



AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

February 20, 2018

REGULAR MEETING – 6:00 PM

City Council Study Sessions

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

City Council Meetings

Special Presentations – 5:30 P.M.

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

City Council Closed Session

Will be scheduled as needed at 4:30 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 Guy Pegan, ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Victoria Baca, Mayor Pro Tem
David Marquez, Council Member

Dr. Yxstian A. Gutierrez, Mayor

Jeffrey J. Giba, Council Member
Ulises Cabrera, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
February 20, 2018

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

1. Officer of the 4th Quarter 2017: Diana Moreno
2. Classified Employee of the 4th Quarter 2017: Margie Gutierrez

**AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING – 6:00 PM
FEBRUARY 20, 2018**

CALL TO ORDER

Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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

Pastor Abel Cordero of Moreno Hills Seventh-Day Adventist 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 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 Sergeant-at-Arms. 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.

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 City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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 - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEB 6, 2018 4:30 PM

RECOMMENDATION: APPROVE AS SUBMITTED.

- A.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 6, 2018 6:00 PM

RECOMMENDATION: APPROVE AS SUBMITTED.

- A.4. MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE, AND THE PLANNING COMMISSION (Report of: City Clerk)

Recommendation:

1. Receive and confirm the slate of Mayoral appointments as follows:

Emerging Leaders Council

<u>Name</u>	<u>Position</u>	<u>Term</u>
Kassandra Morin*	Member	ending 05/31/2019

Parks, Community Services and Trails Committee

<u>Name</u>	<u>Position</u>	<u>Term</u>
Rafael Brugueras*	Member	ending 06/30/2019
Ryan LeDoux*	Member	ending 06/30/2019
Abigail Gutierrez	Teen Member	ending 06/30/2020

Planning Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
Florentino Arreguin*	Member	ending 03/31/2021
Alvin Dejohnette*	Member	ending 03/31/2021
Robert Harris*	Alternate Member	ending 04/28/2019
JoAnn Stephan*	Alternate Member	ending 04/28/2019

* Subject to completion of background check

A.5. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

Recommendation:

1. Ratify the list of personnel changes as described.

A.6. Second Reading and adoption of Ordinance reaffirming PEG Fees (Report of: City Attorney)

Recommendation:

Staff recommends that the City Council conduct the second reading by title only and adopt Ordinance 930, reaffirming Franchisees obligation for collection and payment of PEG fees.

A.7. REQUEST FOR CITY SPONSORSHIP OF MARCH AIR FORCE RESERVE BASE 1918-2018 CENTENNIAL AIR SHOW (Report of: City Manager)

Recommendation:

1. Approve a request for City sponsorship of the March Air Force Reserve Base 1918-2018 Centennial Air Show.
2. Approve budget adjustment for \$7500 as set forth in the Fiscal Impact section of this report.

A.8. HIRE MOVAL - AMENDMENTS TO THE HIRE A MOVAL GRAD PROGRAM (Report of: Financial & Management Services)

Recommendations:

1. Approve amendments to the Hire a MoVal Grad Program.

A.9. TOWNSEND PUBLIC AFFAIRS GRANT WRITING AND FUNDING ADVOCACY AGREEMENT (Report of: Financial & Management Services)

Recommendation:

1. Approve the amendment to the Agreement for Professional Consultant Services with Townsend Public Affairs to provide Grant Writing and Funding Advocacy Services.
2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Townsend Public Affairs and issuance of the Purchase Order for service beginning once the Agreement has been fully executed.
3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreement, including the authority to authorize associated Purchase Order changes in accordance with the terms of the Agreement, subject to the approval of the City Attorney and provided sufficient funding appropriations and program approvals have been granted by the City Council.
4. Approve budget adjustments as set forth in the Fiscal Impact section of this report.

A.10. AUTHORIZATION TO AWARD CONTRACT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR SAFETY ANALYSIS AND DESIGN OF TWO HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS (Report of: Public Works)

Recommendations:

1. Award Agreement for Professional Consultant Services to Kimley-Horn and Associates, Inc., to complete a safety study and subsequent environmental and design services for two roads, funded by the Highway Safety Improvement Program.
2. Authorize the City Manager to execute a contract with Kimley-Horn and Associates, subject to the approval by the City Attorney.
3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, in the amount of \$101,890 when the contract has been signed by all parties.
4. Authorize the Public Works Director to execute any subsequent related amendments to the Agreement for Professional Consultant Services with Kimley-Horn and Associates, not to exceed the Purchase Order amount, subject to the approval by the City Attorney.

5. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

- A.11. APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION FOR LOCAL GOVERNMENT PARTNERSHIP PROGRAM FUNDING FROM THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE (Report of: Public Works)

Recommendation:

Approve Resolution No. 2018-XX – A Resolution of the City Council of the City of Moreno Valley, California, approving the submittal of an application for Local Government Partnership Program funding from the Mobile Source Air Pollution Reduction Review Committee (MSRC) in the amount of \$25,000.

- A.12. PA15-0024 (PM 35150) – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF HEACOCK STREET FROM SAN MICHELE ROAD TO NANDINA AVENUE FROM FEBRUARY 26, 2018 - APRIL 27, 2018. DEVELOPER: FR/CAL MORENO VALLEY, LLC (Report of: Public Works)

Recommendations:

1. Authorize a full Road Closure of Heacock Street from San Michele Road to Nandina Avenue for the reconstruction of Heacock Street from February 26, 2018 – April 27, 2018.
2. Authorize the Public Works Director/City Engineer to approve a one-time extension, if needed, of the road closure for a period not to exceed 14 calendar days.

- A.13. DESIGNATION OF DULY AUTHORIZED REPRESENTATIVE FOR SIGNATORY PURPOSES IN COMPLIANCE WITH NPDES PERMIT NO. R8-2010-0033 (Report of: Public Works)

Recommendations:

1. Approve the designation of the Public Works Director as the duly authorized representative for signatory purposes in compliance with the NPDES Permit No. R8-2010-0033.
2. Adopt Resolution No. 2018-XX. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Designation of the City's Public Works Director as the Duly Authorized Representative for Signatory Purposes in Compliance with NPDES Permit No. R8-2010-0033.

3. Authorize the City Manager to sign a designation letter authorizing the Public Works Director to be named as duly authorized representative for signatory purposes in compliance with the NPDES Permit No. R8-2010-0033.

A.14. ACCEPTANCE OF CYCLE 3 ACTIVE TRANSPORTATION PROGRAM (ATP) GRANT AND FUNDING APPROPRIATION FOR JUAN BAUTISTA DE ANZA TRAIL GAP CLOSURE PROJECT (Report of: Public Works)

Recommendation:

1. Accept the Active Transportation Program (ATP) grant award of up to \$2,849,000 to build a segment of the Juan Bautista De Anza Multi-Use Trail.
2. Authorize the Chief Financial Officer to appropriate \$2,849,000 as revenue and expense in the Capital Projects Grants fund (Fund 2301).

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES – CLOSED SESSION MEETING OF FEB 06, 2018 (See A.2)

Recommendation: Approve as submitted.

- B.3. MINUTES - REGULAR MEETING OF FEB 06, 2018 (See A.3)

Recommendation: Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CLOSED SESSION MEETING OF FEB 06, 2018 (See A.2)

Recommendation: Approve as submitted.

C.3. MINUTES - REGULAR MEETING OF FEB 06, 2018 (See A.3)

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

D.2. MINUTES - CLOSED SESSION MEETING OF FEB 06, 2018 (See A.2)

Recommendation: Approve as submitted.

D.3. MINUTES - REGULAR MEETING OF FEB 06, 2018 (See A.3)

Recommendation: Approve as submitted.

E. PUBLIC HEARINGS – NONE

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

G. GENERAL BUSINESS

G.1. FISCAL YEAR 2017/18 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE REVISED OPERATING BUDGETS FOR FISCAL YEAR 2017/18 AND FISCAL YEAR 2018/19 (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2017/18 Mid-Year Budget Review. (Attachment 1)
2. Adopt Resolution No. 2018-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

Recommendation: That the CSD:

1. Adopt Resolution No. CSD 2018-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

Recommendation: That the HA:

1. Adopt Resolution No. HA 2018-XX. A resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

Recommendations: That the City Council as Successor Agency:

1. Adopt Resolution No. SA 2018-XX. A Resolution of the City Council of the City of Moreno Valley, California, Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

H. REPORTS

H.1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Riverside County Habitat Conservation Agency (RCHCA)

Riverside County Transportation Commission (RCTC)

Riverside Transit Agency (RTA)

Western Riverside Council of Governments (WRCOG)

Western Riverside County Regional Conservation Authority (RCA)

School District/City Joint Task Force

Southern California Association of Governments (SCAG)

H.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

H.3. CITY ATTORNEY'S REPORT

(Informational Oral Presentation - not for Council action)

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY AND THE BOARD OF LIBRARY TRUSTEES.

ADJOURNMENT

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

CERTIFICATION

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Pat Jacquez-Nares, CMC & CERA
City Clerk

Date Posted: February 15, 2018

TO:

FROM: Pat Jacquez-Nares, City Clerk

AGENDA DATE: February 20, 2018

TITLE: OFFICER OF THE 4TH QUARTER 2017, DIANA MORENO

RECOMMENDED ACTION

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

None

APPROVALS

TO:

FROM: Pat Jacquez-Nares, City Clerk

AGENDA DATE: February 20, 2018

TITLE: CLASSIFIED EMPLOYEE OF THE 4TH QUARTER 2017,
MARGIE GUTIERREZ

RECOMMENDED ACTION

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

None

APPROVALS

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

**CLOSED SESSION – 4:30 PM
February 6, 2018**

CALL TO ORDER

The Closed Session of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, and Housing Authority was called to order at 4:30 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

Mayor Gutierrez announced that the City Council receives a separate stipend for CSD meetings.

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Ulises Cabrera	Council Member
	Jeffrey J. Giba	Council Member

Mayor Pro Tem Baca arrived at 4:32 p.m.

PUBLIC COMMENTS ON MATTERS ON THE AGENDA ONLY

Mayor Gutierrez opened the public comments portion of the meeting for items listed on the agenda only. There being no members of the public to come forward to speak, he closed the public comments.

CLOSED SESSION

City Attorney Koczanowicz announced that the City Council would recess to Closed Session to discuss the item as listed on the agenda and that staff did not anticipate any reportable action.

Minutes Acceptance: Minutes of Feb 6, 2018 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)

The Closed Session will be held pursuant to Government Code:

- 1 SECTION 54956.9(d)(2) - CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION (One Case)

Mayor Gutierrez recessed the Council to the City Manager's Conference Room, second floor, City Hall, for their Closed Session at 4:31 p.m.

Mayor Gutierrez reconvened the City Council in the Council Chamber from their Closed Session at 5:31 p.m.

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

City Attorney Koczanowicz announced there was no reportable action taken in Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, the Closed Session was adjourned at 5:31 p.m.

Submitted by:

Pat Jacquez-Nares, CMC & CERA, City Clerk,
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

Dr. Yxstian Gutierrez, Mayor
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
February 6, 2018

CALL TO ORDER - 5:30 PM

SPECIAL PRESENTATIONS

1. Business Spotlights: Glass Fabrication

The Fade Cave

2. 2935: Employee of the Quarter - Fourth Quarter 2017, Joseph Huhn, Facilities Maintenance Supervisor

Minutes Acceptance: Minutes of Feb 6, 2018 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

**REGULAR MEETING – 6:00 PM
February 6, 2018**

CALL TO ORDER

The Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:02 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Frank Wright.

