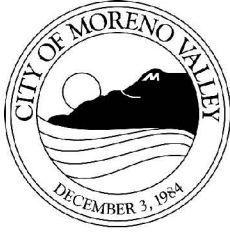
** State Department of Finance
 Percent of Change in California Per Capita Income
 Percent of Change in City of Moreno Valley Population

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CITY OF MORENO VALLEY
 SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
 GENERAL FUND AND COMMUNITY SERVICES DISTRICT

FISCAL YEAR	COST OF LIVING CHANGE		POPULATION CHANGE	GENERAL FUND			COMMUNITY SERVICES DISTRICT		
	CHANGE			APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	
1984-85	-		-	\$1,489,525	\$6,510,475	\$1,000,000	\$225,224	\$774,776	
1985-86	3.74%		-	\$5,801,524	\$2,497,676	\$1,037,400	\$366,257	\$671,143	
1986-87	2.30%		13.34%	\$7,182,998	\$3,556,625	\$1,730,616	\$571,404	\$1,159,212	
1987-88	3.40%		21.27%	\$8,186,487	\$5,233,382	\$2,162,519	\$514,685	\$1,647,834	
1988-89	3.93%		13.98%	\$9,117,625	\$6,779,473	\$2,561,707	\$595,770	\$1,965,937	
1989-90	4.98%		11.53%	\$10,193,243	\$8,419,746	\$2,999,354	\$973,431	\$2,025,923	
1990-91	4.21%		12.34%	\$12,168,319	\$9,621,817	\$3,511,329	\$1,447,368	\$2,063,961	
1991-92	4.14%		9.53%	\$12,702,824	\$12,481,301	\$4,058,248	\$1,068,016	\$2,990,232	
1992-93	-0.64%		4.74%	\$21,751,950	\$4,457,169	\$4,223,419	\$1,127,115	\$3,096,304	
1993-94	2.72%		3.69%	\$22,167,783	\$5,747,550	\$4,498,364	\$1,090,166	\$3,408,198	
1994-95	0.71%		2.56%	\$22,191,470	\$6,642,277	\$4,646,360	\$839,650	\$3,806,710	
1995-96	4.72%		2.66%	\$21,770,020	\$9,229,141	\$4,995,302	\$1,018,520	\$3,976,782	
1996-97	4.67%		1.91%	\$22,117,750	\$10,949,055	\$5,328,489	\$952,480	\$4,376,009	
1997-98	4.67%		0.19%	\$22,635,500	\$12,041,658	\$5,587,986	\$952,480	\$4,635,506	
1998-99	4.15%		4.44%	\$23,919,000	\$13,799,345	\$6,078,052	\$1,000,500	\$5,077,552	
1999-00	4.53%		2.29%	\$26,298,904	\$14,029,550	\$6,498,653	\$1,796,366	\$4,702,287	
2000-01	4.91%		3.36%	\$27,701,784	\$16,026,359	\$7,046,489	\$1,831,589	\$5,214,900	
2001-02	7.82%		5.68%	\$30,910,955	\$18,912,891	\$8,028,770	\$2,074,425	\$5,954,345	
2002-03	-1.27%		3.88%	\$34,456,312	\$16,643,024	\$8,234,307	\$2,244,708	\$5,989,599	
2003-04	2.31%		3.72%	\$37,805,936	\$16,420,679	\$8,738,247	\$2,465,590	\$6,272,657	
2004-05	3.28%		4.17%	\$42,094,636	\$16,247,779	\$9,401,480	\$2,727,571	\$6,673,909	
2005-06	5.26%		6.59%	\$48,100,800	\$17,359,390	\$10,548,461	\$3,016,336	\$7,532,125	
06-07	3.96%		5.59%	\$59,592,475	\$12,263,176	\$11,579,046	\$3,987,532	\$7,591,514	
07-08	4.42%		3.38%	\$72,653,027	\$4,915,148	\$12,499,580	\$4,615,504	\$7,884,076	
08-09	4.29%		2.79%	\$68,506,576	\$14,646,508	\$13,399,550	\$4,685,689	\$8,713,861	
09-10	0.62%		1.83%	\$56,124,960	\$29,073,690	\$13,729,179	\$4,108,012	\$9,621,167	
10-11	-2.54%		1.40%	\$50,777,288	\$33,416,018	\$13,567,175	\$3,059,579	\$10,507,595	

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council, acting in their capacity as President and Board Members of the Moreno Valley Community Services District

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: PUBLIC HEARING AND ADOPTION OF RESOLUTION ESTABLISHING APPROPRIATIONS (“GANN”) LIMIT FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT FOR FISCAL YEAR 2010-11

RECOMMENDED ACTION

Staff recommends that the Board:

1. Conduct a Public Hearing to receive public comments on the Moreno Valley Community Services District’s appropriations limit for Fiscal Year 2010-11; and
2. Adopt Resolution No. CSD 2010-19 establishing the appropriations limit at \$13,567,175 for the Moreno Valley Community Services District for Fiscal Year 2010-11.

BACKGROUND

On November 6, 1979, California voters approved the Gann Spending Limitation Initiative (Proposition 4) establishing Article XIII B of the State Constitution. Article XIII B sets limits on the amount of tax revenues that the State and most local governments can appropriate within a given fiscal year. Its basic provisions are as follows:

- Each year, the State and local governments must adopt a resolution establishing an appropriations limit, also known as the “Gann Limit”. Fiscal Year 1984-85

appropriations serve as the base for this limit, with adjustments being made annually to reflect increases in population, the cost of living, and financial responsibility transfers.

- Only tax proceeds are subject to the limit. Charges for services, regulatory fees, grants, loans, donations and other non-tax proceeds are not subject to the limit. Exemptions are also made for voter-approved debt, debt that existed prior to January 1, 1979, and for the cost of compliance with court or Federal government mandates.
- All tax revenues received in excess of the appropriations limit must be refunded to taxpayers within a two-year period.
- The voters may approve an increase in the appropriations limit. For the increase to remain in effect, however, it must be re-approved by voters at four-year intervals.

On June 5, 1990, California voters approved the Traffic Congestion Relief and Spending Limitation Act (Proposition 111), which made various amendments to Article XIII B of the State Constitution. The major changes, which became effective July 1, 1990, are as follows:

- The change in the cost of living is defined to be either the change in California per capita personal income or the change in assessed valuation due to the addition of non-residential new construction. Previously, the change in the cost of living was defined as the lesser of the change in the U.S. Consumer Price Index or the change in California per capita personal income.
- The change in population is defined as either a change in the City's population or a change in the County's population, whichever is greater.
- "Qualified capital outlay projects" were added to the items exempted from the appropriations limit. Qualified capital outlay projects must have a useful life of ten or more years and a cost that equals or exceeds \$100,000.
- Tax revenues received in excess of the appropriations limit must be refunded to taxpayers only if the limit is exceeded over a two-year period.
- The annual calculation of the appropriations limit must be reviewed as part of the City's annual financial audit.

DISCUSSION

The information used to calculate the Fiscal Year 2010-11 appropriations limit for the Moreno Valley Community Services District (District) is presented in Exhibit A, Proceeds

of Tax Calculation and Exhibit B, Appropriations (Gann) Limit Calculation. The District's appropriations limit for Fiscal Year 2009-10 was \$13,729,179. The change factor allowed by Proposition 111 due to population and cost of living changes is 0.9882. This results in a Fiscal Year 2010-11 appropriations limit of \$13,567,175.

As previously indicated, Proposition 111 provides several options for calculating increases in the appropriations limit. With respect to the change in population, the increase in County population was used since it was greater than the City's (+1.40% vs. +1.08%).

With respect to the change in the cost-of-living criterion, the change in California per capita personal income (-2.54%) was used, as the change in non-residential assessed valuation information is not yet available from the County.

The total projected revenue proceeds from the District are \$15,383,789. Of this amount, \$3,059,579 is identified as coming from tax proceeds, while \$12,324,210 is identified as coming from non-tax proceeds. Exhibit A provides a breakdown of budgeted revenues and their classification as tax proceeds or non-tax proceeds.

The Fiscal Year 2010-11 Preliminary Base Operating Budget contains appropriations subject to the limitation of \$3,059,579. This amount is \$10,507,595 below the District's legal appropriations limit of \$13,567,175.

ALTERNATIVES

The following alternatives are available to the Board:

1. Adopt Resolution No. CSD 2010-19 establishing the District's Fiscal Year 2010-11 appropriations limit at \$13,567,175.
2. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

There is no fiscal impact. The District is safely within its legal appropriations limit for Fiscal Year 2010-11.

CITY COUNCIL GOALS

None applicable

SUMMARY

Each year the Moreno Valley Community Services District (District) is required to adopt a resolution establishing a limit on its appropriations of tax proceeds. The Traffic Congestion Relief and Spending Limitation Act (Proposition 111), approved by the voters on June 5, 1990, changed some of the factors used in the calculation of this limit. For Fiscal Year 2010-11, the District’s appropriations limit is calculated to be \$13,567,175. The District’s Preliminary Base Operating Budget contains appropriations subject to the limit totaling \$3,059,579. Therefore, the portion of the Fiscal Year 2010-11 Preliminary Base Operating Budget subject to the limit is \$10,507,595 less than the District’s Fiscal Year 2010-11 appropriations limit.

NOTIFICATION

This agenda item on the Fiscal Year 2010-11 Appropriations (“Gann”) Limit was properly noticed as a Public Hearing.

ATTACHMENTS/EXHIBITS

- Resolution No. CSD 2010-19
- Exhibit A - Proceeds of Tax Calculation
- Exhibit B – Appropriations (Gann) Limit Calculation
- Exhibit C - Summary of Annual Appropriation (Gann) Limits

Prepared By:
 Steve Hargis
 Acting Treasury Operations Division Manager

Department Head Approval:
 Steve Elam
 Interim Financial & Administrative Services Director

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

RESOLUTION NO. CSD 2010-19

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-11

WHEREAS, Article XIII B of the California Constitution and Section 7910 of the California Government Code require that each year the Moreno Valley Community Services District (District) shall by resolution, establish an appropriations limit for the District for the following fiscal year; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has received the Preliminary Base Operating Budget for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said budget contains the estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the District; and

WHEREAS, the District's Financial & Administrative Services Department has heretofore prepared and submitted data and documentation required for and to be used in the determination of certain matters and for the establishment of an appropriations limit for the District for Fiscal Year 2010-11 and such data and documentation has been available to the public for at least fifteen days prior to adoption of this Resolution; and

WHEREAS, the City Council, acting in its capacity as the Board of Directors of the District, has considered pertinent data and documentation and made such determinations as may be required by law, and has adopted this Resolution at a regularly scheduled meeting of the Board of Directors of the District; and

WHEREAS, the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11 is hereby established at \$13,567,175, and the total annual appropriations subject to such limitation for Fiscal Year 2010-11 is estimated to be \$3,059,579.

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

1. That \$13,567,175 is hereby established as the appropriations limit for the Moreno Valley Community Services District for Fiscal Year 2010-11.
2. The District's Board of Directors hereby adopts the findings and methods of calculations set forth in Exhibit A, the Proceeds of Tax Calculation, Exhibit B, the Appropriation (Gann) Limit Calculation, and Exhibit C, the Summary of Annual Appropriation (Gann) Limits. To the extent permitted by applicable law, the

District reserves the right to change or revise any gross factors associated with the calculation of the limit established pursuant to Article XIII B of the California Constitution if such changes or revisions would result in a more advantageous appropriations limit in the present or future.

3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall file a copy of this Resolution with the Auditor of the County of Riverside.
4. Within fifteen days after the adoption of this Resolution, the City Clerk, acting in the capacity of Secretary of the Moreno Valley Community Services District, shall certify to the adoption thereof and, as so certified, cause a copy to be posted in at least three public places within the City.

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

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**CITY OF MORENO VALLEY
 APPROPRIATIONS (GANN) LIMIT
 PROCEEDS OF TAX CALCULATION
 COMMUNITY SERVICES DISTRICT FY 2010-11**

REVENUE SOURCE	BUDGETED PROCEEDS OF TAX	BUDGETED NON-PROCEEDS OF TAX	TOTAL REVENUE
<u>Taxes</u>			
Zone A - Parks & Recreation	\$ 1,586,789		\$ 1,586,789
Zone B - Residential Lights	116,100		116,100
Zone C - Arterial Lights	139,300		139,300
Zone L - Library Services	1,201,200		1,201,200
<u>Fees</u>			
Zone A - Parks & Recreation		5,934,500	5,934,500
Zone B - Residential Lights		930,600	930,600
Zone C - Arterial Lights		431,700	431,700
Zone D - Standard Landscaping		1,141,500	1,141,500
Zone E - Extensive Landscaping		2,406,000	2,406,000
Zone L - Library Services		89,500	89,500
Zone M - Median Fund		204,200	204,200
Zone S - Sunnymead Blvd Maintenance		52,400	52,400
Zone 4M - CFD 4M Maintenance		35,000	35,000
<u>Miscellaneous</u>			
Zone A - Parks & Recreation		186,500	186,500
Zone L - Library Services		2,000	2,000
<u>Intergovernmental</u>			
Zone L - Library Services		27,000	27,000
<u>Transfers In</u>			
Zone A - Parks & Recreation		289,800	289,800
Zone L - Library Services		424,900	424,900
Zone M - Median Fund		103,400	103,400
Total	\$ 3,043,389	\$ 12,259,000	\$ 15,302,389
% of Total	19.89	80.11	100.00
Allocation of Interest *	16,190	65,210	81,400
Adjusted Total	\$ 3,059,579	\$ 12,324,210	\$ 15,383,789

Interest consists of the following:

- Zone A - \$0
- Zone B - \$0
- Zone C - \$9,000
- Zone D - \$1,300
- Zone E - \$69,600
- Zone L - \$0
- Zone M - \$1,500
- Zone S - \$0
- Zone 4M - \$0

Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

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EXHIBIT B

**CITY OF MORENO VALLEY
 APPROPRIATIONS (GANN) LIMIT CALCULATION
 COMMUNITY SERVICES DISTRICT FY 2010-11**

APPROPRIATIONS SUBJECT TO THE LIMIT

FY 2010-11 Total Revenue *	\$ 15,383,789
Less: Non-Proceeds of Tax	<u>12,324,210</u>
A) Total Appropriations Subject to the Limit	\$ 3,059,579

APPROPRIATIONS LIMIT

B) FY 2009-10 Appropriations Limit	13,729,179												
C) Change Factor **	<table border="0"> <tr> <td></td> <td align="center"><u>% Increase</u></td> <td align="center"><u>Factor</u></td> </tr> <tr> <td>Cost of Living Adjustment - CPI</td> <td align="center">-2.54</td> <td align="center">0.9746</td> </tr> <tr> <td>Population Adjustment - PA</td> <td align="center">1.40</td> <td align="center"><u>1.0140</u></td> </tr> <tr> <td>Change Factor (CPI x PA)</td> <td></td> <td align="center"><u><u>0.9882</u></u></td> </tr> </table>		<u>% Increase</u>	<u>Factor</u>	Cost of Living Adjustment - CPI	-2.54	0.9746	Population Adjustment - PA	1.40	<u>1.0140</u>	Change Factor (CPI x PA)		<u><u>0.9882</u></u>
	<u>% Increase</u>	<u>Factor</u>											
Cost of Living Adjustment - CPI	-2.54	0.9746											
Population Adjustment - PA	1.40	<u>1.0140</u>											
Change Factor (CPI x PA)		<u><u>0.9882</u></u>											
D) Increase (decrease) in Appropriations Limit	(162,004)												
E) FY 2010-11 Appropriations Limit (B x C)	<u>\$ 13,567,175</u>												

REMAINING APPROPRIATIONS CAPACITY

(E - A)	<u>\$ 10,507,595</u>
Remaining Capacity as a Percent of the FY 2010-11 Appropriations Limit	<u><u>77.45</u></u>

* Revenues are based on FY 2010-11 Preliminary Base Operating Budget.

** State Department of Finance
 Percent of Change in California Per Capita Income
 Percent of Change in City of Moreno Valley Population

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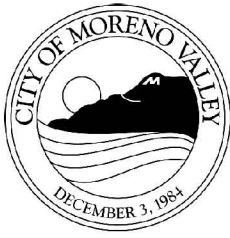
**CITY OF MORENO VALLEY
SUMMARY OF ANNUAL APPROPRIATION (GANN) LIMITS
GENERAL FUND AND COMMUNITY SERVICES DISTRICT**

FISCAL YEAR	COST OF LIVING CHANGE	POPULATION CHANGE	GENERAL FUND			COMMUNITY SERVICES DISTRICT		
			APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY	APPROPRIATIONS LIMIT	APPROPRIATIONS SUBJECT TO THE LIMIT	REMAINING CAPACITY
1984-85	-	-	\$8,000,000	\$1,489,525	\$6,510,475	\$1,000,000	\$225,224	\$774,776
1985-86	3.74%	-	\$8,299,200	\$5,801,524	\$2,497,676	\$1,037,400	\$366,257	\$671,143
1986-87	2.30%	13.34%	\$10,739,623	\$7,182,998	\$3,556,625	\$1,730,616	\$571,404	\$1,159,212
1987-88	3.40%	21.27%	\$13,419,869	\$8,186,487	\$5,233,382	\$2,162,519	\$514,685	\$1,647,834
1988-89	3.93%	13.98%	\$15,897,098	\$9,117,625	\$6,779,473	\$2,561,707	\$595,770	\$1,965,937
1989-90	4.98%	11.53%	\$18,612,989	\$10,193,243	\$8,419,746	\$2,999,354	\$973,431	\$2,025,923
1990-91	4.21%	12.34%	\$21,790,136	\$12,168,319	\$9,621,817	\$3,511,329	\$1,447,368	\$2,063,961
1991-92	4.14%	9.53%	\$25,184,125	\$12,702,824	\$12,481,301	\$4,058,248	\$1,068,016	\$2,990,232
1992-93	-0.64%	4.74%	\$26,209,119	\$21,751,950	\$4,457,169	\$4,223,419	\$1,127,115	\$3,096,304
1993-94	2.72%	3.69%	\$27,915,333	\$22,167,783	\$5,747,550	\$4,498,364	\$1,090,166	\$3,408,198
1994-95	0.71%	2.56%	\$28,833,747	\$22,191,470	\$6,642,277	\$4,646,360	\$839,650	\$3,806,710
1995-96	4.72%	2.66%	\$30,999,161	\$21,770,020	\$9,229,141	\$4,995,302	\$1,018,520	\$3,976,782
1996-97	4.67%	1.91%	\$33,066,805	\$22,117,750	\$10,949,055	\$5,328,489	\$952,480	\$4,376,009
1997-98	4.67%	0.19%	\$34,677,158	\$22,635,500	\$12,041,658	\$5,587,986	\$952,480	\$4,635,506
1998-99	4.15%	4.44%	\$37,718,345	\$23,919,000	\$13,799,345	\$6,078,052	\$1,000,500	\$5,077,552
1999-00	4.53%	2.29%	\$40,328,454	\$26,298,904	\$14,029,550	\$6,498,653	\$1,796,366	\$4,702,287
2000-01	4.91%	3.36%	\$43,728,143	\$27,701,784	\$16,026,359	\$7,046,489	\$1,831,589	\$5,214,900
2001-02	7.82%	5.68%	\$49,823,846	\$30,910,955	\$18,912,891	\$8,028,770	\$2,074,425	\$5,954,345
2002-03	-1.27%	3.88%	\$51,099,336	\$34,456,312	\$16,643,024	\$8,234,307	\$2,244,708	\$5,989,599
2003-04	2.31%	3.72%	\$54,226,615	\$37,805,936	\$16,420,679	\$8,738,247	\$2,465,590	\$6,272,657
2004-05	3.28%	4.17%	\$58,342,415	\$42,094,636	\$16,247,779	\$9,401,480	\$2,727,571	\$6,673,909
2005-06	5.26%	6.59%	\$65,460,190	\$48,100,800	\$17,359,390	\$10,548,461	\$3,016,336	\$7,532,125
2006-07	3.96%	5.59%	\$71,855,651	\$59,592,475	\$12,263,176	\$11,579,046	\$3,987,532	\$7,591,514
2007-08	4.42%	3.38%	\$77,568,175	\$72,653,027	\$4,915,148	\$12,499,580	\$4,615,504	\$7,884,076
2008-09	4.29%	2.79%	\$83,153,084	\$68,506,576	\$14,646,508	\$13,399,550	\$4,685,689	\$8,713,861
2009-10	0.62%	1.83%	\$85,198,650	\$56,124,960	\$29,073,690	\$13,729,179	\$4,108,012	\$9,621,167
2010-11	-2.54%	1.40%	\$84,193,306	\$50,777,288	\$33,416,018	\$13,567,175	\$3,059,579	\$10,507,595

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Item No. E.2

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>W/S</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: June 22, 2010

TITLE: Public Hearing for Delinquent Residential Solid Waste Accounts

RECOMMENDED ACTION

Staff recommends that the City Council, after conducting the public hearing:

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection; and
2. Direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and the list of delinquent solid waste accounts as required by Section 5473.4 of the California Health and Safety Code and Section 6.02.030 of the City of Moreno Valley Municipal Code.

BACKGROUND

Waste Management of the Inland Empire bills residential customers quarterly for solid waste services. Payments are made directly to Waste Management in advance for the following quarter. When a customer fails to make payment and the bill becomes more than sixty (60) days past due, the collection of the delinquent account is placed on the Riverside County property tax roll. This procedure was authorized by prior enactments of the City Council as reflected in Section 6.02.030 of the Moreno Valley Municipal Code. The option to collect delinquent payments was negotiated as part of the franchise agreement.

DISCUSSION

The City Council approved the collection of delinquent solid waste accounts through the property tax roll process on March 1, 1993. Since that time, delinquent charges have been placed on property tax bills annually in June.

Waste Management of the Inland Empire has submitted a preliminary list of approximately 7,215 delinquent accounts. This delinquent list is to be placed on the FY 2010/2011 tax roll if approved by Council. An official copy of the list is available in the City Clerk's office for public viewing. The maximum charge to be placed on the tax roll is \$1,529,722,86. Although Waste Management accepted payment on delinquent accounts until June 18, 2010, there may be some additional deletions to the list or minor adjustments to the amounts prior to final submittal to the Riverside County Auditor.

As part of the notification process, Waste Management has mailed a "Notice of Delinquent Account" to the affected property owners and account holders, informing them of the intent to place all delinquent charges on the tax roll. These notifications are mailed on a quarterly basis which is over and above the minimum notification requirements as per Section 5470 of the California Health and Safety Code and the Moreno Valley Municipal Code Section 6.02.030. A public posting of the Council's action, in accordance with Section 6066 of the Government Code, is all that is required by law.

Procedurally, in order to collect these delinquent charges on the County tax roll, the City must file with the County Auditor a certified copy of Resolution 2007-72 along with the report as specified in California Health and Safety Code Section 5473.4 and Section 6.02.030 of the Moreno Valley Municipal Code.

ALTERNATIVES

1. Approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and direct the City Clerk to file with the Riverside County Auditor a certified copy of Resolution 2007-72 and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code.
2. Do not approve placing the submitted list of delinquent solid waste accounts, available in the City Clerk's office, on the Fiscal Year (FY) 2010/2011 Riverside County property tax roll for collection and do not direct the City Clerk to file with the Riverside County Auditor a certified copy of the proposed resolution and a written report as prescribed by Section 6.02.030(e) of the Moreno Valley Municipal Code. *If Council does not approve the placement of the delinquent solid waste accounts on the tax roll, it could result in a net loss of revenue to the City of approximately \$185,555 in franchise fees.*

FISCAL IMPACT

The City receives a 12.13% franchise fee for revenue generated from the collection of delinquent accounts at the time of collection. Placement of these delinquent charges on the County property tax roll will ensure the City receives the revenues due from this

source which would be approximately \$185,555. This amount is deposited into the general fund. **There would be a potential increase in revenues that could impact the general fund.**

Solid waste services are exempt from Proposition 218, as stated in Section 6(c) Property Related Fees and charges. This is because the obligation to pay does not arise due to the customer owning the property, it arises because the property is used in a way which generates trash, and the customer did not choose to legally self-haul. Furthermore, the fee is not an encumbrance on the property, although delinquent fees can become the subject of a judgment lien.

CITY COUNCIL GOALS

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

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

NOTIFICATION

A "Notice of Public Hearing" was published on June 8, 2010 and June 15, 2010, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council's action will also be done in accordance with section 6066 of the Government Code. In addition, Waste Management mailed payment requests to the attached accounts through a separate notice sent to property owners where the property could be identified as non-owner occupied. An official list of the submitted delinquent accounts is available in the City Clerk's office. This list represents the maximum charges which can be placed on the property tax roll for FY 2010/2011.

ATTACHMENTS

Exhibit "A": Resolution 2007-72 repealing, revising, and reenacting the provisions of Resolution 2005-53, and authorizing the collection of delinquent and unpaid taxes and charges for solid waste collection on the tax roll.

