

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

February 23, 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

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
February 23, 2010

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Recognition of Firefighter of the Year - Sean Landavazo, Firefighter Apparatus Engineer
2. Employee of the Quarter presentation - Keyneica Jones, Management Analyst

**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
FEBRUARY 23, 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 - Rev. Dennis Krueger, Shepherd of the Valley Lutheran Church

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 FEBRUARY 9, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

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

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of February 3, 2010.

A.4 APPROVAL OF MORENO VALLEY ELECTRIC UTILITY REIMBURSEMENT AGREEMENT FOR ELECTRICAL FACILITY CONSTRUCTION BETWEEN MORENO VALLEY CACTUS RANCH, LLC AND THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

1. Approve the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley;
2. Authorize the City Manager to execute the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley; and
3. Appropriate \$59,569 from the Electric Utility's liability account 601.2810.01 for payment under the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.

A.5 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL IMPROVEMENTS AT THE COTTONWOOD AVENUE AND PATTILYNN

DRIVE INTERSECTION - PROJECT NO. 09-12566628 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519;
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 Pouk & Steinle, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained road system.

A.6 FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JAGDISH SHAH (Report of: Public Works Department)

Recommendation:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490;
2. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah; and
3. Authorize an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

A.7 REAPPROPRIATION OF FUNDS FOR THE HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET/PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION PROJECT - PROJECT NO. 06-12567425 (Report of: Public Works Department)

Recommendation:

Authorize the Financial and Administrative Services Director to reappropriate funds in the amount of \$136,405 from Measure "A" Fund

Balance for the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project.

- A.8 PM 33152-1 – REQUEST TO EXTEND THE DURATION FOR A FULL ROAD CLOSURE OF OLD 215 FRONTAGE ROAD BETWEEN ALESSANDRO BOULEVARD AND DAY STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 17, 2009 – JUNE 17, 2010; DEVEPER: ADLAND PROPERTIES, LLC, TORRANCE, CA 90505 (Report of: Public Works)

Recommendation:

1. Authorize an extension of the duration for the full road closure of Old 215 Frontage Road Street from Alessandro Boulevard to Day Street for the construction of street improvements from March 17, 2010 to June 17, 2010; and
2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

- A.9 AUTHORITY OF THE CITY MANAGER AND PUBLIC WORKS DIRECTOR TO APPROVE FUTURE AMENDMENTS TO CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60 NASON/INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406), if needed, subject to the approval of the City Attorney.

- A.10 APPROVAL OF CHECK REGISTER FOR DECEMBER, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2010-11, approving the Check Register for the month of December, 2009 in the amount of \$16,480,202.55.

Resolution No. 2010-11

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of December, 2009

- A.11 ACCEPTANCE OF DONATION IN THE AMOUNT OF \$3,530 FOR THE

MORENO VALLEY ANIMAL SHELTER (Report of: Financial & Administrative Services Department)

Recommendation:

Accept a monetary donation in the amount of \$3,530 for the Moreno Valley Animal Shelter.

- A.12 RESOLUTION IN SUPPORT OF DESIGNATING MARCH 2010 AS THE "UNITED STATES CENSUS – MAKE YOURSELF COUNT" MONTH (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2010-12 designating March 2010 as "United States Census – Make Yourself Count" month.

Resolution No. 2010-12

A Resolution of the City Council of the City of Moreno Valley in Support of the United States Census – Make Yourself Count Month March 2010

- A.13 APPROVE PROJECT RECOMMENDATIONS FOR REMAINING UNEXPENDED "PROPOSITION 1B" - TRANSPORTATION BOND PROGRAM FUNDS AS PART OF THE FY 09/10 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (CONTINUED FROM FEBRUARY 9, 2010) (Report of: Public Works Department)

Recommendation:

1. Approve Project Recommendations for Remaining Unexpended Proposition 1B funds as part of the FY 09/10 Pavement Resurfacing Project; and
2. Authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance.

- A.14 APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND ROBERT L. HANSEN FOR THE POSITION OF CITY ATTORNEY (Report of: Human Resource Department)

Recommendation:

Approve the employment agreement between the City of Moreno Valley and Robert L. Hansen for the position of City Attorney.

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 FEBRUARY 9, 2010 (Report of: City Clerk)

Recommendation:
Approve as submitted.

B.3 APPLY FOR AND SUBSEQUENT ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, AFTER SCHOOL PARTNERSHIPS OFFICE, FOR THE AFTER SCHOOL EDUCATION AND SAFETY (ASES) PROGRAM (Report of: Parks and Community Services)

Recommendation:

1. Authorize staff to apply for additional grant monies from the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program;
2. Authorize the acceptance of the ASES Program grant in the amount of up to \$337,500 for Sugar Hill, Ridge Crest, and Hidden Springs Elementary Schools to provide literacy, academic enrichment, and a safe constructive alternative for students in kindergarten through fifth grades;
3. Authorize use of grant funds for personnel as follows: one Office Assistant, three Site Leaders, and 30 Program Assistants; and
4. Authorize the City Manager to sign documents with the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program on behalf of the City of Moreno Valley.

B.4 AUTHORIZE THE SUBMISSION OF GRANT APPLICATIONS FOR THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM AND ADOPT THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services)

Recommendation:

1. Authorize the Parks and Community Services Director to submit the grant applications to the State Department of Parks and Recreation for the Statewide Park Development and Community Revitalization Program for the March Field Park Soccer Field Project and the Water Conservation and Demonstration Garden; and

2. Adopt the proposed Resolution No. CSD 2010-04 to certify the approval of the governing board approving the grant application for grant funds from the Statewide Park Program.

Resolution No. CSD 2010-04

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board Approving the Application for Statewide Park Program Grant Funds

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 FEBRUARY 9, 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 FEBRUARY 9, 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 CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 (PROPOSED SKECHERS PROJECT) - BALLOTING FOR NPDES AND CSD ZONE M (CONTINUED FROM NOVEMBER 10, 2009) (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:
 - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System (“NPDES”) ballots for identified properties within Tentative Parcel Map (“TPM”) 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number (“APN”) listing;
 - c. Receive and file with the City Clerk’s office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629.
2. Acting in their capacity as President and Members of the Board of Directors of the CSD (“CSD Board”), after conducting the Public Hearing and accepting public testimony:
 - a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for the identified properties within TPM 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
 - c. Receive and file with the City Clerk’s office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

E.2 PUBLIC HEARING TO ADOPT FY 2009-10 ANNUAL ACTION PLAN AMENDMENT NO. 2 AND NO. 3 (Report of: Economic Development Department)

Recommendation: That the City Council:

Review proposed FY 2009-10 Substantial Amendment 2 and 3 to increase funding for the 2010 Foreclosure Prevention Workshop program:

- a) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2009-10 Annual Action Plan Substantial Amendments #2

and #3,

b) Adopt the proposed Amendments #2 and #3

c) Authorize the transfer of \$25,000 from account # 284.73939.6854 (Employment Resource Center) to account # 284.73939.6846 (Community Foreclosure Prevention) account; and

d) Authorize the transfer of \$5,000 from account # 284.73939.6839 (Small Business Fair) to account # 284.73939.6846 (Community Foreclosure Prevention).

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

G. REPORTS

G.1 MID-YEAR BUDGET REVIEW (Report of: Financial & Administrative Services Department)

Recommendation: That the City Council:

1. Receive and file this report; and
2. Approve the proposed mid-year budget appropriation adjustments.

G.2 ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM (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 Moreno Valley CSD ("CSD Board") provide direction to staff on the alternatives to be implemented for the CSD Zone B (Residential Street Lighting) program.

G.3 AMENDMENT TO THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS (Report of: Public Works Department)

Recommendation: That the City Council:

1. Approve and adopt Resolution No. 2010-13 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

Resolution No. 2010-13

A Resolution of the City Council of the City of Moreno Valley,

California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

2. Acting in the capacity as the Board of Directors of the Moreno Valley Community Services District (“CSD Board”), approve and adopt Resolution No. CSD 2010-05 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

Resolution No. CSD 2010-05

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California, to Adopt an Amended Policy for Conducting Mail Ballot Proceedings to Ensure that this Process is Conducted in a Uniform and Consistent Manner as Provided for in the Mandates of Proposition 218

- G.4 INTENTION OF THE COMMUNITY AND REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO PROVIDE FINANCIAL ASSISTANCE TO PALM DESERT DEVELOPMENT COMPANY, INC. FOR PHASE II OF THE RANCHO DORADO AFFORDABLE HOUSING PROJECT (Report of: Economic Development Department)

Recommendation: That the City Council:

1. Acting in their capacity as Chairperson and Members of the Redevelopment Agency Board, adopt Resolution No. RDA 2010-01, which ratifies certain findings and determinations made under Resolution No. 2008-11, regarding providing conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South; and

Resolution No. RDA 2010-01

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.

2. The Redevelopment Agency Board appropriate \$4,750,000 from the RDA's 20% Housing Set Aside fund balance (Fund 894) for fiscal year 2009/10.

- G.5 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(b)(1) - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION

Number of Cases: 2

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

Number of Cases: 2

3 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

a) City Manager Recruitment

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

ADJOURNMENT

**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
February 9, 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 6:32 p.m. by Mayor Flickinger in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Council Member Molina

INVOCATION - Pastor James Belle, Moreno Valley First Apostolic Faith Church

ROLL CALL

Council:

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

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Steve Elam	Interim Financial and Admin. Director
William Bopf	Interim City Manager
Robert Hansen	Interim City Attorney
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director/Cit
Kyle Kollar	Interim Community Dev Dir
Barry Foster	Economic Development Dire
Chris Paxton	Human Resources Director
Mike McCarty	Parks & Community Service

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# A9).

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF JANUARY 26, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

A.3 ADOPT A MITIGATED NEGATIVE DECLARATION (MND) FOR IMPROVEMENTS TO CACTUS AVENUE EXTENDING FROM EASTERLY OF THE INTERSTATE 215 NEAR COMMERCE CENTER DRIVE TO HEACOCK STREET - PROJECT NOS. 07-41678527 AND 07-41683328 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for improvements to Cactus Avenue extending from easterly of the Interstate 215 near Commerce Center Drive to Heacock Street, in that mitigation measures included in the Final Initial Study/Environmental Assessment which will ultimately be incorporated into the project specifications and implemented through the Mitigation Monitoring and Reporting Program will reduce all potential environmental impacts to an acceptable level.

A.4 TRACT MAP 31494 – ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING COLLIE COURT AND THE PORTION OF COTTONWOOD AVENUE AND DARWIN DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: COLLIE COURT DEVELOPMENT, LLC, MORENO VALLEY, CA 92552-7599 (Report of: Public Works Department)

Recommendation:

Adopt Resolution No. 2010-09 authorizing acceptance of the public improvements for Tract 31494 as complete and accepting Collie Court, and

the portions of Cottonwood Avenue and Darwin Drive associated with the project into the City's maintained street system.

Resolution No. 2010-09

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within Tract 31494, and Accepting Collie Court, and the Portions of Cottonwood Avenue and Darwin Drive Associated with the Project into the City's Maintained Street System

A.5 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk)

Recommendation:

Receive and file the Reports on Reimbursable Activities for the period of January 20 - February 2, 2010.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT LASSELLE STREET AND COTTONWOOD AVENUE - PROJECT NO. 08-41779126 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Traffic Signal and Street Improvements at Lasselle Street and Cottonwood Avenue, constructed by All American Asphalt, PO Box 2229, Corona, CA 92787;
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 All American Asphalt, thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained road system.

A.7 NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL AND STREET IMPROVEMENTS AT LASSELLE STREET AND BAY AVENUE - PROJECT NO. 08-41779426 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for the Traffic Signal and Street Improvements at Lasselle and Bay Avenue, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519;
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 Pouk & Steinle, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; and
4. Accept the improvements into the City's maintained road system.

A.8 APPROVE PROJECT RECOMMENDATIONS FOR REMAINING UNEXPENDED "PROPOSITION 1B" - TRANSPORTATION BOND PROGRAM FUNDS AS PART OF THE FY 09/10 PAVEMENT RESURFACING PROJECT - PROJECT NO. 10-12556330 (Report of: Public Works Department)

Recommendation:

1. Approve Project Recommendations for Remaining Unexpended Proposition 1B funds as part of the FY 09/10 Pavement Resurfacing Project; and
2. Authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance.

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED DECEMBER 31, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

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 JANUARY 26, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

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 JANUARY 26, 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 JANUARY 26, 2010 (Report of: City Clerk)

Recommendation:

Approve as submitted.

Motion to continue Item A.8 to the next regular City Council meeting by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to Approve Consent Calendar Items A1 through D1, except Item A2, B2, C2, D2 and A4 by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

Motion to approve minutes: Items A2, B2, C2 and D2 by m/William H. Batey II, s/Robin N. Hastings

Approved by a vote of 4-0-1, Richard A. Stewart abstained.

Motion to Approve Item A4 by m/Council Member William H. Batey II, s/Council Member Jesse L. Molina

Approved by a vote of 4-0-1, Council Member Richard A. Stewart recused himself.

E. PUBLIC HEARINGS - None

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

None

G. REPORTS

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

a) Report by Mayor Bonnie Flickinger on Riverside County Transportation Commission (RCTC)

Mayor Flickinger reported the following:

1) Stated that RCTC's mission is to prioritize transportation related projects throughout the County, to fund them and to build them. RCTC experienced a funding shortfall due to decline of sales tax and TUMF revenue. At the recent workshop, the RCTC commissioners voted to reduce the number of top priority projects. Moreno Valley east junction 215/60 interchange improvements remain the top priority. However, there is no funding for the project until 1B bonds are sold to investors. Freeway 60 is not included in the future projects to be funded because of limited amount of money available for roads improvements and a need to take turns with other jurisdictions.

2) RCTC created a new system for obtaining traffic information on any freeway in Southern California, information on Metrolink service, transit and ridesharing; residents can access this service through the Internet at IE511.org or any phone by dialing 511; more information about RCTC is available at [Twitter.com/rctc](https://twitter.com/rctc)

b) Report by Mayor Bonnie Flickinger on Riverside Transit Agency (RTA)

Mayor Flickinger reported that one of the solutions to the transportation problem is to utilize transit network. RTA is determined to provide the best possible customer service. However, RTA's funding sources have also diminished lately. The RTA staff and board of directors are consistently striving to make the service more efficient and at the same time more cost effective. Nine community meetings will be held to introduce to the public the currently suggested changes, which include eliminating certain bus routes, to make sure that the impact on the riders is not excessive. A meeting in Moreno Valley will be held on March 1 at 6 p.m. in the Council Chamber; comments may also be submitted by e-mail, telephone or regular mail; the latest information on services is available at riversidetransit.com

c) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Mayor Pro Tem Hastings reported the following:

1) At the last meeting, the executive committee appointed the public financial management group that will be handling financing for AB 811; grants are not going to be required to get this program up and running; will make another trip to Washington, D.C. and believes that it would be easier to obtain grants by being able to demonstrate that the project is up and running without the financial assistance; the project looks extremely good and is moving forward fast; may be able to offer loans by May

G.2 PARTICIPATION AGREEMENT WITH IHERB, INC. (Report of: Economic Development Department)

Recommendation: That the City Council:

Adopt Resolution No. 2010-10, a Resolution of the City of Moreno Valley approving and authorizing a Participation Agreement with iHerb, Inc.

Resolution No. 2010-10

A Resolution of the City Council of the City of Moreno Valley Authorizing a Participation Agreement with iHerb, Inc.

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

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

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

The City Manager announced the following:

1) The upgrade of the library Web service through Bookletters will cost about \$3,500 a year; authorized to start the upgrade as the funding is available

2) The City is sponsoring the Chamber Mixer; it will be held this Thursday, February 11, at 5:30 p.m. at the TownGate Community Center

3) Job fair will be held on February 22, from 11 to 4 p.m. at the Conference and Recreation Center; it is a collaborative event provided by Congressperson Mary Bono Mack, the Riverside Workforce Development Center and the City of Moreno Valley Economic Development Department

4) 82 percent of hired employees by O'Reilly company were residents of Moreno Valley - part of success of the Employment Resource Center

- 5) The Parks and Community Services Department started the programs following the winter recess; a complete list is available at C&RC and the City's Web site
- 6) The Public Works is working with the JPA to clean up the Heacock Channel to mitigate flooding; kudos to the Public Works Department for doing this
- 7) Crew met with Cedar Court residents - the City cleaned up the public drainage pipe which improved flow to the private channel

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

Pete Bleckert

- 1) Red light cameras

Raul Wilson

- 1) Complimented on Memorial Day celebration
- 2) Improvements on Freeway 60
- 3) Dividing funds/money among all the Council districts
- 4) Education of children

Mayor Flickinger read an e-mail from a resident Pete Servantes regarding DUI checkpoints - the resident supports checkpoints

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

Council Member Batey

- 1) Requested to reinstitute a banner program on major streets; received this request from sports groups; Mayor Flickinger seconded to put the item on a future study session agenda
- 2) Wished everyone a happy Valentine's Day

Mayor Pro Tem Hastings

- 1) Welcomed iHerb, Inc. to the City; thanked for selecting our City and bringing jobs here
- 2) Responded to speaker's comments regarding high school dropouts - agrees that it is everybody's problem, not just school board's; we need to make sure that we are providing as many activities and resources for kids as we can; sports, afterschool programs are already in place; a joint application was submitted for a workforce center for the kids
- 3) Thanked Public Works Director Chris Vogt for meeting with Cedar Court residents regarding flooding issues, for identifying the problem and providing solutions to prevent future flooding; thanked the department for the extra effort

Council Member Stewart

- 1) Responded to speaker's comments regarding red light cameras - charging excessive fine for a minor insignificant stop violation is not a good citizenship; cameras don't allow any discretion; commended the decision of discontinuing the program
- 2) EOC should be completed by late spring or early summer
- 3) Commended Public Works Department staff for working in the rain, cleaning up Heacock Channel, and very fast response even in the middle of the rain storm; appreciates the work done by staff
- 4) DUI checkpoints are serving a good purpose - some people who got their car towed were driving on a suspended license; emphasized the need to respect the law
- 5) Metrolink is coming
- 6) Encouraged residents to report graffiti by calling 413.3171. Graffiti will be removed within 24 hrs

Council Member Molina

- 1) Inquired about flooding on Sunnymead Blvd. under the freeway. Public Works Director responded that staff will have to put together CIP for drainage project for Council's consideration
- 2) Regarding the school sites - it's not the Council's decision; emphasized the importance of children's education
- 3) Responded to speaker's comments regarding streets - will look into this issue and reprioritize City's streets; will discuss the issue with the City Manager

Mayor Flickinger

- 1) Appointed Mayor Pro Tem Hastings and Council Member Batey to the ad hoc committee to deal with the Box Springs Water Company
- 2) Annual free collection of hazardous waste and electronic equipment will be held on May 7 & 8
- 3) The Gas Company announced that it has a payment assistance program for anyone having hard time paying gas bills; information may be

obtained at 1.800.427.2200 or at socalgas.com/extrahelp

4) Had an opportunity to tour Riverside's recently renovated Fox Theatre - a very impressive facility with stage equipment to accommodate a full fledge Broadway production

5) Proposition 16, sponsored by an investor-owned electric utility, is on the June ballot; it is designed to cripple municipal utilities generating revenue for the cities; will vote "no" on this proposition and hopes residents will do the same

6) Congratulations to the Moreno Valley Community College, which is now an independent college; the administration worked very hard on the accreditation for several years and finally it came to fruition; there is a great possibility that the college will assist in the City's economic development

7) March Field Air Museum will receive artifacts from the space shuttle, which are worth about \$5.5. million

8) Wished everyone a happy Valentine's Day

At the request of Council Member Batey, the meeting was adjourned in honor of a long time Fire Captain David Parks, who passed away last Friday.

There being no further business to conduct, the meeting was adjourned at 7:28 p.m. to Closed Session by unanimous informal consent.

CLOSED SESSION

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

The Closed Session was held in the City Manager's Conference Room pursuant to Government Code:

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

Number of Cases: 2

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

Number of Cases: 2

3 SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT/PUBLIC EMPLOYMENT

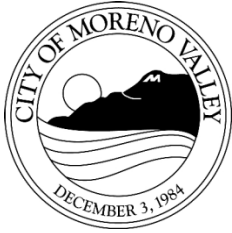
- a) City Attorney Recruitment
- b) City Manager Recruitment

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

None

ADJOURNMENT

enl



Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: February 23, 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 February 3-16, 2010.

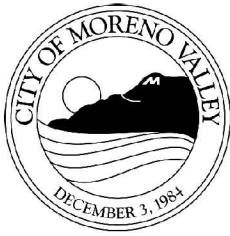
<i>Reports on Reimbursable Activities</i> February 3-16, 2010		
Council Member	Date	Meeting
William H. Batey II		None
Bonnie Flickinger	2/3/10	Fox Theater Tour (Parking)
	2/4/10	Southern California Association of Governments (Metrolink)
	2/6/10	452d Air Mobility Wing Annual Award Recognition Reception
Robin N. Hastings	2/6/10	452d Air Mobility Wing Annual Award Recognition Reception
Jesse L. Molina		None
Richard A. Stewart		None

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>RH</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: February 23, 2010

TITLE: Approval of Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.
2. Authorize the City Manager to execute the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.
3. Appropriate \$59,569 from the Electric Utility's liability account 601.2810.01 for payment under the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.

BACKGROUND

Pursuant to its rights under the California Constitution, the City Council of the City of Moreno Valley approved the formation of the City's electric utility at its meeting on June 26, 2001. As the regulatory authority of the City's electric utility, the City Council has since adopted rates for customers, rules for service, various programs, and also approved other actions required for the operation of the utility including the 2007 Lease Revenue Bond financing for the Moreno Valley Substation and other improvements. The City's electric utility, Moreno Valley Utility or MVU, first began providing service to

customers in February 2004. Today, there are approximately 5,400 MVU customers made up of residential, commercial, and industrial users.

To serve these customers, MVU currently operates and manages more than 25 miles of installed and energized electric distribution infrastructure (backbone). New development in the City of Moreno Valley is conditioned to take service from MVU. Projects are conditioned to install new infrastructure and pay reimbursement costs for infrastructure previously installed that directly benefits the project. Any reimbursement is based on electric distribution infrastructure installation costs. The developer is responsible for the share of the infrastructure required to serve the project. Each project is also required to enter into a "Line Extension Agreement" with MVU, which also references reimbursement costs.

On December 14, 2004, City Council approved Resolutions 2004-85 and 2004-86, which established a standard Moreno Valley Utilities Reimbursement Agreement for Electrical Facility Construction and authorized the City Manager to execute agreements for reimbursement.

On January 8, 2008, City Council approved Resolution 2008-02, which authorizes staff to develop Reimbursement Agreements for MVU on a "case by case" basis and authorizes the City Manager to execute agreements for reimbursement. The January 8, 2008 action also rescinded Resolution 2004-85.

DISCUSSION

The reimbursement agreement considered in this council action addresses reimbursement of the cost of installation of backbone electric distribution infrastructure located on Brodiaea just west of Quincy, west to Moreno Beach Drive, then south along Moreno Beach drive to Cactus Avenue. The facilities were installed by Moreno Valley Cactus Ranch LLC as part of the development of Tract 27523. The facilities were accepted by the City in October 2004. Future reimbursements pursuant to this proposed agreement would be made by developers of the specific parcels identified within the agreement that directly benefit from the facilities. The amount of the reimbursement is based upon the actual installed cost. The reimbursable amounts identified in the agreement are based on the staff's review of the costs of construction. The \$59,569 initial payment that will be made if this item is approved was collected by the City from a project that directly benefits from the subject infrastructure. The grand total of the cost of improvements outlined in the proposed Agreement is \$434,993, leaving a potential reimbursement amount of \$375,421 after the initial payment is made. The City's obligation to manage reimbursements under the proposed agreement will cease on October 7, 2019.

The length of time between the acceptance of the electric infrastructure by the City and the execution of the Reimbursement Agreement is unique to this particular case. As such, the City Attorney's office is requesting City Council's approval of this specific

reimbursement agreement between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley, as an exclusive reimbursement agreement.

Future reimbursement agreements are expected to be negotiated on a “case by case” basis as outlined in the January 8, 2008 council action.

ALTERNATIVES

1. Approve the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley, authorize the City Manager to execute the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley and appropriate \$59,569 from the Electric Utility’s liability account 601.2810.01 for payment under the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley.
2. Do not approve the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley do not authorize the City Manager to execute the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley and do not appropriate \$59,569 from the Electric Utility’s liability account 601.2810.01 for payment under the Moreno Valley Electric Utility Reimbursement Agreement for Electrical Facility Construction between Moreno Valley Cactus Ranch, LLC and the City of Moreno Valley. *This would result in potential legal issues for the City.*

FISCAL IMPACT

The city has collected or will collect money from various projects which are payable to other projects. Funds collected from the Development Community for the purposes of installing electrical infrastructure are restricted for the installation of electrical facility infrastructure or the reimbursement for electrical facility infrastructure already installed. This methodology will address the payment of money from one project to another that directly benefits from the electric distribution infrastructure identified in the agreement. No City funds will be used for reimbursements under this proposed agreement.

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:

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

NOTIFICATION

Posting of Agenda

ATTACHMENTS/EXHIBITS

Attachment 1 – Reimbursement Agreement

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:

MORENO VALLEY ELECTRIC UTILITY

REIMBURSEMENT AGREEMENT

For

ELECTRICAL FACILITY CONSTRUCTION

THIS AGREEMENT is made and entered into this ___ day of _____, 200___, by and between the CITY OF MORENO VALLEY, a municipal corporation, hereinafter called CITY, and Moreno Valley Cactus Ranch LLC, hereinafter called DEVELOPER (CITY and DEVELOPER collectively hereinafter called "Parties").

WITNESSETH:

WHEREAS, California Government Code 66485 – 66487 defines specific powers that a city has in relation to reimbursement for improvements installed by a subdivider for the benefit of property not within the subdivision; and,

WHEREAS, the City Council of CITY, found and determined that it was necessary that an electrical distribution system (lines, structures and appurtenances) be installed, which serves the hereinafter described property of DEVELOPER; and,

WHEREAS, DEVELOPER, at its own expense, has installed such electrical distribution system; and,

WHEREAS, as conditioned by the CITY, the electrical distribution system installed is of such capacity and in such location as to provide for the orderly extension of the electrical distribution system of CITY; and,

WHEREAS, such electrical distribution system as constructed will provide electrical service for adjacent properties not a part of DEVELOPER'S property;

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants herein contained, CITY and DEVELOPER agree as follows:

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Financial Responsibility. DEVELOPER has, at its own expense, furnished all equipment and materials necessary and paid all costs incident to the installation of certain electrical distribution improvements generally described in Exhibit "A" and shown in Exhibit "B1", and as shown more specifically on the plans, profiles, and specifications which have been prepared by or on behalf of DEVELOPER and approved by CITY, and which are incorporated herein by this reference ("Improvements"). DEVELOPER

represents and warrants that said Improvements were furnished and installed in accordance with the plans and specifications approved by the Director of Public Works of CITY.

3.0 Inspections and Acceptance. CITY staff, or personnel designated by CITY, have inspected and tested the Improvements at the expense of DEVELOPER and DEVELOPER corrected any deficiencies discovered. CITY accepted the Improvements for public use on October 7, 2004.

4.0 Reconciliation of Construction Costs. DEVELOPER has provided CITY with the necessary documentation to determine DEVELOPER'S actual costs to construct the Improvements as set forth in Exhibit "C". CITY has verified that DEVELOPER'S reimbursable costs for construction of the Improvements totals \$434,993, as set forth in Exhibit "A".

5.0 Reimbursement. CITY hereby agrees to reimburse DEVELOPER for the Improvements described on Exhibit A installed by DEVELOPER, from and only from funds actually collected for respective fair share allocations of the cost of the Improvements from owners or developers of property served or to be served by the Improvements ("collected funds"), which property is immediately adjacent to or abutting the Improvements as illustrated in Exhibit "B1" ("benefiting properties") Such reimbursement (the "Reimbursement") shall be based upon DEVELOPER'S actual and verified construction costs as described in Exhibit "A" and shall be paid by CITY to DEVELOPER within thirty (30) days of CITY's receipt of actual funds collected from owners or developers of property served or to be served by the Improvements. It is understood and acknowledged that CITY shall have no obligation to fund any portion of the Reimbursement from any source of funds other than the collected funds. In the event that any obligation or condition placed upon any such property owner or developer to pay such funds to the CITY is found by a court of competent jurisdiction to be invalid or unenforceable or such funds become otherwise uncollectable, the Reimbursement shall be reduced by such invalid, unenforceable or uncollectible amount. Any amount already paid to DEVELOPER and found to be invalid or unenforceable shall be returned to the CITY for payment to the affected property owner or developer.

6.0 Payment of Reimbursement. The Reimbursement shall be paid to DEVELOPER as follows:

6.1 Following the execution and delivery of this Agreement by the Parties and upon written demand by DEVELOPER, CITY shall pay DEVELOPER the sum of \$59,569 (constituting funds already collected from benefiting properties) in reimbursement for that portion of the Improvements serving Parcel Number 486250022, MVU Project number 239, as set forth on Exhibit "B2".

6.2 CITY shall make reasonable efforts to collect the appropriate fair share amounts from the remaining benefiting properties and pay to DEVELOPER, within thirty (30) days after receipt from owners or developers of

property served or to be served by the Improvements, the aggregate sum of \$375,421 for that portion of the Improvements serving Parcel Numbers 486250021, 478090015, 478090012, 478090011, 478080011, 478080002, 478080003, 478080004, 478080005, 478080012, and 478080013, as set forth on Exhibit "B2"; provided, that (i) such Reimbursement shall be payable solely from funds collected specifically at such time or times as building permits are issued for said Parcels, and (ii) all right of Reimbursement shall cease October 7, 2019 (15 years from date the City accepted improvements for public use) whether fully paid or not.

6.3 DEVELOPER shall not be reimbursed for that portion of the Improvements serving Tract 27523 (DEVELOPER'S property).

6.4 Mailing Address. The Reimbursement shall be mailed to the address of DEVELOPER hereinafter shown unless written notice of change of address is received by CITY.

7.0 Assignment. Rights to Reimbursements due under this Agreement may be assigned after written notice to CITY by the holder of such rights, as shown by the records of CITY. Such assignment shall apply only to such Reimbursements becoming payable more than 30 days after receipt by CITY of written notice of assignment. CITY shall not be required to make any Reimbursement payment to more than a single DEVELOPER or assignee. City shall have no liability to any party or person for making payment to the party shown on the City's records as being entitled to such Reimbursement.

8.0 Alternative Service Connection. CITY shall be under no obligation to require connection of adjacent properties to the Improvements if, in the future, CITY determines alternative means of providing electrical service are more beneficial to CITY or to the electrical system. The Reimbursement shall be reduced by any amounts not collected from any such adjacent property not connected to the Improvements.

9.0 Design of Improvements. DEVELOPER represents and warrants the following:

9.1 Quality of Work; Compliance With Laws and Codes. The construction plans and specifications for the Improvements were prepared in accordance with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements and approved by City. The Improvements were completed in accordance with all approved maps, plans, specifications, standard drawings, and special amendments thereto on file with CITY, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work was actually commenced.

9.2 Permits and Notices. DEVELOPER, at its sole cost, expense, and liability, obtained all necessary permits and licenses prior to commencing work

and gave all necessary and incidental notices required for the lawful construction of the Improvements. DEVELOPER conducted the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to DEVELOPER.

9.3 California Labor Code Section 1720. DEVELOPER was solely responsible and liable for compliance with all laws, rules and regulations applicable to the Improvements arising on account of the execution of this Agreement or the receipt of any fee credits or reimbursements under this Agreement. Without limiting the generality of the foregoing, DEVELOPER acknowledges that CITY advised DEVELOPER of the contents of California Labor Code Section 1720, but has made no representation and given no advice concerning its applicability or non-applicability to DEVELOPER'S construction of the Improvements. DEVELOPER was and is solely responsible for determining whether and to what extent this Agreement or any credit or reimbursement received under this Agreement subjects construction of the Improvements to prevailing wages.

9.4 Standard of Performance. DEVELOPER and its contractors, if any, performed all work required, constructed the Improvements in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. DEVELOPER represents and maintains that it or its contractors were skilled in the professional calling necessary to perform the work. DEVELOPER warrants that all of its employees and contractors have sufficient skill and experience to perform the work assigned to them, and that they had all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications and approvals were maintained while performing such work.

10.0 Maintenance of Improvements. Any use by any person of the Improvements, or any portion thereof, was at the sole and exclusive risk of DEVELOPER at all times prior to CITY'S acceptance of the Improvements. CITY shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the Improvements or their condition prior to acceptance.

11.0 Warranty and Guarantee. DEVELOPER warranted and guaranteed all the Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of the Improvements, for a period of one (1) year following completion of the work and acceptance by CITY ("Warranty"). During the Warranty, DEVELOPER was responsible for repair, replacement, or reconstruction of any defective or otherwise unsatisfactory portion of the Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of CITY. All repairs, replacements, or reconstruction during the Warranty were at the sole cost, expense, and liability of DEVELOPER and its surety. As to any Improvements which have been repaired, replaced, or reconstructed during the Warranty, DEVELOPER and its surety agreed to

extend the Warranty for an additional one (1) year period following CITY'S acceptance of the repaired, replaced, or reconstructed Improvements. Nothing herein shall relieve DEVELOPER from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any Improvement following expiration of the Warranty or any extension thereof. DEVELOPER'S warranty obligation under this section shall survive the expiration or termination of this Agreement.

12.0 Default; Notice; Remedies.

12.1 Notice. If DEVELOPER neglects, refuses, or fails to fulfill or timely complete any obligation, term, or condition of this Agreement, or if CITY determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, CITY may at any time thereafter declare DEVELOPER to be in default or violation of this Agreement and make written demand upon DEVELOPER or its surety, or both, to immediately remedy the default or violation ("Notice"). DEVELOPER shall substantially commence the work required to remedy the default or violation within five (5) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, CITY may provide the Notice verbally, and DEVELOPER shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon CITY'S issuance of the Notice, DEVELOPER and its surety shall be liable to CITY for all costs of construction and installation of the Improvements and all other administrative costs expenses as provided for in this Section of this Agreement.

12.2 Failure to Remedy; CITY Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to CITY within the time frame contained in the Notice, CITY may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of DEVELOPER and its surety, without the necessity of giving any further notice to DEVELOPER or its surety. CITY'S right to take such actions shall in no way be limited by the fact that DEVELOPER or its surety may have constructed any of the Improvements at the time of CITY'S demand for performance. In the event CITY elects to complete or arrange for completion of the remaining work, CITY may require all work by DEVELOPER or its surety to cease in order to allow adequate coordination by CITY.

12.3 Other Remedies. No action by CITY pursuant to this Section 20 shall prohibit CITY from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. CITY may exercise its rights and remedies independently or cumulatively, and CITY may pursue inconsistent remedies. CITY may institute an action for damages, injunctive relief, and/or specific performance.

13.0 Indemnification. DEVELOPER agrees to indemnify, defend, and save harmless the CITY, the Moreno Valley Community Redevelopment Agency (RDA), and the Moreno Valley Community Service District (CSD), and their officers, agents and employees from any and all liability, claims, demands, damages, costs, expenses or injuries to any person, including injury to DEVELOPER'S employees, which are caused by, claimed to be caused by, arise from or are connected with the negligent any act or omission of DEVELOPER, its officers, agents or employees, or its contractors, consultants, or any other person acting for DEVELOPER or under its control or direction related to the installation of the Improvements or any work thereon, or any obligation of DEVELOPER under this Agreement; provided, however, that this indemnification and hold harmless shall not include claims arising from the sole negligence or willful misconduct of CITY, RDA, or CSD, or their officers, agents or employees. DEVELOPER further indemnifies, defends and holds CITY harmless from any claims by any person or entity that any payment made to DEVELOPER hereunder or any payment made to CITY for purposes of reimbursing the cost of the Infrastructure was made illegally or under an invalid or unenforceable obligation or condition, or that any payor of any such reimbursement amount is legally entitled to a refund of all or any portion of any monies paid to the CITY and thereafter paid by the CITY to DEVELOPER.

14.0 Miscellaneous Provisions

14.1 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

To City: City of Moreno Valley
Electric Utility Manager
14325 Frederick Street, Ste 9
Moreno Valley, Ca 92552-0805
Fax No. (951) 413-3498

To Developer: Moreno Valley Cactus Ranch, LLC
P.O. Box 890579
Temecula, CA 92589
951-296-5070

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

14.2 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

14.3 Construction; References; Captions. It being agreed the Parties through their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not workdays. All references to DEVELOPER include all personnel, employees, agents, and contractors of DEVELOPER, except as otherwise specified in this Agreement. All references to CITY include its elected officials, officers, employees, agents, and volunteers and its related entities including but not limited to the Moreno Valley Community Services District and the Moreno Valley Community Redevelopment Agency, except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

14.4 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

14.5 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.

14.6 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns.

14.7 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

14.8 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

14.9 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Riverside, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, DEVELOPER

expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

14.10 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

14.11 Entire Agreement. This Agreement contains the entire agreement between CITY and DEVELOPER and supersedes any prior oral or written statements or agreements between CITY and DEVELOPER.

14.12 Acceptance of Improvements; As-Built or Record Drawings. The Improvements were properly completed by DEVELOPER and approved and accepted by CITY. CITY has accepted the Improvements.

Moreno Valley - Cactus Ranch, LLC
By: Cormann Brooke, LLC
Its: Manager
By: Cormann Leigh Communities
Its: Manager

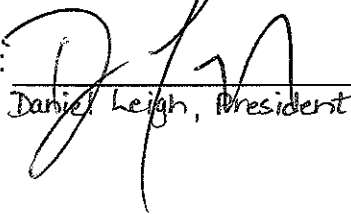
DEVELOPER

Address:

32823 Temecula Parkway

Temecula, CA 92592

By:


Daniel Leigh, President

CITY OF MORENO VALLEY

By:

City Manager

Approved as to form:

City Attorney

Exhibit "A"

GENERAL DESCRIPTION OF ELECTRICAL IMPROVEMENTS AND POTENTIAL REIMBURSEMENT FOR CONSTRUCTION OF "BRING UP" AND "BACKBONE" ELECTRICAL FACILITIES FOR TRACT #27523

"Bring Up Facilities":

Defined as those sections of an electrical distribution system that are off site of the identified development and are required to bring the electrical service from the point of connection to a corner of the development that is closest to the project on a major thoroughfare and will provide service to the development. These improvements are considered potentially 100% reimbursable to DEVELOPER.

Includes, installation of 2, 5" conduits and required pad-mounted switchgear, electrical vaults and either 750 mcm or 350 mcm , 3-phase, 15kV, concentric neutral, underground cable. The bring-up started on Moreno Beach Drive at the intersection of Cactus Avenue. Conduit and cable for primary backbone installation is included north on Moreno Beach Drive to the intersection of Brodiaea Avenue. The electric backbone installation continues east on Brodiaea to the beginning of the tract. The bring up installation ends at Moreno Valley Electric Utility underground vault M145.

Using the reconciled construction cost of \$165.02 per foot for the entire length of the installed infrastructure, and adding each parcels' frontage individually along the "bring-up" (which would be twice the measured "bring-up"), the amounts determined to be considered for Reimbursement for "bring up" facilities for Tract #27523 are: 1812 linear feet times \$165.02/ft = \$299,016.

"Backbone" Facilities":

Defined as those sections of an electrical distribution system that abut the identified development and are required to continue supply of the electrical service to properties at the farthest corner of the development on a major thoroughfare (To and Through). These improvements have potential of being reimbursed at no greater than 50% of the value to DEVELOPER.

Includes the installation of conduits, vaults and underground electrical cable. The backbone starts at the end of the "bring up" at the western edge of the tract, and continues to the cap at the eastern end of the tract.

The amounts determined to be considered for Reimbursement for "backbone" facilities for Tract #27523 are: 1648 linear feet at \$82.51/ft = \$135,977.

Total Amount considered for Reimbursement: Bring Up Total = \$299,016

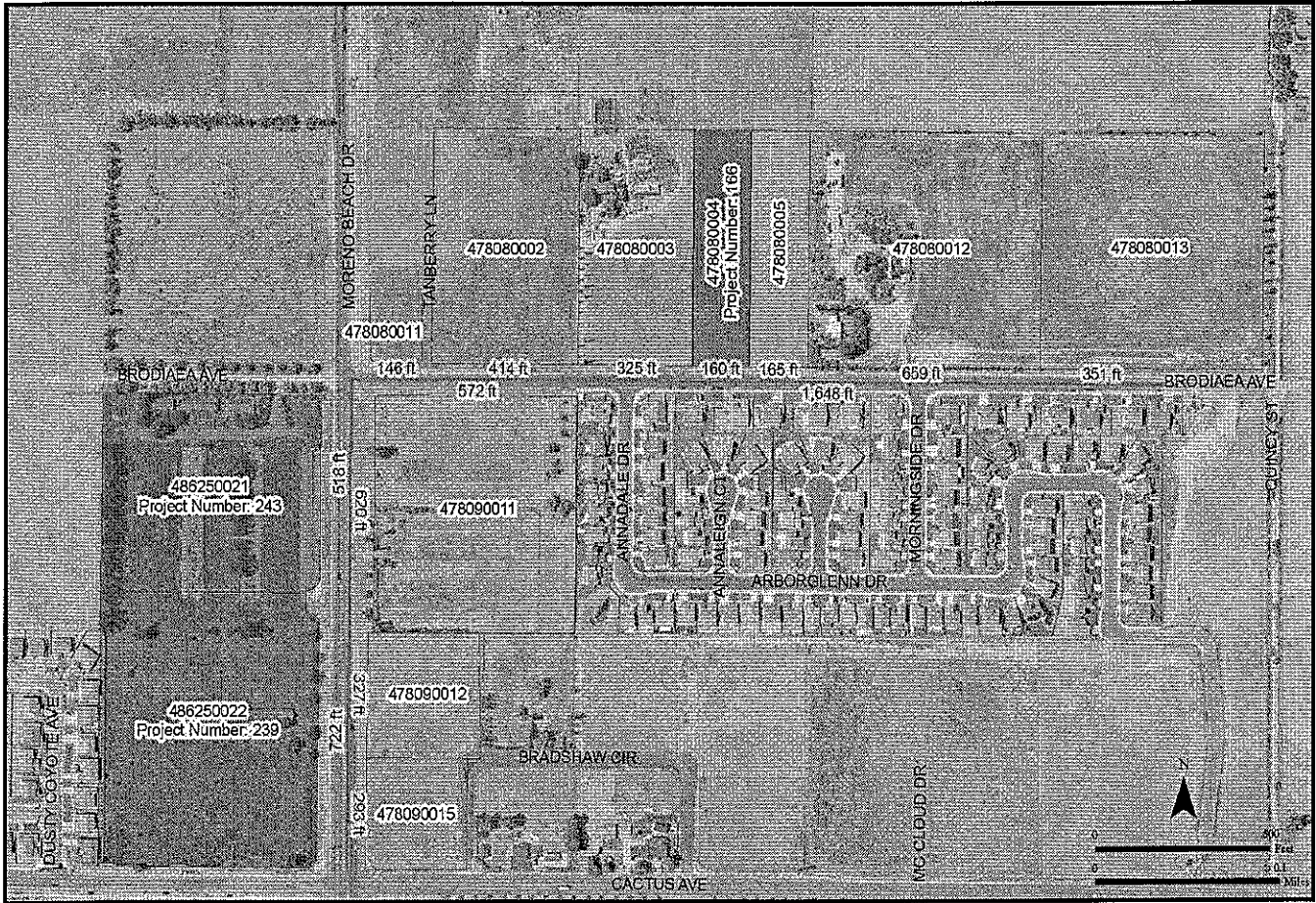
Backbone Total = \$135,977

TOTAL = \$434,993

Exhibit "B1"

Parcel Map of Area

(Defines benefiting properties, contingent upon receiving electrical service from MVU and subject to collection of reimbursements)



<p>Exhibit: A</p> <p>Map Status: DRAFT <small>©MarchMap/Enterprise Services Electric Utility/MVU_Template TR27523_Reimbursements_ 8_Sat.txd Print Date: October 29, 2008</small></p>	<p>CITY OF MORENO VALLEY TR 27523 - REIMBURSEMENTS</p> <p><small>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 reused.</small></p> <p><small>Map Produced by Moreno Valley Geographic Information System</small></p>	<p>Map Legend</p> <ul style="list-style-type: none"> — Reimbursement Line ■ Affected Projects □ Fronting Projects □ Parcels 	
---	--	--	--

EXHIBIT "B2"

DEVELOPER Reimbursement Index

Parcel number	MVU project #	name of project	total frontage along installation (in feet)	total cost per foot times 50%	total amount due from developer
486250022	239	Empire Commercial	722	\$82.51	\$59,569
486250021	243	Empire Commercial	518	\$82.51	\$42,738
478080011		no application	146	\$82.51	\$12,046
478080002		no application	414	\$82.51	\$34,157
478080003		no application	325	\$82.51	\$26,814
478080004	166	housing tract	160	\$82.51	\$13,201
478080005	166	housing tract	165	\$82.51	\$13,613
478080012		no application	659	\$82.51	\$54,371
478080013		no application	351	\$82.51	\$28,959
478090015		no application	293	\$82.51	\$24,174
478090012		no application	327	\$82.51	\$26,979
478090011		no application	1192	\$82.51	\$98,346
Tract 27523	29	Corman-Leigh	1648		\$0.00

Total Cost of Improvements considered reimbursable to DEVELOPER = **\$434,993**

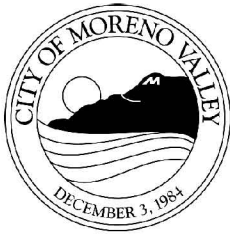
Total Cost of Potential Reimbursements after initial payment = \$375,421

EXHIBIT "C"

DOCUMENTATION TO BE PROVIDED TO CITY BY DEVELOPER FOR DETERMINATION OF CONSTRUCTION COSTS

To assist CITY in determining the Construction Costs for completed Improvements, DEVELOPER shall provide the following documents to CITY:

1. Plans, specifications and DEVELOPER'S civil engineer's cost estimate;
2. List of bidders from whom bids were requested;
3. Construction schedules and progress reports;
4. Contracts, insurance certificates and change orders with each contractor or vendor;
5. Invoices received from all vendors;
6. Cancelled checks for payments made to contractors and vendors (copy both front and back of cancelled checks)
7. Spreadsheet showing total costs incurred in and related to the construction of each Improvement and the check number for each item of costs and invoice;
8. Final lien releases from each contractor;
9. Such further documentation as may be reasonably required by CITY to evidence the completion of construction and the payment of each item of costs and invoice.



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

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: February 23, 2010

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF TRAFFIC SIGNAL IMPROVEMENTS AT THE COTTONWOOD AVENUE AND PATTILYNN DRIVE INTERSECTION
PROJECT NO. 09-12566628

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519.
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 Pouk & Steinle, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project.
4. Accept the improvements into the City's maintained road system.

BACKGROUND

On June 9, 2009, the City Council awarded a construction contract in the amount of \$146,300 to Pouk & Steinle, Inc., for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection. A Purchase Order in the amount of \$168,245, which included a 15% contingency, was issued to the Contractor.

DISCUSSION

Pouk & Steinle completed construction of the Traffic Signal Improvements for the Cottonwood Avenue and Pattilynn Drive intersection in December 2009. The project consisted of installation of a new traffic signal which enhanced safety and traffic control for both pedestrians and drivers.

In addition to the installation of the traffic signal, work included striping, replacement of damaged sidewalk, and updated access ramps to comply with the current Americans with Disabilities Act (ADA) standard. The improvements are located adjacent to Moreno Valley High School.

There was one Contract Change Order for this project. Contract Change Order No. 1 (FINAL) decreased the contract total by (\$1,454.22). The final contract total cost was \$144,845.78, which did not exceed the \$168,245 approved purchase order amount.

ALTERNATIVES

1. Accept the work as complete for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519; 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 Pouk & Steinle, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project; accept the improvements into the City's maintained road system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained road system.*
2. Do not accept the work as complete for the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection, constructed by Pouk & Steinle, Inc., 2520 Rubidoux Boulevard, Riverside, CA 92519; 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 Pouk & Steinle, Inc., 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 accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained road system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in Fiscal Year 2009-2010 Capital Improvement Project Budget and is funded with Measure A (Fund 125) monies. The funding for this project is restricted to capital improvements for transportation projects and cannot be utilized for operational activities. **There is no impact to the General Fund.**

AVAILABLE BUDGET:

Fiscal Year 2009/2010 Budget (Account No. 125.66628)..... \$225,951

FINAL CONSTRUCTION RELATED COSTS:

Contractor Construction Cost	\$145,000
Materials Testing and Surveying Services	\$5,000
Project Administration, Design Support, and Inspection.....	\$24,000
Miscellaneous Costs.....	<u>\$1,000</u>
Total Construction-related Costs	\$175,000

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.

SUMMARY

Pouk & Steinle, Inc. has completed the construction of the Traffic Signal Improvements at the Cottonwood Avenue and Pattilynn Drive intersection. 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 Pouk & Steinle, Inc., and accept the improvements into the City’s maintained road system.

ATTACHMENTS

Attachment “A” – Location Map

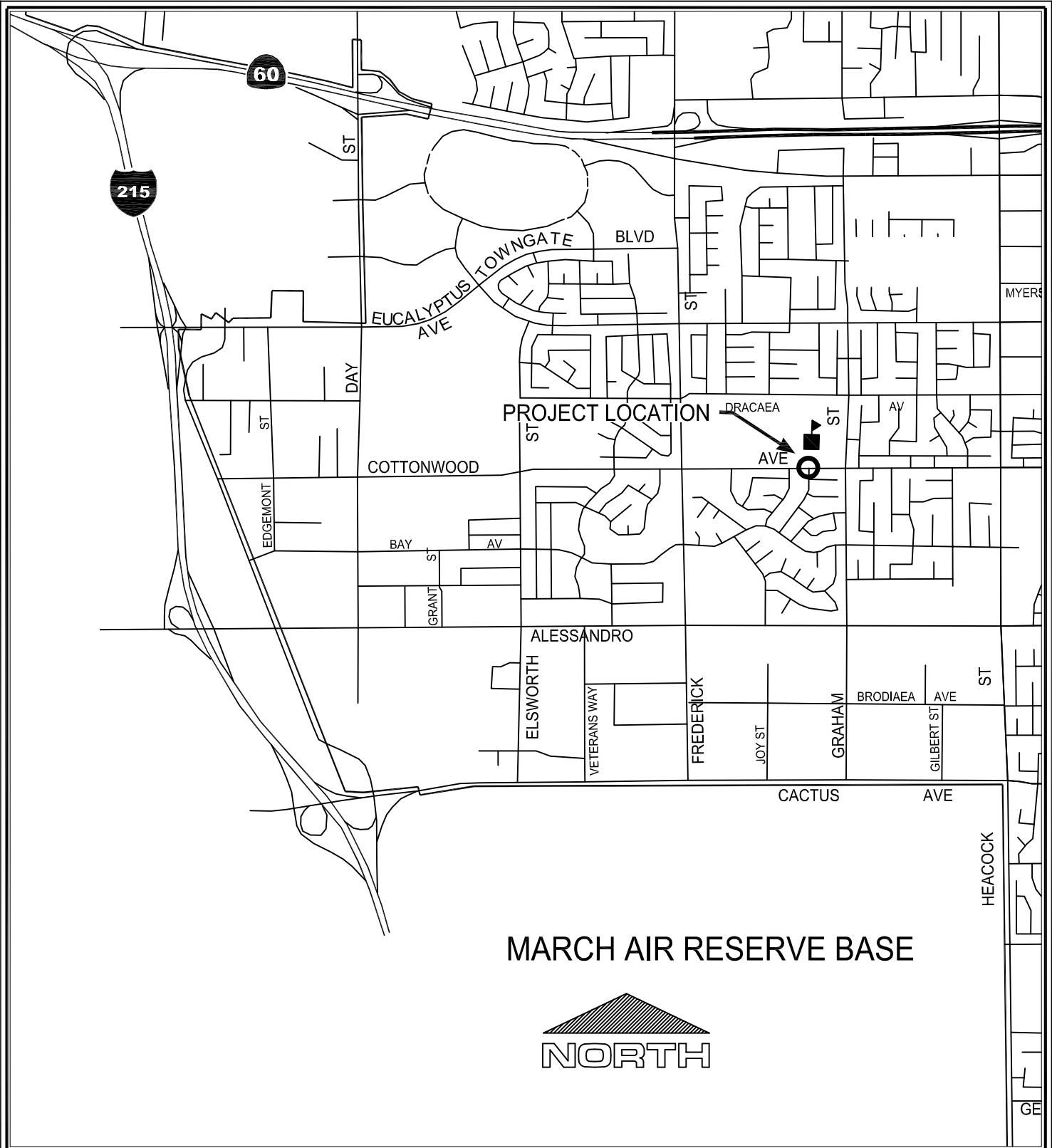
Prepared By:
Viren Shah, P.E.
Consultant Project Manager

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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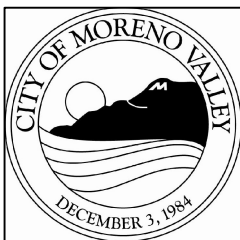
LOCATION MAP

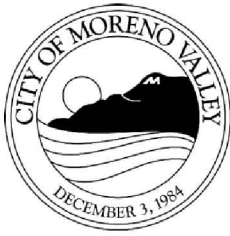
Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 09-12566628
TRAFFIC SIGNAL AT
COTTONWOOD AVE AND PATTILYNN DR





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

AGENDA DATE: February 23, 2010

TITLE: FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH JAGDISH SHAH

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490.
2. Authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, in the form attached hereto.
3. Authorize an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

BACKGROUND

Beginning in March 2007, Mr. Shah was retained by the Capital Projects Division as a Consultant Project Manager under SA Associates, Inc. service contract. In February 2009, Mr. Shah proposed to provide professional consultant services for design and construction projects through a sole proprietorship. City Council approved the "Agreement for Professional Consultant Services" at its meeting on February 10, 2009. The agreement was executed by the City Manager on March 2, 2009.

DISCUSSION

Due to the continued heavy workload in managing capital improvement projects, the Capital Projects Division requires continued support of the technical consulting staff currently on board. This action is necessary due to a shortage of qualified technical staff and the need for resources to complete budgeted City capital improvement projects.

Mr. Shah will continue to be responsible for the management and coordination of design and construction projects. The work will include plan and design review, fulfilling all bidding requirements, chairing pre-bid and construction meetings, retaining construction support services, processing permits and utility coordination, tracking contractors project progress, responding to contractors' requests for information (RFIs), reviewing progress payments, processing payments, punch list items, contractor claims, change orders, warranty issues, labor compliance and fulfilling Public Contract Codes as well as construction legal requirements.

Over the past twelve months, Mr. Shah has provided professional services to assist City staff with key projects that are integral to the community of Moreno Valley. These projects include, but are not limited to, the Main Library, Emergency Operations Center, Fire Station #58, five (5) fire station's exhaust system design, and the Public Safety Building tenant improvements and expansion project. Mr. Shah is an experienced registered architect with a Master's Degree in civil engineering. His public sector work and building construction experience are an asset to the City in terms of the project management of several active building related projects.

In the coming twelve months, Mr. Shah will continue to work on such projects as the Emergency Operations Center construction, the Public Safety Building tenant improvements and preliminary expansion design, Corporate Yard Facility Phase I Expansion, Morrison Park Fire Station, and other budgeted capital projects as assigned to him.

Staff is satisfied with the consultant's performance and is recommending a First Amendment to Agreement with Jagdish Shah to renew the firm's services for the next approximate twelve months.

ALTERNATIVES

1. Approve the "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490; authorize the City Manager to execute said "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah, in the form attached hereto; authorize an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00 when "First Amendment to Agreement for Professional Consultant Services" has been signed by all parties.

This alternative will provide resources to assist staff to complete budgeted City capital improvement projects.

2. Do not approve the “First Amendment to Agreement for Professional Consultant Services” with Jagdish Shah, R.A., M.S. (Civil), 22900 Estoril Drive, Unit 5, Diamond Bar, CA 91765-4490; do not authorize the City Manager to execute said “First Amendment to Agreement for Professional Consultant Services” with Jagdish Shah, in the form attached hereto; do not authorize an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00 when “First Amendment to Agreement for Professional Consultant Services” has been signed by all parties. *This alternative will delay the design and construction of budgeted capital improvement projects.*

FISCAL IMPACT

The original “Agreement for Professional Consultant Services” with Jagdish Shah in the amount of \$265,000.00 will be fully expended by April 2010. This First Amendment to the Agreement will increase the Purchase Order by \$225,000.00 for a total contract amount of \$490,000.00 for Mr. Shah’s full-time services for a two-year period. The amendment will extend the temporary professional staffing services from March 31, 2010 to March 31, 2011. The agreement provides the City the ability to terminate the agreement by giving at least ten days written notice to the consultant.

Adequate funding is provided through the various budgeted capital improvement projects assigned to the temporary staff. Sufficient funds are available in the Emergency Operations Center project budget (Account No. 412.78428) to encumber the purchase order. As costs are incurred in this purchase order, the expenditures will be transferred to the capital projects for which the services were performed.

The associated costs for the “First Amendment to Agreement for Professional Consultant Services will be funded through General City Capital Projects (Fund 412), 2005 Lease Revenue Bonds (Fund 501), RDA Tax Allocation Bonds (Fund 897). The aforementioned funding sources are limited to capital improvements and cannot be utilized for operational activities. All funds are restricted for the use of the identified capital projects and cannot be used for any other purpose. There is no impact on the General Fund.

Emergency Operations Center (Account No. 501.82527)	\$50,000
Public Safety Building (Account No. 501.82327)	\$40,000
Corporate Yard Facility (Account No. 412.66522)	\$70,000
Morrison Park Fire Station (897.91729)	\$65,000
Total	\$225,000

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.

SUMMARY

Due to the need for on-going temporary project management consultant services on a variety of projects, the "First Amendment to Agreement for Professional Consultant Services" with Jagdish Shah is necessary to extend the temporary professional staffing services to the Capital Projects Division. Staff recommends an increase in the Purchase Order to Jagdish Shah in the amount of \$225,000.00.

ATTACHMENT

Attachment "A" - First Amendment to Agreement for Professional Consultant Services

Prepared By:
Kimberly Jester
Consultant Contract Administrative Assistant

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:

c: File

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**FIRST AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES**

This First Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and **Jagdish Shah, R.A., M.S. (Civil)**, a sole ownership hereinafter referred to as "Consultant." This First Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated **March 2, 2009**.