INVOCATION

Dale Lacquement, Senior Pastor of Faith Southern Baptist Church

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Ulises Cabrera	Council Member
	Jeffrey J. Giba	Council Member

INTRODUCTIONS

Staff:	Pat Jacquez-Nares	City Clerk
	Marshall Eyerman	Chief Financial Officer/City Treasurer
	Martin Koczanowicz	City Attorney
	Tom DeSantis	City Manager
	Allen Brock	Assistant City Manager

Minutes Acceptance: Minutes of Feb 6, 2018 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Mike Lee	Economic Development Director
Rick Sandzimier	Acting Community Development Director
David Kurylowicz	Chief of Police
Abdul Ahmad	Fire Chief
Kathleen Sanchez	Human Resources Director
Mel Alonzo	Parks and Community Services Director
Michael Wolfe	Public Works Director/City Engineer

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

Rafael Brugueras

1. Supports development in the City.

Eric Heffner

1. Bridge Investment Group is not involved with the recall of Mayor Pro Tem Baca.

Jorge Quintero

1. Chagall Court is a dangerous intersection that requires speed bumps.

Col. R.W. Smith

1. Urged the City to observe the height requirements due to the proximity to March Air Reserve Base.

Judy Moore

1. Asked for assistance with the homeless breaking into her storage facility.

Jose Chavez

1. Community Park doesn't require renovations.
2. The City's focus should be on speed bumps.

Eduardo Gomez

1. Believes that some Council Members are opposed to progress.

JoAnn Stephan

1. Felt that some Council Members have personal agendas.
2. Fed up with recalls.

David Zeitz

1. Accused Mayor Gutierrez of not maintaining control of the Council meeting.

30 Minutes Completed

Resumed at 7:24 p.m.

Maria Fields

1. Urged the Council to assist a small business owner in retaining his upholstery shop.

Kendrick Rivas

1. Inquired as to the cost of a traffic signal.
2. Requested that the posting of the agendas be changed to twelve days prior to the meeting.
3. Is a proponent of adding additional Council members to the Council.
4. Is concerned about the WLC propaganda.

Bob Palomarez

1. Disagreed with Council Member Giba's previous comments regarding the Aqua Bella project.
2. Called for Council Member Marquez to apologize to two young ladies.

Roy Bleckert

1. Urged everyone to come together and stop the hate.
2. Encouraged people to have conversations with each other.

Louise Palomarez

1. Supports Mayor Gutierrez, Mayor Pro Tem Baca, and Council Member Marquez.
2. Opposes recalls.

JOINT CONSENT CALENDARS (SECTIONS A-D)

Item No. A.6 was pulled for separate vote by Council Member Giba. Mayor Gutierrez opened the Consent Agenda items for public comments, which were received from Rafael Brugueras (Supports item nos. A.7, A.10, A.11, and A.12), and Kendrick Rivas (Supports item nos. A.6, A.10, and A.12).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey J. Giba, Council Member
SECONDER:	David Marquez, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. City Council - Study Session - Dec 12, 2017 6:00 PM

Recommendation: Approve as submitted.

- A.3. City Council - Regular Meeting - Dec 19, 2017 6:00 PM

Recommendation: Approve as submitted.

A.4. City Council - Closed Session - Jan 16, 2018 4:30 PM

Recommendation: Approve as submitted.

A.5. City Council - Regular Meeting - Jan 16, 2018 6:00 PM

Recommendation: Approve as submitted.

A.6. ITEM A.6 WAS REMOVED FOR SEPARATE VOTE BY COUNCIL MEMBER GIBA

A.7. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

Recommendation:

1. Ratify the list of personnel changes as described.

A.8. PAYMENT REGISTER - NOVEMBER 2017 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

A.9. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2017 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2017, in compliance with the City's Investment Policy.

A.10. AUTHORIZE SECURITY IMPROVEMENTS AT SEVEN FIRE STATIONS (Agmt. Nos. 2018-08 and 2018-09) (Report of: Financial & Management Services)

Recommendations:

1. Authorize the City Manager or his designee to contract with Stanley Convergent Security Solutions, Inc. (Agmt. No. 2018-08) for the installation and monitoring of security alarm systems at (7) fire station locations in an amount not to exceed \$84,404.
2. Authorize the City Manager or his designee to contract with Hitachi Data Systems (Agmt. No. 2018-09) for the purchase of equipment and professional services related to the installation of camera systems at the (7) fire station locations in an amount not to exceed

\$257,383.24.

3. Authorize the budget adjustments listed in the Fiscal Impact section to transfer funding for this project from the General Fund unassigned fund balance to the Facilities Maintenance Fund operating accounts.
4. Authorize the City Manager or his designee to execute any subsequent related change orders to the contract with Stanley Convergent Security Solutions, Inc. up to, but not exceeding, a 10% contingency amount of \$8,440
5. Authorize the City Manager or his designee to execute any subsequent related change orders to the contract with Hitachi Data Systems up to, but not exceeding, a 10% contingency amount of \$25,738.32

- A.11. TELECOMMUNICATIONS LICENSE AGREEMENT No. 2018-10 WITH NEW CINGULAR WIRELESS PCS, LLC, FOR CELL TOWER AT JOHN F. KENNEDY VETERANS MEMORIAL PARK (Report of: Parks & Community Services)

Recommendation:

1. Authorize the Mayor to execute an Agreement No. 2018-10 for a new Telecommunications License Agreement with New Cingular Wireless PCS, LLC, on the property known as John F. Kennedy Veterans Memorial Park; New Cingular Wireless PCS, LLC site number CLV5638.
- A.12. APPROVE THE FOURTH AMENDMENT No. 2017-76-01 TO AGREEMENT WITH MICHAEL BAKER INTERNATIONAL INC. FOR THE STATE ROUTE 60/THEODORE STREET INTERCHANGE IMPROVEMENTS PROJECT NO. 801 0052 (Report of: Public Works)

Council Member Marquez requested that Item No. A.12 be discussed further. His desire was to clear up misconceptions residents had regarding the project. The improvement to the overpass at Theodore St. is not related to the WLC and is required to improve traffic flow. He questioned staff as to any additional amount required to upgrade Theodore St.

Public Works Director Wolfe explained that the current item up for vote is the final phase of the Project Approval and Environmental Document stages of the project.

Recommendations:

1. Approve the Fourth Amendment No. 2017-76-01 to Agreement for Professional Consultant Services with Michael Baker International Inc. (formerly RBF Consulting) to provide additional Project Approval and Environmental Documentation (PA/ED) services for the State Route 60/Theodore Street Interchange Improvements project for \$1,030,027.36.
2. Authorize the City Manager to execute the Fourth Amendment to Agreement for Professional Consultant Services with Michael Baker International Inc.
3. Authorize a Change Order to increase the Purchase Order with Michael Baker International Inc. for the amount of \$1,030,027.36 when the Fourth Amendment has been signed by all parties.
4. Authorize the Chief Financial Officer to appropriate \$1,018,681.00 from the DIF - Interchange Improvement Fund (Fund 2911) to the DIF Interchange Improvement Capital Projects Fund (Fund 3311) for the State Route 60/Theodore Street Interchange Improvements project as set forth in the fiscal impact section of this report.

A.13. PARTICIPATION IN EASTERN MUNICIPAL WATER DISTRICT'S RECYCLED WATER RETROFIT PROGRAM (Report of: Public Works)

Recommendations:

1. Authorize Participation in Eastern Municipal Water District's (EMWD) Recycled Water Retrofit Program.
2. Authorize the City Manager to execute the necessary documents to participate in EMWD's Recycled Water Retrofit Program, in substantially the form as attached hereto, subject to the approval of the City Attorney.
3. Authorize the City Manager to approve participation in future recycled water projects identified by EMWD, which provide several incentives based on the attached Program Guidelines and do not require any expenditures in excess of revenues received from EMWD.
4. Future projects authorized by the City Manager will be presented to the City Council for ratification through the quarterly budget reporting provided by the Financial & Management Services Department.
5. Approve the budget adjustments as set forth in the Fiscal Impact section for the Nason St. project described in this report.

- A.14. TRACT 22709-1 - ADOPT RESOLUTION NO. 2018-04 ACCEPTING MAINTENANCE EASEMENTS FF, GG, AND II OF TRACT MAP 22709-1 (Report of: Public Works)

Recommendations:

1. Adopt Resolution 2018-04. A Resolution of the City Council of the City of Moreno Valley, California, Accepting Maintenance Easements for Lots FF, GG, and II of Tract Map 22709-1.
2. Direct the City Clerk to certify the acceptance of said easements and cause said certification to be recorded in the Office of the Recorder of the County of Riverside together with said Resolution.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES - STUDY SESSION OF DEC 12, 2017 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- B.3. MINUTES - REGULAR MEETING OF DEC 19, 2017 6:00 PM (See A.3)

Recommendation: Approve as submitted.

- B.4. MINUTES - CLOSED SESSION OF JAN 16, 2018 4:30 PM (See A.4)

Recommendation: Approve as submitted.

- B.5. MINUTES - REGULAR MEETING OF JAN 16, 2018 6:00 PM (See A.5)

Recommendation: Approve as submitted.

- B.6. APPROVAL OF AMENDMENT TO THE AGREEMENT NO. CSD 2018-02 WITH MARIPOSA LANDSCAPES, INC. TO PROVIDE LANDSCAPE MAINTENANCE AT CITY FACILITIES AND AQUEDUCT LANDSCAPING (Report of: Parks & Community Services)

Recommendations: That the CSD:

1. Approve the Amendment No. CSD 2018-02 to the existing Agreement with Mariposa Landscapes, Inc., Irwindale, CA to provide landscape maintenance at City Facilities and Aqueduct Landscaping.

2. Authorize the City Manager to execute the Amendment to the Agreement for Professional Services with Mariposa Landscapes, Inc. and issuance of the Purchase Order for service beginning once the Amendment has been fully executed.
3. Authorize the City Manager or his designee to execute any subsequent related purchase order to the contract up to, but not exceeding \$10,000.00.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - STUDY SESSION OF DEC 12, 2017 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- C.3. MINUTES - REGULAR MEETING OF DEC 19, 2017 6:00 PM (See A.3)

Recommendation: Approve as submitted.

- C.4. MINUTES - CLOSED SESSION OF JAN 16, 2018 4:30 PM (See A.4)

Recommendation: Approve as submitted.

- C.5. MINUTES - REGULAR MEETING OF JAN 16, 2018 6:00 PM (See A.5)

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - STUDY SESSION OF DEC 12, 2017 6:00 PM (See A.2)

Recommendation: Approve as submitted.

- D.3. MINUTES - REGULAR MEETING OF DEC 19, 2017 6:00 PM (See A.3)

Recommendation: Approve as submitted.

D.4. MINUTES - CLOSED SESSION OF JAN 16, 2018 4:30 PM (See A.4)

Recommendation: Approve as submitted.

D.5. MINUTES - REGULAR MEETING OF JAN 16, 2018 6:00 PM (See A.5)

Recommendation: Approve as submitted.

E. PUBLIC HEARINGS

E.1. PUBLIC HEARING FOR FOUR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDINGS (Report of: Public Works)

Special Districts Division Manager Cassel presented a report.

Mayor Gutierrez opened the Public Hearing at 6:50 p.m. There being no speakers in favor or in opposition, Mayor Gutierrez closed the Public Hearing at 6:50 p.m.

City Clerk Jacquez-Nares counted the returned ballots and declared that the results were three in favor of and one non vote.

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceedings for the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate to be applied to the property tax bill(s).
2. Direct the City Clerk to count the returned NPDES ballots.
3. Verify and accept the results of the mail ballot proceedings as maintained by the City Clerk on the Official Tally Sheet.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey J. Giba, Council Member
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

Recommendations: That the City Council:

4. Receive and file the Official Tally Sheet with the City Clerk’s office.

Minutes Acceptance: Minutes of Feb 6, 2018 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

5. If approved, set the rate and impose the NPDES maximum commercial/industrial regulatory rate to the Assessor's Parcel Numbers mentioned in this report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Jeffrey J. Giba, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

- E.2. THE DECLASSIFICATION OF LANDMARK STATUS OF THEODORE STREET FROM NORTH STATE HIGHWAY ROUTE 60, SOUTH TO CACTUS AVENUE AND RENAMING OF THAT SEGMENT. (Reso. No. 2018-05) (Report of: Community Development)

Acting Community Development Director Sandzimier presented a report.

Council Member Giba questioned Acting Community Development Director Sandzimier on the number of members on the Historical Preservation Board and whether there is any precedent for declassifying a landmark in the City around any other developments. Acting Community Development Director Sandzimier remarked that three of the seven seats on the Historical Preservation Board are filled and to his knowledge there has been no previous action to declassify a landmark.

Mayor Gutierrez opened the public hearing at 6:59 p.m. Comments were received from Dylan Lyons (Supports), Frank Wright (Supports), Brandon Carn (Opposes), JoAnn Stephan (Supports), David Zeitz (Opposes), Danira Sanchez (Supports), Antonio Reza (Supports), Kendrick Rivas, (Opposes), Santiago Hernandez (Supports), Roy Bleckert (Supports), Pete Bleckert (Supports), Rafael Brugueras (Supports), and Louise Palomarez (Supports).