Prepared By:
Ariana Ayala
Management Analyst

Concurred By:
Robert R. Lemon
Maintenance & Operations Division Manager

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

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

RESOLUTION NO. 2007-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2005-53, AND AUTHORIZING THE COLLECTION OF DELINQUENT AND UNPAID TAXES AND CHARGES FOR SOLID WASTE COLLECTION ON THE TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Section 5473 of the California Health and Safety Code; and

WHEREAS, said delinquent and unpaid fees and charges are those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date; and

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a 10% basic penalty for nonpayment of those fees and charges and, in addition, a penalty of 1½% per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

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

1. Resolution No. 2005-53, as adopted by the City Council on June 28, 2005, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2005-53 shall be invalidated or otherwise affected by the repeal thereof.

2. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

3. On or before August 10th of each year following the final determination of the delinquent charges, the City Clerk shall file with the auditor of the County of Riverside a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

4. The auditor shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

5. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2012, unless otherwise repealed or amended by the City Council.

APPROVED AND ADOPTED this 26th day of June, 2007.


Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

RESOLUTION JURAT

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

I, ALICE REED, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2007-72 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 26th day of June, 2007 by the following vote:

AYES: Council Members Flickinger, Stewart, West, Mayor Pro Tem Batey,
 and Mayor White

NOES: None

ABSENT: None

ABSTAIN: None

Alice Reed
CITY CLERK

(SEAL)

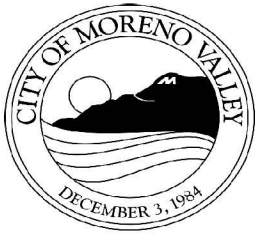
Resolution No. 2007-72
Adopted June 26, 2007

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CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

- a) Council Member Richard A. Stewart report on
March Joint Powers Commission (MJPC)**

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>But</i>
CITY MANAGER	<i>Wib</i>

Report to City Council

TO: Mayor and City Council

FROM: William Bopf, Interim City Manager

AGENDA DATE: June 22, 2010

TITLE: CONSIDERATION OF A REQUEST TO RECORD A COVENANT TO HOLD NINE SEPARATE PARCELS AS ONE TO ALLOW THE CITY OF MORENO VALLEY TO ISSUE A BUILDING PERMIT TO CONSTRUCT THE FOUNDATION AND SLAB FOR A 1.8 MILLION SQUARE FOOT WAREHOUSE/DISTRIBUTION CENTER BUILDING (SKECHERS) IN THE GENERAL AREA BETWEEN REDLANDS BOULEVARD AND THEODORE STREET ON THE NORTH SIDE OF EUCALYPTUS AVENUE. (PROPERTY OWNER: HIGHLAND FAIRVIEW PROPERTIES)

RECOMMENDED ACTION

Staff recommends that the City Council deny a request from Highland Fairview for a covenant to hold nine parcels as one to allow the City to issue a building permit for the Skechers warehouse/distribution center building.

ADVISORY BOARD/COMMISSION RECOMMENDATION

None.

BACKGROUND

In February 2009, the City Council approved a tentative parcel map to subdivide a 158 gross acre site (265.3 acres including offsite improvements and drainage facilities) consisting of thirteen (13) legal parcels into four (4) buildable parcels and two (2) parcels dedicated for future freeway improvements to construct a warehouse/distribution center building approximately 1.8 million square feet in floor area and related ancillary improvements. The proposed building and improvements will house a new Skechers facility.

Highland Fairview has been working toward approval and recordation of the final parcel map to allow the City to issue a building permit to begin construction on the Skechers warehouse/distribution center building. There have been a number of complications and delays outside of the control of the City and Highland Fairview which have caused the recordation of the final parcel map to take longer than anticipated.

Highland Fairview is requesting the City Council approve and accept a covenant to hold nine (9) existing parcels as one (1) and obligate the City to issue a building permit while the final parcel map is working its way through the review and approval process and eventual recordation by Riverside County. Highland Fairview has prepared the aforementioned "Covenant and Agreement to Hold Parcels as One" instrument for the City Council's consideration and approval leading to the issuance of a building permit by the City (See Exhibit "A").

DISCUSSION

City Staff has spent a considerable amount of time evaluating Highland Fairview's request to hold the various parcels as one for the issuance of a building permit to begin construction of the Skechers warehouse/distribution center building (see Exhibit "B"). This development is subject to the Subdivision Map Act of the State of California and is required to record a final parcel map. The Subdivision Map Act provides that no person shall commence construction of any building for sale or lease for which a final map is required until the final map in full compliance with the Act and any local ordinance has been filed for recording by the county recorder of the county in which the project is located. (Government Code Section 66499.30). The City may accept a covenant such as proposed here. However, acceptance of such a covenant does not permit the City to issue a building permit allowing construction to begin prior to recordation of a final parcel map. The Moreno Valley Municipal Code expressly prohibits issuance of a building permit that is inconsistent with state or local law. (MVMC §8.14.040). The Subdivision Map Act requires that a parcel map be prepared and recorded to accomplish the proposed merger of lots requested here and the City's ordinances require that approval of a tentative and final parcel map process be followed. Therefore, a strict interpretation of the Map Act would prohibit the issuance of any building permit until a final parcel map is recorded.

The risks to the City of issuing a building permit that allows construction to begin prior to recordation of a final parcel map include both practical and legal considerations. When a building permit is issued and construction begins on a project, the developer may claim that he has obtained a vested right to complete construction regardless of whether he completes work necessary to meet the conditions of approval for the tentative parcel map. This puts the City in a very difficult position in the event that any dispute might arise regarding compliance with the conditions of approval and invites litigation to resolve the question.

Attorneys for Highland Fairview submitted written opinions to the City contending that the Subdivision Map Act does not apply and that through the covenant a building permit can be issued. One of those opinions contends that Highland Fairview can covenant to hold the 13 parcels that will be merged and resubdivided by the final parcel map as one parcel for purposes of issuing a building permit. The attorney cites law from the City of San Diego Municipal Code in support of this theory. Those citations are taken from San Diego's lot merger ordinance (San Diego Municipal Code Section 125.0701 *et seq.*) which tracks precisely the standards set forth in California Government Code Section 66451.11, which provides a method for local governments to compel or permit merger of **substandard** lots that were legally created in the past but that no longer meet development standards. Because this provision of law only applies to substandard lot mergers rather than to situations where a merger is being effectuated under the provisions of Government Code Section 66499.201/2, it has no relevance to the current project.

A second attorney for Highland Fairview is of the opinion that neither the Subdivision Map Act nor the California Building Code prohibits construction of a building across property lines and that the lot-tie agreement they propose is a legally permissible alternative to the parcel merger provisions of the Subdivision Map Act. In essence, the opinion is that the Subdivision Map Act is intended to prevent multiple buildings on one parcel being sold off separately and shouldn't be read to apply to situations where one building is built across multiple parcels and are bound by recorded covenant to only be sold as a whole. The attorney also opines that the provisions in the California Building Code requiring firewall protection where property lines bisect buildings are meant to apply only where the spaces on either side of the property line are intended to be separate buildings, not where they are intended to be one building. The attorney acknowledges, however, that neither the Subdivision Map Act, nor any case law, specifically authorizes a lot-tie agreement procedure for issuance of a building permit before final parcel map recordation. The attorney opines that since there are no cases finding such a procedure illegal and that both the City of Los Angeles and the City of San Diego have policies permitting such a procedure, it therefore should be considered legal and acceptable.

Generally, issuance of a building permit is the last discretionary approval prior to commencement of construction and sets the final conditions, including development fees, necessary to be met before construction begins. Where, as here, construction cannot begin until a final parcel map is recorded, in order to comply with applicable law, any building permit that is issued would necessarily have to be conditioned on first filing the final parcel map. In that Highland Fairview wants to obtain a building permit for the express purpose of beginning construction, any building permit issued permitting such construction to commence could violate provisions of both the Subdivision Map Act and the City's Municipal Code.

However, due to the complications and delays in getting the final parcel map approved and recorded, which delays are outside of the control of the City and Highland Fairview, delay in issuing a building permit may cause an economic hardship to Highland Fairview

and perhaps delay completion of construction of the Skechers warehouse/distribution center building. Therefore, staff has contacted other cities to determine alternative approaches that might accommodate Highland Fairview's request. Highland Fairview suggested that we contact the City of San Diego because they allow what Highland Fairview is requesting. After discussing this matter with the Director of Community Development Services for the City of San Diego, staff has learned that the City of San Diego allows issuance of a building permit for projects subject to the Subdivision Map Act where construction will cross property lines and easements before a final map is recorded if the following requirements have been met: (1) all lots are owned by the same entity; (2) the project has approved building plans; (3) the developer has complied with all conditions of approval for the issuance of a building permit; (4) the developer has complied with all requirements for approval of the final map except for approval and recordation; (5) the final lot configuration is shown on the map that is being processed; (6) there is in place a lot-tie agreement (covenant to hold property as one parcel); (7) all Public Improvement Agreements have been executed and the required security has been posted; (8) the holders of all easements across which construction will occur have either abandoned their easements, or give written permission for construction across their easements; and (9) the developer executes an encroachment and removal agreement.

When asked as to the legal authorization for San Diego to proceed in this manner staff was told that it is San Diego's view that if all requirements for issuance of a building permit have been complied with, and the requirements for filing a final map have been met except for the actual approval and filing, then San Diego believes that the spirit of the Subdivision Map Act has been met and the public has been protected and that a building permit can be issued. San Diego is a charter city exempt from certain state laws and has adopted a policy with procedures to implement this process. The City of Moreno Valley is a general law city subject to all state laws and has not adopted ordinances, policies or procedures to accomplish what is being requested.

Therefore, if the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, staff recommends the following: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the same requirements as those of the City of San Diego, namely: (a) all lots be owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) the developer executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4)

Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

As submitted, staff cannot recommend that the draft Proposed Covenant to Hold Property as One (attached hereto as Exhibit A) be accepted by the City.

ALTERNATIVES

1. Deny Highland Fairview's request for a covenant to hold nine (9) parcels as one (1) for the purpose of obtaining a building permit. Staff recommends this action.
2. Take no action.
3. If the City Council determines that it is in the best interests of the City to accept the covenant and issue a building permit, the following conditions be placed on acceptance of the covenant and issuance of a building permit: (1) the covenant be amended to reflect issuance of a limited purpose building permit for foundation and slab construction only; (2) Highland Fairview be required to comply with the following requirements as a condition of acceptance of the covenant and prior to issuing a limited building permit for foundation and slab construction only: (a) proof that all lots are owned by the same entity, (b) approval of separate foundation and slab only building plans, (c) compliance with all conditions of approval for the issuance of a building permit except recording of the final map, (d) compliance with all requirements for recording the final map except for actual final map approval and recordation; (e) the final lot configuration be shown on the map that is being processed, (f) there be in place a lot-tie agreement (covenant to hold property as one parcel), (g) all Public Improvement Agreements have been executed and the required security has been posted, (h) the holders of all easements across which construction will occur have either abandoned or given written permission for construction across their easements, and (i) Highland Fairview executes an encroachment and removal agreement; (3) Highland Fairview execute a written agreement accepting and committing to the requirements as outlined herein; (4) Highland Fairview agrees in writing that the City is only issuing a limited purpose building permit for foundation and slab construction only; (5) Highland Fairview agrees in writing that the permit shall

only be valid for one hundred twenty (120) days and that it shall automatically expire on the one hundred twenty-first (121st) day; (6) Highland Fairview agrees in writing that the final parcel map shall be recorded before expiration of the one hundred twenty (120) days; (7) Highland Fairview agrees in writing that if the final map is not recorded within the one hundred twenty (120) days that all construction pursuant to the limited purpose building permit shall cease until the final parcel map is recorded; (8) Highland Fairview agrees in writing that if any of the installed improvements are ordered to be removed that Highland Fairview will bare sole responsibility for same without recourse against the City; (9) Highland Fairview agrees in writing that said agreement shall not be extended beyond its original term; and (10) Highland Fairview in writing to defend and indemnify the City for all costs and legal fees which may be incurred as a result of said agreement or the issuance of a limited purpose building permit for the foundation and slab only.

FISCAL IMPACT

None.

NOTIFICATION

Staff has notified Highland Fairview that the City Council will discuss the subject matter at its June 22 meeting.

ATTACHMENTS/EXHIBITS

Exhibit “A” – Proposed Covenant to Hold Property as One
 Exhibit “B” – Parcel Exhibit

Prepared By:
 Rick C. Hartmann
 Interim Assistant City Manager

Approved By:
 William L. Bopf
 Interim City Manager

Concurred by:
 Kyle Kollar
 Interim Community Development Director

Concurred by:
 Robert L. Hansen
 City Attorney

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

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

**City of Moreno Valley
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552**

**SPACE ABOVE THIS LINE FOR RECORDER'S USE
[EXEMPT FROM RECORDING FEES PURSUANT TO
GOVERNMENT CODE SECTION 6103]**

COVENANT AND AGREEMENT TO HOLD PROPERTY AS ONE PARCEL

The undersigned ("Owner") hereby certifies to the City of Moreno Valley (the "City") that it is the lawful owner of the real property described in **Exhibit "A"** attached hereto (the "Property"), which Property is located in the City, County of Riverside, State of California.

Owner does hereby covenant and agree with the City that the Property shall be held as one parcel and no portion less than the whole thereof will be sold, disposed of, or in any way divided or hypothecated for any purpose whatsoever other than in accordance with the California Subdivision Map Act, any other applicable State law, and the Municipal Code of the City. As a result, the Property will remain as nine (9) separate legal parcels until released as provided below.

Owner further covenants that the final map (No. 35629) covering the Property will be recorded in the office of the Riverside County Recorder no later than December 21, 2010.

This covenant and agreement shall run with the land and shall be binding upon Owner, any future owners or encumbrancers of the Property, and their respective successors, heirs and assigns. This covenant and agreement shall continue in effect until such time that the City releases the Property from the effect hereof by a written and recorded instrument, upon request of Owner and evidence that this covenant and agreement is no longer required by law.

The purpose of this covenant and agreement is to enable Owner to obtain building permits and to commence construction of buildings and other improvements on the Property.

(signature page follows)

IN WITNESS WHEREOF, Owner has executed this instrument as of the ___ day of _____, 2010.

“OWNER”

HF LOGISTICS-SKX T1, LLC,
a Delaware limited liability company

By: HF Logistics-SKX, LLC, a Delaware limited liability company, its sole member

By: HF Logistics I, LLC, a Delaware limited liability company, its managing member

By: _____
Iddo Benzeevi, President and Chief Executive Officer

ACCEPTED AND AGREED:

CITY OF MORENO VALLEY

By _____
Its _____

STATE OF CALIFORNIA)
) ss.
COUNTY OF _____)

On _____, 2010, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC

[SEAL]

EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT A

LAND

All that parcel or parcels of real property located in the City of Moreno Valley, County of Riverside, State of California, and more particularly described as follows:

PARCEL 1:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL C" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1005 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140636 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 2 AND 7, IN BLOCK 34 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD AND SINCLAIR STREET, AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 7, BEING ALSO THE CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 7 AND THE CENTERLINE OF FIR AVENUE (VACATED) SOUTH 89 DEGREES 33"11' EAST 288.98 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1280.03 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BEING ALSO THE SOUTHERLY LINE OF GREVILLEA AVENUE (80 FEET WIDE) AS SHOWN ON SAID MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY (NOW THE SOUTHERLY LINE OF STATE HIGHWAY 60); THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2 AND THE SOUTHERLY LINE OF GREVILLEA AVENUE SOUTH 89 DEGREES 33"13' EAST 381.32 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE ALONG THE EASTERLY LINES OF SAID LOT 2 AND SAID LOT 7 SOUTH 00 DEGREES 27"17' WEST 1280.00 FEET TO SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED); THENCE ALONG SAID SOUTHERLY LINE OF LOT 7 AND SAID CENTERLINE OF FIR AVENUE (VACATED) NORTH 89 DEGREES 33"11' WEST 371.16 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.056 ACRES, MORE OR LESS.

PARCEL 2:

THAT CERTAIN PARCEL SHOWN AND DESCRIBED AS "PROPOSED PARCEL A" BEING SET FORTH, DESCRIBED AND CREATED BY THAT CERTAIN LOT LINE ADJUSTMENT NO. 1004 / AND CERTIFICATE OF COMPLIANCE RECORDED MARCH 29, 2010 AS DOCUMENT NO. 2010-0140637 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 1, 2 AND 8 IN BLOCK 33 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11 OF MAPS, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 8; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 8, BEING ALSO THE NORTHERLY LINE OF FIR AVENUE (80 FEET WIDE) SOUTH 89 DEGREES 33'11" EAST 130.38 FEET; THENCE LEAVING SAID SOUTHERLY LINE OF LOT 8 AND SAID NORTHERLY LINE OF FIR AVENUE, NORTH 854.59 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 497.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15 DEGREES 41'23" EAST; THENCE ALONG SAID CURVE NORTHWESTERLY 103.15 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 53'28"; THENCE TANGENT FROM SAID CURVE NORTH 62 DEGREES 25'09" WEST 49.57 FEET; THENCE NORTH 56 DEGREES 42'31" WEST 120.60 FEET; THENCE NORTH 62 DEGREES 25'09" WEST 222.69 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 800.00 FEET; THENCE ALONG SAID CURVE NORTHWESTERLY 310.88 FEET THROUGH A CENTRAL ANGLE OF 22 DEGREES 15'55"; THENCE TANGENT FROM SAID CURVE NORTH 84 DEGREES 41'04" WEST 47.33 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE ALONG THE WESTERLY AND SOUTHERLY LINES OF SAID LOT 2, AND THE WESTERLY LINE OF LOT 8 THE FOLLOWING COURSES: SOUTH 00 DEGREES 27'24" WEST 550.52 FEET; THENCE SOUTH 89 DEGREES 33'12" EAST 660.21 FEET; THENCE SOUTH 00 DEGREES 27'19" WEST 620.01 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 9.396 ACRES, MORE OR LESS.

PARCEL A:

LOTS 1 AND 8 OF BLOCK 34, MAP NO. 1, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

TOGETHER WITH THAT PORTION OF FIR AVENUE, VACATED BY RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY RECORDED MARCH 27, 1962 AS FILE NO. 27882 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING BETWEEN REDLANDS BOULEVARD, AND SINCLAIR STREET AS SAID STREETS ARE SHOWN ON THE MAP OF SAID TRACT.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE EAST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL B:

PARCELS 1 AND 2 OF PARCEL MAP 12975, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 72, PAGE 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL C:

LOT 4 IN BLOCK 33 OF MAP NO. 1 OF THE LANDS OF THE BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 4;
THENCE EASTERLY ON THE NORTHERLY LINE OF SAID LOT 257.00 FEET;
THENCE AT RIGHT ANGLES SOUTHERLY 398.00 FEET;
THENCE AT RIGHT ANGLES WESTERLY 257.00 FEET, TO THE WESTERLY LINE OF SAID LOT;
THENCE NORTHERLY, ON THE WESTERLY LINE OF SAID LOT, 398.00 FEET, TO THE POINT OF
BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED
FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF
A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN
THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL D:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, DESCRIBED AS FOLLOWS:
LOTS 3 AND 6 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT
COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER
MAP RECORDED IN BOOK 11, PAGE(S) 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF
SAN BERNARDINO COUNTY.

PARCEL E:

LOT 7 IN BLOCK 33, OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN
THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 10
OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, CALIFORNIA.

PARCEL F:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, DESCRIBED AS FOLLOWS:
LOT 5 OF BLOCK 33 OF MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE
CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED
IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO
COUNTY.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED
FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF
A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN
THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL G:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, DESCRIBED AS FOLLOWS:

THE NORTHERLY 160.00 FEET OF THE WESTERLY 120.00 FEET OF LOT 4 IN BLOCK 33, AS PER MAP NO. 1
OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF
MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY.

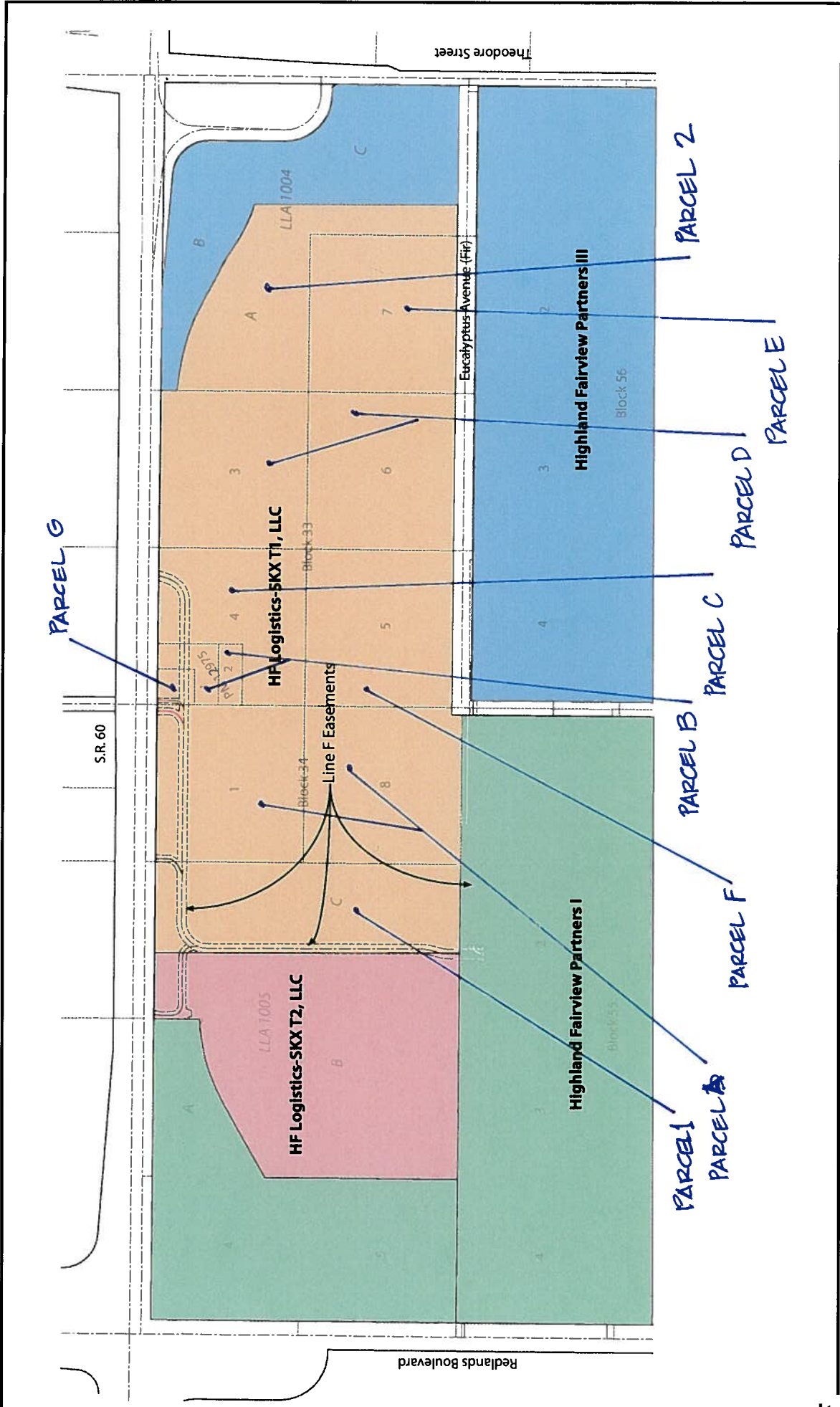
SAID NORTHERLY 160.00 FEET BEING MEASURED FROM THE SOUTHERLY LINE OF GREVILLEA AVENUE AS SHOWN ON SAID MAP AND THE WESTERLY 120.00 FEET BEING MEASURED FROM THE EAST LINE OF SINCLAIR STREET AS SHOWN ON SAID MAP.

ALSO TOGETHER WITH THAT PORTION OF SINCLAIR STREET ADJACENT ON THE WEST, AS REJECTED FOR DEDICATION BY THE CITY OF MORENO VALLEY PURSUANT TO THE TERMS AND PROVISIONS OF A DOCUMENT RECORDED MARCH 31, 2010 AS DOCUMENT NO. 2010-0144493 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

PARCEL AA:

TEMPORARY CONSTRUCTION EASEMENTS FOR GRADING PURPOSES, TOGETHER WITH THE RIGHT TO ENTER ON, ACROSS, AND WITHIN THE REAL PROPERTY AS SHOWN THEREIN, FOR THE PURPOSE OF CONSTRUCTING THE PLANNED IMPROVEMENTS AND ASSOCIATED SLOPE AND DRAINAGE AREA GRADING ADJACENT TO AND SOUTH OF EUCALYPTUS AVENUE AS SHOWN ON ROUGH GRADING PLANS FOR CITY PROJECT NO. PA07-0090, ON FILE WITH THE CITY OF MORENO VALLEY, AS IRREVOCABLY OFFERED TO HF LOGISTICS-SKX T1, LLC, BY THOSE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS RECORDED MARCH 26, 2010 AS DOCUMENT NO.'S 2010-0138030, 2010-0138031 AND 2010-0138032, ALL OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, CALIFORNIA.