Whereas, the Consultant is providing professional consultant services for various projects of the Capital Projects Division.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this First Amendment.

Whereas, the Consultant has submitted a Proposal dated **December 30, 2009**, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A-1" -- Amended Scope of Work and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date is extended from March 31, 2010 to March 31, 2011, unless the termination date is further extended by an Amendment to the Agreement.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in Exhibit "A-1" -- Amended Scope of Work.

ATTACHMENT "A"

**AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES**

1.3 Exhibit "D" to the March 2, 2009 Agreement is hereby further amended by adding to the "COST PROPOSAL" section thereof Exhibit "A-1" - Amended Scope of Work.

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of \$225,000, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in Exhibit "A-1" – Amended Scope of Work.

1.5 The total "Not to Exceed" fee for this contract is \$490,000 (\$265,000 for the original Agreement plus \$225,000 for the First Amendment to Agreement).

SECTION 2

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

SIGNATURE PAGE TO FOLLOW

**AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES**

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

City of Moreno Valley

Jagdish Shah, R.A., M.S. (Civil)

BY: _____
City Manager

BY: J. Shah

TITLE: PRINCIPAL
(President or Vice President)

JANUARY 7, 2010
Date

Date

<u>INTERNAL USE ONLY</u>
APPROVED AS TO LEGAL FORM:
_____ City Attorney
_____ Date
RECOMMENDED FOR APPROVAL:
_____ Department Head
_____ Date

BY: _____

TITLE: _____
(Corporate Secretary)

Date

Attachments: Exhibit "A-1" – Amended Scope of Work

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Revised Feb 2009.

December 30, 2009

Amended Scope of Work

Summary Scope of Work for Professional Consultant Services

Jagdish Shah staff will work as directed by the City Engineer on various projects of the Capital Projects Division. The City may assign a variety of projects and tasks to the assigned staff members. The City Engineer has the right to review any proposed personnel replacement or additions and associated rate changes.

Hourly rates effective for the duration of the Agreement follow.

In addition to the scope of work defined in Exhibit "A" of the March 2, 2009 Agreement for Professional Consultant Services, the scope of work is amended as follows:

Tasks

1. Work on a variety of tasks and projects as assigned by the City Engineer.
2. Perform temporary project management services to complete budgeted City capital improvement projects.

Cost Proposal

1. The total "Not-to-Exceed" fee for the aforementioned services is \$490,000 (\$265,000 for original Agreement and \$225,000 for First Amendment to Agreement).

**Exhibit "A-1" – Amended Scope of Work
Page 1 of 2**

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JAGDISH SHAH, R.A., M.S. (Civil)
22900 Estoril Drive, # - 5,
Diamond Bar, CA 91765-4490
909-816-1424
E-mail: jackshah@verizon.net

December 30, 2009

City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805
Attn: Prem Kumar, Deputy Public Works Director/Assistant City Engineer

**Subject: Request for an Amendment to Agreement for Professional
Consultant Services**

Dear Mr. Kumar,

Jagdish Shah is pleased to offer continuation of our Professional Consultant services to the City of Moreno Valley's Capital Improvements Program and requests an amendment to our agreement for Professional Consultant Services such that:

- 1) All current terms of the agreement are the same including hourly rate of \$120 per hour.
- 2) Extend the termination date of the current agreement by one year to March 31, 2011.

Please call me at (909) 816-1424 if you have any questions.

Sincerely,



Jagdish Shah
Principal

**FIRST AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES**

This First Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and Jagdish Shah, R.A., M.S. (Civil), a sole ownership hereinafter referred to as "Consultant." This First Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT for PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated **March 2, 2009**.

Whereas, the Consultant is providing professional consultant services for various projects of the Capital Projects Division.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this First Amendment.

Whereas, the Consultant has submitted a Proposal dated **December 30, 2009**, for expansion of the scope of work to be performed. A copy of said Proposal is attached as Exhibit "A-1" – Amended Scope of Work and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date is extended from March 31, 2010 to March 31, 2011, unless the termination date is further extended by an Amendment to the Agreement.

1.2 Exhibit "B" to the Agreement is hereby amended by adding to the scope of work section described in Exhibit "A-1" -- Amended Scope of Work.

**AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES**

1.3 Exhibit "D" to the March 2, 2009 Agreement is hereby further amended by adding to the "COST PROPOSAL" section thereof Exhibit "A-1" - Amended Scope of Work.

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of \$225,000, as set forth in the above-referenced Cost Proposal, in consideration of the Consultant's performance of the work set forth in Exhibit "A-1" - Amended Scope of Work.

1.5 The total "Not to Exceed" fee for this contract is \$490,000 (\$265,000 for the original Agreement plus \$225,000 for the First Amendment to Agreement).

SECTION 2

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

SIGNATURE PAGE TO FOLLOW

**AMENDMENT TO AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES**

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

City of Moreno Valley

Jagdish Shah, R.A., M.S. (Civil)

BY: _____
City Manager

BY: J. Shah

TITLE: PRINCIPAL
(President or Vice President)

Date

JANUARY 7, 2010
Date

<u>INTERNAL USE ONLY</u>
APPROVED AS TO LEGAL FORM:
_____ City Attorney
_____ Date
RECOMMENDED FOR APPROVAL:
_____ Department Head
_____ Date

BY: _____

TITLE: _____
(Corporate Secretary)

Date

Attachments: Exhibit "A-1" – Amended Scope of Work

W:\CapProj\CapProj\hirestaffconsultant\Jack Shah\First Amendment\Jack Shah 1st Amendment 02-23-2010.DOC
Revised Feb 2009

December 30, 2009

Amended Scope of Work

Summary Scope of Work for Professional Consultant Services

Jagdish Shah staff will work as directed by the City Engineer on various projects of the Capital Projects Division. The City may assign a variety of projects and tasks to the assigned staff members. The City Engineer has the right to review any proposed personnel replacement or additions and associated rate changes.

Hourly rates effective for the duration of the Agreement follow.

In addition to the scope of work defined in Exhibit "A" of the March 2, 2009 Agreement for Professional Consultant Services, the scope of work is amended as follows:

Tasks

1. Work on a variety of tasks and projects as assigned by the City Engineer.
2. Perform temporary project management services to complete budgeted City capital improvement projects.

Cost Proposal

1. The total "Not-to-Exceed" fee for the aforementioned services is \$490,000 (\$265,000 for original Agreement and \$225,000 for First Amendment to Agreement).

Exhibit "A-1" – Amended Scope of Work
Page 1 of 2

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JAGDISH SHAH, R.A., M.S. (Civil)
22900 Estoril Drive, # - 5,
Diamond Bar, CA 91765-4490
909-816-1424
E-mail: jackshah@verizon.net

December 30, 2009

City of Moreno Valley
Public Works Department
Capital Projects Division
14177 Frederick Street
Moreno Valley, CA 92552-0805
Attn: Prem Kumar, Deputy Public Works Director/Assistant City Engineer

**Subject: Request for an Amendment to Agreement for Professional
Consultant Services**

Dear Mr. Kumar,

Jagdish Shah is pleased to offer continuation of our Professional Consultant services to the City of Moreno Valley's Capital Improvements Program and requests an amendment to our agreement for Professional Consultant Services such that:

- 1) All current terms of the agreement are the same including hourly rate of \$120 per hour.
- 2) Extend the termination date of the current agreement by one year to March 31, 2011.

Please call me at (909) 816-1424 if you have any questions.

Sincerely,



Jagdish Shah
Principal

Exhibit "A-1" - Amended Scope of Work
Page 2 of 2



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

AGENDA DATE: February 23, 2010

TITLE: REAPPROPRIATION OF FUNDS FOR THE HEACOCK STREET FROM GENTIAN AVENUE TO POPPYSTONE DRIVE AND FREDERICK STREET / PIGEON PASS ROAD FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE REHABILITATION PROJECT
PROJECT NO. 06-12567425

RECOMMENDED ACTION

Staff recommends to the City Council:

1. Authorize the Financial and Administrative Services Director to reappropriate funds in the amount of \$136,405 from Measure "A" Fund Balance for the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project.

BACKGROUND

On March 25, 2008, the City Council awarded the construction contract and authorized the issuance of Purchase Order No. 35464 in the amount of \$1,546,750.00 to All American Asphalt for the project.

On May 26, 2009, the City Council accepted as complete the work for Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project, constructed by All American Asphalt. The final contract total cost was \$1,455,603.72.

DISCUSSION

The contract required the Contractor to deliver certain video traffic detection equipment to the Transportation Engineering Division. The delivery of the equipment has been delayed by the Contractor. Payment to the Contractor for the equipment was conditioned upon inspection and acceptance of the equipment, therefore the final contract payment has also been delayed. The equipment issues have been resolved with the remaining equipment being delivered on January 15, 2010.

This equipment issue has created an unusual constraint upon payment and close of accounts for this project. Closeout routinely occurs within 45 days after the Notice of Completion is approved by the City Council. Upon final payment to all parties, the closure of project Purchase Orders is requested and remaining unused funds are returned to fund balance.

At the time of the Notice of Completion, the Purchase Order to the Contractor had an open balance of \$227,550.41, adequate to issue payment to the Contractor. The Purchase Order is still open, however all unexpended project funds were returned to fund balance as part of the account consolidation activities typically conducted as part of the changeover to the new fiscal year budget. A meeting with the Finance Department confirmed that the return of funds had occurred and that Council approval for reappropriation would be required for the funds to be restored. Consequently, this request for reappropriation of \$136,405 is being submitted to provide for the final timely payment to the project Contractor.

ALTERNATIVES

1. Authorize the Financial and Administrative Services Director to reappropriate funds in the amount of \$136,405 from Measure "A" Fund Balance for the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project. *This alternative will result in payment to the contractor and completion of the project.*
2. Do not authorize the Financial and Administrative Services Director to reappropriate funds in the amount of \$136,405 from Measure "A" Fund Balance for the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project. *This alternative will prevent payment to the contractor and completion of the project.*

FISCAL IMPACT

This project was fully funded by Measure A (Fund 125) monies and was included in the 2008/2009 Capital Improvement budget. The City received federal funding allocation in the amount of \$863,416 as reimbursement for using local funds. The work and close out issues were completed within the funding authorized.

Purchase Order 25464 Authorized Amount.....	\$1,546,750.00
Final Contract Amount.....	\$1,455,603.72
Payments Made to Contractor.....	\$1,319,199.59
Payment due Contractor	\$136,404.13

PROJECT BUDGET:

FY 08/09 Balance (Account No. 125.67425).....	\$1,842,771
FY 08/09 Expenditures.....	(\$1,430,621)
FY 09/10 Return to Fund Balance	(\$402,150)
FY 09/10 Expenditures, as of 01/04/10	(\$7,314)
Current Account Balance.....	\$2,686
Reappropriation Requested.....	\$136,405

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

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

PUBLIC SAFETY:

Construction of these improvements provides a safe and secure environment for people and property in the community.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

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

SUMMARY

All American Asphalt completed the construction of the Heacock Street from Gentian Avenue to Poppystone Drive and Frederick Street / Pigeon Pass Road from Sunnymead Boulevard to Hemlock Avenue Rehabilitation Project, and the improvements were accepted by the City. The Contractor has also cooperated with the City in the acquisition of a traffic video detection equipment. Funds are required for the completion of authorized payments to the Contractor under the project Purchase Order and to complete project closeout.

ATTACHMENTS

Attachment "A" – Location Map

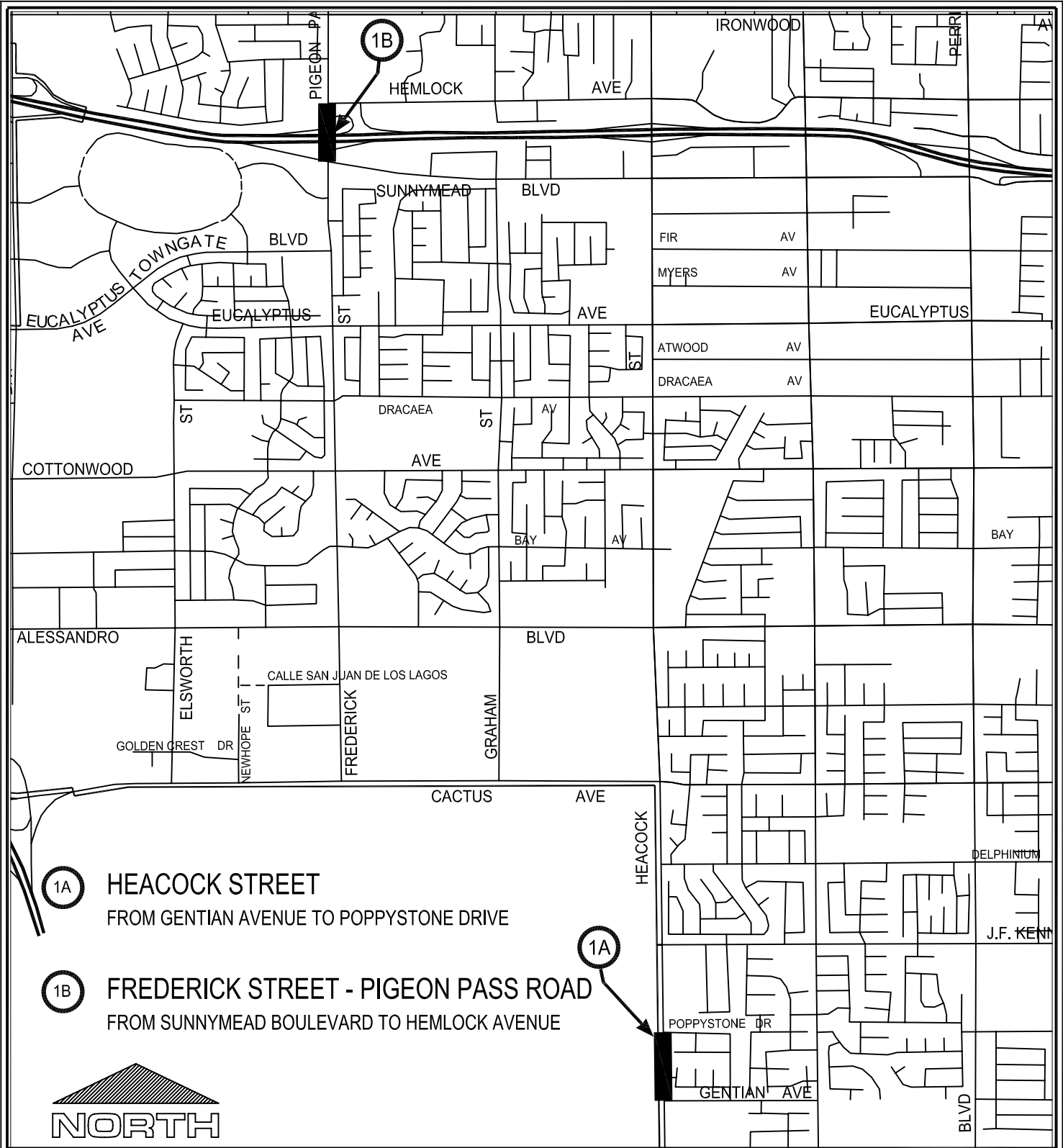
Prepared By:
 Bruce E. Blank, P.E., L.S.
 Consultant Project Manager

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:

W:\CapProj\CapProj\PROJECTS\Bruce - 06-12567425 - Heacock-Gentian - Poppystone & Frederick\CC Reports\Staff Report - Fund Restoration (CC 2-23-10)_rev 1-26-10.doc

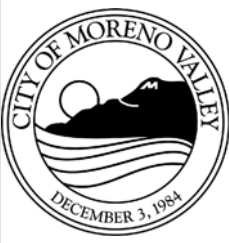


1A HEACOCK STREET
FROM GENTIAN AVENUE TO POPPYSTONE DRIVE

1B FREDERICK STREET - PIGEON PASS ROAD
FROM SUNNYMEAD BOULEVARD TO HEMLOCK AVENUE



LOCATION MAP

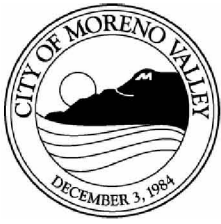


Public Works Department
Capital Projects Division

Scale: Not to scale

Attachment "A"

Heacock Street & Frederick Street /
Pigeon Pass Road Rehabilitation
Project No. 06-12567425



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>RW</i>
CITY MANAGER	<i>WJB</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: February 23, 2010

TITLE: PM 33152-1 – REQUEST TO EXTEND THE DURATION FOR A FULL ROAD CLOSURE OF OLD 215 FRONTAGE ROAD BETWEEN ALESSANDRO BOULEVARD AND DAY STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM MARCH 17, 2009 – JUNE 17, 2010

Developer: ANDLAND PROPERTIES, LLC
22629 FELBAR AVENUE
TORRANCE, CA 90505

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize an extension of the duration for the full road closure of Old 215 Frontage Road Street from Alessandro Boulevard to Day Street for the construction of street improvements from March 17, 2010 to June 17, 2010.
2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On March 4, 2009, the Planning Commission of the City of Moreno Valley approved an Administrative Plot Plan to Phase the project and create Parcel Map 33152-1, and accept phase-specific Conditions of Approval. Construction of the street improvements is being performed to prepare for future development in the surrounding area and as a Condition of Approval for PM 33152-1.

On July 14, 2009, the City Council of the City of Moreno Valley was asked to approve the modified Public Improvement Agreement and securities. The Agreement and securities include the construction of the street improvements.

DISCUSSION

On July 14, 2009, Andland Properties LLC requested a full road closure of Old 215 Frontage Road Street between Alessandro Boulevard and Day Street to facilitate the construction of the street improvements on Old 215 Frontage Road. This request also included the approval to authorize the City Engineer to allow for an additional 30-day extension, which was granted and is scheduled to expire on March 17, 2010. Due to unforeseen delays with the coordination with utility companies, Andland Properties LLC is now seeking an additional 90 days to complete the work. It is anticipated that the road will be open to traffic on or before June 17, 2010.

The original request for the road closure was due to major improvement work including, but not limited to, removal of existing asphalt pavement, installation of asphalt paving, curb, gutter, sidewalk, medians, driveway approaches, street lights, landscaping, storm drain culverts, dry utilities, traffic signal modification, and associated signing and striping. After the new pavement is installed, the remaining street improvements required of the project will be constructed, and the road will be reopened to traffic.

There are 5 parcels in the area of construction. The road closure will continue to impact the ingress or egress of all of the parcels, and detouring for the traveling public. City staff was advised by the developer that all potentially affected property owners have been contacted/notified. The original road closure/detour/traffic control plan approved for this closure by the City Traffic Engineer will remain in force. The current road closure has generated no traffic problems or complaints from the motoring public or surrounding community.

ALTERNATIVES

1. Authorize an extension of the duration for the full road closure of Old 215 Frontage Road between Alessandro Boulevard and Day Street for the construction of street improvements from March 17, 2010 to June 17, 2010. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

2. Do not authorize an extension of the duration for the full road closure of Old 215 Frontage Road between Alessandro Boulevard and Day Street for the construction of street improvements from March 17, 2010 to June 17, 2010. Do not authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues. *This alternative would force the developer to re-open the roadway generating additional construction delays and expense, and potentially create an unsafe work environment.*

FISCAL IMPACT

The Developer will be responsible for all costs associated with this proposal.

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.

NOTIFICATION

The approved traffic control/detour plan requires the contractor to give notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Authority, Waste Management, and affected businesses and residents. The public will be notified by special roadside signage showing the modified dates of closure and detour signs.

EXHIBITS

- Exhibit "A" – Vicinity Map
- Exhibit "B" – Road Closure Detour Map
- Exhibit "C" – GIS Orthography Map

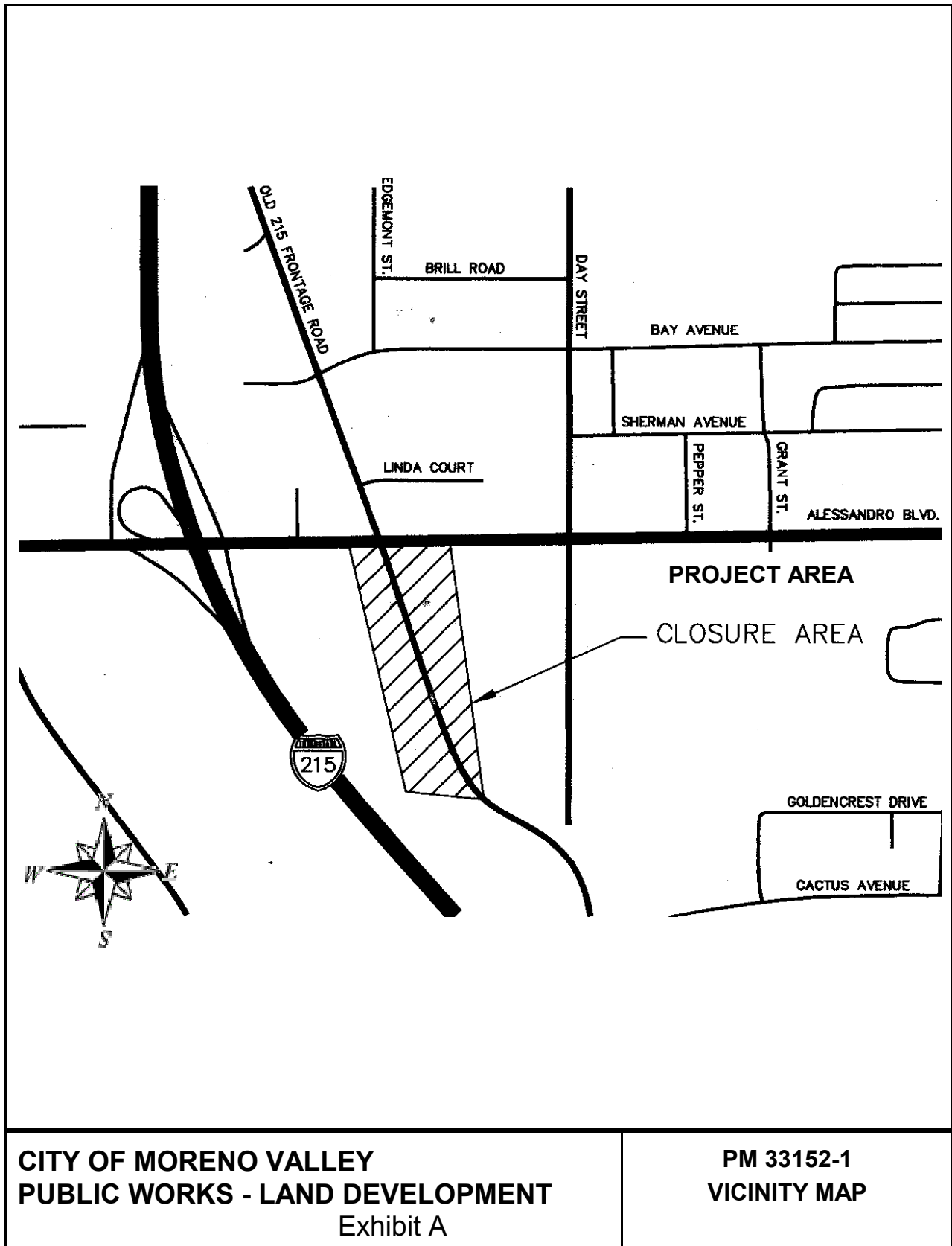
Prepared By:
Mark W. Sambito, P.E.
Engineering Division Manager

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

Concurred By:
Eric Lewis
Transportation Division Manager/
City Traffic Engineer

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2010\2-23-10 PM 33152-1 - Old 215 Road Closure Extension.doc



CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT
 Exhibit A

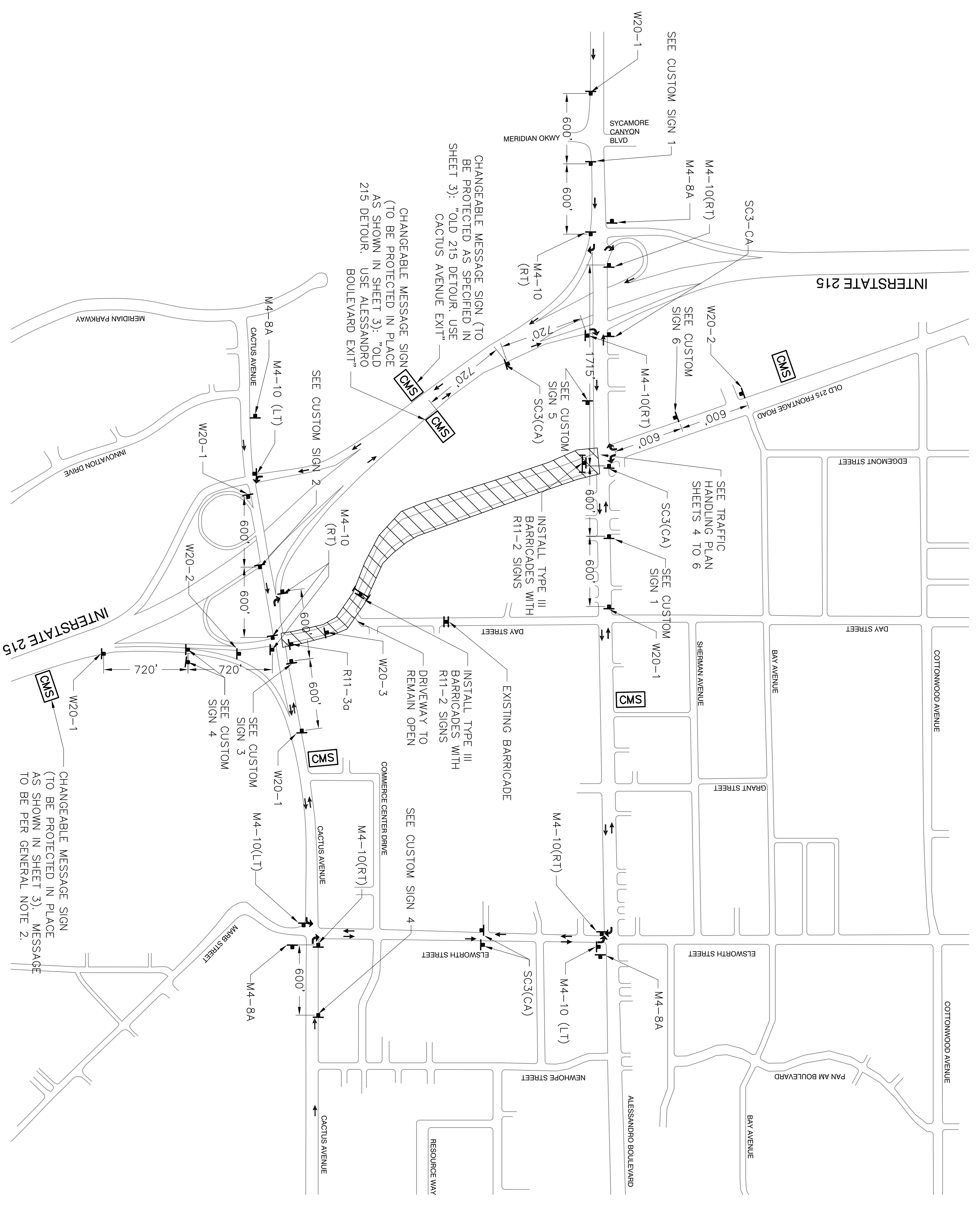
PM 33152-1
VICINITY MAP

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009\7-14-09 PM 33152 - Exhibit A.doc



NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY'S APPROVED UNDERGROUND SERVICE ALERT (USA) CALL TOLL FREE 1-800-277-2800

THE WORKING DATE BEFORE YOU DO



CHANGEABLE MESSAGE SIGN (TO BE PROTECTED IN PLACE AS SHOWN IN SHEET 3): "OLD 215 DETOUR. USE ALESSANDRO BOULEVARD EXIT"

CHANGEABLE MESSAGE SIGN (TO BE PROTECTED IN PLACE AS SHOWN IN SHEET 3). MESSAGE TO BE PER GENERAL NOTE 2.

BENCH MARK

REVIEW BY CITY STAFF

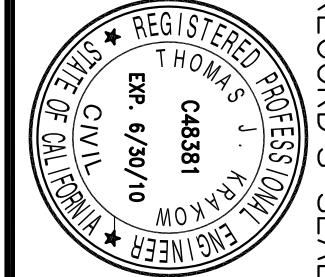
OFFICE	INITIAL	DATE
PRINCIPAL ENGINEER		
ENTERPRISE SERVICES		
PLANNING		
TRANSPORTATION		
LAND DEVELOPMENT		

MARK	DATE	INITIAL	DESCRIPTION	REQ.	APPR. DATE
			REVISION		

CITY OF MORENO VALLEY APPROVALS

CITY ENGINEER	DATE
R.C.E. #28889 EXP. 09/20/2009	
CITY ENGINEER	DATE
PHENG KUMAR	
DEPT. PW DIR. / ASST. CITY ENGINEER	
R.C.E. #25483 EXP. 12/31/2010	
CITY ENGINEER	DATE
R.C.E. #24420 EXP. 09/20/2009	

ENGINEER OF RECORD'S SEAL



DKS Associates

THOMAS A. BRAKOW
R.C.E. #28881 EXP. 09/20/2010

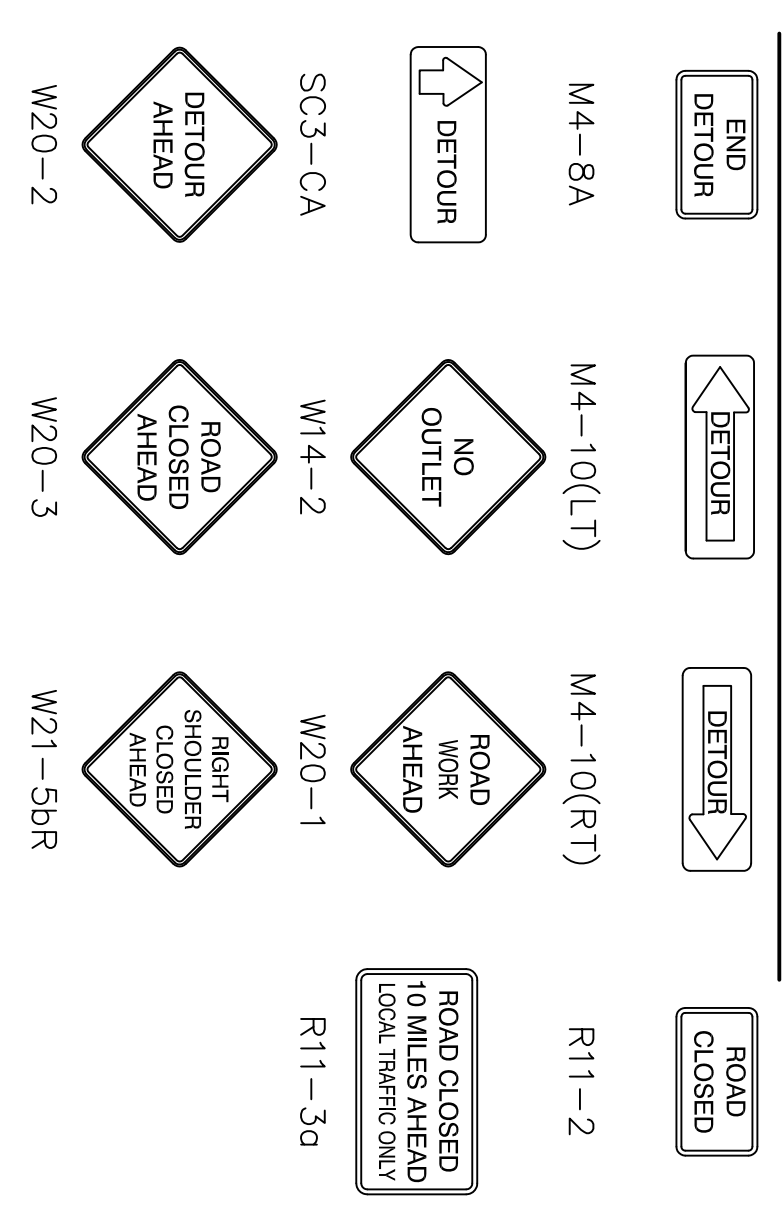
CITY OF MORENO VALLEY

TRAFFIC DETOUR AND HANDLING PLAN
DETOUR PLAN ONLY

MAP SCALE: 1" = 500' PA 05-0105 & PA 05-0108 CALTRANS PERMIT NUMBER: 08-09-6-TK-0358

ACCT. NO.	SHEET NO.	TOTAL SHEETS
	2	6
	4375	

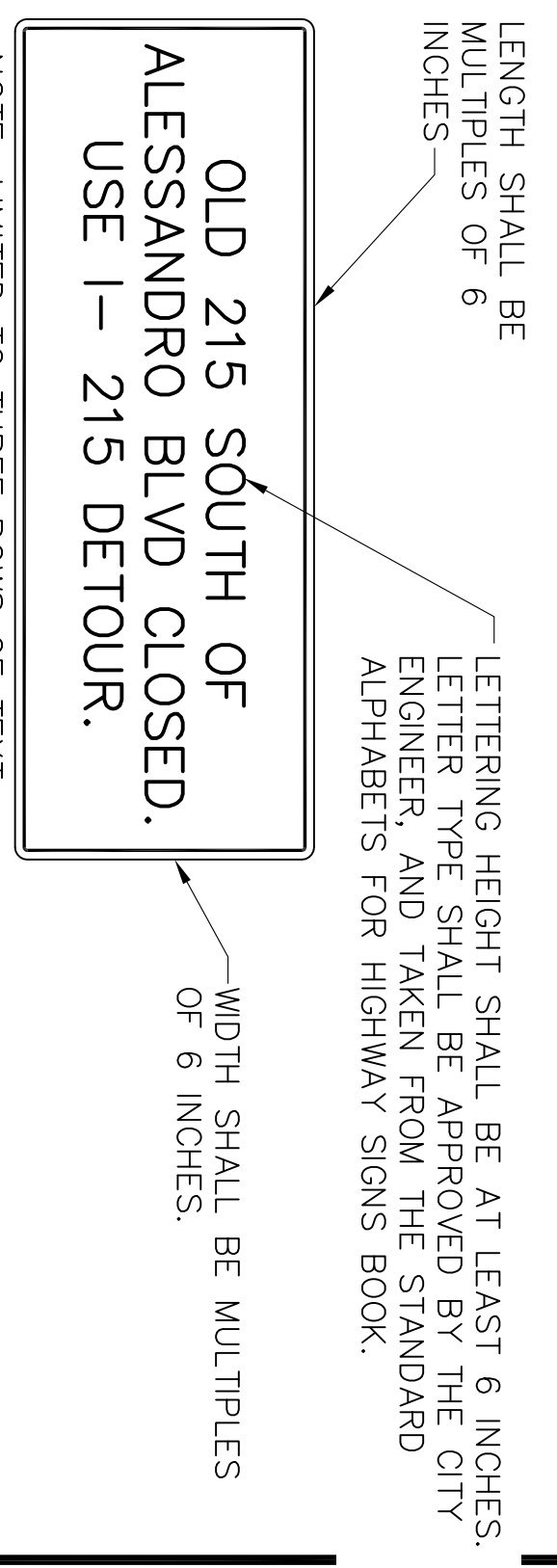
STANDARD DETOUR SIGNING:



GENERAL NOTES:

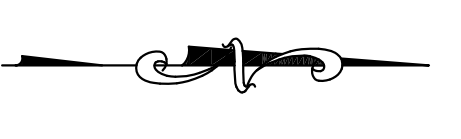
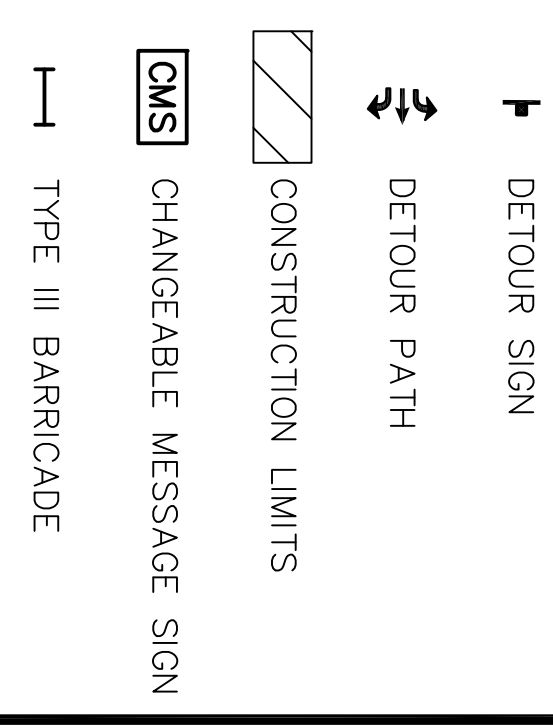
- THIS SHEET IS FOR DETOUR PLAN ONLY. SEE SHEETS 4-6 FOR TRAFFIC HANDLING PLAN.
- CONTRACTOR TO PLACE CMS AS SHOWN AT LEAST TWO WEEKS PRIOR TO CONSTRUCTION. CMS TO DISPLAY "OLD 215 CLOSED FROM XX/XX/XX TO XX/XX/XX. USE ALT ROUTE". CMS TO REMAIN IN PLACE AND OPERABLE DURING ROAD CLOSURE.
- DETOUR SIGNS SHALL BE AS FOLLOWS:
DOUBLE POSTED 4"x6" BREAKAWAY POST, 6" BLACK LETTERS ON ORANGE BACKGROUND PER CITY STANDARD.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO CHAIN TOGETHER TYPE III BARRICADE WHENEVER THERE ARE TWO OR MORE IN USE.

CUSTOM DESIGN DETAILS:



- LENGTH SHALL BE MULTIPLES OF 6 INCHES.
- LETTERING HEIGHT SHALL BE AT LEAST 6 INCHES. LETTER TYPE SHALL BE APPROVED BY THE CITY ENGINEER, AND TAKEN FROM THE STANDARD ALPHABETS FOR HIGHWAY SIGNS BOOK.
- WIDTH SHALL BE MULTIPLES OF 6 INCHES.
- CUSTOM SIGNING SHALL BE DESIGNED TO THE GUIDELINES PRESENTED BELOW AND IN ACCORDANCE WITH TABLES 2E-1 THROUGH 2E-4 OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (CA MUTCD 2006 ED). LETTER-TYPE WILL BE DEFINED BY THE CITY ENGINEER, AND TAKEN FROM THE STANDARD ALPHABETS FOR HIGHWAY SIGNS BOOK.
- NOTE: LIMITED TO THREE ROWS OF TEXT.
- CUSTOM SIGN 1:
"OLD 215 SOUTH OF ALESSANDRO BLVD CLOSED. USE I-215 SOUTH DETOUR."
- CUSTOM SIGN 2:
"OLD 215 NORTH OF CACTUS AVE CLOSED. USE I-215 NORTH DETOUR."
- CUSTOM SIGN 3:
"OLD 215 NORTH OF CACTUS AVE CLOSED. USE I-215 NORTH DETOUR."
- CUSTOM SIGN 4:
"OLD 215 NORTH OF CACTUS AVE CLOSED. USE ELSWORTH ST DETOUR."
- CUSTOM SIGN 5:
"OLD 215 SOUTH OF ALESSANDRO BLVD CLOSED. USE ELSWORTH ST DETOUR"
- CUSTOM SIGN 6:
"OLD 215 SOUTH OF ALESSANDRO BLVD CLOSED. USE I-215 OR ELSWORTH ST DETOUR."








LEGEND:



Old 215 Frontage Road

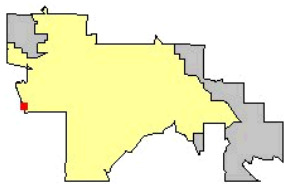
Road Closure Site Map

Legend

-  Parcels
-  Roads
-  Waterbodies
-  Ortho Photography
- City Boundaries**
-  Calimesa
-  Moreno Valley
-  Perris
-  Riverside

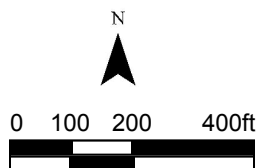


Powered By GeoSmart.net



City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: 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. 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.

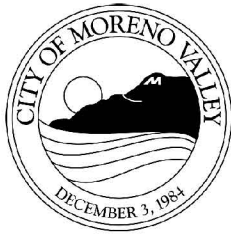


Printed: 7/17/2009 10:56:58 AM



Exhibit "C"

Item No. A.8



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, P.E., Public Works Director/City Engineer

AGENDA DATE: February 23, 2010

TITLE: AUTHORITY OF THE CITY MANAGER AND PUBLIC WORKS DIRECTOR TO APPROVE FUTURE AMENDMENTS TO CONSTRUCTION COOPERATIVE AGREEMENT WITH THE STATE OF CALIFORNIA FOR THE SR-60/NASON INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406), if needed, subject to the approval of the City Attorney.

BACKGROUND

The overall purpose of the Route 60/Nason Street Interchange Improvements 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 February 24, 2009, the City entered into a Construction Cooperative Agreement that set forth the City's responsibilities and Caltrans' responsibilities, both in terms of scope and financial responsibility.

DISCUSSION

To proceed with advertisement, the City must follow Caltrans guidelines and procedures in order to obtain their approval. The City Council approved a "Construction

Cooperative Agreement" (District Agreement No. 8-1406 – Attachment "A") with Caltrans in February 2009. Caltrans identifies currently known funding sources and exact dollar amounts in the "Recitals" and "Exhibit A" sections of its construction cooperative agreements. For this project, the City has already been designated to receive federal Demonstration funds and federal "STP Local" funds. There is the possibility that the City, Caltrans, RCTC, the Federal Highway Administration or another funding agency may identify new sources, adjust existing sources, or adjust the scope of work. In order to move quickly to respond to Caltrans, this action to facilitate the amendment process is required. Therefore, the City Council is requested to authorize the City Manager and Public Works Director/City Engineer to execute future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406).

Right-of-way acquisition and advance utility relocation are complete. Staff is completing the federal fund authorization process through Caltrans. If amendments are needed, approval of this action at this time will greatly expedite the processing of Caltrans paperwork.

ALTERNATIVES

1. Authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406), if needed, subject to the approval of the City Attorney. *Staff recommends this alternative.*
2. Do not authorize the City Manager and Public Works Director/City Engineer to execute any future amendments to the "Construction Cooperative Agreement" (District Agreement No. 8-1406), if needed, subject to the approval of the City Attorney. *Staff does not recommend this alternative. This alternative will result in delaying the construction of needed improvements.*

FISCAL IMPACT

Facilitating the amendment process allows the City to continue preparing for the construction phase of this project and expedite the ability to receive additional funds from current or new funding sources. 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 federal funds for construction consist of Surface Transportation Program and Transportation Efficiency Act of the 21st Century demonstration funds. Portions of the project are also eligible for Transportation Uniform Mitigation Fee funding (TUMF), and it is anticipated the balance of construction will be funded using Measure "A" funds.

All fund sources for this project (Measure "A" funds, Surface Transportation Program funds, Transportation Efficiency Act funds, and Transportation Uniform Mitigation Fees)

are restricted to capital improvements for transportation projects 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
Transportation Uniform Mitigation Fees (415.70429)	\$ 1,000,000
Measure "A" Funds (125.89720)	\$ 7,435,000
Total Available Funds	<u>\$14,705,000</u>

FY 2009/10 ESTIMATED RELOCATION, RIGHT-OF-WAY AND CONSTRUCTION COSTS

Estimated Interchange Construction Costs	\$10,000,000
Utility Relocation (EMWD & SCE)	\$ 1,951,000
Habitat Mitigation and Monitoring	\$ 345,000
Right-of-Way Acquisition	<u>\$ 1,891,000</u>
Total Estimated Costs	<u>\$14,187,000</u>

ANTICIPATED PROJECT SCHEDULE:

Caltrans Approval to Advertise Construction	April 2010
*Interchange Construction Start Date	July 2010
Interchange Construction End Date	July 2011
<i>*pending Caltrans approval</i>	

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.

SUMMARY

In the event that an amendment to the "Construction Cooperative Agreement" is needed. Staff recommends authorizing the City Manager and Public Works Director/City Engineer to execute future amendments. This authority will facilitate the agreement amendment process.

ATTACHMENTS

Attachment "A" – Construction Cooperative Agreement (District Agreement No. 8-1406)

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:

W:\CapProj\CapProj\PROJECTS\Marge - 98-25897 Route 60-Nason Interchange\CC Reports\Construction Co-op Agmt Staff Report\98-25897 - Const. Co-op Agreement Amendment Staff Report - 02-23-10 (rev 1).doc

08-Riv-60-PM 18.1/18.9
(KP 29.1/30.2)
Reconstruct Interchange at
SR-60/Nason Street
In the City of Moreno Valley
EA 323001
District Agreement No. 8-1406

**CONSTRUCTION
COOPERATIVE AGREEMENT**

This AGREEMENT, entered into effective on March 16, 2009, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "STATE," and the

CITY OF MORENO VALLEY, a body politic and a municipal corporation of the State of California, referred to herein as "CITY."

RECITALS

1. STATE and CITY, pursuant to Streets and Highways Code sections 114 and 130, are authorized to enter into a Cooperative Agreement for improvements to the State Highway System (SHS) within CITY's jurisdiction.
2. CITY intends to reconstruct and realign all four ramps at the State Route 60/Nason Street Interchange, install traffic signals, and widen Nason Street between the eastbound ramps and Fir Avenue, in the City of Moreno Valley, referred to herein as "PROJECT."
3. CITY is willing to fund one hundred percent (100%) of all capital outlay and support costs using their Local and Federal funding sources, except that the costs of STATE's Independent Quality Assurance (IQA) and Independent Assurance Testing will be borne by STATE.
4. CITY desires to contribute Federal Demonstration (DEMO) funds in the amount of \$4,500,000 and CITY's local matching funds in the amount of \$1,125,000 and Surface Transportation Program Local (STPL) funds in the amount of \$1,770,219 and CITY's local matching funds in the amount of \$229,351 toward a portion of construction capital and support costs of PROJECT. The PROJECT cost estimate is shown on Exhibit A attached hereto and made a part of this Agreement.

Attachment "A"

5. The parties agree that CITY will prepare the contract documents and advertise, award, and administer the construction contract for PROJECT.
6. Project Approval and Environmental Document; Plans, Specifications, and Estimate (PS&E); and Right of Way for PROJECT were covered in a prior Cooperative Agreement executed by STATE and CITY on August 24, 2004, (District Agreement No. 8-1163).
7. The terms of this Agreement shall supersede any inconsistent terms of any prior Memorandum of Understanding (MOU) or agreement relating to PROJECT.
8. The parties now define herein below the terms and conditions under which PROJECT is to be constructed, financed, owned, operated, and maintained.

SECTION I

CITY AGREES:

1. All PROJECT work performed by CITY, or performed on CITY's behalf, shall be performed in accordance with all State and Federal laws, regulations, policies, procedures and standards that STATE would normally follow. All such PROJECT work shall be submitted to STATE for STATE's review, comment, and concurrence at appropriate stages of development.
2. To permit STATE to monitor, participate, and oversee the selection of personnel who will provide construction support services for PROJECT. CITY agrees to consider any request by STATE to avoid a contract award or discontinue the contracted services of any personnel considered by STATE to be unqualified on the basis of credentials, professional expertise, failure to perform, and/or other pertinent criteria.
3. To fund one hundred percent (100%) of all PROJECT construction capital and support costs (using Local and Federal funding sources) required for satisfactory completion of PROJECT, including, but not limited to, "State-furnished material (SFM)", and source inspection, except for costs of STATE's IQA and Independent Assurance Testing. In the event additional funds are required to complete PROJECT, CITY shall be responsible for those costs using funds other than STATE funds.
4. To not use STATE's funds for any PROJECT capital and support costs.
5. To submit a written request for any State-furnished material (SFM) identified in the PROJECT PS&E a minimum of forty-five (45) days in advance of the need for such materials. To then pay STATE, within fifteen (15) days of receipt of STATE's billing, the actual cost invoiced for the requested SFM. CITY may take delivery of the SFM after STATE's receipt of CITY's payment and at the location directed by STATE.

6. STATE shall perform source inspection as outlined in STATE's Construction Manual, Construction Manual Supplement for Local Agency Resident Engineer, and Local Agency Structure Representative Guideline. CITY shall reimburse STATE for all direct and indirect costs incurred for any source inspection performed by STATE.
7. To deposit with STATE within thirty (30) days of receipt of STATE's billing thereof the amount of said bill, which amount represents the estimated cost of source inspection, as referred to in Article 6 of this Section I.
8. To pay STATE upon completion of all work on PROJECT and within thirty (30) days of receipt of a detailed statement made upon final accounting of costs therefore, any amount, over and above the aforesaid deposits for SFM and source inspection, required to complete CITY's financial obligations assumed pursuant to this Agreement.
9. To advertise, award, and administer the construction contract for PROJECT in accordance with requirements of the Local Agency Public Construction Act and the California Labor Code, including its prevailing wage provisions. Workers employed in the performance of work contracted for by CITY, and/or performed under encroachment permit, are covered by provisions of the California Labor Code in the same manner as are workers employed by STATE's contractors. The use of any Federal funds towards PROJECT construction will mandate the inclusion and enforcement of all applicable Federal labor mandates.
10. Construction by CITY of those portions of PROJECT which lie within the SHS right of way shall not commence until CITY's contract plans involving such work, the utility relocation plans, and the right of way certification have been reviewed and accepted by STATE and encroachment permits have been issued to CITY and CITY's contractor.
11. CITY's construction contractor shall maintain in force, until completion and acceptance of the PROJECT construction contract, a policy of General Liability Insurance, including coverage of Bodily Injury Liability and Property Damage Liability, that complies with all coverage requirements with Section 7-1.12 of STATE's then effective Standard Specifications. Such policy shall contain an additional insured endorsement naming STATE and its officers, agents, and employees as additional insureds. This insurance coverage shall be evidenced by a Certificate of Insurance in a form satisfactory to STATE which shall be delivered to STATE before the issuance of an encroachment permit to CITY's construction contractor.
12. To require the construction contractor to furnish both a payment and a performance bond, naming CITY as obligee with both bonds complying with the requirements set forth in Section 3-1.02 of STATE's current Standard Specifications prior to performing any PROJECT construction work. CITY shall defend, indemnify, and hold harmless STATE and its officers, agents, and employees from all claims and suits by stop notice claimants related to the construction of PROJECT.
13. To have PROJECT constructed by contract to the satisfaction of and subject to STATE's acceptance in accordance with the STATE accepted PROJECT PS&E.

14. Contract administration procedures shall conform to STATE's Construction Manual, Local Assistance Procedures Manual (if Federal funds are used), and the PROJECT encroachment permits.
15. Construction within the existing or ultimate SHS right of way shall comply with STATE's Standard Specifications, the PROJECT Special Provisions, and STATE's Construction Manual.
16. If any existing utility facilities conflict with the construction of PROJECT or violate STATE's encroachment policy, CITY shall make all necessary arrangements with the owners of such facilities for their timely accommodation, protection, relocation, or removal.

The costs for the PROJECT's positive identification and location, protection, relocation, or removal of utility facilities whether inside or outside STATE's right of way shall be determined in accordance with Federal and California laws and regulations, and STATE's policies, procedures, standards, practices, and applicable agreements including, but not limited to, Freeway Master Contracts.
17. All survey work shall conform to the methods, procedures, and requirements of STATE's Surveys Manual and STATE's Staking Information Booklet.
18. PROJECT material testing and Quality Control/Assurance shall conform to STATE's Construction Manual, Construction Manual Supplement for Local Agency Resident Engineer, Local Agency Structure Representative Guideline and STATE's California Test Methods, and shall be performed by a material-tester certified by STATE, at CITY's expense.
19. All PROJECT work, except as set forth in this Agreement, is to be performed by CITY. Should CITY request that STATE perform any portion of PROJECT work not set forth in this Agreement, CITY shall first agree to reimburse STATE for such work pursuant to an amendment to this Agreement or a separate executed agreement.
20. To furnish, at CITY's expense and subject to the approval of STATE, a field site representative who is a licensed civil engineer in the State of California to perform the functions of a Resident Engineer. The Resident Engineer shall not be an employee or subcontractor of the entity, if any, that prepared the PROJECT PS&E or an employee of the construction contractor.
21. If the Resident Engineer is not also a registered Landscape Architect, CITY will furnish, at CITY expense and subject to approval of STATE, a registered Landscape Architect to perform the function of an Assistant Resident Engineer/Inspector who is responsible for both daily on-site inspections and final decisions including, but not limited to, any highway planting and the irrigations systems that comprise a portion of the PROJECT work. Final decisions shall continue to be subject to the satisfaction and approval of STATE.

22. At PROJECT's expense, to furnish sufficient qualified support staff, subject to the approval of STATE, to assist the Resident Engineer in, but not limited to, structure representative, construction surveys, soils and foundation tests, measurement and computation of quantities, testing of construction materials, checking shop drawings, preparation of estimates and reports, preparation of the mandated "As-Built" drawings, and other inspection and staff services necessary to assure that the construction is being performed in accordance with the PROJECT PS&E. Said qualified support staff shall be independent of the design engineering company and construction contractor, except that the PROJECT designer may be retained to check shop drawings, do soils foundation tests, test construction materials, and perform construction surveys.
23. Within one hundred eighty (180) days following the completion and acceptance of the PROJECT construction contract, to furnish STATE with a complete set of "As-Built" plans (hard copy and electronic formats) in accordance with STATE's then current CADD Users Manual, Plans Preparation Manual, and STATE practice. The submittal must also include all STATE requested contract records, including survey documents and Records of Surveys (to include monument perpetuation per the Land Surveyor Act, section 8771, including but not limited to preconstruction monumentation documents and a post construction Record of Survey). CITY shall also submit corrected full-sized hardcopy structure plans.
24. To retain or cause to be retained for audit by STATE or other government auditors for a period of four (4) years from the date of final payment under the PROJECT contract, or four (4) years from STATE payment of the final voucher, whichever is longer, all records and accounts relating to PROJECT construction. CITY shall retain said records and accounts longer for such periods as are required in writing by STATE.
25. Upon completion of PROJECT construction, CITY will operate and maintain, at CITY's cost, any part of PROJECT located outside of the existing SHS right of way (including CITY underpasses and overcrossings of then existing SHS right of way), until any subsequent acceptance of any part of PROJECT into the SHS by STATE, approval by Federal Highway Administration, if required; and conveyance of acceptable title to STATE.
26. If CITY cannot complete PROJECT as originally scoped, scheduled, and estimated, CITY will, only with STATE's prior written consent, amend the PROJECT PS&E for a suitable resolution to ensure an alternate form of modified PROJECT that will, at all times, provide a safe and operable SHS.
27. If CITY terminates the PROJECT prior to completion, STATE shall require CITY, at CITY's expense, to return the SHS right of way to its original condition or to a safe and operable condition acceptable to STATE. If CITY fails to do so, STATE reserves the right to finish PROJECT or place PROJECT in a safe and operable condition and STATE will bill CITY for all actual expenses incurred and CITY agrees to pay said bill within thirty (30) days of receipt.
28. If unanticipated cultural, archaeological, paleontological or other protected materials are encountered during PROJECT construction, CITY shall stop work in that area until a qualified professional can evaluate the nature and significance of the find and a plan is

approved for the removal or protection of that material. The costs for any removal or protection of that material shall be covered as a PROJECT cost contemplated by this Agreement.

SECTION II

STATE AGREES:

1. At no cost to CITY, to provide IQA to assure that CITY's PROJECT work is performed in full compliance with the approved PROJECT PS&E and in accordance with STATE's then effective policies, procedures, standards, and practices. This IQA function includes both the obligation and the authority to reject noncompliant PROJECT work and materials accepted by CITY, to order any actions needed for public safety or the preservation of property on the SHS, and to assure compliance with all provisions of the encroachment permit(s) issued by STATE to CITY and CITY's contractor.
2. Upon proper application by CITY and by CITY's contractor, to issue, at no cost to CITY and CITY's contractor, the necessary encroachment permits for required work within the SHS right of way as more specifically defined elsewhere in this Agreement.
3. To provide, at CITY's cost, any SFM as shown on the PROJECT PS&E as determined by STATE to be appropriate and available during construction of PROJECT. Upon receipt of CITY's request for any such SFM, STATE will order those materials and STATE's Project Manager will have an invoice submitted to CITY for the costs of those materials. Upon receipt of those materials and CITY's payment, STATE will make those SFM materials available to CITY at a STATE designated site.
4. Independent assurance testing, specialty testing, and approval of the type of asphalt and concrete plants shall be by STATE, at STATE's expense.
5. To submit an invoice to CITY for the estimated direct and indirect cost of source inspection, pursuant to Article 6 of Section I, prior to start of PROJECT construction and upon receipt of said estimate from STATE's representative.
6. Upon completion of PROJECT and all work incidental thereto, to furnish CITY with a detailed statement of the SFM and source inspection costs to be borne by CITY. To thereafter refund to CITY, promptly after completion of STATE's final accounting of said PROJECT costs, any amount of CITY's deposits, required in Articles 5 and 6 of Section I, remaining after actual SFM and source inspection costs to be borne by CITY have been deducted or to bill CITY for any additional amount required to complete CITY's financial obligations assumed pursuant to this Agreement.

SECTION III

IT IS MUTUALLY AGREED:

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature, State Budget Act authority, and the allocation of funds by the California Transportation Commission (CTC).
2. The parties to this Agreement understand and agree that STATE's IQA is defined as providing STATE policy and procedural guidance through to completion of the PROJECT construction phase administered by CITY. This guidance includes prompt reviews by STATE to assure that all work and products delivered or incorporated into the PROJECT by CITY conform with then existing STATE standards. IQA does not include any PROJECT related work deemed necessary to actually develop and deliver the PROJECT, nor does it involve any validation to verify and recheck any work performed by CITY and/or its consultants or contractors and no liability will be assignable to STATE, its officers and employees by CITY under the terms of this Agreement or by third parties by reason of STATE's IQA activities. All work performed by STATE pursuant to an amendment to this agreement, that is not direct IQA shall be chargeable against PROJECT funds as a service for which STATE will invoice its actual costs and CITY will pay or authorize STATE to reimburse itself from then available PROJECT funds.
3. CITY agrees to obtain, as a PROJECT cost, all necessary PROJECT permits and/or agreements from appropriate regulatory agencies, unless the parties agree otherwise in writing. If STATE agrees in writing to obtain said PROJECT permits, agreements, and/or approvals, those said costs shall be paid for by CITY, as a PROJECT cost.
4. CITY shall be fully responsible for complying with and implementing any and all environmental commitments set forth in the environmental documentation, permit(s), agreement(s), and/or environmental approvals for PROJECT. The costs of said compliance and implementation shall be a PROJECT cost.
5. If there is a legal challenge to the environmental documentation, including supporting investigative studies and/or technical environmental report(s), permit(s), agreement(s), environmental commitments and/or environmental approval(s) for PROJECT, all legal costs associated with those said legal challenges shall be a PROJECT cost.
6. If, during performance of PROJECT construction, new information is obtained which requires additional environmental documentation to comply with the California Environmental Quality Act (CEQA) and if applicable, the National Environmental Policy Act (NEPA), this Agreement will be amended to include completion of those additional tasks.
7. All administrative reports, studies, materials, and documentation, including, but not limited to, all administrative drafts and administrative finals, relied upon, produced, created or utilized for PROJECT will be held in confidence pursuant to Government Code section 6254.5(e). The parties agree that said material will not be distributed,

released or shared with any other organization, person or group other than the parties' employees, agents and consultants whose work requires that access without the prior written approval of the party with the authority to authorize said release and except as required or authorized by statute or pursuant to the terms of this Agreement.