There being no further comments in favor or in opposition, Mayor Gutierrez closed the public hearing at 7:16 p.m.

Mayor Pro Tem Baca supports the name change believing that it will help to put Moreno Valley on the map.

Council Member Marquez expressed his opposition to changing the name before the project has been completed.

Recommendations: That the City Council:

1. Certify that the proposed declassification of landmark status and renaming of Theodore Street (PEN18-0006) from the north portion of the freeway bridge over State Highway Route 60 southerly to Cactus Avenue (Southerly terminus per Amended Parcel Map 16950 (PM

113/62) has been determined to not be a "project" as defined under State California Environmental Quality Act Guidelines Section 15061(b)(3), and therefore qualifies for a General Rule "Common Sense" Exemption; and

- 2. Approve Resolution No. 2018-05: A Resolution of the City Council of the City of Moreno Valley, California, approving the declassification of landmark status for the name Theodore Street (PEN18-0006) for that portion of the arterial from the north portion of the freeway bridge over State Highway Route 60 southerly to Cactus Avenue (Southerly terminus per Amended Parcel Map 16950 (PM 113/62) and approving the name change to World Logistics Center Parkway.
- 3. Direct staff to implement the name change in a cost effective manner.

RESULT: APPROVED [3 TO 2]
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, Ulises Cabrera
NAYS: David Marquez, Jeffrey J. Giba

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

F.1. MAYORAL APPOINTMENTS FOR THE ACCESSIBILTY APPEALS BOARD, LIBRARY COMMISSION, TRAFFIC SAFETY COMMISSION AND PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE (Report of: City Clerk)

COUNCIL MEMBER GIBA REMOVED FOR SEPARATE VOTE.

Council Member Giba remarked that he had issue with one applicant, but because the applications are presented as a slate he is prevented from voting against only that particular appointment.

Recommendation:

- 1. Receive and confirm the slate of Mayoral appointments as follows:

Accessibility Appeals Board

<u>Name</u>	<u>Position</u>	<u>Term</u>
Brian Mcmillian	Construction Rep.	02/07/2018 to 06/30/2020

Library Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
Brian Mcmillian	Member	02/07/2018 to 6/30/2020

Minutes Acceptance: Minutes of Feb 6, 2018 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Traffic Safety Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
Zainab Alkhamaisi	MVUSD PTA Rep.	02/07/2018 to 06/30/2019

Parks, Community Services and Trails Committee

<u>Name</u>	<u>Position</u>	<u>Term</u>
Yahir Oseguera	Teen Member	02/07/2018 to 06/30/2020

RESULT: **APPROVED [4 TO 1]**
MOVER: Victoria Baca, Mayor Pro Tem
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera
NAYS: Jeffrey J. Giba

G. GENERAL BUSINESS

G.1. CONSIDERATION OF ORDINANCE No. 930 --- REAUTHORIZING PEG FEES FOR THE STATE CABLE FRANCHISEES (Report of: City Attorney)

City Attorney Koczanowicz presented a report.

Council Member Cabrera queried which entity sets the fees.

City Attorney Koczanowicz explained that they are set by the proposed Ordinance.

Recommendation that the City Council:

1. Introduce and conduct the first reading of Ordinance No. 930 to reauthorize PEG fees for cable providers operating in the City under the State franchise and agendize for second reading and adoption at the next regularly scheduled meeting.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ulises Cabrera, Council Member
SECONDER: Victoria Baca, Mayor Pro Tem
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera, Jeffrey J. Giba

H. REPORTS

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

Minutes Acceptance: Minutes of Feb 6, 2018 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

March Joint Powers Commission (JPC)

Mayor Pro Tem Baca provided the following report:

Tonight, I'm providing an update from the recent March Joint Powers Commission meeting held on January 24th.

In that meeting, the Commission:

- Approved a Final Map that allows expansion of an existing 48-acre site to accommodate additional parking for the UPS.
- We also approved a boundary modification for the Foreign Trade Zone to expand Skechers' FTZ site to include its new facility on Newhope in Moreno Valley.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA)

Council Member Marquez reported the following:

Riverside Transit Agency has completed sign upgrades at more than 2,500 bus stops system-wide. The new information signs provide each location with its own unique four-digit number, used to receive real-time bus arrival information through the free BusWatch app or text messaging. To use the service go to RTAbus.com.

RTA's winter youth fare promotion that ran from December 15 through January 7 had over 21,000 riders during the period, an increase of over 21% ridership from last year. During the promotion, students could ride any fixed-route bus on the system for only 25 cents. Look for similar promotions later this year.

Western Riverside Council of Governments (WRCOG)

Mayor Gutierrez reported the following:

Items covered at the WRCOG Executive Committee meeting on February 5, 2018 include:

- The Executive Committee approved a resolution authorizing agreements with the Department of Transportation for the Regional Climate Adoption Toolkit and Transportation Phase 1 Project to include climate related components for Western Riverside County. Work on the Toolkit is scheduled to begin in May 2018 and complete by February 2020.
- The Western Riverside Energy Partnership assists local governments in setting an example for their communities to increase energy efficiency, reduce greenhouse gas emissions, increase renewable energy usage, and improve air quality. The City of Moreno Valley participated in the related

Direct Install Program and achieved a savings of \$58,061.68 Gross kWh savings in 2017.

- The Active Transportation Program (ATP) has identified challenges and opportunities for creating a safe, efficient, and complete active transportation network that expands active modes of transportation in the region. The Program report identifies high priority trails, pathways and routes for walking and biking to increase regional mobility options, and will be presented in final form to WRCOG Committees in March.

Western Riverside County Regional Conservation Authority (RCA)

Council Member Giba reported the following:

58.6 thousand acres have been acquired for conservation efforts. The Mountain Yellow Legged Frog is the species of the month. The information is available online. Four properties were approved in Closed Session. The acquisition time frame ranges anywhere from six to nine months.

School District/City Joint Task Force - None

Southern California Association of Governments (SCAG)

Council Member Giba provided the following report:

SCAG held their first meeting in their brand new building. The next meeting is scheduled for February 21, 2018. Mayor Garcetti attended the meeting and discussed the 2028 Olympics which will be hosted by the city of Los Angeles. SCAG submitted a letter of support for HR 667.

H.2. CITY MANAGER'S REPORT

In response to several questions from residents City Manager DeSantis reported on the costs associated with installing a traffic light and adding Council districts. Additionally he announced that the City will install speed tables on Chagall St. and will close the median at Alessandro and Chagall. Finally, he assured the residents that the City works to ensure projects do not impact the air field at March Air Reserve Base.

H.3. CITY ATTORNEY'S REPORT - None

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY AND THE BOARD OF LIBRARY TRUSTEES.

Council Member Marquez

1. Repudiated the accusations lobbed against him.

2. Offered to grant Mr. Palomarez the authority to view his personnel files at the Montebello Police Department to ascertain the accurate reason he is no longer employed there.
3. Questioned the allegation regarding his treatment of women. As no such incident came to mind, he requested that the accusers speak with him to discuss the situation in which they felt slighted.
4. Informed everyone that he was proud to be in attendance at the Solaris Paper groundbreaking event.
5. Supports the development of warehouses in the City as there is a lack of local jobs.
6. Thanked staff for the work they've done.

Council Member Cabrera

1. Noted that the majority of the Council attended the Solaris Paper groundbreaking event.
2. Expressed gratitude to Mike Lee and the Economic Development team.
3. Appreciated the fact that Eucalyptus Ave. through to Redlands Blvd. was opened, clearing the exit route for the nearby fire station.
4. Pleased with the installation of security cameras at the fire stations within the City.
5. Thanked everyone who assisted with the recent Community Clean Up.
6. Another Community Clean Up is scheduled for March 3, 2018.
7. Reminded everyone that their purpose is to assist others.
8. Expressed the belief that the truth will in the end always be revealed.

Mayor Pro Tem Baca

1. Extended her gratefulness to staff for preparing the declassification of landmark status of Theodore St. report.
2. Offered her appreciation to the residents who spoke in support of the street name change.
3. Announced that she attended the ribbon cutting at Baskin Robbins.
4. Mentioned that she also attended the Solaris Paper ground breaking event.
5. Recognized staff for securing a new business to Moreno Valley.
6. Praised City Manager DeSantis for addressing the concerns made by residents during Public Comments.
7. Made everyone aware of the construction taking place on Day St.

Council Member Giba

1. Thanked Bob and Louise Palomarez for their votes three years ago and advised them that he hasn't changed.
2. Prompted everyone to recall that he voted in favor of the World Logistics Project.
3. Opposed to showcasing or favoring one developer over another.
4. Corrected Bob Palomarez regarding his understanding of his previous statement relating to three uncompleted projects of Iddo Benzeevi's.
5. Amended City Manager DeSantis' comment regarding the January 9, 2018 staff report outlining the expansion of the City Council.
6. Declared that he was present at the Solaris Paper groundbreaking event and proud to relay that he served on the City Council when the project was approved.
7. He indicated that he took part in the Baskin Robbins ribbon cutting.

8. He notified everyone that an upcoming Ice Cream Social will be held at Baskin Robbins in March.
9. A Java with Jeff was held last week at the Paris House of Crepes.
10. Requested that Economic Development Director Lee inform everyone regarding the status of the Festival Center and Lake Shore Village. Economic Development Director Lee reported that the Festival Center is currently under escrow and Lake Shore Village has been acquired by new owners who are assembling a team which will bring forth a proposal for a feature project.
11. Lauded staff for their hard work.

Mayor Gutierrez

1. Announced that the city was bestowed with the Award of Excellence for the Promise Initiative from the California Association of Economic Development.
2. Commended staff for their work.
3. Pleased that the City Council approved the extra security cameras at the fire stations.
4. Apprised every one of the Moreno Valley at Work newsletter.
5. Encouraged everyone to hold a united front and be respectful towards each other.
6. Advised every one of his availability by phone, open office hours, or appointment.
7. Applauded the accessibility of staff and each Council Member.
8. Reported that a Meet and Greet with the School District will be held at the Cupcake and Espresso Bar on February 17, 2018.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 8:06 p.m.

Submitted by:

Pat Jacquez-Nares, CMC & CERA, City Clerk,
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

Dr. Yxstian Gutierrez, Mayor
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

TO:

FROM: Pat Jacquez-Nares, City Clerk

AGENDA DATE: February 20, 2018

TITLE: MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE, AND THE PLANNING COMMISSION

RECOMMENDED ACTION

Recommendation:

1. Receive and confirm the slate of Mayoral appointments as follows:

Emerging Leaders Council

<u>Name</u>	<u>Position</u>	<u>Term</u>
Kassandra Morin*	Member	ending 05/31/2019

Parks, Community Services and Trails Committee

<u>Name</u>	<u>Position</u>	<u>Term</u>
Rafael Brugueras*	Member	ending 06/30/2019
Ryan LeDoux*	Member	ending 06/30/2019
Abigail Gutierrez	Teen Member	ending 06/30/2020

Planning Commission

<u>Name</u>	<u>Position</u>	<u>Term</u>
Florentino Arreguin*	Member	ending 03/31/2021
Alvin Dejohnette*	Member	ending 03/31/2021
Robert Harris*	Alternate Member	ending 04/28/2019
JoAnn Stephan*	Alternate Member	ending 04/28/2019

* Subject to completion of background check

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

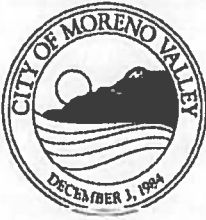
1. Economic Development
2. Public Safety
3. Library

4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

1. Kassandra Morin redacted
2. Rafael Brugueras redacted
3. Ryan LeDoux redacted
4. Abigail Gutierrez redacted
5. Florentino Arrequin redacted
6. Alvin Dejohnette redacted
7. Robert Harris redacted
8. JoAnn Stephan redacted

APPROVALS



City of Moreno Valley EMERGING LEADERS COUNCIL

Membership Application Form

CITY CLERK
MORENO VALLEY
RECEIVED

17 DEC -1 AM 8:17

For City Clerk's Use
Stamp Date and Time Received

The purpose of the Emerging Leaders Council (ELC) is to identify college or high school students with a desire and potential to become community leaders, educate and engage young adults in local government, and focus efforts on service to the Moreno Valley community. The Emerging Leaders Council was established as a standing committee with two-year terms by Resolution 2014-30. The attached Resolution No. 2015-31 modifies the existing provisions governing the Emerging Leaders Council.