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Not to scale
May 7, 2010

Highland Fairview Corporate Park - TPM 35629 Ownership Exhibit

Highland Fairview
Rancho Belago, Ca 92555

Highland Fairview Corporate Park Design/HF Work/HFCP-Existing-LLA-Ownership

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

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

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

AGENDA DATE: June 22, 2010

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING THE MAIL BALLOT PROCEEDINGS FOR SELECTED TRACTS FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board"), accept public comments regarding the mail ballot proceedings for a proposed increase in the CSD Zone D annual parcel charge for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility

charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

Every year, the CSD compares the cost to provide the service to the revenue received from each tract. Higher costs for electricity, water, and labor rates have impacted the overall program costs. The CSD has determined that the annual expenditures for Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 exceed the annual parcel charge paid by the property owners. The CSD Board was informed at the April 20 Study Session of the necessity to ballot these tracts for an increase in the CSD Zone D annual charge in order to maintain services at the current standard service level.

In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, mail ballot proceedings are being conducted to allow property owners within Tracts 12773, 19210, 19937, 20404, 20579, 20718, 21113, 21333, 21597, 22889, 28882, 31257, 31269-1, and 32018 the opportunity to approve or oppose the proposed increase in the CSD Zone D annual parcel charge. The proposed CSD Zone D parcel charge for each tract is listed below.

Tract	Current CSD Zone D Annual Parcel Charge*	Proposed CSD Zone D Annual Parcel Charge*
12773	\$80.00	\$121.00
19210	\$68.00	\$112.00
19937	\$107.10	\$157.00
20404	\$97.00	\$178.00
20579	\$57/\$106.10/\$158.10	\$144.00
20718	\$139.10	\$234.00
21113	\$57.00	\$89.00
21333	\$208.20	\$345.00
21597	\$295.20	\$473.00
22889	\$186.00	\$313.00
28882	\$103.10	\$179.00
31257	\$1,050.00	\$1,414.00
31269-1	\$295.20	\$355.00
32018	\$68.00	\$160.00

*The CSD Zone D annual charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar 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.

Property owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on June 22, 2010 and the Public Hearing on July 13, 2010.

If a tract approves the proposed increase by a simple majority (50%+1) of the returned valid ballots, the proposed CSD Zone D parcel charge will be levied on the 2010/11 Riverside County property tax bill. If a tract opposes the proposed increase by a simple majority of the returned valid ballots, the existing CSD Zone D parcel charge shall continue to be levied on the property tax bill, which may include an annual inflation adjustment. The CSD will evaluate the level of landscape service to be provided based on the City Council/CSD Board approved Zone D (Parkway Landscape Maintenance) Service Plan, General Management Policy #2.30.

If revenues from a tract do not support the lowest level of reduced landscape maintenance service, the property owners will be notified that the CSD is unable to provide the landscape maintenance service. Property owners may consider the option of forming a homeowners association, or other method, to continue the landscape maintenance.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*
2. **Do not accept public comments** regarding the mail ballot proceedings for the selected tracts for the proposed increase in the CSD Zone D annual parcel charge. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. **The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program. There is no impact on the General Fund for the operation of the CSD Zone D program.**

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

Continuation of the Zone D services in the landscaped areas of the selected tracts shall allow the CSD to maintain the current appearance of the area.

Revenue Diversification and Preservation

The proposed CSD Zone D parcel charge for the selected tracts is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceedings for the selected Zone D tracts.

NOTIFICATION

On May 28, 2010, a ballot packet was mailed to each property owner within the affected tracts. The packet included a cover letter, notice to property owner, 2010/11 budget, history of charges, map, CSD Zone D service levels, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet for each tract is included as Attachments 1 through 14.

Newspaper advertising for the June 22, 2010, Public Meeting and July 13, 2010, Public Hearing was published in The Press-Enterprise on June 3, 2010. Additionally, the Public Hearing notification will be published on June 24 and again on July 1, 2010.

ATTACHMENTS

- Attachment 1: Sample mail ballot packet for Tract 12773
- Attachment 2: Sample mail ballot packet for Tract 19210
- Attachment 3: Sample mail ballot packet for Tract 19937
- Attachment 4: Sample mail ballot packet for Tract 20404
- Attachment 5: Sample mail ballot packet for Tract 20579
- Attachment 6: Sample mail ballot packet for Tract 20718
- Attachment 7: Sample mail ballot packet for Tract 21113
- Attachment 8: Sample mail ballot packet for Tract 21333
- Attachment 9: Sample mail ballot packet for Tract 21597
- Attachment 10: Sample mail ballot packet for Tract 22889
- Attachment 11: Sample mail ballot packet for Tract 28882
- Attachment 12: Sample mail ballot packet for Tract 31257
- Attachment 13: Sample mail ballot packet for Tract 31269-1
- Attachment 14: Sample mail ballot packet for Tract 32018

Prepared by:
Jennifer A. Terry,
Management Analyst

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

Concurred by:
Marshall Eyerman
Special Districts Program Manager

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

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 486021001
Martin W Cruz
Claudia Cruz
25906 Harriet Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 12773 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 12773 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$41.00 annual increase per parcel, which is equivalent to a \$3.42 increase per month. The increase will adjust the annual charge from \$80.00 to \$121.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 12773 at the current standard service level. The total approved charge of \$121.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 1

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 12773**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 12773, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 12773:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 12773 is \$121.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**
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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$80.00 to \$121.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



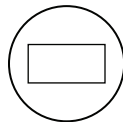
A dot or oval mark substantially inside a box;



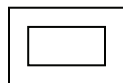
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 12773 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$80.00*160 parcels)	\$ 12,800.00	
Total Revenue Generated Annually		\$ 12,800.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 3,876.72	
Vandalism	-	
Electricity (Southern California Edison)	540.95	
Water (Eastern Municipal Water District)	1,755.14	
Repair and Replacement/Miscellaneous Direct Expenses	2,827.20	
Landscaping Equipment and Personnel	7,696.62	
Total Direct Costs	\$ 16,696.63	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 105.95	
Special Districts Administration	972.05	
City Administration	1,522.21	
Total Indirect Costs	\$ 2,600.21	

Total Expenditures		\$ 19,296.84
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Operating Shortfall

(Total Revenue less Total Expenditures)		\$ (6,496.84)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.







**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 12773**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$50.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00
2002-2003	\$57.00
2003-2004	\$57.00
2004-2005	\$57.00
2005-2006	\$57.00
2006-2007	\$57.00
2007-2008	\$57.00
2008-2009	\$80.00
2009-2010	\$80.00

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 12773

-  Median
-  Landscaped Areas
-  Roads
-  Parcels
-  City Boundary
-  Tract 12773

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

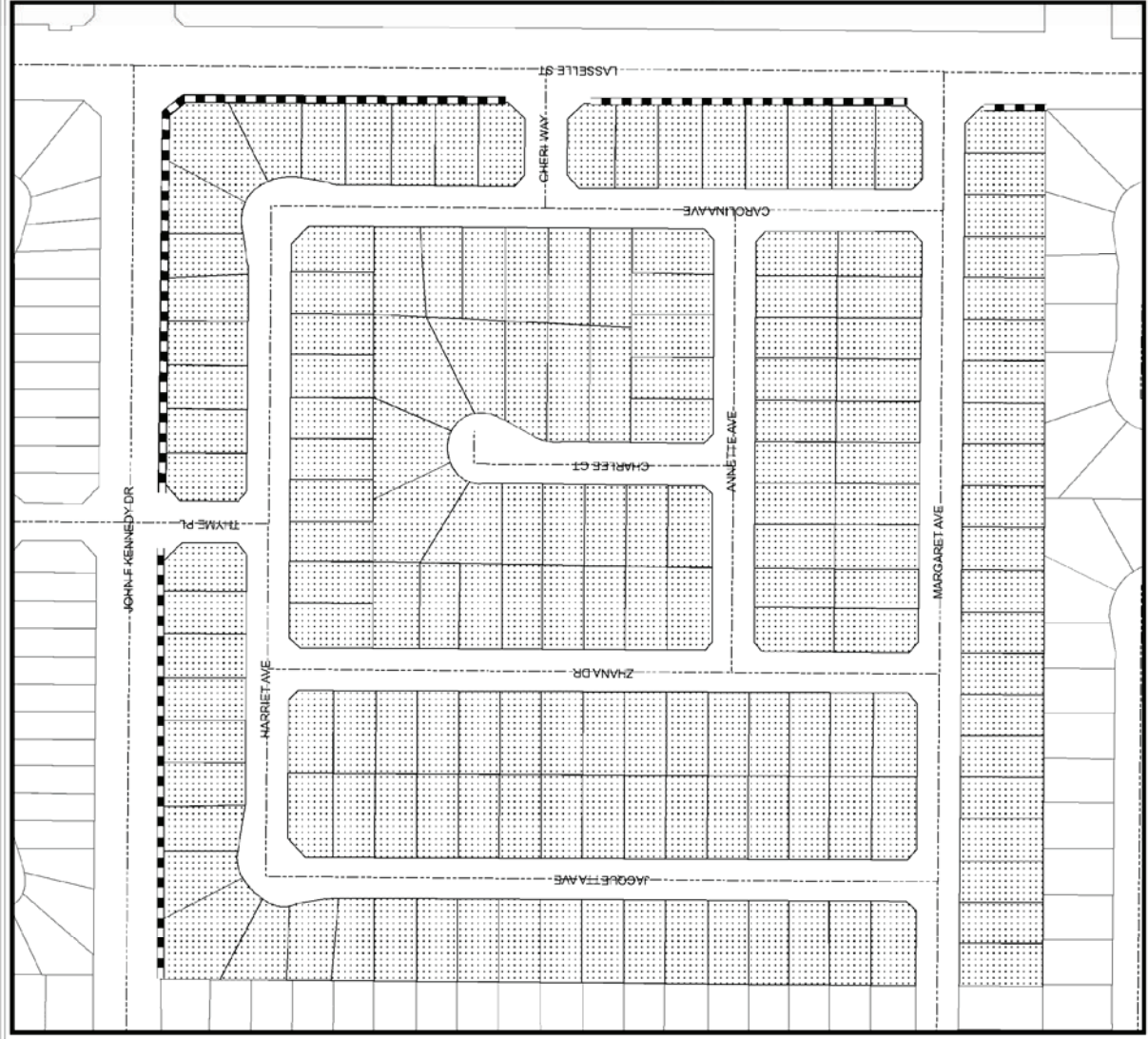


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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification 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, damages, or other consequences resulting from the use of this map. This map is not to be recycled or resold.



MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485081001
Edward A Moore
Rhonda A Moore
15140 Laverda Ln
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19210 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19210 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$44.00 annual increase per parcel, which is equivalent to a \$3.67 increase per month. The increase will adjust the annual charge from \$68.00 to \$112.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19210 at the current standard service level. The total approved charge of \$112.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 2

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 19210**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19210, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 19210:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 19210 is \$112.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$68.00 to \$112.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



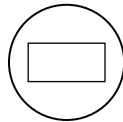
A dot or oval mark substantially inside a box;



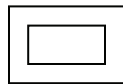
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19210 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$68.00*122 parcels)	\$ 8,296.00	
Total Revenue Generated Annually		\$ 8,296.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 2,603.04	
Vandalism	6.65	
Electricity (Southern California Edison)	535.78	
Water (Eastern Municipal Water District)	1,257.08	
Repair and Replacement/Miscellaneous Direct Expenses	1,950.05	
Landscaping Equipment and Personnel	5,432.60	
Total Direct Costs	\$ 11,785.20	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 64.82	
Special Districts Administration	686.11	
City Administration	1,074.44	
Total Indirect Costs	\$ 1,825.37	

Total Expenditures		\$ 13,610.57
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Operating Shortfall

(Total Revenue less Total Expenditures)		\$ (5,314.57)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19210**

TAX YEAR	PARCEL CHARGE
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00
2002-2003	\$57.00
2003-2004	\$57.00
2004-2005	\$57.00
2005-2006	\$57.00
2006-2007	\$57.00
2007-2008	\$68.00
2008-2009	\$68.00
2009-2010	\$68.00

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 19210

- Median
- - - Landscaped Areas
- ▤ Tract 19210
- ~ Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.



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The information shown on this map was compiled from the Riverside County Assessor's GIS. The City of Moreno Valley is not responsible for the accuracy of the information on this map. 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 recopied or resold.



MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 312031001
Juan Padilla
25379 Ivory Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 19937 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 19937 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$49.90 annual increase per parcel, which is equivalent to a \$4.16 increase per month. The increase will adjust the annual charge from \$107.10 to \$157.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 19937 at the current standard service level. The total approved charge of \$157.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 3

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\19937\Tract 19937 packet.doc

**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 19937**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 19937, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 19937:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 19937 is \$157.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$107.10 to \$157.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



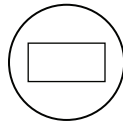
A dot or oval mark substantially inside a box;



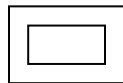
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 19937 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$107.10*163 parcels)	\$ 17,457.30	
Total Revenue Generated Annually		\$ 17,457.30

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 5,865.96
Vandalism	31.07
Electricity (Southern California Edison)	268.89
Water (Eastern Municipal Water District)	3,016.28
Repair and Replacement/Miscellaneous Direct Expenses	2,731.68
Landscaping Equipment and Personnel	10,188.49
Total Direct Costs	\$ 22,102.37

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 140.17
Special Districts Administration	1,286.76
City Administration	2,015.04
Total Indirect Costs	\$ 3,441.97

Total Expenditures	\$ 25,544.34
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Operating Shortfall

(Total Revenue less Total Expenditures)	\$ (8,087.04)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 19937**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$70.00
2002-2003	\$71.00
2003-2004	\$71.00
2004-2005	\$72.00
2005-2006	\$75.00
2006-2007	\$100.00
2007-2008	\$103.00
2008-2009	\$107.00
2009-2010	\$107.10

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 19937

- Median
- - - Landscaped Areas
- ~ Roads
- Parcels
- City Boundary
- ▨ Tract 19937

Map reflects all changes indicated on Riverside County Assessor Maps as of February 22, 2010.

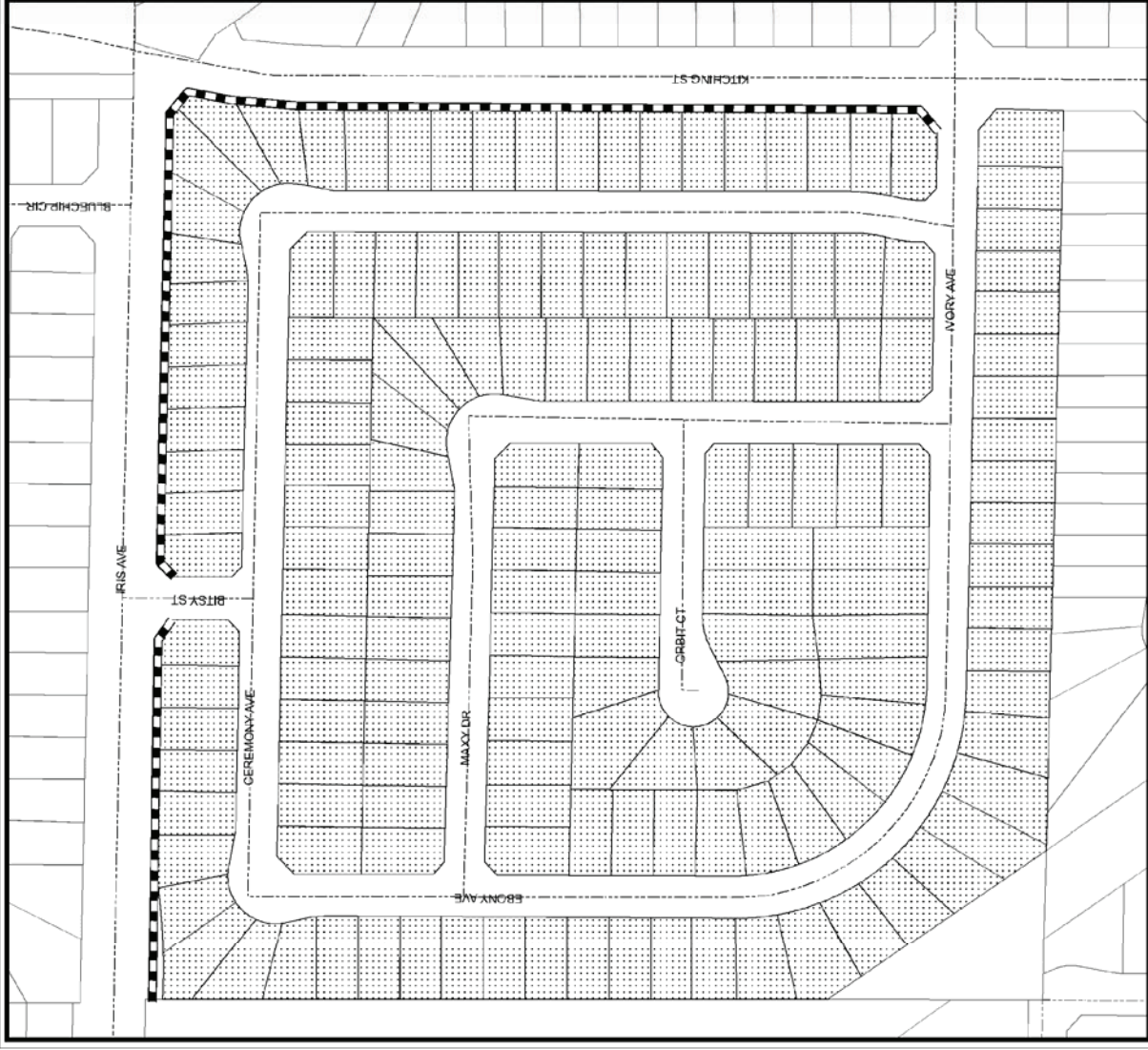


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MORENO VALLEY
WHERE DREAMS SOAR.



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316040001
Cenia H Miranda
16099 Geranium Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20404 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20404 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance. Every year, the CSD compares the cost to provide the service to the revenue received for each tract. Higher costs for electricity, water, and maintenance costs have impacted the overall program costs. The CSD has determined that the annual expenses for Tract 20404 exceed the annual parcel charge paid by the property owners.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an \$81.00 increase per parcel, which is equivalent to a \$6.75 increase per month. The increase will adjust the annual charge from \$97.00 to \$178.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20404 at the current standard service level. The total approved charge of \$178.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 4

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 20404**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20404, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 20404:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 20404 is \$178.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$97.00 to \$178.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



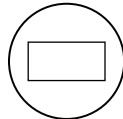
A dot or oval mark substantially inside a box;



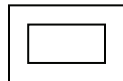
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20404 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$97*238 parcels)	\$ 23,086.00	
Total Revenue Generated Annually		\$ 23,086.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 10,147.56	
Vandalism	8.73	
Electricity (Southern California Edison)	1,116.84	
Water (Eastern Municipal Water District)	4,912.86	
Repair and Replacement/Miscellaneous Direct Expenses	3,525.73	
Landscaping Equipment and Personnel	16,857.03	
Total Direct Costs	\$ 36,568.75	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 111.69	
Special Districts Administration	2,128.97	
City Administration	3,333.92	
Total Indirect Costs	\$ 5,574.58	

Total Expenditures		\$ 42,143.33
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Operating Shortfall

(Total Revenue less Total Expenditures)		\$ (19,057.33)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20404**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$83.00
2002-2003	\$85.00
2003-2004	\$88.00
2004-2005	\$90.00
2005-2006	\$94.00*
2006-2007	\$94.00
2007-2008	\$94.00
2008-2009	\$97.00
2009-2010	\$97.00

***Property owners were balloted and approved a CSD Zone D parcel charge of \$105 for fiscal year 2006/07. The base maintenance contract for this tract was lower than originally expected so the parcel charge was levied based on what was necessary to cover costs.**

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20404

- Median
- Landscaped Areas
- Tract 20404
- Roads
- Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.

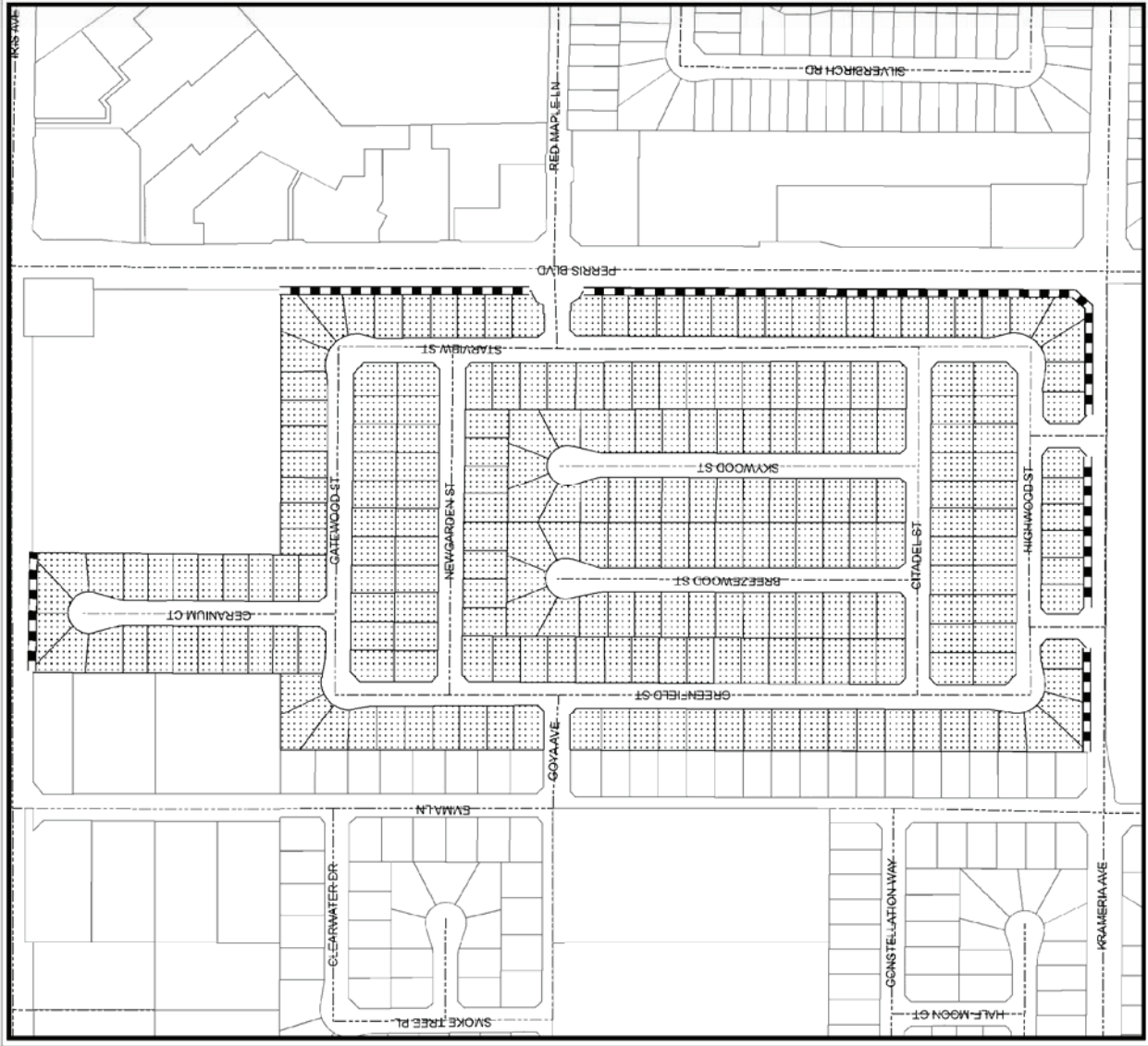


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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification 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.



MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264331001
Omer Shalika
12625 Frederick St 15349
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing an \$87.00 increase per parcel, which is equivalent to a \$7.25 increase per month. The increase will adjust the annual charge from \$57.00 to \$144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of \$144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 5

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 20579**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 20579:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 20579 is \$144.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$57.00 to \$144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



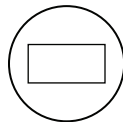
A dot or oval mark substantially inside a box;



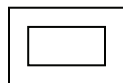
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$57*100 parcels)	\$ 5,700.00	
2009/10 Parcel Charge (\$106.10*5 parcels)	530.50	
2009/10 Parcel Charge (\$158.10*6 parcels)	948.60	
Total Revenue Generated Annually		\$ 7,179.10

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 5,835.60
Vandalism	1.90
Electricity (Southern California Edison)	275.70
Water (Eastern Municipal Water District)	2,874.20
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51
Landscaping Equipment and Personnel	9,219.46
Total Direct Costs	\$ 20,001.37

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 98.56
Special Districts Administration	1,164.51
City Administration	1,823.59
Total Indirect Costs	\$ 3,086.66

Total Expenditures **\$ 23,088.03**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00/\$90.00/\$135.00
2002-2003	\$57.00/\$90.00/\$135.00
2003-2004	\$57.00/\$90.00/\$135.00
2004-2005	\$57.00/\$90.00/\$135.00
2005-2006	\$57.00/\$94.00/\$141.00
2006-2007	\$57.00/\$98.00/\$147.00
2007-2008	\$57.00/\$101.00/\$151.00
2008-2009	\$57.00/\$106.00/\$158.00
2009-2010	\$57.00/\$106.10/\$158.10

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

- Median
- Landscaped Areas
- ▨ Tract 20579
- ~ Roads
- MV Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.