8. During PROJECT construction, representatives of CITY and STATE will cooperate and consult with each other to assure that all PROJECT work is accomplished according to the PROJECT PS&E and STATE's then applicable policies, procedures, standards, and practices. Satisfaction of these requirements shall be verified by STATE's IQA representatives who are authorized to enter CITY's property during construction for the purpose of monitoring and coordinating construction activities.
9. PROJECT PS&E changes shall only be implemented by contract change orders that have been reviewed and concurred with by STATE's representative(s). All changes affecting public safety or public convenience, all design and specification changes, and all major changes as defined in STATE's Construction Manual shall be approved by STATE in advance of performing that work. Unless otherwise directed by STATE's representative, change orders authorized as provided herein will not require an encroachment permit rider. All changes shall be shown on the "As-Built" plans.
10. CITY shall provide a construction contract claims process acceptable to STATE and shall process any and all claims through CITY's claims process. STATE's representative will be made available to CITY to provide advice and technical input in any claims process.
11. In the event that STATE proposes and/or requires a change in design standards, implementation of those new or revised design standards shall be done in accordance with STATE's Highway Design Manual, Section 82.5, "Effective Date for Implementing Revisions to Design Standards." STATE shall consult with CITY in a timely manner regarding the effect of proposed and/or required PROJECT changes and cooperate with CITY to determine a source of funding for said PROJECT changes.
12. The party that discovers hazardous materials (HM) will immediately notify the other party(ies) to this Agreement.

HM-1 is defined as hazardous material (including but not limited to hazardous waste) that requires removal and disposal pursuant to federal or state law, whether it is disturbed by PROJECT or not.

HM-2 is defined as hazardous material (including but not limited to hazardous waste) that may require removal and disposal pursuant to federal or state law, only if disturbed by PROJECT.
13. STATE, independent of PROJECT, is responsible for any HM-1 found within existing SHS right of way. STATE will undertake HM-1 management activities with minimum impact to PROJECT schedule and will pay all costs for HM-1 management activities.

CITY, independent of PROJECT, is responsible for any HM-1 found outside existing SHS right of way. CITY will undertake HM-1 management activities with minimum impact to PROJECT schedule and will pay all costs for HM-1 management activities.

14. If HM-2 is found within the limits of PROJECT, the public agency responsible for advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for HM-2 management activities.

Any management activity cost related to HM-2 is a PROJECT construction cost.
15. Management activities related to either HM-1 or HM-2 include, without limitation, any necessary manifest requirements and designation of disposal facility.
16. STATE's acquisition or acceptance of title to any property on which any hazardous material is found will proceed in accordance with STATE's policy on such acquisition.
17. STATE, in exercising its authority under section 591 of the Vehicle Code, has included all of the requirements set forth in Divisions 11, 12, 13, 14, and 15 of the Vehicle Code as applicable to the PROJECT areas open to public traffic. CITY shall take all necessary precautions for safe operation of CITY's vehicles, the construction contractor's equipment and vehicles and/or vehicles of personnel retained by CITY to assure the protection of the traveling public and STATE employees from injury and damage from such vehicles or equipment.
18. Upon PROJECT completion and acceptance, subject to the approval of STATE, CITY will operate and maintain those PROJECT facilities at its own cost until a Maintenance Agreement is executed or an existing agreement, if any, is amended to incorporate the maintenance of these new PROJECT facilities located on the SHS.
19. Upon satisfactory completion of all PROJECT work under this Agreement, as determined by STATE, actual ownership and title to materials, equipment, and appurtenances installed within the operating SHS right of way for SHS operations will be vested in STATE, and materials, equipment, and appurtenances installed for non-SHS operations both inside (overcrossings and underpasses for local traffic) and outside of the SHS right of way will automatically be deemed to be under the control of CITY or an appropriate third party as determined by CITY.
20. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not a party to this Agreement or to affect the legal liability of either party to the Agreement by imposing any standard of care with respect to the development, design, construction, operation, or maintenance of the SHS and public facilities different from the standard of care imposed by law.
21. Neither STATE nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority, or jurisdiction conferred upon CITY or arising under this Agreement. It is understood and agreed that, CITY will fully defend, indemnify, and save harmless STATE and all of its officers and employees from all

claims, suits, or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this Agreement.

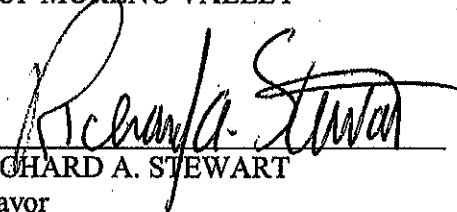
22. Neither CITY nor any officer or employee thereof is responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority, or jurisdiction conferred upon STATE or arising under this Agreement. It is understood and agreed that, STATE will fully defend, indemnify, and save harmless CITY and all of its officers and employees from all claims, suits, or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation, or other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this Agreement.
23. Prior to the commencement of any construction activity within the SHS right of way, either STATE or CITY may terminate this Agreement by written notice to the other party.
24. No alteration or variation of the terms of this Agreement shall be valid unless made by a formal amendment executed by the parties hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
25. This Agreement shall terminate upon the satisfactory completion of all post-PROJECT construction obligations of CITY and the delivery of required PROJECT construction documents, with concurrence of STATE, or on December 31, 2014 whichever is earlier in time, except that the ownership, operation, maintenance, indemnification, environmental commitments, legal challenges, and claims articles shall remain in effect until terminated or modified, in writing, by mutual agreement. Should any construction-related or other claims arising out of PROJECT be asserted against one of the parties, the parties agree to extend the fixed termination date of this Agreement, until such time as the construction related claims are settled, dismissed or paid.

SIGNATURES ON FOLLOWING PAGE:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CITY OF MORENO VALLEY

WILL KEMPTON
Director

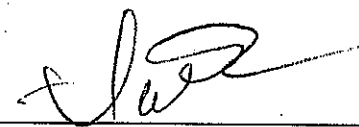
By: 
RICHARD A. STEWART
Mayor

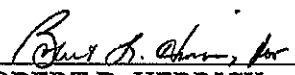
By: 
RAYMOND W. WOLFE, PhD
District Director

Attest: 
JANE HALSTEAD
City Clerk

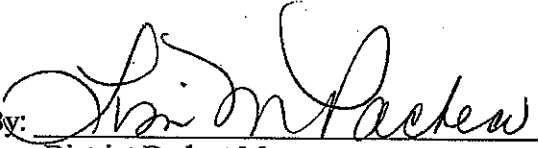
APPROVED AS TO FORM AND
PROCEDURE:

APPROVED AS TO FORM AND
PROCEDURE:

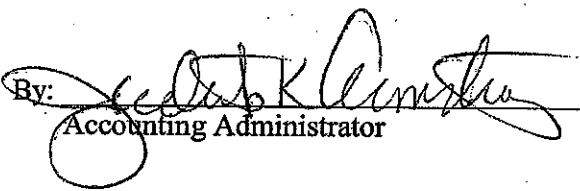
By: 
Attorney,
Department of Transportation

By: 
ROBERT D. HERRICK
City Attorney

CERTIFIED AS TO FUNDS:

By: 
District Budget Manager

CERTIFIED AS TO FINANCIAL
TERMS AND POLICIES:

By: 
Accounting Administrator

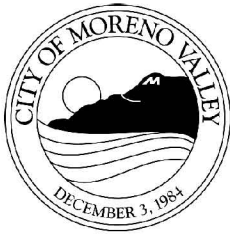
District Agreement No. 8-1406

EXHIBIT A

EA #: 323001
 Project Manager: Jason Bennecke
 Agreement #: 8-1406
 Sponsoring Agency: City of Moreno Valley

Project Location: In Riverside County, on State Route (SR) 60 from Postmile 18.1 to Postmile 18.9, Reconstruct Interchange at SR-60/Nason Street in the City of Moreno Valley

Administrated Phases of Work	Phase	Local Programs Funds		Local Program Funds		State Funds	Other Funds	Totals
		Federal %: 80.00	Match%: 20.00	Federal %: 88.33	Match%: 11.67			
		Fund Type: DEMO	Fund Type: Local	Fund Type: STP	Fund Type: Local	Fund Type: N/A	Fund Type: City Funds	
SUPPORT	Phase							
PA&ED	0							\$0.00
PS&E	1							\$0.00
R/W Support	2							\$0.00
Construction Support	3	\$450,000.00	\$112,500.00	\$177,022.00	\$22,935.00		\$1,137,343.00	\$1,900,000.00
CAPITAL	Phase							
R/W Capital	5							\$0.00
Construction Capital	4	\$4,050,000.00	\$1,012,500.00	\$1,393,197.00	\$266,416.00		\$8,708,575.00	\$15,570,688.00
TOTALS		\$4,500,000.00	\$1,125,000.00	\$1,770,219.00	\$229,351.00	\$0.00	\$9,846,118.00	\$17,670,688.00



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Est</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: February 23, 2010

TITLE: APPROVAL OF CHECK REGISTER FOR DECEMBER, 2009

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-11, approving the Check Register for the month of December, 2009 in the amount of \$16,480,202.55.

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. 2010-11
Check Register for Month of December, 2009

Prepared By:
Domilena R. Gonzales
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. 2010-11

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY, CALIFORNIA,
APPROVING THE CHECK REGISTER
FOR THE MONTH OF DECEMBER, 2009

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period December 1, 2009 through December 31, 2009, 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 December 1, 2009 through December 31, 2009, in the total amount of \$16,480,202.55 is approved.

APPROVED AND ADOPTED this 23rd day of February, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

1 Resolution No. 2010-
Date Adopted: February 23, 2010

RESOLUTION JURAT

[Clerk's office will prepare]

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

2 Resolution No. 2010-
Date Adopted: February 23, 2010



City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF \$25,000 OR GREATER				
ADVANCED ELECTRIC				
12/28/2009	199535	25,254.00		
			ELECT WORK-CITY YARD	21,695.00
			ELECT WORK-CITY YARD	2,219.00
			ELECT WORK-CITY YARD	1,340.00
Vendor Total		25,254.00		
FYTD for ADVANCED ELECTRIC		57,236.00		
ALL AMERICAN ASPHALT, INC.				
12/21/2009	199399	254,740.28		
			LASSELLE/COTTONWD ST IMPRVMENTS	101,541.04
			LASSELLE/COTTONWD TRAF SIG PRJ	50,850.00
			LASSELLE/COTTONWD ST IMPRVMENTS	10,823.96
			LASSELLE/COTTONWD ST IMPRVMENTS	40.28
			LASSELLE/COTTONWD TRAF SIG PRJ	91,485.00
Vendor Total		254,740.28		
FYTD for ALL AMERICAN ASPHALT, INC.		784,819.39		
BANK OF AMERICA				
12/9/2009	91208	117,327.27		
			RESIDENCE- 12703 SUNNYMEADOWS	117,327.27
12/9/2009	91209	111,058.20		
			RESIDENCE- 24747 BRODIAEA AVE.	111,058.20
12/16/2009	91215	185,348.66		
			RESIDENCE- 11757 MENTZELIA CRT	185,348.66
12/23/2009	91220	69,338.48		
			RESIDENCE- 24654 SINALOA ST	69,338.48
Vendor Total		483,072.61		
FYTD for BANK OF AMERICA		1,145,780.91		
CALPERS				
12/14/2009	199283	66,889.51		
			ARC PMT LESS PAYOUTS & CONTRIB	135,916.66
			ARC PMT LESS PAYOUTS & CONTRIB	-23,089.45
			ARC PMT LESS PAYOUTS & CONTRIB	-45,937.70
12/21/2009	199415	108,319.10		
			ARC PMT LESS PAYOUTS	135,916.66
			ARC PMT LESS PAYOUTS	-27,597.56
Vendor Total		175,208.61		
FYTD for CALPERS		451,263.47		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CITIZENS BUSINESS BANK				
12/4/2009	91203	154,449.27	RESIDENCE- 15438 CASA GRANDE	154,449.27
12/4/2009	91204	87,228.02	RESIDENCE- 24435 MURAL COURT	87,228.02
12/4/2009	91205	184,488.39	RESIDENCE- 22570 SOUTHWALK ST	184,488.39
12/4/2009	91206	93,048.60	RESIDENCE- 13150 KIOWA DRIVE	93,048.60
12/16/2009	91214	102,042.73	RESIDENCE- 12177 INDIAN STREET	102,042.73
Vendor Total		621,257.01		
FYTD for CITIZENS BUSINESS BANK		621,257.01		
CRITICAL SOLUTIONS				
12/7/2009	199137	41,850.60	EMRGNCY OPS CTR PROJ SVCS	41,850.60
Vendor Total		41,850.60		
FYTD for CRITICAL SOLUTIONS		219,763.45		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				
12/14/2009	199304	26,627.62		
			WATER CHRGS-ST. SWEEPING PRGM	181.12
			WATER CHRGS-DRAIN MAINT PRGM	90.56
			WATER CHRGS-STREET MAINT PRGM	90.56
			WATER CHRGS FOR NOVEMBER	109.43
			WATER CHRGS FOR NOVEMBER	1,107.27
			WATER CHRGS FOR NOVEMBER	39.60
			WATER CHRGS FOR NOVEMBER	4,409.97
			WATER CHRGS FOR NOVEMBER	563.64
			WATER CHRGS FOR NOVEMBER	8,545.36
			WATER CHRGS FOR NOVEMBER	7,123.32
			WATER CHRGS FOR NOVEMBER	1,798.94
			WATER CHRGS FOR NOVEMBER	416.71
			WATER CHRGS FOR NOVEMBER	393.82
			WATER CHRGS FOR NOVEMBER	134.29
			WATER CHRGS FOR NOVEMBER	113.37
			WATER CHRGS FOR NOVEMBER	336.16
			WATER CHRGS FOR NOVEMBER	297.59
			WATER CHRGS FOR NOVEMBER	137.56
			WATER CHRGS FOR NOVEMBER	397.19
			WATER CHRGS FOR NOVEMBER	157.28
			WATER CHRGS FOR NOVEMBER	183.88
12/21/2009	199429	34,746.59		
			WATER CHRGS FOR NOVEMBER	1,618.25
			WATER CHRGS FOR NOVEMBER	959.69
			WATER CHRGS FOR NOVEMBER	300.47
			WATER CHRGS FOR NOVEMBER	839.36
			WATER CHRGS FOR NOVEMBER	114.18
			WATER CHRGS FOR NOVEMBER	6,940.70
			WATER CHRGS FOR NOVEMBER	4,725.78
			WATER CHRGS FOR NOVEMBER	621.06
			WATER CHRGS FOR NOVEMBER	2,999.41
			WATER CHRGS FOR NOVEMBER	1,829.78
			WATER CHRGS FOR NOVEMBER	2,013.44
			WATER CHRGS FOR NOVEMBER	4,470.19
			WATER CHRGS FOR NOVEMBER	1,498.89
			WATER CHRGS FOR NOVEMBER	44.88
			WATER CHRGS FOR NOVEMBER	708.55
			WATER CHRGS FOR NOVEMBER	802.27
			WATER CHRGS FOR NOVEMBER	357.18
			WATER CHRGS FOR NOVEMBER	208.35
			WATER CHRGS FOR NOVEMBER	284.32
			WATER CHRGS FOR NOVEMBER	121.01
			WATER CHRGS FOR NOVEMBER	908.48
			WATER CHRGS FOR NOVEMBER	472.36
			WATER CHRGS FOR NOVEMBER	273.55
			WATER CHRGS FOR NOVEMBER	325.81
			WATER CHRGS FOR NOVEMBER	354.16
			WATER CHRGS FOR NOVEMBER	954.47
Vendor Total		61,374.21		

FYTD for EASTERN MUNICIPAL WATER DISTRICT	752,582.74
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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
12/4/2009	2540	50,743.00		
			DEP STATE INC TAX W/H 12/04/09	50,743.00
12/18/2009	2548	36,864.93		
			DEP STATE INC TAX W/H 12/18/09	36,864.93
	Vendor Total	87,607.93		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		670,726.04		
FAMILY SERVICE ASSOCIATION				
12/30/2009	199634	25,000.00		
			HPRP-RENTAL ARREARS SVCS	10,000.00
			HPRP-RENTAL ASSIST SVCS	15,000.00
	Vendor Total	25,000.00		
FYTD for FAMILY SERVICE ASSOCIATION		25,725.00		
FIRST AMERICAN TRUST, FSB				
12/17/2009	91219	2,000,973.98		
			RESIDENCES-24410 & 24420 MYERS	2,000,973.98
	Vendor Total	2,000,973.98		
FYTD for FIRST AMERICAN TRUST, FSB		2,000,973.98		
GEORGE SALINAS TREE PRESERVATION				
12/28/2009	199570	32,101.78		
			TREE TRIMMING SVCS-DSG1W	804.78
			TREE TRIMMING SVCS-DSG1E	3,710.93
			TREE TRIMMING SVCS-DSG2	4,113.32
			TREE TRIMMING SVCS-DSG1W	1,654.27
			TREE TRIMMING SVCS-DSG2	1,520.14
			TREE TRIMMING SVCS-E1	1,207.17
			TREE TRIMMING SVCS-E1A	357.68
			TREE TRIMMING SVCS-E7	581.23
			TREE TRIMMING SVCS-E1	17,392.19
			TREE TRIMMING SVCS-E7	760.07
	Vendor Total	32,101.78		
FYTD for GEORGE SALINAS TREE PRESERVATION		60,850.31		
HARDY & HARPER, INC.				
12/14/2009	199321	92,702.37		
			2009 ANNL PAVEMNT RESURF PROJ	33,229.74
			2009 ANNL PAVEMNT RESURF PROJ	59,472.63
	Vendor Total	92,702.37		
FYTD for HARDY & HARPER, INC.		1,323,072.63		



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INTERNAL REVENUE SERVICE				
12/4/2009	2539	188,387.84		
			DEP FED TAX W/H 12/04/09	188,387.84
12/18/2009	2547	134,751.53		
			DEP FED TAX W/H 12/18/09	134,751.53
Vendor Total		323,139.37		

FYTD for INTERNAL REVENUE SERVICE	1,885,061.71
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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY UTILITY				
12/21/2009	199471	51,040.26		
			ELECT SVC-UT FLD OFFICE	126.79
			ELECTRICITY	146.03
			ELECTRICITY	875.07
			ELECTRICITY	215.28
			ELECTRICITY	1,833.48
			ELECTRICITY	11,129.24
			ELECTRICITY	9,693.53
			ELECTRICITY	2,913.13
			ELECTRICITY	5,109.80
			ELECTRICITY	800.79
			ELECTRICITY	1,657.31
			ELECTRICITY	10,271.16
			ELECTRICITY	5,526.80
			ELECTRICITY	181.94
			ELECTRICITY	124.97
			ELECTRICITY	79.36
			ELECTRICITY	59.52
			ELECTRICITY	59.67
			ELECTRICITY	141.65
			ELECTRICITY	94.74
Vendor Total		51,040.26		

FYTD for MORENO VALLEY UTILITY	422,874.66
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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NATIONWIDE RETIREMENT SOLUTIONS				
12/31/2009	2554	26,332.12		
			DEF COMP 457 & 401(A) 12/31/09	26,332.12
Vendor Total		26,332.12		

FYTD for NATIONWIDE RETIREMENT SOLUTIONS	420,017.17
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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.				
12/7/2009	199205	45,579.80		
			SR-60/MOR BCH DR INTRCHNG PROJ	45,579.80
Vendor Total		45,579.80		

FYTD for PARSONS TRANSPORTATION GROUP, INC.	771,087.70
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PERS HEALTH INSURANCE				
12/7/2009	91202	168,142.43	EMPLOYEE HEALTH INSURANCE	168,142.43
Vendor Total		168,142.43		
FYTD for PERS HEALTH INSURANCE		1,133,891.25		
PERS RETIREMENT				
12/11/2009	2541	206,967.61	PERS RETIREMENT 12/11/09	206,967.61
12/24/2009	2549	207,307.74	PERS RETIREMENT 12/24/09	207,307.74
Vendor Total		414,275.35		
FYTD for PERS RETIREMENT		2,782,679.55		
POUK & STEINLE, INC.				
12/21/2009	199477	116,629.47	TRAF SIG @ COTTONWD/PATTILYNN	39,840.48
			LASSELLE/BAY AVE ST IMPRVMENTS	11,309.40
			LASSELLE/BAY AVE ST IMPRVMENTS	11,493.99
			TRAF SIG AT LASSELLE/BAY AVE	51,479.10
			TRAF SIG AT LASSELLE/BAY AVE	2,506.50
Vendor Total		116,629.47		
FYTD for POUK & STEINLE, INC.		225,248.67		
PROACTIVE ENGINEERING CONSULTANTS, INC.				
12/14/2009	199347	25,371.00	KITCHING ST IMPRVMENTS PROJ	25,371.00
12/28/2009	199599	47,336.24	CACTUS AVE WIDENING PROJ-STG 1	15,211.74
			CACTUS AVE WIDENING PROJ-STG 2	32,124.50
Vendor Total		72,707.24		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.		368,339.16		
RIALTO CONSTRUCTION, INC.				
12/7/2009	199217	28,919.65	RETENT RLS-AQUUCT BIKEWAY PROJ	28,919.65
Vendor Total		28,919.65		
FYTD for RIALTO CONSTRUCTION, INC.		155,597.61		
RICHARD LOPEZ CONSTRUCTION				
12/7/2009	199218	182,152.93	INDIAN TO GLOBE CIRC. TIE PROJ	182,152.93
Vendor Total		182,152.93		
FYTD for RICHARD LOPEZ CONSTRUCTION		182,152.93		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COMMUNITY COLLEGE DISTRICT				
12/7/2009	199219	37,967.52		
			INSTRUCTION SVCS-YTH JOB	18,983.76
			INSTRUCTION SVCS-YTH JOB	18,983.76
Vendor Total		37,967.52		
FYTD for RIVERSIDE COMMUNITY COLLEGE DISTRICT		51,909.41		
RIVERSIDE COUNTY SHERIFF				
12/29/2009	91222	2,555,555.53		
			CONTRACT LAW ENF BILL#05	2,555,555.53
12/16/2009	91213	2,600,320.60		
			CONTRACT LAW ENF BILL#04	2,600,320.60
Vendor Total		5,155,876.13		
FYTD for RIVERSIDE COUNTY SHERIFF		21,690,055.33		
SOUTHERN CALIFORNIA EDISON				
12/21/2009	199496	146,193.34		
			ELECTRICITY	590.38
			ELECTRICITY	383.01
			ELECTRICITY	557.08
			ELECTRICITY	140.28
			ELECTRICITY	2,455.78
			ELECTRICITY	499.81
			ELECTRICITY	809.33
			ELECTRICITY	679.90
			ELECTRICITY	1,079.60
			ELECTRICITY	1,519.06
			ELECTRICITY	20.22
			ELECTRICITY	95,549.24
			ELECTRICITY	36,147.08
			ELECTRICITY	5,223.37
			ELECTRICITY	20.22
			ELECTRICITY	43.14
			ELECTRICITY	21.99
			ELECTRICITY	62.83
			ELECTRICITY	80.88
			ELECTRICITY	310.14
12/28/2009	199615	30,458.63		
			NOV-09 WDAT CHRGS-IRIS	2,625.22
			NOV-09 WDAT CHRGS-GRAHAM	3,727.65
			NOV-09 WDAT CHRGS-GLOBE	8,765.46
			NOV-09 WDAT CHRGS-NANDINA	2,647.31
			NOV-09 WDAT CHRGS-FREDERICK	2,245.68
			NOV-09 WDAT CHRGS-SUBSTATION	10,447.31
Vendor Total		176,651.97		
FYTD for SOUTHERN CALIFORNIA EDISON		5,579,419.89		



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STANDARD INSURANCE CO				
12/21/2009	199503	31,971.26		
			LIFE & DISABILITY INSURANCE	13,341.72
			LIFE & DISABILITY INSURANCE	18,922.38
			LIFE & DISABILITY INSURANCE	-292.84
Vendor Total		31,971.26		
FYTD for STANDARD INSURANCE CO		198,395.68		
TCM GROUP				
12/7/2009	199246	44,444.04		
			SR-60/NASON ST INTRCHNG PROJ	18,115.40
			SR-60/NASON ST INTRCHNG PROJ	26,328.64
Vendor Total		44,444.04		
FYTD for TCM GROUP		225,919.53		
U.S. BANK/CALCARDS				
12/16/2009	91212	61,280.09		
			CALCARD CYCLE END 12/07/09	61,280.09
12/29/2009	91221	66,774.17		
			CALCARD CYCLE END 12/22/09	66,774.17
Vendor Total		128,054.26		
FYTD for U.S. BANK/CALCARDS		1,081,488.72		
UNION BANK OF CALIFORNIA NA				
12/31/2009	91207	1,000,000.00		
			FNMA 3.05% 12/30/14	1,000,000.00
12/22/2009	91210	1,000,000.00		
			FFCB 2.82% 12/22/14	1,000,000.00
12/29/2009	91211	1,000,000.00		
			FHLB 3.00% 12/29/14	1,000,000.00
12/22/2009	91216	1,000,000.00		
			FFCB 3.00% 12/22/14	1,000,000.00
Vendor Total		4,000,000.00		
FYTD for UNION BANK OF CALIFORNIA NA		34,914,675.69		
UNITED CONTRACTORS COMPANY INC.				
12/28/2009	199626	169,987.50		
			EMRGNCY OPS CTR PRJ CONSTRUCTN	169,987.50
Vendor Total		169,987.50		
FYTD for UNITED CONTRACTORS COMPANY INC.		847,903.50		



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WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.				
12/1/2009	199111	78,496.00	RESIDENTIAL FEES COLLECTED	78,496.00
12/21/2009	199529	98,120.00	RESIDENTIAL FEES COLLECTED	98,120.00
Vendor Total		176,616.00		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.		884,669.42		
Subtotal		15,251,630.68		



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CHECKS LESS THAN \$25,000				
A & I REPROGRAPHICS 2406362				
12/7/2009	199112	1,843.78		
			RPRGRPHC SVCS-KITCHING ST PROJ	55.55
			RPRGRPHC SVCS-KITCHING ST PROJ	1,188.64
			RPRGRPHC SVCS-KITCHING ST PROJ	599.59
12/14/2009	199265	32.19		
			RPRGRPHC SVCS-PERRIS BLVD PROJ	32.19
12/21/2009	199394	823.80		
			RPRGRPHC SVCS-AQUUCT BIKEWAY	68.89
			RPRGRPHC SVCS-PAVEMNT RESURF.	32.19
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	259.59
			RPRGRPHC SVCS-SUNNYMD BLVD PRJ	313.31
			RPRGRPHC SVCS-PERRIS BLVD PROJ	129.41
			RPRGRPHC SVCS-DAY ST PROJ	20.41
Vendor Total		2,699.77		
FYTD for A & I REPROGRAPHICS 2406362		10,605.67		
ADAMS, MARK L.				
12/7/2009	199113	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for ADAMS, MARK L.		1,912.38		
ADAMSON POLICE PRODUCTS				
12/14/2009	199266	9,020.17		
			VIDEO CAMERA	2,936.09
			VIDEO CAMERA	4,404.08
			VIDEO CAMERA-WARRANTY	1,680.00
Vendor Total		9,020.17		
FYTD for ADAMSON POLICE PRODUCTS		9,020.17		
ADDICTION MEDICINE CONSULTANTS, INC.				
12/21/2009	199395	1,350.00		
			2010 DRUG/ALCHL TESTING PGRM	1,350.00
Vendor Total		1,350.00		
FYTD for ADDICTION MEDICINE CONSULTANTS, INC.		1,350.00		



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ADLERHORST INTERNATIONAL INC.				
12/14/2009	199267	425.01		
			K9 TRAINING-BLUE	141.67
			K9 TRAINING-LEX & MAX	283.34
12/21/2009	199396	59.81		
			SLEEVE COVER	55.00
			SLEEVE COVER-TAX	4.81
Vendor Total		484.82		
FYTD for ADLERHORST INTERNATIONAL INC.		2,967.89		
ADVANCE REFRIGERATION & ICE SYSTEMS, INC				
12/21/2009	199397	195.00		
			ICE MACHINE MAINT-PSB	195.00
Vendor Total		195.00		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		5,527.96		
ADVANCED ELECTRIC				
12/7/2009	199114	8,466.00		
			ELECT REPAIRS-TWNGTE	535.00
			ELECT REPAIRS-TWNGTE	143.00
			ELECT REPAIRS-TWNGTE	66.00
			ELECT REPAIRS-MARCH MDL SCH	3,370.00
			ELECT REPAIRS-GATEWAY PARK	62.00
			ELECT REPAIRS-MARCH FLD	287.00
			ELECT WORK-SENIOR CTR	2,393.00
			ELECT WORK-PSB	620.00
			ELECT WORK-ERC	617.00
			ELECT REPAIRS-CRC	124.00
			ELECT REPAIRS-CRC	125.00
			ELECT REPAIRS-PSB	124.00
12/14/2009	199268	739.00		
			ELECT REPAIR-FS #48	244.00
			ELECT REPAIR-FS #65	495.00
12/21/2009	199398	1,181.00		
			ELECT WORK-PARKS	144.00
			ELECT WORK-PARKS	1,037.00
Vendor Total		10,386.00		
FYTD for ADVANCED ELECTRIC		57,236.00		
AEI-CASC ENGINEERING				
12/14/2009	199269	933.00		
			PLAN CHECK SVCS	933.00
12/28/2009	199536	1,087.50		
			PLAN CK SVCS-WQMP	1,087.50
Vendor Total		2,020.50		
FYTD for AEI-CASC ENGINEERING		313,911.59		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AGUERO, JULIE				
12/28/2009	199537	10.00	REFUND-ANML LIC FEE	10.00
Vendor Total		10.00		
FYTD for AGUERO, JULIE		10.00		
ALEXANDER, ROSALIND				
12/14/2009	199270	200.00	REFUND-TWNGTE DEP 11/14	200.00
Vendor Total		200.00		
FYTD for ALEXANDER, ROSALIND		200.00		
ALLIANZ LIFE INSURANCE CO				
12/7/2009	199115	75.00	NON-EXEMPT ANNUITY	75.00
Vendor Total		75.00		
FYTD for ALLIANZ LIFE INSURANCE CO		450.00		
ALPHACORP/SIRE TECHNOLOGIES				
12/14/2009	199271	3,900.00	CUSTOM REPORT-CITY CLERKS	3,900.00
Vendor Total		3,900.00		
FYTD for ALPHACORP/SIRE TECHNOLOGIES		3,900.00		
AMERICAN FORENSIC NURSES				
12/7/2009	199116	93.40	BLOOD DRAWS	93.40
Vendor Total		93.40		
FYTD for AMERICAN FORENSIC NURSES		13,045.50		
AMTECH ELEVATOR SERVICES				
12/21/2009	199400	118.37	NOV-09 ELEVATOR SVCS	118.37
Vendor Total		118.37		
FYTD for AMTECH ELEVATOR SERVICES		921.12		
ANDREWS-BAKER, SUE				
12/21/2009	199401	75.00	INSTRUCTOR SVC-CPR	75.00
Vendor Total		75.00		
FYTD for ANDREWS-BAKER, SUE		375.00		



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ANIMAL EMERGENCY CLINIC, INC.				
12/21/2009	199402	969.00		
			EMERG VET SVCS	75.00
			EMERG VET SVCS	75.00
			EMERG VET SVCS	55.00
			EMERG VET SVCS	75.00
			EMERG VET SVCS	75.00
			EMERG VET SVCS	75.00
			EMERG VET SVCS	153.00
			EMERG VET SVCS	331.00
			EMERG VET SVCS	55.00
Vendor Total		969.00		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		2,736.00		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
12/28/2009	199538	1,790.00		
			NOV-09 PEST CNTRL-PARKS	665.00
			NOV-09 PEST CNTRL-PARKS	255.00
			NOV-09 PEST CNTRL-MARCH FLD	330.00
			NOV-09 PEST CNTRL-PAL	100.00
			NOV-09 PEST CNTRL-CFD #1	160.00
			NOV-09 PEST CNTRL-GOLF CRS	180.00
			NOV-09 PEST CNTRL-STARS BLDG	100.00
Vendor Total		1,790.00		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		11,440.00		
ARCHIVE MANAGEMENT SERVICE				
12/21/2009	199403	1,136.70		
			NOV-09 OFFSITE STORAGE	1,136.70
Vendor Total		1,136.70		
FYTD for ARCHIVE MANAGEMENT SERVICE		8,537.66		
AREVALO, LIZETTE				
12/7/2009	199117	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for AREVALO, LIZETTE		20.00		
ARLINGTON ANIMAL HOSPITAL				
12/21/2009	199404	361.48		
			VET SVCS-L GEIGER	361.48
Vendor Total		361.48		
FYTD for ARLINGTON ANIMAL HOSPITAL		361.48		



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For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARROWHEAD WATER				
12/14/2009	199272	225.00		
			WTR PURIF RNTL-ASES	25.00
			WTR PURIF RNTL-ASES	25.00
			WTR PURIF RNTL-ANML SHLTR	50.00
			WTR PURIF RNTL-SENIOR CTR	25.00
			WTR PURIF RNTL-SPCL DIST	25.00
			WTR PURIF RNTL-TECH SVCS	25.00
			WTR PURIF RNTL-FAC ANNX	25.00
			WTR PURIF RNTL-CRC	25.00
12/28/2009	199539	340.78		
			WTR PURIF RNTL-CITY HALL	125.01
			WTR PURIF RNTL-CITY YARD	25.00
			WTR PURIF RNTL-TRNSP 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		565.78		
FYTD for ARROWHEAD WATER		3,385.45		
ASCENCIO, MARIA				
12/7/2009	199118	67.00		
			REFUND-GUITAR CLASS REGIST	67.00
Vendor Total		67.00		
FYTD for ASCENCIO, MARIA		67.00		
ASG FACILITY				
12/7/2009	199119	60.00		
			INSTRUCTOR SVCS-BOXING	60.00
Vendor Total		60.00		
FYTD for ASG FACILITY		512.00		
ASHLOCK, TRACY				
12/14/2009	199273	75.00		
			REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for ASHLOCK, TRACY		75.00		
AT&T MOBILITY				
12/28/2009	199540	91.86		
			COMMUNICATION SVCS-GTF	91.86
Vendor Total		91.86		
FYTD for AT&T MOBILITY		642.57		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AT&T/MCI				
12/14/2009	199274	183.68	COMMUNICATION SVCS-GTF	183.68
Vendor Total		183.68		
FYTD for AT&T/MCI		1,102.08		
ATLAS, DANA				
12/21/2009	199405	590.00	REFUND-RNTL DEP 12/7	590.00
Vendor Total		590.00		
FYTD for ATLAS, DANA		590.00		
AUDREY PATRICK REPORTING SERVICES				
12/14/2009	199275	1,060.42	TRANSCRIPT SVCS	1,060.42
Vendor Total		1,060.42		
FYTD for AUDREY PATRICK REPORTING SERVICES		1,963.31		
AUTOMATIC STOREFRONT SERVICE, INC.				
12/7/2009	199120	229.00	DOOR REPAIR-LIBRARY	229.00
12/21/2009	199406	760.31	DOOR SVC-LIBRARY	760.31
Vendor Total		989.31		
FYTD for AUTOMATIC STOREFRONT SERVICE, INC.		1,321.31		
AV GRAPHICS, INC.				
12/7/2009	199121	2,670.63	ADMIN CITATIONS-PD	2,555.63
			ADMIN CITATIONS-PD	40.00
			ADMIN CITATIONS-PD	75.00
Vendor Total		2,670.63		
FYTD for AV GRAPHICS, INC.		4,856.24		
AYARS, MARGARET E.				
12/7/2009	199122	1,593.65	RETIREE MEDICAL BENEFIT	1,593.65
Vendor Total		1,593.65		
FYTD for AYARS, MARGARET E.		2,231.11		
BARNES, DARLENE				
12/7/2009	199123	110.82	RETIREE MEDICAL BENEFIT	110.82
Vendor Total		110.82		
FYTD for BARNES, DARLENE		664.92		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BASIC BACKFLOW				
12/28/2009	199541	60.00	BACKFLOW TESTING-PARKS	60.00
Vendor Total		60.00		
FYTD for BASIC BACKFLOW		540.00		
BECKNER, PATRICK				
12/7/2009	199124	100.40	RETIREE MEDICAL BENEFIT	100.40
Vendor Total		100.40		
FYTD for BECKNER, PATRICK		826.40		
BELL, ALYSSA				
12/14/2009	199276	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for BELL, ALYSSA		75.00		
BELL, ORROCK & WATASE, INC				
12/14/2009	199277	344.90	OCT-09 LEGAL SVCS	344.90
Vendor Total		344.90		
FYTD for BELL, ORROCK & WATASE, INC		11,538.96		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				
12/14/2009	199278	16,364.94		
			IRRIGATION REPAIRS-E4	113.81
			IRRIGATION REPAIRS-E4	171.70
			IRRIGATION REPAIRS-E4	60.83
			OCT-09 LNDSCP MAINT-E4	15,650.96
			OCT-09 LNDSCP MAINT-E4A	367.64
12/21/2009	199407	16,238.04		
			IRRIGATION REPAIRS-E4	184.85
			IRRIGATION REPAIRS-E4	34.59
			NOV-09 LNDSCP MAINT-E4	15,650.96
			NOV-09 LNDSCP MAINT-E4A	367.64
12/28/2009	199543	21,212.14		
			NOV-09 LNDSCP MAINT-TREE TRIMM	2,720.00
			NOV-09 LNDSCP MAINT-CRC	1,900.00
			NOV-09 LNDSCP MAINT-TREES INST	1,592.00
			OCT-09 LNDSCP MAINT-TRIM TREES	150.00
			NOV-09 LNDSCP MAINT-PSB	1,197.58
			NOV-09 LNDSCP MAINT-S AQDCT	850.50
			NOV-09 LNDSCP MAINT-S AQDCT B	735.00
			NOV-09 LNDSCP MAINT-N AQDCT	525.00
			NOV-09 LNDSCP MAINT-SENIOR CTR	262.50
			NOV-09 LNDSCP MAINT-EDISON/OLD	1,785.00
			NOV-09 LNDSCP MAINT-PAN AM SEC	600.00
			NOV-09 LNDSCP MAINT-ANML SHLTR	520.00
			NOV-09 LNDSCP MAINT-CITY HALL	992.56
			NOV-09 LNDSCP MAINT-VET MEM	250.00
			NOV-09 LNDSCP MAINT-ANNX #1	300.00
			NOV-09 LNDSCP MAINT-LIBRARY	520.00
			NOV-09 LNDSCP MAINT-STARS BLDG	300.00
			NOV-09 LNDSCP MAINT-BAY TO JFK	1,900.00
			NOV-09 LNDSCP MAINT-TRIM TREES	750.00
			NOV-09 LNDSCP MAINT-CONDUIT	2,152.00
			NOV-09 LNDSCP MAINT-ELECT SUBS	480.00
			NOV-09 LNDSCP MAINT-OLD FS #50	480.00
			NOV-09 LNDSCP MAINT-CITY YARD	250.00
Vendor Total		53,815.12		
FYTD for BEMUS LANDSCAPE, INC.		209,642.16		
BEST, BEST & KRIEGER, LLP				
12/7/2009	199125	550.50		
			OCT-09 LEGAL SVCS	550.50
12/28/2009	199544	1,971.07		
			NOV-09 LEGAL SVCS	205.50
			NOV-09 LEGAL SVCS	1,057.62
			NOV-09 LEGAL SVCS	707.95
Vendor Total		2,521.57		
FYTD for BEST, BEST & KRIEGER, LLP		4,700.57		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BIO-TOX LABORATORIES				
12/7/2009	199126	4,478.69		
			TOXICOLOGY TESTS	339.04
			TOXICOLOGY TESTS	1,409.85
			TOXICOLOGY TESTS	2,729.80
Vendor Total		4,478.69		
FYTD for BIO-TOX LABORATORIES		21,914.72		
BLAIR, CHERYL				
12/14/2009	199279	216.00		
			INSTRUCTOR SVCS-BELLY DANCING	216.00
Vendor Total		216.00		
FYTD for BLAIR, CHERYL		1,998.00		
BLAIR, JUDITH				
12/14/2009	199280	50.00		
			TRAP DEPOSIT RFND	50.00
Vendor Total		50.00		
FYTD for BLAIR, JUDITH		50.00		
BLUE SHIELD OF CALIFORNIA				
12/14/2009	199281	844.62		
			HEALTH INS PREMIUMS	278.85
			HEALTH INS PREMIUMS	321.75
			HEALTH INS PREMIUMS	244.02
Vendor Total		844.62		
FYTD for BLUE SHIELD OF CALIFORNIA		7,067.32		
BOBO II, FELIX				
12/14/2009	199282	57.75		
			MILEAGE REIMBURSEMENT	57.75
Vendor Total		57.75		
FYTD for BOBO II, FELIX		319.55		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				
12/21/2009	199410	7,661.55		
			MISC BOOKS-LIBRARY	155.70
			MISC BOOKS-LIBRARY	43.78
			MISC BOOKS-LIBRARY	27.42
			MISC BOOKS-LIBRARY	352.65
			MISC BOOKS-LIBRARY	81.06
			MISC BOOKS-LIBRARY	49.85
			MISC BOOKS-LIBRARY	23.85
			MISC BOOKS-LIBRARY	16.56
			MISC BOOKS-LIBRARY	20.77
			MISC BOOKS-LIBRARY	18.36
			MISC BOOKS-LIBRARY	28.04
			MISC BOOKS-LIBRARY	28.04
			MISC BOOKS-LIBRARY	22.59
			MISC BOOKS-LIBRARY	201.75
			MISC BOOKS-LIBRARY	492.95
			MISC BOOKS-LIBRARY	26.63
			MISC BOOKS-LIBRARY	1,112.88
			MISC BOOKS-LIBRARY	33.99
			MISC BOOKS-LIBRARY	47.99
			MISC BOOKS-LIBRARY	49.29
			MISC BOOKS-LIBRARY	49.29
			MISC BOOKS-LIBRARY	46.78
			MISC BOOKS-LIBRARY	18.34
			MISC BOOKS-LIBRARY	27.40
			MISC BOOKS-LIBRARY	10.33
			MISC BOOKS-LIBRARY	85.44
			MISC BOOKS-LIBRARY	61.33
			MISC BOOKS-LIBRARY	136.37
			MISC BOOKS-LIBRARY	411.27
			MISC BOOKS-LIBRARY	162.72
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	44.89
			MISC BOOKS-LIBRARY	97.02
			MISC BOOKS-LIBRARY	23.19
			MISC BOOKS-LIBRARY	30.29
			MISC BOOKS-LIBRARY	43.23
			MISC BOOKS-LIBRARY	52.02
			MISC BOOKS-LIBRARY	18.36
			MISC BOOKS-LIBRARY	672.29
			MISC BOOKS-LIBRARY	151.86
			MISC BOOKS-LIBRARY	68.79
			MISC BOOKS-LIBRARY	192.58
			MISC BOOKS-LIBRARY	93.43
			MISC BOOKS-LIBRARY	23.17
			MISC BOOKS-LIBRARY	29.37
			MISC BOOKS-LIBRARY	65.47
			MISC BOOKS-LIBRARY	21.97
			MISC BOOKS-LIBRARY	43.79
			MISC BOOKS-LIBRARY	23.17
			MISC BOOKS-LIBRARY	282.99
			MISC BOOKS-LIBRARY	41.92
			MISC BOOKS-LIBRARY	1,109.56
			MISC BOOKS-LIBRARY	356.44



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	58.33
			MISC BOOKS-LIBRARY	109.69
			MISC BOOKS-LIBRARY	63.75
			MISC BOOKS-LIBRARY	31.60
			MISC BOOKS-LIBRARY	23.78
			MISC BOOKS-LIBRARY	21.99
Vendor Total		7,661.55		
FYTD for BRODART CO.		15,046.93		
BUENROSTRO, MARITZA				
12/21/2009	199411	62.67		
			REFUND-MVU ELECT FEES	62.67
Vendor Total		62.67		
FYTD for BUENROSTRO, MARITZA		62.67		
BWI - BOOK WHOLESALERS, INC.				
12/21/2009	199412	1,399.31		
			MISC BOOKS-LIBRARY	15.94
			MISC BOOKS-LIBRARY	25.18
			MISC BOOKS-LIBRARY	1,358.19
Vendor Total		1,399.31		
FYTD for BWI - BOOK WHOLESALERS, INC.		2,769.02		
CA STATE DIV INTL ASSO FOR IDENTIFICATN				
12/28/2009	199545	70.00		
			MEMBERSHIP DUES	35.00
			MEMBERSHIP DUES	35.00
Vendor Total		70.00		
FYTD for CA STATE DIV INTL ASSO FOR IDENTIFICATN		70.00		
CALAVERAS STANDARD MATERIALS				
12/21/2009	199413	532.98		
			CEMENT PURCHASE	456.74
			CEMENT PURCHASE	76.24
Vendor Total		532.98		
FYTD for CALAVERAS STANDARD MATERIALS		15,318.03		
CALIFORNIA DELTA MECHANICAL, INC.				
12/7/2009	199127	60.00		
			REFUND-PERMIT FEE	60.00
Vendor Total		60.00		
FYTD for CALIFORNIA DELTA MECHANICAL, INC.		60.00		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CALIFORNIA DEPT. OF FISH & GAME				
12/28/2009	199546	4,000.00	STREAMBED ALT AGRMNT FEE	4,000.00
Vendor Total		4,000.00		
FYTD for CALIFORNIA DEPT. OF FISH & GAME		8,000.00		
CALIFORNIA REDEVELOPMENT ASSOCIATION				
12/21/2009	199414	7,500.00	PROF LEGAL SVCS	7,500.00
Vendor Total		7,500.00		
FYTD for CALIFORNIA REDEVELOPMENT ASSOCIATION		19,900.00		
CALIFORNIA TRANSCRIPTION, LLC				
12/28/2009	199547	95.32	OCT/NOV-09 TRANSCRIPTION SVCS	95.32
Vendor Total		95.32		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		941.11		
CALIFORNIA WATERSHED ENGINEERING CORP.				
12/28/2009	199548	358.50	PLAN CK SVCS-PA08155	358.50
Vendor Total		358.50		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		696.00		
CANON BUSINESS SOLUTIONS, INC.				
12/14/2009	199284	2,002.20	DEC09-MAR10 COPIER SVC-ASES	2,002.20
Vendor Total		2,002.20		
FYTD for CANON BUSINESS SOLUTIONS, INC.		19,080.71		
CANON FINANCIAL SERVICES, INC.				
12/21/2009	199416	7,590.68	COPIER LEASE	7,059.29
			COPIER LEASE	531.39
Vendor Total		7,590.68		
FYTD for CANON FINANCIAL SERVICES, INC.		45,544.08		
CARTER, ROSALYN				
12/7/2009	199128	297.00	RETIREE MEDICAL BENEFIT	297.00
Vendor Total		297.00		
FYTD for CARTER, ROSALYN		1,578.36		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CASTRO, VERONICA				
12/7/2009	199129	52.00	REFUND-TIME FOR TOTS FEE	52.00
Vendor Total		52.00		
FYTD for CASTRO, VERONICA		52.00		
CERTIFIED CREDIT REPORTING, INC				
12/21/2009	199417	30.55	NOV-09 CREDIT PROFILE SVCS	30.55
Vendor Total		30.55		
FYTD for CERTIFIED CREDIT REPORTING, INC		103.87		
CHAPMAN, STEVE				
12/7/2009	199130	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CHAPMAN, STEVE		1,912.38		
CHAPPELL, ISAAC				
12/7/2009	199131	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for CHAPPELL, ISAAC		1,912.38		
CHERA, HARMINDER S.				
12/14/2009	199285	1,059.00	REFUND-ABTMNT FEE DUE TO ERROR	1,059.00
Vendor Total		1,059.00		
FYTD for CHERA, HARMINDER S.		1,059.00		
CHRIST ABUNDANT LIFE MINISTRIES				
12/21/2009	199418	100.00	REFUND-RNTL DEP AUG-DEC	100.00
Vendor Total		100.00		
FYTD for CHRIST ABUNDANT LIFE MINISTRIES		100.00		
CHRISTIAN, OWEN				
12/7/2009	199132	240.44	RETIREE MEDICAL BENEFIT	240.44
Vendor Total		240.44		
FYTD for CHRISTIAN, OWEN		1,442.64		



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION				
12/14/2009	199288	1,281.23		
			UNIFORM RENTAL SERVICE	11.46
			UNIFORM RENTAL SERVICE	11.23
			UNIFORM RENTAL SERVICE	11.23
			UNIFORM RENTAL SERVICE	11.23
			UNIFORM RENTAL SERVICE	56.88
			UNIFORM RENTAL SERVICE	58.68
			UNIFORM RENTAL SERVICE	58.68
			UNIFORM RENTAL SERVICE	58.68
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	14.25
			UNIFORM RENTAL SERVICE	14.25
			UNIFORM RENTAL SERVICE	83.15
			UNIFORM RENTAL SERVICE	15.65
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	8.37
			UNIFORM RENTAL SERVICE	3.96
			UNIFORM RENTAL SERVICE	3.96
			UNIFORM RENTAL SERVICE	3.96
			UNIFORM RENTAL SERVICE	11.79
			UNIFORM RENTAL SERVICE	11.79
			UNIFORM RENTAL SERVICE	11.79
			UNIFORM RENTAL SERVICE	11.79
			UNIFORM RENTAL SERVICE	147.19
			UNIFORM RENTAL SERVICE	149.98
			UNIFORM RENTAL SERVICE	102.10
			UNIFORM RENTAL SERVICE	57.10
			UNIFORM RENTAL SERVICE	97.65
			UNIFORM RENTAL SERVICE	12.78
			UNIFORM RENTAL SERVICE	12.78
			UNIFORM RENTAL SERVICE	12.78
			UNIFORM RENTAL SERVICE	12.78
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	5.58
			UNIFORM RENTAL SERVICE	16.65
			UNIFORM RENTAL SERVICE	16.65
			UNIFORM RENTAL SERVICE	16.65
			UNIFORM RENTAL SERVICE	16.65



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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
12/21/2009	199419	179.30		
			UNIFORM RENTAL SERVICE	3.96
			UNIFORM RENTAL SERVICE	7.65
			UNIFORM RENTAL SERVICE	7.65
			UNIFORM RENTAL SERVICE	7.65
			UNIFORM RNTL SVC-PARKS MAINT	57.10
			UNIFORM RNTL SVC-PARKS MAINT	-0.50
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-PURCHASING	3.96
			UNIFORM RNTL SVC-TRAFFIC	11.23
			UNIFORM RNTL SVC-TRAFFIC	11.23
			UNIFORM RNTL SVC-TRANSP	15.65
			UNIFORM RNTL SVC-TRANSP	-0.55
			UNIFORM RNTL SVC-CFD #1	12.78
			UNIFORM RNTL SVC-CFD #1	-3.42
			UNIFORM RNTL SVC-FACILITIES	16.65
			UNIFORM RNTL SVC-FACILITIES	16.65
			UNIFORM RNTL SVC-GOLF CRS	7.65

12/28/2009	199549	102.61		
			UNIFORM RENTAL SERVICE-PARKS	49.90
			UNIFORM RENTAL SERVICE-TRFC SG	11.23
			UNIFORM RENTAL SERVICE-TRFC	13.85
			UNIFORM RENTAL SERVICE-CFD #1	10.98
			UNIFORM RENTAL SERVICE-FACILIT	16.65

Vendor Total 1,563.14

FYTD for CINTAS CORPORATION	2,345.71
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CITY OF MORENO VALLEY VEBA TRUST

12/7/2009	199133	4,350.00	EXEMPT VEBA	4,350.00
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Vendor Total 4,350.00

FYTD for CITY OF MORENO VALLEY VEBA TRUST	26,012.50
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COBBS, JOE

12/21/2009	199420	75.00	REFUND-S/N DEPOSIT	75.00
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Vendor Total 75.00

FYTD for COBBS, JOE	75.00
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COLONIAL SUPPLEMENTAL INSURANCE

12/14/2009	199289	7,206.07	SUPPLEMENTAL INSURANCE	7,206.07
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Vendor Total 7,206.07

FYTD for COLONIAL SUPPLEMENTAL INSURANCE	44,250.82
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COMMUNITY BANK				
12/29/2009	91223	11,282.34	LASSELLE & COTTONWD ST IMPRO	11,282.34
12/29/2009	91224	1,207.14	LASSELLE & COTTONWD ST IMPRO	1,207.14
12/29/2009	91225	10,165.00	T/S @ LASSELLE & COTTONWD	10,165.00
12/29/2009	91226	5,650.00	T/S @ LASSELLE & COTTONWD	5,650.00
Vendor Total		28,304.48		
FYTD for COMMUNITY BANK		87,202.16		
COMMUNITY HEALTH CHARITIES				
12/7/2009	199134	334.00	CHC CONTRIBUTIONS	334.00
12/21/2009	199421	330.50	CHC CONTRIBUTIONS	330.50
12/28/2009	199550	5.00	CHC CONTRIBUTIONS	5.00
Vendor Total		669.50		
FYTD for COMMUNITY HEALTH CHARITIES		4,412.50		
COMPU COM				
12/21/2009	199422	2,248.81	UPGRADE TO CRM ENTERPRISE	2,248.81
Vendor Total		2,248.81		
FYTD for COMPU COM		2,984.25		
CONSTANTINIDE, ALICIA				
12/7/2009	199135	50.00	REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for CONSTANTINIDE, ALICIA		50.00		
CONTRERAS, SANDRA E.				
12/14/2009	199290	30.69	REIMB.-2009 GOVT TAX SEMINAR	30.69
Vendor Total		30.69		
FYTD for CONTRERAS, SANDRA E.		30.69		
CONVERT-A-DOC				
12/21/2009	199423	781.24	SCANNING SVCS-LAND DEV	781.24
Vendor Total		781.24		
FYTD for CONVERT-A-DOC		13,401.10		



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COSTCO				
12/14/2009	199291	2,475.65		
			MISC SUPPLIES-CHILDS PLACE	134.46
			MISC SUPPLIES-CHILDS PLACE	861.48
			MISC SUPPLIES-ASES	186.99
			MISC SUPPLIES-ASES	280.49
			MISC SUPPLIES-ASES	207.93
			MISC SUPPLIES-PARKS	70.05
			MISC SUPPLIES-PARKS	39.67
			MISC SUPPLIES-ASES	81.70
			MISC SUPPLIES-PARKS	466.02
			MISC SUPPLIES-ASES	146.86
12/28/2009	199551	135.08		
			MISC SUPPLIES-STARS	135.08
	Vendor Total	2,610.73		
FYTD for COSTCO		31,159.28		
COUNTS UNLIMITED, INC.				
12/14/2009	199292	2,050.00		
			TRAFFIC DATA COLLECTION SVCS	2,050.00
	Vendor Total	2,050.00		
FYTD for COUNTS UNLIMITED, INC.		2,050.00		
COUNTY OF RIVERSIDE - RMAP				
12/7/2009	199136	41.25		
			OCT-09 RECORDATION RQST	41.25
12/28/2009	199552	41.25		
			NOV-09 RECORDATION RQST-LAND D	41.25
	Vendor Total	82.50		
FYTD for COUNTY OF RIVERSIDE - RMAP		201.60		
CSDA-CA SPECIAL DISTRICTS ASSOCIATION				
12/14/2009	199293	776.00		
			MEMBERSHIP DUES	776.00
	Vendor Total	776.00		
FYTD for CSDA-CA SPECIAL DISTRICTS ASSOCIATION		776.00		
CTAI PACIFIC GREENSCAPE				
12/14/2009	199294	4,932.84		
			NOV-09 LNDSCP MAINT-DSG1W	4,897.13
			IRRIGATION REPAIRS-DSG1W	35.71
	Vendor Total	4,932.84		
FYTD for CTAI PACIFIC GREENSCAPE		32,108.15		



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CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH				
12/14/2009	199295	1,397.00		
			PERMIT RNWL-CITY YARD	219.00
			PERMIT RNWL-CITY YARD	219.00
			PERMIT RNWL-CITY YARD	219.00
			PERMIT RNWL-CITY YARD	219.00
			PERMIT RNWL-CITY YARD	219.00
			PERMIT RNWL-CITY YARD	219.00
			PERMIT RNWL-FA0001984	83.00
12/21/2009	199424	13,315.41		
			VECTOR CONTROL SVCS	13,315.41
Vendor Total		14,712.41		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		23,695.88		
D & D SERVICES DBA D & D DISPOSAL, INC.				
12/21/2009	199425	745.00		
			NOV-09 DISPOSAL SVCS	745.00
Vendor Total		745.00		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		4,620.00		
DALE, KATHLEEN				
12/7/2009	199138	315.49		
			RETIREE MEDICAL BENEFIT	315.49
Vendor Total		315.49		
FYTD for DALE, KATHLEEN		1,896.18		
DANG, THANH				
12/7/2009	199139	107.02		
			MV UTILITY REFUND	107.02
Vendor Total		107.02		
FYTD for DANG, THANH		107.02		
DATA TICKET, INC.				
12/7/2009	199140	6,302.95		
			OCT-09 CITATION PRCSNG	176.90
			OCT-09 CITATION PRCSNG	6,126.05
12/28/2009	199553	210.00		
			OCT-09 MAINT/SUPPORT	105.00
			NOV-09 MAINT/SUPPORT	105.00
Vendor Total		6,512.95		
FYTD for DATA TICKET, INC.		93,628.59		