Meeting Schedule: Fourth Monday of each month at 6:00 p.m., City Hall - Council Chamber, 14177 Frederick Street

Qualifications include: Moreno Valley residency, enrollment in high school or college, must be between the ages of 17 and 25. Please attach at least one letter of recommendation/reference.

Name: Kassandra Merin

Home Address: [REDACTED]

92555 Moreno Valley, CA

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED]

E-mail Address: [REDACTED]

Work Phone No.: [REDACTED]

Date of Birth: [REDACTED]

Cell Phone No.: [REDACTED]

College or High School: High School

Major: _____

Why do you want to serve on the City's Emerging Leaders Council?

I would like to serve on the City's Emerging Leadership Council because I want to become an involved member of the community.

If selected to serve on the Emerging Leaders Council, what do you believe you would be able to contribute to the ELC and your community? In what way(s) are you an "emerging leader"?

If selected, I could provide a current perspective of our youth and utilize my leadership skills to contribute positively to ELC and my community.

Attachment: Kassandra Merin redacted (2989 : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

List any volunteer work that you have performed. Please provide the name(s) of the organization(s) and dates served:

Vista Heights Middle School (2014 to Present)
Contact: aencle-rodriguez @mvvwd.net.

How would you define Moreno Valley's strengths? Weaknesses? Why?

Moreno Valley is a community of opportunity which stresses the value of a good education. However, most are unaware of council activities.

Briefly explain your understanding of the functions of municipal government.

A municipal government is a form of government which makes decisions for a community based upon a city council vote.

Do you have any experience chairing and/or participating in meetings that are regulated by the Brown Act?

No, I do not have any experience chairing in meetings which are regulated by the Brown Act.

What do you hope to accomplish by your participation on the Emerging Leaders Council? How will your participation enhance your future goals and objectives?

Due to potential participation on the Leaders Council, I would hope to become more informed on local government and enhance my leadership to benefit others.

Are you able to commit to participating in one meeting per month? Each meeting can last approximately two hours. Yes No

Do you have any means of transportation to arrive to meetings on time? Yes No

Have you ever been removed or asked to resign from a job or volunteer position? Yes No

May we contact the person who wrote your letter of recommendation? Yes No

I hereby authorize that the City of Moreno Valley may obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No

Pursuant to Resolution 2016-43 all board, commission, or council members must be registered voters of the City of Moreno Valley, provided they are at least 18 years old.

I hereby agree to attend all Board meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or the appointing authority from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission

within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

[Redacted Signature]

10/25/17

Signature

Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



City of Moreno Valley PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

CITY CLERK
MORENO VALLEY
RECEIVED
18 FEB 14 AM 9:31

For City Clerk's Use
Stamp Date and Time Received

Membership Application Form

Name: MR. RAFAEL BRUGUERAS

Home Address: [REDACTED]

MORENO VALLEY, CA. 92555

How long have you resided in Moreno Valley? 25 yrs.

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]

Work Phone No.: [REDACTED] Email Address: [REDACTED]

Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: N/A Position: _____

Address: _____

Why do you wish to serve on this Committee?

I believe that I CAN be of help by making sure that our PARKS, TRAILS and Community Services are maintain well and safe.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Committee:

I believe by going to the PLANNING Commission Meeting for the last three years it had Educated me and Train me, also prepare me with Special Skills: To benefit the City of Moreno Valley. (ASK Questions)

Explain briefly your understanding of what this Committee does, including its powers and limitations.

① I believe the benefit of the committee is to make sure that Parks, Trail and Community Services of Moreno Valley are safe and will take care of. ② To bring recommendation to the Council. ③ recommendation.

What do you hope to accomplish by your participation?

To work with the other Committee Members to help better the Life of the residence of Moreno Valley and our Guest who visit.
To have a healthy and safe experience in our City.

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

Retired - City Activist-Job Coalition
MR. Robert Harris - [REDACTED]

Attachment: Rafael Brugueras redacted (2009) : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

What other areas of interest do you have in our City government?

PLANNING Commission Meeting
City Council Meeting

Would you be available for meetings during the day or evening?

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all committee meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

[Redacted Signature]

Signature

Feb 13, 2018

Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.

Revised December 20, 2017

Attachment: Rafael Bruguerras redacted (2089) : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY



City of Moreno Valley PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

CITY CLERK
MORENO VALLEY
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18 FEB 15 PM 4: 26

For City Clerk's Use
Stamp Date and Time Received

Membership Application Form

Name: Ryan LeDoux

Home Address: [REDACTED]

Moreno Valley 92553

How long have you resided in Moreno Valley? 12 years

CONFIDENTIAL INFORMATION	
Home Phone No.: <u>[REDACTED]</u>	Driver's License No.: <u>[REDACTED]</u>
Work Phone No.: <u>[REDACTED]</u>	Email Address: <u>[REDACTED]</u>
Cell Phone No.: <u>[REDACTED]</u>	Date of Birth: <u>[REDACTED]</u>

Employer Name: Student Position: _____

Address: CSUSB

Why do you wish to serve on this Committee?

To complete my civic duties

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Committee:

college student studying social Behavioral Studies

Explain briefly your understanding of what this Committee does, including its powers and limitations.

To report back to the Council in an advisory role

What do you hope to accomplish by your participation?

Want to help to improve the city

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

Attachment: Ryan LeDoux redacted (2989 : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

What other areas of interest do you have in our City government?

I would like to see a museum developed for the city.

Would you be available for meetings during the day or evening?

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all committee meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

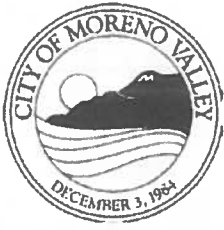
[Redacted Signature] Signature

2/10/18 Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.

Revised December 20, 2017

Attachment: Ryan LeDoux redacted (2989 : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY



City of Moreno Valley

PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

Teen Membership Application Form

CITY CLERK
MORENO VALLEY
RECEIVED

18 JAN 12 PM 3:43

For City Clerk's Use
Stamp Date and Time Received

Name: Abigail Gutierrez

Home Address: [REDACTED]

How long have you resided in Moreno Valley? 14 years

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]
Work Phone No.: [REDACTED] E-mail Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Name of High School/Middle School: Canyon Springs High School
Address: 23100 Cougar Canyon Drive, Moreno Valley CA 92567

Why do you wish to serve on this Committee?
I wish to serve on this committee because parks and trail have a special place in my heart. As a young child they gave me many great memories and I would like for everyone to have the same experience. I would like give back and provide comfort to a community that is extremely dear to me.

List any education, training, or special skills, you have which may be relevant or of particular use to this Committee:

I am very dedicated in my schoolwork as I currently have a 5.0 G.P.A. My dedication will translate into dedication to the committee. Also, I am currently taking a government class so I will have broader knowledge of the situation. I am extremely sociable and able to express my ideas, without being afraid. I was the team leader from my track team and I know how to take charge and keep o-

Explain briefly your understanding of what this Committee does, including its powers and limitations.
I understand that the committee has power to vote on decisions pertaining to parks trails and community services. ~~Its~~ limitations would include not being able to vote on anything that does not have to do with parks, community services and trails. I also am aware we have the power to represent the people.

What do you hope to accomplish by your participation?
I hope to make an impact on the community through dedication and new ideas. I would like to see smiles as I visit the parks and trails knowing everyone is safe and having fun.

Attachment: Abigail Gutierrez redacted (2989) : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency(ies) and dates served:

Parks and Recreation Commission August 13th →
February 8th

tutoring kids at Vista Heights Middle School
every Friday (January 6)

Team leader August 2015 - January 14th 2018 and beyond.

What other areas of interest do you have in our City government?
I hope to later on join a larger part
of the city government.

Would you be available for meetings during the day or evening?

Pursuant to Resolution 2016-42 all board or commission members must be registered voters of the City of Moreno Valley, provided they are at least 18 years old.

I hereby authorize the City of Moreno Valley to review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (Not applicable to minors)

I hereby agree to attend all committee meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or the appointing authority from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

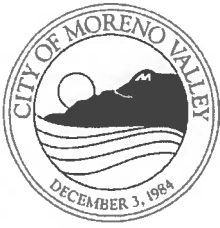


Signature

1/13/18

Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



City of Moreno Valley

Boards and Commissions

Membership Application Form

CITY CLERK
MORENO VALLEY
RECEIVED

18 FEB 13 PM 3:27

For City Clerk's Use
Stamp Date and Time Received

Name: Florentino Arrequin

Home Address: [REDACTED]
Moreno Valley, CA. 92553

How long have you resided in Moreno Valley? 16 years

CONFIDENTIAL INFORMATION

Home Phone No.: _____ Driver's License No.: [REDACTED]
Work Phone No.: _____ Email Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: Building New Ideas Position: Project Manager/owner

Address: 13300 Hildegard st., moreno valley, CA. 92553
www.BuildingNewIdeas.com

Board or Commission applying for*: 1st Choice Planning Commission
2nd Choice _____

*If applying for the Accessibility Appeals Board, please indicate which position you are applying for:

Physically Challenged Person Person Experienced in Construction Public Member

*If applying for the Utilities Commission, please indicate which position you are applying for:

Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility

Why do you wish to serve on this Board and/or Commission?

Because I care as a resident of the city and I think my experience in
Construction & Development may be useful in advising on future construction projects

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:

owner of a construction estimating and management company since 1998
www.BuildingNewIdeas.com have worked with Engineers, architects, Building department
Fire departments - (I have also attached my Resume)

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.

Planning Commission should provide recommendations and advice to city council
and residents if a project is suitable for the community, any repairs or renovations.

What do you hope to accomplish by your participation?

I hope that my experience and recommendations get considered in the
decision making. there is a lot going on in our city and I think we
should have more qualified people assisting within our city; either Volunteers
or employees.

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

Employments: Building New Ideas; construction consultant/owner since 1998
Moreno Valley Furniture Inc; owner of local business in Furniture 20

What other areas of interest do you have in our City government?

to be part of the team that reviews/comments on new construction
projects or businesses that are being considered for the city.

Would you be available for meetings during the day or evening? evenings.

Attendance of at least one (1) meeting is required prior to the appointment.

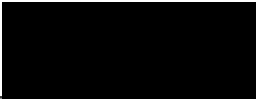
Date(s) of the meeting(s) attended: _____

Pursuant to Resolution 2016-43 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.



Signature

10/27/17

Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.

Florentino Arreguin Jr

Moreno Valley, CA. 92553

Objective:

Project Manager / Estimator

Work history:

Project Manager / Superintendent / Estimator

Sep. 2014 to Present. \ Floor Plans Construction & Development, Inc. Redlands, CA.
Estimating, Job-walks, bid qualification, Meeting minutes, CO's, complete project completion.
Project Management of Specialty projects including Loma Linda University. www.fpcdi.com

Project Manager / Estimator

Oct. 2012 to Sep. 2014. \ Pacific Environmental Technologies, Inc, Corona, CA. (2nd Time)
Estimating and managing of Cleanroom/Lab projects, budgeting, doing plan take-offs, preparation of city drawings for permits, qualifying subs, value engineering, scheduling, modular and standard construction, more info: www.peticleanair.com

Project Manager / Construction Superintendent

Sept. 2011 to Oct .2012. \ Focus Estates Inc. – Moreno Valley, CA.
Hired for the duration of that project only; Management and Superintendent of St. John Maron Church Addition & Renovation. Scheduling, quality control, progress reports, daily logs, contracts administration, qualification of Subcontractors, ordering materials, hiring workers for in-house trades.
More info: www.focus-estates.com

Estimator/ Project Manager / Part-time / Owner

1998 to Present. \ Building New Ideas- Moreno Valley, CA.
Construction Estimating and Project management company – Project Management: Scheduling, quality control, progress reports, daily logs, contracts administration, submittal packages. Estimating: Quantity take-offs, budgets, scheduling, Value Engineering. Consultant to General Contractors, Architects, Schools. Estimating in: all trades. More info: www.BuildingNewIdeas.com
(Have been doing this part-time since 1998 as Building New Ideas / sole proprietor)

Management/Owner

August. 2004 to September 2009. \ Pacific Labor Source, Inc. Moreno Valley, CA.
Staffing Agency construction industry - Overseeing all operations, training of new staff, customer service to clients, interviewing and qualifying new workers, marketing, advertising, sales, Invoicing, collections, and consulting.