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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 recopied or resold.



MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352007
John Fitzgerald
Sylvia Roldan Fitzgerald
22569 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$37.90 increase per parcel, which is equivalent to a \$3.16 increase per month. The increase will adjust the annual charge from \$106.10 to \$144.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The total approved charge of \$144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 20579**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 20579:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 20579 is \$144.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$106.10 to \$144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



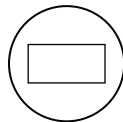
A dot or oval mark substantially inside a box;



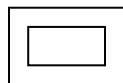
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$57*100 parcels)	\$ 5,700.00	
2009/10 Parcel Charge (\$106.10*5 parcels)	530.50	
2009/10 Parcel Charge (\$158.10*6 parcels)	948.60	
Total Revenue Generated Annually		\$ 7,179.10

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 5,835.60
Vandalism	1.90
Electricity (Southern California Edison)	275.70
Water (Eastern Municipal Water District)	2,874.20
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51
Landscaping Equipment and Personnel	9,219.46
Total Direct Costs	\$ 20,001.37

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 98.56
Special Districts Administration	1,164.51
City Administration	1,823.59
Total Indirect Costs	\$ 3,086.66

Total Expenditures **\$ 23,088.03**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00/\$90.00/\$135.00
2002-2003	\$57.00/\$90.00/\$135.00
2003-2004	\$57.00/\$90.00/\$135.00
2004-2005	\$57.00/\$90.00/\$135.00
2005-2006	\$57.00/\$94.00/\$141.00
2006-2007	\$57.00/\$98.00/\$147.00
2007-2008	\$57.00/\$101.00/\$151.00
2008-2009	\$57.00/\$106.00/\$158.00
2009-2010	\$57.00/\$106.10/\$158.10

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

- Median
- Landscaped Areas
- ▨ Tract 20579
- ~ Roads
- MV Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.



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MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
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WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264352001
Hugo David Padilla
Rosa Elvira Padilla
22509 Climbing Rose Dr
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 20579 Regarding a Proposed Adjustment to the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20579 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed adjustment to the annual charge for parkway landscape maintenance.

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer support such shortages. In order to maintain services at the current standard service level, the entire tract will be balloted in fiscal year (FY) 2010/11 for an annual charge of \$144.00. If the new charge is approved, all parcels in the tract will pay the same amount. Spreading the cost equally to every parcel within the tract will result in a decrease in your annual Zone D charge.

The CSD is proposing a \$14.10 decrease in your annual charge, which is equivalent to a \$1.18 decrease per month. The change will adjust your annual charge from \$158.10 to \$144.00 for FY 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the adjustment to the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20579 at the current standard service level. The approved charge of \$144.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the adjustment to the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the

lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed adjustment, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED CHANGE IN THE MORENO VALLEY COMMUNITY SERVICES
DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL
CHARGE FOR TRACT 20579**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20579, of the proposed decrease in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed decrease. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION

**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 20579:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. The proposed CSD Zone D Annual Parcel Charge for Tract 20579 is \$144.00 per parcel. The proposed charge will result in a \$14.10 decrease in your annual charge. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Decrease:**

The CSD has been supplementing the tract's overall expenses for several years from the fund balance to preserve landscape maintenance, but the fund can no longer aid such shortages. In order to maintain services at the current standard service level the entire tract will be balloted for an annual charge of \$144.00.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed adjustment to the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed adjustment to the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Directors.

1. Mark the enclosed ballot in support or opposition to the proposed adjustment to the Zone D annual charge **by placing a mark in the corresponding box.**
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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots are marked as approved, the proposed annual Zone D parcel charge will adjust from \$158.00 to \$144.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or a majority of the property owners returning their ballots oppose the adjustment to the annual charge, landscape services for Tract 20579 shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



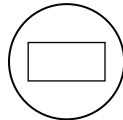
A dot or oval mark substantially inside a box;



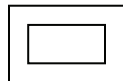
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20579 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$57*100 parcels)	\$ 5,700.00	
2009/10 Parcel Charge (\$106.10*5 parcels)	530.50	
2009/10 Parcel Charge (\$158.10*6 parcels)	<u>948.60</u>	
Total Revenue Generated Annually		\$ 7,179.10

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 5,835.60
Vandalism	1.90
Electricity (Southern California Edison)	275.70
Water (Eastern Municipal Water District)	2,874.20
Repair and Replacement/Miscellaneous Direct Expenses	1,794.51
Landscaping Equipment and Personnel	<u>9,219.46</u>
Total Direct Costs	\$ 20,001.37

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 98.56
Special Districts Administration	1,164.51
City Administration	<u>1,823.59</u>
Total Indirect Costs	\$ 3,086.66

Total Expenditures **\$ 23,088.03**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (15,908.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20579**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00/\$90.00/\$135.00
2002-2003	\$57.00/\$90.00/\$135.00
2003-2004	\$57.00/\$90.00/\$135.00
2004-2005	\$57.00/\$90.00/\$135.00
2005-2006	\$57.00/\$94.00/\$141.00
2006-2007	\$57.00/\$98.00/\$147.00
2007-2008	\$57.00/\$101.00/\$151.00
2008-2009	\$57.00/\$106.00/\$158.00
2009-2010	\$57.00/\$106.10/\$158.10

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20579

- Median
- Landscaped Areas
- ▨ Tract 20579
- ~ Roads
- MV Parcels
- City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 11, 2010.



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MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 485201043
Norman D Hollins
Elizabeth S A Hollins
24498 St Thomas Ave
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 20718 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 20718 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$94.90 increase per parcel, which is equivalent to a \$7.91 increase per month. The increase will adjust the annual charge from \$139.10 to \$234.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 20718 at the current standard service level. The total approved charge of \$234.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 6

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 20718**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 20718, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 20718:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 20718 is \$234.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. Duration of the Proposed Charges:

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. Reason for the Charge Increase:

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. Calculation of the Charge:

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$139.10 to \$234.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



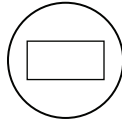
A dot or oval mark substantially inside a box;



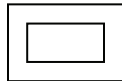
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 20718 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$139.10*104 parcels)	\$ 14,466.40	
Total Revenue Generated Annually		\$ 14,466.40

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 6,459.60
Vandalism	11.12
Electricity (Southern California Edison)	268.81
Water (Eastern Municipal Water District)	1,964.78
Repair and Replacement/Miscellaneous Direct Expenses	2,640.39
Landscaping Equipment and Personnel	9,701.74
Total Direct Costs	\$ 21,046.44

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 119.08
Special Districts Administration	1,225.29
City Administration	1,918.78
Total Indirect Costs	\$ 3,263.15

Total Expenditures	\$ 24,309.59
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Operating Shortfall

(Total Revenue less Total Expenditures)	\$ (9,843.19)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.



**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 20718**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$71.00
2002-2003	\$71.00
2003-2004	\$96.00
2004-2005	\$96.00
2005-2006	\$100.00
2006-2007	\$129.00
2007-2008	\$133.00
2008-2009	\$139.00
2009-2010	\$139.10

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 20718

-  Median
-  Landscaped Areas
-  Roads
-  mv parcels
-  City Boundary
-  Tract 20718

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

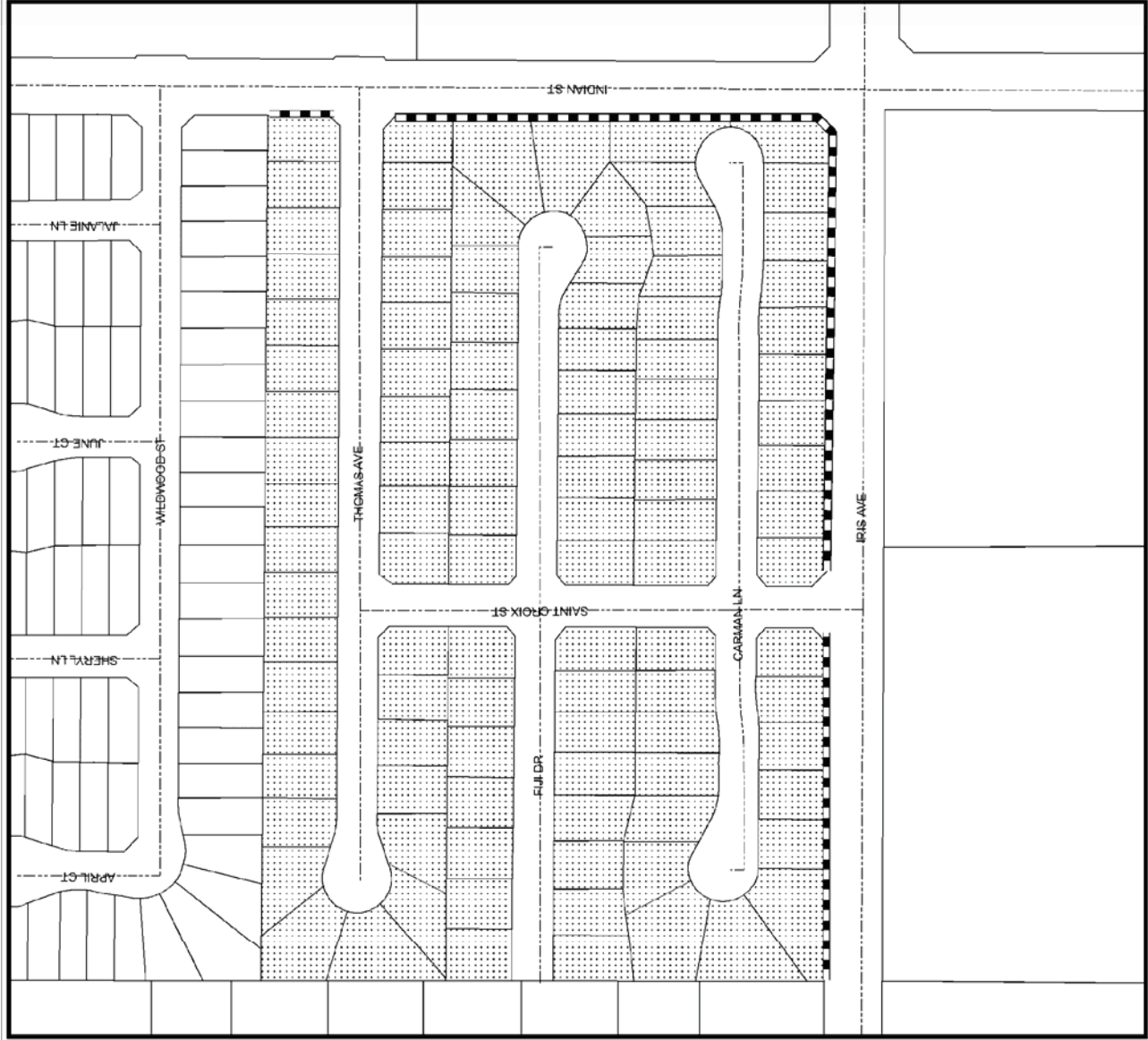


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MORENO VALLEY
WHERE DREAMS SOAR





May 28, 2010

APN 316141001
Francisco C Mundo
Patricia K Mundo
16855 Baltic Ct
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 21113 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21113 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$32.00 increase per parcel, which is equivalent to a \$2.67 increase per month. The increase will adjust the annual charge from \$57.00 to \$89.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21113 at the current standard service level. The total approved charge of \$89.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 7

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 21113**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21113, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 21113:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 21113 is \$89.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$57.00 to \$89.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



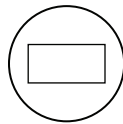
A dot or oval mark substantially inside a box;



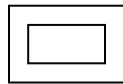
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21113 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$57*166 parcels)	\$ 9,462.00	
Total Revenue Generated Annually		\$ 9,462.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 3,425.76	
Vandalism	156.29	
Electricity (Southern California Edison)	177.29	
Water (Eastern Municipal Water District)	1,201.43	
Repair and Replacement/Miscellaneous Direct Expenses	1,906.40	
Landscaping Equipment and Personnel	5,872.65	
Total Direct Costs	\$ 12,739.82	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 68.95	
Special Districts Administration	741.69	
City Administration	1,161.47	
Total Indirect Costs	\$ 1,972.11	

Total Expenditures **\$ 14,711.93**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (5,249.93)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT NO. 21113**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00
2002-2003	\$57.00
2003-2004	\$57.00
2004-2005	\$57.00
2005-2006	\$57.00
2006-2007	\$57.00
2007-2008	\$57.00
2008-2009	\$57.00
2009-2010	\$57.00

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 21113

- Median
- - - Landscaped Areas
- ~ Roads
- Parcels
- City Boundary
- ▨ Tract 21113

Map reflects all changes indicated on Riverside County Assessor Maps as of February 24, 2010.

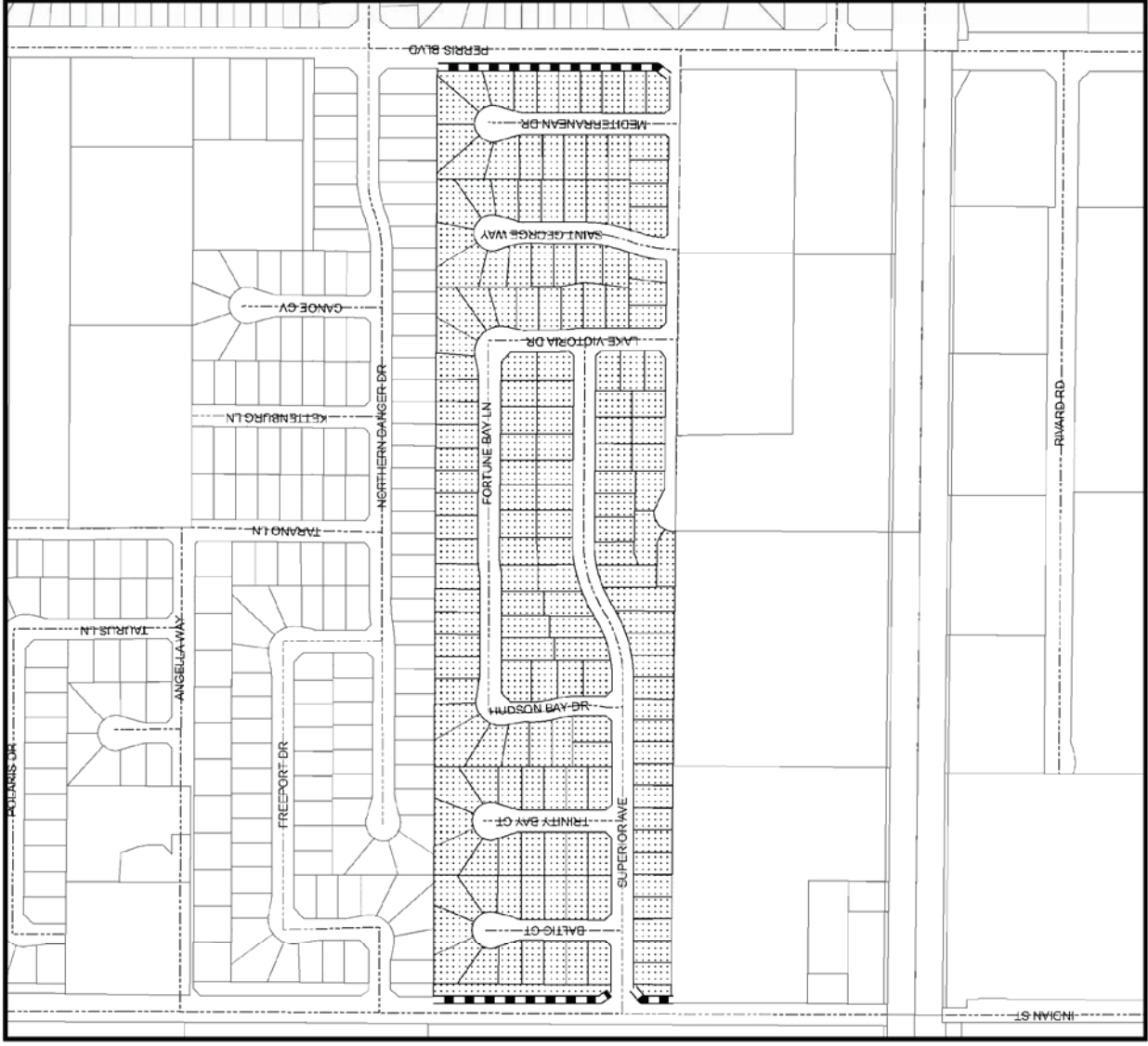


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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification 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.



MORENO VALLEY
WHERE DREAMS SOAR





May 28, 2010

APN 264381018
Yong Chil Kim
Eunsil Kim
22345 Scarlet Sage Way
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 21333 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21333 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$136.80 increase per parcel, which is equivalent to an \$11.40 increase per month. The increase will adjust the annual charge from \$208.20 to \$345.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21333 at the current standard service level. The total approved charge of \$345.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 8

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

W:\SpecialDist\jennifert\Ballots for FY 09.10\ZONE D\21333\Tract 21333 packet.doc

**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 21333**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21333, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 21333:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 21333 is \$345.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$208.20 to \$345.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



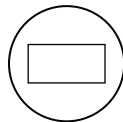
A dot or oval mark substantially inside a box;



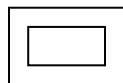
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21333 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$208.20*127 parcels)	\$ 26,441.40	
Total Revenue Generated Annually		\$ 26,441.40

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 15,303.60	
Vandalism	53.86	
Electricity (Southern California Edison)	268.23	
Water (Eastern Municipal Water District)	3,645.01	
Repair and Replacement/Miscellaneous Direct Expenses	1,147.59	
Landscaping Equipment and Personnel	17,461.27	
Total Direct Costs	\$ 37,879.56	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 182.27	
Special Districts Administration	2,205.29	
City Administration	3,453.43	
Total Indirect Costs	\$ 5,840.99	

Total Expenditures		\$ 43,720.55
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Operating Shortfall

(Total Revenue less Total Expenditures)		\$ (17,279.15)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21333**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$190.00
2002-2003	\$190.00
2003-2004	\$190.00
2004-2005	\$193.00
2005-2006	\$201.00
2006-2007	\$208.00
2007-2008	\$208.00
2008-2009	\$208.00
2009-2010	\$208.20

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 21333

- Median
- - - Landscaped Areas
- ▨ Tract 21333
- ~ Roads
- mv parcels
- ▭ City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.



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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 484141001
U S Bank Natl Assn
25711 Clifton Ct
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 21597 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 21597 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$177.80 increase per parcel, which is equivalent to a \$14.82 increase per month. The increase will adjust the annual charge from \$295.20 to \$473.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 21597 at the current standard service level. The total approved charge of \$473.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 9

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 21597**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 21597, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 21597:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 21597 is \$473.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$295.20 to \$473.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



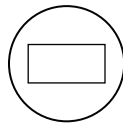
A dot or oval mark substantially inside a box;



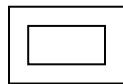
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 21597 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$295.20*75 parcels)	\$ 22,140.00	
Total Revenue Generated Annually		\$ 22,140.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 9,330.96	
Vandalism	6.49	
Electricity (Southern California Edison)	270.70	
Water (Eastern Municipal Water District)	5,070.67	
Repair and Replacement/Miscellaneous Direct Expenses	1,857.53	
Landscaping Equipment and Personnel	14,141.52	
Total Direct Costs	\$ 30,677.87	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 141.52	
Special Districts Administration	1,786.02	
City Administration	2,796.86	
Total Indirect Costs	\$ 4,724.40	

Total Expenditures		\$ 35,402.27
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Operating Shortfall

(Total Revenue less Total Expenditures)		\$ (13,262.27)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.







**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 21597**

TAX YEAR	PARCEL CHARGE
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$237.00
2002-2003	\$242.00
2003-2004	\$242.00
2004-2005	\$246.00
2005-2006	\$257.00
2006-2007	\$257.00
2007-2008	\$295.00
2008-2009	\$295.00
2009-2010	\$295.20

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 21597

-  Median
-  Landscaped Areas
-  Roads
-  Parcels
-  City Boundary
-  Tract 21597

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

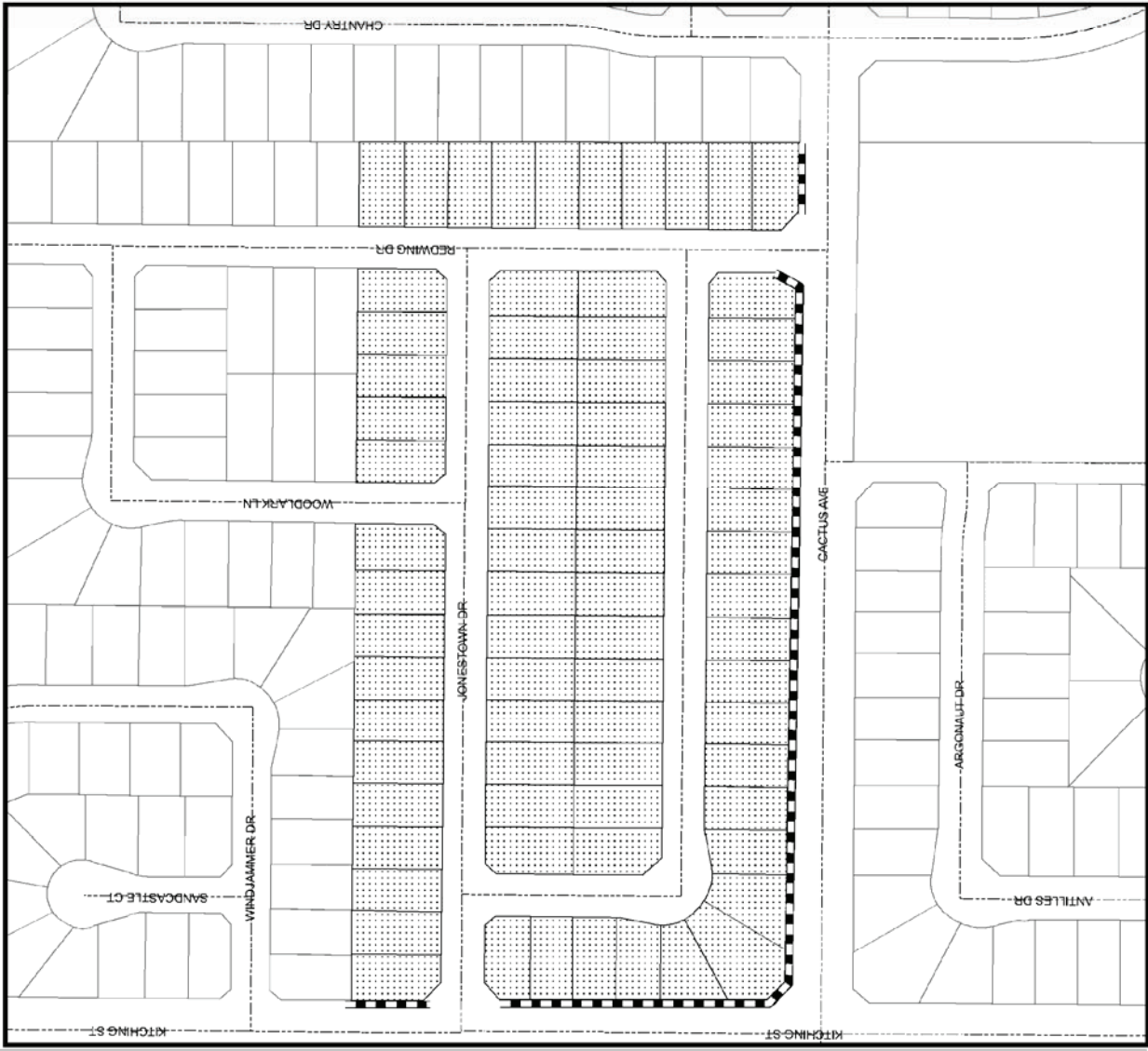


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MORENO VALLEY
WHERE DREAMS SOAR



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14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 316071001
Rick Farag
24585 Moonlight Dr
Moreno Valley, CA 92551

Subject: Mail Ballot Proceeding for Tract 22889 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 22889 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$127.00 increase per parcel, which is equivalent to a \$10.58 increase per month. The increase will adjust the annual charge from \$186.00 to \$313.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 22889 at the current standard service level. The total approved charge of \$313.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 10

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 22889**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 22889, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 22889:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 22889 is \$313.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$186.00 to \$313.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



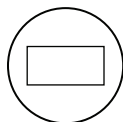
A dot or oval mark substantially inside a box;