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DAVID EVANS & ASSOCIATES, INC.				
12/7/2009	199141	8,173.52		
			SUNNYMD BLVD REVIT PROJ SVCS	8,173.52
12/28/2009	199554	732.67		
			SUNNYMD BLVD REVIT PROJ SVCS	732.67
	Vendor Total	8,906.19		
FYTD for DAVID EVANS & ASSOCIATES, INC.		17,932.59		
DAVIS, MOLLY B.				
12/28/2009	199555	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	20.00		
FYTD for DAVIS, MOLLY B.		20.00		
DEBINAIRE COMPANY				
12/21/2009	199426	443.70		
			BOILER SVC-ANML SVCS	110.00
			BOILER SVC-ANML SVCS	246.70
			BOILER SVC-CITY HALL	87.00
	Vendor Total	443.70		
FYTD for DEBINAIRE COMPANY		1,405.65		
DELTA DENTAL				
12/14/2009	199296	11,367.20		
			EMPLOYEE DENTAL INSURANCE	11,367.20
	Vendor Total	11,367.20		
FYTD for DELTA DENTAL		69,418.60		
DELTACARE USA				
12/14/2009	199297	6,879.32		
			EMPLOYEE DENTAL INSURANCE	6,879.32
	Vendor Total	6,879.32		
FYTD for DELTACARE USA		41,666.54		
DENNIS GRUBB & ASSOCIATES, LLC				
12/14/2009	199298	3,045.00		
			PLAN CHECK SVCS-FIRE PREV	3,045.00
	Vendor Total	3,045.00		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC		7,425.00		
DEONATI, EDITH				
12/14/2009	199299	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	20.00		
FYTD for DEONATI, EDITH		20.00		



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DEPARTMENT OF CONSUMER AFFAIRS				
12/7/2009	199142	125.00	LIC RNWL-VINCENT TRAN	125.00
Vendor Total		125.00		
FYTD for DEPARTMENT OF CONSUMER AFFAIRS		125.00		
DESIGN WORKS				
12/21/2009	199427	161.82	SPORTS UNIFORMS-PARKS	161.82
12/28/2009	199556	4,431.01	YTH SPORTS UNIFORMS	4,431.01
Vendor Total		4,592.83		
FYTD for DESIGN WORKS		7,827.68		
DIAMONDBACK FIRE & RESCUE, INC.				
12/14/2009	199300	46.80	MAINT AND REPAIR	46.80
12/28/2009	199557	215.00	REPAIR SVC-FS #58	215.00
Vendor Total		261.80		
FYTD for DIAMONDBACK FIRE & RESCUE, INC.		261.80		
DLS LANDSCAPE, INC				
12/7/2009	199143	12,390.00	NOV-09 LNDSCP MAINT-CFD #1	2,160.00
			NOV-09 LNDSCP MAINT-ZN A	10,230.00
12/28/2009	199558	12,390.00	DEC-09 LNDSCP MAINT-CFD #1	2,160.00
			DEC-09 LNDSCP MAINT-ZN A	10,230.00
Vendor Total		24,780.00		
FYTD for DLS LANDSCAPE, INC		74,340.00		
DMC DESIGN GROUP, INC				
12/14/2009	199301	285.86	HEACOCK ST-SAN MICHL TO CACTUS	285.86
Vendor Total		285.86		
FYTD for DMC DESIGN GROUP, INC		52,095.58		
DORY, ALLEEN F.				
12/7/2009	199144	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for DORY, ALLEEN F.		1,912.38		



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DRYAN, MARIE LISA				
12/28/2009	199559	300.00	TRAINING SVCS-PARKS	300.00
Vendor Total		300.00		
FYTD for DRYAN, MARIE LISA		300.00		
DUNN, LAURA				
12/14/2009	199302	168.00	INSTRUCTOR SVCS-MUSIC, MOVEMEN	168.00
Vendor Total		168.00		
FYTD for DUNN, LAURA		564.00		
DURAN, BLANCA				
12/7/2009	199145	273.00	INSTRUCTOR SVCS-FOLKLORIC	273.00
Vendor Total		273.00		
FYTD for DURAN, BLANCA		1,092.00		
E.R. BLOCK PLUMBING & HEATING, INC.				
12/14/2009	199303	145.60	BACKFLOW TESTING	36.40
			BACKFLOW TESTING	36.40
			BACKFLOW TESTING	36.40
			BACKFLOW TESTING	36.40
12/28/2009	199560	36.40	BACKFLOW TESTING-ZN S	36.40
Vendor Total		182.00		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.		15,196.84		



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EASTERN MUNICIPAL WATER DISTRICT				
12/7/2009	199146	5,943.09		
			WATER CHRGS FOR OCTOBER	953.92
			WATER CHRGS FOR NOVEMBER	2,884.46
			WATER CHRGS FOR NOVEMBER	1,646.65
			WATER CHRGS FOR NOVEMBER	458.06
12/28/2009	199561	10,560.00		
			RELOCATION OF SERVICES-HEACOCK	10,560.00
12/28/2009	199562	2,441.23		
			WATER CHRGS FOR NOVEMBER	79.75
			WATER CHRGS FOR NOVEMBER	58.79
			WATER CHRGS FOR NOVEMBER	796.90
			WATER CHRGS FOR NOVEMBER	415.11
			WATER CHRGS FOR NOVEMBER	562.85
			WATER CHRGS FOR NOVEMBER	137.80
			WATER CHRGS FOR NOVEMBER	131.50
			WATER CHRGS FOR NOVEMBER	226.03
			WATER CHRGS FOR NOVEMBER	32.50
Vendor Total		18,944.32		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		752,582.74		
EBERHART/UNITED CONSULTANTS, INC.				
12/14/2009	199305	327.50		
			KITCHING/EUCALYPTUS ST PROJ	327.50
Vendor Total		327.50		
FYTD for EBERHART/UNITED CONSULTANTS, INC.		18,849.25		
EDFUND				
12/7/2009	199147	424.32		
			GARNISHMENT	280.08
			GARNISHMENT	144.24
12/21/2009	199430	158.06		
			GARNISHMENT	158.06
Vendor Total		582.38		
FYTD for EDFUND		3,845.60		
EDGE LANE MOBILE PARK				
12/21/2009	199431	9.39		
			REFUND-UT USER TAXES	9.39
Vendor Total		9.39		
FYTD for EDGE LANE MOBILE PARK		50.67		



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EMPIRE SPORTS				
12/14/2009	199306	1,635.60	UNIFORMS-YTH SPORTS	1,635.60
Vendor Total		1,635.60		
FYTD for EMPIRE SPORTS		9,672.20		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
12/21/2009	199432	19,458.58	PERRIS BL 12K FEEDER IRIS-JFK	1,107.19
			GLOBE TO INDIAN 12KV CIRC TIE	1,733.60
			BAY ST BACKBONE W/O MOR BCH DR	146.68
			GOLDENCREST-ELSWORTH BACKBONE	842.09
			DEC-09 CBNT LS-GLOBE	6.47
			DEC-09 CBNT LS-GLOBE	1,243.53
			DEC-09 CBNT LS-CTTNWD	70.04
			DEC-09 CBNT LS-CTTNWD	1,179.96
			DEC-09 CBNT LS-FREDERICK	17.89
			DEC-09 CBNT LS-FREDERICK	1,232.11
			DEC-09 CBNT LS-INDIAN	103.57
			DEC-09 CBNT LS-INDIAN	1,146.43
			DEC-09 CBNT LS-IRIS	119.98
			DEC-09 CBNT LS-IRIS	1,130.02
			NOV-09 SVCS-GIS CONV	102.67
			NOV-09 SVCS-HIGHLAND FRVW	1,137.93
			NOV-09 SVCS-IRIS/PERRIS	36.59
			NOV-09 SVCS-RANCHO DORADO	183.43
			CACTUS/LASSELLE 12KV CIRC TIE	4,511.01
			CACTUS/LASSELLE 12KV CIRC TIE	3,407.39
12/28/2009	199563	419.00	TEMP METER FEES	419.00
Vendor Total		19,877.58		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		1,168,338.35		
ESKEL/PORTER CONSULTING, INC.				
12/28/2009	199564	885.00	CRM CONSULTING SVCS	165.00
			CRM CONSULTING SVCS	540.00
			CRM CONSULTING SVCS	180.00
Vendor Total		885.00		
FYTD for ESKEL/PORTER CONSULTING, INC.		8,145.00		
EVANS ENGRAVING & AWARDS				
12/14/2009	199307	30.45	ENGRAVING SVCS-PLAQUE	30.45
12/28/2009	199565	30.45	PLAQUE ENGRAVING SVCS	30.45
Vendor Total		60.90		
FYTD for EVANS ENGRAVING & AWARDS		1,249.58		



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EWING IRRIGATION PRODUCTS, INC.				
12/14/2009	199308	18.90		
			IRRIGATION SUPPLIES	18.90
12/28/2009	199566	370.87		
			IRRIGATION SUPPLIES	370.87
Vendor Total		389.77		
FYTD for EWING IRRIGATION PRODUCTS, INC.		12,284.16		
EXCEL LANDSCAPE, INC				
12/14/2009	199309	7,350.07		
			NOV-09 LNDSCP MAINT-E14	3,461.07
			NOV-09 LNDSCP MAINT-WQF	3,889.00
12/21/2009	199433	5,239.15		
			NOV-09 LNDSCP MAINT-E7	2,666.81
			NOV-09 LNDSCP MAINT-CELEB PARK	1,070.36
			NOV-09 LNDSCP MAINT-PROM PARK	1,501.98
12/28/2009	199567	80.59		
			LANDSCAPE MAINT	80.59
Vendor Total		12,669.81		
FYTD for EXCEL LANDSCAPE, INC		154,706.50		
FAMILY SERVICE ASSOCIATION				
12/21/2009	199434	725.00		
			REFUND-RNTL DEP 12/4	725.00
Vendor Total		725.00		
FYTD for FAMILY SERVICE ASSOCIATION		25,725.00		
FATHIZADEH, MOHAMMAD ALI				
12/7/2009	199148	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for FATHIZADEH, MOHAMMAD ALI		20.00		
FEENSTRA, JOHN				
12/7/2009	199149	361.25		
			RETIREE MEDICAL BENEFIT	361.25
Vendor Total		361.25		
FYTD for FEENSTRA, JOHN		2,167.50		



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FIRST CHOICE SERVICES				
12/7/2009	199150	42.87	EMP PAID COFFEE SVCS-CRC	42.87
12/21/2009	199435	29.38	EMP PAID COFFEE SVCS	29.38
12/28/2009	199568	58.76	EMP PAID COFFEE SVC-SPCL DIST	58.76
Vendor Total		131.01		
FYTD for FIRST CHOICE SERVICES		4,698.57		
FITNESS 19 CA 155 11C				
12/21/2009	199436	304.00	GYM MEMBERSHIP	304.00
Vendor Total		304.00		
FYTD for FITNESS 19 CA 155 11C		1,815.00		
FRANCHISE TAX BOARD				
12/7/2009	199151	50.00	GARNISHMENT	50.00
12/7/2009	199152	52.86	GARNISHMENT	52.86
12/21/2009	199437	521.29	GARNISHMENT	471.29
			GARNISHMENT	50.00
12/21/2009	199438	205.00	WITHHOLDING ORDER PMT	205.00
Vendor Total		829.15		
FYTD for FRANCHISE TAX BOARD		2,698.24		
FRANKLIN, L. C.				
12/14/2009	199310	147.95	MILEAGE REIMBURSEMENT	147.95
Vendor Total		147.95		
FYTD for FRANKLIN, L. C.		738.10		
FROST, JOAN CHENG				
12/21/2009	199439	228.00	INSTRUCTION SVCS-6 DAYS	228.00
Vendor Total		228.00		
FYTD for FROST, JOAN CHENG		380.00		



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FULLER, NORMA DENISE				
12/21/2009	199440	140.40		
			CONSULTING SVCS	140.40
Vendor Total		140.40		
FYTD for FULLER, NORMA DENISE		3,675.10		
GALLS INC., INLAND UNIFORM				
12/7/2009	199153	153.71		
			UNIFORM-PD VOLUNTEER	153.71
12/14/2009	199311	47.83		
			UNIFORM-SECURITY GUARD	47.83
Vendor Total		201.54		
FYTD for GALLS INC., INLAND UNIFORM		4,060.40		
GASTON, RICHARD				
12/7/2009	199154	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for GASTON, RICHARD		1,912.38		
GENERAL SECURITY SERVICES, INC.				
12/7/2009	199155	1,081.47		
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-TWNGTE	145.73
			SECURITY SVCS-CRC	322.14
12/14/2009	199312	2,116.92		
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	705.64
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	368.16
			SECURITY SVCS-CRC	368.16
12/21/2009	199441	506.22		
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-UTILITIES	122.72
			SECURITY SVCS-TWNGTE	76.70
12/28/2009	199569	299.13		
			SECURITY SVCS-UTILITY ANNX	153.40
			SECURITY SVCS-CRC	145.73
Vendor Total		4,003.74		
FYTD for GENERAL SECURITY SERVICES, INC.		29,985.96		



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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
12/21/2009	199442	9,815.48		
			OCT-09 LEGAL SVCS	4,272.09
			OCT-09 LEGAL SVCS	5,543.39
Vendor Total		9,815.48		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		98,939.92		
GILES, GREG				
12/7/2009	199156	1,445.00		
			AUDITING SVCS NOV19-DEC2	1,445.00
12/14/2009	199313	1,105.00		
			AUDITING SVCS DEC3-9	1,105.00
Vendor Total		2,550.00		
FYTD for GILES, GREG		15,342.50		
GODFREY, ELIZABETH				
12/7/2009	199157	200.00		
			REFUND-TWNGTE DEP 11/6	200.00
Vendor Total		200.00		
FYTD for GODFREY, ELIZABETH		200.00		
GONG ENTERPRISES, INC.				
12/14/2009	199314	600.00		
			PLAN CHECK SVCS-TR 32505	600.00
12/21/2009	199443	1,774.50		
			PLAN CHECK SVCS-PM 35262	1,774.50
Vendor Total		2,374.50		
FYTD for GONG ENTERPRISES, INC.		3,564.50		
GONZALEZ, PABLO				
12/7/2009	199158	250.00		
			REFUND-SENIOR CTR DEP	250.00
Vendor Total		250.00		
FYTD for GONZALEZ, PABLO		250.00		
GORM INC.				
12/14/2009	199315	4,291.37		
			JANITORIAL SUPPLIES-PARKS	2,534.11
			JANITORIAL SUPPLIES-PARKS	1,585.38
			JANITORIAL SUPPLIES-PARKS	171.88
12/28/2009	199571	311.95		
			JANITORIAL SUPPLIES	311.95
Vendor Total		4,603.32		
FYTD for GORM INC.		6,357.04		



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GOZDECKI, DAN				
12/14/2009	199316	783.00		
			INSTRUCTOR SVCS-KUNG FU	486.00
			INSTRUCTOR SVCS-KUNG FU	297.00
Vendor Total		783.00		
FYTD for GOZDECKI, DAN		3,834.00		
GRANICUS, INC.				
12/28/2009	199572	1,395.22		
			DEC-09 MANAGED SVCS	1,350.00
			DEC-09 MANAGED SVCS	45.22
Vendor Total		1,395.22		
FYTD for GRANICUS, INC.		8,371.32		
GREEN, KEN				
12/14/2009	199317	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for GREEN, KEN		20.00		
GREINES, MARTIN, STEIN & RICHLAND, LLP				
12/14/2009	199318	3,825.03		
			LEGAL SVCS-RISK MGT	3,187.86
			LEGAL SVCS-RISK MGT	637.17
Vendor Total		3,825.03		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP		21,200.09		
GUIDA SURVEYING, INC.				
12/21/2009	199444	11,047.00		
			ALESSANDRO BLVD IMPRVMENTS PROJ	11,047.00
Vendor Total		11,047.00		
FYTD for GUIDA SURVEYING, INC.		45,738.20		
GUILLIS, LINDA B.				
12/7/2009	199159	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for GUILLIS, LINDA B.		1,912.38		
GUZMAN'S CART SERVICE				
12/14/2009	199319	4,049.00		
			NOV-09 CART RTRVL SVC	4,049.00
Vendor Total		4,049.00		
FYTD for GUZMAN'S CART SERVICE		24,294.00		



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HAISTY, XIU HUA				
12/14/2009	199320	60.00	INSTRUCTOR SVCS-TAI CHI	60.00
Vendor Total		60.00		
FYTD for HAISTY, XIU HUA		360.00		
HAMBURG, IRENE				
12/7/2009	199160	1,228.92	RETIREE MEDICAL BENEFIT	1,228.92
Vendor Total		1,228.92		
FYTD for HAMBURG, IRENE		2,692.59		
HAMLIN, MIKE				
12/7/2009	199161	94.00	REFUND-TIME FOR TOTS FEE	47.00
			REFUND-TIME FOR TOTS FEE	47.00
Vendor Total		94.00		
FYTD for HAMLIN, MIKE		94.00		
HAMLIN, WILLIAM R.				
12/7/2009	199162	315.49	RETIREE MEDICAL BENEFIT	315.49
Vendor Total		315.49		
FYTD for HAMLIN, WILLIAM R.		1,975.68		
HANES, MARTIN D.				
12/7/2009	199163	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HANES, MARTIN D.		1,912.38		
HANSON, GEORGE				
12/21/2009	199445	57.27	MILEAGE-CMUA UTIL MGRS SUMMIT	57.27
Vendor Total		57.27		
FYTD for HANSON, GEORGE		57.27		
HARDING, JOHN S.				
12/7/2009	199164	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HARDING, JOHN S.		1,912.38		



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HARRIS & ASSOCIATES, INC.				
12/21/2009	199446	5,469.12	SUNNYMD BLVD REVIT PROJ SVCS	5,469.12
Vendor Total		5,469.12		
FYTD for HARRIS & ASSOCIATES, INC.		209,155.52		
HARRIS, SCOTT				
12/28/2009	199573	576.00	INSTRUCTOR SVCS-TENNIS	144.00
			INSTRUCTOR SVCS-TENNIS	240.00
			INSTRUCTOR SVCS-TENNIS	192.00
Vendor Total		576.00		
FYTD for HARRIS, SCOTT		2,016.00		
HAUSER, ADRIANA				
12/21/2009	199447	570.00	INSTRUCTION SVCS-15 DAYS	570.00
Vendor Total		570.00		
FYTD for HAUSER, ADRIANA		646.00		
HEERY INTERNATIONAL, INC.				
12/7/2009	199165	21,584.00	NEW MAIN LIBRARY PROJ SVCS	21,584.00
Vendor Total		21,584.00		
FYTD for HEERY INTERNATIONAL, INC.		149,330.50		
HERRICK, ROBERT D.				
12/7/2009	199166	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HERRICK, ROBERT D.		1,912.38		
HETHERMAN, ANTHONY CHRISTOPHER				
12/28/2009	199574	56.65	MILEAGE REIMBURSEMENT	56.65
Vendor Total		56.65		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER		74.80		
HICKS, BRITNI				
12/21/2009	199448	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for HICKS, BRITNI		75.00		



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HIGGS, DEBRA				
12/14/2009	199322	180.00	INSTRUCTOR SVCS-OIL PAINTING	180.00
Vendor Total		180.00		
FYTD for HIGGS, DEBRA		612.00		
HODGES, PROSPERITY				
12/7/2009	199167	178.00	REFUND-PERMIT FEE	178.00
Vendor Total		178.00		
FYTD for HODGES, PROSPERITY		178.00		
HOLTZ, GLORIA				
12/14/2009	199323	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for HOLTZ, GLORIA		20.00		
HOME DEPOT				
12/28/2009	199575	200.00	REFUND-RNTL DEP 12/13	200.00
Vendor Total		200.00		
FYTD for HOME DEPOT		200.00		
HOME SAFE ENVIRONMENTAL, INC.				
12/14/2009	199324	350.00	LEAD PAINT INSPECTION	350.00
12/21/2009	199449	3,250.00	LEAD BASED PAINT TESTING SVCS	1,150.00
			LEAD BASED PAINT TESTING SVCS	2,100.00
Vendor Total		3,600.00		
FYTD for HOME SAFE ENVIRONMENTAL, INC.		3,600.00		
HOSSEIN ZAND ASSOCIATES				
12/7/2009	199168	760.00	STRUCTURAL PLANS-LIBRARY	750.00
			STRUCTURAL PLANS-LIBRARY	10.00
Vendor Total		760.00		
FYTD for HOSSEIN ZAND ASSOCIATES		760.00		
HOUSER, EDITH E.				
12/7/2009	199169	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for HOUSER, EDITH E.		1,912.38		



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IAC ENGINEERING, INC.				
12/14/2009	199325	4,895.41	PUB SFTY BLDG PARKING LOT PROJ	4,895.41
Vendor Total		4,895.41		
FYTD for IAC ENGINEERING, INC.		16,936.94		
ICMA RETIREMENT CORP 457				
12/4/2009	2538	10,910.58	DEF COMP 457 12/04/09	10,910.58
12/18/2009	2546	18,410.58	DEF COMP 457 12/18/09	18,410.58
12/31/2009	2556	7,750.00	DEF COMP 457 12/31/09	7,750.00
Vendor Total		37,071.16		
FYTD for ICMA RETIREMENT CORP 457		149,218.49		
ING USA ANNUITY & LIFE INSURANCE CO.				
12/7/2009	199170	475.00	NON-EXEMPT ANNUITY	475.00
Vendor Total		475.00		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		2,850.00		
INLAND AUDIO VISUAL				
12/14/2009	199326	615.00	SPELLING BEE AUDIO SET UP-ASES	820.00
			FTB WITHHOLDING ORDER	-205.00
Vendor Total		615.00		
FYTD for INLAND AUDIO VISUAL		615.00		
INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST				
12/7/2009	199171	286.00	NUISANCE ABTMNT-CODE	286.00
12/28/2009	199576	665.00	NUISANCE ABTMNT-478350003	432.00
			NUISANCE ABTMNT-487270009	233.00
Vendor Total		951.00		
FYTD for INLAND CONTRACTORS, INC./DBA:ENVIRO-TEST		6,213.06		



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INLAND EMPIRE PROPERTY SERVICE, INC				
12/7/2009	199172	1,353.00		
			NUISANCE ABTMNT-479641009	252.00
			NUISANCE ABTMNT-12800 FOX DALE	1,101.00
12/21/2009	199450	301.00		
			WEED ABTMNT SVC-291321018	158.00
			WEED ABTMNT SVC-486084001	143.00
12/28/2009	199577	425.00		
			NUISANCE ABTMNT-479413022	139.00
			WEED ABTMNT SVC-MRRSN PARK	286.00
Vendor Total		2,079.00		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		72,018.90		
INSIDE PLANTS, INC.				
12/14/2009	199327	316.00		
			DEC-09 PLANT MAINT-CRC	316.00
Vendor Total		316.00		
FYTD for INSIDE PLANTS, INC.		1,896.00		
IRON MOUNTAIN OFF-SITE DATA PROTECTION				
12/7/2009	199173	1,010.41		
			NOV-09 OFFSITE STORAGE	1,010.41
12/28/2009	199578	890.31		
			NOV-09 DATA STORAGE	890.31
Vendor Total		1,900.72		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		7,675.36		
ISS SWEEPING, INC.				
12/21/2009	199451	900.00		
			OCT-09 SWEEPING SVCS	181.60
			OCT-09 SWEEPING SVCS	718.40
Vendor Total		900.00		
FYTD for ISS SWEEPING, INC.		12,221.90		
IT'S A GRIND				
12/21/2009	199452	139.90		
			5 GALLON CAMBRO-25TH CELEB	139.90
Vendor Total		139.90		
FYTD for IT'S A GRIND		139.90		
JANNEY & JANNEY ATTORNEY SVCS, INC.				
12/14/2009	199328	150.00		
			DEC-09 SVC RETAINER	150.00
Vendor Total		150.00		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		1,245.00		



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JOE A. GONSALVES & SON				
12/21/2009	199453	3,150.00	DEC-09 LEGIST. SVCS	3,150.00
Vendor Total		3,150.00		
FYTD for JOE A. GONSALVES & SON		18,900.00		
JONES, NORMAN				
12/21/2009	199454	75.00	INSTRUCTOR SVC-CPR	75.00
Vendor Total		75.00		
FYTD for JONES, NORMAN		75.00		
JONES, SUSAN				
12/7/2009	199174	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for JONES, SUSAN		1,912.38		
KDM MERIDIAN, INC.				
12/21/2009	199455	800.00	LEGAL DSCRPTN/PLAT 485-220-017	800.00
Vendor Total		800.00		
FYTD for KDM MERIDIAN, INC.		56,030.00		
KEPLER, JANELLE				
12/14/2009	199329	39.60	MILEAGE REIMBURSEMENT	39.60
Vendor Total		39.60		
FYTD for KEPLER, JANELLE		112.20		
KERENYI, JOHN				
12/14/2009	199330	6.00	GREENBOOK SEMINAR-RIVERSIDE	6.00
Vendor Total		6.00		
FYTD for KERENYI, JOHN		6.00		
KINGDOM CHRISTIAN FELLOWSHIP				
12/28/2009	199579	200.00	REFUND-RNTL DEP 12/12	200.00
Vendor Total		200.00		
FYTD for KINGDOM CHRISTIAN FELLOWSHIP		200.00		



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KOLB, CHARLES E.				
12/7/2009	199175	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for KOLB, CHARLES E.		1,912.38		
KURIANSKI, CARRIE				
12/7/2009	199176	95.00	REFUND-RABIES DEP	20.00
			REFUND-S/N DEP FEE	75.00
Vendor Total		95.00		
FYTD for KURIANSKI, CARRIE		95.00		
LAFATA, JOSEPHINE				
12/7/2009	199177	315.49	RETIREE MEDICAL BENEFIT	315.49
Vendor Total		315.49		
FYTD for LAFATA, JOSEPHINE		1,896.18		
LANG, TRACEY				
12/21/2009	199456	114.00	INSTRUCTION SVCS-3 DAYS	114.00
Vendor Total		114.00		
FYTD for LANG, TRACEY		190.00		
LANGENDORF, BENJAMIN				
12/7/2009	199178	637.46	RETIREE MEDICAL BENEFIT	637.46
Vendor Total		637.46		
FYTD for LANGENDORF, BENJAMIN		1,912.38		
LAWYERS TITLE INC				
12/21/2009	199457	450.00	PRELIM TITLE RPT-#11755763	450.00
Vendor Total		450.00		
FYTD for LAWYERS TITLE INC		1,850.00		
LEIGHTON CONSULTING, INC.				
12/14/2009	199331	15,239.00	LASSELLE ST WIDENING PROJ	15,239.00
Vendor Total		15,239.00		
FYTD for LEIGHTON CONSULTING, INC.		48,910.14		



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LEWIS, CAROLYN S.				
12/7/2009	199179	315.49	RETIREE MEDICAL BENEFIT	315.49
Vendor Total		315.49		
FYTD for LEWIS, CAROLYN S.		1,892.94		
LEXISNEXIS				
12/28/2009	199580	1,480.00	NOV-09 ONLINE LGL SVCS	1,191.14
			NOV-09 ONLINE LGL SVCS	288.86
Vendor Total		1,480.00		
FYTD for LEXISNEXIS		9,275.00		
LIDDELL, TYRONE				
12/28/2009	199581	750.00	REFUND-RNTL DEP 12/12	750.00
Vendor Total		750.00		
FYTD for LIDDELL, TYRONE		750.00		
LIDDLE, CHRISTINE				
12/28/2009	199582	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for LIDDLE, CHRISTINE		75.00		
LIM & NASCIMENTO ENGINEERING CORP.				
12/7/2009	199180	1,770.90	IRONWOOD AVE ST IMPRVMENTS PROJ	1,770.90
Vendor Total		1,770.90		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		366,105.80		
LOPEZ, EDWARD				
12/7/2009	199181	146.95	REFUND-JAN TO MAY 2010 PREMIUM	106.05
			REFUND-JAN TO MAY 2010 PREMIUM	40.90
Vendor Total		146.95		
FYTD for LOPEZ, EDWARD		146.95		
LOR GEOTECHNICAL GROUP, INC.				
12/14/2009	199332	3,718.00	SUNNYMD BLVD REVIT PROJ SVCS	3,218.00
			SHEILA ST SIDEWLK & PARK PROJS	500.00
Vendor Total		3,718.00		
FYTD for LOR GEOTECHNICAL GROUP, INC.		43,293.00		



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LUMLEY, ROBERT C.				
12/7/2009	199182	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for LUMLEY, ROBERT C.		1,912.38		
LUTHERAN SOCIAL SERVICES OF SO. CALI F.				
12/30/2009	199635	10,000.00	HPRP-SEC DEPOSITS SVCS	8,000.00
			HPRP-UTILITY ASSIST SVCS	2,000.00
Vendor Total		10,000.00		
FYTD for LUTHERAN SOCIAL SERVICES OF SO. CALI F.		15,002.00		
MACDONALD, AMY				
12/14/2009	199333	50.00	REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for MACDONALD, AMY		50.00		
MACH, LAM PHEONG				
12/7/2009	199183	65.00	REFUND-GUITAR CLASS REGIST	65.00
Vendor Total		65.00		
FYTD for MACH, LAM PHEONG		65.00		
MAKE A WISH FOUNDATION				
12/21/2009	199458	200.00	REFUND-RNTL DEP 11/27	200.00
Vendor Total		200.00		
FYTD for MAKE A WISH FOUNDATION		200.00		
MARCH FIELD MUSEUM				
12/21/2009	199459	45.00	TCKTS:STEWART/HASTINGS/FLICKIN	15.00
			TCKTS:STEWART/HASTINGS/FLICKIN	15.00
			TCKTS:STEWART/HASTINGS/FLICKIN	15.00
Vendor Total		45.00		
FYTD for MARCH FIELD MUSEUM		45.00		



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MARCH JOINT POWERS AUTHORITY				
12/14/2009	199334	2.82		
			OCT-09 GAS CHRGS-MARCH FLD	2.30
			OCT-09 GAS CHRGS-MARCH FLD	0.52
12/28/2009	199583	5.93		
			NOV-09 GAS CHRGS	4.84
			NOV-09 GAS CHRGS	1.09
Vendor Total		8.75		
FYTD for MARCH JOINT POWERS AUTHORITY		28.37		
MARCH JPA				
12/7/2009	199184	750.00		
			REFUND-CRC DEP 11/18	750.00
Vendor Total		750.00		
FYTD for MARCH JPA		750.00		
MARKEL, GARETT				
12/14/2009	199335	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for MARKEL, GARETT		20.00		
MASTER K-9 INC.				
12/21/2009	199460	60.00		
			BOARDING SVCS-K9 MAX	60.00
Vendor Total		60.00		
FYTD for MASTER K-9 INC.		340.00		
MATHIS, NOLAN				
12/7/2009	199185	288.60		
			RETIREE MEDICAL BENEFIT	288.60
Vendor Total		288.60		
FYTD for MATHIS, NOLAN		1,731.60		
MATTEI, STEPHANIE				
12/21/2009	199461	20.00		
			REFUND-CLASS REGIST	20.00
Vendor Total		20.00		
FYTD for MATTEI, STEPHANIE		20.00		
MAXINOSKI, SUE A.				
12/7/2009	199186	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for MAXINOSKI, SUE A.		1,912.38		



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MCANDREWS, ANDREA				
12/14/2009	199336	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for MCANDREWS, ANDREA		75.00		
MCCAIN TRAFFIC SUPPLY				
12/28/2009	199584	234.90	STREET SIGN	234.90
Vendor Total		234.90		
FYTD for MCCAIN TRAFFIC SUPPLY		234.90		
MCCARTHY & BERLIN, LLP				
12/7/2009	199187	1,146.85	OCT-09 LEGAL SVCS-UTILITIES	1,146.85
Vendor Total		1,146.85		
FYTD for MCCARTHY & BERLIN, LLP		25,994.93		
MCCONVILLE, AUTUMN				
12/21/2009	199462	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for MCCONVILLE, AUTUMN		75.00		
MCDONOUGH, HOLLAND & ALLEN				
12/21/2009	199463	239.58	OCT-09 LEGAL SVCS	239.58
Vendor Total		239.58		
FYTD for MCDONOUGH, HOLLAND & ALLEN		69,006.77		
MCI				
12/7/2009	199188	1,182.44	INTERNET CONNECTION SVC	1,182.44
12/28/2009	199585	1,182.44	INTERNET CONNECTION SVC	1,182.44
Vendor Total		2,364.88		
FYTD for MCI		8,584.58		
MCI WORLDCOM				
12/28/2009	199586	915.85	DATA SVCS	915.85
Vendor Total		915.85		
FYTD for MCI WORLDCOM		6,077.08		



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MELAD & ASSOCIATES				
12/21/2009	199464	2,110.24	NOV-09 PLAN CHECK SVCS	2,110.24
Vendor Total		2,110.24		
FYTD for MELAD & ASSOCIATES		27,732.99		
MENGISTU, YESHIALEM				
12/21/2009	199465	89.10	MILEAGE REIMBURSEMENT	89.10
Vendor Total		89.10		
FYTD for MENGISTU, YESHIALEM		562.10		
METZ, RANDALL				
12/21/2009	199466	20.00	FPO MONTHLY MTG	20.00
Vendor Total		20.00		
FYTD for METZ, RANDALL		80.00		
MEYERS, ROBERT				
12/21/2009	199467	399.00	INSTRUCTOR SVCS-DRAWING	147.00
			INSTRUCTOR SVCS-PHOTO	219.00
			INSTRUCTOR SVCS-PHOTO	33.00
Vendor Total		399.00		
FYTD for MEYERS, ROBERT		1,533.00		
MILES, ROBERT				
12/7/2009	199189	240.44	RETIREE MEDICAL BENEFIT	240.44
Vendor Total		240.44		
FYTD for MILES, ROBERT		1,442.64		
MILLARES, FABIOLA				
12/7/2009	199190	300.00	REFUND-SENIOR CTR DEP	300.00
Vendor Total		300.00		
FYTD for MILLARES, FABIOLA		300.00		
MILLER, CINDY A.				
12/14/2009	199337	70.99	SUPPLIES FOR 25TH CITY CELEBRA	70.99
Vendor Total		70.99		
FYTD for MILLER, CINDY A.		1,222.78		



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MINARD, MARK E.				
12/7/2009	199191	287.02	RETIREE MEDICAL BENEFIT	287.02
Vendor Total		287.02		
FYTD for MINARD, MARK E.		1,753.83		
MONROY, JUAN ANTONIO				
12/21/2009	199468	20.00	REFUND-CLASS REGIST	20.00
Vendor Total		20.00		
FYTD for MONROY, JUAN ANTONIO		20.00		
MONTOYA-MOLINA, LORENA				
12/7/2009	199192	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for MONTOYA-MOLINA, LORENA		20.00		
MOOSEPOINT TECHNOLOGY, INC.				
12/28/2009	199587	2,880.00	STREET SWEEP MODULE	2,880.00
Vendor Total		2,880.00		
FYTD for MOOSEPOINT TECHNOLOGY, INC.		15,142.50		
MORA, PATRICIA A.				
12/7/2009	199193	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for MORA, PATRICIA A.		1,912.38		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				
12/28/2009	199588	1,375.00	BUSINESS SVCS-3RD INSTALLMENT	1,375.00
Vendor Total		1,375.00		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE		4,125.00		



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MUSCO SPORTS LIGHTING, LLC				
12/14/2009	199339	1,200.00	EMERG REMOTE EQUIP LIGHTING	1,200.00
Vendor Total		1,200.00		
FYTD for MUSCO SPORTS LIGHTING, LLC		1,200.00		
NARA, LOWELON				
12/14/2009	199340	90.20	MILEAGE REIMBURSEMENT	90.20
Vendor Total		90.20		
FYTD for NARA, LOWELON		178.20		
NARANJO, OFELIA				
12/7/2009	199195	3,039.94	SETTLEMENT	3,039.94
Vendor Total		3,039.94		
FYTD for NARANJO, OFELIA		3,039.94		
NATIONWIDE RETIREMENT SOLUTIONS				
12/4/2009	2536	24,177.99	DEF COMP 457 & 401(A) 12/04/09	24,177.99
12/18/2009	2544	21,805.25	DEF COMP 457 & 401(A) 12/18/09	21,805.25
12/4/2009	2535	7,127.93	PST DEF COMP FOR FICA 12/04/09	7,127.93
12/18/2009	2543	10,333.16	PST DEF COMP FOR FICA 12/18/09	10,333.16
12/31/2009	2553	7,313.43	PST DEF COMP FOR FICA 12/31/09	7,313.43
Vendor Total		70,757.76		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		420,017.17		
NELSON, JULIE				
12/7/2009	199196	75.00	REFUND-S/N DEP FEE	75.00
Vendor Total		75.00		
FYTD for NELSON, JULIE		75.00		
NELSON, RUTH L.				
12/7/2009	199197	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for NELSON, RUTH L.		1,912.38		



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NEUSTAEDTER, CRAIG S				
12/7/2009	199198	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for NEUSTAEDTER, CRAIG S		1,912.38		
NEW HORIZON MOBILE HOME PARK				
12/21/2009	199472	5.82	REFUND-UT USER TAXES	5.82
Vendor Total		5.82		
FYTD for NEW HORIZON MOBILE HOME PARK		47.09		
NEWREAL, INC.				
12/28/2009	199589	97.60	REFUND-PERMIT FEE	97.60
Vendor Total		97.60		
FYTD for NEWREAL, INC.		97.60		
NIEBURGER, JUDITH A.				
12/7/2009	199199	401.42	RETIREE MEDICAL BENEFIT	401.42
Vendor Total		401.42		
FYTD for NIEBURGER, JUDITH A.		2,408.52		
ORACLE USA, INC.				
12/28/2009	199590	22,459.82	SOFTWARE LIC UPDATE/SUPPORT	22,459.82
Vendor Total		22,459.82		
FYTD for ORACLE USA, INC.		67,118.90		
OUTDOOR DESIGN STUDIO, LLC 2409820				
12/7/2009	199200	2,600.87	PATRIOT PARK SIGN W/HARDWARE	2,391.60
			CA SALES TAX	209.27
Vendor Total		2,600.87		
FYTD for OUTDOOR DESIGN STUDIO, LLC 2409820		2,600.87		
OWKOR, ANGEL				
12/7/2009	199201	65.00	REFUND-TIME FOR TOTS FEE	65.00
Vendor Total		65.00		
FYTD for OWKOR, ANGEL		65.00		



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OYAKHILOME, JOSHUA				
12/7/2009	199202	100.00		
			REFUND-CRC DEP 11/6-7	100.00
Vendor Total		100.00		
FYTD for OYAKHILOME, JOSHUA		100.00		
PACIFIC GREEN HORTICULTURAL SVC				
12/28/2009	199592	130.00		
			TURF FERTILIZATION-E14	130.00
Vendor Total		130.00		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		6,576.97		
PACIFIC TELEMAGEMENT SERVICES				
12/21/2009	199473	513.64		
			PAYPHONE CHRGS	513.64
Vendor Total		513.64		
FYTD for PACIFIC TELEMAGEMENT SERVICES		513.64		
PARHAM, ALEX				
12/7/2009	199204	77.00		
			REFUND-DOG TRNG CLASS	77.00
Vendor Total		77.00		
FYTD for PARHAM, ALEX		77.00		
PATTERSON, ALFREY				
12/7/2009	199206	203.66		
			RETIREE MEDICAL BENEFIT	203.66
Vendor Total		203.66		
FYTD for PATTERSON, ALFREY		1,333.79		
PAYAN, BLANCA				
12/21/2009	199474	115.00		
			REFUND-RNTL DEP 11/28	115.00
Vendor Total		115.00		
FYTD for PAYAN, BLANCA		115.00		



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PBS & J				
12/14/2009	199341	1,337.00		
			PARCEL MAP REVIEW SVC-LAND DEV	466.00
			PARCEL MAP REVIEW SVC-LAND DEV	210.00
			PARCEL MAP REVIEW SVC-NPDES	661.00
12/21/2009	199475	12.10		
			PLAN CK SVCS-PM 33152-1	12.10
12/28/2009	199593	6,552.00		
			PROF CONSULTING SVCS	2,039.00
			PROF CONSULTING SVCS	4,513.00
Vendor Total		7,901.10		
FYTD for PBS & J		29,619.57		
PEDLEY SQUARE VETERINARY CLINIC				
12/14/2009	199342	7,914.25		
			EMERG & VET SVCS	7,914.25
Vendor Total		7,914.25		
FYTD for PEDLEY SQUARE VETERINARY CLINIC		44,506.25		
PERRIS VALLEY PRINTING CO.				
12/14/2009	199343	6,999.89		
			PARENT FORMS-ASES	6,999.89
Vendor Total		6,999.89		
FYTD for PERRIS VALLEY PRINTING CO.		7,345.72		
PERRY R. SECOR, M.D.				
12/14/2009	199344	1,800.00		
			PROF SVCS-MED REVIEW	1,800.00
Vendor Total		1,800.00		
FYTD for PERRY R. SECOR, M.D.		3,775.00		
PERRY, NORMA				
12/7/2009	199207	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for PERRY, NORMA		1,912.38		



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PERS LONG TERM CARE PROGRAM				
12/7/2009	199208	551.37		
			LONG TERM CARE INSURANCE	551.37
12/21/2009	199476	551.37		
			LONG TERM CARE INSURANCE	551.37
12/28/2009	199594	117.50		
			LONG TERM CARE INSURANCE	117.50
Vendor Total		1,220.24		
FYTD for PERS LONG TERM CARE PROGRAM		7,382.70		
PERVO PAINT CO.				
12/28/2009	199595	126.59		
			PAINT SUPPLIES	126.59
Vendor Total		126.59		
FYTD for PERVO PAINT CO.		37,092.95		
PITNEY BOWES				
12/28/2009	199596	257.74		
			JAN-MAR POSTAGE MTR RNTL	192.00
			JAN-MAR POSTAGE MTR RNTL	45.00
			JAN-MAR POSTAGE MTR RNTL	20.74
Vendor Total		257.74		
FYTD for PITNEY BOWES		773.22		
POIEMA LANDSCAPE, INC.				
12/14/2009	199345	250.00		
			LANDSCAPE SVC-ZN S	250.00
12/28/2009	199597	2,889.10		
			NOV-09 LNDSCP MAINT-ZN S	758.00
			NOV-09 LNDSCP MAINT-E12	2,131.10
Vendor Total		3,139.10		
FYTD for POIEMA LANDSCAPE, INC.		17,563.50		
POOLE, MARVA				
12/28/2009	199598	80.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
Vendor Total		80.00		
FYTD for POOLE, MARVA		80.00		



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PRESS ENTERPRISE				
12/14/2009	199346	35.00	REFUND-OVERPAYMENT	35.00
Vendor Total		35.00		
FYTD for PRESS ENTERPRISE		2,877.00		
PRICE, GEORGE E.				
12/7/2009	199209	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for PRICE, GEORGE E.		1,912.38		
PROSPERITY HODGES				
12/21/2009	199478	142.00	REFUND-INSPECT FEES	142.00
Vendor Total		142.00		
FYTD for PROSPERITY HODGES		142.00		
PROTECTION ONE, INC.				
12/14/2009	199348	40.00	DEC-09 SECURITY MNTRNG-MTV	20.00
			DEC-09 SECURITY MNTRNG-MTV	20.00
Vendor Total		40.00		
FYTD for PROTECTION ONE, INC.		240.00		
PSOMAS				
12/7/2009	199210	4,340.21	LASSELLE ST WIDENING PROJ	4,340.21
12/14/2009	199349	5,330.00	LASSELLE ST WIDENING PROJ	5,330.00
12/21/2009	199479	1,980.00	2009 ANNL PAVEMNT RESURF PROJ	1,980.00
Vendor Total		11,650.21		
FYTD for PSOMAS		110,127.99		
PULLIAM, TRENT D.				
12/7/2009	199211	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for PULLIAM, TRENT D.		1,912.38		



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PURDOM, REGINA				
12/7/2009	199212	40.00		
			REFUND-JR BSKTBL FEE	10.00
			REFUND-JR BSKTBL FEE	30.00
Vendor Total		40.00		
FYTD for PURDOM, REGINA		40.00		
PW ENHANCEMENT CENTER				
12/7/2009	199203	6,699.94		
			PARTNERSHIP PROGRAM	6,699.94
12/28/2009	199591	6,181.41		
			PARTNERSHIP PROGRAM	6,181.41
12/30/2009	199636	20,000.00		
			HPRP-MOTEL VCHRS SVCS	10,000.00
			HPRP-SEC DEPOSITS SVCS	10,000.00
Vendor Total		32,881.35		
FYTD for PW ENHANCEMENT CENTER		65,631.03		
QUALITY CODE PUBLISHING, LLC				
12/14/2009	199350	1,831.08		
			MUNI CODE UPDATE/MAINT/SUPPLEM	1,831.08
Vendor Total		1,831.08		
FYTD for QUALITY CODE PUBLISHING, LLC		3,390.59		
R & S OVERHEAD DOORS, INC.				
12/21/2009	199480	2,850.00		
			ROLL UP DOOR-CITY YARD	2,850.00
12/28/2009	199600	2,544.00		
			DOOR MOTOR-CITY YARD	1,136.00
			DOOR MOTOR-CITY YARD	1,408.00
Vendor Total		5,394.00		
FYTD for R & S OVERHEAD DOORS, INC.		17,171.00		
RACHWITZ, KAILY				
12/14/2009	199351	50.00		
			REFUND-ANML SVC FEE	50.00
Vendor Total		50.00		
FYTD for RACHWITZ, KAILY		50.00		
RAHMAN, MARWAN				
12/7/2009	199213	750.00		
			REFUND-CRC DEP 11/7-8	750.00
Vendor Total		750.00		
FYTD for RAHMAN, MARWAN		750.00		



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RAMEY, PETER				
12/7/2009	199214	4,162.22		
			RETIREE MEDICAL BENEFIT	974.92
			RETIREE MEDICAL BENEFIT	3,187.30
Vendor Total		4,162.22		
FYTD for RAMEY, PETER		4,162.22		
RANSOM ALAINA				
12/7/2009	199215	86.00		
			REFUND-YTH BSKTBL FEE	86.00
Vendor Total		86.00		
FYTD for RANSOM ALAINA		86.00		
RAY, SCOTT & JUANITA				
12/28/2009	199601	50.00		
			REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for RAY, SCOTT & JUANITA		50.00		
REFLEX TRAFFIC SYSTEMS, INC.				
12/14/2009	199352	12,420.00		
			RED LIGHT PHOTO ENF PROGRAM	12,420.00
Vendor Total		12,420.00		
FYTD for REFLEX TRAFFIC SYSTEMS, INC.		74,520.00		
RENE'S				
12/21/2009	199481	610.50		
			FASD EMP PAID HOLIDAY LUNCHEON	610.50
Vendor Total		610.50		
FYTD for RENE'S		610.50		
RESCUE ROOTER				
12/7/2009	199216	950.00		
			PLUMBING RPRS-ANML SHLTR	75.00
			PLUMBING RPRS-ANML SHLTR	725.00
			PLUMBING RPRS-ANML SHLTR	150.00
12/28/2009	199602	541.50		
			PLUMBING SVC-CITY HALL	300.00
			PLUMBING SVC-CITY HALL	241.50
Vendor Total		1,491.50		
FYTD for RESCUE ROOTER		1,966.50		



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REVENUE EXPERTS, INC.				
12/14/2009	199353	197.07	CITATION PRCSSNG-ANML SVCS	197.07
Vendor Total		197.07		
FYTD for REVENUE EXPERTS, INC.		27,774.37		
RICO, RALPH				
12/28/2009	199603	400.00	CHRISTMAS CHEER BNQT-BAND	400.00
Vendor Total		400.00		
FYTD for RICO, RALPH		400.00		
RIV CO FLOOD CONTROL & WATER CONSERVATN				
12/14/2009	199354	3,860.62	ADDTL PLAN CK DEPOSIT-NASON ST	2,000.00
			ADDTL PLAN CK DEPOSIT-NASON ST	1,860.62
12/21/2009	199482	1,598.09	ENCRCHMNT PERMIT/ADDTL DEPOSIT	1,598.09
Vendor Total		5,458.71		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		28,071.27		
RIVERSIDE COMMUNITY COLLEGE DISTRICT				
12/28/2009	199604	200.00	REFUND-RNTL DEP 12/3	200.00
Vendor Total		200.00		
FYTD for RIVERSIDE COMMUNITY COLLEGE DISTRICT		51,909.41		
RIVERSIDE COUNTY BAR ASSOCIATION				
12/28/2009	199605	120.00	MBRSHP-BOB HANSEN	120.00
Vendor Total		120.00		
FYTD for RIVERSIDE COUNTY BAR ASSOCIATION		120.00		
RIVERSIDE COUNTY CLERK				
12/21/2009	199483	64.00	IRONWOOD/INDIAN BASIN PROJ	64.00
Vendor Total		64.00		
FYTD for RIVERSIDE COUNTY CLERK		10,413.00		
RIVERSIDE COUNTY CLERK/RECORDER				
12/14/2009	199355	1,625.00	ABTMNT LIEN RELEASES-FIRE	1,625.00
Vendor Total		1,625.00		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		2,041.30		



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RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
12/7/2009	199220	1,833.10		
			OCT-09 RADIO SVCS	1,789.70
			OCT-09 VPN CONNECTION	43.40
12/28/2009	199606	43.40		
			NOV-09 VPN CONNECTION	43.40
Vendor Total		1,876.50		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		12,548.79		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
12/7/2009	199221	278.00		
			REG-SEARCH WARR-INV&ARREST CRS	91.00
			REG-INTRVW&INTERROG BSC CLASS	187.00
12/14/2009	199356	1,809.00		
			REG-CRIME SCENE INV. COURSE	46.00
			REG-SEARCH WARR-INV&ARREST CRS	91.00
			REG-SEARCH WARR-INV&ARREST CRS	91.00
			REG-DRUG ABUSE RECOG INTRO CRS	61.00
			REG-INTRVW&INTERROG-ADV. CLASS	380.00
			REG-INTRVW&INTERROG-ADV. CLASS	380.00
			REG-INTRVW&INTERROG-ADV. CLASS	380.00
			REG-INTRVW&INTERROG-ADV. CLASS	380.00
Vendor Total		2,087.00		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		6,554.00		
RIVERSIDE COUNTY SHERIFF COURT SERVICES				
12/7/2009	199222	370.27		
			GARNISHMENT	370.27
12/21/2009	199484	530.87		
			GARNISHMENT	136.39
			GARNISHMENT	394.48
Vendor Total		901.14		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		4,885.60		
RLZ ENGINEERING				
12/14/2009	199357	12,849.50		
			TEMP STAFF SVCS FOR CAP PROJS.	12,849.50
Vendor Total		12,849.50		
FYTD for RLZ ENGINEERING		102,188.25		
ROCHA, SARA L.				
12/7/2009	199223	888.30		
			RETIREE MEDICAL BENEFIT	888.30
Vendor Total		888.30		
FYTD for ROCHA, SARA L.		1,776.60		



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ROGERS, KIANNA				
12/14/2009	199358	268.40		
			MILEAGE REIMBURSEMENT	133.10
			MILEAGE REIMBURSEMENT	135.30
Vendor Total		268.40		
FYTD for ROGERS, KIANNA		504.90		
ROSS, DAVID T.				
12/7/2009	199224	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for ROSS, DAVID T.		1,912.38		
ROSSON, LOUIS A.				
12/7/2009	199225	179.16		
			RETIREE MEDICAL BENEFIT	179.16
Vendor Total		179.16		
FYTD for ROSSON, LOUIS A.		1,600.13		
RUIZ, LINDA				
12/7/2009	199226	67.00		
			REFUND-GUITAR CLASS	67.00
Vendor Total		67.00		
FYTD for RUIZ, LINDA		67.00		
RUSSO, JOHN				
12/7/2009	199227	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for RUSSO, JOHN		1,912.38		
RYMAX ELECTRIC, INC.				
12/7/2009	199228	1,845.00		
			ELECT REPAIRS-CITY PARKS	1,845.00
Vendor Total		1,845.00		
FYTD for RYMAX ELECTRIC, INC.		10,831.68		
SA ASSOCIATES				
12/21/2009	199485	10,125.00		
			TEMP STAFF SVCS-CAP PROJS	10,125.00
Vendor Total		10,125.00		
FYTD for SA ASSOCIATES		68,137.50		



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SALAZAR, CARLOS SR.				
12/21/2009	199486	67.00	REFUND-CLASS REGIST	67.00
Vendor Total		67.00		
FYTD for SALAZAR, CARLOS SR.		67.00		
SALVATION ARMY				
12/21/2009	199487	200.00	REFUND-RNTL DEP 11/25	200.00
Vendor Total		200.00		
FYTD for SALVATION ARMY		200.00		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP				
12/14/2009	199359	175.00	FIRE EXTING CERT-PSB	175.00
12/28/2009	199608	1,519.22	FIRE EXT SVC-MORRISON PARK	25.00
			FIRE EXT SVC-SNNYMD PARK	63.46
			FIRE EXT SVC-COMM PARK	25.00
			FIRE EXT SVC-SKATE PARK	25.00
			FIRE EXT SVC-UT FLD OFFICE	25.00
			FIRE EXT SVC-RAINBOW RDG	25.00
			FIRE EXT SVC-RED MAPLE	25.00
			FIRE EXT SVC-ASES HQ	32.00
			FIRE EXT SVC-SNNYMD MIDDLE	25.00
			FIRE EXT SVC-HOBBY SHOP	25.00
			FIRE EXT SVC-FAC ANNEX	25.00
			FIRE EXT SVC-MARCH FLD	64.00
			FIRE EXT SVC-SENIOR CTR	96.00
			FIRE EXT SVC-PRO SHOP	44.00
			FIRE EXT SVC-MVTV STUDIO	44.00
			FIRE EXT SVC-ANML SHLTR	56.00
			FIRE EXT SVC-CRC	128.00
			FIRE EXT SVC-CITY HALL	176.00
			FIRE EXT SVC-PSB	120.00
			FIRE EXT SVC-TWNGTE CTR	40.00
			FIRE EXT SVC-TS ANNEX	40.00
			FIRE EXT SVC-FS #6	98.70
			FIRE EXT SVC-FS #48	24.00
			FIRE EXT SVC-FS #2	64.00
			FIRE EXT SVC-FS #58	84.94
			FIRE EXT SVC-FS #91	71.56
			FIRE EXT SVC-FS #65	47.56
Vendor Total		1,694.22		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP		6,129.12		



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SAN BERNARDINO COUNTY SUPERINTENDENT				
12/14/2009	199360	160.00	LESSON PLANNING WRKSHP-ASES	160.00
Vendor Total		160.00		
FYTD for SAN BERNARDINO COUNTY SUPERINTENDENT		580.00		
SAN JACINTO BASIN RESOURCE CONSERVATION				
12/28/2009	199609	10,000.00	CONSERVTN EASEMENT DEED SVCS	10,000.00
Vendor Total		10,000.00		
FYTD for SAN JACINTO BASIN RESOURCE CONSERVATION		10,000.00		
SANCHEZ, THELMA				
12/28/2009	199610	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for SANCHEZ, THELMA		20.00		
SCHAIDT, BARBARA & DONALD				
12/28/2009	199611	50.00	REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for SCHAIDT, BARBARA & DONALD		50.00		
SECTRAN SECURITY, INC				
12/7/2009	199229	463.50	NOV-09 TRNSPRT SVC-PARKS	154.50
			NOV-09 TRNSPRT SVC-TREASURY	154.50
			NOV-09 TRNSPRT SVC-UTILITIES	154.50
Vendor Total		463.50		
FYTD for SECTRAN SECURITY, INC		2,317.50		
SECURITY LOCK & KEY				
12/28/2009	199612	263.52	LOCK SVC-PARKS	50.90
			LOCK SVC-PARKS	64.71
			LOCK SVC-PARKS	91.41
			LOCK SVC-PARKS	56.50
Vendor Total		263.52		
FYTD for SECURITY LOCK & KEY		2,299.12		



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SERANO, ESTHER				
12/28/2009	199613	300.00		
			REFUND-CITATION FEE	100.00
			REFUND-CITATION FEE	200.00
Vendor Total		300.00		
FYTD for SERANO, ESTHER		300.00		
SHAH, JAGDISH				
12/14/2009	199361	14,040.00		
			NOV-09 TEMP STAFF SVCS-CAP PRJ	14,040.00
Vendor Total		14,040.00		
FYTD for SHAH, JAGDISH		110,760.00		
SHARRETT, SHARON K.				
12/7/2009	199230	179.16		
			RETIREE MEDICAL BENEFIT	179.16
Vendor Total		179.16		
FYTD for SHARRETT, SHARON K.		1,074.96		
SHELDON, STUART H.				
12/7/2009	199231	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SHELDON, STUART H.		1,912.38		
SHELL OIL CO.				
12/14/2009	199362	158.57		
			FUEL PURCHASES	111.57
			FUEL PURCHASES	47.00
12/21/2009	199488	1,674.16		
			FUEL PURCHASES-PD MOTORCYCLES	1,547.84
			FUEL PURCHASES-PD	126.32
Vendor Total		1,832.73		
FYTD for SHELL OIL CO.		11,259.97		
SHURTLEFF, JEANNETTE L.				
12/21/2009	199489	532.00		
			INSTRUCTION SVCS-14 DAYS	532.00
Vendor Total		532.00		
FYTD for SHURTLEFF, JEANNETTE L.		608.00		



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SINGER & COFFIN, APC				
12/21/2009	199490	9,750.90		
			LEGAL SVCS-RECHE VISTA DR PROJ	1,405.00
			LEGAL SVCS-RECHE VISTA DR PROJ	60.00
			LEGAL SVCS-SR60/NASON ST PROJ	2,796.20
			LEGAL SVCS-SR60/NASON ST PROJ	292.70
			LEGAL SVCS-SR60/NASON ST PROJ	2,020.00
			LEGAL SVCS-SR60/NASON ST PROJ	2,797.00
			LEGAL SVCS-SR60/NASON ST PROJ	380.00
Vendor Total		9,750.90		
FYTD for SINGER & COFFIN, APC		46,684.65		
SINGLETON, MONDELL				
12/21/2009	199491	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for SINGLETON, MONDELL		20.00		
SINGLETON-DECUIR, JANISHEIA				
12/14/2009	199363	53.35		
			MILEAGE REIMBURSEMENT	53.35
Vendor Total		53.35		
FYTD for SINGLETON-DECUIR, JANISHEIA		256.85		
SKY PUBLISHING				
12/14/2009	199364	9,555.50		
			REC GUIDE/CTYLNK-MEDIA	9,555.50
12/21/2009	199492	9,483.50		
			REC GUIDE/CTY LINK-PARKS	9,483.50
Vendor Total		19,039.00		
FYTD for SKY PUBLISHING		38,006.00		
SKY TRAILS MOBILE VILLAGE				
12/21/2009	199493	19.23		
			REFUND-UT USER TAXES	19.23
Vendor Total		19.23		
FYTD for SKY TRAILS MOBILE VILLAGE		132.29		
SLAGERMAN, SUSAN A.				
12/7/2009	199232	318.73		
			RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for SLAGERMAN, SUSAN A.		2,474.84		



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SO. CALIF SCHOOL OF MUSIC				
12/21/2009	199494	1,701.00		
			INSTRUCTOR SVCS-PIANO	405.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	189.00
			INSTRUCTOR SVCS-PIANO	108.00
			INSTRUCTOR SVCS-PIANO	378.00
			INSTRUCTOR SVCS-PIANO	189.00
			INSTRUCTOR SVCS-PIANO	216.00
Vendor Total		1,701.00		
FYTD for SO. CALIF SCHOOL OF MUSIC		5,955.00		
SODEN ENTERPRISES, INC. DBA EASY YOGA				
12/7/2009	199233	77.40		
			INSTRUCTOR SVCS-YOGA	77.40
Vendor Total		77.40		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA		258.00		
SOLON, MARY ANN				
12/7/2009	199234	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for SOLON, MARY ANN		20.00		
SOSA, JORGE				
12/21/2009	199495	354.00		
			INSTRUCTOR SVCS-NINPO	168.00
			INSTRUCTOR SVCS-KARATEDO	36.00
			INSTRUCTOR SVCS-KARATEDO	108.00
			INSTRUCTOR SVCS-KOBUDO	42.00
Vendor Total		354.00		
FYTD for SOSA, JORGE		2,559.00		



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SOUTHERN CALIFORNIA EDISON				
12/7/2009	199235	3,000.00	ENGINEERING FEE-KITCHING ST	3,000.00
12/7/2009	199237	23,893.36	ELECTRICITY	139.41
			ELECTRICITY	5,029.49
			ELECTRICITY	2,470.64
			ELECTRICITY	19.23
			ELECTRICITY	787.71
			ELECTRICITY	2,202.42
			ELECTRICITY	123.64
			ELECTRICITY	4,745.30
			ELECTRICITY	282.07
			ELECTRICITY	49.96
			ELECTRICITY	1,254.52
			ELECTRICITY	231.37
			ELECTRICITY	376.26
			ELECTRICITY	370.90
			ELECTRICITY	94.85
			ELECTRICITY	150.21
			ELECTRICITY	105.23
			ELECTRICITY	19.55
			ELECTRICITY	798.10
			ELECTRICITY	1,445.46
			ELECTRICITY	111.26
			ELECTRICITY	229.15
			ELECTRICITY	467.59
			ELECTRICITY	634.52
			ELECTRICITY	228.43
			ELECTRICITY	318.13
			ELECTRICITY	958.31
			ELECTRICITY	157.20
			ELECTRICITY	47.71
			ELECTRICITY	44.74
12/14/2009	199365	9,065.08	ELECTRICITY	44.65
			ELECTRICITY	142.57
			ELECTRICITY	64.02
			ELECTRICITY	1,524.07
			ELECTRICITY	884.67
			ELECTRICITY	975.34
			ELECTRICITY	487.14
			ELECTRICITY	495.61
			ELECTRICITY	925.61
			ELECTRICITY	2,023.50
			ELECTRICITY	22.49
			ELECTRICITY	1,052.97
			ELECTRICITY	151.34
			ELECTRICITY	156.44
			ELECTRICITY	66.85
			ELECTRICITY	47.81
12/14/2009	199366	15,245.86	IFA CHARGES	1,099.13



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			IFA CHARGES-SUBSTATION	14,146.73
12/21/2009	199497	2,615.19	NEW METER & SVC-PATRIOT PARK	2,615.19
12/21/2009	199498	353.07	ELECTRIC CHRGS	353.07
12/28/2009	199614	19,163.40	ELECTRIC CHRGS	174.01
			ELECTRIC CHRGS	5,497.15
			ELECTRIC CHRGS	2,323.32
			ELECTRIC CHRGS	19.22
			ELECTRIC CHRGS	568.19
			ELECTRIC CHRGS	1,900.17
			ELECTRIC CHRGS	122.87
			ELECTRIC CHRGS	4,841.74
			ELECTRIC CHRGS	260.01
			ELECTRIC CHRGS	181.01
			ELECTRIC CHRGS	1,690.60
			ELECTRIC CHRGS	225.09
			ELECTRIC CHRGS	404.87
			ELECTRIC CHRGS	552.19
			ELECTRIC CHRGS	208.66
			ELECTRIC CHRGS	151.84
			ELECTRIC CHRGS	42.46

Vendor Total 73,335.96

FYTD for SOUTHERN CALIFORNIA EDISON 5,579,419.89

SOUTHERN CALIFORNIA GAS CO.