Senior Estimator

April 14, 2008 to October 2008 \ Silver Creek Industries, Inc., Perris, CA.
Construction Estimating, public works- New construction: school modernizations and site work.
Estimating: Quantity take-offs, budgets, scheduling, Value Engineering
More info: www.silver-creek.net

Senior Estimator / Project Manager

November 2003 to August 2004 \ Current Enterprises, Inc. Redlands, CA.
Construction Estimator and Project Manager of public works projects, School renovations, and other government projects, budget control, submittals, bidding, attending meetings with school officials, qualifying and interviewing subcontractors before issuing them contracts.
Change Orders, Creating Time Schedules, schedule of values, value engineering.

Senior Estimator / Project Manager

August 2001 to November 2003 \ The Bergman companies, Chino, CA.

Construction Estimator and Project Manager of Private sector construction projects, Restaurants, commercial and Industrial buildings, budgeting, value engineering, project time schedules, customer service. More info: www.thebergman.com

Project coordinator

August 1999 to August 2001. \ Pacific Environmental Technologies, Inc, Corona, CA.

Estimator and project coordinator of private sector construction projects, Cleanrooms/Pharmaceutical, estimating, qualifying and selecting subcontractors, budgeting every trade, and coordinate the purchasing of materials within the projects. www.peticleanair.com

Staffing consultant /Part-time

August 1999 to August 2000. \ Good Jobs Inc. West Minister, CA.

Customer Service / Sales, Marketing, Advertising, set up Standard Operating Procedures for the company, Guidelines for hiring workers, sales presentations.

Vice President Staffing

August 1997 to August 1999. \ Construction & Mfg Labor Source Inc., Anaheim, CA.

Customer Service Rep, Sales, Marketing, Training of new office staff, overseeing the accounting department, opened a new office in LA county.

Assistant Manager

July 1995 to August 1997. \ Disney Land Hotels, Anaheim, CA.

Housekeeping department, create schedules for workers, dispatching, give out assignments, order materials and equipment, train new cast members.

Education:

High School graduate: 1994 – Elgin High School: Elgin Illinois

Community college: 1995 – Business Administration & Marketing, ECC, Elgin, IL.

Self-Study– Accounting, Computer Programming, Advertising, Business Law.

Special Skills & Interests:

Entrepreneur, Fast learner; enjoy challenging jobs, Take pride in my work, team player, Grew up in the construction Industry and was taught to do things the right way or not do them at all. Bilingual: Read and write Spanish and English. Great computer skills, partial list of software used: Word, Excel, Power Point, QuickBooks, Enterprise Solutions, Microsoft Project, type 45wpm, plus many more..... (feel free to find out more information on my Linked in profile)

Owner of a Furniture Store: Moreno Valley Furniture, Inc. located in the city of Moreno Valley, CA.

Visit our site for more information: www.NewFurniture.us

Goals:

To improve myself & my family, learn new things, success independently or by working for a company that can offer a good working environment providing a good profitable future.

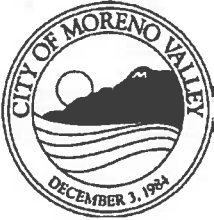
Construction Projects estimated & some managed

- Chilis Grill & Bar Restaurants – Chino Hills, La Habra, Buena Park & San Jose
- Macaroni Grills Restaurants – Bakersfield, Temecula
- Magianos Little Italy – San Jose -
- Inland Hills Church – Chino hills -
- J-mar Semiconductor – Fremont
- Baxer Health care , TI – Van Nuys, CA.
- Anthropologie – San Jose, Los Angeles, Berkeley
- Radio Shack – Florida, Georgia, northern CA., South Carolina, Texas
- Wendy's Restaurants – Hemet
- Tommy's Hamburgers – Corona
- Chick-fil-A Restaurants – Utah
- Golds Gym – Sacramento, CA.
- Lowe Home Improvement
- Stake Escape
- Eatza Pizza Restaurants – Pico Rivera, CA.
- Johns Mansville – Sacramento
- Mitsubishi Auto Dealerships – Riverside
- Lexus Auto Dealerships – Riverside
- Tilly's clothing Stores
- T-J.max clothing stores
- Custom residences
- Olive Garden Restaurants
- St. John Maron Church - Orange
- St. Jude Medical – Irvine
- Kelpac Medical – San Clemente
- GKN Aerospace – Garden Grove
- Loma Linda University & Medical Center: Dental Research, pharmacy, printing services, and many more....
- Tennant Improvements – Sams Club, Walmart, plus many more.....
- CBRE – Tennant Improvements and various buildings.

Public Works /

School Districts – New and or Modernizations

- Moreno Valley School District
- Hacienda La Puente SD
- Puente Hills School District
- Claremont School District
- Perris School District
- Los Alamitos School Districts
- El Rancho School District
- Compton School District
- Riverside School District
- Fire Station # 5, Riverside
- Lancaster School District
- Poway School District
- Garvey School District
- Pomona School District
- UCI Police Department, Irvine.
- Idyllwild Arts, Idyllwild, CA.
- Plus many more.....



City of Moreno Valley

Boards and Commissions

Membership Application Form

CITY CLERK
MORENO VALLEY
RECEIVED

18 FEB -9 PM 4: 33

For City Clerk's Use
Stamp Date and Time Received

Name: ALVIN DEJOHNETTE
Home Address: [REDACTED]
MORENO VALLEY CA 92555
How long have you resided in Moreno Valley? 50+ YEARS

CONFIDENTIAL INFORMATION

Home Phone No.: _____ Driver's License No.: [REDACTED]
Work Phone No.: _____ Email Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: Moreno Valley Unified Position: Teacher
Address: 25631 ALESSANDRO BLVD
MORENO VALLEY CA 92553

Board or Commission applying for*: 1st Choice Traffic Safety
2nd Choice Utilities Commission, Planning Commission

*If applying for the Accessibility Appeals Board, please indicate which position you are applying for:

Physically Challenged Person Person Experienced in Construction Public Member

*If applying for the Utilities Commission, please indicate which position you are applying for:

Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility

Why do you wish to serve on this Board and/or Commission?
I want to be involved with the city that I grew up
in.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:

Masters in Education, school Administration experience

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.

I understand that this position considers issues surrounding
traffic safety in the city such as signage, painting potential
hazards to public safety

What do you hope to accomplish by your participation?

I want to be a positive active member on this Commission
to assist with maintaining and possibly improving safety in
the city of Moreno Valley

Attachment: Alvin Dejohnette redacted (2989 : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

through out my stay with the moreno valley unified school district I have been involved in a number of different organization that assist students - Inspiring you. youth with a purpose. Denise Barrow 2016, 2017

What other areas of interest do you have in our City government?

Utilities Commission - I would also like to evaluate into obtaining a paid position - Emerging leaders Council

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to the appointment.

Date(s) of the meeting(s) attended: _____

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

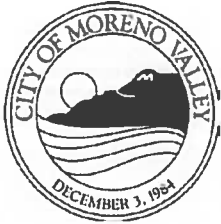
I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.


Signature

1/24/2018
Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



CITY CLERK
MORENO VALLEY
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18 FEB 14 PM 3:53

For City Clerk's Use
Stamp Date and Time Received

City of Moreno Valley

Boards and Commissions

Membership Application Form

Name: Robert Harris

Home Address: [REDACTED]

Moreno Valley Ca. 92557

How long have you resided in Moreno Valley? 35 yrs

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]

Work Phone No.: [REDACTED] Email Address: [REDACTED]

Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: Retired Position: Registered Nurse

Address: NA

Board or Commission applying for*: 1st Choice Planning Commission
2nd Choice _____

*If applying for the Accessibility Appeals Board, please indicate which position you are applying for:
 Physically Challenged Person Person Experienced in Construction Public Member

*If applying for the Utilities Commission, please indicate which position you are applying for:
 Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility

Why do you wish to serve on this Board and/or Commission?
I am a progressive City Activist I would like to bring balance to our City i.e. jobs, Homes, Recreat, and Medical facilities to serve our Community including our aging population.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:
Residential, Real Estate, Emergency RN, Emergency Services during Construction of Oil platform Edith, Pilot Director of Hospital Paramedic Program

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.
Planning review and authorization of projects brought to the Planning Commission. Limitations would include compliance with all State and local laws.

What do you hope to accomplish by your participation?
Help to make Moreno Valley a world class City that the Residents can be proud of, this can be accomplished by listening to Residents, Developers, and City Planning Staff.

Attachment: Robert Harris redacted (2989 : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

Member of Moreno Valley Jobs Coalition
Leo Gonzalez 951-833-3447
Elected Member Riverside County Democratic
Central Committee assembly dist 61

What other areas of interest do you have in our City government?

City activist
City Council meetings

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to the appointment.

Date(s) of the meeting(s) attended: all WIC hearings at Planning Com. Wata some hearing on MAR 3

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

[Redacted Signature]

Signature

2/14/2018
Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.

CITY CLERK
MORENO VALLEY
RECEIVED

18 FEB 15 PM 1:11



City of Moreno Valley

Boards and Commissions

Membership Application Form

Name: JoAnn Stephan
Home Address: [REDACTED]
Moreno Valley, CA 92557
How long have you resided in Moreno Valley? 34 yrs

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]
Work Phone No.: [REDACTED] Email Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: Retired Position: _____
Address: _____

Board or Commission applying for*: 1st Choice Planning
2nd Choice _____

*If applying for the Accessibility Appeals Board, please indicate which position you are applying for:
 Physically Challenged Person Person Experienced in Construction Public Member

*If applying for the Utilities Commission, please indicate which position you are applying for:
 Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility

Why do you wish to serve on this Board and/or Commission?
Get involved with what is being built or proposed and make sure guidelines are followed. Especially at the planning stages which are the first step to buildout.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.
Considers matters that have to do with development & zoning in the city. That are within California Codes.

What do you hope to accomplish by your participation?
Get involved with development with our city.

Attachment: JoAnn Stephan redacted (2989 : MAYORAL APPOINTMENTS FOR THE EMERGING LEADERS COUNCIL, PARKS, COMMUNITY

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served.

What other areas of interest do you have in our City government?

I have always played an active roll in what has gone on in Moreno Valley, where be development or Council elections & City of

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to the appointment.

Date(s) of the meeting(s) attended: _____

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

[Redacted Signature]

Signature

2/15/2018
Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



Report to City Council

TO: Mayor and City Council

FROM: Kathleen Sanchez, Human Resources Director

AGENDA DATE: February 20, 2018

TITLE: LIST OF PERSONNEL CHANGES

RECOMMENDED ACTION

Recommendation:

1. Ratify the list of personnel changes as described.

DISCUSSION

The attached list of personnel changes scheduled since the last City Council meeting are presented for City Council ratification.

Staffing of City positions ensures assignment of highly qualified and trained personnel to achieve Momentum MoVal priorities, objectives and initiatives.

FISCAL IMPACT

All position changes are consistent with appropriations previously approved by the City Council.

PREPARATION OF STAFF REPORT

Prepared By:
Denise Hansen
Executive Assistant

Department Head Approval:
Kathleen M. Sanchez
Human Resources Director

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Personnel Changes 2.20.18

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/12/18 10:12 AM
City Attorney Approval	<u>✓ Approved</u>	2/12/18 5:50 PM
City Manager Approval	<u>✓ Approved</u>	2/12/18 6:18 PM

**City of Moreno Valley
Personnel Changes
February 20, 2018**

New Hires

Maria Cervantes, Accounts Payable Supervisor
Financial & Management Services Department/Financial Operations Division

Reggie Plowman, Building Inspector II
Community Development Department/Building & Safety Division

Promotions

None

Transfers

Joy Uribe
From: Senior Administrative Assistant
Parks & Community Services/Community Services Division
To: Senior Administrative Assistant
Parks & Community Services/Parks Maintenance Division

Separations

None



Report to City Council

TO: Mayor and City Council

FROM: Martin Koczanowicz, City Attorney
Allen Brock, Assistant City Manager

AGENDA DATE: February 20, 2018

TITLE: SECOND READING AND ADOPTION OF ORDINANCE
REAFFIRMING PEG FEES

RECOMMENDED ACTION

Recommendation:

Staff recommends that the City Council conduct the second reading by title only and adopt Ordinance 930, reaffirming Franchisees obligation for collection and payment of PEG fees.