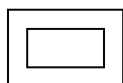
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 22889 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$186*56 parcels)	\$ 10,416.00	
Total Revenue Generated Annually		\$ 10,416.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 4,615.80	
Vandalism	33.51	
Electricity (Southern California Edison)	403.17	
Water (Eastern Municipal Water District)	1,917.76	
Repair and Replacement/Miscellaneous Direct Expenses	1,206.86	
Landscaping Equipment and Personnel	6,992.88	
Total Direct Costs	\$ 15,169.98	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 58.61	
Special Districts Administration	883.17	
City Administration	1,383.03	
Total Indirect Costs	\$ 2,324.81	

Total Expenditures		\$ 17,494.79
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Operating Shortfall

(Total Revenue less Total Expenditures)		\$ (7,078.79)
--	--	----------------------

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 22889**

TAX YEAR	PARCEL CHARGE
1988-1989	\$50.00
1989-1990	\$55.00
1990-1991	\$55.00
1991-1992	\$56.00
1992-1993	\$56.00
1993-1994	\$57.00
1994-1995	\$57.00
1995-1996	\$57.00
1996-1997	\$57.00
1997-1998	\$57.00
1998-1999	\$57.00
1999-2000	\$57.00
2000-2001	\$57.00
2001-2002	\$57.00
2002-2003	\$57.00
2003-2004	\$186.00
2004-2005	\$186.00
2005-2006	\$186.00
2006-2007	\$186.00
2007-2008	\$186.00
2008-2009	\$186.00
2009-2010	\$186.00

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 22889

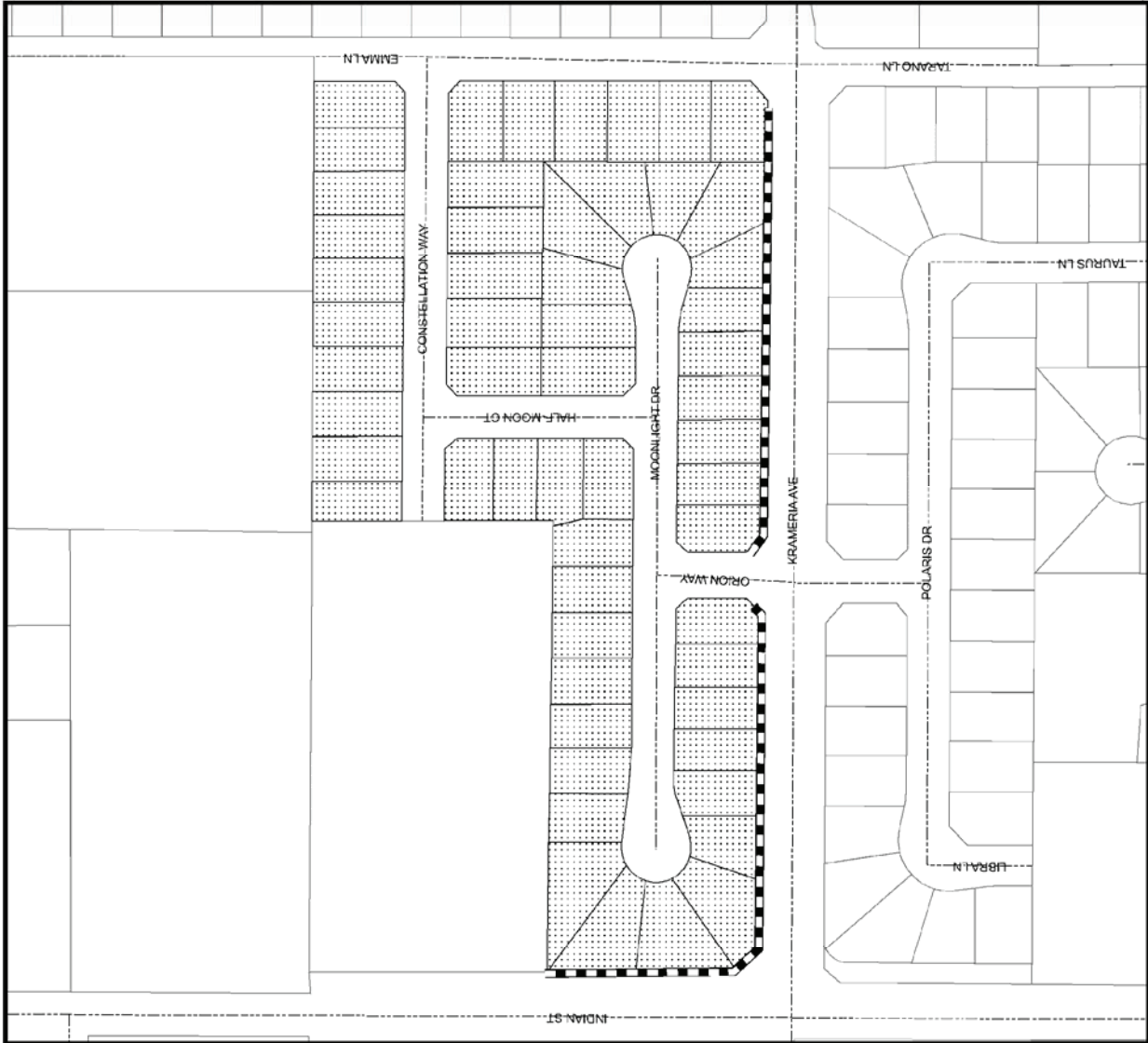
- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 22889

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.



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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479501046
Gerald J Broussard
12082 Franklin St
Moreno Valley, CA 92557

Subject: Mail Ballot Proceeding for Tract 28882 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 28882 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$75.90 increase per parcel, which is equivalent to a \$6.33 increase per month. The increase will adjust the annual charge from \$103.10 to \$179.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 28882 at the current standard service level. The total approved charge of \$179.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 11

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 28882**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 28882, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 28882:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 28882 is \$179.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of the Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$103.10 to \$179.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



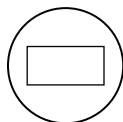
A dot or oval mark substantially inside a box;



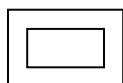
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 28882 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$103.10*111 parcels)	\$ 11,444.10	
Total Revenue Generated Annually		\$ 11,444.10

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 5,892.00	
Vandalism	-	
Electricity (Southern California Edison)	269.94	
Water (Eastern Municipal Water District)	1,997.50	
Repair and Replacement/Miscellaneous Direct Expenses	1,061.09	
Landscaping Equipment and Personnel	7,885.19	
Total Direct Costs	\$ 17,105.72	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 112.99	
Special Districts Administration	995.87	
City Administration	1,559.51	
Total Indirect Costs	\$ 2,668.37	

Total Expenditures **\$ 19,774.09**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (8,329.99)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 28882**

TAX YEAR	PARCEL CHARGE
1999-2000	\$70.00
2000-2001	\$70.00
2001-2002	\$70.00
2002-2003	\$74.00
2003-2004	\$77.00
2004-2005	\$78.00
2005-2006	\$80.00
2006-2007	\$96.00
2007-2008	\$99.00
2008-2009	\$103.00
2009-2010	\$103.10

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 28882

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary
- Tract 28882

Map reflects all changes indicated on Riverside County Assessor Maps as of February 18, 2010.

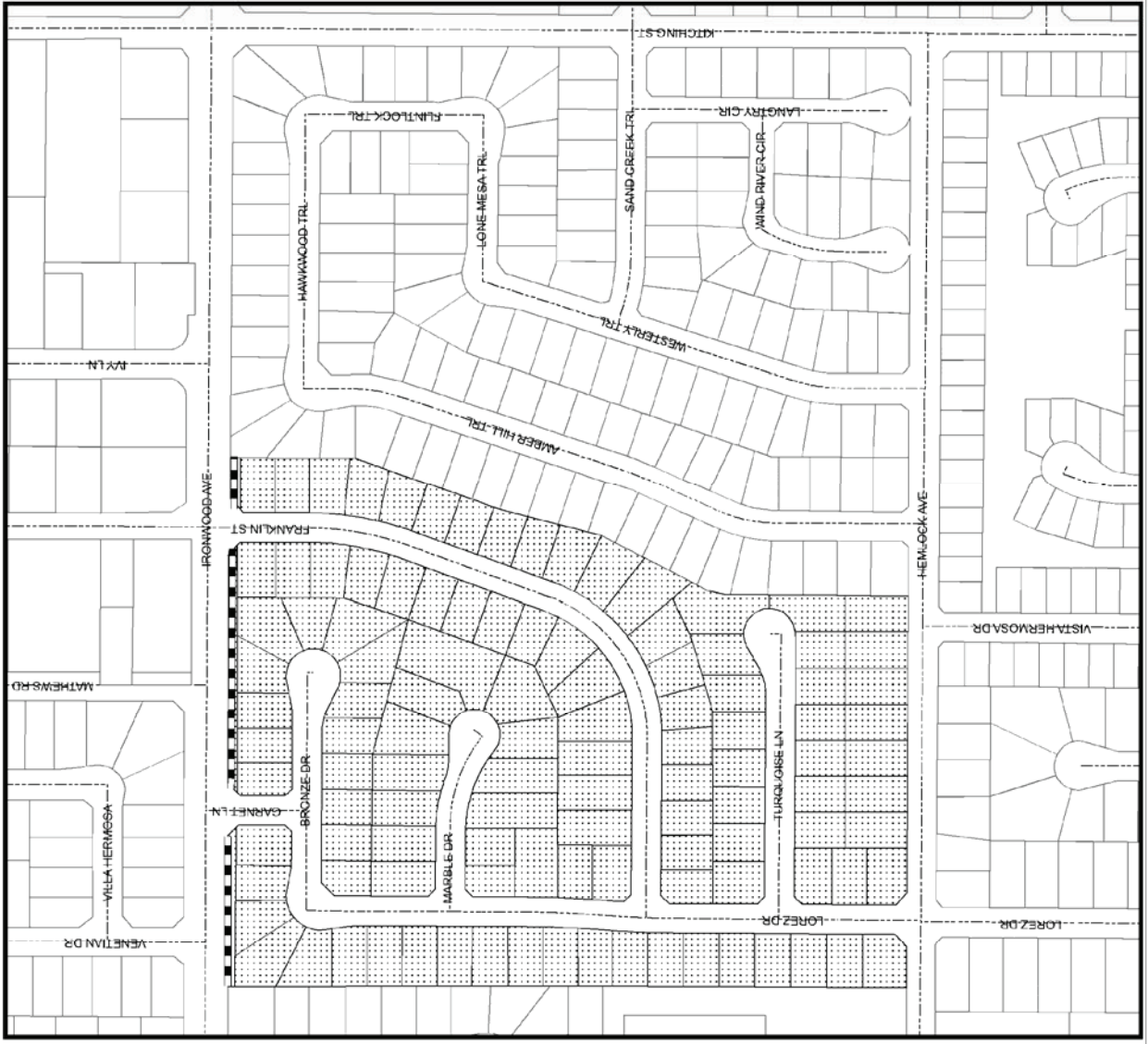


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MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 264440001
Gwendolyn M Criswell
P O Box 4185
Riverside, CA 92514

Subject: Mail Ballot Proceeding for Tract 31257 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31257 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$364 increase per parcel, which is equivalent to a \$30.33 increase per month. The increase will adjust the annual charge from \$1,050 to \$1,414 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31257 at the current standard service level. The total approved charge of \$1,414 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 12

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 31257**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31257, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 31257:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

- 2. CSD Zone D Annual Parcel Charge for Tract 31257 is \$1,414 per parcel.** The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Property owners may submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy for Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$1,050 to \$1,414 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



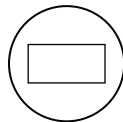
A dot or oval mark substantially inside a box;



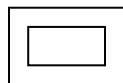
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31257 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$1050*17 parcels)	\$ 17,850.00	
Total Revenue Generated Annually		\$ 17,850.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 7,493.40	
Vandalism	1.05	
Electricity (Southern California Edison)	283.93	
Water (Eastern Municipal Water District)	2,607.36	
Repair and Replacement/Miscellaneous Direct Expenses	846.60	
Landscaping Equipment and Personnel	9,605.65	
Total Direct Costs	\$ 20,837.99	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 70.36	
Special Districts Administration	1,213.15	
City Administration	1,899.77	
Total Indirect Costs	\$ 3,183.28	

Total Expenditures **\$ 24,021.27**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (6,171.27)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31257**

TAX YEAR	PARCEL CHARGE
2006-2007	\$1,050
2007-2008	\$1,050
2008-2009	\$1,050
2009-2010	\$1,050

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 31257

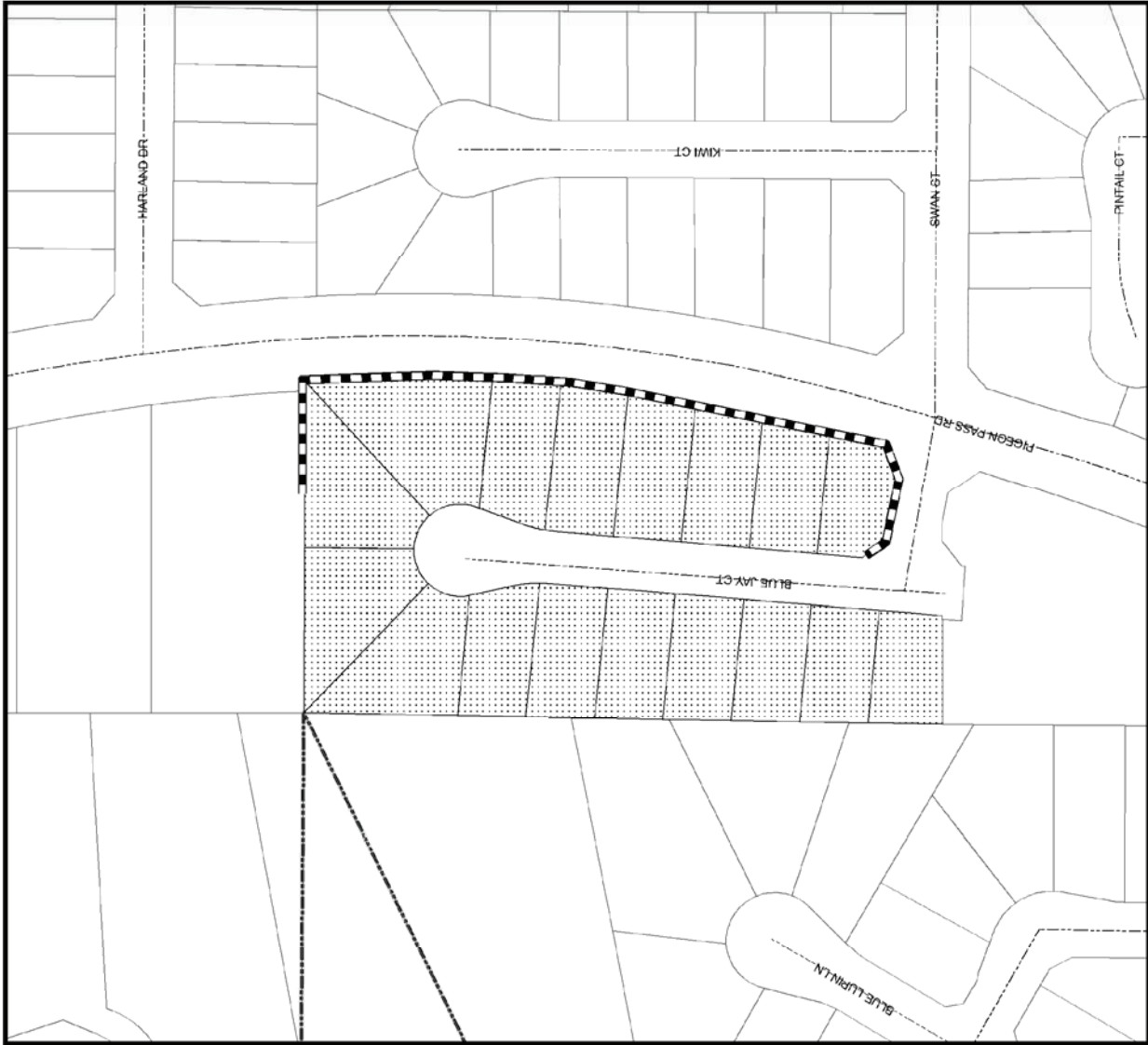
- Median
- Landsaped Areas
- Roads
- Parcels
- City Boundary
- Tract 31257

Map reflects all changes indicated on Riverside County Assessor Maps as of February 26, 2010.



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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.



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 478370001
Bernadette C Allison
Donald B Allison
28881 Lexington Way
Moreno Valley, CA 92555

Subject: Mail Ballot Proceeding for Tract 31269-1 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 31269-1 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$59.80 increase per parcel, which is equivalent to a \$4.98 increase per month. The increase will adjust the annual charge from \$295.20 to \$355.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 31269-1 at the current standard service level. The total approved charge of \$355.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 13

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 31269-1**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 31269-1, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 31269-1:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 31269-1 is \$355.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which shall include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the CSD Board of Directors.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary of the CSD Board of Directors' 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 Secretary of the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$295.20 to \$355.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



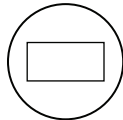
A dot or oval mark substantially inside a box;



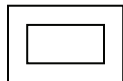
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 31269-1 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$295.20*107 parcels)	\$ 31,586.40	
Total Revenue Generated Annually		\$ 31,586.40

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 12,277.44
Vandalism	366.44
Electricity (Southern California Edison)	531.81
Water (Eastern Municipal Water District)	2,279.93
Repair and Replacement/Miscellaneous Direct Expenses	2,221.36
Landscaping Equipment and Personnel	15,116.97
Total Direct Costs	\$ 32,793.95

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 202.65
Special Districts Administration	1,909.21
City Administration	2,989.78
Total Indirect Costs	\$ 5,101.64

Total Expenditures	\$ 37,895.59
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Operating Shortfall

(Total Revenue less Total Expenditures)	\$ (6,309.19)
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Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 31269-1**

TAX YEAR	PARCEL CHARGE
2005-2006	\$295.00
2006-2007	\$295.00
2007-2008	\$295.00
2008-2009	\$295.00
2009-2010	\$295.20

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 31269-1

- Median
- - - Landscaped Areas
- ▤ Tract 32169-1
- ~ Roads
- Parcels
- ▭ City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of March 2, 2010.

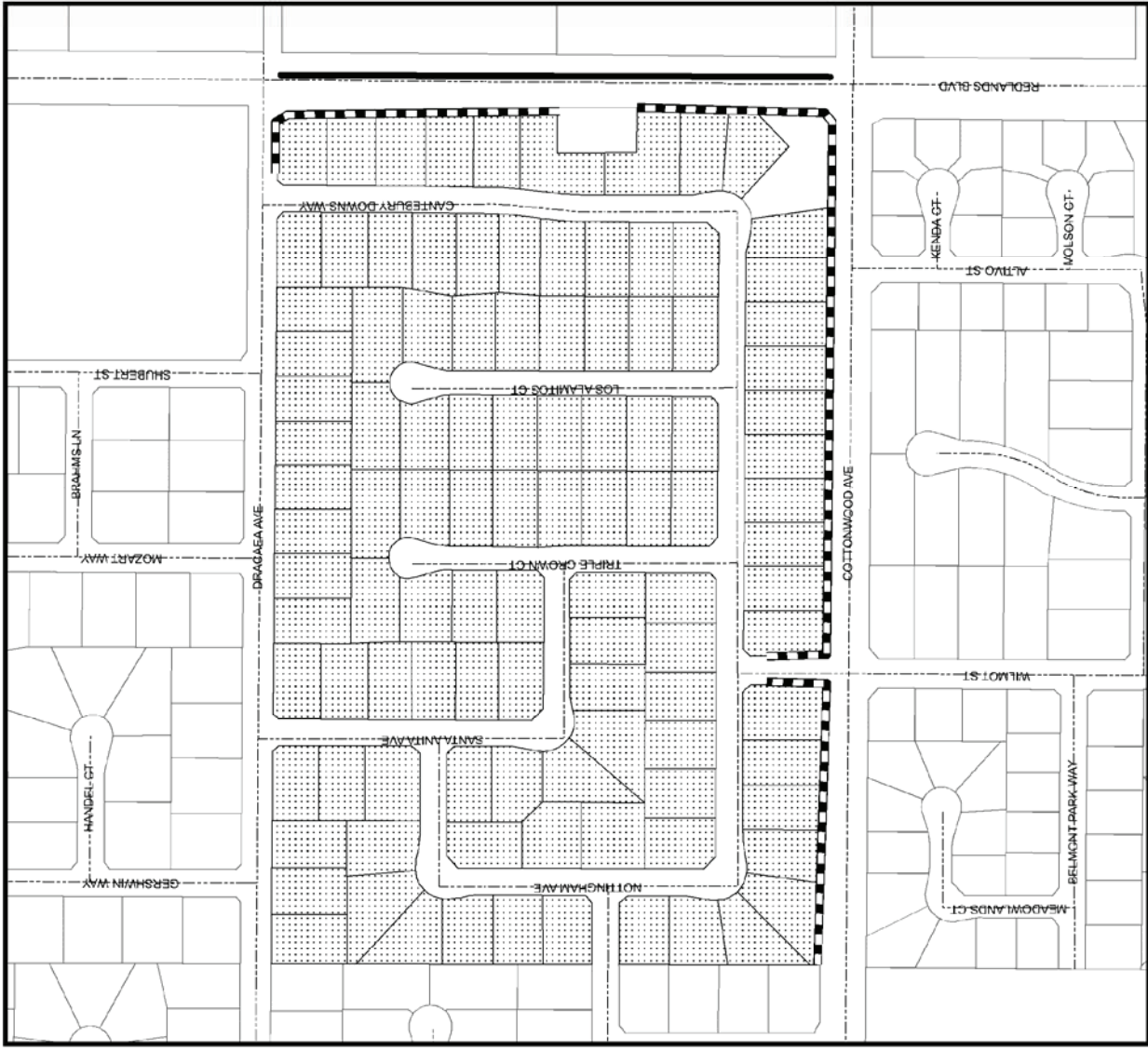


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MORENO VALLEY
WHERE DREAMS SOAR



TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US



14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

May 28, 2010

APN 479670001
Raul Martinez
Ana Martinez
25325 Dracaea Ave
Moreno Valley, CA 92553

Subject: Mail Ballot Proceeding for Tract 32018 Regarding a Proposed Increase in the Moreno Valley Community Services District Zone D (Parkway Landscape Maintenance) Annual Charge

Dear Property Owner:

The Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding for Tract 32018 for Zone D parkway landscape maintenance services. The mail ballot proceeding provides property owners the opportunity to submit a ballot in support or opposition to the proposed increase in the annual charge for parkway landscape maintenance.

Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

In order to maintain services at the current standard service level, it is necessary to increase the Zone D annual charge. The CSD is proposing a \$92.00 annual increase per parcel, which is equivalent to a \$7.67 increase per month. The increase will adjust the annual charge from \$68.00 to \$160.00 for fiscal year 2010/11. Future inflation adjustments will be based on the percentage change calculated for the previous calendar 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.

Participation in this mail ballot proceeding requires that your completed ballot be returned prior to the close of the public hearing scheduled for July 13, 2010 at 6:30 p.m.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge, the CSD shall continue to maintain the parkway landscape within Tract 32018 at the current standard service level. The total approved charge of \$160.00 per parcel shall be placed on the 2010/11 Riverside County property tax bill.

If a majority of the returned valid ballots oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service maintenance services may be discontinued. A comparison of the three approved service levels is included with this letter.

ATTACHMENT 14

The CSD submits for your review the enclosed Notice to the Property Owner of the Mail Ballot Proceeding, map of the affected landscaped area, history of charges, description of estimated annual costs, official mail ballot, and a postage paid envelope for returning your ballot. The Notice provides Public Meeting and Public Hearing dates, times and location, instructions for marking your ballot, and information on the services and the annual charge. If you have any questions regarding the proposed increase, please contact the Special Districts Division at 951.413.3480.

Sincerely,

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



Jennifer Terry
Management Analyst

Attachments

c: Marshall Eyerman, Special Districts Program Manager
Daniel Monto, Senior Landscape Services Inspector

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**NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING REGARDING
A PROPOSED INCREASE IN THE MORENO VALLEY COMMUNITY
SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE)
ANNUAL CHARGE FOR TRACT 32018**

I. NOTICE

This notice informs you, as the record owner(s) of property within the boundary of Tract 32018, of the proposed increase in the annual parcel charge for Zone D standard service level parkway landscape maintenance. In compliance with Proposition 218, the Moreno Valley Community Services District (CSD) is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support or opposition to the proposed increase. The City Council, acting in their capacity as President and Members of the Board of Directors of the CSD, has scheduled one (1) Public Meeting and one (1) Public Hearing to accept public testimony regarding the proposed increase in the Zone D annual charge. The meetings will be incorporated into the regular meetings of the CSD Board of Directors at the time and place listed below:

PUBLIC MEETING

TUESDAY, June 22, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, July 13, 2010
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

II. BACKGROUND

The CSD was formed simultaneously with City incorporation. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from the program. Zone D was designated as a benefit zone that receives a specific service: parkway landscape maintenance. The CSD zones are structured to be full cost recovery programs, which include maintenance and administration costs.