12/14/2009	199367	3,361.11	GAS LINE EXT FEES-E.O.C. PROJ	3,361.11
12/21/2009	199499	5,402.16	GAS CHARGES	43.94
			GAS CHARGES	985.09
			GAS CHARGES	2,514.54
			GAS CHARGES	29.11
			GAS CHARGES	44.92
			GAS CHARGES	463.17
			GAS CHARGES	118.13
			GAS CHARGES	69.68
			GAS CHARGES	431.91
			GAS CHARGES	104.70
			GAS CHARGES	107.92
			GAS CHARGES	106.22
			GAS CHARGES	125.41
			GAS CHARGES	130.23
			GAS CHARGES	127.19

Vendor Total 8,763.27

FYTD for SOUTHERN CALIFORNIA GAS CO. 220,598.64



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SPARKLETTS				
12/14/2009	199368	10.20		
			WATER SVCS-EOC	4.50
			WATER SVCS-ARMADA ELEM	5.70
12/21/2009	199500	12.11		
			WATER SVCS-SNNYMD ELEM	12.11
	Vendor Total	22.31		
FYTD for SPARKLETTS		289.53		
SPECK, GARY B.				
12/7/2009	199238	318.73		
			RETIREE MEDICAL BENEFIT	318.73
	Vendor Total	318.73		
FYTD for SPECK, GARY B.		1,912.38		
SPECTRUM CARE				
12/21/2009	199501	12,333.33		
			NOV-09 LNDSCP MAINT-E1A	1,793.33
			NOV-09 LNDSCP MAINT-E1	10,540.00
	Vendor Total	12,333.33		
FYTD for SPECTRUM CARE		61,666.65		
SPENCER, MARTHA				
12/7/2009	199239	240.44		
			RETIREE MEDICAL BENEFIT	240.44
	Vendor Total	240.44		
FYTD for SPENCER, MARTHA		1,442.64		
SPORTS INNOVATORS				
12/21/2009	199502	3,475.00		
			SPORTS OFFICIATING SVCS	2,675.00
			SPORTS OFFICIATING SVCS	800.00
	Vendor Total	3,475.00		
FYTD for SPORTS INNOVATORS		17,100.00		
SPRINT				
12/28/2009	199616	30.00		
			TEXT RTRVL-MV092530283	30.00
	Vendor Total	30.00		
FYTD for SPRINT		60.00		



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SPRINT/NEXTEL				
12/7/2009	199240	102.72		
			COMMUNICATION SVCS-GTF	102.72
12/28/2009	199617	34.60		
			COMMUNICATION SVCS-GTF	34.60
	Vendor Total	137.32		
FYTD for SPRINT/NEXTEL		452.31		
STAINE, KADISHA				
12/28/2009	199618	91.00		
			REFUND-YTH BSKTBL FEE	91.00
	Vendor Total	91.00		
FYTD for STAINE, KADISHA		91.00		
STANDARD INSURANCE CO				
12/14/2009	199369	1,613.14		
			SUPPLEMENTAL INSURANCE	1,613.14
	Vendor Total	1,613.14		
FYTD for STANDARD INSURANCE CO		198,395.68		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				
12/21/2009	199504	249.99		
			DEC-FEB MNTRNG SVC-ANML SHLTR	249.99
12/28/2009	199619	1,069.98		
			JAN-MAR MNTRNG SVC-CRC	492.00
			JAN-MAR MNTRNG SVC-TWNGTE	220.98
			JAN-MAR MNTRNG SVC-ANNX #1	105.00
			JAN-MAR MNTRNG SVC-TECH SVCS	105.00
			JAN-MAR MNTRNG SVC-SPCL DIST	147.00
	Vendor Total	1,319.97		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		17,538.86		
STATE BAR OF CALIFORNIA				
12/28/2009	199620	105.00		
			CLE CREDITS-PAUL EARLY	20.00
			CLE CREDITS-PAUL EARLY	20.00
			CLE CREDITS-PAUL EARLY	20.00
			CLE CREDITS-PAUL EARLY	20.00
			MCLE CREDITS-SUZANNE BRYANT	25.00
	Vendor Total	105.00		
FYTD for STATE BAR OF CALIFORNIA		105.00		



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STATE BOARD OF EQUALIZATION				
12/17/2009	200911	2,005.00	SALES & USE TAX 11/01-11/30/09	2,005.00
Vendor Total		2,005.00		
FYTD for STATE BOARD OF EQUALIZATION		22,137.00		
STATE DISBURSEMENT UNIT				
12/10/2009	2534	1,817.53	CHILD SUPPORT W/H 12/10/09	1,817.53
12/24/2009	2542	1,743.67	CHILD SUPPORT W/H 12/24/09	1,743.67
Vendor Total		3,561.20		
FYTD for STATE DISBURSEMENT UNIT		25,141.69		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF				
12/7/2009	199241	125.00	RNWL-MARK WESTOVER	125.00
Vendor Total		125.00		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		750.00		
STATE OF CALIFORNIA DEPT. OF JUSTICE				
12/7/2009	199242	2,592.00	SEPT-09 FINGERPRINTING-HR	320.00
			SEPT-09 FINGERPRINTING-ASES	1,792.00
			SEPT-09 FINGERPRINTING-PD	192.00
			SEPT-09 FINGERPRINTING-B/L	224.00
			SEPT-09 FINGERPRINTING	32.00
			SEPT-09 FINGERPRINTING	32.00
12/14/2009	199370	1,789.00	OCT-09 FINGERPRINTING SVCS	384.00
			OCT-09 FINGERPRINTING SVCS	160.00
			OCT-09 FINGERPRINTING SVCS	160.00
			OCT-09 BLOOD ALCHL ANLYS	1,085.00
12/28/2009	199621	64.00	SEPT-09 FINGERPRINTING SVC	64.00
Vendor Total		4,445.00		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		31,024.00		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV				
12/7/2009	199243	261.53	REFUND-MV UTILITY	109.09
			REFUND-MV UTILITY	152.44
Vendor Total		261.53		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		612.17		



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STILES, KAREN				
12/21/2009	199505	75.00	REFUND-S/N DEPOSIT	75.00
Vendor Total		75.00		
FYTD for STILES, KAREN		75.00		
STRADLING, YOCCA, CARLSON & RAUTH				
12/14/2009	199371	16,301.23	SEPT-09 LEGAL SVCS-NSP	13,317.81
			SEPT-09 LEGAL SVCS-EDD	406.00
			OCT-09 LEGAL SVCS-HSG	450.00
			OCT-09 LEGAL SVCS-HSG	2,127.42
Vendor Total		16,301.23		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		67,341.48		
STREICH, TERRY L.				
12/7/2009	199244	30.33	RETIREE MEDICAL BENEFIT	30.33
Vendor Total		30.33		
FYTD for STREICH, TERRY L.		458.99		
STRICKLER ASSOCIATION, THE				
12/28/2009	199622	2,762.50	PROF CONSULTING SVCS	2,762.50
Vendor Total		2,762.50		
FYTD for STRICKLER ASSOCIATION, THE		20,735.00		
SUMERFORD, CHRISTINA				
12/21/2009	199506	114.00	INSTRUCTION SVCS-3 DAYS	114.00
Vendor Total		114.00		
FYTD for SUMERFORD, CHRISTINA		190.00		



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SUNNYMEAD ACE HARDWARE				
12/7/2009	199245	315.60		
			MISC SUPPLIES-POLICE	8.66
			MISC SUPPLIES-POLICE	195.75
			MISC SUPPLIES-POLICE	9.31
			MISC SUPPLIES-FIRE	101.88
12/14/2009	199372	30.57		
			MISC SUPPLIES-PARKS	30.57
12/21/2009	199507	121.76		
			MISC SUPPLIES-POLICE	342.37
			MISC SUPPLIES-POLICE	116.48
			CREDIT TO INV 34000	-380.57
			MISC SUPPLIES-FIRE	43.48
Vendor Total		467.93		
FYTD for SUNNYMEAD ACE HARDWARE		2,097.92		
SUNNYMEAD ANIMAL HOSPITAL				
12/21/2009	199508	196.00		
			VET SVCS-K9 BLUE	196.00
Vendor Total		196.00		
FYTD for SUNNYMEAD ANIMAL HOSPITAL		240.00		
SUNNYMEAD VETERINARY CLINIC				
12/21/2009	199509	700.00		
			EMERG VET SVCS	700.00
Vendor Total		700.00		
FYTD for SUNNYMEAD VETERINARY CLINIC		2,986.00		
SWARTZ, JACK				
12/14/2009	199373	7.00		
			REFUND-ANML LIC FEE	7.00
Vendor Total		7.00		
FYTD for SWARTZ, JACK		7.00		
TECHNOFIT, INC.				
12/14/2009	199374	294.55		
			EXERCISE EQUIPMNT REPAIR-FS #2	294.55
Vendor Total		294.55		
FYTD for TECHNOFIT, INC.		1,924.80		
TNT VENDING CONNECTIONS				
12/14/2009	199375	62.00		
			REFUND-RTRN CK FEES	31.00
			REFUND-RTRN CK FEES	31.00
Vendor Total		62.00		
FYTD for TNT VENDING CONNECTIONS		62.00		



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TOMLINSON, ERICKA				
12/7/2009	199247	75.00		
			REFUND-S/N DEP FEE	75.00
12/21/2009	199510	20.00		
			REFUND-RABIES DEP	20.00
	Vendor Total	95.00		
FYTD for TOMLINSON, ERICKA		95.00		
TRICHE, TARA				
12/21/2009	199512	1,975.80		
			INSTRUCTOR SVCS-BALLET	355.20
			INSTRUCTOR SVCS-BALLET/ACRO	133.20
			INSTRUCTOR SVCS-DANCE EXPLOR.	865.80
			INSTRUCTOR SVCS-HIP HOP DANCE	510.60
			INSTRUCTOR SVCS-INTERMD BALLET	111.00
	Vendor Total	1,975.80		
FYTD for TRICHE, TARA		12,321.00		
TRI-CITY LINEN SUPPLY, INC.				
12/14/2009	199376	95.00		
			LINEN RENTAL-CRC	25.00
			LINEN RENTAL-CRC	25.00
			LINEN RENTAL 11/21	45.00
12/21/2009	199511	218.80		
			LINEN RENTAL-CRC	25.00
			LINEN RENTAL 11/30	34.05
			LINEN RENTAL 12/30	46.50
			LINEN RENTAL 12/8	37.50
			LINEN RENTAL 12/14	75.75
	Vendor Total	313.80		
FYTD for TRI-CITY LINEN SUPPLY, INC.		1,042.70		
TRINITY BAPTIST CHURCH				
12/28/2009	199623	200.00		
			REFUND-RNTL DEP 12/5	200.00
	Vendor Total	200.00		
FYTD for TRINITY BAPTIST CHURCH		200.00		
TROPICAL PLAZA NURSERY, INC.				
12/14/2009	199377	18,164.91		
			NOV-09 LNDSCP MAINT-ZONE E-2	15,700.00
			NOV-09 LNDSCP MAINT-ZONE E-16	2,217.45
			NOV-09 IRRIG REPAIRS-ZONE E-2	151.02
			NOV-09 IRRIG REPAIRS-ZONE E-16	96.44
	Vendor Total	18,164.91		
FYTD for TROPICAL PLAZA NURSERY, INC.		108,595.13		



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TRUGREEN LANDCARE				
12/21/2009	199513	23,329.34		
			NOV-09 LNDSCP MAINT-ZONE DSG1E	7,110.86
			RPLCMNT OF 200 SPRINKLERS/E-2	2,424.00
			IRRIG REPAIRS-TRACT #19551	5.78
			IRRIG REPAIRS-TRACT #17334	47.12
			NOV-09 LNDSCP MAINT-ZONE M	5,308.22
			NOV-09 LNDSCP MAINT-ZONE DSG2	8,420.43
			IRRIG REPAIRS-TRACT #15387	12.93
12/28/2009	199624	15,212.55		
			NOV-09 LNDSCP MAINT-ZONE E-3	10,038.43
			NOV-09 LNDSCP MAINT-ZONE E-3A	1,676.12
			TREES TRIMMED IN ZONE E-8	1,089.00
			TREES TRIMMED IN ZONE E-15	2,409.00
Vendor Total		38,541.89		
FYTD for TRUGREEN LANDCARE		174,817.43		
TURF STAR, INC.				
12/7/2009	199248	4,296.98		
			GOLF COURSE EQUIPMNT REPAIRS	1,000.00
			GOLF COURSE EQUIPMNT REPAIRS	3,296.98
12/21/2009	199514	4,832.87		
			GOLF COURSE EQUIPMNT REPAIRS	4,573.48
			GOLF COURSE EQUIPMNT REPAIRS	259.39
Vendor Total		9,129.85		
FYTD for TURF STAR, INC.		9,129.85		
TURNBOW, LISA				
12/21/2009	199515	9.66		
			FIRE MARSHALS MTG	9.66
Vendor Total		9.66		
FYTD for TURNBOW, LISA		9.66		
TWIN GRAPHICS				
12/28/2009	199625	269.66		
			VEHICLE GRAPHICS/DECALS	269.66
Vendor Total		269.66		
FYTD for TWIN GRAPHICS		4,115.07		
U.S. HEALTHWORKS MEDICAL GROUP				
12/14/2009	199378	37.00		
			EMPLOYEE DOT/DMV EXAM	37.00
12/21/2009	199516	214.00		
			EMPLYMNT PHYSICALS/DOT EXAM	214.00
Vendor Total		251.00		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP		8,918.00		



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U.S. LEGAL SUPPORT				
12/14/2009	199379	1,010.56	PROF SVCS-MED COPIES	1,010.56
Vendor Total		1,010.56		
FYTD for U.S. LEGAL SUPPORT		1,010.56		
UNITED POWER GENERATION, INC.				
12/21/2009	199517	508.00	DIAGNOSE EMERG GENERATOR PROB	233.00
			EMERG GENERATOR REPAIRS-FS #91	275.00
Vendor Total		508.00		
FYTD for UNITED POWER GENERATION, INC.		8,481.33		
UNITED SITE SERVICES OF CA, INC.				
12/21/2009	199518	184.72	FENCE RENTAL-ANIMAL SHELTER	107.39
			PORTABLE TOILET SVC-GOLF CTR	77.33
Vendor Total		184.72		
FYTD for UNITED SITE SERVICES OF CA, INC.		8,055.93		
UNITED STATES TREASURY				
12/31/2009	199638	5,220.00	FILING FEE-PFFC	5,220.00
Vendor Total		5,220.00		
FYTD for UNITED STATES TREASURY		5,220.00		
UNITED WAY OF INLAND VALLEYS				
12/7/2009	199249	941.08	U W CONTRIBUTIONS	38.47
			U W CONTRIBUTIONS	38.47
			U W CONTRIBUTIONS	864.14
12/21/2009	199519	859.14	U W CONTRIBUTIONS	859.14
12/28/2009	199627	80.00	U W CONTRIBUTIONS	80.00
Vendor Total		1,880.22		
FYTD for UNITED WAY OF INLAND VALLEYS		11,017.32		
USA MOBILITY/ARCH WIRELESS				
12/14/2009	199380	84.41	PAGER SVC-PARK RANGERS/DEC-09	2.03
			PAGER SVC-TRANSP. DIV/DEC-09	5.07
			PAGER SVC-PD CITZ PTRL/DEC-09	38.53
			PAGER SVC-ANIMAL SVCS/DEC-09	38.78
Vendor Total		84.41		
FYTD for USA MOBILITY/ARCH WIRELESS		480.26		



City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VA CONSULTING, INC.				
12/14/2009	199381	2,397.23	HEACOCK ST BRIDGE RPLCMNT PROJ	2,397.23
Vendor Total		2,397.23		
FYTD for VA CONSULTING, INC.		236,727.73		
VACATE PEST ELIMINATION COMPANY				
12/7/2009	199250	500.00	EMRG BEE HIVE REMOVAL	200.00
			EMRG BEE HIVE REMOVAL	300.00
12/14/2009	199382	115.00	PEST CNTRL-CITY YARD	115.00
12/21/2009	199520	80.00	GOPHER CNTRL-MV UTILITY SUBST.	40.00
			GOPHER CNTRL-MV UTILITY SUBST.	40.00
Vendor Total		695.00		
FYTD for VACATE PEST ELIMINATION COMPANY		9,605.00		
VALI COOPER & ASSOCIATES, INC.				
12/21/2009	199521	10,080.00	TEMP STAFFING SVCS-CAP PROJS	10,080.00
Vendor Total		10,080.00		
FYTD for VALI COOPER & ASSOCIATES, INC.		99,787.50		
VANDER HAWK CONSULTING, LLC				
12/21/2009	199522	14,310.00	ANNL PAVEMNT MGMT PRGM UPDATE	6,760.00
			ANNL PAVEMNT MGMT PRGM UPDATE	7,550.00
Vendor Total		14,310.00		
FYTD for VANDER HAWK CONSULTING, LLC		34,263.00		
VERIZON				
12/21/2009	199523	1,674.23	BACKBONE CHRGS	1,674.23
Vendor Total		1,674.23		
FYTD for VERIZON		10,055.74		



City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VERIZON CALIFORNIA				
12/14/2009	199384	8,824.13		
			TELEPHONE CHRGS	167.69
			TELEPHONE CHRGS	204.18
			TELEPHONE CHRGS	183.94
			TELEPHONE CHRGS	527.60
			TELEPHONE CHRGS	221.79
			TELEPHONE CHRGS	116.33
			TELEPHONE CHRGS	220.97
			TELEPHONE CHRGS	187.32
			TELEPHONE CHRGS	66.47
			TELEPHONE CHRGS	218.56
			TELEPHONE CHRGS	145.49
			TELEPHONE CHRGS	338.34
			TELEPHONE CHRGS	117.44
			TELEPHONE CHRGS	481.26
			TELEPHONE CHRGS	302.07
			TELEPHONE CHRGS	174.70
			TELEPHONE CHRGS	71.15
			TELEPHONE CHRGS	305.10
			TELEPHONE CHRGS	21.38
			TELEPHONE CHRGS	140.23
			TELEPHONE CHRGS	284.92
			TELEPHONE CHRGS	11.60
			TELEPHONE CHRGS	11.60
			TELEPHONE CHRGS	46.80
			TELEPHONE CHRGS	28.72
			TELEPHONE CHRGS	53.96
			TELEPHONE CHRGS	23.40
			TELEPHONE CHRGS	23.40
			TELEPHONE CHRGS	23.40
			TELEPHONE CHRGS	132.43
			TELEPHONE CHRGS	79.97
			TELEPHONE CHRGS	42.72
			TELEPHONE CHRGS	67.17
			TELEPHONE CHRGS	170.67
			TELEPHONE CHRGS	57.32
			TELEPHONE CHRGS	22.80
			TELEPHONE CHRGS	92.80
			TELEPHONE CHRGS	232.80
			TELEPHONE CHRGS	3,205.64
12/21/2009	199524	13.35		
			PHONE CHRGS-ANML SHLTR	13.35
12/28/2009	199628	619.80		
			TELEPHONE CHRGS	619.80
Vendor Total		9,457.28		
FYTD for VERIZON CALIFORNIA		59,481.29		



City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VIGIL, ERNEST				
12/7/2009	199251	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for VIGIL, ERNEST		1,912.38		
VISION SERVICE PLAN				
12/14/2009	199385	4,431.33	EMPLOYEE VISION INSURANCE	4,431.33
Vendor Total		4,431.33		
FYTD for VISION SERVICE PLAN		26,889.54		
VISTA PAINT CORPORATION				
12/7/2009	199252	117.02	PAINT FOR GRAFFITI RMVL PRGM	117.02
Vendor Total		117.02		
FYTD for VISTA PAINT CORPORATION		7,790.04		
VOLUNTEER CENTER OF RIVERSIDE COUNTY				
12/30/2009	199637	10,000.00	HPRP-RENTAL ARREARS SVCS	4,000.00
			HPRP-RENTAL ASSIST SVCS	6,000.00
Vendor Total		10,000.00		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUNTY		34,000.00		
VOYAGER FLEET SYSTEM, INC.				
12/28/2009	199629	2,204.65	CNG FUEL FOR STREET PRGM	1,923.55
			CNG FUEL FOR DRAIN MAINT PRGM	281.10
Vendor Total		2,204.65		
FYTD for VOYAGER FLEET SYSTEM, INC.		12,295.94		
VULCAN MATERIALS CO, INC.				
12/7/2009	199253	2,107.25	ASPHALTIC MATERIALS	91.40
			ASPHALTIC MATERIALS	150.62
			ASPHALTIC MATERIALS	60.90
			ASPHALTIC MATERIALS	896.49
			ASPHALTIC MATERIALS	907.84
Vendor Total		2,107.25		
FYTD for VULCAN MATERIALS CO, INC.		78,085.99		



City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WAF A, ANGELA				
12/28/2009	199630	20.00	REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for WAF A, ANGELA		20.00		
WAGGONER JR., GLENN C.				
12/7/2009	199254	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for WAGGONER JR., GLENN C.		1,912.38		
WAGNER, GARY D.				
12/7/2009	199255	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for WAGNER, GARY D.		1,912.38		
WAGY, CARYLON				
12/7/2009	199256	637.46	RETIREE MEDICAL BENEFIT	637.46
Vendor Total		637.46		
FYTD for WAGY, CARYLON		1,912.38		
WASSON, KIRK				
12/21/2009	199525	456.00	INSTRUCTION SVCS-12 DAYS	456.00
Vendor Total		456.00		
FYTD for WASSON, KIRK		456.00		
WEATHERSPOON, DEANNA				
12/7/2009	199257	155.00	REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	75.00
Vendor Total		155.00		
FYTD for WEATHERSPOON, DEANNA		155.00		



City of Moreno Valley

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WELLS FARGO BANK				
12/14/2009	199386	6,000.00		
			TRUSTEE FEES-SPCL TAX REF	2,000.00
			TRUSTEE FEES-IMPROV AREA #1	2,000.00
			TRUSTEE FEES-CTA 07 TA SERIES	2,000.00
Vendor Total		6,000.00		
FYTD for WELLS FARGO BANK		16,530.00		
WELLS FARGO CORPORATE TRUST				
12/1/2009	91201	1,110.48		
			INTEREST ON VARIABLE RATE BOND	1,110.48
Vendor Total		1,110.48		
FYTD for WELLS FARGO CORPORATE TRUST		4,597,102.59		
WEST GROUP				
12/14/2009	199387	184.12		
			NOV-09 ONLINE CHRGS-LEGAL INFO	184.12
12/21/2009	199526	129.42		
			LEGAL PUBLICATIONS SUBSCRPTNS	129.42
Vendor Total		313.54		
FYTD for WEST GROUP		3,752.87		
WESTECH COLLEGE				
12/21/2009	199527	750.00		
			REFUND-RNTL DEP 12/2	750.00
Vendor Total		750.00		
FYTD for WESTECH COLLEGE		750.00		
WESTERN MUNICIPAL WATER DISTRICT				
12/28/2009	199631	1,470.49		
			WATER CHRGS-MARB BALLFLDS	1,073.87
			WATER CHRGS-MFPCC LNDSCP	341.32
			WATER CHRGS-MFPCC BLDG	55.30
Vendor Total		1,470.49		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		20,148.23		
WHEELER, GERALD				
12/14/2009	199388	100.80		
			INSTRUCTOR SVCS-YOUTH GOLF	100.80
12/28/2009	199632	100.80		
			INSTRUCTOR SVCS-YOUTH GOLF	100.80
Vendor Total		201.60		
FYTD for WHEELER, GERALD		579.60		



City of Moreno Valley

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For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WIELIN, RONALD A.				
12/7/2009	199258	318.73	RETIREE MEDICAL BENEFIT	318.73
Vendor Total		318.73		
FYTD for WIELIN, RONALD A.		1,912.38		
WILLDAN AND ASSOCIATES				
12/14/2009	199389	345.00	LASSELLE/BAY AVE ST IMPRVMENTS	345.00
12/14/2009	199390	23,469.79	PLAN CHECK SVCS WEST RIDGE EIR REVIEW SVCS	22,659.79 810.00
12/21/2009	199528	10,362.00	CONTRACT BLDG OFFICIAL SVCS	10,362.00
Vendor Total		34,176.79		
FYTD for WILLDAN AND ASSOCIATES		130,489.42		
WILLIAMS, JANE L.				
12/7/2009	199259	122.38	RETIREE MEDICAL BENEFIT	122.38
Vendor Total		122.38		
FYTD for WILLIAMS, JANE L.		732.10		
WILLIAMS, NANCY L.				
12/7/2009	199260	211.78	RECEPTION SUPPLIES	211.78
Vendor Total		211.78		
FYTD for WILLIAMS, NANCY L.		211.78		
WILLOUGHBY, LORIA				
12/14/2009	199391	43.45	MILEAGE REIMBURSEMENT	43.45
Vendor Total		43.45		
FYTD for WILLOUGHBY, LORIA		200.20		
WINCHESTER ASSOCIATES				
12/7/2009	199261	1,304.50	REFUND-PLANNING APPLICATION	1,304.50
Vendor Total		1,304.50		
FYTD for WINCHESTER ASSOCIATES		1,304.50		



City of Moreno Valley

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For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WINDOM, NAMIKI				
12/7/2009	199262	155.00		
			REFUND-ANML SVC FEES	30.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	20.00
			REFUND-ANML SVC FEES	10.00
			REFUND-ANML SVC FEES	75.00
			REFUND-ANML SVC FEES	10.00
Vendor Total		155.00		
FYTD for WINDOM, NAMIKI		155.00		
WRCRCA				
12/21/2009	199530	19,380.00		
			RESIDENTIAL FEES COLLECTED	19,380.00
Vendor Total		19,380.00		
FYTD for WRCRCA		139,144.00		



City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.				
12/7/2009	199263	1,442.92		
			CLEANING SVCS-TWNGTE	720.00
			CLEANING SVCS-TWNGTE	25.00
			OCT-09 JANTRL SVCS-EMP RES CTR	348.96
			NOV-09 JANTRL SVCS-EMP RES CTR	348.96
12/21/2009	199531	22,534.69		
			SPCL CLEANING-CITY MGRS OFFICE	150.00
			DEC-09 JANTRL SVCS-RED MAPLE	310.19
			DEC-09 JANTRL SVCS-RNBW RIDGE	310.19
			DEC-09 JANTRL SVCS-SUNNYMD ELE	184.10
			DEC-09 JANTRL SVCS-CITY HALL	4,588.23
			DEC-09 JANTRL SVCS-CITY YARD	346.90
			DEC-09 JANTRL SVCS-TRANSP TRLR	98.40
			DEC-09 JANTRL SVCS-ESA ANNEX	735.73
			DEC-09 JANTRL SVCS-FAC ANNEX	124.29
			DEC-09 JANTRL SVCS-LIBRARY	1,771.79
			DEC-09 JANTRL SVCS-MARCH FIELD	238.95
			DEC-09 JANTRL SVCS-GOLF SHOP	644.70
			DEC-09 JANTRL SVCS-PSB	5,564.25
			DEC-09 JANTRL SVCS-MVTV STUDIO	58.05
			DEC-09 JANTRL SVCS-SENIOR CTR	1,916.18
			DEC-09 JANTRL SVCS-TWNGTE CC	691.38
			DEC-09 JANTRL SVCS-TS ANNEX	453.43
			DEC-09 JANTRL SVCS-CRC	3,447.93
			NOV-09 DAY PORTER SVCS	900.00
12/28/2009	199633	2,723.79		
			NOV-09 CLEANING SVC-CRC	1,800.00
			NOV-09 SPCL CLEANING-TWNGTE	360.00
			DEC-09 JANTRL SVCS-GANG TSK FC	112.82
			DEC-09 JANTRL SVCS-STARS HDQTR	298.87
			DEC-09 JANTRL SVCS-SUNNYMD MID	152.10
Vendor Total		26,701.40		
FYTD for WURM'S JANITORIAL SERVICES, INC.		151,749.06		

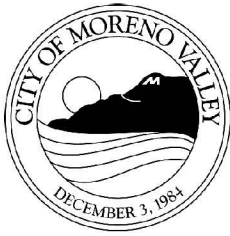


City of Moreno Valley

Check Register

For Period 12/1/2009 through 12/31/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				
12/7/2009	199264	1,474.46		
			COPIER RNTL-PARKS/OCT-09	359.34
			COPIER RNTL-PARKS/OCT-09	847.68
			COPIER EXC PRINTS CHRG	267.44
12/14/2009	199392	3,860.78		
			COPIER RNTL-GRAPHICS/SEP-09	397.79
			COPIER RNTL/EXC PRINTS CHRG	1,143.15
			COPIER RNTL-STARS/OCT-09	107.00
			COPIER EXC PRINTS CHRG	708.27
			COPIER EXC PRINTS CHRG	1,391.47
			COPIER SUPPLIES-STARS DEPT	113.10
12/21/2009	199532	1,378.21		
			COPIER RNTL-PARKS/NOV-09	359.34
			COPIER RNTL-PARKS/NOV-09	847.68
			COPIER EXC PRINTS CHRG	171.19
Vendor Total		6,713.45		
FYTD for XEROX		35,612.84		
ZOLL, KATHARINE				
12/14/2009	199393	50.00		
			REFUND-TRAP DEPOSIT	50.00
Vendor Total		50.00		
FYTD for ZOLL, KATHARINE		50.00		
ZUMAR INDUSTRIES, INC.				
12/21/2009	199533	1,305.00		
			SIGNS FOR CFD#1 PARKS	939.84
			SIGNS FOR CFD#1 PARKS	365.16
Vendor Total		1,305.00		
FYTD for ZUMAR INDUSTRIES, INC.		22,663.79		
ZUNIGA, JESSE				
12/21/2009	199534	20.00		
			REFUND-RABIES DEP	20.00
Vendor Total		20.00		
FYTD for ZUNIGA, JESSE		20.00		
Subtotal		1,228,571.87		
GRAND TOTAL		16,480,202.55		



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

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: February 23, 2010

TITLE: ACCEPTANCE OF DONATION IN THE AMOUNT OF \$3,530 FOR THE MORENO VALLEY ANIMAL SHELTER

RECOMMENDED ACTION

Staff recommends that the City Council accept a monetary donation in the amount of \$3,530 for the Moreno Valley Animal Shelter.

BACKGROUND

The City's administrative policy on Donations requires that the City Council formally accept all donations whose estimated value exceeds \$3,000.

DISCUSSION

On January 26, 2010, representatives from Stater Bros. Markets (Stater Bros.) presented the City Council with a monetary donation in the amount of \$3,530 to be used for the Moreno Valley Animal Shelter. The Stater Bros. representatives expressed their desire to donate to a worthwhile cause by supporting the companion animals being cared for at the Moreno Valley Animal Shelter. The express purpose of the donation is as follows:

- Promote the adoption of companion animals;
- Purchase equipment that will enhance the Animal Shelter's functionality; and
- Provide veterinary care and purchase supplies for animals identified with special needs.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Accept the monetary donation of \$3,530.
2. Reject the monetary donation of \$3,530.
3. Provide staff with further direction.

Staff recommends Alternative Number 1.

FISCAL IMPACT

The fiscal impact of accepting the \$3,530 donation will be to increase the Animal Services Division's expenditure budget for FY 2009-10 as identified below, enabling the Division to fulfill the purpose of the donation as expressed by Stater Bros. Markets.

Expenditure Account	Description	Current Budget	Donation Allocation	Revised Budget
63110.6255	Other Professional Services (Veterinary contract)	\$103,000	\$1,500	\$104,500
63110.6312	Lab Supplies	\$24,500	\$500	\$25,000
63110.6361.365	Other Operating Supplies	\$25,500	\$1,530	\$27,030
Total		\$153,000	\$3,530	\$156,530

Note: Total FY 2009-10 budget for Animal Services Division is \$2,442,419; with \$3,530 donation it will increase to \$2,445,949.

SUMMARY

The City has received a monetary donation in the amount of \$3,530 from Stater Bros. Markets. The express purpose of this donation is as follows:

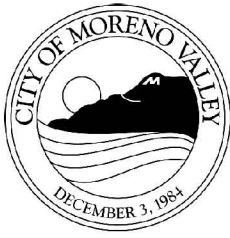
- Promote the adoption of companion animals;
- Purchase equipment that will enhance the Animal Shelter's functionality; and
- Provide veterinary care for animals identified with special needs.

The City's administrative policy on Donations requires that the City Council formally accept all donations whose estimated value exceeds \$3,000. Staff recommends that the City Council accept the \$3,530 donation to the Animal Shelter so that staff may fulfill the purpose of the donation as expressed by the donor.

Prepared by:
Steve Fries
Animal Services 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:



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

Report to City Council

TO: Mayor and City Council

FROM: Michelle Dawson, Assistant to the City Manager

AGENDA DATE: February 23, 2010

TITLE: Resolution in Support of Designating March 2010 as the
"United States Census – Make Yourself Count" Month

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2010-12 designating March 2010 as "United States Census – Make Yourself Count" month.

BACKGROUND

The Western Riverside Council of Governments (WRCOG) is a member of the Census Ad-Hoc Technical Advisory Committee, which also includes staff from the County of Riverside and the Coachella Valley Association of Governments. On February 1, 2010, the WRCOG Executive Committee adopted a resolution designating March 2010 as "United States Census – Make Yourself Count" month. On February 9, WRCOG forwarded the resolution to their member cities with the request that each agency pass a similar resolution.

DISCUSSION

The City of Moreno Valley is proud to be a partner in the Census 2010 effort and has taken the following actions in support of the drive to make sure each resident is counted:

April 2009

- Study Session presentation by the U.S. Census.

June 2009

- Staff participated in the regional Census 2010 meeting in Cathedral City and presented a proclamation from the City Council.

September 2009

- Application for Partnership Support Program funds submitted to the U.S. Census Bureau by the City Manager's Office.
- Letter inviting participation in a Complete Count Committee sent to 60 local agencies and organizations.
- Staff participated in the regional Census 2010 meeting in Riverside.

February 2010

- Received notification of award of Partnership Support Program funds; ordered bilingual "Moreno Valley Counts" chip clips to be given out to afterschool program participants in the hard to count areas along with Census 2010 information.

Additionally, the City has been running a Census 2010 public service announcement on MVTV-3 in both English and Spanish; a bulletin board slide regarding the census has been running on MVTV-3; the *CityLink* newsletters delivered to each Moreno Valley residence and business in Moreno Valley in September 2009 and January 2010 have included an item regarding the importance of the census to our community; several of the monthly MVTV-3 "News Center" programs have included reports on the Census 2010 effort, these programs run 4 times per day all month long. The City is also working with WRCOG's regional effort to promote participation in the census effort.

FISCAL IMPACT

None.

CITY COUNCIL GOALS

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

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

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

A complete count of residents in the 2010 Census will be critical in the allocation of federal funds and the determination of political representation for the City of Moreno Valley, as well as the entire Western Riverside County region. The proposed resolution demonstrates the City's commitment to the census and the goal to count everyone in Riverside County. A copy of the signed resolution will be forwarded to WRCOG.

ATTACHMENTS

Attachments: Resolution No. 2010-

Prepared By:
Michelle Dawson
Assistant to the City Manager

Department Head Approval:
Rick C. Hartmann
Interim Assistant City Manager

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

CITY OF MORENO VALLEY
RESOLUTION NO. 2010-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO
VALLEY IN SUPPORT OF THE UNITED STATES
CENSUS – MAKE YOURSELF COUNT MONTH MARCH 2010

WHEREAS, Moreno Valley supports an accurate and complete Census count;
and

WHEREAS, the Census is a mechanism for the allocation of federal funds and
determination of political representation; and

WHEREAS, participation in the Census by mail response is the most cost
effective method of enumeration; and

WHEREAS, by focusing attention on Census participation, Moreno Valley can
help the region ensure an accurate count of population;

WHEREAS, Census Month is an opportunity for government, industry, and
community based organizations to recognize the potential of an accurate Census and to
work together to encourage participation for a prosperous and sustainable future.

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

The City Council of the City of Moreno Valley supports the United States Census and
proclaims that March 2010 is Census Month, thereby urging all community members
and businesses to fully participate in local and regional promotion and educational
activities in order to achieve a complete 2010 Census count for the subregion.

APPROVED AND ADOPTED this 23rd day of February, 2010.

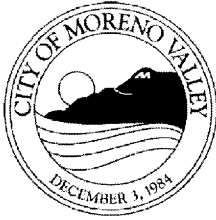
Mayor
City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



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

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: February 23, 2010 (continued from February 9, 2010)

TITLE: APPROVE PROJECT RECOMMENDATIONS FOR REMAINING UNEXPENDED "PROPOSITION 1B" - TRANSPORTATION BOND PROGRAM FUNDS AS PART OF THE FY 09/10 PAVEMENT RESURFACING PROJECT
PROJECT No. 10-12556330

RECOMMENDED ACTION

1. Staff recommends that the City Council approve project recommendations for remaining unexpended Proposition 1B funds as part of the FY 09/10 Pavement Resurfacing Project.
2. Authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance.

BACKGROUND

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B on November 7, 2006, includes a program of funding for Local Streets and Roads Improvement, Congestion Relief and Traffic Safety. Proposition 1B (Prop 1B) provided \$2 billion for cities and counties to fund the maintenance and improvement of local transportation facilities.

The 2008 Budget Act appropriated \$250 million of Prop 1B funds in 2008-09. The City's allocation from the State Department of Finance was \$2,903,000. These funds must be expended within two years. On April 8, 2008, the City Council approved the use of \$2,603,000 for the Pavement Resurfacing Project for streets and \$300,000 for bridge maintenance and repair as designated in the Capital Program Plan Budget. These listing of projects were then submitted to the State Department of Finance as part of the Proposition 1B Project Accountability Plan.

DISCUSSION

The City received \$2,903,000 in Prop 1B funding from the State Department of Finance in FY 08/09. These funds were restricted to projects that would rehabilitate roadways from further deterioration, improve traffic flow or increase traffic safety. As previously approved by City Council, these funds were designated to improve the following streets in Phase 1 and Phase 2 of the Pavement Resurfacing Project (Account No. 226.79728):

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
Eucalyptus Avenue.....	Towngate Boulevard.....	Heacock Street
Town Circle.....	Heritage Way.....	Centerpointe Drive
Heritage Way	Town Circle.....	Towngate Boulevard
Indian Street	St. Thomas Avenue	Katrina Avenue
Heacock Street.....	s/o Gregory Lane.....	Gregory Lane
Dracaea Avenue.....	Frederick Street	Graham Street
Bay Avenue	Indian Street	Perris Boulevard
Delphinium Avenue	Indian Street	Perris Boulevard
Krameria Avenue.....	Perris Boulevard	Lasselle Street

This represents 5.02 miles of streets that have been improved and completed.

Additionally, the following six bridges will receive repair and maintenance measures (Account No. 226.79828) based on the recent construction contract awarded on November 10, 2009:

- John F. Kennedy Drive Bridge, west of Kitching Street (Bridge No.56C0332)
- Oleander Flood Control Channel Bridge at Perris Boulevard (Bridge No. 56C0511)
- Krameria Street Bridge (Bridge No. 56C0396)
- Perris Valley Storm Drain Bridge at Perris Boulevard (Bridge No. 56C0464)
- Moreno Beach Drive Storm Drain Channel Bridge (Bridge No. 56C0419)
- Redlands Boulevard Overcrossing at SR-60 (Bridge No.56C0488)

According to the Proposition 1B requirements, the funds must be expended within two years. Staff is recommending that all remaining unexpended Proposition 1B funds, approximately \$381,000, be designated for the rehabilitation of up to four additional streets currently identified in the FY 09/10 Capital Improvement Plan Budget, in the following priority order due to limited funding:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
Old Lake Drive.....	Pigeon Pass Road.....	Sunnymead Ranch Parkway
Indian Street.....	Skyrock Drive	Manzanita Avenue
Kitching Street	Fir Avenue	Sunnymead Boulevard
Alessandro Boulevard	Old 215	Elsworth Street

This represents 1.88 miles of streets that will be improved.

The pavement rehabilitation of these streets will further help to eliminate the existing backlog of deteriorated streets. With this authorization, the City Engineer will update

and submit the Proposition 1B Project Accountability Plan to the State Department of Finance in order for the City to utilize the remaining unexpended funds consistent with the requirements of the Proposition 1B Transportation Bond Program.

ALTERNATIVES

1. Approve project recommendations for remaining unexpended Proposition 1B funds as part of the FY 9/10 Pavement Resurfacing Project, and authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance. *This alternative supports funding for the eligible project.*

2. Do not approve project recommendations for remaining unexpended Proposition 1B funds as part of the FY 9/10 Pavement Resurfacing Project, and do not authorize the City Engineer to update and submit the Proposition 1B Project Accountability Plan to the State Department of Finance. *This alternative eliminates funding for the project.*

FISCAL IMPACT

A Phase 3 Pavement Resurfacing Project can be funded with the remaining Proposition 1B (Fund 226) and existing Proposition 42 (Fund 225) funds that are already designated for Pavement Rehabilitation in the FY 09/10 Capital Improvement Budget. Staff is recommending that all remaining unexpended Proposition 1B funds, approximately \$381,000, be designated for the rehabilitation of up to four additional streets currently identified in the FY 09/10 Capital Improvement Plan Budget.

Proposition 1B and Proposition 42 funds must be used for projects that will rehabilitate roadways from further deterioration, improving traffic flow or increasing traffic safety and cannot be used for non transportation related expenses. These Proposition 1B and Proposition 42 funds must be expended within two years. **There is no impact to the General Fund.**

PROJECT FUNDING:

Estimated unexpended Prop. 1B funds (Acct. No. 226.79728 & 226.79828)	\$ 381,000
Estimated unexpended Prop. 42 funds (Acct. No. 225.68722)	<u>\$ 641,000</u>
Total	\$ 1,022,000

ESTIMATED PROJECT RELATED COSTS

Design Costs	\$50,000
Construction Costs	\$880,000
Construction Geotechnical Services	\$12,000
Construction Survey Services.....	\$30,000
Project Administration and Inspection (by City staff & consultants)	<u>\$50,000</u>
Total Estimated Project Related Costs	\$1,022,000

ANTICIPATED PROJECT SCHEDULE

Complete Approval and Advertise the project February, 2010
Open Bids and Award Contract April, 2010
Project Construction May - June, 2010

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:

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

PUBLIC SAFETY:

Construction of these improvements provides a safe and secure environment for people and property in the community.

PUBLIC FACILITIES AND CAPITAL PROJECTS:

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

SUMMARY

Staff requests City Council approval of project recommendations for Prop 1B funding. Prop 1B provides funding to local agencies for the maintenance and improvement of local transportation facilities.

ATTACHMENTS

Attachment "A" – Location Map - Pavement Resurfacing Project – Phase 3

Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

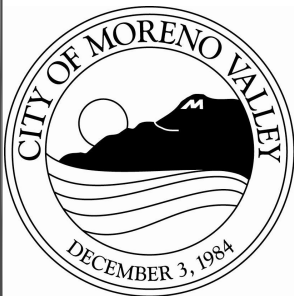
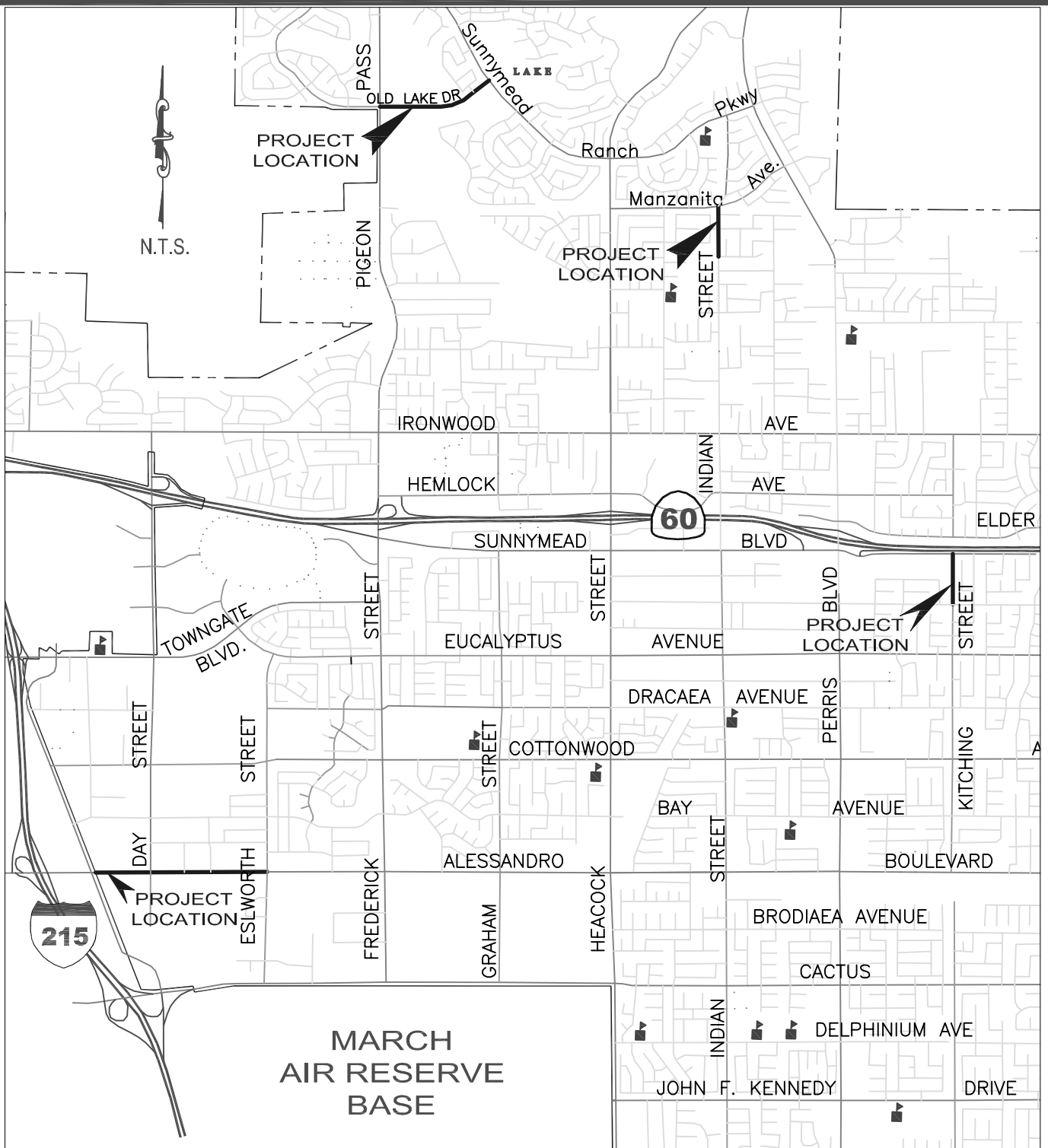
Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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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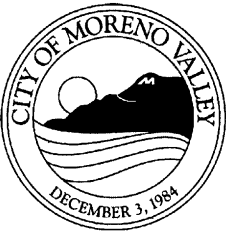
LOCATION MAP

Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT "A"

PAVEMENT RESURFACING PROJECT
PHASE 3



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>[Signature]</i>
CITY MANAGER	<i>[Signature]</i>

Report to City Council

TO: Mayor and City Council

FROM: John Ruiz, Interim Human Resources Director

AGENDA DATE: February 23, 2010

TITLE: Approval of Employment Agreement between the City of Moreno Valley and Robert L. Hansen for the Position of City Attorney

RECOMMENDED ACTION

Staff recommends that the City Council:

Approve the attached employment agreement between the City of Moreno Valley and Robert L. Hansen for the position of City Attorney.

BACKGROUND

Former City Attorney Robert Herrick retired from City service in June, 2009. At that time, the City Council named Assistant City Attorney Robert L. Hansen as Interim City Attorney with a 5% increase in base salary as "interim pay" pending the appointment of Mr. Herrick's permanent replacement. For the past seven months the Council has had an opportunity to work closely with Mr. Hansen on a variety of issues and have found his work to be excellent. As a result of these interactions, the City Council directed the Human Resources Director to work with outside legal counsel to negotiate an employment contract with Mr. Hansen.

DISCUSSION

The attached contract was negotiated with the assistance of outside legal counsel. It sets forth the duties and responsibilities of the City Attorney and the salary and benefits associated with the position.

Due to the amount of time spent negotiating the agreement, Council direction is to make the contract retroactive to January 1, 2010 with appropriate retroactive salary adjustments.

ALTERNATIVES

1. Approve the Agreement based on upon its terms and conditions.
2. Not approve the Agreement.

FISCAL IMPACT

The proposed salary and benefits are within the range established for the position and sufficient funds have been budgeted.

ATTACHMENTS

Exhibit "A" – Employment Agreement between the City of Moreno Valley and Robert L. Hansen.

Prepared By:
John Ruiz
Interim HR Director

Concurred By:
William L. Bopf
Interim City Manager

Department Head Approval:
John Ruiz
Interim HR Director

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

**EMPLOYMENT AGREEMENT
FOR THE POSITION OF
CITY ATTORNEY**

This Employment Agreement (hereafter referred to herein as "Agreement") is made and entered into this first (1st) day of January, 2010, by and between the City of Moreno Valley, California (hereafter referred to herein as "CITY"), a California municipal corporation and general law city, and Robert L. Hansen (hereafter referred to herein as "HANSEN"), an individual, on the following terms and conditions:

RECITALS

A. CITY, by and through the City Council, desires to employ the services of HANSEN as City Attorney of CITY; and

B. HANSEN desires to accept employment as City Attorney in consideration of and subject to the terms and conditions set forth in this Agreement.

OPERATIVE PROVISIONS

In consideration of the promises and covenants contained herein, the parties agree as follows:

1. Position, Term and Duties.

1.1 **Position.** HANSEN accepts employment with CITY as its City Attorney and shall perform all functions, duties and services set forth in Section 1.4 [Duties] of this Agreement. HANSEN shall provide services at the direction and under the supervision of the City Council of CITY. It is the intent of the parties that the City Attorney shall keep the City Council fully apprised of all significant legal issues of the CITY. Toward that end, HANSEN shall report directly to the City Council and will periodically, or as may be specifically requested by the City Council, provide status reports to the City Council on his activities and those of CITY.

1.2 **Term.** The term of this Agreement shall commence on January 1, 2010 (Commencement Date), upon being executed by HANSEN and approved by the City Council. This Agreement shall remain in effect until such time as this Agreement is terminated pursuant to Section 4, below.

1.3 **At-Will Employment.** HANSEN acknowledges that he is an at-will employee of CITY who shall serve at the pleasure of the City Council at all times during the period of his service under this Agreement. The terms and provisions of CITY's personnel rules, policies, procedures, ordinances and resolutions shall apply to HANSEN, and he shall be entitled to all benefits and rights afforded to other Executive Management (as defined in the City's Personnel Rules) of CITY, except to the extent provided by this Agreement, and, in the case of any conflict between this Agreement, and the Personnel Rules, policies, procedures, ordinances and resolution, the terms of this Agreement shall prevail. Notwithstanding the application of the City's Personnel Rules to this Agreement, and

without limitation, HANSEN shall have no rights under sections 9, 10, 11 and 12 of the Personnel Rules. Nothing in this Agreement is intended to, or does, confer upon HANSEN any right to any property interest in continued employment, or any due process right to a hearing before or after a decision by the City Council to terminate his employment, except as is expressly provided in Section 4 [Termination] of this Agreement. Nothing contained in this Agreement shall in any way prevent, limit or otherwise interfere with the right of CITY to terminate the services of HANSEN as provided in Section 4 [Termination]. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of HANSEN to resign at any time from this position with CITY, subject only to the provisions set forth in Section 4 [Termination] of this Agreement. This at-will employment Agreement shall be expressly subject to the rights and obligations of CITY and HANSEN, as set forth in Section 4 [Termination] herein.

1.4 **Duties.** HANSEN shall serve as the City Attorney and shall be vested with the powers, duties and responsibilities of the City Attorney as set forth in the City's applicable ordinances and resolutions, and in the City of Moreno Valley Municipal Code, as may be amended from time to time, the terms of which are incorporated herein by reference. It is the intent of the City Council for the City Attorney to function as the chief legal counsel of CITY's organization. Without additional compensation, HANSEN shall provide such other services as are customary and appropriate to the position of City Attorney, including serving as legal counsel for the Community Redevelopment Agency of the City of Moreno Valley and the Moreno Valley Community Services District, together with such additional services assigned from time to time by the City Council as may be consistent with California law and the City of Moreno Valley Municipal Code. HANSEN shall devote his best efforts and full-time attention to the performance of these duties.

1.5 **Hours of Work.** HANSEN shall devote the time necessary to adequately perform his duties as City Attorney. The work schedule shall be the same as the schedule in place for all other Executive Managers of CITY, provided the schedule of such hours provides adequate availability to the City Council, City Staff, and members of the community during normal business hours and for the performance of his duties in conducting CITY business. The position of City Attorney shall be deemed an exempt position under applicable wage and hour law. HANSEN hereby acknowledges that he shall not be entitled to any compensation for overtime.

1.6 **Professional Activity.** The City Council desires HANSEN to be reasonably active in national, statewide, regional and professional organizations that will contribute to City Attorney's professional development and standing and that will contribute to the advancement of the CITY's interests and standing. Toward that end, HANSEN may, upon advance notice to the City Council, undertake such activities as are directly related to his professional development and that advance the interests and standing of the CITY. These activities may include, without limitation, participation in the California League of Cities, California state and local bar associations, or other similar national, statewide, regional or professional organizations, provided that such activities do not in any way interfere with or adversely affect his employment as City Attorney or the performance of his duties as provided herein. CITY agrees to budget and pay for the reasonable dues and subscriptions of the City Attorney necessary for his participation in such organizations.

CITY agrees to reimburse HANSEN's reasonable and necessary travel, business and subsistence expenses for his activities as provided for in the City's Administrative Policies.

1.7 **Other Activity.** In accordance with Government Code Section 1126, during the period of his employment, HANSEN shall not accept, without the express prior written consent of the City Council, any other employment or engage, directly or indirectly, in any other business, commercial, or professional activity (except as permitted under Section 1.6 [Professional Activity], whether or not to pecuniary advantage, that is or may be competitive with the CITY, that might cause a conflict-of-interest with the CITY, or that otherwise might interfere with the business or operation of the CITY or the satisfactory performance of HANSEN's duties as City Attorney.