SUMMARY

This report recommends adoption of Ordinance 930, which would continue the payment obligation for the PEG and the Franchise Fees from the cable services providers.

DISCUSSION

In 2006 the State took over the franchising of cable and other TV providers under the newly adopted DIVCA. Cities, including Moreno Valley, continued to receive franchise fees and PEG fees, if institute by Ordinance. Recently those franchises were extended for another 10 year period. In order to make sure that the Peg fees continue to be collected and paid to the City, staff recommended re-adoption of the enacting Ordinance.

At the last City Council meeting Council introduced Ordinance 930 and conducted the first reading, scheduling the second reading and adoption for this Council meeting. The attached Ordinance mirrors the existing one and when adopted will continue to provide for the collection of PEG and Franchise Fees.

ALTERNATIVES

1. Conduct the second reading by title only and adopt Ordinance 930, reaffirming the existing PEG and Franchise fees. *Staff recommends this alternative.*
2. Fail to adopt the Ordinance. *Staff does not recommend this alternative.*

FISCAL IMPACT

City collects approximately \$500,000 annually in PEG fees from local cable providers to fund facilities and equipment to provide the services of our governmental channel to the public.

NOTIFICATION

Agenda was posted in accordance with the Brown Act.

PREPARATION OF STAFF REPORT

Prepared By:
Martin D. Koczanowicz
City Attorney

Department Head Approval:
N/A

Concurred By:
Tim Carroll
Media Division Manager

CITY COUNCIL GOALS

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.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

1. Draft PEG fee Ord0129

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/13/18 3:58 PM
City Attorney Approval	<u>✓ Approved</u>	2/14/18 9:09 AM
City Manager Approval	<u>✓ Approved</u>	2/14/18 1:31 PM

ORDINANCE NO. 2018-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING THE MUNICIPAL CODE CHAPTER 5.22 TO RENEW THE PEG FEES UNDER THE NEW STATE FRANCHISE

WHEREAS, State has renewed the 10 year franchises granted to cable services providers under the Digital Infrastructure and Video Competition Act (DIVCA); and

WHEREAS, City has been receiving and utilizing Public, Education, and Government (PEG) fees for their intended purpose; and

WHEREAS, City Council desires to continue to collect the PEG fees under the provisions of Public Utilities Code Section 5870 during the duration of the newly issued State Franchise; and

WHEREAS, it has been determined that adoption of this Ordinance is an act categorically exempt under California Environmental Quality Act.

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

SECTION 1. Chapter 5.22 of the Moreno Valley Municipal Code is amended to repeal Section 5.22.020 in its entirety to be replaced with the following:

Section 5.22.020 State video franchise fees.

A. Any state video franchise holder (“state franchisee”) operating within the boundaries of the City of Moreno Valley shall pay a fee to the City equal to five percent of the gross revenue of that state franchisee.

B. Any state franchisee operating within the boundaries of the City of Moreno Valley shall pay an additional fee to the City equal to two percent of the gross revenue of the state franchisee, which fee shall be used by the City for PEG purposes consistent with state and federal law.

C. Gross revenue, for the purposes of subsections A and C of this section, shall have the definition set forth in California [Public Utilities Code](#) Section 5860.

SECTION 2. SEVERABILITY

That the City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in

full force and effect.

SECTION 3. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. EFFECT OF ENACTMENT

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5. NOTICE OF ADOPTION

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect thirty days after the date of its adoption.

This Ordinance was introduced at the February 6th, 2018 City Council meeting and

PASSED, APPROVED AND ORDAINED this XX day of XX, 2018.

Approved as to Form:

Martin D. Koczanowicz
City Attorney

Dr. Yxstian Gutierrez, Mayor

ATTEST:

Pat Jacquez-Nares, City Clerk

Attachment: Draft PEG fee Ord0129 (2987 : Second Reading and adoption of Ordinance reaffirming PEG Fees)

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)
§ CITY OF MORENO)
VALLEY)

I, _____, City Clerk of the City Council of the City of MORENO VALLEY, California, do hereby certify that the foregoing Ordinance No. 2018-XX, was introduced at a regular meeting of the City Council of the City of MORENO VALLEY held on the XX day of XX, 2018 and was passed by the City Council of the City of MORENO VALLEY at a regular meeting held the XX day of XX, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Pat Jacquez-Nares, City Clerk

Attachment: Draft PEG fee Ord0129 (2987 : Second Reading and adoption of Ordinance reaffirming PEG Fees)



Report to City Council

TO: Mayor and City Council

FROM: Thomas M. DeSantis, City Manager

AGENDA DATE: February 20, 2018

TITLE: REQUEST FOR CITY SPONSORSHIP OF MARCH AIR FORCE RESERVE BASE 1918-2018 CENTENNIAL AIR SHOW

RECOMMENDED ACTION

Recommendation:

1. Approve a request for City sponsorship of the March Air Force Reserve Base 1918-2018 Centennial Air Show.
2. Approve budget adjustment for \$7500 as set forth in the Fiscal Impact section of this report.

SUMMARY

This report recommends that the City Council approve a request for City sponsorship in the amount of \$7,500 for the March Air Reserve Base 1918-2018 Centennial Air Show. The Air Show is scheduled to be held on April 7-8, 2018 at the March Air Reserve Base.

DISCUSSION

March Air Reserve Base (MARB) is the largest and the most active Reserve Base in the U.S. Air Force. It is the home to the Air Force Reserve Command's 4th Air Force Headquarters; the base's 452nd Air Mobility Wing serves as the host unit, supporting operational tenants including the Army Reserve, Navy Reserve, Marine Corps Reserve, Active Duty Air Force, California Air National Guard, and California Army National Guard.

For almost 50 years, March Air Force Base was a Strategic Air Command Base. Now, as an Air Mobility Command Base, MARB's primary operational missions include Air

Refueling, Mobility Support, Airlift, and Aeromedical Evacuation. In addition to providing disaster relief around the globe, MARB units ensure that our aircraft, military personnel, vehicles and equipment are deployed rapidly and safely to destinations around the world.

MARB is celebrating 100 years at March Field in April 2018 with several special events, including:

- Reception with the U.S. Air Force Thunderbirds on Friday, April 6th.
- MARB Air and Space Expo 2018, a two-day Air Show spectacular will feature a Centennial Celebration on April 7th and 8th featuring the U.S. Air Force Thunderbirds along with other power-packed aerial acts expected to draw more than 500,000 spectators.
- Rock Concert featuring Gary Sinise and the Lt. Dan Band on Saturday, April 28th.

U.S. Air Force Air Shows rely on local community support to raise funds that cannot be allocated directly through host bases. The March Field Foundation, a 501(c)(3) non-profit organization, has been created to help support MARB, its personnel, and their families, and to provide public education about the Base. The Foundation's goal is to help fund the programs that enhance the quality of life for military members and their families. The Foundation has requested that the City serve as a local sponsor for this Centennial event, as it has in the past. The Foundation is also soliciting sponsorships from other cities, organizations and entities in the region.

ALTERNATIVES

1. Approve a request for City sponsorship for the March Air Reserve Base 1918-2018 Centennial Air Show and approve a budget adjustment of \$7,500 in support of this event. *Staff recommends this alternative as the requested funding will support bringing a significant event to the Moreno Valley community.*

2. Provide alternate direction to staff.

FISCAL IMPACT

Should the City Council approve the requested \$7,500 sponsorship, the funding would be made available from available savings within the existing General Fund budget.

NOTIFICATION

None.

PREPARATION OF STAFF REPORT

Approved By:
Thomas M. DeSantis
City Manager

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/18 7:27 AM
City Attorney Approval	<u>✓ Approved</u>	2/14/18 12:30 PM
City Manager Approval	<u>✓ Approved</u>	2/14/18 1:29 PM



Report to City Council

TO: Mayor and City Council

FROM: Marshall Eyerman, Chief Financial Officer
Mike Lee, Economic Development Director

AGENDA DATE: February 20, 2018

TITLE: HIRE MOVAL - AMENDMENTS TO THE HIRE A MOVAL GRAD PROGRAM

RECOMMENDED ACTION

Recommendations:

1. Approve amendments to the Hire a MoVal Grad Program.

SUMMARY

The City has been working with graduates and businesses interested in participating in the Hire a MoVal Grad Program (“Program”). To maximize the local employment benefits for businesses and residents, this report recommends amendments to the Program. The most significant amendment being proposed is to provide flexibility in the average hours worked requirement. By reducing the required average hours worked from 35 or more hours to 20 or more hours per week, businesses that do not currently have the budget to staff at a nearly full-time rate will continue to be encouraged and incentivized to participate in the Program by hiring and retaining local residents.

DISCUSSION

The purpose of the Hire a MoVal Grad Program (“Program”) is to offer a mechanism to support businesses by promoting the hiring of Moreno Valley residents who have earned a degree, certificate or completed program training beyond a secondary (K-12) education.

Since implementation of this Program, staff has reached out to many businesses and has discovered in many cases businesses cannot qualify under the current Terms and Conditions, primarily because the minimum average work hour requirement exceeds their budget and/or staffing needs for certain positions. In an attempt to increase the

benefit of the Program to both businesses and employees, staff is suggesting several amendments to the Program.

One amendment would reduce the average hours worked requirement from 35 or more hours per week to 20 or more hours per week. Businesses tend to staff at levels necessary to perform the functions of their operations and within budgetary parameters. An example can be seen in local hospitals which hire trained professionals (e.g. Nurses or Occupational Therapists) who have earned degrees but may be staffed in shifts or may have less than nearly a full-time (35-40+) weekly schedule. By modifying the hours work requirement businesses can continue to operate according to their normal business practices and still qualify to participate in the Program. This change will provide the Program flexibility to help encourage and incentivize businesses - - large and small - - to hire and retain local residents.

Another proposed amendment would recognize documentation provided upon residents' completion of training in specialized industries that may come in forms of other official documents, such as a license or a letter demonstrating completion of a program of study or specialized skill set. This documentation will attest to competency gained through postsecondary and vocational education/training. While degrees, certificates and diplomas from any accredited postsecondary educational institution or vocational technical school are acceptable, this amendment would recognize the value gained by employers who hire local residents who have completed specialized training programs. Clarifying the Program's educational requirement to recognize any accredited educational institution and training program, will enhance opportunities for Moreno Valley residents to qualify for participation in the Hire MoVal Program.

ALTERNATIVES

1. Approve the proposed Amendments to the Hire a MoVal Grad Program. *Approval of these proposed amendments to the Program will apply to more Moreno Valley residents and give qualified Employers a greater incentive to hire locally while still retaining the Program's intended purpose, which is to recognize and reward businesses for hiring and retaining Moreno Valley residents who have completed higher education and specialized training beyond a K-12 education. Staff recommends approval of this alternative.*
2. Do not approve the proposed Amendments to the Hire a MoVal Grad Program. *This alternative would continue to put limits on the Program which excludes those Moreno Valley residents who have achieved advanced education and training in accredited educational institutions and training programs outside of the County's boundaries and those who may have specialize competencies and licensing that are not in the form of a degree, certificate or diploma. This alternative also limits certain Moreno Valley Employer's from participating due to their business needs and/or budgets, not requiring or able to support full-time staff. This does not promote the Program's purpose of hiring and retaining Moreno Valley residents who have completed higher education and specialized training beyond a K-12 education. Staff does not recommend this alternative.*

3. Provide alternative direction as the City Council deems appropriate.

FISCAL IMPACT

There is no fiscal impact associated with the proposed Amendments.

NOTIFICATION

N/A.

PREPARATION OF STAFF REPORT

Prepared By:
Sharon Goodale-Sharp
Management Analyst

Division Manager Approval:
Brian Mohan
Financial Resources Division Manager

Department Head Approval:
Marshall Eyerman
Chief Financial Officer/City Treasurer

Concurred By:
Mike Lee
Economic Development Director

Approved By:
Thomas M. DeSantis
City Manager

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.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

Objective 1.3: Promote local hiring through the expansion of local, quality, high paying jobs, and workforce development efforts.

ATTACHMENTS

- 1. Hire A Moval Grad REVISED APPLICATION _redline
- 2. Hire A Moval Grad REVISED APPLICATION _clean copy

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/12/18 12:11 PM
City Attorney Approval	<u>✓ Approved</u>	2/14/18 8:58 AM
City Manager Approval	<u>✓ Approved</u>	2/14/18 12:35 PM



HIRE A MoVal GRAD APPLICATION

Application is hereby made to the City of Moreno Valley Financial & Management Services Department for a one-time incentive payment in accordance with the HIRE a MOVAL GRAD PROGRAM ("Program") by the employer listed below. I understand that the City is the sole judge of eligibility in determining the approval and amount of any award incentive. Compliance with the Program requirements and submission of application is the sole responsibility of the employer and/or his/her agent.