III. CHARGE INFORMATION

1. Name of the Charge for Tract 32018:

CSD Zone D (Parkway Landscape Maintenance) at Standard Service Level

2. CSD Zone D Annual Parcel Charge for Tract 32018 is \$160.00 per parcel. The total parcel charges levied for the CSD Zone D program for fiscal year (FY) 2009/10 is \$1,091,444.70.

The annual parcel charge may be subject to an annual adjustment based on the percentage change calculated for the previous calendar 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.

3. **Duration of the Proposed Charges:**

The CSD Zone D parcel charge shall be annually levied beginning with the 2010/11 Riverside County property tax bill and shall be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charge Increase:**

Proposition 218 ("The Right to Vote on Taxes Act") requires that any new or increase in a property-related charge be approved by a simple majority of affected property owners. Every effort is made to implement cost-saving measures before any increase is considered; however, when the cost exceeds the revenue, the CSD proposes an increase in the Zone D parcel charge in order to continue maintenance at the current level of service. Higher costs for electricity, water, and maintenance contracts have impacted the overall program costs. The CSD has subsidized these higher costs for several years with Zone D fund balance. A diminishing fund balance requires the CSD to ballot tracts that are not funding the full cost of maintenance.

5. **Calculation of the Charge:**

The CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have any questions about the proposed increase in the annual Zone D (Parkway Landscape Maintenance) parcel charge, or about the mail ballot proceeding process, please contact Special Districts, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

V. SUMMARY OF BALLOT PROCEEDINGS

Please submit the enclosed ballot to the CSD in support or opposition to the proposed increase in the Zone D annual charge. Procedures for the completion, return, and tabulation of the ballots are listed below and also on file in the Office of the Secretary of the Board of the CSD.

1. Mark the enclosed ballot in support or opposition to the proposed increase in the Zone D annual charge **by placing a mark in the corresponding box.**

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 ballot in a sealed envelope to the Secretary to the CSD Board of Directors' 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 Secretary to the CSD Board of Directors prior to the close of the Public Hearing to be held on **Tuesday, July 13, 2010**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 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.
5. **Upon the close of the Public Hearing:**

Tabulation of all returned ballots will commence once the Public Hearing is closed. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors' office in compliance with the Policy For Conducting Mail Ballot Proceeding. Depending on time constrains, the official ballot results may be announced at the next regularly scheduled City Council meeting. The Secretary of the CSD Board shall inform the City Council/CSD Board of such postponement at the close of the Public Hearing.

If a simple majority (50%+1) of returned ballots is marked as approved, the proposed annual Zone D parcel charge will adjust from \$68.00 to \$160.00 for FY 2010/11. The parcel charge is subject to an annual inflation adjustment.

If a majority of the ballots returned result in a tie or oppose the increase in the annual charge, the CSD shall reduce services to a level supported by available funding. If available funding cannot support the lowest level of service, according to the CSD Zone D Policy #2.30, maintenance services may be discontinued.

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;



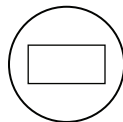
A dot or oval mark substantially inside a box;



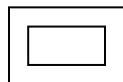
A completely shaded or filled mark substantially inside a box;



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.**

**CITY OF MORENO VALLEY
COMMUNITY SERVICES DISTRICT (CSD) ZONE D
FISCAL YEAR 20010/11 TRACT 32018 ANALYSIS**

Revenues:

2009/10 Parcel Charge (\$68*77 parcels)	\$ 5,236.00	
Total Revenue Generated Annually		\$ 5,236.00

Estimated Expenditures:

Direct Costs:

Base Maintenance Contract	\$ 3,174.60	
Vandalism	-	
Electricity (Southern California Edison)	286.67	
Water (Eastern Municipal Water District)	1,859.30	
Repair and Replacement/Miscellaneous Direct Expenses	417.70	
Landscaping Equipment and Personnel	4,907.24	
Total Direct Costs	\$ 10,645.51	

Indirect Costs:

Miscellaneous Indirect Expenses	\$ 35.88	
Special Districts Administration	619.76	
City Administration	970.54	
Total Indirect Costs	\$ 1,626.18	

Total Expenditures **\$ 12,271.69**

Operating Shortfall

(Total Revenue less Total Expenditures) **\$ (7,035.69)**

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. (Actual cost for fiscal year 2010/11.)

Vandalism: includes abatement of nuisance (i.e. rubbish removal) and necessary repairs.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Equipment and Personnel: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle fuel and telecommunications equipment.

Special Districts Administration: includes professional services and other municipal agency services.

City Administration: administrative services and liability insurance.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

**HISTORY OF CHARGES FOR
COMMUNITY SERVICES DISTRICT ZONE D
(Parkway Landscape Maintenance)
TRACT 32018**

TAX YEAR	PARCEL CHARGE
2005-2006	\$34.00
2006-2007	\$34.00
2007-2008	\$68.00
2008-2009	\$68.00
2009-2010	\$68.00

**COMMUNITY SERVICES DISTRICTS
ZONE D (Parkway Landscape Maintenance)
SERVICE LEVELS**

DESCRIPTION OF SERVICE LEVELS	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) STANDARD SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED SERVICE	ZONE D (PARKWAY LANDSCAPE MAINTENANCE) REDUCED STREET TREE SERVICE / RIGHT-OF-WAY AREA
MOWING, EDGING & TRIMMING (OF TURF AREAS ONLY)	Weekly	Monthly (or Bi-monthly as needed)	N/A
AERATION	3 times per year	As needed (budget permitting)	N/A
TREE TRIMMING	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
SHRUB TRIMMING	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
GROUND COVER TRIMMING	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
WEED CONTROL	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
IRRIGATION	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
LITTER REMOVAL	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
TURF FERTILIZER	7 applications per year	3 applications per year	N/A
SHRUB FERTILIZER	2 applications per year	1 application per year	N/A
TREE FERTILIZER	As needed	As needed (budget permitting)	As needed (budget permitting)
SHRUBS/GROUND COVERS	Pre-emergent 2 times per year	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Snail control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Insect/disease control (as needed)	As needed (budget permitting)	N/A
SHRUBS/GROUND COVERS	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A
TURF	Weed control (as needed)	As needed (budget permitting)	N/A
TURF	Vertebrate pest control (as needed)	As needed (budget permitting)	N/A

Tract 32018

- Median
- - - Landscaped Areas
- ~ Roads
- ▭ Parcels
- ▭ City Boundary
- ▨ Tract 32018

Map reflects all changes indicated on Riverside County Assessor Maps as of February 23, 2010.

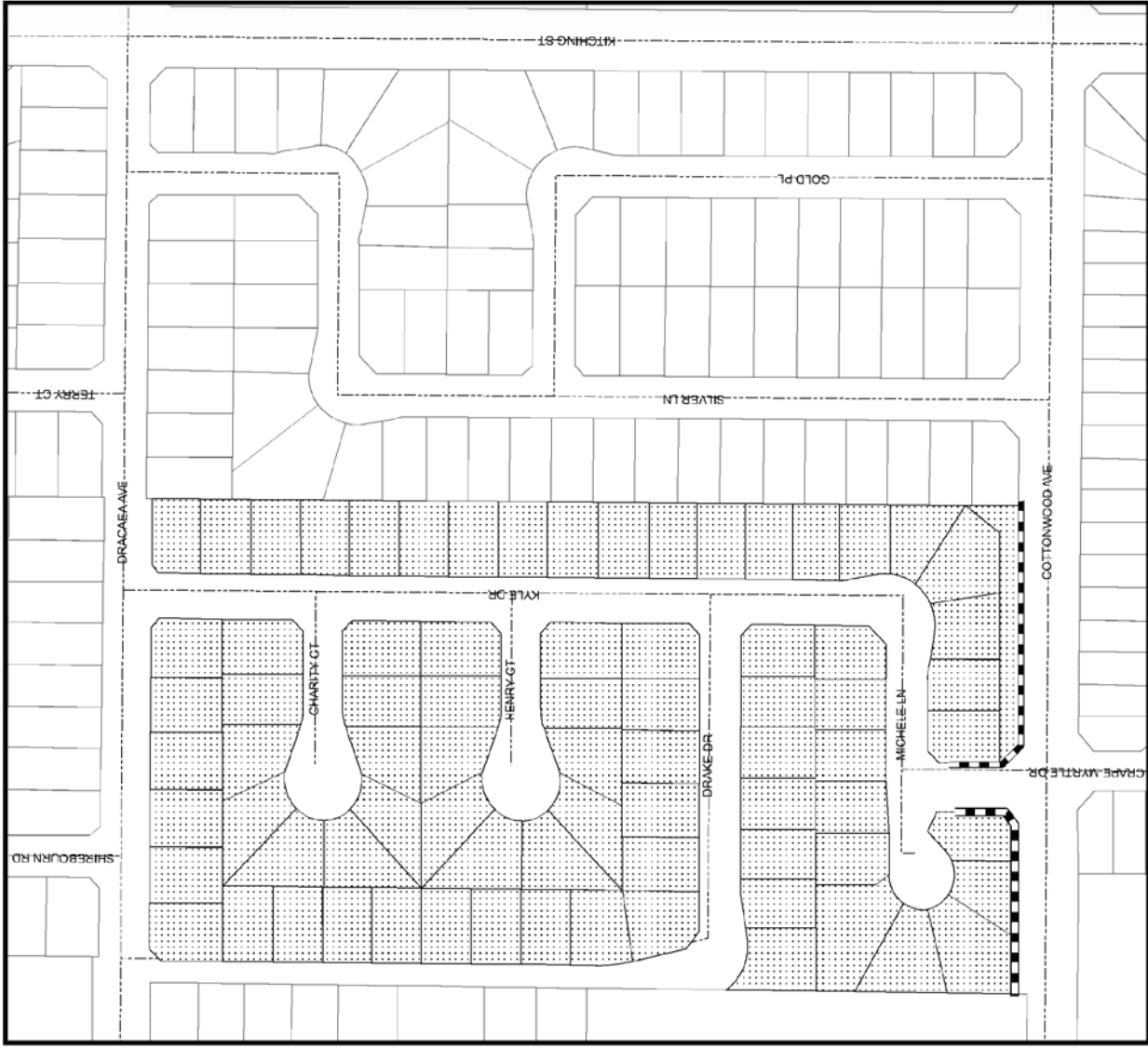


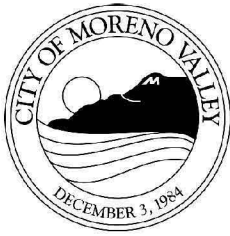
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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification 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.



MORENO VALLEY
WHERE DREAMS SOAR





APPROVALS	
BUDGET OFFICER	<i>Caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: June 22, 2010

TITLE: APPOINTMENTS TO THE CITY COUNCIL ADVISORY BOARDS AND COMMISSIONS

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review the ballots for appointments to various City Council Boards and Commissions (to be provided by the City Clerk) and mark your choices where appropriate; or
2. If appointments are not made, declare the positions vacant and authorize the City Clerk to re-notice the positions as vacant.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

Applications were accepted by the City Clerk's Office to fill vacancies for the various City Council Boards and Commissions, with certain terms expiring June 30, 2010.

Members with expiring terms were notified and advised of the need to submit a new application to be considered for reappointment. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointees will serve without compensation for designated terms.

Pursuant to Municipal Code Subsection 2.06.010(e), "Unless otherwise specifically provided by the action establishing the body or appointing its initial members, no person shall be at the same time a member of more than one citizens' advisory body created by ordinance or resolution of the City Council." This section of the code is waived for members of the Accessibility Appeals Board. George W. Brummer applied for the Parks and Recreation Commission and the Traffic Safety Commission.

Per the Council-adopted policy, prospective applicants are required to attend at least one meeting of their desired board or commission prior to appointment. Marie HYTE, an applicant to the Parks and Recreation Commission, and George W. Brummer, an applicant to the Parks and Recreation Commission and the Traffic Safety Commission, are planning to attend a meeting in May.

The commissions, boards, applicants, and vacancies to be filled are as follows:

ACCESSIBILITY APPEALS BOARD

Two (2) terms expiring June 30, 2013
Physically Challenged Representative

Lawrence Baird*
Nina Hiers*

ARTS COMMISSION

One (1) term expiring June 30, 2013

Nina Hiers
Eric von Mizener*

ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD

Three (3) terms expiring June 30, 2013

Jan Beyers*
Naeem M. Qureshi*

LIBRARY COMMISSION

Two (2) terms expiring June 30, 2013

Sharon B. Clements*

PARKS AND RECREATION COMMISSION

Three (3) terms expiring June 30, 2013

James C. Baker II*

Juanita M. Barnes*
George W. Brummer**/**
Virgil Chancy*
Marie Hyta **

RECREATIONAL TRAILS BOARD

Three (3) terms expiring June 30, 2013

Jackie LeSan*
Kim M. Nelson*

SENIOR CITIZENS' BOARD

Three (3) terms expiring June 30, 2013

Sara W. Anderson*
Vonzetta Fielding*
Delanna Townsend*

TRAFFIC SAFETY COMMISSION

Two (2) terms expiring June 30, 2013

Miguel Arciniega*
George Brummer **/**
Alvin C. Horn
Frank D. Pavlik*
Jacqueline Dawn Qualls

*Incumbent

** Is planning to attend a meeting in May

*** Applied for more than one board/commission

ALTERNATIVES

Members of the Council appointed boards and commissions serve in an advisory capacity to the City Council. Choosing not to appoint members to the above-mentioned boards and commissions would result in decreased participation from residents. This option is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council make the recommended appointments.

NOTIFICATION

1. Posting of Notices of Openings
2. Publication of the agenda
3. Report and agenda mailed to applicants

ATTACHMENTS

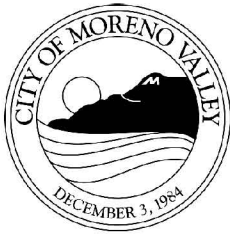
None

Prepared By:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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

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APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RH</i>
CITY MANAGER	<i>WAB</i>

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: RESOLUTIONS TO PLACE A MEASURE RELATING TO THE TRANSIENT OCCUPANCY TAX ON THE NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION BALLOT

RECOMMENDED ACTION

1. That the City Council consider whether to place on the ballot for the November 2, 2010 election the proposed Initiative Ordinance, "An Initiative Ordinance of the Voters of the City of Moreno Valley Amending Section 3.24.030 of the Moreno Valley Municipal Code to increase the existing transient occupancy tax rate from 8% to 11%."
2. That, if the Council decides to place such initiative on the ballot, the City Council adopt the following resolutions:

Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date.

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

BACKGROUND

California Revenue and Taxation Code authorizes the legislative body of any city or county in the State to levy a tax on the privilege of occupying a hotel room or other

lodging establishment for a period of 30 days or less. This tax is commonly referred to as a “transient occupancy tax” or “hotel tax” and is collected to offset costs incurred by the City to provide services such as street maintenance, traffic control, public safety, and parks to transient occupants.

The City of Moreno Valley’s Transient Occupancy Tax (TOT) Ordinance was adopted by the City Council upon incorporation in 1984 and is codified as Chapter 3.24 of the Moreno Valley Municipal Code. The TOT was established at the rate of 8% and has not changed in the past 26 years.

DISCUSSION

The City’s declining General Fund revenues have prompted significant staffing reductions and other expenditure reductions since the economic recession began in late 2007. Staff continues to look for ways to generate additional revenue to continue to provide essential services to the residents of Moreno Valley. Two years ago, the City Council received information from Staff regarding the merits and process of asking voters to increase the TOT rate for Moreno Valley. However, it was determined that a ballot measure to modernize the Utility Users Tax was a more pressing need for the City at that time and that an increase of the TOT would be better pursued in a later election period. Staff is now recommending a ballot measure to amend the TOT ordinance in the November 2010 election to increase the City’s TOT rate and enhance general fund revenues, while keeping pace with other nearby cities’ TOT rates.

The City is projected to collect approximately \$400,000 in TOT revenue in FY 2009-10. Please note this is down from the \$593,000 collected in FY 2007-08, which was the City’s highest TOT revenue producing period. This represents just one half of one percent of the total General Fund revenues expected for the fiscal year. On average before the economic downturn—TOT revenues have typically been just slightly below 1% of total General Fund revenues. The proposed TOT increase from 8% to 11% is expected to enhance General Fund revenues by \$150,000 to \$250,000 per year (depending on the economy). Most importantly, the TOT revenue can be used to fund a variety of purposes to support City services including public safety, job creation, library services, and much more.

TOT is only imposed on people who occupy hotel/motel rooms in the City; it is collected by the hotels and transmitted to the City. Therefore, the proposed increase would impact only those who stay in Moreno Valley’s hotels, typically travelers and visitors. There is no really impact on Moreno Valley residents unless they stay in a local hotel. The TOT is imposed on the room only; it is not applied to any other services offered by hotels such as banquet facilities, catering, food, spa, etc.

The benefits of considering an increase in the City’s TOT rate include placement of greater share of tax burden in providing City services on transient travelers and visitors to the community. Using the TOT to spread out the cost of City services over a larger tax base (including visitors to Moreno Valley) actually reduces the cost of services to the

residents and businesses of Moreno Valley. If approved by Moreno Valley voters, the proposed increase would generate additional funds for services and operations and keep the City on pace and competitive with the TOT rates of other cities in Riverside County and Southern California:

City	TOT rate (%)
Anaheim	15
Los Angeles	14
Palm Springs	13.5
Banning	12
Ontario	11.8
Riverside	11
Norco	11
Beaumont	10
Corona	10
Hemet	10
Murrieta	10
Perris	10
Rancho Cucamonga	10
San Bernardino	10
Moreno Valley	8

The City currently has 11 hotels/motels; including the recently opened Ayres Suites, along with two other hotels that have opened within the past 15 months—the Hampton Inn and LaQuinta Inn. Together, the three new hotels have added 320 additional hotel rooms—increasing the City’s total rooms to 931 (a 53% increase in total rooms).

The hotel industry nationwide has not been immune to the recession and hotel occupancy rates are down along with hotel room revenues. Nationally as well as locally, both leisure and business travel is down. However, Moreno Valley has been identified as a positive location for new hotel development as evidenced by the three new hotels and several more planned projects looking to develop once the economy improves.

The City’s TOT is a general tax and cannot be increased without a vote of the people pursuant to State law. If the City Council approves the proposed resolutions, a majority vote of Moreno Valley voters is required to increase the tax. The proposed ordinance amending the TOT rate is included in the attached resolution and the question submitted to the voters on the ballot would be as follows:

“Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?”

TOT ballot measures typically have a relatively high success rate. On the November, 2009 ballot, 11 California cities considered increasing their TOT and 9 of those passed. Two Riverside County cities were successful in increasing their TOT in that election –

the voters in Banning approved an increase from 6% to 12% and Norco increased their TOT rate from 8% to 11%.

ALTERNATIVES

1. Place a measure on the November 2, 2010 ballot to increase the City's TOT from 8% to 11% by adopting:

Resolution No. 2010-61, calling and giving notice of a general municipal election on Tuesday, November, 2, 2010 for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date; and

Resolution No. 2010-62, directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

2. Not place a measure on the November 2, 2010 ballot to increase the TOT.

FISCAL IMPACT

The proposed TOT increase from 8% to 11% is expected to increase General Fund revenues by \$150,000 to \$250,000 per year—depending on the economy. The cost to place a measure on the ballot is \$5,000 and shall be funded by City Clerk's election budget.

CITY COUNCIL GOALS

Revenue Diversification and Preservation.

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

SUMMARY

The City of Moreno Valley's Transient Occupancy Tax rate of 8% was established upon incorporation in 1984 and has not changed since that time. By approving the proposed resolutions, the City Council will place a measure on the November 2, 2010 general municipal election ballot for Moreno Valley voters to consider increasing the TOT rate to 11%.

NOTIFICATION

Staff has met with representatives from the existing hotels and motels in Moreno Valley to discuss the proposed TOT increase.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution No. 2010-61 calling and giving notice of a general municipal election on Tuesday, November 2, 2010, for the submission to the voters of the City a proposed ordinance amending the City's transient occupancy tax and requesting the County of Riverside to consolidate the City's general municipal election with the special and general municipal elections held within Riverside County on that date. (Including Exhibit A, attached Ordinance)

2. Proposed Resolution No. 2010-62 directing the City Attorney to prepare an impartial analysis, setting priorities for filing written arguments, and providing for rebuttal arguments regarding the Moreno Valley transient occupancy tax measure.

Prepared By:
 Barry Foster
 Economic Development Director

Concurred By:
 Michelle Dawson
 Assistant to the City Manager

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

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RESOLUTION NO. 2010-61

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CALLING AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 2, 2010, FOR THE SUBMISSION TO THE VOTERS OF THE CITY A PROPOSED INITIATIVE ORDINANCE AMENDING THE CITY'S TRANSIENT OCCUPANCY TAX; AND REQUESTING THE COUNTY OF RIVERSIDE TO CONSOLIDATE THE CITY'S GENERAL MUNICIPAL ELECTION WITH THE GENERAL MUNICIPAL ELECTIONS HELD WITHIN RIVERSIDE COUNTY ON THAT DATE

WHEREAS, the City Council has determined at its regular meeting on June 22, 2010, that it should present to City voters the question of whether to amend its current Transient Occupancy Tax for the purpose of raising general fund revenue to provide essential City services for residents; and

WHEREAS, the voters of the State of California approved Proposition 218 (Article XIII C, section 2 of the California Constitution and Government Code section 53723), which authorizes the City to impose, extend or increase a general tax upon a majority of the population; and

WHEREAS, Revenue and Taxation Code section 7280 authorizes the City to levy a tax on hotels, inns, tourist homes, motels, or other lodging for the privilege of occupying a room or rooms; and

WHEREAS, in 1984 the City levied upon those occupying a room or rooms in the aforementioned hotels, inns, tourist homes, motels, or other lodging, an eight percent Transient Occupancy Tax, which has remained at the same level for over twenty-five years; and

WHEREAS, Section 2(b) of Article XIIC of the California Constitution requires that a general tax submitted to the voters for approval shall be consolidated with the regularly scheduled general municipal election for members of the City Council.

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

Section 1. Pursuant to the requirement of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Moreno Valley, California on Tuesday, November 2, 2010, a General Municipal Election for the purpose of submitting to the voters of the City of Moreno Valley, a ballot measure for the purpose of approving an ordinance amending Chapter 3.24, Section 3.24.030 of the Moreno Valley Municipal Code to increase the Transient Occupancy Tax from eight percent to eleven percent. Pursuant to Government Code Section 53724(d) and

ATTACHMENT 1

Resolution No. 2010-61
Date Adopted: June 8, 2010

Elections Code Section 9222, it is the intent of the City Council that the measure be submitted to the voters of Moreno Valley at the aforementioned General Municipal Election.

Section 2. The proposed ordinance is attached hereto as Exhibit "A" and incorporated herein by this reference and such ordinance shall be printed in the voter pamphlet. The question to be submitted to the voters on the ballot shall be as follows:

Shall the Transient Occupancy Tax assessed by the City for persons occupying hotel/motel rooms in the City of Moreno Valley be increased from eight percent (8%) to eleven percent (11%)?	YES
	NO

Section 3. Upon approval of the voters of the City of Moreno Valley, the Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 shall be amended to increase the Transient Occupancy Tax from eight percent to eleven percent.

Section 4. The City Council of the City of Moreno Valley further does resolve, declare and order:

(a) That notice of time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in the time, form and manner as required by California law.

(b) That pursuant to Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the General Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 2, 2010.

(c) That the Riverside County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election.

(d) That the Riverside County Board of Supervisors is requested to issue instructions to the County Election Department to take any and all necessary steps for holding of this consolidated election.

(e) That the City of Moreno Valley recognizes that additional costs will be incurred by Riverside County by reason of this consolidation and agrees to reimburse Riverside County for those costs.

(f) That the City Clerk is directed to file a certified copy of this resolution with the Riverside County Board of Supervisors and with the Riverside County Election Department.

(g) That the City Council authorizes the City Clerk to administer said

Resolution No. 2010-61
Date Adopted: June 8, 2010

ATTACHMENT 1

election, including but not limited to, contracting with the County of Riverside to assist with conducting the election, and otherwise take all reasonably necessary steps to ensure the proper handling and conduct of the general municipal election authorized by this resolution, and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

(h) That this resolution shall be effective immediately upon passage and adoption.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

EXHIBIT "A" PROPOSED INITIATIVE ORDINANCE

ORDINANCE NO.

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 3.24.030 OF THE MORENO VALLEY MUNICIPAL CODE TO INCREASE THE EXISTING TRANSIENT OCCUPANCY TAX RATE FROM 8% TO 11%

The People of the City of Moreno Valley do ordain as follows:

SECTION 1. Tax Imposed. The Moreno Valley Municipal Code, Chapter 3.24, Section 3.24.030 is hereby amended as follows:

"Chapter 3.24: TRANSIENT OCCUPANCY TAX

Section 3.24.030. Tax imposed.