2. **Compensation.**

2.1 **Salary.** For all services performed by HANSEN as the City Attorney under this Agreement, CITY shall pay HANSEN compensation in accordance with the adopted salary schedule for the position, plus all other compensation benefits afforded by CITY to other full time Executive Management employees. HANSEN shall be entitled to all cost of living and other salary and benefit adjustments implemented by the CITY as applicable to other full time Executive Management employees. The starting salary shall be sixteen thousand six hundred thirty-seven dollars (\$16,637) per month, paid bi-weekly according to the payroll schedule in place for CITY employees. All compensation and leave policies applicable to Executive Management employees as contained in CITY'S Personnel Rules and Regulations shall apply. CITY agrees to increase the adopted salary schedule for the position by six thousand dollars over its current cap. HANSEN acknowledges that he will not be entitled to any automobile allowance in addition to his salary, but is entitled to mileage reimbursement pursuant to City policy when his private vehicle is used in excess of fifty (50) miles on any given occasion.

2.2 **Annual Leave.** Notwithstanding the provisions of the City's Personnel Rules, CITY agrees that HANSEN shall receive four hundred sixty-four (464) hours of Annual Leave per year, which Annual Leave shall be subject to CITY's Personnel Rules and Regulations as they apply to other Executive Management employees. This leave is not in addition to leave granted under the Personnel Rules.

2.3 **Reduction in Salary or Benefits.** City shall not at any time during the Term of this Agreement reduce the Salary [Section 2.1], or other financial benefits of HANSEN, except to the extent that other Executive Management employees undergo such reduction.

3. **Performance Evaluation.**

3.1 The City Council shall review and evaluate HANSEN's performance at least once annually. Said review and evaluation shall be in accordance with specific criteria developed jointly between HANSEN and the City Council. Said criteria may be added to or deleted from as the City Council may determine from time to time in consultation with HANSEN. Further, the Mayor shall provide HANSEN with a summary written statement of

the findings of the City Council and provide an adequate opportunity for HANSEN to discuss said evaluation with the entire City Council.

3.2 Annually, the City Council shall define such goals and performance objectives which they determine necessary for the proper function of the City Attorney's Office and in the attainment of City Council goals and objectives, and shall further establish a relative priority among the various goals and objectives, said goals and objectives to be reduced to writing. Any such goals or objectives shall generally be attainable within the time limitations as specified and within City Attorney Department budgets.

3.3 CITY agrees to consider an increase to HANSEN's Salary [Section 2.1] during said Performance Evaluation; however, any increase to Salary [Section 2.1] shall be at the sole discretion of the City Council. In addition, the City Council agrees to consider an increase in the adopted salary schedule for the position of City Attorney, as well as an increase to any and all other benefits under this Agreement or afforded by CITY to other full time Executive Management employees. Such consideration shall be within the sole and exclusive discretion of the City Council.

4. Termination.

4.1 HANSEN's employment, and this Agreement, may not be terminated "without cause" within the first 12 months of the effective date of this agreement or within six (6) months after any change in the City Council, though notice may be given within that period.

4.2 The City Council may terminate HANSEN'S employment, and this Agreement "for cause" at any time upon written notice. "For cause" is defined as any of the following: (i) an act in bad faith and to the detriment of the City; (ii) refusal or failure to act in accordance with any specific lawful direction or order of the City Council that is not in conflict with the Rules of Professional Conduct and/or the Legal Canon of Ethics for attorneys in the State of California; (iii) unfitness or unavailability for service that exceeds thirty (30) consecutive calendar days and is not the result of any excused illness or medical condition; (iv) unsatisfactory performance; (v) commission of an act involving moral turpitude or other acts which harm the reputation of or interests of the City; (vi) habitual neglect of responsibilities, or incompetence; (vii) a conviction of a felony or other crime punishable by jail or imprisonment in the jurisdiction involved (or entry of a plea of guilty or *nolo contendere* with respect to any such crime); (viii) possession of, use of, or working while under the influence of alcoholic beverages or other non-prescribed controlled substances during working hours; (ix) engaging in an actual conflict of interest; (x) commission of acts of theft, embezzlement, or fraud; (xi) acceptance of bribes or extortion; (xii) imposition of professional discipline by the State Bar of California resulting in suspension or disbarment; or (xiii) material breach of this Agreement by HANSEN. If this Agreement is terminated by the City Council "for cause," HANSEN's employment shall be deemed immediately terminated and HANSEN shall surrender all CITY keys, computer passwords, and other CITY property entrusted to HANSEN for the purposes of the discharge of his duties. Upon termination for cause, HANSEN shall have no recourse under this AGREEMENT or any administrative procedure for purposes of challenging the termination action.

4.3 In the event the City Council wishes to terminate this Agreement and HANSEN'S employment "without cause" CITY shall provide HANSEN with a minimum of 180 days notice in writing.

4.4 In the event HANSEN is terminated "without cause" or asked to resign during such time that HANSEN is willing and able to perform the Duties [Section 1.4] under this Agreement, then CITY agrees, at HANSEN's option, to pay HANSEN a lump sum cash payment equal to 180 days of Salary and benefits[Section 2.1] as severance pay. In lieu of a lump sum severance payout, HANSEN may elect to remain on CITY's payroll and continue to receive Salary [Section 2.1] and benefits afforded by CITY to other Executive Management employees in effect at the time of termination, for a period of 120 days or until HANSEN commences other employment, whichever first occurs.

4.5 HANSEN shall receive a lump sum payout of any unpaid accruals of Annual Leave [Section 2.2] and Sick Leave upon termination of employment for any reason pursuant to CITY policies. HANSEN shall not accrue Annual Leave [Section 2.2] or Sick Leave following the date of termination.

4.6 HANSEN shall not be entitled to any increases in Salary [Section 2.1], or benefits afforded by CITY to other Executive Management employees following the date of termination.

4.7 This Agreement may be terminated by HANSEN at any time upon 45 days written notice to the City Council. If such written notice is given, the City has the option to ask HANSEN to leave his position sooner than the expiration of 45 days, but, if it does so, the City will continue to honor its obligations under this Agreement until expiration of the 45-day period.

4.8 HANSEN'S employment and this Agreement shall terminate automatically upon HANSEN'S death. In this event, the City shall pay the beneficiary designated by HANSEN in writing, or in the absence of such designation, HANSEN'S estate, his accrued and unpaid compensation, and all accrued but unused benefits, if any, through the date of HANSEN'S death.

5. Proprietary Information. "Proprietary Information" is all information and any idea pertaining in any economic development engaged in or contemplated by the City(or any CITY affiliate), including marketing plans and development projects. Proprietary Information shall include, without limitation, trade secrets, ideas, inventions, processes, formulae, data, know-how, software and other computer programs, copyrightable material, marketing plans, strategies, sales, financial reports, and forecasts. During his employment by CITY, HANSEN shall only use Proprietary Information, for the benefit of CITY and as is or may be necessary to perform his job responsibilities under this Agreement. Following termination, HANSEN shall not use or disclose any Proprietary Information for the benefit of himself or any third party, except with the express written consent of CITY. HANSEN's obligations

under this Section shall survive the termination of his employment and the termination of this Agreement.

6. **Conflict Of Interest.** HANSEN represents and warrants to CITY that he presently has no interest, and represents that he will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or interfere in any way with performance of his services under this Agreement.

7. **General Provisions.**

7.1 **Vehicle Operation.** HANSEN shall operate any vehicle used in connection with the performance of his duties as City Attorney in a safe manner and otherwise in observance of all established traffic safety laws and ordinances and shall maintain a valid California automobile's driver's license during the period of employment. In addition, HANSEN shall maintain in full force and effect during the Term of this Agreement, valid automobile liability insurance providing coverage for collision, personal injury and medical reimbursement, in accordance with the City's Administrative Policy.

7.2 **Notices.** All notices, requests, demands and other communications under this Agreement shall be in writing and shall be effective upon delivery by hand or three (3) business days after deposit in the United States mail, postage prepaid, certified or registered, and addressed to CITY at the address below, and at the last known address maintained in HANSEN's personnel file. HANSEN agrees to notify CITY in writing of any change in his address during his employment with CITY. Notice of change of address shall be effective only when accomplished in accordance with this Section.

City's Notice Address:
City of Moreno Valley
c/o City Manager
P.O. Box 88005
14177 Frederick Street
Moreno Valley, California 92552-0805

City Attorney's Address:
[Deliver to last updated address in personnel file]

7.3 **Indemnification.** Subject to, in accordance with, and to the extent provided by the California Tort Claims Act [Government Code Section 810 *et seq.*] the CITY will indemnify, defend, and hold HANSEN harmless from and against any action, demand, suit, monetary judgment or other legal or administrative proceeding, and any liability, injury, loss or other damages, arising out of any act or omission occurring during HANSEN's tenure as City Attorney.

7.4 **Bonding.** The CITY shall bear the full cost of any fidelity or other bonds required of the City Attorney under any law or ordinance.

7.5 **Integration.** This Agreement is intended to be the final, complete, and exclusive statement of the terms of HANSEN's employment by CITY. This Agreement supersedes all other prior and contemporaneous agreements and statements, whether written or oral, express or implied, pertaining in any manner to the employment of HANSEN, and it may not be contradicted by evidence of any prior or contemporaneous statements or agreements. To the extent that the practices, policies, or procedures of CITY, now or in the future, apply to HANSEN and are inconsistent with the terms of this Agreement, the provisions of this Agreement shall control.

7.6 **Amendments.** This Agreement may not be amended, altered or modified, except in a written document signed by HANSEN, approved by the City Council and signed by the Mayor.

7.7 **Waiver.** Failure to exercise any right under this Agreement shall not constitute a waiver of such right.

7.8 **Assignment.** HANSEN shall not assign any rights or obligations under this Agreement. CITY may, upon prior written notice to HANSEN, assign its rights and obligations hereunder.

7.9 **Severability.** If a court holds any provision of this Agreement to be invalid, unenforceable, or void, the remainder of this Agreement shall remain in full force and effect.

7.10 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California, with venue proper only in Riverside County, State of California.

7.11 **Interpretation.** This Agreement shall be construed as a whole, according to its fair meaning, and not in favor of or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit or against the party responsible for any particular language in this Agreement. Captions are used for reference purposes only and should be ignored in the interpretation of the Agreement.

7.12 **Acknowledgment.** HANSEN acknowledges that he has had the opportunity to consult legal counsel in regard to this Agreement, that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

IN WITNESS WHEREOF, the CITY has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested to by its City Clerk, and HANSEN has signed and executed this Agreement, as of the date first indicated above.

CITY ATTORNEY

CITY OF MORENO VALLEY

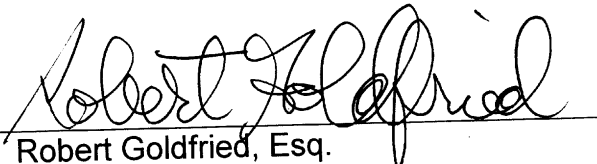
Robert L. Hansen

Bonnie Flickinger, Mayor

ATTEST

APPROVED AS TO FORM

Jane Halstead, City Clerk

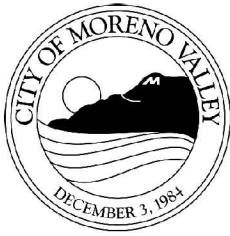


Robert Goldfried, Esq.
Special Counsel to the City

**MINUTES - REGULAR MEETING OF FEBRUARY 9, 2010
(Report of: City Clerk's Department)**

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2



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

Report to City Council

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

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: February 23, 2010

TITLE: Apply for and Subsequent Acceptance of Grant Monies from the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize staff to apply for additional grant monies from the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program.
2. Authorize the acceptance of the ASES Program grant in the amount of up to \$337,500 for Sugar Hill, Ridge Crest, and Hidden Springs Elementary Schools to provide literacy, academic enrichment, and a safe constructive alternative for students in kindergarten through fifth grades.
3. Authorize use of grant funds for personnel as follows: one Office Assistant, three Site Leaders, and 30 Program Assistants.
4. Authorize the City Manager to sign documents with the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program on behalf of the City of Moreno Valley.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The After School Learning and Safe Neighborhoods Partnership Program began in 1998. Proposition 49 was passed by California voters in 2002, changing the name to After School Education and Safety (ASES) program, and effective July 1, 2006 increasing annual funding from \$121 million up to \$550 million. Applicants awarded an ASES grant received a three-year renewable direct grant awarded in one-year increments. The City's grant was recently renewed for another three years beginning on July 2010.

As a result of staff's efforts to provide an increased level of service for Moreno Valley youth through diverse funding, staff submitted competitive grant applications in partnership with Moreno Valley Unified School District (MVUSD) and Val Verde Unified School District (VVUSD) to the After School Partnerships Office, CDE.

The City of Moreno Valley, Parks and Community Services Department, received notification on December 18, 2006 from the State Department of Education that it received funding in the amount of up to \$4,950,000 for up to 41 school sites in MVUSD and VVUSD.

DISCUSSION

The focus of the ASES grant submitted by the City, in partnership with MVUSD and VVUSD, is to provide literacy, academic enrichment, and safe, constructive alternatives for students kindergarten through grade nine at no cost to the participants. The 41 current school sites receiving grant funding were chosen based, in part, on the percentage of students eligible for free and reduced lunches. The program not only benefits the 3,780 students in the program, but the entire community as well.

Staff was notified that three additional MVUSD elementary school sites (Sugar Hill, Ridge Crest and Hidden Springs) have become eligible to participate in the ASES grant program.

To meet the staffing requirements of the grant, an additional 34 part-time positions will be required for the three additional sites. These positions are to include up to: one Office Assistant, three Site Leaders, and 30 Program Assistants.

As part of the City's policy, the City Council needs to formally accept staff applying for the grant and this funding before the Department can proceed any further.

ALTERNATIVES

1. Authorize staff to proceed with applying for the grant funding, and approve the acceptance of the ASES grant funding in the amount of up to \$337,500 and the addition of personnel required to efficiently operate the program.

2. Authorize staff to proceed with applying for the grant funding, but do not authorize the acceptance of the ASES grant funding at this time, and provide direction to staff.
3. Authorize staff to proceed with applying for the grant funding, but approve the acceptance of the ASES grant funding in an amount less than the \$337,500 offered for Fiscal Year 2009/2013 from the California Department of Education, After School Partnerships Office, for the After School Education and Safety (ASES) Program and reduce the number of children we will serve. This option would limit the City's chances of increased funding in the future.
4. Do not authorize staff to proceed with applying for the grant funding and continue with our current 41 sites for after school programs.

FISCAL IMPACT

The proposed grant would fund all program expenditures at 100 percent through direct grant funding.

SUMMARY

This additional grant funding would allow the City, in partnership with MVUSD, to provide after school care for an additional 300 students in kindergarten through fifth grades, where they receive extended learning opportunities in a safe physical and emotional environment.

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment A: Moreno Valley Unified School District School Sites Map

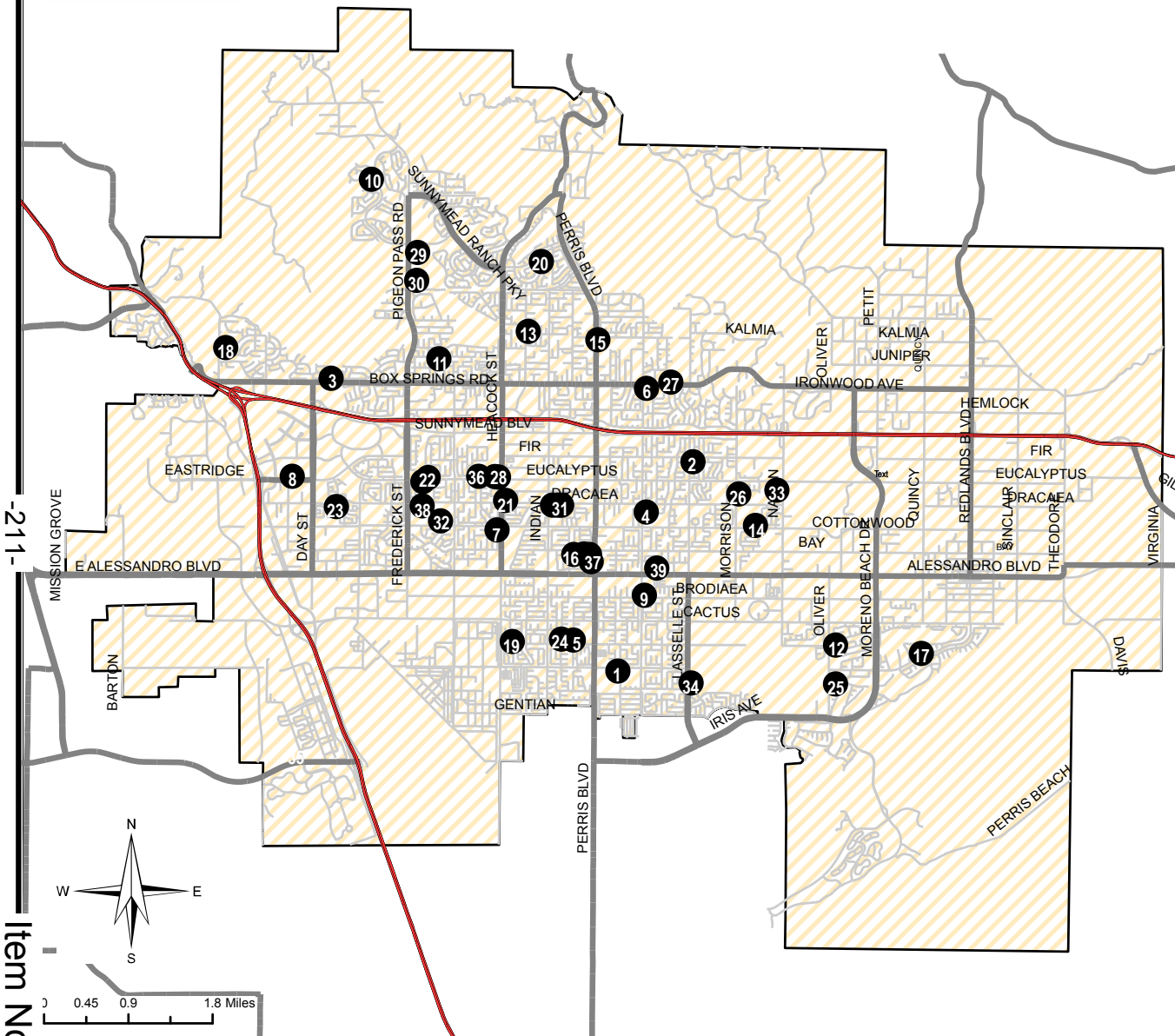
Prepared By:
Christine Peterson
Program Supervisor

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

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

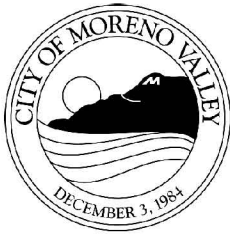


MORENO VALLEY UNIFIED SCHOOL DISTRICT 2008/2009



ELEMENTARY SCHOOLS	
1 Armada • 571-4500 25201 John F. Kennedy Dr.	13 Midland • 571-4610 11440 Davis St.
2 Bear Valley • 571-4520 26125 Fir Ave.	14 Moreno • 571-4620 26700 Cottonwood Ave.
3 Box Springs • 571-4530 11900 Athens Dr.	15 North Ridge • 571-4630 25101 Kalmia Ave.
4 Butterfield • 571-4540 13400 Kitching St.	16 Ramona • 571-4720 24801 Bay Ave.
5 Chaparral Hills • 571-4730 24850 Delphinium Ave.	17 Ridge Crest • 571-4640 26500 John F. Kennedy Dr.
6 Cloverdale • 571-4550 12050 Kitching St.	18 Seneca • 571-4650 11615 Wordworth Rd.
7 Creekside • 571-4560 13563 Heacock	19 Serrano • 571-4660 24100 Delphinium Ave.
8 Edgemont • 571-4570 21790 Eucalyptus Ave.	20 Sugar Hill • 571-4670 24455 Old Country Rd.
9 Hendrick Ranch • 571-4580 25570 Brodiaea Ave.	21 Sunnymead • 571-4680 24050 Dracaea Ave.
10 Hidden Springs • 571-4590 9801 Hidden Springs Dr.	22 Sunnymeadows • 571-4690 23200 Eucalyptus Ave.
11 Honey Hollow • 571-4600 11765 Honey Hollow Dr.	23 TownGate • 571-4700 22480 Dracaea Ave.
12 LaJolla • 571-4740 14745 Willowgrove Pl.	
MIDDLE SCHOOLS	
24 Badger Springs • 571-4200 24750 Delphinium Ave.	30 Canyon Springs • 571-4760 23100 Cougar Canyon Dr.
25 Landmark • 571-4220 15261 Legendary Dr.	31 March Mountain • 571-4800 24551 Dracaea Ave.
26 Mountain View • 571-4240 13130 Morrison St.	32 Moreno Valley • 571-4820 23300 Cottonwood Ave.
27 Palm • 571-4260 11900 Slawson Ave.	33 Valley View • 571-4850 13135 Nason St.
28 Sunnymead • 571-4280 23996 Eucalyptus Ave.	34 Vista del Lago • 571-4880 15150 Lasselle St.
29 Vista Heights • 571-4300 23049 Old Lake Dr.	
ALTERNATIVE EDUCATION	
31 Adult Education • 571-4790 13350 Indian	21 March Valley ISP (1-8) • 571-4815 23996 Eucalyptus Ave.
38 Alessandro School • 571-4510 Alt. Spec. Ed. K-12 23311 Dracaea Ave.	31 March Valley CORE (9-12) • 571-4810 24551 Dracaea Ave.
37 Bayside Community Day • 571- 24975 Bay Ave.	36 Rainbow Springs 23390 Eucalyptus Ave. Headstart: (951) 571-4716 Preschool: (951) 571-4710
37 Charter School • 571-7895 Office: 24975 Bay Ave.	
DISTRICT OFFICES	
38 Alessandro Admin.Center (AAC) • 571-7690 (Centralized Registration, Language Assessment, Special Ed Referrals, Transfers, Lunch Program, Bus Passes, Facilities / Demographics) 23301 Dracaea Ave.	37 Perris Operations Center (POC) (Maintenance, Warehouse, Reprographics, Media Center) 13911 Perris Boulevard
39 District Office (CEC) • 571-7500 Romelio Ruis Community Educ. Ctr. 25634 Alessandro Blvd.	

Item No. B.3



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

Report to City Council

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

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: February 23, 2010

TITLE: Authorize the Submission of Grant Applications for the Statewide Park Development and Community Revitalization Program and Adopt the Resolution to Certify the Approval of the Governing Board

RECOMMENDED ACTION

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

1. Authorize the Parks and Community Services Director to submit the grant applications to the State Department of Parks and Recreation for the Statewide Park Development and Community Revitalization Program for the March Field Park Soccer Field Project and the Water Conservation and Demonstration Garden.
2. Adopt the proposed Resolution No. CSD 2010-04 to certify the approval of the governing board approving the grant application for grant funds from the Statewide Park Program.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

Funding for this grant program was made available through the Sustainable Communities and Climate Change Reduction chapter in Proposition 84 (Public Resources Code Division 43, Chapter 9, 75065(b) (1-5).

DISCUSSION

The intent of this program is to award grants on a competitive basis for the creation of new parks and new recreational opportunities in proximity to the most critically underserved communities across California. The creation of new parks in neighborhoods will be given priority.

The proposed projects, Water Conservation and Demonstration Garden and March Field Park Soccer Fields, meet the criteria set forth by the Statewide Park Development and Community Revitalization Program. Projects are selected for funding based on a statewide competition using the following criteria:

1. Critical lack of park space
2. Significant poverty
3. Type of project (creation of new parks in neighborhoods will be given priority)
4. Community Based Planning
5. Sustainable Techniques
6. Project funding; Is any other funding needed to complete the project? There is no match requirement for this grant.
7. Fees and hours of operation
8. Youth outdoor learning employment or volunteer opportunities
9. Community Challenges and project benefits

The following are the two projects identified for grant funding:

Water Conservation and Demonstration Garden	\$751,000
March Field Park Soccer Fields	\$5,000,000

ALTERNATIVES

1. Authorize the Parks and Community Services Director to submit the grant applications to the State Department of Parks and Recreation, for the Statewide Park Development and Community Revitalization Program and adopt the proposed resolution to certify the approval of the governing board approving the grant application for the Statewide Park Program Grant Funds.
2. Do not authorize the Parks and Community Services Director to submit the grant applications to the State Department of Parks and Recreation, for the Statewide Park Development and Community Revitalization Program and do not adopt the proposed resolution to certify the approval of the governing board approving the grant application for the Statewide Park Program Grant Funds.

FISCAL IMPACT

The maximum grant request is \$5,000,000 for each project. We are requesting \$715,000 for the Water Conservation and Demonstration Garden and \$5,000,000 for the March Field Park Soccer Fields. There is not match requirement for this program.

The projected annual cost for maintenance of the Water Conservation and Demonstration Garden is \$21,000 per year. The projected annual cost for maintenance of the March Field Park Soccer Fields is \$99,000 per year. These projections include utilities, contract mowing, maintenance, and staff time.

CITY COUNCIL GOALS

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

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

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 that will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

SUMMARY

The Statewide Park Program provides funds for projects that will benefit the health of families, youth, senior citizens, and other population groups by meeting their recreational, cultural, social, educational, and environmental needs. The proposed park projects will help to meet the needs of the community.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By:
Patty Grube
Management Analyst

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

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

RESOLUTION NO. CSD 2010-04

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD APPROVING THE APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the grant scope project;

NOW, THEREFORE, BE IT RESOLVED that the MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, hereby:

Approves the filing of an application for the March Field Park Soccer Fields and the Water Conservation and Demonstration Garden, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in these applications, the sufficient funds to complete the projects, and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the projects, and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to Parks and Community Services Director to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

APPROVED AND ADOPTED this 23rd day of February, 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

**MINUTES - REGULAR MEETING OF FEBRUARY 9, 2010
(Report of: City Clerk's Department)**

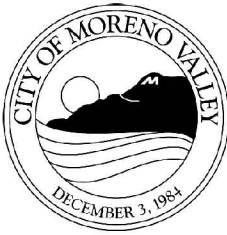
Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

**MINUTES - REGULAR MEETING OF FEBRUARY 9, 2010
(Report of: City Clerk's Department)**

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2



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 and the 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: February 23, 2010

TITLE: CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 (PROPOSED SKECHERS PROJECT)—BALLOTING FOR NPDES AND CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council, after conducting the Public Hearing and accepting public testimony:
 - a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System ("NPDES") ballots for identified properties within Tentative Parcel Map ("TPM") 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached Assessor Parcel Number ("APN") listing;
 - c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
 - d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629.

2. 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"), after conducting the Public Hearing and accepting public testimony:
 - a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for the identified properties within TPM 35629;
 - b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing;
 - c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and

- d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Public Works Department, requires that new development projects participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003 and the commercial/industrial regulatory rate on January 10, 2006.

The 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 benefit. Each zone provides specific services to designated areas. Along with other zone services, the CSD provides street lighting maintenance, landscape maintenance, and improved median landscape maintenance.

DISCUSSION

Conditions of Approval for TPM 35629 require that the development provide a funding source to help support the NPDES program and for the annual maintenance for the proposed medians adjacent to the project. The Conditions of Approval for this development indicate that the funding sources are to be in effect prior to map recordation. Approving the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge through a mail ballot proceeding shall fulfill these requirements.

Four separate owners are listed on parcels that shall be reconfigured for identified properties within TPM 35629: Westcoast Prop Partners, Sinclair Prop Partners, Sand Prop Partners, and HF Educational Partners. 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, Special Districts ("SD"), a division of the Public Works Department, is conducting a mail ballot proceeding to allow the property owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge. SD mailed ballot materials to each owner for this mail ballot proceeding.

Since March 24, 2009, the original date of the Public Hearing, the developer, on behalf of the property owners, has submitted four separate requests to continue the Public Hearing. The latest request continued the Public Hearing to February 23, 2010. Copies of the correspondences requesting continuation of the Public Hearings are included as Attachment 4.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the identified property owners of TPM 35629, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. The City will also be authorized to levy the NPDES maximum commercial/industrial regulatory rate of \$205, which is subject to an annual inflation adjustment, to each associated APN (and any division thereof) and shall be placed on the Riverside County property tax bill beginning in 2010/11 and then each following year or as a monthly charge on a utility bill.

SD conditions commercial, industrial, and multifamily developments along designated arterial streets to participate in the median maintenance program in compliance with the citywide Arterial Median Maintenance Policy, approved by the CSD Board in February 2003 and modified January 2006. Staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to, mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, repairing decorative hardscape, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. The annual CSD Zone M levy amount shall be assessed on the Riverside County property tax bill to each associated APN (and any division thereof) once construction of the medians begins. The CSD Zone M charge will be levied each following year at the proposed rate, which is subject to an annual inflation adjustment.

ALTERNATIVES

1. **Conduct the Public Hearing**, tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge to the identified properties within TPM 35629. *The project has been conditioned to provide a funding source to help support the NPDES program and to provide funding for the annual maintenance for the medians adjacent to the project. The property owner has chosen to conduct a mail ballot proceeding as a way to satisfy the conditions of approval. This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*
2. **Do not conduct the Public Hearing**, tabulate the ballots, verify, or accept the results of the mail ballot proceeding for the identified properties within TPM 35629. *Noncompliance with the conditions of approval shall occur if the mail ballot proceeding to authorize the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge is not completed. This alternative would be contrary to Proposition 218 mandates.*

FISCAL IMPACT

The FY 2008/09 NPDES maximum commercial/industrial regulatory rate and CSD Zone M charge for each parcel are listed on the following page. Prior to development of APN 488-350-001, which is also part of TPM 35629, SD shall ballot the property owner for NPDES and Zone M.

Assessor Parcel Number	2008/09 NPDES Maximum Commercial/Industrial Rate*	2008/09 CSD Zone M Annual Charge*
488-350-002 (and any division thereof)	\$205	\$17,285.40
488-360-001 (and any division thereof)	\$205	\$0.00
488-360-002 (and any division thereof)	\$205	\$0.00
488-360-003 (and any division thereof)	\$205	\$0.00
488-360-004 (and any division thereof)	\$205	\$0.00
488-360-005 (and any division thereof)	\$205	\$0.00
488-360-006 (and any division thereof)	\$205	\$0.00
488-360-007 (and any division thereof)	\$205	\$0.00
488-360-008 (and any division thereof)	\$205	\$4,077.60
488-360-009 (and any division thereof)	\$205	\$3,405.60
488-360-010 (and any division thereof)	\$205	\$3,405.60
488-360-011 (and any division thereof)	\$205	\$6,811.20
488-360-012 (and any division thereof)	\$205	\$6,501.60

*The NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M 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.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.

The CSD Zone M annual charge, paid by the adjacent new developments, provides the necessary funding for the maintenance of newly constructed medians within the CSD. **There is no impact on the General Fund for newly constructed medians. The collection of the CSD Zone M annual charge is restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

CITY COUNCIL GOALS

Advocacy

Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness

The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation

The annual CSD Zone M charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the ballots, verify, and accept the results of the mail ballot proceeding for identified properties within TPM 35629.

NOTIFICATION

On December 22, 2008, SD mailed a ballot packet to Westcoast Prop Partners, Sinclair Prop Partners, Sand Prop Partners, and HF Educational Partners, the property owners of the identified properties within TPM 35629. The packet included a cover letter, map of the project area, the NPDES commercial/industrial rate schedule, notice to the property owner, instructions, ballots, and postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Ballot documents were originally mailed to the property owners with a February 10, 2009, Public Meeting date and a February 24, 2009, Public Hearing date. An updated notice was mailed to each property owner on January 23, 2009, which reflected the revised dates of the Public Meeting on March 10, 2009, and the Public Hearing on March 24, 2009. (See Attachment 2.)

Newspaper advertising for the March 10, 2009, Public Meeting and March 24, 2009, Public Hearing was published in The Press-Enterprise on February 20, 2009. Additionally, the Public Hearing notification was published on March 6 and again on March 13, 2009. The City Attorney determined that new notification was not necessary regarding the continuation of the Public Hearing since the revised Public Hearing date was announced during the regular City Council meeting.

ATTACHMENTS

- Attachment 1: Ballot materials mailed to Westcoast Prop Partners, Sinclair Prop Partners, Sand Prop Partners, and HF Educational Partners packet
- Attachment 2: Revised notice to the property owners
- Attachment 3: TPM 35629
- Attachment 4: Letters requesting continuation of the Public Hearing

Prepared by:
Jennifer A. Terry,
Management Analyst

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

Concurred by:
 Sue Anne Maxinoski,
 Special Districts Division Manager

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

W:\SpecialDist\jennifert\Ballots for FY 08.09\M NPDES\TPM 35629 Skechers - PA07-0090\Stfrpt 02.23.10 PH Continuation.doc

December 22, 2008

Highland Fairview
14225 Corporate Way
Moreno Valley, CA 92553

Attention: Danette Fenstermacher, Chief Operating Officer & Executive Vice President

Subject: Mail Ballot Proceeding for parcels owned by Westcoast Prop Partners, HF Educational Partners, Sand Prop Partners, and Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629, located on the north side of Eucalyptus Ave. between Redlands Blvd. and Theodore St., for approval of the National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate and inclusion into and approval of the annual charge for the Community Services District (CSD) Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) program

Dear Ms. Fenstermacher,

Conditions of Approval for TPM 35629 require that this development provide a funding source to help support the NPDES program and provide funding for the annual maintenance for the medians adjacent to your project. Approving the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge through a mail ballot proceeding shall fulfill these requirements.

Please have the appropriate property owner sign and return their corresponding ballots in the enclosed postage-paid envelopes. The City Clerk's office must receive the ballots prior to the close of the Public Hearing on February 10, 2009.

NPDES Maximum Commercial/Industrial Regulatory Rate

Newly developed and/or modified properties within the City of Moreno Valley are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. (Please refer to the enclosed rate schedule.) Beginning in FY 2009/10, the maximum regulatory rate 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. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to parcels associated with TPM 35629 (and any division thereof) and will be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

ATTACHMENT 1

CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

In compliance with the Citywide Arterial Median Maintenance Policy, approved by the CSD Board in March 2003 and revised January 2006, commercial, industrial, and multifamily developments along designated arterial streets are to participate in the median maintenance program. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

For FY 2008/09 the annual CSD Zone M charge is \$17,285.40 for APN 488-350-002, \$4,077.60 for APN 488-360-008, \$3,405.60 for APN 488-360-009, \$3,405.60 for APN 488-360-010, \$6,811.20 for APN 488-360-011, and \$6,501.60 for APN 488-360-012. The CSD Zone M charge shall be proportionally adjusted if an APN is subdivided or if development occurs adjacent to the proposed medians. Beginning in FY 2009/10, the CSD Zone M 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. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.


Ballot Process

In accordance with the legislative requirements of Proposition 218, Special Districts is submitting the enclosed Notice to Property Owner – Mail Ballot Proceeding for each property owner. The formal notices provide Public Meeting and Public Hearing dates, times and location, instructions for marking the enclosed ballots, and information on the services and charges.

If you have any questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 8:00 a.m. to 5:00 p.m. at 951.413.3505.

Sincerely,

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


for Jennifer Terry
Management Analyst

Enclosures

c: Sue Maxinoski, Special Districts Division Manager
Marshall Eyerman, Special Districts Program Manager

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

LEVEL I	LEVEL II
NPDES Administration (Not covered by CSA 152)	Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance
Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.	Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics	
PROPOSED PARCEL RATE	PROPOSED PARCEL RATE
Per Month \$2.67	Per Month \$12.58
Per Year \$32.00	Per Year \$151.00

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = (\$33.00 & \$158.00)
 FY 2007/2008 - 3.1% = (\$34.00 & \$163.00)
 FY 2008/2009 - 4.2% = (\$35.00 & \$170.00)

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Westcoast Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, January 27, 2009
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, February 10, 2009
**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**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$17,285.40 for APN 488-350-002. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-350-002 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



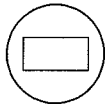
A dot or oval mark substantially inside a box;



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.**

OFFICIAL MAIL BALLOT

**National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate for Parcels owned by
Westcoast Prop Partners within Tentative Parcel Map (TPM) 35629**

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate 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. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-350-002 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-003 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-004 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

**Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by Westcoast Prop Partners
within Tentative Parcel Map (TPM) 35629**

* **Yes**, as the property owner of the parcel listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcel for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M 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. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcel listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-350-002 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$17,285.40






This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.




PROPERTY OWNER SIGNATURE

DATE

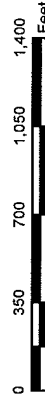
Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

TPM 35629 for parcels owned by Westcoast Prop Partners

-  Median
-  Landscaped Areas
-  Roads
-  Parcels
-  City Boundary

APN		488350002
		488360003
		488360004

Map reflects all changes indicated on Riverside County Assessor Maps as of December 17, 2008.



G:\AVP\SDA\TPM 35629 PA07-0090.mxd

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



MORENO VALLEY
WHERE DREAMS SOAR



NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by HF Educational Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, January 27, 2009
6:30 P.M. (or as soon thereafter
as the matter may be called)

PUBLIC HEARING

TUESDAY, February 10, 2009
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

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$4,077.60 for APN 488-360-008, \$3,405.60 for 488-360-009, and \$3,405.60 for APN 488-360-010. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to each associated APN (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The annual CSD Zone M levy amount shall be assessed to each associated APN (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if an APN is subdivided or if development occurs adjacent to the proposed median.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and inclusion into the CSD Zone M program and the maximum annual levy amounts will be confirmed if a majority of the APNs are marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



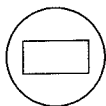
A dot or oval mark substantially inside a box;



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.**

OFFICIAL MAIL BALLOT

**National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate for Parcels owned by
HF Educational Partners within Tentative Parcel Map (TPM) 35629**

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate 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. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-360-006 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-007 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-008 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-009 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-010 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

**Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by HF Educational Partners
within Tentative Parcel Map (TPM) 35629**

* **Yes**, as the property owner of the parcels listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcels for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APNs subdivide or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M 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. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcels listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-360-008 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$4,077.60
488-360-009 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$3,405.60
488-360-010 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$3,405.60






This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.






PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

TPM 35629 for parcels owned by HF Educational Partners

-  Median
-  Landscaped Areas
-  Roads
-  Parcels
-  City Boundary

APN	APN
	488360006
	488360007
	488360008
	488360009
	488360010



Map reflects all changes indicated
on Riverside County Assessor Maps
as of December 17, 2008.



G:\A\PSD\TPM 35629 HFEP.mxd

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



MORENO VALLEY
WHERE DREAMS SOAR



NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-005 and 488-360-011 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, January 27, 2009
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, February 10, 2009
**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**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-005 and 488-360-011 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-005 and 488-360-011 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$6,811.20 for APN 488-360-011. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-005 and 488-360-011 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-011 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



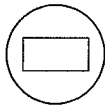
A dot or oval mark substantially inside a box;



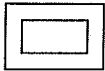
A completely shaded or filled mark substantially inside a box;



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.**

OFFICIAL MAIL BALLOT

**National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate**

Parcels owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate 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. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project’s Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-360-005 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-011 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk’s Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

**Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629**

* **Yes**, as the property owner of the parcel listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcel for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M 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. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcel listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-360-011 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$6,811.20

This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.





PROPERTY OWNER SIGNATURE

DATE


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
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TPM 35629 for parcels owned by Sand Prop Partners

-  Median
-  Landscaped Areas
-  Roads
-  Parcels
-  City Boundary

APN

 488360005

 488360011

Map reflects all changes indicated
on Riverside County Assessor Maps
as of December 17, 2008.



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MORENO VALLEY
WHERE DREAMS SOAR



NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, January 27, 2009
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, February 10, 2009
**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**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$6,501.60 for APN 488-360-012. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-012 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



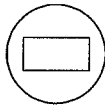
A dot or oval mark substantially inside a box;



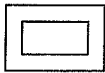
A completely shaded or filled mark substantially inside a box;



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.**

OFFICIAL MAIL BALLOT

**National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate for Parcels owned by
Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629**

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate 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. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-360-001 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-002 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205
488-360-012 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE

DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

**Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629**

* **Yes**, as the property owner of the parcel listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcel for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M 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. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcel listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-360-012 (and any division thereof)	<input type="checkbox"/>	<input type="checkbox"/>	\$6,501.60

This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.






PROPERTY OWNER SIGNATURE

DATE


Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope


Llame al (951) 413-3480 para obtener información verbal en Español.


TPM 35629 for parcels owned by Sinclair Prop Partners

-  Median
-  Landscaped Areas
-  Roads
-  Parcels
-  City Boundary

APN

 488360001

 488360002

 488360012

Map reflects all changes indicated
on Riverside County Assessor Maps
as of December 17, 2008.



G:\AVP\SDA\TPM 35629 Sinclair PP.mxd

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



MORENO VALLEY
WHERE DREAMS SOAR



January 23, 2009

Highland Fairview
14225 Corporate Way
Moreno Valley, CA 92553

Attention: Danette Fenstermacher, Chief Operating Officer & Executive Vice President

Subject: Rescheduling of the Public Meeting and Public Hearing for the Mail Ballot Proceeding for parcels owned by Westcoast Prop Partners, HF Educational Partners, Sand Prop Partners, and Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629


Dear Ms. Fenstermacher,

The Special Districts Division originally scheduled the Public Meeting on January 27 and the Public Hearing on February 10, 2009 for the National Pollutant Discharge Elimination System (NPDES) Rate and for inclusion into Community Services District (CSD) Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). Due to circumstances outside of the Special Districts Division's control, the Public Meeting has been rescheduled for March 10, 2009 and the Public Hearing has been rescheduled for March 24, 2009. Attached is a revised Notice to Property Owner for each property owner listing the new dates of the Public Meeting and Public Hearing, all other mail ballot documents remain unchanged. Ballots that have already been returned will remain in the custody of the City Clerk until the March 24, 2009 Public Hearing.

If you have any questions regarding the rescheduling of the Public Meeting and Public Hearing, please contact Jennifer Terry, Management Analyst, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 8:00 a.m. to 5:00 p.m. at 951.413.3505.

Sincerely,

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


Jennifer Terry
Management Analyst

Enclosures

c: Sue Maxinoski, Special Districts Division Manager
Marshall Eyerman, Special Districts Program Manager

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by HF Educational Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, March 10, 2009
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, March 24, 2009
**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**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$4,077.60 for APN 488-360-008, \$3,405.60 for 488-360-009, and \$3,405.60 for APN 488-360-010. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to each associated APN (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The annual CSD Zone M levy amount shall be assessed to each associated APN (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if an APN is subdivided or if development occurs adjacent to the proposed median.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, March 24, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and inclusion into the CSD Zone M program and the maximum annual levy amounts will be confirmed if a majority of the APNs are marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



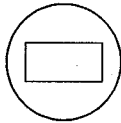
A dot or oval mark substantially inside a box;



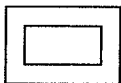
A completely shaded or filled mark substantially inside a box;



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.**

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Westcoast Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, March 10, 2009
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, March 24, 2009
**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**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$17,285.40 for APN 488-350-002. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-350-002 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

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5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



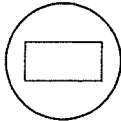
A dot or oval mark substantially inside a box;



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;



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NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

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II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

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**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, March 24, 2009
**6:30 P.M. (or as soon thereafter
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LOCATION
**(FOR BOTH THE PUBLIC MEETING
& PUBLIC HEARING)**

**MORENO VALLEY CITY HALL
COUNCIL CHAMBER
14177 FREDERICK STREET
MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-005 and 488-360-011 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-005 and 488-360-011 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$6,811.20 for APN 488-360-011. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-005 and 488-360-011 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-011 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
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4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, March 24, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



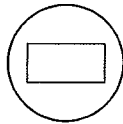
A dot or oval mark substantially inside a box;



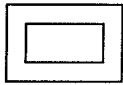
A completely shaded or filled mark substantially inside a box;



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.**

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING

TUESDAY, March 10, 2009
**6:30 P.M. (or as soon thereafter
as the matter may be called)**

PUBLIC HEARING

TUESDAY, March 24, 2009
**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**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

NPDES Maximum Commercial/Industrial Regulatory Rate
CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is \$205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was \$389,445.

For FY 2008/09 the annual CSD Zone M charge is \$6,501.60 for APN 488-360-012. The total CSD Zone M charges levied for FY 2008/09 was \$88,908.

Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M 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:**

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-012 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

NPDES Maximum Commercial/Industrial Regulatory Rate

In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

CSD Zone M Charge

Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: 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 landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**
2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*
3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.
4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, March 24, 2009**, 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:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

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;



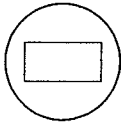
A dot or oval mark substantially inside a box;



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;



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Ballot Mark Revisions (Changes)

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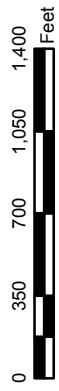
Tentative Parcel Map 35629

Tentative

Parcel Map 35629

Label	Color
Parcel 1	Orange
Parcel 2	Blue
Parcel 3	Red
Parcel 4	Green
Parcel 5	Light Blue
Parcel 6	Light Green
Parcels	White
City Boundary	Black Dashed

Map reflects all changes indicated on Riverside County Assessor Maps as of December 29, 2008.

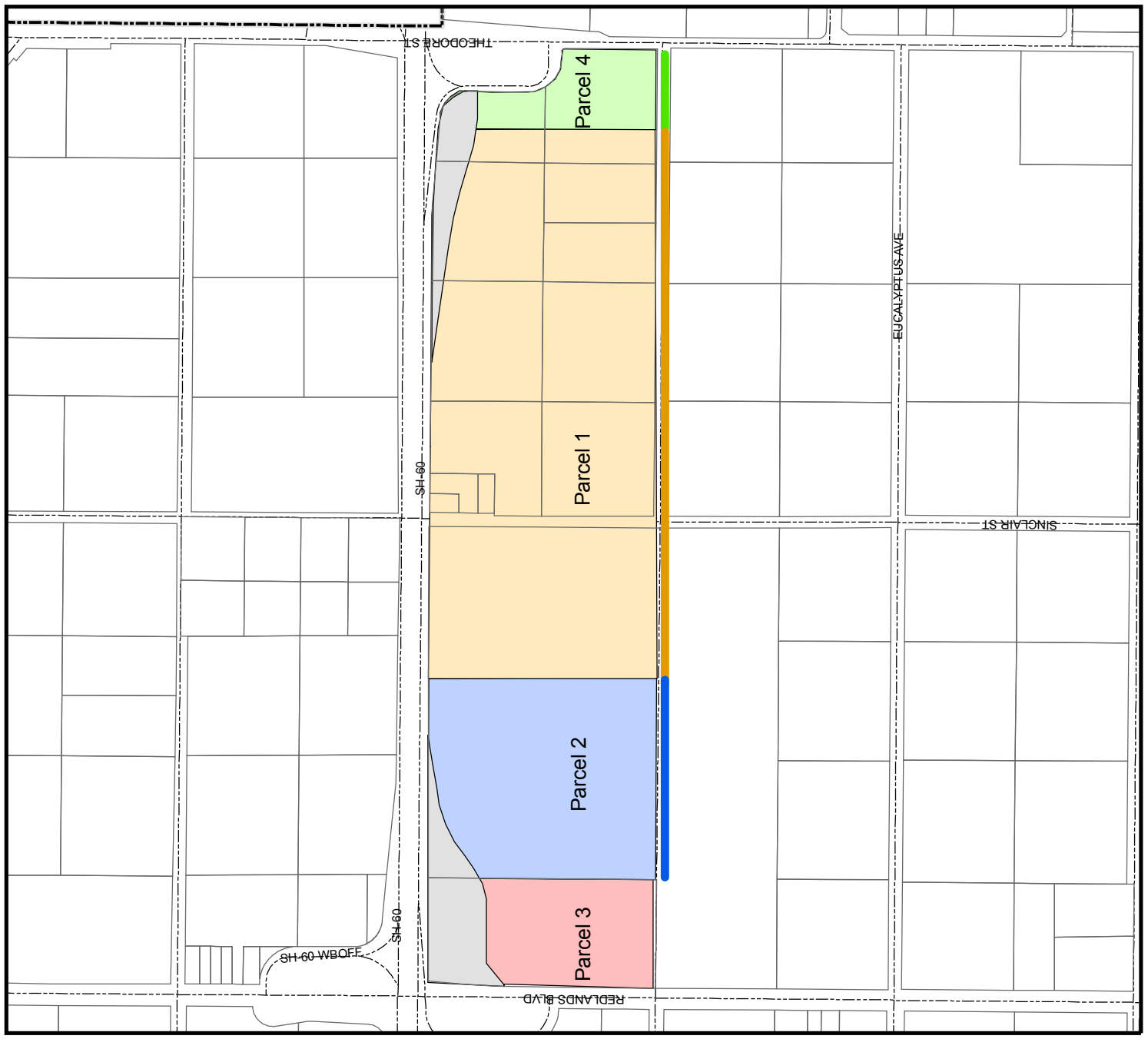


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The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification 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.



ATTACHMENT 3





HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

November 4, 2009

Mr. Richard A. Stewart, Mayor
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

SUBJECT: Continuance Request for NPDES and CSD Zone M Voting – TPM 35629
City Council Meeting of November 10, 2009

Dear Mayor Stewart and Members of the City Council,

Highland Fairview hereby requests a continuance of the public hearing to February 23, 2010 regarding the mail ballot proceeding for identified properties within Tentative Parcel Map (TPM) 35629 relating to: 1) the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory maintenance rate, and 2) the Community Services District (CSD) Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance) charges.

Thank you for your assistance.

Sincerely,

Danette Fenstermacher
Executive Vice President & Chief Operating Officer

xc: Sue Maxinoski, Special Districts
Jennifer Terry, Special Districts

ATTACHMENT 4



HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

August 24, 2009

Mr. Rick Hartmann
Deputy City Manager
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

SUBJECT: Continuance Request for NPDES and CSD Zone M Voting – TPM 35629
City Council Agenda Item E.1, August 25, 2009

Dear Rick,

Highland Fairview hereby requests a continuance of the public hearing to November 10, 2009 regarding the mail ballot proceeding for identified properties within Tentative Parcel Map (TPM) 35629 relating to: 1) the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory maintenance rate, and 2) the Community Services District (CSD) Zone M (Commercial, Industrial and Multifamily Improved Median Maintenance) charges.

Thank you for your assistance.

Sincerely,

Danette Fenstermacher
Executive Vice President & Chief Operating Officer

xc: Sue Maxinoski, Special Districts
Jennifer Terry, Special Districts

Jennifer Terry

From: Sue Maxinoski
Sent: Wednesday, April 29, 2009 2:09 PM
To: 'Danette Fenstermacher'
Cc: Jennifer Terry; Rick Hartmann
Subject: RE: Public Hearing for TPM 35629

Danette - Thank you for sending this email. We will include this with our staff report on May 26 to continue the public hearing.

Sue

From: Danette Fenstermacher [mailto:dfenstermacher@highlandfairview.com]
Sent: Wednesday, April 29, 2009 1:49 PM
To: Sue Maxinoski
Cc: wpeterson@highlandfairview.com; Iddo
Subject: Public Hearing for TPM 35629

Sue--Per our conversation, please delay the inclusion of the following item to the City Council Hearing of August 25, 2009.

(Taken from the City Council Agenda for March 10, 2009)

"PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 - BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:

1. Staff recommends that the Mayor and Members of the Moreno Valley City Council accept public comments regarding the mail ballot proceeding for identified properties within Tentative Parcel Map (TPM) 35629 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum Commercial / industrial regulatory rate.

2. Staff recommends that the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD Board") accept public comments regarding the mail ballot proceeding for identified properties within TPM 35629 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)."

Best Regards,

Danette

Danette Fenstermacher
COO & Executive Vice President

Highland Fairview
danette@highlandfairview.com
714-824-8001
714-824-8002 (fax)
951-271-6703 (cell)



HIGHLAND FAIRVIEW PROPERTIES

14225 Corporate Way
Moreno Valley, CA 92553

Tel: (714) 824-8001 Fax: (714) 824-8002

March 24, 2009

Mr. Rick C. Hartmann
Deputy City Manager
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: Continuance Request for CSD Zone M Voting

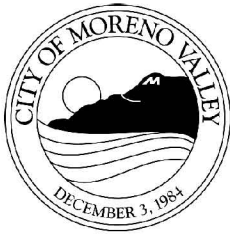
Dear Rick,

Highland Fairview is requesting a 60 day continuance for the voting of the ballot proceeding for identified properties within Tentative Parcel Map (TPM) 35629 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory maintenance rate and CSD Zone Z incorporation of the median maintenance.

Thank you for your attention to this matter.

Sincerely,

Danette Fenstermacher
Executive Vice President & Chief Operating Officer



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: Barry Foster, Economic Development Director

AGENDA DATE: February 23, 2010

TITLE: PUBLIC HEARINGS TO ADOPT FY 2009-10 ANNUAL ACTION PLAN AMENDMENT NO. 2 AND NO. 3.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Review proposed **FY 2009-10 Substantial Amendment 2 and 3** to increase funding for the 2010 Foreclosure Prevention Workshop program:
 - a) Conduct a Public Hearing to allow the public an opportunity to comment on the proposed 2009-10 Annual Action Plan Substantial Amendments #2 and #3,
 - b) Adopt the proposed Amendments #2 and #3
 - c) Authorize the transfer of \$25,000 from account # 284.73939.6854 (Employment Resource Center) to account # 284.73939.6846 (Community Foreclosure Prevention) account.
 - d) Authorize the transfer of \$5,000 from account # 284.73939.6839 (Small Business Fair) to account # 284.73939.6846 (Community Foreclosure Prevention).

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) requires that Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) recipient cities such as Moreno Valley prepare a strategic planning document called the Annual Action Plan. The Annual Action Plan details the activities and projects the City will undertake over the course of the upcoming program year using the CDBG and HOME grant monies.

When there is a change to the Annual Action Plan, such as the reallocation of funding from one project to another, it is considered by HUD to be a 'substantial amendment' and therefore requires the opportunity for citizen participation/comment through a public

hearing. This report proposes two separate amendments for City Council consideration, each of which is summarized below.

DISCUSSION

Staff proposes that the City Council review two proposed substantial amendments to the 2009-10 CDBG Annual Action Plan.

PROPOSED FY 2009-10 AMENDMENT 2 – Increase funding for the Community Foreclosure Prevention program.

The FY 2009-10 Amendment 2 proposes to increase funding for the Community Foreclosure Prevention program in order to host a second series of foreclosure prevention workshops in FY 2009-10. Conducting an additional series of foreclosure workshops this spring will help the City to continue addressing the foreclosure crisis by providing five more workshops, one in each City Council District.

Staff recommends transferring \$25,000 in savings from the Employment Resource Center (ERC) program for FY 2009-10. Previously, the Council approved an amendment to transfer additional savings from the ERC to the CDBG New Business Incentive Program. Please note that this adjustment was accomplished because the start up of the ERC was achieved in a more cost-effective manner than originally budgeted.

PROPOSED FY 2009-10 AMENDMENT 3 – Increase funding for the Community Foreclosure Prevention program.

The FY 2009-10 Amendment 3 also includes moving additional funding for the Community Foreclosure Prevention program. Because the 2008 Small Business Fair was not productive due to low attendance resulting from the weak economy, staff proposes to transfer \$5,000 from the budgeted 2009-10 Small Business Fair program to the Community Foreclosure Prevention program. Moving the \$5,000, along with the \$25,000 in savings from the ERC will allow for the funding of another round of Foreclosure Prevention Workshops.

ALTERNATIVES

1. **Alternative 1** - Conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments and authorize the transfer of requested funds between the stipulated business units. **Staff recommends this alternative as it will provide the necessary funding for additional foreclosure prevention workshops.**
2. **Alternative 2** – Decline to conduct a Public Hearing for the proposed Substantial Amendments, adopt the proposed Substantial Amendments, and authorize the transfer of requested funds between the stipulated business units. **Staff does**

not recommend this alternative as it will not provide the community with additional foreclosure prevention resources.

FISCAL IMPACT

The recommended actions to the CDBG Program will pose no fiscal impact to the General Fund. **By federal law, these funds are to be used solely for designated CDBG eligible activities.**

- | | | |
|---|--------------------|-----------------|
| 1) Reallocation of funding from the Community Employment Resource Center (ERC) to the Community Foreclosure Prevention program. | | |
| From: 284.73939.6854 | To: 284.73939.6846 | \$25,000 |
| | | |
| 2) Reallocation of funding from the Small Business Fair to the Community Foreclosure Prevention program. | | |
| From: 284.73939.6839 | To: 284.73939.6846 | \$5,000 |
| Total Reallocations | | \$30,000 |

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION & PRESERVATION

CDBG funds enhance the City's ability to create a stable revenue base and fiscal policies that support essential City improvements and services.

PUBLIC SAFETY

CDBG projects and programs directly or indirectly help to provide a secure environment for people and property in the community.

COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS

The Foreclosure Prevention Workshops may preserve Moreno Valley's existing neighborhoods and the overall attractiveness of the City.

POSITIVE ENVIRONMENT

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

NOTIFICATION

In order to reallocate this funding, the proposed Substantial Amendments must adhere to the citizen participation requirements prior to being adopted by the City Council. In conforming with the federal requirements, the proposed amendments were made available for public review from January 23, 2010 to February 21, 2010. Notice of this meeting was published in the Press-Enterprise newspaper on February 8, 2010.

ATTACHMENTS

ATTACHMENT A Proposed 2009-10 Annual Action Plan Amendments 2 and 3

 Prepared By:
 Keyneica Jones, Management Analyst

 Department Head Approval:
 Barry Foster, Economic Development Director

 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:

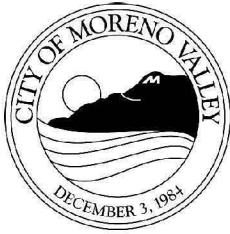
**CITY OF MORENO VALLEY
FY 2009/10 ACTION PLAN
AMENDMENT NO. 2 AND NO. 3**

As a recipient of both Community Development Block Grant (CDBG) and HOME Investment Partnership funds, the City is required to complete a Consolidated Plan and an Annual Action Plan. The Consolidated Plan is a five-year planning document that addresses the housing and community development needs of the City. The Annual Action Plan details the strategies and programs that the City will undertake during each program year. Substantial amendments to the Annual Action Plan and/or Consolidated Plan require that citizens receive notice of the proposed Amendments and have the opportunity to review and comment on the changes.