I certify that I am legal owner of the below named business, or an authorized agent of the company/partnership/corporation, and named as payee.

BUSINESS NAME: _____

CONTACT NAME _____

BUSINESS ADDRESS: _____

MAILING ADDRESS: (If different from physical address):

ADDRESS _____

CITY _____ STATE _____ ZIP _____

CITY _____ STATE _____ ZIP _____

PHONE: _____

FAX _____

OWNER NAME _____

PAYEE NAME _____

BUSINESS LICENSE: _____

(If different than Owner)

FEDERAL TAX I.D. NO. _____

PARTICIPANT AGREEMENT

(Please Read Carefully)

I hereby certify that I am the Sole Proprietor/Partner/Authorized Corporate Officer/Agent (hereafter "Employer") doing business in the City of Moreno Valley with business locations within the City limits. I further certify that I have filed for and/or possess a currently valid City of Moreno Valley business license, ~~a copy of which is included with this application. Copy of a receipt demonstrating filing for a Business license may suffice as proof in lieu of a Business license certificate~~ license number listed herein.

As the authorized Employer, I certify that I have read and understand the terms & conditions of the Hire a MoVal Grad Program to qualify for potential incentive award. To be considered for an award, I understand that in addition to submission of this application, documentation as described in the Hire a MoVal Grad Program Participation Terms & Conditions, must accompany this application as proof of compliance with the Program's requirements. I further understand that submission of the application for the Hire a MoVal Grad incentive award is solely my responsibility and at my discretion and submission of the application and all related documentation does not guarantee an award. If awarded, I understand a monetary award of \$1,000.00 per qualified new hire, hired in accordance with the Hire a MoVal Grad Program criteria, will be awarded up to a total of no more than \$5,000.00 per submitting Employer. Attached are documented payroll terms as proof of ongoing employment, copy of employee(s) certificate(s) and/or diploma(s) conferring a degree from a recognized and accredited educational institution or letter from institution of program completion or other equivalent official document, and City of Moreno Valley Business License number or a copy of my City of Moreno Valley Business License (or qualified receipt). I have read and agree with the terms and conditions contained in this form. I agree to verification of any and all information contained herein by a City of Moreno Valley representative. Falsifying any of the information contained in this application or related documentation will lead to my disqualification from this incentive program as well as future incentive programs sponsored by the City. I understand that details of this program are subject to change without prior notice.

I certify to the hiring and retention of the following individual(s) for a period of no less than six (6) months with starting dates of employment as listing below, and with regular employment of 20 or more no less than 35 hours per week on average, as certified on the attached payrolls. I further certify that the named individual(s) is/are resident(s) of Moreno Valley having graduated and/or completed a program of study and/or certificate from an accredited educational institution in compliance with the applicable program requirements for the Hire a MoVal Grad Program. **Please print the following information.**

Employee Name	Employee(s) Full Address	Date of Hire	Degree & Institution (Name & Address)

By my signature below, I certify that I have read and understand the terms and conditions of this application and the Hire a MoVal Grad Program Participation Terms and Conditions.

Attachment: Hire A Moval Grad REVISED APPLICATION _redline_ (2978 : HIRE MOVAL - HIRE A MOVAL GRAD PROGRAM)

Hire a MoVal Grad

Program Participation • Terms & Conditions

- › All eligible businesses (“Employers”) must be located within the City limits of the City of Moreno Valley.
- › All eligible Employers must possess a valid Moreno Valley Business license. Business licenses must be kept current throughout the Program. Employers that fail to keep a current Moreno Valley Business license will be automatically disqualified. **Business License number must be listed on the Hire a MoVal Grad Award Application. A copy of paid receipt for a valid current Moreno Valley Business license will also meet this requirement.**
- › Participation in the Hire a MoVal Grad incentive is for Employers who newly hire Moreno Valley residents that have attained a degree, certificate, ~~or~~ completed a training program, or course of study from any accredited ~~Riverside County~~ educational institution within the past 2 years (24 months) beyond a secondary (K-12) education. For example to apply for an award in FY 2017/18 a new hire’s degree/certificate or certified training program of study must be completed by July 1, 2015. For FY 2018/19 the new hire’s degree/certificate or certified training program of study must be completed by July 1, 2016.
- › Employee’s degree, certificate or course of study must be obtained from a recognized/accredited educational institution, recognized accredited and licensed training institution and/or ~~Riverside a County or School District’s Office of Education~~ program of study. This includes, but is not limited to one or more of the following:
 1. Received a degree and/or completed a locally or state approved certificate program from among any accredited university or college.
 2. Completed a vocational educational training program from among any accredited Vocational/Technical School or an accredited training program beyond secondary (K-12) education.
 3. Completed a comprehensive CTE Course Sequence (Introduction, Concentrator, and Capstone) of no less than three courses through ~~the Riverside a County or School District’s -County~~ Office of Education.
- › Demonstration by Employer that new hire employees have earned their degree(s) and/or completed their program certifications, licensing, etc. within the past two years. **Submission of a copy of the degree/certificate or other official document with date of award and/or a letter from the institution where a degree, ~~or~~ certificate licensing or other completed program training as evidenced by another type of official document was earned will meet this requirement. Evidence of this requirement must be submitted with the Hire a MoVal Grad Award Application submission.**
- › Employers are strongly encouraged to pre-register all qualified employees being considered under the program by forwarding a letter of interest that includes employee’s name, home address, date of hire and institution of degree/certificate as required on the Hire a MoVal Grad Application. Applications for the fiscal year 2017/18 Program start on March 7, 2017 and run through June 30, 2018. Applications for the fiscal year 2018/19 Program start July 1, 2018 and run through June 30, 2019. Application forms are available on the City’s website at www.moval.org.
- › Employer must retain employee(s) for a minimum of six months. **All eligible employee(s) must work at least 20 more – minimum of 35 hours per week. Demonstrate proof of employee retention and hours worked required. Employer must demonstrate length of employment and minimum hours worked by way of payrolls/payroll records, which must be submitted with the Hire a MoVal Grad Award Application. Hire a MoVal Grad Award payroll record forms are available on the City’s website at www.moval.org**
- › **Submission of the Hire a MoVal Grad Award Application along with all supporting documentation, as stated in these Program Participation Terms & Conditions must be made by the submitting Employer. Submissions of all qualified applications will be awarded on a first come, first serve basis of all qualified application submissions, including verification of supporting documentation. Hire a MoVal Grad Award Applications will be accepted starting July 1st of each Program year the Program is in effect and accepted through June 30th (months from the starting date).**

1. Submissions for the fiscal year 2017/18 award must be received no later than June 30, 2018.

2. Submissions for the fiscal year 2018/19 award must be received no later than June 30, 2019.

A.8.a

Attachment: Hire A Moval Grad REVISED APPLICATION _redline (2978 : HIRE MOVAL - HIRE A MOVAL GRAD PROGRAM)

Hire a MoVal Grad

Program Participation • Terms & Conditions (continued)

- › Hire a MoVal Grad Award Application submissions must be complete and include all requested supporting documentation. **Submissions that are incomplete or do not meet Program requirements will be disqualified.**
- › Hire a MoVal Grad Award Application submissions that qualify for award will be awarded on a first come basis until funding has been depleted for the FY in which the Program is active. Validation and determination of award based on application and supporting documentation is at the sole discretion of the City.
- › Awards are limited. Submission of a Hire a MoVal Grad Award Application and supporting documentation is not a guarantee of award. The Program may be terminated without prior notice.
- › Following demonstrated proof of a minimum six month employment term with an average of at least 20 or more at a minimum 35 hour per week ~~rate~~ of all qualified new hires hired by Employer, an award may be made based on increments of \$1,000 per eligible employee for a maximum of five awards per business during each program year. This means an Employer may receive up to \$5,000 per Program year for eligible new hires employed.
- › If approved, incentive award will be paid to the employer of the business submitting for award. When submitting the Hire a MoVal Grad Award Application, **corporations must submit a resolution listing the name(s) of corporate officer eligible to sign on behalf of the corporation.**
- › The Program is a Fiscal Year Program and thus the term “annually” or “fiscal year” for this program means from July 1 to June 30 of the program year.
- › Incentive check time frame: If all program requirements are met, including validation of supporting documentation, the incentive check is generally mailed within 8 - 12 weeks. Incomplete applications will not be considered.
- › Keep copies: Employers are advised to keep a copy of their completed MoVal Grad Award Application and corresponding documentation for their records.
- › The City shall not be responsible for application submissions and/or any supporting documents not received or qualified submissions received after funding is depleted in a Program year. It is the responsibility of the Employer to insure application submissions for awards, including all required supporting documentation is received by the City.
- › Submit all documents including application and supporting documentation as listed in these Program Participation Terms & Conditions to the following address:

City of Moreno Valley
 Attn: Hire a MoVal Grad Program – Finance & Management Services Dept.
 14177 Frederick Street
 P. O. Box 88005
 Moreno Valley, CA 92552-0805

Applications may be emailed, mailed or hand delivered. If by email please scan and send to sharong@moval.org. If by mail or courier, it is recommended that a guaranteed form of delivery be requested, such as certified return receipt to help insure/track mailer delivery. Submission of an application or any supporting documentation by mail or other delivery service does not constitute acceptance on the part of the City. Acceptance of a submission is deemed only when the submission is received and date stamped by an agent or employee for the City. Acceptance alone of a submission does not constitute award.

- › For questions, please contact the Financial & Management Services Department at 951.413.3021.

TAX LIABILITY—Rebates and incentives may be taxable. Employers are urged to consult their tax advisor concerning the taxability of incentive awards. The City of Moreno Valley, their officers, agents and employees are not responsible for any taxes that may be imposed on the employer as a result of receiving an incentive (monetary) award.

SECTION - TO BE COMPLETED BY CITY OF MORENO VALLEY STAFF

AMOUNT OF INCENTIVE AWARDED _____
\$ _____

Comments:

APPLICATION RECEIVED BY _____ DATE _____

INSPECTED BY _____ DATE _____

Attachment: Hire A Moval Grad REVISED APPLICATION _redline_ (2978 : HIRE MOVAL - HIRE A MOVAL GRAD PROGRAM)



HIRE A MoVal GRAD APPLICATION

Application is hereby made to the City of Moreno Valley Financial & Management Services Department for a one-time incentive payment in accordance with the HIRE a MOVAL GRAD PROGRAM ("Program") by the employer listed below. I understand that the City is the sole judge of eligibility in determining the approval and amount of any award incentive. Compliance with the Program requirements and submission of application is the sole responsibility of the employer and/or his/her agent.

I certify that I am legal owner of the below named business, or an authorized agent of the company/partnership/corporation, and named as payee.

BUSINESS NAME: _____

CONTACT NAME _____

BUSINESS ADDRESS: _____

MAILING ADDRESS: (If different from physical address):

ADDRESS _____

CITY _____ STATE _____ ZIP _____

CITY _____ STATE _____ ZIP _____

PHONE: _____

FAX _____

OWNER NAME _____

PAYEE NAME _____

BUSINESS LICENSE: _____

(If different than Owner)

FEDERAL TAX I.D. NO. _____

PARTICIPANT AGREEMENT

(Please Read Carefully)

I hereby certify that I am the Sole Proprietor/Partner/Authorized Corporate Officer/Agent (hereafter "Employer") doing business in the City of Moreno Valley with business locations within the City limits. I further certify that I have filed for and/or and possess a currently valid City of Moreno Valley business license, license number listed herein.