For the privilege of occupancy in any hotel, each transient is subject to, and shall pay a tax in the amount of eleven percent of the rent charged by the operator or otherwise payable by the transient. Insofar as the transient is concerned, the tax constitutes a debt owed by the transient to the operator or to the city. For the purposes of this section, the rent deemed payable on account of time-share occupancy by a transient shall be the rental value of the unit or room(s) which accommodated such occupancy, which rental value shall be computed by determining the pro rata share of the total purchase price of the time-share right or entitlement (whether or not involving an estate or any ownership in real property), which share is allocable to the period of transient occupancy currently involved, and adding thereto the total applicable operating costs including, but not limited to, the applicable real and personal property taxes, plus the total amount of any and all fees, assessments, charges and expenses (not including the previously referred to taxes) charged by the operator as attributable to the timeshare occupancy of the transient by whatever name such fees, assessments, charges or expenses may be denominated, whether "occupying fee," "maintenance or operations charge," "per diem fee," "management fee" or like name or otherwise. In making the computation referred to above of the pro rata share of the total purchase price, in any case wherein the time-share right or entitlement is in perpetuity or for life or otherwise not for a definite or ascertainable term, such pro ration shall be made upon an assumed term of forty (40) years."

SECTION 2. EFFECTIVE DATE: This ordinance shall be considered as adopted upon the date that the vote is declared by the City Council, and shall go into effect ten (10) days after that date, pursuant to Elections Code Section 9217.

PASSED AND ADOPTED by the voters at the municipal election of November 2, 2010.

ATTACHMENT 1

Resolution No. 2010-61
Date Adopted: June 8, 2010

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. 2010-62

A PROPOSED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS, AND PROVIDING FOR REBUTTAL ARGUMENTS REGARDING THE MORENO VALLEY TRANSIENT OCCUPANCY TAX MEASURE

WHEREAS, an election shall be held in the City of Moreno Valley, California, on November 2, 2010, at which there will be submitted to the voters a ballot measure to consider increasing the Transient Occupancy Tax for the purpose of raising general fund revenue to provide basic City services for residents; and

WHEREAS, whenever a municipal ballot measure is authorized, State law provides that the City Council may direct the City Attorney to prepare an impartial analysis and provide for the filing of written arguments for and against a measure and for rebuttal arguments to be filed with the City elections official.

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

Section 1. The City Council directs the City Attorney to prepare an impartial analysis of the measure which would amend the current Transient Occupancy Tax ordinance by increasing the rate from eight percent (8%) to eleven percent (11%) for the aforementioned purposes. The impartial analysis shall be filed within fifteen (15) days of the adoption of this Resolution or by the date set by the City Clerk for the filing of primary arguments, whichever is later.

Section 2. The City Council authorizes members of that body, collectively or individually, to file written arguments in favor of the Transient Occupancy Tax measure specified above, accompanied by the printed name(s) and signature(s) of the author(s), and to change the argument until and including the date fixed by the City Clerk after which no arguments for or against the City measure may be submitted to the City Clerk. The City Clerk shall follow Elections Code sections 9281 through 9287 in determining the printing of all arguments in favor and against.

Section 3. If no member of the City Council files written arguments in favor of said Measure, then any voter of the City may submit an argument in favor to the City Clerk for consideration in accordance with State law.

Section 4. That the Council Members authorized to file such arguments are:

Bonnie Flickinger, Mayor

Robin N. Hastings, Mayor Pro Tem

ATTACHMENT 2

Resolution No. 2010-62
Date Adopted: June 8, 2010

William H. Batey II, Council Member

Jesse L. Molina, Council Member

Richard A. Stewart, Council Member

Section 5. Any argument filed for or against said Measure shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is author of the argument.

Section 6. The City Clerk shall make the selection of arguments in accordance with the Elections code and local procedure. When the City Clerk has selected the arguments for and against the Measure which will be printed and distributed to the voters, the City Clerk shall send a copy of an argument in favor of the Measure to the authors of any argument against the measure and a copy of the argument against the measure to the authors of any argument in favor of the measure.

Section 7. The author or a majority of the authors of an argument relating to the Measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal. A rebuttal argument may not be signed by more than five persons. The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers. Any rebuttal argument must be filed within 10 days after the final date for filing direct arguments.

Section 8. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

Section 9. The City Clerk shall cause the City Attorney's Impartial Analysis, and duly selected arguments and rebuttals, to be printed and distributed to voters in accordance with State law regarding same.

Section 10. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor

ATTACHMENT 2

Resolution No. 2010-62
Date Adopted: June 8, 2010

ATTEST:

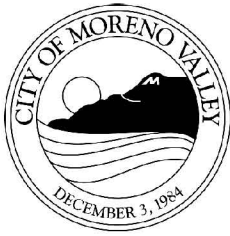
City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Rut</i>
CITY MANAGER	<i>WDS</i>

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: June 22, 2010

TITLE: PALM DESERT DEVELOPMENT COMPANY'S RANCHO DORADO APARTMENTS, PHASE II FINANCIAL ASSISTANCE REQUEST AND RESOLUTION FOR TAX CREDIT APPLICATION

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board adopts Resolution RDA 2010-03, a resolution of the Community Redevelopment Agency of the City of Moreno Valley regarding assistance to the Rancho Dorado Apartments, Phase II, proposed by Palm Desert Development Company, Inc.

BACKGROUND

Palm Desert Development Company's (PDDC) Rancho Dorado Project includes a first phase of the project which is currently under construction, of 70 units (plus one unit for the property manager), along with a second phase with 79 units. The first phase of the Rancho Dorado project also contains a community center, manager's office, computer room, laundry facilities, tot lot, pool and splash park, barbeque and other recreational areas. All major amenities, roads and landscaping for the entire project will be developed with the first phase. A unique component of the project that will come in the first phase is that 15 units will be used as Permanent Supportive Housing. These units would be reserved for formerly homeless individuals that have mental disabilities, but have demonstrated the ability to live independently. The second phase of Rancho Dorado will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units and one manager's unit.

In 2008, the Redevelopment Agency (RDA) adopted resolutions affirming its intention to provide financial assistance for the project. Palm Desert Development Company (PDDC) submitted applications for the additional financing necessary to complete the project to the California Tax Credit Allocation Committee (TCAC). An allocation of tax

credit financing was secured for the first phase of Rancho Dorado. The existing conditions in the financial markets make competition for TCAC funding very competitive. As a result, PDDC has not been able to attain high enough scoring for the second phase of this project- despite three attempts.

DISCUSSION

After a thorough analysis of the four projects that secured TCAC support in the previous application rounds, PDDC has determined that Rancho Dorado II would have a better chance of attaining a future allocation if the amount of the public or RDA (Agency) contribution was increased and the amount of additional financing from tax credit equity for the project is reduced. Therefore, PDDC has requested that the Agency increase its monetary funding from \$4.75 million to \$6.75 million. TCAC may also recognize the contributions benefiting the project through off-site electric utilities improvements recently constructed as a Capital Improvement Project through the City's Electric Utility Program, as well as the fee reductions granted for the creation of affordable housing, per the Development Impact Fee Program. These contributions will also be included on the next TCAC application further enhancing the project's scoring and thereby improving the chances to secure an allocation of tax credit financing. Submission of a Resolution outlining the RDA's conditional support (Attachment A) is required by California Tax Credit Allocation Committee to accompany the application.

PDDC will be using several types of financing for the Phase II project costs including Low- and Moderate- Income Housing Set-aside funds loan from the Moreno Valley Community Redevelopment Agency, Low-income Housing Tax Credit Equity, general partner equity, a conventional loan together with the Agency funded off-site improvements and the affordable housing fee reductions. PDDC is in the process of securing financial commitments from all of the prospective lenders for the development of Phase II of the project. The type and amount of the proposed financing attributed to the second phase of the project is shown below:

Project Financing		
Conventional Financing	\$1,829,606	10%
9% Tax Credit Equity	\$9,242,933	49%
RDA Funds	\$6,750,000	36%
Affordable Housing Fee Reductions- City	\$991,608	5%
Affordable Housing Fee Reductions- County	\$79,632	<1%
General Partner Equity	\$99,029	<1%
Total	\$18,992,808	100%

When PDDC has secured all necessary financing for the project, an Affordable Housing Agreement which establishes and defines the responsibilities of all parties including the loan terms, occupancy requirements, allowable rents, and future maintenance and management requirements will be drafted. The drafted Agreement will be consistent

with past documents used for other similar affordable housing projects in Moreno Valley.

The RDA's financial assistance for Phase II of the project will include a Promissory Note secured by a deed of trust recorded against the project. The terms of the note include an interest rate of one percent per annum with a 54 year amortization. The loan structure allows for the deferral of payments under certain conditions. Annual payments will be due and payable on July 1st of each calendar year. In the event the net cash flow is insufficient to cover the payment, the shortfall amount will be deferred. When the annual cash flow increases to an amount above the required payment, the loan will be re-amortized to include the previously deferred amount. This loan structure is quite common with affordable housing projects utilizing this type of financing and has been used in Moreno Valley on a number of other RDA assisted projects including the Cottonwood Place Apartments (PDDC), Bay Family Apartments (Global Premier Development) and the Oakwood Apartments (Macfarlane Costa Housing Partners).

Affordable Housing Goals

State Redevelopment Law (Health and Safety Code Section 33413) requires that the RDA ensure that a portion of the housing developed and rehabilitated in the Redevelopment Project Area is available to households with incomes in the low and moderate income categories. The second phase of the Rancho Dorado Apartments will provide 78 units of affordable housing with recorded covenants maintaining rent affordability for 55 years. Upon completion of the second phase, the entire project will be complete and will provide a total of 150 units, of which 148 will be affordable. Because the project is situated within the Redevelopment Project Area, the RDA would get full credit for the affordable housing units created. Thus, the units would be credited toward the RDA's State-mandated affordable housing requirements. These requirements are outlined in the code section cited above which require the RDA to assist affordable housing projects within the Redevelopment Project Area. The project and its apartment units would also be applied toward the RDA's goal to assist in the development of 274 affordable housing units identified in the adopted Implementation Plan for the period of July 1, 2005 through June 30, 2010.

ALTERNATIVES

1. Adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate \$6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff recommends this alternative because it will assist in the development of the project and the creation of additional affordable housing opportunities.*
2. Decline to adopt RDA Resolution 2010-03 which ratifies certain findings and determinations made under Resolutions 2008-11 regarding conditional financial

assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South, and appropriate \$6,750,000 from the RDA's 20% Housing Set Aside fund balance for fiscal year 2009/10. *Staff does not recommend this alternative because declining to adopt the resolution and appropriate the funding it will prevent the Developer from applying for tax credits and jeopardize the development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of \$6,750,000. Staff proposes adoption of resolution that commits the RDA to providing assistance from the RDA's 20% Housing Set Aside funds. If approved, the funds will be appropriated in the budget for FY 2009/10 using the RDA-Housing Set Aside Fund. Please note that there will be no assistance from the City's General Fund.

<u>Fund</u>	<u>Business Unit</u>	<u>Amount</u>
894	RDA Affordable Housing Fund	\$6,750,000

Under state law, RDA Housing Set-Aside funds are restricted for uses that only support affordable housing.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The Rancho Dorado Apartments will promote community pride and foster an excellent image for Moreno Valley through the investment in the neighborhood and the creation of affordable housing units.

SUMMARY

In 2008, the Redevelopment Agency adopted resolutions that offered conditional financial assistance for the development of the Rancho Dorado Apartments developed by Palm Desert Development Company. The project is located near the southeast corner of John F. Kennedy Drive and Perris Boulevard. Rancho Dorado was originally proposed as a 150-unit single phase project, but changes in the financial markets made it necessary to divide the project into two phases. Phasing construction allows each phase of the project to better compete for 9% tax credit equity financing. Staff requests that the City Council and the Board of Directors of the Community Redevelopment Agency reaffirm its intention to support the project and adopt the attached resolution approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to \$6,750,000 in gap financing assistance for the second phase of Rancho Dorado, using the RDA's 20% affordable housing set-aside funds.

ATTACHMENTS

Attachment A – Resolution No. RDA 2010-03

Prepared By:
 Shanikqua Freeman
 Housing Program Coordinator

Department Head Approval
 Barry Foster
 Economic Development Director

Concurred By:
 Michele Patterson
 Redevelopment and Neighborhood Programs Administrator

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

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RESOLUTION NO. RDA 2010-03

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY SUPPORTING THE RANCHO DORADO SOUTH APARTMENTS HOUSING DEVELOPMENT, RATIFYING CERTAIN FINDINGS AND DETERMINATIONS MADE UNDER RESOLUTION NO. 2008-11 AND AFFIRMING ITS INTENTION TO PROVIDE ASSISTANCE TO MV RANCHO DORADO LIMITED PARTNERSHIP, A SUBSIDIARY OF PALM DESERT DEVELOPMENT COMPANY, INC.

WHEREAS, the California Tax Allocation Committee administers the Federal and State Tax Credits Allocation, a competitive allocation for tax credits to providers of housing units for low income households; and

WHEREAS, the California Tax Allocation Committee seeks affirmation from local Redevelopment Agencies that proposed projects will receive additional financial assistance and that they meet specific housing objectives; and

WHEREAS, Palm Desert Development Company, Inc. ("PDDC") proposed development of affordable rental units on a portion of the vacant property located generally at the southeast corner of Perris Boulevard and John F. Kennedy Boulevard; and

WHEREAS, MV Rancho Dorado Limited Partnership, a subsidiary of Palm Desert Development Company, Inc. to MV Rancho Dorado Limited Partnership, a California Limited Partnership, proposes to submit an application to develop (54) two-bedroom units and (24) three-bedroom affordable rental units and a manager's unit at the Site (the "South Project"); and

WHEREAS, the Agency has previously expressed its support for the South Project as part of and pursuant to its Resolution No. RDA 2008-11; and

WHEREAS, Agency analysis of the proposal indicates that the development would meet specified housing objectives.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AND DETERMINE AS FOLLOWS:

Section 1. The Agency ratifies and approves its findings and determinations under Resolution No. RDA 2008-11 concerning the South Project. The Agency instructs and directs Agency staff to reserve moneys equal to the requested amount of up to \$6,750,000 to MV Rancho Dorado Limited Partnership, subject to applicable legal requirements and negotiation of an Affordable Housing Agreement ("AHA") satisfactory to the Agency, for the development of (54) two-bedroom units and (24) three-bedroom units of

ATTACHMENT A

affordable multi-family rental housing on the Site, each of which shall be made available solely to very low income and low income households.

Section 2. The Agency will negotiate an AHA which complies with all requirements of the California Redevelopment Law, conditioned on the receipt by MV Rancho Dorado Limited Partnership, of low income housing tax credits for the proposed development.

The adoption of this Resolution terminates Resolution RDA 2010-01 which shall hereafter have no force or effect.

This Resolution terminates on December 31, 2010, and shall thereafter have no force or effect, unless an AHA has theretofore been approved and executed by the Agency and the MV Rancho Dorado Limited Partnership, with respect to the Site.

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the
Community Redevelopment Agency of the City of
Moreno Valley

ATTEST:

City Clerk, acting in the capacity of
Secretary of the Community
Redevelopment Agency of the
City of Moreno Valley

APPROVED AS TO FORM:

City Attorney, acting in the capacity of
General Counsel of the Community
Redevelopment Agency of the
City of Moreno Valley

RESOLUTION JURAT

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

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. 2010-03 was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the 22nd day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SECRETARY

(SEAL)

CERTIFICATION

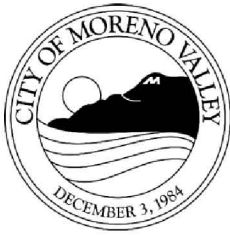
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, JANE HALSTEAD, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. RDA 2010-03 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Community Redevelopment Agency, this 22nd day of June, 2010.

Jane Halstead, CMC, Secretary

(SEAL)



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>fw</i>
CITY MANAGER	<i>wbs</i>

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FISCAL YEAR 2010-11 OPERATING BUDGET

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Approve the Revised General Fund Budget Balancing Plan for Fiscal Year (FY) 2010-11, as shown in Table 1 (page 3) of this staff report;
2. Adopt Resolution No. 2010-64, approving the Operating Budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");
3. Acting in its capacity as the President and Board of Directors of the Moreno Valley Community Services District, adopt Resolution No. CSD 2010-20, approving the Operating Budget for the Moreno Valley Community Services District for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A");
4. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-04, approving the Operating Budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Preliminary Base Operating Budget pursuant to the Schedule of Budget Appropriations (Attachment "A").

BACKGROUND

On May 18, 2010, the FY 2010-11 Preliminary Base Operating Budget was presented to City Council, reflecting a projected General Fund deficit of over \$17.8 million as shown below:

• Projected General Fund Operating Revenues & Other Sources	\$67,754,400
• Projected General Fund Operating Expenditures	<u>85,630,700</u>
• Projected General Fund Operating Deficit	<u>\$17,876,300</u>

Through the use of anticipated current year savings and a number of one-time transfers from other funds (representing a return of previous General Fund subsidies or other funding), the above deficit was reduced to approximately \$11 million, after allowing for three recommended budget additions (Budget Issues).

Options for closing this remaining \$11 million gap were incorporated in the FY 2010-11 Deficit Reduction Plan and summarized below:

• Potential Revenue Enhancements:	\$288,400
• Potential Expenditure Reductions (net of Offsets):	13,845,734
• Potential Use of General Fund Reserves:	<u>6,000,000</u>
• Total Potential Solutions:	<u>\$20,134,134</u>

Although the majority of Deficit Reduction Options (DROs) included in the Deficit Reduction Plan relate to the General Fund, the Deficit Reduction Plan also included DROs totaling \$5.2 million outside of the General Fund to help offset projected operating deficits for FY 2010-11.

On May 25, 2010, the City Council provided direction to staff regarding a number of DROs to be implemented in an effort to balance the FY 2010-11 Operating Budget. On June 8, 2010, these Council-approved DROs were incorporated in a proposed Budget Balancing Plan, which was submitted for the City Council's consideration with the support of all Department Heads and the recommendation of the Interim City Manager.

DISCUSSION

On June 8, 2010, the City Council continued deliberations on the FY 2010-11 Operating Budget and Deficit Reduction Plan, giving specific consideration to the Interim City Manager's proposed Budget Balancing Plan. The Council approved the Budget Balancing Plan, after directing staff to return funding in the amount of \$15,000 for the Neighborhood Clean-up Program in Districts 2 and 3. The Revised General Fund Budget Balancing Plan reflecting the City Council's direction on June 8, 2010 is summarized in Table 1 on the following page.

Table 1 - Revised General Fund Budget Balancing Plan – Fiscal Year 2010-11			
Description	Item Total	Category Total	Remaining (Deficit) Surplus
Projected FY 2010-11 General Fund Operating Deficit			(\$17,876,300)
Budgetary Adjustments:			
- Current year savings to be carried over to FY 2010-11 (revised)	\$1,020,800		
- Transfers to return previous General Fund subsidies	1,639,100		
- Other transfers	3,979,100		
		6,639,000	(11,237,300)
Budget Issues:			
- Re-establish funding for Budget Officer	(98,700)		
- Supplement Emergency Operations Grant	(43,100)		
- Increase in NPDES Regulatory Fee	(76,000)		
		(217,800)	(11,455,100)
Proceeds from Settlement of ENCO Litigation			
- Repayment of MVU start-up loan from General Fund	747,041		
- Reimbursement of General Fund legal expenses	225,192		
		972,233	(10,482,867)
DROs approved by City Council on May 25, 2010		3,160,445	(7,322,422)
Additional staff-proposed DROs without use of reserves		2,343,740	(4,978,682)
Proposed use of reserves		5,000,000	21,318
Funding for Neighborhood Clean-up Program in Districts 2 and 3		(15,000)	6,318
Net Operating Surplus			<u>\$6,318</u>

Despite the challenges that have been faced in balancing the FY 2010-11 General Fund Operating Budget, the above Budget Balancing Plan addresses these challenges in a positive manner as summarized below:

- Preserves public safety, with only minimal budgetary reductions (Police budget still increasing due to contract rate increase);
- Maintains essential City services;
- Maintains City staffing, with no lay-offs;

- Addresses the General Fund structural deficit by reducing expenditures by \$5 million;
- Provides a balance between General Fund expenditure reductions (\$5 million) and use of reserves (\$5 million);
- Maintains General Fund contingency reserve policy at 12% of budgeted expenditures;
- Addresses operating deficits in non General Funds by implementing \$5.2 million in budgetary reductions in the respective funds;
- Eliminates need to redeem RDA Bonds at the present time.

Budget Adoption Actions

Schedule of Budget Appropriations - FY 2010-11 (Attachment "A") - This schedule identifies the revenue and expenditure appropriations to be included in the FY 2010-11 Adopted Budget, identifying the adjustments to the FY 2010-11 Preliminary Base Operating Budget as presented to the City Council on May 18, 2010, based on the Council Council's direction from previous budget discussions. These adjustments coincide with the Revised Budget Balancing Plan and will enable adoption of a balanced budget for FY 2010-11.

Resolutions Adopting the FY 2010-11 Budget (Attachments "B", "C" and "D") - As a long-standing practice, each of the City's primary entities--the City, Community Services District (CSD), and Redevelopment Agency (RDA)--will adopt separate resolutions to approve their respective operating budgets.

ALTERNATIVES

1. Approve the Fiscal Year 2010-11 Operating Budget.
2. Provide staff with further direction.

Staff recommends Alternative 1.

FISCAL IMPACT

The FY 2010-11 Operating Budget provides the funding and expenditure plan for all operating funds. As such, it serves as the City's financial plan for the upcoming fiscal year. The City Council will be kept apprised regarding actual operating results through First Quarter and Mid-Year Budget Reviews occurring in November 2010 and February 2011 respectively.