The 2009-2010 Annual Action Plan covers the period July 1, 2009 through June 30, 2010. The Proposed Amendment #2 to the 2009-2010 Annual Action Plan will be available for public review from January 23, 2010 through February 21, 2010. The proposed Amendment #2 includes the reallocation of \$25,000 in CDBG funds from the 2009-2010 Community Employment Resource Center program to the 2009-2010 Community Foreclosure Prevention Workshops program. This reallocation utilizes surplus funding from the Community Employment Resource Center to provide additional funding to conduct five (5) community foreclosure prevention workshops throughout the City.

The Proposed Amendment #3 to the 2009-2010 Annual Action Plan includes the reallocation of \$5,000 from the Small Business Fair program to the Foreclosure Prevention Workshop program. This funding will also be utilized to conduct five (5) community foreclosure prevention workshops throughout the City.

Approved by: _____
William L. Bopf, Interim City Manager



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>SMB</i>
CITY MANAGER	<i>PEJ</i>

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Interim Financial & Administrative Services Director

AGENDA DATE: February 23, 2010

TITLE: MID-YEAR BUDGET REVIEW

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Receive and file this report;
2. Approve the proposed mid-year budget appropriation adjustments.

BACKGROUND

For the past three fiscal years, the City Council has been updated on the City's financial status through a Mid-Year Budget Review occurring in February and reflecting operational results from July through December. Due to the economic recession and its impact on City revenues, a First Quarter Budget Review has also been provided to Council in November the past two years. These interim reports focus primarily on the City's General Fund, which is of greatest concern with respect to the economic recession, but also provide financial summaries for other key funds such as Community Services Districts (CSD) Zone A (Parks & Community Services), Zone L (Library), Gas Tax, and the Electric Utility.

Previous Actions Mitigating Impact of Recession

Before presenting the six-month operating results, it is noteworthy to consider three previous actions that have greatly mitigated the impact of the recession on the City's Fiscal Year (FY) 2009-10 budget: (1) establishment of a Development Services Reserve; (2) proactive use of deficit reduction planning; and (3) ongoing diligence of departments in their cost control efforts.

Development Services Reserve

A Development Services Reserve was established to buffer the General Fund from an economic downturn affecting the flow of development services revenues. This reserve was created primarily from budget savings and by the end of FY 2007-08 had a balance of \$5.3 million. Of this amount, \$3 million was utilized to help balance the FY 2008-09 budget; the balance of \$2.3 million was used to help balance the FY 2009-10 budget.

Deficit Reduction Planning

Beginning in FY 2008-09, staff has utilized a deficit reduction planning model to proactively identify and prioritize a wide range of potential budget reduction measures. This model has allowed potential reductions to be identified before they need to be implemented, such that immediate action can be taken to reduce expenditures in response to declining revenues. Prioritization of these deficit reduction options has been based on their service level impacts, both internal and external, which has maintained a sharp focus on public service even during these challenging economic times.

Department Implementation of Prudent Cost Control Measures

During these challenging economic times, departments have continued to exercise diligence in their cost control efforts. As a result, prior year savings have been utilized to help balance the General Fund budgets for both FY 2008-09 and FY 2009-10.

DISCUSSION

Audited General Fund Results for FY 2008-09

One of the key components in balancing the FY 2009-10 General Fund budget was a projected \$2 million in savings from FY 2008-09, to be carried forward to FY 2009-10. With the FY 2008-09 financial audit now completed, final results indicate an actual savings of \$3.65 million. The additional \$1.65 million in savings over the projection was a result of year-end cost saving measures implemented by departments, totaling approximately \$250,000; combined with a reclassification of short-term compensated absences from an expense to a long-term debt, as recommended by the City's independent auditors, totaling \$1.4 million. This additional General Fund savings of \$1.65 million will prove to be very helpful during the remainder of FY 2009-10, as property tax revenue is now expected to be well below the budget estimate as discussed later in this report.

Recap of FY 2009-10 First Quarter Results

On November 17, 2009, a First Quarter Budget Review was presented to the City Council. This report indicated that 97.3% of General Fund revenues historically received through the first quarter of the fiscal year had been received through September 2009. General Fund expenditures were also reported to be below budget at 23% of budget with 25% of the fiscal year elapsed. Based on these revenue and expenditure results, a stable outlook was projected for the balance of the fiscal year.

Mid-Year General Fund Results

General Fund Revenues

Due to the timing of revenue receipts through December of each fiscal year, only 29.8% of annual revenues are historically received. Based on this historical level of receipts, revenues at December 31, 2009 should have been \$22.3 million to be on target with budgeted revenues. Actual revenues at December 31, 2009 were just over \$21.1 million, representing a shortfall of nearly \$1.2 million, as shown in the following table.

**General Fund
Mid-Year Operating Revenue Report – Period Ending December 31, 2009**

	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received	Mid-Year Expected based on Historical Receipts	Total Actual	Positive (Negative) Variance	Actual as % of Expected
Revenues:							
Taxes:							
UUT	\$14,970,000	\$14,970,000	40.0%	\$5,988,000	\$6,334,508	\$346,508	105.8%
Property Taxes in-lieu of VLF	14,100,000	14,100,000	0.5%	70,500	32,798	(37,702)	46.5%
Property Taxes	11,700,000	11,700,000	35.4%	4,141,800	3,164,057	(977,743)	76.4%
Sales Taxes	9,735,000	9,735,000	24.0%	2,336,400	2,294,144	(42,256)	98.2%
Gross Receipts	906,500	906,500	4.0%	36,260	20,734	(15,526)	57.2%
Other Taxes	950,000	950,000	42.7%	405,650	391,137	(14,513)	96.4%
Fees:							
Franchise Fees	4,400,000	4,400,000	21.5%	946,000	1,125,053	179,053	118.9%
Parking Ctrl Fees	1,250,000	1,250,000	38.0%	475,000	486,632	11,632	102.4%
Plan Check Fees	1,622,281	1,622,281	48.0%	778,695	509,542	(269,153)	65.4%
Inspection Fees	899,408	899,408	48.0%	431,716	338,606	(93,110)	78.4%
Planning Fees	850,000	850,000	48.0%	408,000	326,429	(81,571)	80.0%
Permit Fees	770,714	770,714	48.0%	369,943	315,485	(54,458)	85.3%
Admin. Citation Fees	296,500	296,500	33.0%	97,845	125,349	27,504	128.1%
Red Light Enf. Fees	200,000	200,000	0.0%	0	0	0	
Other Fees	1,978,205	1,978,205	50.0%	989,103	731,169	(257,934)	73.9%
Other:							
Interest Income	4,300,000	4,300,000	47.6%	2,046,800	2,243,235	196,435	109.6%
Admin. Charges	2,968,896	2,968,896	47.9%	1,420,921	1,420,921	0	100.0%
Grant Revenues	401,326	401,326	50.0%	200,663	200,704	41	100.0%
Transfers	634,298	634,298	48.2%	306,000	306,000	0	100.0%
Miscellaneous	1,905,220	1,937,257	45.0%	871,766	787,550	(84,216)	90.3%
Total Revenues	\$74,838,348	\$74,870,385	29.8%	\$22,321,062	\$21,154,053	(\$1,167,009)	94.8%

As shown above, General Fund revenues through December 31, 2009 are 94.8% of the expected level based on historical receipts, representing a shortfall of nearly \$1.2 million. Significant revenue shortfalls include property tax (-\$977,743) and development-related fees including plan check, inspection, planning and permits, totaling a combined

shortfall of \$498,292. The "Other Fees" category is down \$257,934, representing a variety of fees such as motor vehicle In-lieu fees, business license fees and animal license fees. These significant revenue shortfalls were partially offset by higher-than-expected utility user tax, primarily as a result of an Edison rate increase, franchise fees, and interest income resulting from the sale of corporate bonds at a net gain. The most significant concern with regard to mid-year revenues is property tax. Based on recent information provided by the Riverside County Auditor-Controller's office, property taxes (including property taxes in-lieu of vehicle license fees) are expected to be \$2.1 million below the budget estimate for the full fiscal year, as a result of lower-than-expected residential assessed valuation, combined with commercial reassessments. The additional savings of \$1.65 million from FY 2008-09 (addressed on page 2 of this report) will therefore be a significant factor in offsetting the reduced property tax revenues.

General Fund Expenditures

The following table shows the General Fund expenditure results through December 31, 2009.

General Fund							
Mid-Year Operating Expenditure Report – Period Ending December 31, 2009							
	Adopted Budget	Adjusted Budget	YTD Historical Percentage Expended	Mid-Year Expected based on Historical Expenditures	Total Actual	Positive (Negative) Variance	Actual as % of Adjusted Budget
Expenditures:							
General Government							
City Council	\$650,520	\$651,520	50.0%	\$325,761	\$280,650	\$45,111	43.1%
City Manager	1,603,927	1,666,007	50.0%	833,004	1,194,827	(361,823)	71.7%
City Clerk	620,108	620,108	50.0%	310,054	223,829	86,225	36.1%
City Attorney	1,093,900	1,176,790	50.0%	588,396	515,493	72,903	43.8%
EDD	684,755	697,055	50.0%	348,528	191,631	156,897	27.5%
Fin. & Admin. Svcs	3,145,793	3,145,793	50.0%	1,572,896	1,693,050	(120,154)	53.8%
Human Resources	967,200	1,125,665	50.0%	562,834	504,282	58,552	44.8%
Non-Departmental	4,996,772	4,996,772	50.0%	2,498,386	2,063,617	434,769	41.3%
Public Safety:							
Police	39,909,509	39,936,509	50.0%	19,968,256	18,939,930	1,028,326	47.4%
Fire	16,111,775	16,111,775	50.0%	8,055,888	7,742,043	313,845	48.1%
Animal Control	2,432,419	2,456,583	50.0%	1,228,298	1,109,311	118,987	45.2%
Emergency Ops/ Volunteer Svcs	590,842	598,592	50.0%	299,297	305,411	(6,114)	51.0%
Crossing Guards	602,126	602,126	50.0%	301,064	299,123	1,941	49.7%
CDD	5,836,630	5,884,299	50.0%	2,942,151	2,612,842	329,309	44.4%
Public Works	4,200,537	4,454,371	50.0%	2,227,187	1,880,668	346,519	42.2%
Total Expenditures	\$83,446,813	\$84,123,965	50.0%	\$42,062,000	\$39,556,707	\$2,505,293	47.0%

Although not all expenditures have a straight-line spending pattern, operating expenditures should generally be within 50% of the annual budget at mid-year, since 50% of the fiscal year has elapsed. As shown in the above table, General Fund

expenditures through December 31, 2009 are at 47% of the adjusted budget. This is a positive result and reflects the ongoing diligence of departments in their cost-control efforts. The negative variances in the City Manager and Financial & Administrative Services' budgets are a result of leave cash-outs from employee retirements and separations.

2009-10 Year-end Projection

The following table provides staff's projections for General Fund revenues and expenditures at fiscal year-end (June 30, 2010). It should be cautioned that these projections are made with only six months of actual results; therefore, they are subject to revision on a monthly basis throughout the remainder of the fiscal year.

General Fund Financial Summary – FY 2009-10				
	Adopted Budget	Adjusted Budget	Projected Actual	Positive (Negative) Variance
Operating Revenues:				
Taxes:				
UUT	\$ 14,970,000	\$14,970,000	\$15,500,000	\$530,000
Property Taxes in-lieu of VLF	14,100,000	14,100,000	13,670,400	(429,600)
Property Taxes	11,700,000	11,700,000	10,052,300	(1,647,700)
Sales Taxes	9,735,000	9,735,000	9,735,000	0
Gross Receipts	906,500	906,500	650,000	(256,500)
Other Taxes	950,000	950,000	850,000	(100,000)
Fees:				
Franchise Fees	4,400,000	4,400,000	4,800,000	400,000
Parking Ctrl Fees	1,250,000	1,250,000	1,095,000	(155,000)
Plan Check Fees	1,622,281	1,622,281	1,316,500	(305,781)
Inspection Fees	899,408	899,408	690,000	(209,408)
Planning Fees	850,000	850,000	650,000	(200,000)
Permit Fees	770,714	770,714	638,000	(132,714)
Admin. Citation Fees	296,500	296,500	219,000	(77,500)
Red Light Enf. Fees	200,000	200,000	0	(200,000)
Other Fees	1,978,205	1,978,205	1,909,000	(69,205)
Other:				
Interest Income	4,300,000	4,350,000	4,500,000	150,000
Admin. Charges	2,968,896	2,968,896	2,968,900	4
Grant Revenues	401,326	401,326	401,300	(26)
Transfers	634,298	634,298	963,800	329,502
Miscellaneous	1,905,220	1,937,258	1,930,500	(6,758)
Total Operating Revenues	74,838,348	74,920,386	72,539,700	(2,380,686)
Other Financing Sources:				
Contingency Reserve	4,308,465	4,308,465	4,308,465	0
Development Services Reserve	2,300,000	2,300,000	2,300,000	0
Prior Year (2008-09) Savings	2,000,000	2,000,000	3,652,922	1,652,922
Approved Operating Carryovers		645,114	645,114	0
CIP Projects Carryovers		223,463	223,463	0
Total Funding Sources – General Fund	\$83,446,813	\$84,397,428	\$83,669,664	(\$727,764)

**General Fund
Financial Summary – FY 2009-10**

	Adopted Budget	Adjusted Budget	Projected Actual	Positive (Negative) Variance
Use of Funds				
Operating Expenditures				
Personnel Services	16,350,986	16,643,803	16,235,709	408,094
Contractual Services	56,145,231	56,571,816	55,987,874	583,942
Materials & Supplies	897,813	907,313	909,961	(2,648)
Debt Service	254,169	254,169	254,169	0
Fixed Charges	7,372,241	7,332,741	7,367,297	(34,556)
Transfers Out	2,412,671	2,412,671	2,600,246	(187,575)
Total Operating Expenditures	83,433,111	84,122,513	83,355,256	767,257
Capital Expenditures	13,702	274,915	246,044	28,871
Total Use of Funds	83,446,813	84,397,428	83,601,300	796,128
Excess of Revenues & Other Sources over Expenditures & Other Uses	\$0	\$0	\$68,364	

Although operating revenues are projected to end the fiscal year nearly \$2.4 million below budget, this expected shortfall is offset by additional prior year savings of \$1.65 million and projected departmental savings of nearly \$800,000. Therefore, there is a projected excess of revenues over expenditures at fiscal year end of approximately \$68,000 as shown above. **Based on these projections, no actions are recommended with respect to workforce reduction or other expenditure reductions beyond the prudent cost-control measures already being implemented by all departments.**

Mid-Year Summaries of Other Major Funds

- Community Services District (CSD) Zone A – Parks & Community Services

**Community Services District (CSD) Zone A – Parks & Community Services
Mid-Year Financial Summary – Period Ending December 31, 2009**

	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received or Expended	Mid-Year Expected based on Historical Amounts	Total Actual	Positive (Negative) Variance	Rev. % of Expected; Exp.% of Adjusted Budget
Revenues:							
Taxes:							
Property Taxes	\$ 2,209,563	\$ 2,209,563	33.0%	\$ 729,156	\$ 573,817	\$ (155,339)	78.7%
Fees:							
Recreation Fees	1,079,316	1,079,316	50.0%	539,658	636,909	97,251	118.0%
Parcel Fees	5,112,796	5,112,796	3.0%	153,384	481	(152,903)	0.3%
Plan Check Fees	0	0	0.0%	0	6,600	6,600	
Inspection Fees	30,000	30,000	42.2%	12,660	11,700	(960)	92.4%
Other Fees	27,977	27,977	50.0%	13,989	5,151	(8,838)	36.8%

**Community Services District (CSD) Zone A – Parks & Community Services
Mid-Year Financial Summary – Period Ending December 31, 2009**

	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received or Expended	Mid-Year Expected based on Historical Amounts	Total Actual	Positive (Negative) Variance	Rev. % of Expected; Exp.% of Adjusted Budget
Other:							
Interest Income	0	0	47.6%	0	858	858	
Transfers	377,459	377,459	50.0%	188,730	188,730	0	100.0%
Miscellaneous	193,934	193,934	50.0%	96,967	110,054	13,087	113.5%
Total Revenues	9,031,045	9,031,045	19.2%	1,734,544	1,534,300	(200,244)	88.5%
Expenditures:							
Senior Program	623,275	626,989	50.0%	313,495	237,951	75,544	38.0%
Park & Rec. Admin	486,228	488,156	50.0%	244,078	226,383	17,695	46.4%
Park Ranger Prgm	392,480	394,967	50.0%	197,484	122,089	75,395	30.9%
Recreation Prgms	1,852,537	1,858,530	50.0%	929,265	870,609	58,656	46.8%
Park Maint.	2,807,257	2,821,688	50.0%	1,410,844	1,222,199	188,645	43.3%
Contract Park Maint.	451,512	451,962	50.0%	225,981	175,207	50,774	38.8%
Golf Course Prgm	363,723	364,455	50.0%	182,228	166,909	15,319	45.8%
Conf & Rec. Ctr	544,090	544,520	50.0%	272,260	253,374	18,886	46.5%
Recr Cntr - Banquet	314,494	315,088	50.0%	157,544	135,136	22,408	42.9%
Parks Projects	158,948	161,236	50.0%	80,618	74,287	6,331	46.1%
Community Services	146,182	147,169	50.0%	73,585	77,732	(4,147)	52.8%
Community Events	187,528	187,811	50.0%	93,906	50,996	42,910	27.2%
Non-departmental	250,309	250,309	50.0%	125,154	125,154	0	50.0%
Total Expenditures	\$8,578,563	\$8,612,880	50.0%	\$4,306,442	\$3,738,026	\$568,416	43.4%

▪ **Community Services District (CSD) Zone L – Library**

**Community Services District (CSD) Zone L – Library
Mid-Year Financial Summary – Period Ending December 31, 2009**

	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received or Expended	Mid-Year Expected based on Historical Amounts	Total Actual	Positive (Negative) Variance	Rev. % of Expected; Exp.% of Adjusted Budget
Revenues:							
Taxes:							
Property Taxes	\$ 1,609,500	\$ 1,609,500	33.0%	\$ 531,135	\$ 468,540	\$ (62,595)	88.2%
Fees:							
Other Fees	121,500	121,500	50.0%	60,750	44,173	(16,577)	72.7%
Other:							
Transfers	424,915	424,915	50.0%	212,457	212,457	0	100.0%
Miscellaneous	2,000	2,000	45.0%	900	5,247	4,347	583.0%
Total Revenues	2,157,915	2,157,915	37.3%	805,242	730,417	(74,825)	90.7%
Expenditures:							
Library	2,122,219	2,193,786	50.0%	1,096,893	983,912	112,981	44.8%
Total Expenditures	\$2,122,219	\$2,193,786	50.0%	\$1,096,893	\$983,912	\$112,981	44.8%

- Gas Tax

Gas Tax							
Mid-Year Financial Summary – Period Ending December 31, 2009							
	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received or Expended	Mid-Year Expected based on Historical Amounts	Total Actual	Positive (Negative) Variance	Rev. % of Expected; Exp.% of Adjusted Budget
Revenues:							
Taxes:							
Gas Tax	\$2,527,500	\$2,527,500	19.0%	\$480,225	\$548,680	\$68,455	114.3%
Other:							
Interest Income	15,675	15,675	47.6%	7,461	3,182	(4,279)	42.6%
Transfers	1,000,000	1,000,000	50.0%	500,000	500,000	0	100.0%
Miscellaneous	2,000	2,000	50.0%	1,000	24,191	23,191	2419.1%
Total Revenues	3,545,175	3,545,175	27.9%	988,686	1,076,053	87,367	108.8%
Expenditures - Public Works:							
Projects Engineering	181,954	196,934	50.0%	98,467	428,894	(330,427)	217.8%
Street Maint.	1,467,279	1,473,710	50.0%	736,855	681,167	55,688	46.2%
Concrete Maint.	261,403	263,214	50.0%	131,607	131,763	(156)	50.1%
Sign/Striping	823,241	826,858	50.0%	413,429	317,696	95,733	38.4%
Graffiti Removal	351,993	353,736	50.0%	176,868	154,769	22,099	43.8%
Tree Trimming	402,935	405,115	50.0%	202,558	147,784	54,774	36.5%
Total Expenditures	\$3,488,805	\$3,519,567	50.0%	\$1,759,784	\$1,862,073	(\$102,289)	52.9%

- Electric Utility

Moreno Valley Electric Utility							
Mid-Year Financial Summary – Period Ending December 31, 2009							
	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received or Expended	Mid-Year Expected based on Historical Amounts	Total Actual	Positive (Negative) Variance	Rev. % of Expected; Exp.% of Adjusted Budget
Revenues:							
Fees:							
Distribution	\$ 4,757,941	\$ 4,757,941	51.0%	\$ 2,426,550	\$ 1,951,443	\$ (475,107)	80.4%
Generation	9,515,881	9,515,881	51.0%	4,853,099	4,573,518	(279,581)	94.2%
Electricity Fees	(142,738)	(142,738)	38.0%	(54,240)	(42,160)	12,080	77.7%
Plan Check Fees	264,400	264,400	40.0%	105,760	31,557	(74,203)	29.8%
Public Purpose Programs	713,691	713,691	30.0%	214,107	203,442	(10,665)	95.0%
Other Fees	183,800	183,800	48.0%	88,224	52,696	(35,528)	59.7%
Other:							
Interest Income	41,410	41,410	47.6%	19,711	24,842	5,131	126.0%
Miscellaneous	253,517	253,517	45.0%	114,083	118,593	4,510	104.0%
Total Revenues	15,587,902	15,587,902	49.8%	7,767,294	6,913,931	(853,363)	89.0%

Moreno Valley Electric Utility
Mid-Year Financial Summary – Period Ending December 31, 2009

	Adopted Budget	Adjusted Budget	YTD Historical Percentage Received or Expended	Mid-Year Expected based on Historical Amounts	Total Actual	Positive (Negative) Variance	Rev. % of Expected; Exp.% of Adjusted Budget
Expenditures:							
Electric Fund Admin.	12,495,811	12,725,295	50.0%	6,362,648	5,953,614	409,034	46.8%
Public Purpose Programs	713,691	713,691	50.0%	356,846	34,424	322,422	4.8%
Total Expenditures	13,209,502	13,438,986	50.0%	6,719,494	5,988,038	731,456	44.6%
Depreciation & Debt Service:							
Depreciation	196,686	196,686	50.0%	98,343	98,343	0	50.0%
Debt Svc – Principal	490,000	490,000	0.0%	0	0	0	
Debt Svc – Interest	1,664,765	1,664,765	28.9%	480,601	480,601	0	28.9%
Total Depreciation & Debt Service	2,351,451	2,351,451	14.4%	578,944	578,944	0	14.4%

As reflected in the previous operational financial summaries, revenue and expenditure results for Parks, Library, Gas Tax and Electric Utility through the December 31, 2009 indicate a stable outlook for the remainder of the fiscal year.

Proposed Mid-Year Budget Appropriation Adjustments

The Mid-Year Budget Review is traditionally the time in which additional budget appropriation adjustments are considered due to unforeseen circumstances that have occurred since adoption of the budget. There are two items recommended for Council's approval this fiscal year. If approved, they will increase Non-General Fund expenditure budgets by \$601,200, in the indicated funds as itemized below:

Department/Division	Description	Fund Balance as of 6-30-09	Requested Amount	Net Fund Balance
Human Resources/General Liability Fund – 741	Additional settlements of general liability claims (\$395,000); and increased unemployment insurance claims (\$182,000)	\$1,421,690 *	\$577,000	\$844,690
Financial & Admin. Services/Facilities Fund – 754	Increase in Letter of Credit (LOC) fees for the 1997 Certificates of Participation (COPs) **	\$4,443,900	\$24,200	\$4,419,700

* Fund balance of \$1,421,690 is unrestricted. The fund has \$1,218,000 set-aside separately as a responsible reserve based on actuarial assumptions.

** Increased fees are a result of the added level of risk for LOC insurers due to economic stresses on local economies and fewer banks offering LOC coverage.

Looking Ahead to FY 2010-11

As reflected in the Five Year Financial Plan included in the FY 2009-10 Adopted Budget and also reported to the City Council as part of the First Quarter Budget Review on November 17, 2009, a FY 2010-11 General Fund operating deficit of over \$10 million has been projected. Based on the decline in property tax and development-related revenues that the City is experiencing, the FY 2010-11 General Fund deficit is now expected to be larger; perhaps \$14 million or greater. As departmental budget reviews are just getting underway for the FY 2010-11 budget, and FY 2010-11 revenues will undergo further review and analysis, the projected deficit will be refined prior to presentation of the FY 2010-11 Preliminary Base Budget. To address the projected deficit, staff will also be presenting the City Council with a FY 2010-11 Deficit Reduction Plan, identifying various solutions for bringing the budget into balance prior to its adoption in June 2010.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Receive and file this report.
2. Approve the proposed mid-year budget appropriation adjustments.
3. Do not approve the proposed mid-year budget appropriation adjustments.
4. Provide staff with further direction.

Staff recommends Alternatives 1 and 2.

FISCAL IMPACT

As indicated in this staff report, operating results through December 31, 2009 are positive for the General Fund and other major funds; therefore, no actions are recommended with respect to workforce reduction or other expenditure reductions beyond the prudent cost-control measures already being implemented by all departments.

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

A key component in balancing the FY 2009-10 General Fund budget was a projected \$2 million in savings from FY 2008-09 to be carried forward to FY 2009-10. Audited year-end results indicate a total FY 2008-09 General Fund savings of \$3.65 million, as a result of additional year-end cost saving measures implemented by departments, totaling approximately \$250,000; combined with a reclassification of short-term compensated absences from an expense to a long-term debt, at the auditors' recommendation, totaling \$1.4 million.

General Fund revenues received through December 31, 2009 are below the expected historical level. This revenue shortfall is largely due to a reduction in property tax and development-related revenues. However, with additional savings from the prior fiscal year, and projected expenditure reductions of nearly \$800,000, the General Fund is projected to end the fiscal year with a slight surplus of approximately \$68,000. As a result, no actions are recommended with respect to workforce reduction or other expenditure reductions, beyond the prudent cost-control measures already being implemented by all departments.

Mid-year results for the other major funds (Parks, Library, Gas Tax, and Electric Utility) through December 31, 2009 indicate a stable outlook for the remainder of the fiscal year.

Despite the overall positive results thus far in FY 2009-10, significant challenges are expected in adopting a balanced General Fund budget for FY 2010-11. To address the expected deficit, staff will be presenting the City Council with a Deficit Reduction Plan comprised of a series of Deficit Reduction Options to balance the budget. An accelerated budget review schedule has also been established to provide additional time for Council's review and deliberation on the Preliminary Base Budget and companion Deficit Reduction Plan.

Prepared By:
Cynthia A. 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:

City of Moreno Valley



Mid-Year Budget Review

February 23, 2010



Presentation Overview

- Previous actions mitigating impact of recession
- Prior year savings needed to balance FY 2009-10 General Fund budget
- Mid-Year Results:
 - General Fund (main emphasis)
 - Other key funds
- Proposed Mid-Year Budget Appropriation Adjustments
- Look ahead to FY 2010-11:
 - Anticipated General Fund deficit
 - Deficit Reduction Plan used to balance the budget
 - Budget Review Schedule

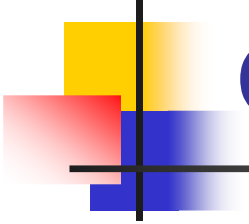


Previous Actions Mitigating Impact of Recession

1. Establishment of Development Services Reserve
2. Proactive use of Deficit Reduction Planning
3. Ongoing diligence of departments in their cost control efforts

Prior Year Savings Needed to Balance FY 2009-10 Budget

- \$2 million prior year savings included as “other funding source” for FY 2009-10 General Fund budget.
- Audited results: actual savings was \$3.65 million.
- Additional savings of \$1.65 million a result of:
 - Year-end cost saving measures (\$250k);
 - Accounting reclassification of expense to long-term debt (\$1.4m).



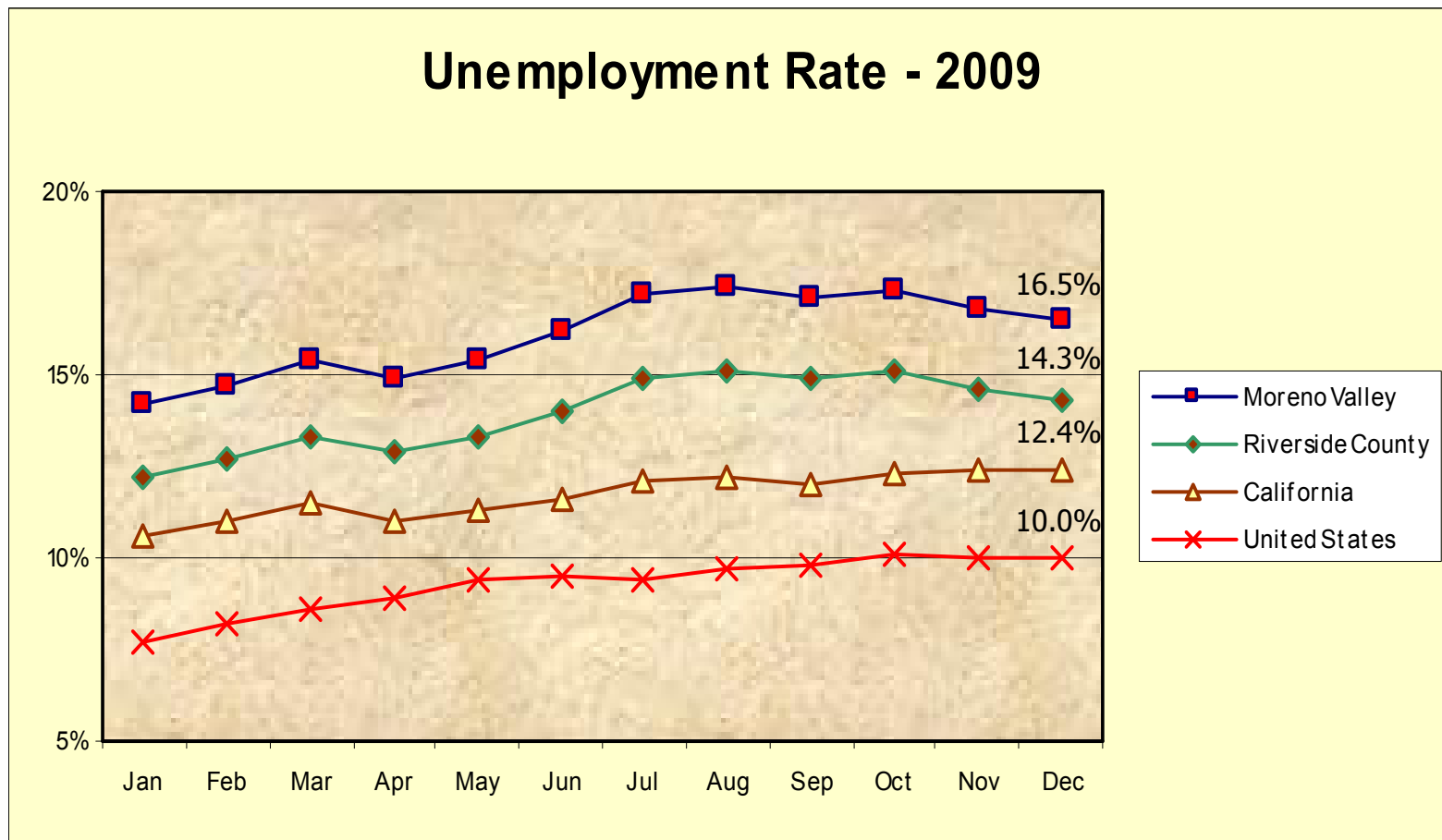
Mid-Year Results: General Fund Operating Revenues

- YTD historical revenue receipts at mid-year: 29.8%.
- Actual mid-year revenues: 28.3%; shortfall of nearly \$1.2 million.
- Significant revenue shortfalls:
 - Property Tax (-\$978k)
 - Development-related Fees: (-\$498k)
 - Other Fees: (-\$258k)
- Revenues exceeding historical level at mid-year:
 - UUT (+\$346k)
 - Franchise Fees (+\$179k)
 - Interest Income (+\$196k)

General Fund Operating Revenues

Revenue Source	Adopted Budget	Mid-Year Expected	Mid-Year Actual	Pos. (Neg.) Variance
Taxes:				
- UUT	\$14,970,000	\$5,988,000	\$6,334,508	\$346,508
- Property Tax / VLF	\$14,100,000	\$70,500	\$32,798	(\$37,702)
- Property Tax	\$11,700,000	\$4,141,800	\$3,164,057	(\$977,743)
- Sales Tax	\$9,735,000	\$2,336,400	\$2,294,144	(\$42,256)
- Gross Receipts	\$906,500	\$36,260	\$20,734	(\$15,526)
- Other Taxes	\$950,000	\$405,650	\$391,137	(\$14,513)
Fees:				
- Franchise Fees	\$4,400,000	\$946,000	\$1,125,053	\$179,053
- Parking Control	\$1,250,000	\$475,000	\$486,632	\$11,632
- Development-related	\$4,142,403	\$1,988,354	\$1,490,062	(\$498,292)
- Other Fees	\$2,474,705	\$1,086,948	\$856,518	(\$230,430)
Other:				
- Interest Income	\$4,300,000	\$2,046,800	\$2,243,235	\$196,435
- Admin. Charges/Grants/Transfers/Misc.	\$5,909,740	\$2,799,350	\$2,715,175	(\$84,175)
Total	\$74,838,348	\$22,321,062	\$21,154,053	(\$1,167,009)

Unemployment Continues to Impact the Local Economy





Mid-Year Results: General Fund Operating Expenditures

- With 50% of fiscal year elapsed, operating expenditures are at 47% of budget.
- This positive result reflects the ongoing diligence of departments in their cost-control efforts.



General Fund Operating Expenditures

Department	Adopted Budget	Mid-Year Expected	Mid-Year Actual	Pos. (Neg.) Variance
General Government				
City Council	\$650,520	\$325,761	\$280,650	\$45,111
City Manager	\$1,603,927	\$833,004	\$1,194,827	(\$361,823)
City Clerk	\$620,108	\$310,054	\$223,829	\$86,225
City Attorney	\$1,093,900	\$588,396	\$515,493	\$72,903
Economic Development	\$684,755	\$348,528	\$191,631	\$156,897
Financial/Admin. Services	\$3,145,793	\$1,572,896	\$1,693,050	(\$120,154)
Human Resources	\$967,200	\$562,834	\$504,282	\$58,552
Non-Departmental	\$4,996,772	\$2,498,386	\$2,063,617	\$434,769

General Fund Operating Expenditures

(continued)

Department	Adopted Budget	Mid-Year Expected	Mid-Year Actual	Pos. (Neg.) Variance
Public Safety				
Police	\$39,909,509	\$19,968,256	\$18,939,930	\$1,028,326
Fire	\$16,111,775	\$8,055,888	\$7,742,043	\$313,845
Animal Control	\$2,432,419	\$1,228,298	\$1,109,311	\$118,987
Emergency Operations/ Volunteer Services	\$590,842	\$299,297	\$305,411	(\$6,114)
Crossing Guards	\$602,126	\$301,064	\$299,123	\$1,941
Community Development	\$5,836,630	\$2,942,151	\$2,612,842	\$329,309
Public Works	\$4,200,537	\$2,227,187	\$1,880,668	\$346,519
Total Expenditures	\$83,446,813	\$42,062,000	\$39,556,707	\$2,505,293

FY 2009-10 General Fund Projection

Revenues & Other Sources of Funds	Adopted Budget	Adjusted Budget	Projected Actual	Pos. (Neg.) Variance
Operating Revenues				
Taxes	\$52,361,500	\$52,361,500	\$50,457,700	(\$1,903,800)
Fees	\$12,267,108	\$12,267,108	\$11,317,500	(\$949,608)
Other Revenues	\$10,209,740	\$10,291,778	\$10,764,500	\$472,722
Total Operating Revenues	\$74,838,348	\$74,920,386	\$72,539,700	(\$2,380,686)
Other Sources of Funds				
Contingency Reserve	\$4,308,465	\$4,308,465	\$4,308,465	--
Develop. Services Reserve	\$2,300,000	\$2,300,000	\$2,300,000	--
Prior Year (2008-09) Savings	\$2,000,000	\$2,000,000	\$3,652,922	\$1,652,922
Approved Operating Carryovers	--	\$645,114	\$645,114	--
CIP Project Carryovers	--	\$223,463	\$223,463	--
Total Funding Sources	\$83,446,813	\$84,397,428	\$83,669,664	(\$727,624)

FY 2009-10

General Fund Projection (continued)

Use of Funds	Adopted Budget	Adjusted Budget	Projected Actual	Pos. (Neg.) Variance
Operating Expenditures				
Personnel Services	\$16,350,986	\$16,643,803	\$16,235,709	\$408,094
Contractual Services	\$56,145,231	\$56,571,816	\$55,987,874	\$583,942
Materials & Supplies	\$897,813	\$907,313	\$909,961	(\$2,648)
Debt Service	\$254,169	\$254,169	\$254,169	--
Fixed Charges	\$7,372,241	\$7,332,741	\$7,367,297	(\$34,556)
Transfers Out	\$2,412,671	\$2,412,671	\$2,600,246	(\$187,575)
Total Operating Expenditures	\$83,433,111	\$84,122,513	\$83,355,256	\$767,257
Capital Expenditures	\$13,702	\$274,915	\$246,044	\$28,871
Total Use of Funds	\$83,446,813	\$84,397,428	\$83,601,300	\$796,128
Excess of Total Sources over Total Uses	\$0	\$0	\$68,364	\$68,364



Other Key Funds

- CSD Zone A – Parks
- CSD Zone L – Library
- Gas Tax
- Electric Utility

- All mid-year results are positive and indicate stable outlook for remainder of fiscal year.
- No actions recommended with respect to workforce or other expenditure reductions, other than ongoing cost control.

Proposed Mid-Year Budget Appropriation Adjustments

Department/ Division	Description	Fund Balance as of 6/30/09	Requested Amount	Net Fund Balance
Human Resources/ General Liability – Fund 741	Additional settlements of general liability claims (\$395,000); and increased unemployment insurance claims (\$182,000).	\$1,421,690	\$577,000	\$844,690
Financial/Admin. Services/Facilities Fund 754	Increase in Letter of Credit (LOC) fees for the 1997 Certificates of Participation (COPs) as a result of added level of risk for LOC insurers and fewer banks offering LOC coverage.	\$4,443,900	\$24,200	\$4,419,700



Looking Ahead to FY 2010-11

- As identified in Five-Year Financial Plan included in FY 2009-10 Adopted Budget and addressed during First Quarter Budget Review, General Fund deficit of over \$10 million is projected for FY 2010-11.
- Based on declining property tax and development-related revenues, deficit is now expected to be greater; perhaps \$14 million or more.
- FY 2010-11 budget will include Deficit Reduction Plan, identifying various Deficit Reduction Options for balancing the budget.



2010-11 Budget Review Schedule

Activity	Date(s) - 2010
Distribution of Preliminary Base Budget	April 13
Distribution of Deficit Reduction Plan	April 27
Council Member Budget Briefings	May 4-6
Initial Budget Presentation	May 11
Budget Discussion	May 18 (Study Session)
Continued Budget Discussion	May 25
Continued Budget Discussion	June 8
Continued Budget Discussion	June 15 (Study Session)
Budget Adoption	June 22
Back-up Budget Adoption (if needed)	June 29



Summary

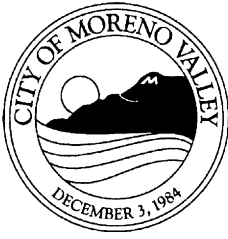
- Projected \$2 million savings from prior fiscal year needed to balance FY 2009-10 General Fund budget; exceeded by \$1.65 million.
- This additional savings is needed to offset lower-than-expected property tax and development-related revenues.
- Due to above factors, combined with departmental cost savings, General Fund expenditures are expected to remain within budget through fiscal year end.
- Other major funds also expected to remain within budget.
- As a result, no actions are recommended with respect to workforce reduction or other expenditure reductions, beyond the prudent cost-control measures already being undertaken by departments.
- FY 2010-11 will be a challenging year, with a Deficit Reduction Plan needed to overcome a significant General Fund deficit.



Requested Council Action

- 1) Receive and file FY 2009-10 Mid-Year Budget Review staff report.

- 2) Approve the proposed Budget Appropriation Adjustments totaling \$601,200--no General Fund impact.



APPROVALS	
BUDGET OFFICER	<i>caf</i>
CITY ATTORNEY	<i>Sub</i>
CITY MANAGER	<i>PA</i>

Report to City Council

TO: Mayor and City Council acting in their capacity 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: February 23, 2010

TITLE: ALTERNATIVES FOR THE COMMUNITY SERVICES DISTRICT (CSD) ZONE B (RESIDENTIAL STREET LIGHTING) PROGRAM

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 Moreno Valley CSD ("CSD Board") provide direction to staff on the alternatives to be implemented for the CSD Zone B (Residential Street Lighting) program.

BACKGROUND

The CSD was formed simultaneously with the City's incorporation and zones of benefit were established, such as the CSD Zone B (Residential Street Lighting) program, to allocate the program costs to those parcels receiving benefit from the services provided by the CSD. The Zone B parcel charges fund the costs for approximately 8,500 streetlights along City maintained residential streets. Over the past few years, electrical utility costs for streetlights have significantly increased and currently exceed the annual revenue for the CSD Zone B program.

To continue to provide the same level of residential street lighting services, a Proposition 218 mail ballot proceeding was conducted in June of 2009. The mail ballot provided property owners participating in the CSD Zone B program an opportunity to either approve or oppose an increase in their CSD Zone B charge from \$23 or \$24 per parcel, per year to \$39 per parcel, per year. The proposed charge would have been subject to future inflation adjustments based on the greater of the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Electrical Price Index, as published by the Department of Labor's Bureau of

Labor Statistics, or 5%. Of the 40,092 ballots mailed to property owners, 6,359 ballots (16%) were returned, with 4,076 ballots marked as not approving, 2,025 ballots marked as approving, and 258 ballots returned as invalid. Based on the results of the mail ballot proceeding, the proposed increase in the CSD Zone B charge was not approved.

DISCUSSION

For fiscal year (FY) 2009/10, the CSD Zone B revenues shall generate approximately \$1,057,000, while expenses are estimated to be \$1,605,000, creating an approximate \$548,000 shortfall. If the existing FY 2008/09 fund balance of approximately \$350,000 is used to offset a portion of the shortfall, the CSD Zone B program will remain underfunded by approximately \$198,000 in the current FY, and shall incur a continued annual shortfall of approximately \$548,000 in subsequent FYs.

Given this projected shortfall, staff has reviewed options undertaken by other cities in addressing similar funding deficits for street lighting services. Staff has met with representatives from Southern California Edison (SCE), Moreno Valley Utilities (MVU), and the City's Transportation Division in an effort to evaluate alternatives to address the CSD Zone B program funding shortfall.

A presentation was given to the CSD Board at the November 17, 2009, City Council Study Session, which included a number of potential alternatives. Staff was directed to bring this matter back before the CSD Board for further discussion. Current alternatives include hiring a public relations firm to assist with public education and outreach, rebalotting property owners, and posting notification signs on designated streetlights that may be de-energized (turned off). Although the prior mail ballot proposed a charge of \$39 per parcel, per year, future ballots may reflect a higher proposed charge to provide for full cost recovery and accommodate for shortfalls in FY 2010/11 along with any additional costs incurred per the CSD Board's direction.

Prior to implementation of any alternative, which may modify the existing streetlight services, each street should be evaluated for particular situations or conditions that would render street lighting necessary.

ALTERNATIVES

Staff asks the CSD Board to review and provide direction on the following alternatives to address the CSD Zone B (Residential Street Lighting) program:

1. Allow for a Loan From Special Districts (Fund 149) to Cover the FY 2009/10 Shortfall

For FY 2009/10, the CSD Zone B revenues shall generate approximately \$1,057,000, while expenses are estimated to be \$1,605,000, creating an approximate \$548,000 shortfall. If the FY 2008/09 fund balance of approximately \$350,000 is used to offset a portion of the shortfall, the CSD Zone B program will remain underfunded by approximately \$198,000 in the current FY. A temporary loan to fund residential streetlight services may be received from Fund 149. Loan repayment may occur from future CSD Zone

B parcel charges. *This alternative will allow the use of the fund balance, which along with a loan from Fund 149, may provide necessary funds to meet the FY 2009/10 shortfall for residential street lighting services. This alternative does not resolve the shortfalls projected for FY 2010/11 and beyond.*

2. Modify the Policy For Conducting Mail Ballot Proceedings

For a rebalot to occur in accordance with the City approved Policy For Conducting Mail Ballot Proceedings (Policy), property owners must submit a petition to the City of Moreno Valley, Special Districts Division of the Public Works Department. An amendment to the Policy may be authorized to allow the CSD Board to initiate a rebalot in lieu of receiving a petition from the property owners. *This alternative will allow the CSD Board to initiate a rebalot if a petition is not received from the property owners.*

3. Authorize the Hiring of a Public Relations (PR) Firm

The CSD Board may wish to direct staff to hire a public relations firm to provide outreach and educational efforts in connection with a rebalot of a proposed increase in the CSD Zone B parcel charge.

As requested by the CSD Board, a proposal from Tramutola, LLC has been submitted (Attachment C), to provide ballot preparation strategy and related public education services for the CSD Zone B program. The proposed contract cost for a professional public relations firm is estimated at \$173,000 to perform opinion research and to assist with public education and outreach. The funds used to pay for these proposed services may be temporarily advanced from Fund 149. Loan repayment may occur from future CSD Zone B parcel charges. The public relations strategy is presented in two distinct phases within the proposal:

Phase 1: Strategic Evaluation & Feasibility Study – This phase of the project would involve a strategic evaluation of the past ballot, review of the City's existing public communication efforts, and an assessment of future ballot options. This phase would also include an opinion research survey to identify the level of public support for a future ballot or alternatives to reducing streetlight services. It is anticipated that with an aggressive schedule, Phase 1 will take approximately 3 months to complete by the end of May 2010. Based upon the results of Phase 1, a determination may or may not be made to conduct a mail ballot proceeding based on public opinion. If the survey results indicate that a ballot is not feasible, other aggressive options may need to be explored, which could include those alternatives mentioned within this staff report.

Phase 2: Public Education & Ballot Measure Preparation - If a mail ballot proceeding is determined to be feasible based upon the survey results, the PR firm would assist with determining the best approach for conducting a mail ballot.

In order to meet the County's requirements for submitting the charges for inclusion on the FY 2010/11 property tax bills and to be compliant with Proposition 218, the ballots and notices would be mailed to the property owners by July 9, 2010. Based on the previous regular City Council meeting schedules, the Public Meeting could be conducted on August 24, 2010. The Public Hearing would then be conducted on September 14, 2010 and the CSD Board would be able to certify the ballot results on September 28, 2010. If the increase in the charge is approved, placement of CSD Zone B charges on the County of Riverside property tax roll is due to the County of Riverside Treasurer-Tax Collector's office prior to September 30, 2010. The additional cost to place or amend charges on the County of Riverside property tax bill between August 20, 2010 and September 30, 2010 is approximately \$2,500.

If the CSD Zone B charges are submitted to the County of Riverside Treasurer-Tax Collector's office after September 30, 2010, an additional cost of \$2,500 plus \$10 per parcel or approximately \$404,500 will be charged by the Treasurer-Tax Collector's office to amend the property tax bill. Additionally, costs will be incurred to meet the Treasurer-Tax Collector's requirement for the CSD to provide notification to the property owners regarding their amended property tax bills.

For FY 2010/11, if increased charges are not approved and applied to the property tax bills or service levels reduced, the CSD Zone B annual shortfall for FY 2010/11 would be approximately \$548,000 plus any additional cost incurred from any actions directed by the CSD Board.

If the Board recommends the hiring of a PR Firm and the selection of Tramutola, direction may be given by the Board to authorize the City Manager to sign a contract between the City and Tramutola, contingent upon approval of the contract wording by the City Attorney. *This alternative will allow for the hiring of a PR Firm to provide public outreach and education concerning the CSD Zone B residential street lighting program. The Board may also authorize the City Manager to sign a contract with Tramutola upon approval of the contract wording by the City Attorney. If authorized, a temporary advance from Fund 149 may fund this effort.*

4. Reballot Property Owners

A reballot may be initiated either by a petition under the current Policy or if the Policy is amended (see option2), by direction from the CSD Board. A petition would require signatures from a minimum of 6,360 property owners. This number of signatures represents 100 percent plus 1 of the number of ballots returned in the prior mail ballot proceeding.

a. Existing CSD Zone B Boundaries

A rebalot shall allow property owners another opportunity to ballot to approve or oppose an increase in the CSD Zone B annual charge to provide residential street lighting services. If approved, the rebalot would allow for the collection of the increased annual charge to fully fund the costs of providing CSD Zone B services. Additionally, this would also allow for an annual inflation adjustment in the CSD Zone B charge to accommodate future utility increases.

The cost of the rebalot is estimated to be \$35,000, which is primarily for printing and postage. The funds used to pay for the cost of the rebalot may be temporarily advanced from Fund 149. Loan repayment may occur from future CSD Zone B parcel charges. *This alternative will provide property owners another opportunity to express either support or opposition to the proposed increase in the CSD Zone B annual charges. If authorized, a temporary advance of funds from Fund 149 may provide for the rebalot.*

b. Sub-Areas Within the CSD Zone B Boundaries

Based on the CSD Board's direction, the CSD Zone B rebalot could be conducted for residential sub-areas identified within CSD Zone B. To allow for these sub-areas, an amendment to the CSD Zone B and Zone C Street Lighting Policy would be required. In addition to identifying sub-areas, a survey or similar method may be necessary to determine potential sub-area boundaries. Following a review of such survey, a benefit analysis for each sub-area should be developed to determine each sub-area's annual charge. Based upon an initial review of certain tracts, sub-area charges can vary and certain sub-areas may exceed \$70 per parcel, without accounting for an additional rebalot, survey, or benefit analysis costs.

The cost to rebalot by CSD Zone B sub-areas is estimated to be at least \$35,000, which is primarily for printing and postage costs. Additional costs for a survey and benefit analysis have not yet been determined. The funds used to pay for these costs may be temporarily advanced from Fund 149. Loan repayment may occur from future CSD Zone B parcel charges. *This alternative will provide property owners an opportunity to express either support or opposition to the proposed increase in the CSD Zone B annual charges by sub-areas. This alternative may require significant time and costs to determine sub-area boundaries and to analyze the costs and benefits received by each property within the identified sub-areas.*

5. Modify Streetlights

- a. Post Temporary Notification Signs on Residential Streetlights Subject to Potential Turning Off and/or Removal

As part of the public education and outreach efforts, signs may be posted temporarily on streetlights within the CSD Zone B residential streetlight areas to provide advanced notification to the public that the identified streetlights may be subject to being turned off and/or removed. The postings could be limited to an estimated 39% of the residential streetlights within the CSD Zone B boundaries to reflect the amount necessary to offset the projected funding shortfall.

The total cost to post signs temporarily on the streetlights is estimated to be approximately \$12,000. The funds used to pay for the preparation of the signs, labor and materials to post the signs may be temporarily advanced from Fund 149. Loan repayment may occur from future CSD Zone B parcel charges. *This alternative will provide property owners advanced notice that certain streetlights in their neighborhoods may be impacted by streetlight service reductions. If authorized, it shall allow for a temporary advance from Fund 149 to fund this effort.*

b. Temporarily Turning Off Residential Streetlights

Temporarily turning off 39% of the residential streetlights (approximately 3,351) will save on the cost of electrical energy, which represents only 22% of the CSD Zone B program cost. However, while they are turned off, this option will not reduce the streetlight lease, maintenance, or administration costs, which constitute approximately 78% of the program cost. There is also a one-time cost associated with turning off streetlights, which is estimated in excess of \$141,000. Per SCE, streetlights may only be off for a period of up to six months. After that time, they must either be turned on or removed. Turning streetlights back on will result in additional costs, which are estimated in excess of \$153,000.

The total cost to temporarily turn off 39% of the residential streetlights is estimated to be approximately \$294,000. However, if this alternative is authorized, no funding source has been identified to temporarily advance the funds needed to pay for this action. Loan repayment may occur from future CSD Zone B parcel charges. *This alternative shall provide for a temporary reduction in residential streetlight services; however this option may be considered too cost prohibitive to be implemented. It will be more expensive than the posting of notification signs and a funding source to temporarily advance the funds needed has not been identified. Further, before this alternative could be carried out, technical, legal, and cost related issues would need to be addressed.*

6. Remove an Estimated 3,351 (39%) Residential Streetlights

Turning off and/or removing 39% of the residential streetlights (approximately 3,351) shall reduce street lighting service to coincide with the current level of

available funding for FY 2009/10. Removal of streetlights may result in additional costs associated with reconfiguration of existing electrical lines. Depending on the extent of the removal costs and future utility rates, additional streetlight removals in subsequent years may be necessary. Any streetlight infrastructure modifications may require the City to update existing streetlight standards.

The cost to turn off and/or remove an estimated 39% of the streetlights and notify the property owners is approximately \$545,000. However, if this alternative is authorized, no funding source has been identified to temporarily advance the funds needed for this action. For SCE owned streetlights that have been installed for less than 10 years, a prorated portion of installation costs in addition to removal and salvage costs may be incurred. For MVU streetlights, there are costs to turn off/turn on streetlight facilities. Should it be necessary to remove MVU streetlights at some point in the future, actual removal costs will be incurred. *This alternative will provide for a permanent reduction in residential streetlight services; however, it can be considered too cost prohibitive to implement. Before this alternative could be carried out, technical, legal, and cost related issues would need to be addressed.*

FISCAL IMPACT

There is currently no fiscal impact on the General Fund for the operation of the CSD Zone B program. However, depending upon the alternatives considered by the CSD Board, the General Fund could be impacted for an authorized amount to address any current or future shortfalls.

CITY COUNCIL GOALS

The CSD Zone B program is a full cost recovery program that funds residential streetlight services. Streetlights aid in the illumination of roadway and sidewalk areas.

SUMMARY

Funds received to support the CSD Zone B program are less than the cost to provide CSD Zone B services. City staff has presented a number of alternatives for the CSD Board's consideration, which include a temporary loan to cover the current FY 2009/10 shortfall, a policy modification to allow the CSD Board to authorize a rebalot, hiring a public relations firm to assist with public education and outreach pertaining to the funding of residential street lighting services, rebalotting the property owners for an increase in the CSD Zone B charge, and posting signs temporarily on designated streetlights to notify property owners that streetlights may be subject to de-energization and removal if no additional CSD Zone B revenues are identified to continue to fully fund residential street lighting services.

NOTIFICATION

N/A

ATTACHMENTS/EXHIBITS

Attachment A – Summary of Alternatives and Estimated Costs

Attachment B – Preliminary Schedule

Attachment C – Tramutola Proposal

Prepared By:
Sharon Sharp
Senior Management Analyst



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

Concurred By:
Sue Anne Maxinoski,
Special Districts Division Manager

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

Summary of Alternatives and Estimated Costs

Number of Parcels (FY 2009/10)	40,156
FY 2009/10 CSD Zone B Charge	\$23/24

Description	Cost	Cost per Parcel
1) Projected shortfall FY 2009/10	\$ 198,000	\$ 4.93
2) Modify Policy	\$ -	-
3) Public Relations Firm	\$ 173,000	\$ 4.31
4) Temporarily Modify Streetlights		
4a) Post Signs - 3,351 (39%) streetlights (\$3.50 per pole)	\$ 11,729	\$ 0.29
4b) Turn off/on 3,351 (39%) streetlights (poles) ¹		
Turn off SCE (\$44 per pole/3,024)	133,056	
Turn on SCE (\$48 per pole/3,024)	145,152	
Turn off MVU (\$25 per pole/327)	8,175	
Turn on MVU (\$25 per pole/327)	8,175	
	\$ 294,558	\$ 7.34
5) Reballot		
5a) Existing CSD Zone B Area		
Ballot Preparation	12,750	
Postage (\$.44)	17,669	
Postage BRM (25%@\$.45)	4,518	
	\$ 34,936	\$ 0.87
5b) By Sub-Area		
Survey	20,000	
Benefit Analysis	25,000	
Ballot Preparation	12,750	
Postage (\$.44)	2	
Postage BRM (25%@\$.45)	1	
	\$ 57,753	\$ 1.44
6) Removal of Streetlights		
MVU - 327 lights turned off	8,175	
SCE - 463 poles removed (\$1,100 per pole) ²	509,300	
SCE - 2,561 poles removed ³	-	
Reduced Service Letter (Req'd per Mail Ballot Policy)		
Mailer	9,500	
Postage (\$.44)	17,669	
	\$ 544,644	\$ 13.56
If charges submitted to County between Aug. 20 and Sept. 30, 2010		
Cost to amend charge database	\$ 2,536	\$ 0.06
If charges submitted to County after Sept. 30, 2010		
Cost of Revised Property Tax Bill	\$ 404,096	\$ 10.06
If charges submitted and accepted by the County after Oct. 31, 2010		
Cost of Revised Property Tax Bill	\$ 404,096	
Notification to property owners	30,419	
	\$ 434,514	\$ 10.82
Projected shortfall FY 2010/11	\$ 548,000	\$ 13.65

¹ Costs to turning on/off streetlight poles are estimated and include 39% of residential streetlights within CSD Zone B.

² Poles in the ground less than 10 years. Actual cost to be determined by SCE.

³ Poles in the ground more than 10 years. Actual cost to be determined by SCE.

Tentative Preliminary Schedule - CSD Zone B

February 2010

23 City Council Meeting:
Modify Policy For Conducting Mail Ballot Proceedings
City Council/CSD Board to consider/authorize selected alternative(s)

March 2010

1 - 10 Contract w/PR firm

2 - 11 PR firm commences Phase 1 - Feasibility Study

April 2010

1 - 30 Feasibility Study by PR firm

May 2010

31 Feasibility Study by PR firm completed.

June 2010

1 - 30 If balloting is deemed feasible, commence Phase 2
Public Education and Ballot Measure Preparation

July 2010

1 - 8 Continuation of Phase 2
Public Education and Ballot Measure Preparation

9 Notice/ballots mailed

August 2010

24 Public Meeting

September 2010

14 Public Hearing

15 - 27 Ballot Tabulation

28 Certification of Ballot Results at Regular City Council/CSD Board Meeting

30 If the ballot is approved:
Send new CSD Zone B charge to the County for the FY 2010/11 tax bill

TRAMUTOLA

THE DISCIPLINE OF WINNING

January 18, 2010

Mr. Barry Foster
Mr. Chris Vogt
Ms. Michelle Dawson
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: 218 Benefit Assessment Evaluation, Feasibility & Public Information Proposal - 2010

Dear Barry, Chris and Michelle:

Thank you for our recent conversations about **the City of Moreno Valley** and your local revenue measure needs. We are well qualified to assist you in the complex disciplines of local revenue measure election evaluation, feasibility, ballot measure preparation strategy, and related public education services. *This work is our passion at TRAMUTOLA.* We have a proven track record working in the most challenging electoral environments and our experience is unmatched in the industry. We appreciate the opportunity to submit this proposal for your consideration.

ABOUT TRAMUTOLA

TRAMUTOLA specializes in helping communities prepare for and pass difficult tax measures. For over 23 years we have served hundreds of public agencies—cities, counties, parks and recreation districts, public school and community college districts, healthcare and hospital districts and others—seeking specialized advice on tax election feasibility, planning, public information, ballot measure preparation, post-election analysis and related services.

You may have developed mixed opinions about consultants over time. We are different.

First, we demonstrate our commitment differently. Unlike others in the industry that look for ways to *limit* their time with you, our goal is to maximize face time and collaboration to help you achieve your goals. We do that by creating a relationship that is honest, direct and collaborative.

Second, no other tax election consulting firm in the state has our experience or verifiable track record. TRAMUTOLA has teamed up collaboratively with public agencies to plan for and win more than 250 local tax elections (most requiring 66.7% voter approval) producing over **\$25 billion** in new revenue for community services and facilities.

Third, *even in this tough economy, our clients are winning.* Our team has guided over 40 local tax measures to electoral success since the recession started (in late 2007). Our experience in these tough elections provides a keen appreciation for the complexity of achieving super-majority levels of support in the current economic environment. For more information on our tax election consulting experience please visit our website at www.tramutola.com or contact us directly.

191 Ridgeway Avenue, Oakland CA 94611 Ph: (510) 658-7003 Fx: (510) 658-7302
Web: www.tramutola.com E-mail: info@tramutola.com

Attachment C

WE ARE READY TO HELP YOU!

We understand that Moreno Valley, like many California cities, is dealing with an unprecedented fiscal crisis due to the State budget crisis and struggling economy. The situation presents almost daily challenges. The decisions you make about 2010 ballot measures will certainly impact the City for the long term. To that end, you have stated that your most urgent need is to assess the City's Community Service District (CSD) Prop 218 election approach used to seek increased funding for the City's Zone B Residential Street Lighting Program and help you reverse the recent trend of failing Zone B streetlight ballot measures. Also on the 2010 horizon is a plan to place a measure on the November 2010 ballot to increase the City's existing Transient Occupancy Tax (TOT) from 8% to 11%.

As you know, a **benefit assessment** requires that those who participate own property in the City. In addition to residential property owners, owners of other types of properties (i.e., commercial, industrial, apartments, etc.) as well as absentee owners are eligible to participate. Whereas a general tax requires a simple majority support for passage, a weighted majority of the returned ballots is required for a benefit assessment to pass – with each ballot being weighted proportionately by the amount of the fee charged to the parcel. Benefit Assessment ballot proceedings also employ different voting procedures, as all property owners are typically mailed a ballot that includes an information sheet, but does not include arguments in support or opposition, as is the case with a general tax.

A **TOT**, on the other hand, is not dedicated to a specific purpose is considered a general tax under California law and requires support from a majority of voters who participate in the election—which can be held either as a traditional polling-booth election or by mailed-ballot (in some cases). Registered voters can participate in the election regardless of whether they own property or are renters, and all votes are weighted equally (one person=one vote).

One thing is certain: these two City ballot measures *will* impact one another—because they both will be decided by specific overlapping universes of Moreno Valley “voters/taxpayers”. Both ballot measure priorities will take place within the same city boundaries—possibly in the same year—but *looking closer, these are two very different types of revenue measures.* We want to make sure the City achieves its electoral goals for BOTH measures. Thus, a Moreno Valley Zone B Benefit Assessment Evaluation & Feasibility Project should not proceed in a vacuum.

OUR APPROACH: A 3-PHASE PROCESS

Because the legal, logistical, and campaign environments for special taxes and benefit assessments differ on so many dimensions that ultimately affect whether a measure wins or loses, it is important that our feasibility approach and methodology for the benefit assessment take these differences into account to ensure reliable results for the unique Prop. 218-measure scenario.

PHASE 1: Strategic Evaluation & Feasibility Study—on a Fast Track.

Given the context above and your stated desire to achieve electoral results in 2010, we strongly recommend as a starting point an accelerated Phase-1 **Strategic Evaluation & Feasibility Study to be conducted on a fast track within a 3 month window.** We have asked **TRUE NORTH RESEARCH**, led by Dr. Timothy McLarney, to partner with us in this effort. *Time will be a critical resource in order to maintain electoral viability for 2010.* During this 3-month window our goal will be to work with you to conduct critical research and develop a strategy *specifically*

designed for Moreno Valley that identifies your optimal 2010 electoral scenarios, proper sequencing and the critical path(s) needed to achieve electoral success in 2010.

Our proposed TRAMUTOLA-TRUE NORTH Study will include:

- Insightful and Accurate Opinion Research. Our research will measure property owner opinions regarding your CSD/218 ballot measure options;
- City Leader Interviews—e.g. executive level City Staff and Council Members;
- A project SWOT Analysis (identifying Strengths, Weaknesses, Opportunities & Threats);
- A core demographic assessment of the City’s unique universe of property owners and those likely to vote, including election turnout projections—for both TOT and CSD/218 scenarios (*These measures have overlapping “voter universes” the City needs to understand both*);
- Strategic evaluation of recent local elections and the overall political climate;
- Strategic review of the City’s existing public communications efforts—including public information for your previous Zone B Street Lighting Assessment elections;
- Strategic assessment of electoral options and election timing for 2010;
- Go-forward Recommendations for Phase-2 (Public Education) and Phase 3 (Ongoing Post-Election Communications).

City Staff Role and Time Commitment. The Phase 1 portion of this project will require a limited investment in time from City team members. We will ask you to appoint a small internal core planning team that will meet periodically with us to provide City background, expertise and direction at key points in the process. We will work proactively with you to set a project schedule—including core team meeting dates—to ensure an effective, productive effort.

Opinion Research Methodology

As noted above, the overall environment for benefit assessments differs from special taxes on many dimensions that ultimately affect whether a measure will win or lose. A benefit assessment has a different voting universe, different procedures for voting, different rules for determining the outcome of the election, and different timing – not to mention different ballot language, tax/fee thresholds, projects that can be funded, and distinct messaging that is unique to a Prop. 218 funding mechanism.

To reliably assess the feasibility of a CSD/benefit assessment, it is important that the research methodology take these differences into account. The survey will be administered to a stratified and clustered sample of residential property owners who are likely to cast ballots in a Prop. 218 mailed-ballot proceeding. The questionnaire will be appropriately tailored to the proposed Benefit Assessment, testing the ballot language, specific projects that will be funded, and messaging that is specific to this unique funding approach.

The analysis will also be tailored to a Prop. 218 funding scenario. For example, whereas the analysis for a special tax will treat votes equally, the opinions and voting tendencies of property owners must be considered in a *weighted* environment in order to accurately assess the feasibility of a Benefit Assessment. Using the aforementioned methodologies, the survey will produce results that are statistically reliable, with a margin of error of less than +/- 5% at the 95% level of confidence. Ultimately, the survey will enable the consultant team and the City to determine if it is feasible to move forward with a measure and – if yes – identify how best to package a measure for success. Note that based on the findings of the baseline survey, the consultant team *may* recommend conducting a tracking poll prior to mailing the actual ballots to ensure that property owners have been sufficiently educated and are prepared to support a measure.

Typically, there are three possible outcomes of the *Phase 1 Feasibility Phase*:

1. **Most Positive** – Property owners support the revenue measure concepts we are putting before them and the City should move forward without delay to prepare your ballot measure (or measures).
2. **Positive** –The measure enjoys support *but* greater public awareness of the City’s needs is required *prior to calling for a vote (or votes)* to better position the City for success.
3. **Negative** – The public support needed for a successful election (or elections) does not exist at this time. Alternatives must be explored and/or your plans must be re-worked in order to gain political support in your community.

The outcome of our *Phase 1 Strategic Evaluation & Feasibility Study* will determine recommendations and budget for Phase 2. Simply put, the evidence will tell us where we need to go.

PHASE 2: Public Education & Ballot Measure Preparation

If the *Feasibility Phase* indicates favorable conditions to proceed, we will then enter Phase 2, the *Public Education & Ballot Measure Preparation Phase*. Our goals will be to: 1) prepare your specific ballot measure proposal/packaging; 2) develop and execute a Phase 2 public information strategy; and 3) serve as a communications resource as you place the appropriate ballot measure(s) before property owners eligible to vote. In this phase your measure takes specific shape and form; key decisions will include but not be limited to determining establishing tax rates, ballot language, election type and optimal election date.

During the *Public Information & Ballot Measure Preparation Phase* our objectives are to:

- Finalize the specific “plans” to be implemented if property owners approve your measure(s);
- Assist in developing and implementing an effective Phase 2 public information program – including copy writing, editing, art direction, production coordination, and distribution of communications work products—i.e. direct mail, fact sheets, website/email copy, FAQ’s, etc.
- Development of an INFORMATION-ONLY voter communications strategy as you approach the ballot to ensure property owner/voters are informed and aware of City plans, and have an opportunity to provide input before City Council votes to place any measure on the ballot.
- Development of a stakeholder communications strategy as you approach the ballot that engages opinion leaders and key community organizations to ensure they are informed of the City’s plan and have the opportunity to provide input.
- Final recommendations for ballot measure success — based on the evidence we obtain from your community, including the optimal taxing structure, timing for an election, tax rate, etc.

PHASE 3: CAMPAIGN.

The *campaign* phase of our work involves a different agenda with different goals and different reporting relationships. Here our primary client is most often a Citizens’ Campaign Committee established to persuade voters to support your measure. (Note: while the City typically funds pre-electoral feasibility and planning, *the campaign to persuade voters* must be funded by private sources. By law, campaign activities *cannot* be funded in any way whatsoever using City resources). We will be happy to discuss this phase in greater detail at the appropriate time.

There are no frills in this planning process. In our experience, local tax measures rarely pass without the above steps having been carefully and completely followed leading up to a campaign. We customize this process for each and every client and community with which we work.

THE TRAMUTOLA—TRUE NORTH TEAM

TRAMUTOLA employs a team approach to achieve superior results for our clients and ensure complete client satisfaction. Each project is supervised by one of our experienced **Senior Consultants**, with additional support provided by an **Associate Consultant or Account Representative** and our in-house **Production Manager**. TRAMUTOLA's *team approach* ensures that client needs are addressed quickly and professionally. We pay deliberate attention to *client-consultant communications*—whether they occur in personal meetings, via email or phone. We provide all of our contact information—including personal phone numbers—to ensure our team members are 100% accessible.

Our recommended Senior Consulting Team for this project includes:

Bonnie Moss, Chief Operating Officer and Senior Consultant—TRAMUTOLA. Bonnie has 25+ years experience in community and local government relations, campaigns and elections, marketing, and public relations. Over her 22+ -year association with TRAMUTOLA, first as a candidate and local elected official, then as a corporate client, and now as a TRAMUTOLA team member, Bonnie has become a passionate advocate of the firm's public mobilization model. A graduate of Wellesley College, Bonnie spent 17 years working in corporate America and 8 years as an elected Trustee on the Hayward Board of Education prior to joining TRAMUTOLA. Bonnie has considerable expertise and success managing local tax elections, public sector communications and local candidate elections. She has guided hundreds of successful campaigns in communities throughout California and the nation, including locally in the Inland Empire, using the TRAMUTOLA model.

Timothy McLarney, Ph.D., President of True North Research, will lead the survey research components of the project. Dr. McLarney has designed and conducted over 500 survey research studies for public agencies—including more than 250 studies for California municipalities and 200 revenue measure feasibility surveys. In total, the research that Dr. McLarney has conducted has led to over \$19 billion in successful local revenue measures, including more than 40 successful Prop. 218 benefit assessments and more than a dozen successful measures (100% success) in difficult economic and political environments since the start of the recession. Dr. McLarney holds an M.A. and Ph.D. in Government from Cornell University with an emphasis in survey methodology, sampling theory and public opinion, as well as a Bachelor's degree in Politics from the University of California, Santa Cruz.

Dr. McLarney has personally designed and conducted survey research studies for the cities of Agoura Hills, Aliso Viejo, Anaheim, Apple Valley, Azusa, Banning, Beverly Hills, Brea, Burbank, Campbell, Cerritos, Chino, Claremont, Clayton, Costa Mesa, Dana Point, El Cajon, Encinitas, Folsom, Fontana, Fremont, Gilroy, Glendale, Half Moon Bay, Hesperia, Huntington Beach, Indian Wells, Irvine, La Canada-Flintridge, Laguna Beach, Laguna Niguel, Lake Forest, La Mesa, Lathrop, La Verne, Lompoc, Long Beach, Los Gatos, Malibu, Manhattan Beach, Mission Viejo, Moorpark, Murrieta, Norwalk, Oxnard, Palmdale, Petaluma, Pico Rivera, Port Hueneme, Rancho Cucamonga, Rancho Palos Verdes, Rancho Santa Margarita, Redondo Beach, Riverside, Rocklin, San Carlos, San Clemente, San Diego, San Gabriel, San Jose, San Marino, Santa Clarita, Santa Monica, Temecula, Thousand Oaks, Truckee, Upland, San Buenaventura, Westlake Village, Watsonville, West Hollywood, Whittier and Yorba Linda.

Larry Tramutola, President/CEO and Chief Strategist. Larry is recognized as one of the country's top strategists in grassroots organizing, political strategy, and passing difficult tax measures. He is an advisor to Mayors and elected officials of all levels and his list of clients includes cities, counties, school districts, community colleges, hospitals, healthcare organizations, and transit agencies. Larry is the author of *Sidewalk Strategies – Seven Winning Steps for Candidates, Causes and Communities*, which has been described as a "must read" for anyone involved in organizing or political campaigns. The book is used as a supplemental text at the University of California, Harvard University, Occidental College and UNLV.

Larry provides comment and political insight for the *LA Times*, *San Francisco Chronicle*, *Oakland Tribune*, *San Jose Mercury News*, and is a regular guest on National Public Radio's Forum. He is called to speak at the University of California on an annual basis and frequently serves as a facilitator at conferences of the California School Boards Association, the Association of California Healthcare Districts, California Special Districts Association, California Library Association and the League of California Cities.

Larry graduated with distinction from Stanford University and worked for eleven years as an organizer with Cesar Chavez and the UFW. He directed the Field Operations for the California Democratic Party in two Presidential elections and was chosen as a member of the team invited to help train community leaders in South Africa in electoral organizing prior to that country's first free elections.

OUR COMMITMENT TO COMPLETE CLIENT SATISFACTION

Client Satisfaction is a top priority at TRAMUTOLA. We are the only firm in the industry that takes the time to conduct client satisfaction interviews after each project. We do this so that we can continuously improve, find ways to make our process more user-friendly, and maximize our efforts to be in alignment with client expectations. As a small firm this is a significant yet critical investment. The fact that 80% of our clients are now repeat or referral clients reflects our growing commitment to complete client satisfaction.

Selected references:

City of Banning. Contact: Hon. Bob Botts, Mayor. 99 East Ramsey Street, Banning, CA 92220. Home Phone: 951-845-2228. Email: bbotts@dc.rr.com

City of El Cajon. Contact: Kathi Henry, City Manager. 200 East Main Street, El Cajon, CA 92020. Phone: 619-441-1780. Email: khenry@ci.el-cajon.ca.us

City of Hayward. Contact: Greg Jones, City Manager. City of Hayward, 777 B Street, Hayward, CA 94541. Phone: 510-583-4305. Email: Greg.Jones@hayward-ca.gov

City of San Rafael. Ken Nordhoff, City Manager. City of San Rafael, 1400 Fifth Avenue, San Rafael, CA 94901. Phone: (415) 485-3055. Email: Ken.Nordhoff@ci.san-rafael.ca.us

City of Ventura. Rick Cole, City Manager. City of Ventura, 501 Poli Street, Ventura, CA 93002. Phone: (805) 654-7740. Email: citymanager@ci.ventura.ca.us

City of San Gabriel. Michael Paules, City Manager. City of San Gabriel, 425 Mission Ave., San Gabriel, CA 91776. Phone: (626) 308-2800. Email: Mpaules@sgch.org

City of Port Hueneme. Dave Norman, City Manager. City of Port Hueneme, 250 N. Ventura Blvd., Port Hueneme, CA 93041. Phone: (805) 986-6501. Email: dnorman@ci.port-hueneme.ca.us

BUDGET AND FEES:

TRAMUTOLA and our division that performs pre-electoral work, *Sidewalk Strategies*, establish fees based on a number of criteria including complexity of project, community characteristics, project scope and other factors. Our expenses are managed for maximum control and efficiency.

Our Budget Proposal below provides you with highest quality candid insight and advice about the City's electoral options *without committing the City FULLY to an election (along with the considerable resources that requires)* until you are ready to move forward to future phases.

A special note about Budget Planning: Feasibility comes first in our working model. Once we understand the unique terrain associated with what you want to do (which we learn in Phase 1), assessing your strategic options becomes more clear. Phase 1 results, including such factors as the uniqueness of your needs and situation, level of existing awareness and support for what you want to do, media involvement, presence of organized opposition and TIME to get "election ready" *should drive strategy and budget for Phase 2*. The unique CONDITIONS present in your situation and what we agree together is a prudent responsible budget and critical path, define the way we move forward. Accordingly, here is our budget and fee proposal for this project:

Phase 1 Feasibility

• TRAMUTOLA Sidewalk Strategies Fee –Phase 1	\$24,000
• TRUE NORTH Opinion Research (public opinion poll—15minutes, 400 interviews)	\$25,000
• <u>Project Expenses (voter data services, travel/logistics, misc. expenses)</u>	<u>\$ 4,000</u>
Phase 1 BUDGET TOTAL:	\$53,000

Phase 2 – Cost estimates provided for planning purposes only

	<u>Low</u>	<u>High</u>
• TRAMUTOLA Sidewalk Strategies Fee – Phase 2	\$18,000 -	\$24,000
• Public Info (e-marketing + 2-3 Brochure/Mailers: print 40,500 / mail to 40,041 Households)	\$62,000 -	\$90,000
• <u>Project Expenses (data services, travel/logistics, misc. expenses)</u>	<u>\$ 5,000 -</u>	<u>\$6,000</u>
Phase 2 BUDGET TOTAL:	\$85,000 - \$120,000	

A tax measure is a significant undertaking. We take great care to guide our clients to electoral success. The financial commitment required by your community—whether pre-electoral or during campaign—should be viewed with the benefits of the end result in mind.

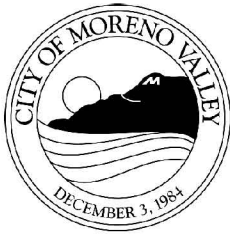
Thank You!

On behalf of all of us on the TRAMUTOLA team, thank you again for your consideration. We are excited about working with you. If you have any questions or need clarification on any aspect of our proposal, please don't hesitate to contact me at (510) 658-7003, via email at bonniem@tramutola.com or via my personal cell at (510) 757-9023. I look forward to discussing this proposal further with you at your earliest possible convenience.

Sincerely,



Bonnie J. Moss
Executive Vice President & Chief Operating Officer
TRAMUTOLA LLC



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

Report to City Council

TO: Mayor and Members of the Moreno Valley City Council, and President and Board of Directors of the Moreno Valley Community Services District

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

AGENDA DATE: February 23, 2010

TITLE: AMENDMENT TO THE POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS

RECOMMENDED ACTION

1. Staff recommends that the Mayor and Members of the Moreno Valley City Council approve and adopt Resolution No. 2010-13 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.
2. Staff recommends that the City Council, acting in the capacity as the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), approve and adopt Resolution No. CSD 2010-05 to amend Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

In 1996, California voters passed Proposition 218, the Right to Vote on Taxes Act, which created state-mandated legislation requiring local government to provide record owners of property sufficient notice and an opportunity to approve or oppose any new, extended or increased tax, property related assessment, fee or charge. In accordance with Proposition 218, record owners of properties subject to new, extended or increased property charges, such as those associated with CSD programs, are provided an opportunity to submit a ballot on the proposed service and charge in a mail ballot proceeding.

On January 9, 2001, the Moreno Valley City Council and the CSD Board approved Legislative Policy #1.12, Policy For Conducting Mail Ballot Proceedings, to provide written guidelines and standards for conducting mail ballot proceedings in accordance with Proposition 218. An amendment to the Policy was presented on January 22, 2002, and approved by the City Council and the CSD Board respectively via Resolution No. 2002-07 and CSD Resolution No. 2002-02. The amendment included modification of verbiage to clarify cost-of-living adjustments, designation of staff for tabulating and validating mail ballot proceedings, clarification of announcing ballot results, and retention terms for the ballots.

On January 24, 2006, the City Council and the CSD Board approved Resolution No. 2006-08 and CSD Resolution No. 2006-03 as a second amendment to the Policy For Conducting Mail Ballot Proceedings. This amendment revised and clarified language in the Policy concerning the annual inflation adjustment, time frame for returning petitions and surveys, handling of invalid ballots, mail ballot signature requirements, and added language to the ballot to clarify the amount being balloted.

On April 28, 2009, the City Council and the CSD Board approved Resolution No. 2009-26 and CSD Resolution No. 2009-03 as a third amendment to the Policy For Conducting Mail Ballot Proceedings. This amendment revised and clarified language in the Policy concerning the annual inflation adjustment, tabulation process for the returned ballots and specified when the ballot results shall be announced, and made minor grammatical changes

DISCUSSION

In an effort to further refine and define the Policy For Conducting Mail Ballot Proceedings, the following modifications are being proposed:

- Define when tabulations of mail ballot proceedings shall be video recorded and make clear that the recording shall be made available for public viewing,
- Include language that the City Council/CSD Board may provide direction for a rebalot to occur, and
- Make minor grammatical and formatting changes.
(See Exhibit C for the marked copy)

ALTERNATIVES

1. Adopt the proposed resolutions to amend the Policy For Conducting Mail Ballot Proceedings. By adopting the resolutions for the proposed amendments, the City Council and CSD Board will provide refined and clarified guidelines and standards for conducting mail ballot proceedings in accordance with state legislative requirements and city standards. **Staff recommends this alternative.**

2. Do not adopt the proposed resolutions to amend the Policy For Conducting Mail Ballot Proceedings. By not adopting the resolutions for the proposed amendments, the City Council and CSD Board will continue to operate with limited rebalot options and vague video requirements under the existing policy. **Staff does not recommend this alternative.**

FISCAL IMPACT

The Policy For Conducting Mail Ballot Proceedings provides procedural guidelines for conducting mail ballot proceedings in accordance with Proposition 218 legislation. There is **no fiscal impact** on the General Fund for approving and adopting the amended policy.

CITY COUNCIL GOALS

By adopting the amended policies, the City Council and the CSD Board will continue to promote Revenue Enhancement and Preservation by supporting the guidelines applied in the process of balloting for charges related to services.

SUMMARY

The action before City Council and the CSD Board is to approve and adopt the amended Policy For Conducting Mail Ballot Proceedings, which will provide added clarification of existing guidelines and provisions.

NOTIFICATION

N/A

ATTACHMENTS/EXHIBITS

- Exhibit A – Proposed Resolution amending the Policy For Conducting Mail Ballot Proceedings (with a clean copy of the policy)
- Exhibit B – Proposed CSD Resolution amending the Policy For Conducting Mail Ballot Proceedings (with a clean copy of the policy)
- Exhibit C – Amended Policy For Conducting Mail Ballot Proceedings – Marked Copy

Prepared By
Sharon Sharp
Senior Management Analyst

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

Concurred By
Sue Anne Maxinoski

Special Districts Division Manager

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

RESOLUTION NO. 2010-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO ADOPT AN AMENDED POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS TO ENSURE THAT THIS PROCESS IS CONDUCTED IN A UNIFORM AND CONSISTENT MANNER AS PROVIDED FOR IN THE MANDATES OF PROPOSITION 218

WHEREAS, in 1996, California voters passed Proposition 218, state legislation, requiring agencies to provide record owners of property with notification and opportunity to approve or oppose new and/or increases in assessments, charges, fees, or taxes for designated property related services; and

WHEREAS, in 2001, the City Council and the City Council, acting in the capacity as the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), adopted the Policy For Conducting Mail Ballot Proceedings (Legislative Policy #1.12) which provides written guidelines and standards for conducting mail ballot proceedings consistent with the mandates of state legislation. On January 22, 2002, the City Council and the CSD Board approved Resolution No. 2002-07 and Resolution No. CSD 2002-02, amending the Policy For Conducting Mail Ballot Proceedings. On January 24, 2006, the City Council and the CSD Board approved Resolution No. 2006-08 and Resolution No. CSD 2006-03, for additional modifications to the Policy For Conducting Mail Ballot Proceedings. On April 28, 2009, the City Council and the CSD Board approved Resolution No. 2009-26 and Resolution No. CSD 2009-03, for additional modifications to the Policy For Conducting Mail Ballot Proceedings.

WHEREAS, City Council desires to review the existing policy to incorporate certain amendments proposed by the City Council and City staff as set forth in the policy as amended, attached hereto as Attachment 1, to elaborate on the video recording of the tabulation process, include language to allow the City Council/CSD to provide direction for a rebalot to occur, and make minor grammatical changes.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The revised policy is hereby approved and adopted. A copy of the policy shall be kept on file in the Office of the City Clerk.

SECTION 3. This resolution shall become effective upon its adoption.

APPROVED AND ADOPTED this ____ day of _____, 2010.

Mayor of the City of Moreno Valley

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.]

RESOLUTION NO. CSD 2010-05

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS OF THE CITY OF MORENO VALLEY, CALIFORNIA, TO ADOPT AN AMENDED POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS TO ENSURE THAT THIS PROCESS IS CONDUCTED IN A UNIFORM AND CONSISTENT MANNER AS PROVIDED FOR IN THE MANDATES OF PROPOSITION 218

WHEREAS, in 1996, California voters passed Proposition 218, state legislation, requiring agencies to provide record owners of property with notification and opportunity to approve or oppose new and/or increases in assessments, charges, fees, or taxes for designated property related services; and

WHEREAS, in 2001, the City Council and the City Council acting in the capacity as the Board of Directors of the Moreno Valley Community Services District ("CSD Board"), adopted the Policy For Conducting Mail Ballot Proceedings (Legislative Policy #1.12) which provides written guidelines and standards for conducting mail ballot proceedings consistent with the mandates of state legislation. On January 22, 2002, the City Council and the CSD Board approved Resolution No. 2002-07 and Resolution No. CSD 2002-02, amending the Policy For Conducting Mail Ballot Proceedings. On January 24, 2006, the City Council and the CSD Board approved Resolution No. 2006-08 and Resolution No. CSD 2006-03, for additional modifications to the Policy For Conducting Mail Ballot Proceedings. On April 28, 2009, the City Council and the CSD Board approved Resolution No. 2009-26 and Resolution No. CSD 2009-03, for additional modifications to the Policy For Conducting Mail Ballot Proceedings.

WHEREAS, the CSD Board desires to review the existing policy to incorporate certain amendments proposed by City staff as set forth in the policy as amended, attached hereto as Attachment 1, to elaborate on the video recording of the tabulation process, include language to allow the City Council/CSD to provide direction for a rebalot to occur, and make minor grammatical changes.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The revised policy is hereby approved and adopted. A copy of the policy shall be kept on file in the Office of the City Clerk.

SECTION 3. This resolution shall become effective upon its adoption.

APPROVED AND ADOPTED this ____ day of _____, 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

[Clerk's office will prepare]

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

POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS

ESTABLISHMENT: To ensure that mail ballot proceedings are conducted in a uniform manner consistent with the mandates of Proposition 218.

DEFINITIONS:

A. Agency:

Any local government including county, city, any special district, or any other local or regional government entity.

B. Assessment:

Any levy or charge upon real property by an agency for a distinct benefit conferred upon the real property by a public improvement or service, that is imposed to pay the capital cost of the public improvement, the maintenance and operation expenses of the public improvement, or the cost of the service being provided. An assessment includes, but is not limited to, “special assessment,” “benefit assessment,” “maintenance assessment,” and “special assessment tax.”

C. Capital Cost:

The cost of acquisition, installation, construction, reconstruction, or replacement of a permanent public improvement by an agency.

D. Charge or Fee:

As defined in Proposition 218, also known as the Right to Vote On Taxes Act, a charge or fee is any levy other than an ad valorem tax, a special tax, or an assessment, imposed by an agency upon a parcel or upon a person as an incident of property ownership, including a user fee or charge for a property related service.

E. Community Facilities District (CFD):

Entity legislated by local government to finance public services and/or capital facilities.

F. Community Services District (CSD):

A limited-purpose form of local government established to provide certain services or facilities within a limited boundary.

G. District:

An area that is determined by an agency to contain all of the parcels that will receive a benefit from a proposed public improvement or property related service.

H. Full Cost Recovery:

The fee or charge imposed upon designated parcel(s) or person(s) as an incident of property ownership shall not exceed the comprehensive costs to provide the capital facilities or property

Approved by: City Council
January 9, 2001

Revised 1/22/02; 1/24/06; 04/28/09. _____

Exhibit C

POLICY FOR CONDUCTING MAIL BALLOT PROCEEDINGS

related service and shall not be used for any purpose other than that for which the fee or charge was imposed.

I. Inflation Adjustment:

An annual adjustment, based upon the percentage change calculated for the prior calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index (CPI) – All Urban Consumers, as published by the Department of Labor’s Bureau of Labor Statistics or any other clearly defined formula as per Government Code Section 53739.

J. Mail Ballot or Mail Ballot Proceeding:

The process of balloting to approve or not approve a request for extended or new distinct benefit(s) and the associated cost and/or a cost increase to fund existing benefit(s) by marking and signing a ballot form that lists the assessor parcel number, location, benefit to be received, the associated costs, and terms.

K. Maintenance and Operation expenses:

The cost of rent, repair, replacement, rehabilitation, fuel, utilities, upkeep, and supervision necessary to properly operate and maintain a permanent public improvement.

L. Notice:

A printed announcement informing the record owner(s) of property of some necessary or requested proposed change that may cause a direct or an indirect impact. A notice shall describe: area(s) to be impacted, basis for implementing or making a change, service(s) and/or level of service(s) to be provided, associated cost, date, time, and place of forum to discuss topic of notice.

M. Proposition 218:

California State Constitutional amendment, Articles XIIC and XIID, which requires voter approval for any new, extended, or increased general or special tax, property-related assessment, fee, and/or charge.

N. Reballot or Reballot Procedure:

A subsequent mail ballot proceeding whereby the results of the previous mail ballot were challenged and successful demonstration occurred or the City Council/CSD Board provided direction that resulted in having the issue put to another mail ballot proceeding.

O. Record Owner of Property:

The owner of a parcel or parcels whose name and address appears on the last equalized secured property tax assessment roll, or in the case of any public entity, the City of Moreno Valley, the County of Riverside, the State of California, or the United States or any of a number of other public or non-profit organizations at the address of that entity known to the agency.

P. Special Benefit or Benefit Services:

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A particular and distinct benefit over and above general benefits, conferred on real property. General enhancement of property value does not constitute “special benefit.”

Q. Special District:

An agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions with limited geographic boundaries including, but not limited to, school districts and redevelopment agencies.

R. Special Tax:

A tax imposed by local government for specific purposes. Requires a two-thirds majority approval.

I. LEGAL REQUIREMENT

Article XIIC (Voter Approval for Local Tax Levies) of the California Constitution generally requires majority approval by the electorate for a local government to impose, extend, or increase any general tax and a two-thirds majority approval by the electorate to impose, extend, or increase any special tax and permits the use of the initiative to affect local taxes, assessments, fees, and charges. Article XIID (Assessment and Property Related Fee Reform) of the California Constitution generally requires that taxes, assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a Public Hearing.

II. PROVISIONS FOR CONDUCTING A MAIL BALLOT PROCEEDING

Any local, special, or consolidated election may be conducted wholly by mail provided that all of the following conditions apply:

- A. The governing body of the local agency authorizes the use of mailed ballots for the mail ballot proceeding;
- B. The mail ballot proceeding does not occur on the same date as a statewide direct primary election or statewide general election; and
- C. The mail ballot proceeding is one of the following:
 - 1. A mail ballot proceeding in which no more than 1,000 registered voters are eligible to participate.
 - 2. A maximum property tax rate election as provided for in Section 2287.5 of the Revenue and Taxation Code.
 - 3. A mail ballot proceeding on a measure or measures restricted to:
 - a. The imposition of special taxes;
 - b. Expenditure limitation overrides; or,

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- c. Both (a) and (b), in a city, county, or special district with 5,000 or less registered voters calculated as of the time of the last report of registration by the county elections official to the Secretary of State.
- 4. Any election or assessment ballot proceeding required or authorized by Article XIIC or XIID of the California Constitution. However, when an assessment ballot proceeding is conducted by mail pursuant to this section, the following rules shall apply:
 - a. The proceeding shall be denominated “an assessment ballot proceeding” rather than an election.
 - b. Ballots shall be denominated “assessment ballots.”

III. INITIATING A MAIL BALLOT PROCEEDING

- A. A mail ballot proceeding may be initiated as a result of any one of the following:
 - 1. To approve or not approve benefit services in a new development, area, or district;
 - 2. To serve as a process for approving or not approving a cost adjustment to cover an increase in maintenance and operation expenses to fund an existing benefit service program; or
 - 3. If significant interest by record owners of property in an area exists to warrant the conducting of a mail ballot proceeding.
- B. Significant interest can be demonstrated through either a petition or survey process. The petition process shall be used unless City staff determines that the survey process would be more effective.
 - 1. **PETITION** -- A petition is required when a record owner of property or record owners of properties for an area are requesting special benefit service(s) or a rebalot for existing services (see Section VIII - Reballoting).
 - a. Any record owner of property may request a petition if the proposed project area lies within the record owner of property’s area or district. Only record owners of property within the area or district can utilize the petition process.
 - b. It is the responsibility of the requesting record owner of property to circulate a petition among the other record owner(s) of property within a defined project area as provided in the fact sheet accompanying the petition document.
 - c. For areas requesting the inclusion of new services, signatures from a minimum number of 25% of the properties owned in the area requesting service(s) must be provided on a petition form.
 - d. Signatures must be valid. To be valid, signatures must be that of the record owner(s) of property for the area to receive the benefit service(s). Only one property owner per parcel may sign the petition. Petitions signed by residents who are non-record owner(s) of property for the project area will not be counted toward the 25% requisite number of required signatures to conduct a mail ballot proceeding.
 - e. Signed petitions must be returned to the City of Moreno Valley, Special Districts

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Division of the Public Works Department. Unless signed petitions are returned with the valid requisite number of signatures required and within the required timeline (see Section IIIB3), a mail ballot proceeding cannot be conducted.

- f. Petition Package includes:
 - (1) Cover letter explaining and/or describing:
 - i. The location of the project area;
 - ii. The service(s) to be provided;
 - iii. Cost estimates for maintenance, administration, utilities and other third party costs per parcel, which may also include capital costs;
 - iv. Statement pertaining to the annual inflation adjustment, if applicable;
 - v. Percentage and number of required signatures;
 - vi. Estimated dates for mailing ballot packet, conducting Public Meeting and Public Hearing, and the estimated time for implementation; and
 - vii. The deadline to return the petition.
 - (2) Fact sheet
 - (3) Petition
 - (4) Return envelope

- 2. **SURVEY**: A survey may be utilized in addition to or in lieu of a petition at the discretion of City staff. The City Department responsible for administrating the benefit service program shall prepare and mail a survey to record owners of property in a proposed project area. A survey is used to determine if significant interest exists to provide or change benefit services for a defined project area. If a survey form is used in addition to a petition, the combined total number of returned signed surveys and petition signatures must be at least 25% of the total record owners of properties in a proposed project area who are in agreement with (either approving or not approving) the action of conducting a mail ballot proceeding. A survey package consists of a cover letter and a survey document.
 - a. The cover letter shall include the following information:
 - (1) Description of project area (Tract No.[s] and/or street name[s]);
 - (2) Information concerning the benefit service(s) to be offered;
 - (3) Cost estimate(s) for capital costs and/or the benefit service(s);
 - (4) Duration and frequency of charge(s);
 - (5) Estimated time of construction and/or implementation;
 - (6) Statement pertaining to the annual inflation adjustment, if applicable;
 - (7) City Division and Departmental contact information for further information or questions relevant to the proposed project area; and

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- (8) The deadline to return the survey.
- b. The survey document shall include the following:
 - (1) Title of survey;
 - (2) Purpose of project and project area and/or description of project area;
 - (3) A statement of approving;
 - (4) A statement of not approving; and
 - (5) Signature and date lines for record owner of property.
- 3. Petitions and/or Surveys must be returned within 60 days from the date of the letter from the City of Moreno Valley. Petitions and/or Surveys that are returned later than the due date listed on the cover letter shall not be considered.
- C. If it has been determined that a mail ballot proceeding shall be conducted, legal notification concerning the mail ballot proceeding shall be published, in accordance with Section IV. A mail ballot proceeding package will be sent to all record owners of property in the project area or district. The package includes a letter describing the basis for conducting the mail ballot proceeding, legal notification, mail ballot, return envelope with prepaid postage, and other ancillary documents, which provide additional information concerning the matter being balloted.

IV. NOTICE

- A. A notice shall be mailed to the record owner(s) of property for each identified parcel subject to a new, extended or an increase in an assessment, charge, fee, or tax. Notices to record owner(s) of property shall be sent via U.S. mail as required by Article XIIC or XIID of the California Constitution and shall be deemed given when so deposited with the United States Postal Service. Notice by mail may be included in any other mailing to the record owner(s) of property.
- B. Notices for the Public Meeting and/or Public Hearing shall be published in a newspaper of general circulation for three weeks.
- C. Each notice for the proposed assessment, charge, fee, or tax shall include:
 - 1. Tract, street, and/or parcel identification, the total amount of the district's (service area's) proposed charge, and the individual parcel charge to the record owner(s) of property. If the assessment, charge, fee, or tax is proposed to be increased from any previous year, the notice shall separately state both the existing amount and the proposed increase;
 - 2. Statement of the type of service(s) to be rendered;
 - 3. Statement providing for an annual inflation adjustment;
 - 4. The duration of the payments;

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5. An explanation as to the reason for the new or increase in an assessment, charge, fee, or tax, and the basis upon which the amount was calculated;
 6. Date, time, and location of both the Public Meeting and Public Hearing;
 7. Defined logistics and/or map of the parcel(s), area, or district, subject to the new or increase in the assessment, charge, fee, or tax;
 8. Each mailed notice shall include, in a conspicuous place thereon:
 - a. A summary of the procedures for the completion, return, and tabulation of the ballot; and
 - b. A statement that the proposed assessment, charge, fee, or tax shall not be imposed if the ballots submitted in opposition exceed the ballots submitted in favor;
 9. Specific directions on how to mark the ballot for approval or non-approval of a measure;
 10. The phone number and address of an individual or department that interested person(s) may contact to receive additional information related to the proposed special benefit service(s); and
 11. A statement that the notice and balloting information is available upon request in Spanish.
- D. Notice for a mail ballot proceeding shall be mailed, along with a cover letter and mail ballot, at least 45 days PRIOR to the date of the Public Hearing.

V. PUBLIC MEETING

- A. A Public Meeting shall be held to allow record owner(s) of property a forum for presenting comments and questions related to the proposed special benefit service(s) and/or the mail ballot proceeding process.
- B. The mail ballot proposal and comments related to the mail ballot proceeding shall be heard before the governing body of the adopting local government.
- C. The Public Meeting shall take place no earlier than 10 days after mailing the ballot packet.

VI. PUBLIC HEARING

- A. A Public Hearing shall be held at least 45 days after a notice has been mailed to record owner(s) of property.
- B. The purpose of the Public Hearing is to allow record owner(s) of property an opportunity to submit or withdraw their mail ballot, and/or present oral/written objections, protests, or testimony on the balloted measure.
- C. The City Clerk/Secretary of the Board of Directors of the Moreno Valley Community Services District (CSD Board) and his/her staff will tabulate and validate all ballots received and not withdrawn prior to the close of the Public Hearing, in compliance with Section VIII.E. All valid

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ballots will be counted toward approval or non-approval of the matter being heard. All ballots shall be counted and recorded as received and retained for public record by the City Clerk's/Secretary's office.

- D. Ballots received and not withdrawn prior to the close of the Public Hearing for the matter being heard shall be retained for a term of 12 months (1 year) from the date of the Public Hearing or such longer period as required by law or as designated by the City Clerk/Secretary of the CSD Board.

VII. MAIL BALLOT

- A. Ballots shall be weighted either as one ballot per parcel or in accordance to the proportional financial obligation of the affected property.
- B. Each mail ballot shall include the following with regard to the proposed assessment, charge, fee, or tax:
 - 1. Identification of the area to be serviced;
 - 2. A brief description of the service(s) to be rendered;
 - 3. The amount to be imposed per parcel, if the measure is approved;
 - 4. Statement providing for an annual inflation adjustment, if applicable;
 - 5. The frequency and method of collection;
 - 6. The fiscal year for which the assessment, charge, fee, or tax will commence;
 - 7. A box will be provided next to the word YES or APPROVED, meaning approval of a new service, a change in service level, or proposed increase in an existing assessment, charge, fee, or tax followed by a statement of acceptance for the measure being balloted. A box will be provided next to the word NO or NOT APPROVED, meaning non-approval of a new service, a change in service level, or proposed increase in an existing assessment, charge, fee, or tax followed by a statement of non-acceptance for the measure being balloted;
 - 8. Statement that ballot information is available upon request in Spanish;
 - 9. Signature and date line for the record owner of property;
 - 10. Date, time, and place of the Public Hearing; and
 - 11. Address where ballots are to be submitted. Ballots may be mailed or delivered, in person, to the City Clerk's office at the address listed for return on the ballot. All ballots must be sent to the attention of the City Clerk/Secretary of the CSD Board and received by the City Clerk's office PRIOR to the conclusion of public testimony at the Public Hearing in order to be included in the ballot tabulation.

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- C. A return envelope with prepaid postage shall be provided by the agency for record owners of property to submit their ballot. If a return envelope is omitted or lost, the ballot may be accepted if returned in a sealed envelope delivered to the City Clerk's office at the address listed on the ballot. A MAIL BALLOT SHALL NOT BE ACCEPTED UNLESS IT IS RETURNED IN A SEALED ENVELOPE.
- D. The City, its employees, volunteers, and contractors shall not be held liable nor responsible for mail ballot packages sent out to record owner(s) of property that are not delivered or not delivered within the required time due to a U.S. Postal Service error, or are returned by the U.S. Postal Service for inability to deliver due to inaccurate, incomplete, and/or outdated record owner of property information as received from the County of Riverside Tax Assessor's office.
- E. Ballot Tabulation and Validation
1. Tabulation and validation of all returned ballots shall be conducted by the City Clerk/Secretary of the CSD Board and his/her staff, provided that no person having a conflict of interest under state law shall participate. If the City Clerk/Secretary has a conflict of interest under state law, the duties of tabulation and validation shall be assigned to the Assistant City Clerk and his/her staff. If the Assistant City Clerk has a conflict of interest under state law, then the City Council/CSD Board shall appoint an Acting City Clerk/Secretary who does not have a conflict of interest under state law to tabulate and validate the ballots that are returned and not withdrawn prior to the close of the Public Hearing.
 2. At the discretion of the City Clerk/Secretary of the CSD Board, tabulation and validation of mail ballot results for Public Hearings having more than 2,000 mail ballot packages mailed to record owners of property may have the results of the proceeding postponed until the next regularly scheduled City Council/CSD Board meeting. The City Clerk/Secretary shall inform the City Council/CSD Board at the close of the Public Hearing of such postponement. The City Council/CSD Board shall confirm postponement and the designated location and time during which ballots shall be tabulated and validated. Tabulation of the ballots occurring outside a regularly scheduled City Council meeting shall be open to the public and may only occur during regular City Hall business hours.
 3. All ballots shall remain in the custody of the City Clerk/Secretary of the CSD Board, or other duly authorized and appointed person as identified in VIIE1, and shall be secured from unauthorized access until the close of the Public Hearing for which the mail ballot proceeding is being heard and validation of the tabulated ballots.
 4. Ballot tabulations occurring outside of regularly scheduled City Council meetings shall be video recorded and ~~—The tabulation shall be video recorded and the recording~~ made available to the public for viewing.
 5. Ballots shall be made available for public inspection after ballot validation but not before the close of the Public Hearing.
 6. Valid ballots shall be appropriately marked as specified in the instructions included as part of the mail ballot proceeding package sent to record owner(s) of property for a proposed project area.


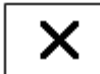



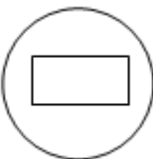
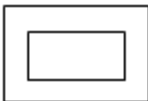
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7. Appropriate ballot markings include any one of the following for either the YES/Approved or NO/Not Approved blank box:

- a.  A check mark substantially inside a box;
- b.  An X mark substantially inside a box;
- c.  A dot or oval mark substantially inside a box;
- d.  A completely shaded or filled mark substantially inside a box;
- e.  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;
- f.  A circle around the box and/or associated clause; or
- g.  A square or rectangle around the box and/or associated clause.

8. 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.

9. Ballots returned with markings other than those provided in Section VIIE6 of this policy, including ballots lacking any mark and/or lacking a signature from the record owner of property, shall be considered invalid. All invalid ballots shall be recorded as returned. Invalid ballots will not be counted as either approving or not approving the proposed project and associated charges.

10. In the case of a mail ballot proceeding with a single property owner, who returns an invalid ballot (either unsigned or unmarked), the City Council and/or the CSD Board shall continue the item for the invalid ballots to the next regularly scheduled City Council/CSD Board meeting in an effort to obtain a valid ballot from the property owner. Separate and distinct ballots for the same mail ballot proceeding which are deemed valid shall be approved and not continued.

F. Ballot Mark Revisions (Changes)

1. 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

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revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the top right corner of the revised selection.

2. Any revision that is not initialed by the record owner(s) of property and/or contains marks other than those as listed in Section VIII E 6 of this policy shall be counted as an invalid ballot.

G. Ballot Results

1. Final results of the mail ballot proceeding shall be made available for public inspection upon the finalization of ballot validation.
2. A simple majority (50%+1) of the valid ballots returned marked in support (favor) of the balloted issue is required for approval of:
 - a. A new or expanded service area; or
 - b. A change in service level; and/or
 - c. An increase in an assessment, charge, fee, or general tax.
3. A two-thirds majority of the valid ballots returned marked in support (favor) of the balloted issue is required for approval of a special tax.
4. In mail ballot proceedings where the required majority of valid ballots returned in support (favor) of the balloted issue is not reached or the ballot count is tied, the proposed service and associated levy or increase in the levy will not be approved.
5. Ballots received prior to the conclusion of the Public Hearing for the matter being heard shall be retained for a period of 1 year (12 months) from the date of the Public Hearing or such longer period as required by law. The ballots shall be kept in the City Clerk's office, the Office of Record.
6. **Areas APPROVING NEW district formation and/or an assessment, charge, fee, or tax**

In an area which has approved a new district formation and the associated levy, the governing body of the adopting local government (Moreno Valley City Council/CSD Board) may thereafter impose, by resolution, an amount that is less than or equal to the maximum amount authorized and approved by the requisite record owners of property.
7. **Area(s) APPROVING an INCREASE in an assessment, charge, fee, or tax**
 - a. For any local levy which has received approval by the record owner(s) of property based upon the requisite number of valid approving ballots returned during a mail ballot proceeding for that purpose, the governing body of the adopting local government (Moreno Valley City Council/CSD Board) may thereafter impose by resolution an amount that is less than or equal to the maximum amount approved.
 - b. Area(s) or property(ies) approving an increase will not receive formal written notification of the outcome of their mail ballot proceeding.

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- 8. **Areas NOT APPROVING NEW district formation nor the associated assessment, charge, fee, or tax**
 - a. Results of all mail ballot proceedings shall be made available for public inspection upon conclusion of the validation of returned ballots. No new service shall be provided and the area will not be levied for the proposed special benefit.
 - b. Areas not approving shall not receive formal written notification as new service(s) has/have not been created to constitute a change in service level to require notification.

- 9. **Areas NOT APPROVING an INCREASE in an assessment, charge, fee, or tax**
 - a. A letter shall be sent to notify record owners of property and will serve as notice that the current level of service(s) will be reduced not less than 30 days prior to the implementation of the reduction in service level. This letter shall include the following information:
 - (1) APN and Tract No., or description of project or project area ;
 - (2) Explanation and/or description of the service(s) balloted upon;
 - (3) Amount of proposed increase;
 - (4) Date which mail ballots were sent out to record owners of property;
 - (5) Total number of ballots mailed to the district;
 - (6) A statement that a majority of the ballots returned (either 50%+1 or two-thirds) was required for approval;
 - (7) Number of ballots returned;
 - (8) Number and percentage of valid ballots approving;
 - (9) Number and percentage of valid ballots not approving;
 - (10) Statement that the increase was not approved;
 - (11) A statement as to the continuation of the charge and the amount to be levied;
 - (12) Explanation and/or description of service(s) to be changed; and
 - (13) Date which the change(s) in service level will be implemented.

VIII. REBALLOTING

- A. A rebaloting may occur for any of the following:

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1. If it is determined that a defined area of service benefits more parcels than supports the cost to maintain a benefit service.

2. Upon City Council/CSD Board direction.

- ~~2.3.~~ Areas that either approve or do not approve a prior ballot for a new or increase in an assessment, charge, fee, or tax may be provided the opportunity, by request, to have their area rebaloted as follows, provided the rebalot is not for a prior rebaloting that was conducted within a 1 year (12 month) period.

- a. Record owner(s) of property in areas where mail ballot proceedings were conducted, that either approved or did not approve a new or increase in an assessment, charge, fee, or tax, may oppose the results of their mail ballot proceeding. This option shall remain viable for up to one (1) calendar year from the date of the Public Hearing for the proceeding being challenged.

- b. In order for record owner(s) of property to successfully challenge the results of a mail ballot proceeding, they must establish that significant interest exists in having their area/district rebaloted. This may be accomplished, either through a request for petition and/or survey process as follows:

- (1) The petition and/or survey process shall follow the guidelines set forth in Section IIIB of this policy, with the following notable exceptions:

- i. The number of required signatures for a petition or survey (or combination thereof) must equal either a number not less than 100%+1 of the total number of ballots returned from the previous mail ballot proceeding or not more than a majority (50%+1) of the total number of ballots sent out in the previous mail ballot proceeding, whichever is less; and

- ii. For the purpose of rebaloting, significant interest may refer to a request to maintain service at the present level by agreeing to support the necessary charge increase (full cost recovery amount) to continue the current maintenance service level.

- (2) Petitions and/or surveys must be returned to the City of Moreno Valley by the date requested in the survey cover letter and/or on the circulated petition. Petitions and/or surveys that are not returned or returned after the requested return date shall be considered invalid for the purposes of conducting a rebaloting.

- (3) Notification and mail ballots for subsequent mail ballot proceedings shall be conducted as outlined in Sections IV through VII of this policy.

- ~~3.4.~~ Areas or districts where the revenues generated to provide benefit services fall below the level of full cost recovery to provide such services may be subject to rebaloting. Areas or districts wherein record owner(s) of property support benefit services at a reduced level may be subjected to a mail ballot proceeding once every year (or 12 months). The rebalot would provide record owner(s) of property an opportunity to approve or not approve an increase in the charge equal to, or less than, that needed to provide for full cost recovery to maintain and operate the benefit service(s) program.

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B. Reballoting Results

1. **REBALLOTTED Area(s) APPROVING NEW district formation and the associated assessment, charge, fee, or tax**

Upon adoption of an ordinance and resolution by the governing body of the adopting local government (Moreno Valley City Council/CSD Board), areas approving a rebalot measure shall have a district formed and be subject to an imposed amount at any rate that is less than or equal to the maximum authorized amount.

2. **REBALLOTTED Area(s) APPROVING an INCREASE in an assessment, charge, fee, or tax**

a. The governing body of the adopting local government (Moreno Valley City Council/CSD Board) may impose, by resolution, a levy which has received approval by the record owner(s) of property in a rebalot proceeding based upon the requisite number of valid ballots returned (50%+1 or two-thirds majority). The amount of the levy imposed shall be an amount that is less than or equal to the maximum amount authorized and approved by the record owner(s) of property.

b. The area(s) or property(ies) approving an increase will not receive formal written notification of the outcome of their rebalot proceeding.

3. **REBALLOTTED Area(s) NOT APPROVING NEW district formation and the associated assessment, charge, fee, or tax**

a. Results of all rebalot proceedings shall be made available for public inspection upon the conclusion of the Public Hearing and validation of the returned ballots for the matter being considered. Areas that do not approve district formation nor the new assessment, fee, charge, or tax will receive no change in current service level. No new service shall be provided, thus no cost to provide service will be levied to this area.

b. These areas shall not receive formal written notification as new service(s) has/have not been created or changed.

c. These areas shall have the opportunity to be rebalotted. A subsequent reballoting will be conducted no sooner than one (1) calendar year or (12) twelve months from the date of the prior rebalotted proceeding and shall be balloted at an amount necessary to provide full cost recovery to the project/service area.

4. **REBALLOTTED Area(s) NOT APPROVING an INCREASE in an assessment, charge, fee, or tax**

a. Area(s) shall be sent a notification letter.

b. This letter shall be sent, not less than 30 days prior to the implementation of the change in service level. This letter shall detail the services to be reduced, changed and/or eliminated and provide the time frame for implementation by including the same information as defined in VIIG9a.

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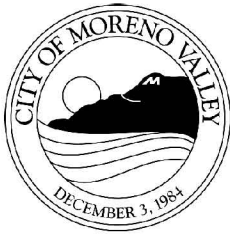
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- c. These areas shall have the opportunity to be reballoted. A subsequent rebaloting will be conducted no sooner than one calendar year or (12 months) from the date of the prior reballoted proceeding and shall be balloted at an amount necessary to provide full cost recovery to the project/service area.

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Revised 1/22/02; 1/24/06; 04/28/09.



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

Report to City Council

TO: Redevelopment Agency Chairperson and Board of Directors

FROM: Barry Foster, Economic Development Director

AGENDA DATE: February 23, 2010

TITLE: INTENTION OF THE COMMUNITY AND REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY TO PROVIDE FINANCIAL ASSISTANCE TO PALM DESERT DEVELOPMENT COMPANY, INC. FOR PHASE II OF THE RANCHO DORADO AFFORDABLE HOUSING PROJECT

RECOMMENDED ACTION

Staff recommends that:

1. The Redevelopment Agency Board adopt RDA Resolution 2010-01 (Attachment A), which ratifies certain findings and determinations made under Resolutions 2008-11, regarding providing conditional financial assistance to the second phase of the Rancho Dorado Apartments known as Rancho Dorado South.
2. The Redevelopment Agency Board appropriate \$4,750,000 from the RDA's 20% Housing Set Aside fund balance (Fund 894) for fiscal year 2009/10.

BACKGROUND

In 2008, the Redevelopment Agency (RDA) adopted RDA Resolutions 2008-06 and 07 that offered conditional financial assistance to Palm Desert Development Company (PDDC) and declared the RDA's intention to issue tax-exempt bonds for the construction of the Rancho Dorado Apartments. Additionally, the RDA adopted Resolutions 2008-11 and 12 affirming its intention to provide assistance for the project.

DISCUSSION

The Rancho Dorado Apartments were originally proposed as a 150-unit single-phase affordable apartment complex that will be situated near the southeast corner of Perris Boulevard and John F. Kennedy Drive. However, changes in the financial markets made it necessary to divide the project into two phases, allowing each phase of the project to better compete for 9% tax credit equity financing, including staging the timing of the projects. Because of this change, tax-exempt bonds will no longer be used and the RDA's financial assistance will be in the form of a loan from the RDA Housing Set-aside Funds. This funding source is mandated for all redevelopment agencies in California and is derived from 20% of the total tax increment revenue that the RDA receives on parcels within the RDA Project Area. Under State law, these restricted funds are dedicated solely for use in the creation of affordable housing opportunities, as spelled out in redevelopment law found in the California Health and Safety Code.

PDDC's Rancho Dorado Project includes a first phase of the project which is currently under construction, that includes 70 units (plus one unit for the property manager), along with a later second phase with 79 units. The first phase of the Rancho Dorado project contains 70 units restricted for low and very low income residents and one manager's unit. This phase 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 are proposed 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 will be comprised of fifty-four (54) two-bedroom units and twenty-four (24) three-bedroom units.

Funding for the second phase of the Rancho Dorado project is not in place at this time. However, an application for funding for the second phase of the project will be submitted by PDDC to the California Tax Credit Allocation Committee for approval in late March 2010. 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, together with a conventional loan. PDDC has in the process of securing financial commitments- including tax credits- 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	\$ 2,498,233	13%
9% Tax Credit Equity	\$10,974,951	57%
RDA Funds	\$ 4,750,000	25%
Affordable Housing Fee Reductions	\$ 991,608	5%
General Partner Equity	\$ 11,234	<1%
Total	\$19,226,026	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).

The RDA's financial advisor, Seifel and Associates, reviewed PDDC's request and performed a financial pro forma analysis. The consultant's report indicates that the requested gap financing is appropriate and would be supported, based upon the additional financing provided through the other sources shown in the above table.

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 71 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 149 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 2010-01 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 \$4,750,000 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 2010-01 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 \$4,750,000 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 development of the project and the creation of additional affordable housing opportunities.*

FISCAL IMPACT

PDDC has requested RDA assistance in the amount of \$4,750,000. Seifel and Associates, the RDA's financial advisor, has completed a pro forma analysis for the Rancho Dorado project and determined that the developer's request for financial assistance can be supported. Staff proposes adoption of resolutions that commit 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. Please note, 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	\$4,750,000

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 RDA Resolutions 2008–06 and 07 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, as shown on Attachment A. 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 resolutions approving the conditional financing structure between the RDA and MV Rancho Dorado LP in providing up to \$4,750,000 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 2010-01

Prepared By:
Shaniqua 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:

RESOLUTION NO. RDA 2010 - 01

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 \$4,750,000 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 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.

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 23rd day of February, 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-__ 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 23rd day of February, 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-__ 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 __rd day of February, 2010.

Jane Halstead, CMC, Secretary

(SEAL)

CITY MANAGER'S REPORT

**(Informational Oral Presentation only –
not for Council action)**