CITY COUNCIL GOALS

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

ATTACHMENTS/EXHIBITS

- A. Schedule of Budget Appropriations
- B. Resolution No. 2010-64
- C. Resolution No. CSD 2010-20
- D. Resolution No. RDA 2010-04

Prepared By:
Cynthia Fortune
Financial Operations Division Manager

Department Head Approval:
Steve Elam
Interim Financial & Administrative Services Director

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

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CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Revenue Summary by Fund

Fund #	Fund Description	Preliminary			Other	Use of	Other		Total	Adopted
		Base	DRO	Budget			Adjustments/	Use of		
		Budget	Adjustments	Issues	Adjustments	Reserves	Reserves	Adjustments	Budget	
010	GENERAL FUND	\$59,683,200	\$479,000		\$1,020,800	\$6,590,427	\$5,000,000	\$12,611,227	\$13,090,227	\$72,773,427
011	DEVELOPMENT SVC FUND	3,597,700								3,597,700
133	FIRE SVC OPERATIONS FUND	4,473,500								4,473,500
	TOTAL GENERAL FUND	67,754,400	479,000	0	1,020,800	6,590,427	5,000,000	12,611,227	13,090,227	80,844,627
121	GAS TAX FUND	3,709,500	(1,000,000)				75,752	75,752	(924,248)	2,785,252
122	SCAG ARTICLE 3 FUND	9,000			(9,000)			(9,000)	(9,000)	0
125	MEASURE "A" FUND	10,310,820			9,000			9,000	9,000	10,319,820
130	SLESF-CCAT GRT-PD-AB322	100,000								100,000
131	LIBRARY SERVICES FUND	1,744,600	21,840				226,540	226,540	248,380	1,992,980
132	PUB/EDUC/GOVT ACCESS	550,000								550,000
134	EMPG-EMERGENCY MGMT PREP	64,000		43,100					43,100	107,100
136	OTS - POLICE FUND	107,000			10,000			10,000	10,000	117,000
137	AIR QUALITY MGT FUND	207,000								207,000
144	CDBG FY 01/02 FUND						30,000	30,000	30,000	30,000
149	SPCL DIST ADMIN FUND	783,500					446,700	446,700	446,700	1,230,200
151	STORM WATER MAINTENANCE	603,400	(182,000)						(182,000)	421,400
152	STORM WATER MANAGEMENT	928,942		76,000					76,000	1,004,942
153	BEVERAGE CONTAINER RECY						13,200	13,200	13,200	13,200
160	CHILD CARE GRANT FUND	822,300					120,500	120,500	120,500	942,800
161	ZONE "A" PARKS FUND	7,997,589					286,611	286,611	286,611	8,284,200
162	STARS PROGRAM GRANT FUND	5,891,600					1,900	1,900	1,900	5,893,500
171	ZONE "B" ST LGHT FUND	1,046,700					571,300	571,300	571,300	1,618,000
172	ZONE "C" ART LGHT FUND	580,000					208,300	208,300	208,300	788,300
176	HOME (FEDERAL) FUND	390,000			276,600		23,000	299,600	299,600	689,600
181	ZONE "D" STD LDSC FUND	1,142,800					275,200	275,200	275,200	1,418,000
182	ZONE "E" EXT LDSC FUND	2,475,600					361,600	361,600	361,600	2,837,200
183	ZONE "M" MEDIAN FUND	309,100								309,100
184	CFD#1	1,006,105								1,006,105
185	ZONE "S"	52,400					67,600	67,600	67,600	120,000
186	CFD #4M	35,000								35,000
198	HOMELESSNESS PREVENTION	183,218								183,218
199	CDBG RECOVERY ACT	137,192								137,192
201	ARTERIAL STS DEV IMPACT FEE	104,700					1,308,975	1,308,975	1,308,975	1,413,675
202	TRAFFIC SIGS DEV IMPACT FEE	26,700								26,700
203	FIRE FACIL DEV IMPACT FEE	41,100					212,908	212,908	212,908	254,008
204	POLICE FACIL DEV IMPACT FEE	21,800					655,010	655,010	655,010	676,810
205	PARKLD FACIL DEV IMPACT FEE	90,700								90,700
206	QUIMBY IN-LIEU PARK FEE	52,600								52,600
207	RECREATN CTR DEV IMPACT FEE	51,900								51,900
208	LIBRARIES DEV IMPACT FEE	98,700								98,700
209	CITY HALL DEV IMPACT FEE	54,500								54,500
210	CORPORATE YD DEV IMPACT FEE	16,500								16,500
211	INTERCHANGE IMPROVMNTS	41,100					1,698,900	1,698,900	1,698,900	1,740,000
212	MAINTENANCE EQUIPMENT	4,200								4,200
213	ANIMAL SHELTER DEV IMPACT FEE	6,100								6,100
225	TRAFF CONGESTION RELIEF	1,862,944								1,862,944
227	FHWA TRANSIMS	186,600								186,600
228	ECONOMIC STIMULUS FUND	1,310,000			(1,310,000)			(1,310,000)	(1,310,000)	0
229	ECEBG FUND				1,365,800			1,365,800	1,365,800	1,365,800
230	2009-DJ-BX-1178 JAG GRANT	78,118								78,118
233	EMERGENCY SVCS AGENCY	14,000								14,000
262	JAG 2009 SB-59-2366 FUND	435,700								435,700
280	CDBG FY05/06 FUND	10,000								10,000
282	CDBG FY07/08 FUND	14,700								14,700
283	CDBG FY08/09 FUND	418,652								418,652
285	CDBG FY10/11 FUND	2,000,000			(58,400)			(58,400)	(58,400)	1,941,600
293	UBG14 USED OIL RECYCLG	27,900								27,900
295	TRI16-06-1 TARGETED RUB	56,000								56,000
301	2005 LEASE REV BONDS	2,644,491								2,644,491
313	TWNGT IMPV SPCL TAX REF	394,000								394,000
315	TWNGT SPCL TAX REFNDG	1,158,700								1,158,700
316	ASSMT DIST 98-1-DEBT SVC	2,700								2,700
321	CH COP 97 DEBT SVC	822,025								822,025
325	PUB SAFTY BOND DEBT SVC	404,200								404,200
328	AUTOML REFIN-CFD #3 DBT SVC	2,188,100					228,700	228,700	228,700	2,416,800
329	CFD#5 STONERIDGE DEBT SVC	362,200								362,200
330	CFD #4I - INFRA DEBT SVC	12,300,000								12,300,000
340	OPA SALES TAX #2 FUND	350,000								350,000
370	MV FOUNDATION - DONATION						50	50	50	50
371	ARTS COMMISSION	1,000								1,000
380	CELEBRATION PARK ENDOWM	1,000								1,000
414	PW GENERAL CAPITAL PROJ	30,900								30,900
415	TUMF CAPITAL PROJECTS FUND	6,000,000								6,000,000
416	DIF ARTERIAL STREETS	296,000								296,000

CITY OF MORENO VALLEY
 Schedule of Budget Appropriations - Fiscal Year 2010-11
 Revenue Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments	Transfers	Use of Reserves	Other	Total	Adopted Budget
								Adjustments/ Transfers/ Reserves		
417	DIF TRAFFIC SIGNAL	1,000								1,000
418	DIF INTERCHANGE IMPRV	1,740,000								1,740,000
501	2005 LEASE REV BONDS	100,000								100,000
513	TWNGT IMPV SPCL TAX	38,250								38,250
515	2007 TWNGT SPCL TAX REF	145,650								145,650
518	WARNER RANCH ASDST FUND	8,400								8,400
528	AUTOMALL CAP-ADMIN FUND	62,500								62,500
529	CFD#5 STONERIDGE CAP/ADM	54,000								54,000
530	CFD #4I - INFRA CAP/ADM	10,407,900								10,407,900
601	ELECTRIC FUND	13,869,500					451,900	451,900	451,900	14,321,400
741	GENERAL LIABILITY INS FUND	1,031,300	(80,000)				410,800	410,800	330,800	1,362,100
745	WORKERS' COMP FUND	870,800	(870,800)				722,100	722,100	(148,700)	722,100
750	TECHNOLOGY SERVICES FUND	4,282,600								4,282,600
754	FACILITIES FUND	4,111,400	(1,321,400)		150,000		791,325	941,325	(380,075)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	718,300								718,300
757	EQUIPMENT REPLACEMENT	2,306,500					376,000	376,000	376,000	2,682,500
894	RDA HOUSING FUND	318,500					658,780	658,780	658,780	977,280
895	RDA TAX INCREMENT FUND	10,347,604					2,129,700	2,129,700	2,129,700	12,477,304
896	RDA 2007 TABS, SERIES A - DEBT SVC	1,100					2,175	2,175	2,175	3,275
897	RDA 2007 TABS, SERIES A - CAP PROJ	900,000								900,000
GRAND TOTAL REVENUES		194,237,600	(2,953,360)	119,100	1,454,800	6,590,427	17,355,526	25,400,753	22,566,493	216,804,093
Less Internal Service Funds ⁽¹⁾		13,320,900	(2,272,200)	0	150,000	0	2,300,225	2,450,225	178,025	13,498,925
NET REVENUES		\$180,916,700	(\$681,160)	\$119,100	\$1,304,800	\$6,590,427	\$15,055,301	\$22,950,528	\$22,388,468	\$203,305,168

⁽¹⁾ These Internal Service Fund (ISF) revenues are charges to all user funds; the cost of these ISF charges are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City revenues.

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Other Adjustments/					Total Adjustments	Adopted Budget
		Preliminary Base Budget	DRO Adjustments	Budget Issues	Transfers/ Use of Reserves			
010	GENERAL FUND	\$64,159,061	(\$4,102,334)	\$217,800	\$15,000	(\$3,869,534)	\$60,289,527	
011	DEVELOPMENT SVC FUND	5,631,060	(724,128)		0	(724,128)	4,906,932	
133	FIRE SVC OPERATIONS FUND	15,840,550	(198,700)		0	(198,700)	15,641,850	
	TOTAL GENERAL FUND	85,630,671	(5,025,162)	217,800	15,000	(4,792,362)	80,838,309	
121	GAS TAX FUND	3,957,052	(1,171,800)			(1,171,800)	2,785,252	
125	MEASURE "A" FUND	437,900					437,900	
130	SLESF-CCAT GRT-PD-AB322	100,000					100,000	
131	LIBRARY SERVICES FUND	2,161,300	(190,160)			(190,160)	1,971,140	
132	PUB/EDUC/GOVT ACCESS	447,200					447,200	
134	EMPG-EMERGNCY MGMT PREP	94,200					94,200	
136	OTS - POLICE FUND	117,000					117,000	
137	AIR QUALITY MGT FUND	97,181					97,181	
144	CDBG FY 01/02 FUND	30,000					30,000	
149	SPCL DIST ADMIN FUND	1,230,200					1,230,200	
151	STORM WATER MAINTENANCE	575,100	(182,000)			(182,000)	393,100	
152	STORM WATER MANAGEMENT	861,360					861,360	
153	BEVERAGE CONTAINER RECY	13,200					13,200	
160	CHILD CARE GRANT FUND	942,800					942,800	
161	ZONE "A" PARKS FUND	8,446,400	(162,200)			(162,200)	8,284,200	
162	STARS PROGRAM GRANT FUND	5,959,500	(66,000)			(66,000)	5,893,500	
171	ZONE "B" ST LGHT FUND	1,618,000					1,618,000	
172	ZONE "C" ART LGHT FUND	788,300					788,300	
176	HOME (FEDERAL) FUND	394,900			294,700	294,700	689,600	
181	ZONE "D" STD LDSC FUND	1,418,000					1,418,000	
182	ZONE "E" EXT LDSC FUND	2,837,200					2,837,200	
183	ZONE "M" MEDIAN FUND	273,100					273,100	
184	CFD#1	951,200					951,200	
185	ZONE "S"	120,000					120,000	
186	CFD #4M	35,000					35,000	
198	HOMELESSNESS PREVENTION	183,218					183,218	
199	CDBG RECOVERY ACT	137,192					137,192	
201	ARTERIAL STS DEV IMPACT FEE	1,413,675					1,413,675	
203	FIRE FACIL DEV IMPACT FEE	254,008					254,008	
204	POLICE FACIL DEV IMPACT FEE	676,810					676,810	
211	INTERCHANGE IMPROVMNTS	1,740,000					1,740,000	
227	FHWA TRANSIMS	30,000					30,000	
229	EECBG FUND				1,365,800	1,365,800	1,365,800	
230	2009-DJ-BX-1178 JAG GRANT	78,118					78,118	
285	CDBG FY10/11 FUND	1,679,900			261,700	261,700	1,941,600	
293	UBG14 USED OIL RECYCLG	27,900					27,900	
295	TRI16-06-1 TARGETED RUB	56,000					56,000	
301	2005 LEASE REV BONDS	2,644,491					2,644,491	
313	TWNGT IMPV SPCL TAX REF	393,550			450	450	394,000	
315	TWNGT SPCL TAX REFNDG	1,158,150			550	550	1,158,700	
316	ASSMT DIST 98-1-DEBT SVC	2,400			300	300	2,700	
321	CH COP 97 DEBT SVC FUND	822,025					822,025	
325	PUB SAFTY BOND DEBT SVC	404,200					404,200	
328	AUTOML REFIN-CFD #3 DEBT SCV	2,416,800					2,416,800	
329	CFD#5 STONERIDGE DEBT SVC	361,600					361,600	
330	CFD #4I - INFRA DEBT SVC	11,493,200					11,493,200	
340	OPA SALES TAX #2 FUND				350,000	350,000	350,000	

CITY OF MORENO VALLEY
Schedule of Budget Appropriations - Fiscal Year 2010-11
Expenditure Summary by Fund

Fund #	Fund Description	Preliminary Base Budget	DRO Adjustments	Budget Issues	Other Adjustments/ Transfers/ Use of Reserves	Total Adjustments	Adopted Budget
370	MV FOUNDATION - DONATION	50					50
371	ARTS COMMISSION	1,000					1,000
513	TWNGT IMPV SPCL TAX CAP	38,200					38,200
515	2007 TWNGT SPCLTAX REF	145,600					145,600
518	WARNER RANCH ASDST FUND	7,100					7,100
528	AUTOMALL CAP-ADMIN FUND	61,900					61,900
529	CFD#5 STONERIDGE CAP/ADM	53,700					53,700
530	CFD #4I - INFRA CAP/ADM	10,407,900					10,407,900
601	ELECTRIC FUND	12,172,400					12,172,400
602	2007 TAXABLE LEASE REV	1,830,800					1,830,800
603	2005 LEASE REVENUE BOND	318,200					318,200
741	GENERAL LIABILITY INS FUND	1,362,100					1,362,100
745	WORKERS' COMP FUND	722,100	263,000			263,000	985,100
750	TECHNOLOGY SERVICES FUND	4,899,900	(674,800)			(674,800)	4,225,100
754	FACILITIES FUND	4,474,325	(893,000)		150,000	(743,000)	3,731,325
755	EQUIPMENT MAINTENANCE FUND	715,300					715,300
757	EQUIPMENT REPLACEMENT	376,000					376,000
891	RDA ADMIN FUND	854,470					854,470
894	RDA HOUSING FUND	6,578,500			(1,800,000)	(1,800,000)	4,778,500
895	RDA TAX INCREMENT FUND	4,881,292					4,881,292
896	RDA 2007 TABS, SERIES A	2,183,575					2,183,575
898	RDA 2007TABS, SERIES B	410,000					410,000
	GRAND TOTAL EXPENDITURES	198,004,413	(8,102,122)	217,800	638,500	(7,245,822)	190,758,591
	Less Internal Service Funds ⁽¹⁾	12,549,725	(1,304,800)	0	150,000	(1,154,800)	11,394,925
	NET EXPENDITURES	\$185,454,688	(\$6,797,322)	\$217,800	\$488,500	(\$6,091,022)	\$179,363,666

⁽¹⁾ These Internal Service Fund (ISF) expenditures are charged to all user funds and the cost of these ISF services are already included in other funds' budgets. Therefore, their exclusion from the total budget reflects the true level of City expenditures.

RESOLUTION NO. 2010-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the City Council a Preliminary Base Operating Budget for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the City Council has made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

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

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

1. The Preliminary Base Operating Budget, as amended by the City Council per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the City of Moreno Valley for the Fiscal Year 2010-11.
2. The amounts of proposed expenditures specified in the Adopted Budget are hereby appropriated in the various funds for said fiscal year.
3. Pursuant to Section 53901 of the California Government Code, by not later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.
4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. CSD 2010-20

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Preliminary Base Operating Budget as appear to be desirable; and

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

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

1. The Preliminary Base Operating Budget, as amended by the President and Board of Directors per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.
2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.
3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be \$100 per meeting or for each day's service rendered as a Director, not to exceed six days or \$600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business of the District.
4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.

5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor of the City of Moreno Valley
Acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-04

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2010-11

WHEREAS, the Interim City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Preliminary Base Operating Budget for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Preliminary Base Operating Budget contains estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Preliminary Base Operating Budget as appears to be desirable; and

WHEREAS, the Preliminary Base Operating Budget, as herein approved, will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

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

1. The Preliminary Base Operating Budget, as amended by the Chairperson and Agency Members per the Schedule of Budget Appropriations (Attachment "A"), is hereby approved and adopted as the Annual Operating Budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.
2. The amounts of proposed expenditures specified in the approved budget are hereby appropriated in the various funds for said fiscal year.
3. Pursuant to Section 33114.5 of the California Health and Safety Code, compensation for the City Council acting in the capacity of Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, shall be \$30 per meeting of the Agency, not to exceed four meetings or \$120 in any calendar month. In addition, Agency Members shall be compensated for actual and necessary expenses incurred in the discharge of their duties as Agency Members.

4. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.
5. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

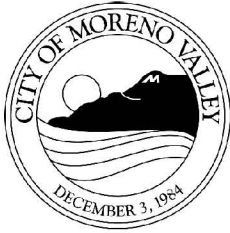
Mayor of the City of Moreno Valley
Acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Ret</i>
CITY MANAGER	<i>WBS</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: June 22, 2010

TITLE: ADOPTION OF FY 2010-11 CAPITAL IMPROVEMENT PLAN

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").
2. Acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").
3. Acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

BACKGROUND

The purpose of the Proposed CIP is to identify needed improvements and establish long-term funding priorities. The Proposed CIP contains the list of projects comprising the budget and expenditures that will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

DISCUSSION

The Proposed CIP identifies and projects the costs of constructing the following types of projects anticipated through build-out of the City:

- Street Improvements
- Buildings
- Electric Utility
- Parks
- Underground Utilities
- Bridges
- Drainage, Sewers, and Waterlines
- Landscaping
- Traffic Signals

City staff has completed a full review of all project needs through “build-out” of the City. The priorities, as proposed, are based on status and funding of existing projects, availability of matching federal, state, or regional grant funds, and anticipated development trends within the City.

During the Study Session on June 15, 2010, City Council directed staff to make revisions to various project forms in the FY 2010–11 Proposed CIP. Staff has also incorporated necessary revisions, resulting from error corrections, receiving updated information, and Deficit Reduction Option (DRO) impacts.

With regard to the DRO impact, on June 8, 2010, City Council approved the DRO that funds the City-Wide Traffic Signals and City-Wide Transportation Operations from the General Fund, thus making \$1,037,000 in Measure "A" funds available for the Citywide Annual Pavement Resurfacing Program. Also, in March 2010, the Legislature passed, and the Governor signed into law, two assembly bills that effectively swapped Proposition 42 funds (Fund 225) for Gas Tax funds. As a result, the anticipated \$1,830,944 increase in Gas Tax funds are appropriated for the Citywide Annual Pavement Resurfacing Program, while Proposition 42 funding is eliminated for FY 2010-2011. The State is purporting to delay the Gas Tax appropriation for approximately 9 months; therefore, the \$1,830,944 is programmed for FY 2011-2012.

Both the City Council-directed revisions and the miscellaneous revisions are incorporated and documented in Attachment “A”.

Capital Budget Adoption Actions

Revisions to the Proposed Capital Improvement Plan (Attachment “A”) - This is a list of revisions to various project forms in the Proposed CIP that were incorporated as directed by City Council during the Study Session on June 15, 2010. Also incorporated are necessary revisions, resulting from error corrections and receiving updated information. The list includes proposed revisions to the Proposed CIP that would be, upon City Council approval, incorporated in the Adopted CIP. By incorporating Revisions to the Proposed CIP, the Adopted CIP, as the capital budget for the City of Moreno Valley for FY 2010-11, will be a more accurate, current, and superior document.

Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments “B”, “C”, and “D”) – As a long-standing best practice, each of the City’s primary entities (the City, RDA, and CSD) will adopt separate resolutions to approve their respective budget.

ALTERNATIVES

1. Adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment “A”), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment “A”), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment “A”). *This alternative will allow needed improvements.*
2. Do not adopt Resolution No. 2010-65, approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment “A”), acting in its capacity as the President and Board of Directors of the Community Services District of the City of Moreno Valley, do not adopt Resolution No. CSD 2010-21, approving the Capital Improvement Plan as the capital budget for the Community Services District of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment “A”), and acting in its capacity as the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley, do not adopt Resolution No. RDA 2010-05, approving the Capital Improvement Plan as the capital budget for the Community Redevelopment Agency of the City of Moreno Valley for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan, as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment “A”). *This alternative will result in the delaying of needed improvements.*

FISCAL IMPACT

Projects have been identified as funded, partially funded, and unfunded for FY 2010-11 through FY 2014-15 and Beyond. The Capital Improvement Plan provides the funding and expenditure plan for FY 2010-11.

CITY COUNCIL GOALS

PUBLIC SAFETY:

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

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

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS:

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

SUMMARY

Staff recommends that the City Council adopt the Resolutions Adopting the Capital Improvement Plan for Fiscal Year 2010-11 (Attachments "B", "C", and "D"), approving the Capital Improvement Plan as the capital budget for the City of Moreno Valley, Community Services District, and Community Redevelopment Agency for FY 2010-11, including all applicable adjustments to the Proposed Capital Improvement Plan (CIP), as detailed in Revisions to the Proposed Capital Improvement Plan (Attachment "A").

ATTACHMENT

Attachment "A" – Revisions to the Proposed Capital Improvement Plan

Attachment "B" – Proposed Resolution No. 2010-65

Attachment "C" – Proposed Resolution No. CSD 2010-21

Attachment "D" – Proposed Resolution No. RDA 2010-05

Prepared By:
 Larry Gonzales
 Senior Engineer, P.E.

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

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

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

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CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET

Funded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount	Reason/Justification
106	Citywide Annual Pavement Resurfacing Program	3,932,869	4,969,969	
120	Perris Blvd Southbound Ln to SR-60 Westbound On-Ramp	460,000	460,000	Proposition 42 funding substituted with Gas Tax funds and Measure "A" funds reinstated per City Deficit Reduction Option
267	Renovation of City Hall Annex Building #1	2,239,765	0	Project moved from Partially Funded to Funded
273	Fire Station #65 (formerly Fire Station #65 Replacement)	570,000	520,000	Project on hold per City Deficit Reduction Options
274	Highland Fire Station	570,000	520,000	Cost adjustment
275	Industrial Fire Station	890,000	870,000	Cost adjustment
282	City Hall Roof Replacement	0	649,965	Project moved from Unfunded to Funded
352	Install Access Gate at March Middle School Field	5,000	0	Project completed in May 2010
355	Parks and Recreation Master Plan	0	19,679	Carryover funds as project will be completed in July 2010
Added	Bethune Park - Water Feature Retrofit	0	5,000	Added new project as directed during 6/15/10 Study Session

Unfunded Projects

Reference Page No.	Project Name	Submitted Amount	Revised Amount	Reason/Justification
129	Alessandro Blvd / Old 215 Frontage Rd to Elsworth St	700,000	0	Project is now funded and part of Citywide Annual Pavement Resurfacing Program
308	Storm Drain Line "H1-A" Extension / Ironwood Avenue to North of Hubbard Street	1,159,000	0	Project deleted. Duplication of Project on Page 305
376	Aqueduct Bike Trail Security Lights and Landscaping	3,060,000	0	Project deleted, combined with project on page 377
377	Aqueduct Bike Trail Security Lights and Landscaping	1,103,000	4,163,000	Project combined with project on page 376
400	Markborough Property Master Plan and Development	20,000	75,000	Cost adjustment

**CITY OF MORENO VALLEY
REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PLAN
FY 2010-2011 CIP BUDGET**

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RESOLUTION NO. 2010-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the [Interim](#) City Manager has heretofore submitted to the City Council a Proposed Capital Improvement Plan (CIP) for the City for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and [contains expenditure requirements, and the resources available to the City;](#) and

WHEREAS, the City Council has made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, [as herein approved,](#) will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

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

1. The Proposed CIP, as amended by the City Council [per the Revisions to the Proposed Capital Improvement Plan \(Attachment "A"\)](#), is hereby approved and adopted as the capital budget of the City of Moreno Valley for the Fiscal Year 2010-11.
2. The projects are hereby appropriated as the capital budget for said fiscal year.
3. Pursuant to Section 53901 of the California Government Code, by no later than August 30, 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.
4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

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

Resolution No. 2010-_____
Date adopted: June 22, 2010

Attachment "B"

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION NO. CSD 2010-21

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the [Interim](#) City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and [contains](#) expenditure [requirements](#), and the [resources available](#) to the Community Services District; and

WHEREAS, the President and Board of Directors have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, [as herein approved](#), will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

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

1. The Proposed CIP, as amended by [the President and Board of Directors per the Revisions to the Proposed Capital Improvement Plan \(Attachment "A"\)](#), is hereby approved and adopted as the capital budget of the Moreno Valley Community Services District for the Fiscal Year 2010-11.
2. The projects are hereby appropriated as the capital budget for said fiscal year.
3. Pursuant to Section 53901 of the California Government Code, by no later than August [30](#), 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.
4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

Resolution No. CSD 2010-
Date adopted: June 22, ~~2010~~

Attachment "C"

Mayor of the City of Moreno Valley
acting in the capacity of President
of the Moreno Valley
Community Services District

ATTEST:

City Clerk, acting in the capacity
of Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

City Attorney, acting in the capacity
of General Counsel of the Moreno Valley
Community Services District

RESOLUTION NO. RDA 2010-05

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA ADOPTING THE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2010-11

WHEREAS, the [Interim](#) City Manager has heretofore submitted to the Chairperson and Agency Members of the Community Redevelopment Agency of the City of Moreno Valley a Proposed Capital Improvement Plan (CIP) for the Agency for Fiscal Year 2010-11, a copy of which is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said Proposed CIP contains the list of projects comprising the budget, and [contains](#) expenditure [requirements](#), and the [resources available](#) to the Redevelopment Agency; and

WHEREAS, the Chairperson and Agency Members have made such revisions to the Proposed CIP as appears to be desirable; and

WHEREAS, the Proposed CIP, [as herein approved](#), will enable the Redevelopment Agency to make adequate financial plans and will ensure that Agency officers can administer their respective functions in accordance with such plans.

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

1. The Proposed CIP, as amended by [the Chairperson and Agency Members per the Revisions to the Proposed Capital Improvement Plan \(Attachment "A"\)](#), is hereby approved and adopted as the capital budget of the Redevelopment Agency of the City of Moreno Valley for the Fiscal Year 2010-11.
2. The projects are hereby appropriated as the capital budget for said fiscal year.
3. Pursuant to Section 53901 of the California Government Code, by no later than August [30](#), 2010, the City Clerk shall file a copy of this Resolution with the Auditor/Controller of the County of Riverside.
4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

Resolution No. RDA 2010-____
Date adopted: June 22, 2010

Attachment "D"

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

APPROVED AND ADOPTED this 22nd day of June, 2010.

Mayor of the City of Moreno Valley
acting in the capacity of Chairperson
of the Community Redevelopment
Agency of the City of Moreno Valley

ATTEST:

City Clerk, acting in the capacity
of Secretary of the Community
Redevelopment Agency of the City of
Moreno Valley

APPROVED AS TO FORM:

City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the City of
Moreno Valley

CITY MANAGER'S REPORT

**(Informational Oral Presentation only –
not for Council action)**

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