As the authorized Employer, I certify that I have read and understand the terms & conditions of the Hire a MoVal Grad Program to qualify for potential incentive award. To be considered for an award, I understand that in addition to submission of this application, documentation as described in the Hire a MoVal Grad Program Participation Terms & Conditions, must accompany this application as proof of compliance with the Program's requirements. I further understand that submission of the application for the Hire a MoVal Grad incentive award is solely my responsibility and at my discretion and submission of the application and all related documentation does not guarantee an award. If awarded, I understand a monetary award of \$1,000.00 per qualified new hire, hired in accordance with the Hire a MoVal Grad Program criteria, will be awarded up to a total of no more than \$5,000.00 per submitting Employer. Attached are documented payroll terms as proof of ongoing employment, copy of employee(s) certificate(s) and/or diploma(s) conferring a degree from a recognized and accredited educational institution or letter from institution of program completion or other equivalent official document, and City of Moreno Valley Business License number or a copy of my City of Moreno Valley Business License (or qualified receipt). I have read and agree with the terms and conditions contained in this form. I agree to verification of any and all information contained herein by a City of Moreno Valley representative. Falsifying any of the information contained in this application or related documentation will lead to my disqualification from this incentive program as well as future incentive programs sponsored by the City. I understand that details of this program are subject to change without prior notice.

I certify to the hiring and retention of the following individual(s) for a period of no less than six (6) months with starting dates of employment as listing below, and with regular employment of 20 or more hours per week on average, as certified on the attached payrolls. I further certify that the named individual(s) is/are resident(s) of Moreno Valley having graduated and/or completed a program of study and/o certificate from an accredited educational institution in in compliance with the applicable program requirements for the Hire a MoVal Grad Program. **Please print the following information.**

Employee Name	Employee(s) Full Address	Date of Hire	Degree & Institution (Name & Address)

By my signature below, I certify that I have read and understand the terms and conditions of this application and the Hire a MoVal Grad Program Participation Terms and Conditions.

EMPLOYER SIGNATURE: _____

DATE: _____

Attachment: Hire A Moval Grad REVISED APPLICATION _clean copy (2978 : HIRE MOVAL - HIRE A MOVAL GRAD PROGRAM)

Hire a MoVal Grad

Program Participation • Terms & Conditions

- › All eligible businesses (“Employers”) must be located within the City limits of the City of Moreno Valley.
- › All eligible Employers must possess a valid Moreno Valley Business license. Business licenses must be kept current throughout the Program. Employers that fail to keep a current Moreno Valley Business license will be automatically disqualified. **Business License number must be listed on the Hire a MoVal Grad Award Application. A copy of paid receipt for a valid current Moreno Valley Business license will also meet this requirement.**
- › Participation in the Hire a MoVal Grad incentive is for Employers who newly hire Moreno Valley residents that have attained a degree, certificate, completed a training program, or course of study from any accredited educational institution within the past 2 years (24 months) beyond a secondary (K-12) education. For example, to apply for an award in FY 2017/18 a new hire’s degree/certificate or certified training program of study must be completed by July 1, 2015. For FY 2018/19 the new hire’s degree/certificate or certificated training program of study must be completed July 1, 2016.
- › Employee’s degree, certificate or course of study must be obtained from a recognized/accredited educational institution, recognized accredited and licensed training institution and/or a County or School District’s Office Education program of study. This includes, but is not limited to one or more of the following:
 1. Received a degree and/or completed a locally or state approved certificate program from among any accredited university or college.
 2. Completed a vocational educational training program from among any accredited Vocational/Technical School or an accredited training program beyond secondary (K-12) education.
 3. Completed a comprehensive CTE Course Sequence (Introduction, Concentrator, and Capstone) of no less than three courses through a County or School District’s Office of Education.
- › Demonstration by Employer that new hire employees have earned their degree(s) and/or completed their program certifications, licensing, etc. within the past two years. **Submission of a copy of the degree/certificate or other official document with date of award and/or a letter from the institution where a degree, certification, licensing or other completed program training as evidenced by another type of official document was earned will meet this requirement. Evidence of this requirement must be submitted with the Hire a MoVal Grad Award Application submission.**
- › Employers are strongly encouraged to pre-register all qualified employees being considered under the program by forwarding a letter of interest that includes employee’s name, home address, date of hire and institution of degree/certificate as required on the Hire a MoVal Grad Application. Applications for the fiscal year 2017/18 Program start on March 7, 2017 and run through June 30, 2018. Applications for the fiscal year 2018/19 Program start July 1, 2018 and run through June 30, 2019. Application forms are available on the City’s website at www.moval.org.
- › Employer must retain employee(s) for a minimum of six months. **All eligible employee(s) must work at least 20 more hours per week. Demonstrate proof of employee retention and hours worked is required. Employer must demonstrate length of employment and minimum hours worked by way of payrolls/payroll records, which must be submitted with the Hire a MoVal Grad Award Application. Hire a MoVal Grad Award payroll records are available on the City’s website at www.moval.org**
- › **Submission of the Hire a MoVal Grad Award Application along with all supporting documentation, as stated in these Program Participation Terms & Conditions must be made by the submitting Employer. Submissions of all qualified applications will be awarded on a first come, first serve basis of all qualified applications, including verification of supporting documentation. Hire a MoVal Grad Award Applications will be accepted starting July 1st of each Program year the Program is in effect and accepted through June 30th (6 months from the starting date).**
 1. Submissions for the fiscal year 2017/18 award must be received no later than June 30, 2018.
 2. Submissions for the fiscal year 2018/19 award must be received no later than June 30, 2019.

Program Participation • Terms & Conditions (continued)

- › Hire a MoVal Grad Award Application submissions must be complete and include all requested supporti documentation. **Submissions that are incomplete or do not meet Program requirements will be disqualified.**
- › Hire a MoVal Grad Award Application submissions that qualify for award will be awarded on a first come basis ur funding has been depleted for the FY in which the Program is active. Validation and determination of award based application and supporting documentation is at the sole discretion of the City.
- › Awards are limited. Submission of a Hire a MoVal Grad Award Application and supporting documentation is not guarantee of award. The Program may be terminated without prior notice.
- › Following demonstrated proof of a minimum six month employment term with an average of at least 20 or more hour p week of all qualified new hires hired by Employer, an award may be made based in increments of \$1,000 per eligi employee for a maximum of five awards per business during each program year. This means an Employer may recei up to \$5,000 per Program year for eligible new hires employed.
- › If approved, incentive award will be paid to the employer of the business submitting for award. When submitting the Hi a MoVal Grad Award Application, **corporations must submit a resolution listing the name(s) of corporate office eligible to sign on behalf of the corporation.**
- › The Program is a Fiscal Year Program and thus the term “annually” or “fiscal year” for this program means from July 1 June 30 of the program year.
- › Incentive check time frame: If all program requirements are met, including validation of supporting documentation, incentive check is generally mailed within 8 - 12 weeks. Incomplete applications will not be considered.
- › Keep copies: Employers are advised to keep a copy of their completed MoVal Grad Award Application and corresponding documentation for their records.
- › The City shall not be responsible for application submissions and/or any supporting documents not received or qualifi submissions received after funding is depleted in a Program year. It is the responsibility of the Employer to insu application submissions for awards, including all required supporting documentation is received by the City.
- › Submit all documents including application and supporting documentation as listed in these Program Participation Terms & Conditions to the following address:

City of Moreno Valley
 Attn: Hire a MoVal Grad Program – Finance & Management Services Dept.
 14177 Frederick Street
 P. O. Box 88005
 Moreno Valley, CA 92552-0805

Applications may be emailed, mailed or hand delivered. If by email please scan and send to sharong@moval.org. If by mail or currier, it is recommended to that a guaranteed form of delivery be requested, such as certified return receipt to help insure/track mailer delivery. Submission of an application or any supporting documentation by mail or other delivery service does not constitute acceptance on the part of the City. Acceptance of a submission is deemed only when the submission is received and date stamped by an agent or employee for the City. Acceptance alone of a submission does not constitute award.

- › For questions, please contact the Financial & Management Services Department at 951.413.3021.

TAX LIABILITY—Rebates and incentives may be taxable. Employers are urged to consult their tax advisor concerning the taxability of incentive awards. The City of Moreno Valley, their officers, agents and employees are not responsible for any taxes that may be imposed on the employer as a result receiving an incentive (monetary) award.

Attachment: Hire A Moval Grad REVISED APPLICATION _clean copy (2978 : HIRE MOVAL - HIRE A MOVAL GRAD PROGRAM)

AMOUNT OF
INCENTIVE
AWARDED

\$

Comments:

[Large empty rectangular box for comments]

APPLICATION RECEIVED BY _____ DATE _____

INSPECTED BY _____ DATE _____

Attachment: Hire A Moval Grad REVISED APPLICATION _clean copy (2978 : HIRE MOVAL - HIRE A MOVAL GRAD PROGRAM)



Report to City Council

TO: Mayor and City Council

FROM: Marshall Eyerman, Chief Financial Officer

AGENDA DATE: February 20, 2018

TITLE: TOWNSEND PUBLIC AFFAIRS GRANT WRITING AND FUNDING ADVOCACY AGREEMENT

RECOMMENDED ACTION

Recommendation:

1. Approve the amendment to the Agreement for Professional Consultant Services with Townsend Public Affairs to provide Grant Writing and Funding Advocacy Services.
2. Authorize the City Manager to execute the Agreement for Professional Consultant Services with Townsend Public Affairs and issuance of the Purchase Order for service beginning once the Agreement has been fully executed.
3. Authorize the City Manager to execute any subsequent related Extensions or Amendments to the Agreement, including the authority to authorize associated Purchase Order changes in accordance with the terms of the Agreement, subject to the approval of the City Attorney and provided sufficient funding appropriations and program approvals have been granted by the City Council.
4. Approve budget adjustments as set forth in the Fiscal Impact section of this report.

SUMMARY

To successfully access and leverage additional funding sources for the City's operations and to also help fund activities within the City's strategic plan, Momentum MoVal, the City began a pilot program with Townsend Public Affairs to provide Grant Writing and Funding Advocacy Services. The pilot program was scheduled to run from June 1, 2017 to March 1, 2018. The pilot program has been successful in supporting the City in the preparation of grant applications which to date has resulted in awards in excess of \$93,000.

With the pending expiration of the existing Agreement and positive results seen to date, the City would like to extend the existing Agreement for an additional year, with potential additional extensions based on performance up to a cumulative total of five years.

DISCUSSION

On June 1, 2017, the City previously entered into an Agreement with Townsend Public Affairs (Townsend) for grant writing and funding advocacy will provide the City with a key service to provide an ability to meet some of the financial requirements of the objectives within the City's strategic plan.

Townsend was selected based on quotes received from two separate firms, California Consulting LLC (\$6,000/month) and Townsend Public Affairs (\$5,000/month). Additionally, in compliance with the Procurement Policy #3.18, Section XII Cooperative or "Piggybacking" Agreements, the City had identified that Townsend was previously awarded contracts through another competitive RFP processes for similar services. Through the City's review, Townsend had been awarded contract for multiple cities including cities of Costa Mesa, Placentia, Stanton, and South El Monte.

The current scope of services provided by Townsend include: Identify, Research, and Monitor Grant Funding Opportunities; Grant Application Development and Submittal; Post-Award Grant Administration and Compliance; Provide Progress Reports; and Prepare and File Lobbying Disclosure Forms.

The following are two brief summaries of the activities provided by Townsend during the current term of the pilot program. Townsend has assisted the Planning Division in preparing a proposal for the California Strategic Growth Council's (CSGC) Transformative Climate Community (TCC) grant. The purpose of the grant is to assist the Division in creating a toolbox for General Plan community outreach for our disadvantaged communities. Townsend's assistance with the TCC grant was invaluable and saved staff time in completing the grant proposal. Townsend was responsive to our questions and took the time to attend designated conference calls or answer general calls leading up to the final submittal of the grant proposal. The City's grant application was successful and the City will be receiving about a \$93,000 grant to support the General Plan environmental justice planning and outreach.

Townsend recently completed the Infrastructure For Rebuilding America (INFRA) grant application for Public Works and is currently helping Capital Projects and Transportation on two SB -1 grant applications (TCEP and LPP). With broad knowledge, expertise, Townsend is able to help in saving staff time and helps the City deliver competitive grant applications. For the completion of the grant applications, Townsend has also been able to get the necessary political Letters of Support and have been able to compose high-quality application narratives based on their technical expertise.

The following is summary of the current grants in process:

Funding Program	Project	Amount	Status
Infrastructure for Rebuilding America (INFRA)	<i>SoCal Freight Gateway: SR 60 Truck Safety and Efficiency Project—Phase 1</i>	\$67,500,000	Pending
Transformative Climate Communities (TCC)	<i>ENGAGE MoVal: Outreach Toolbox for Disadvantaged Communities</i>	\$93,960	Awarded
Trade Corridor Enhancement Program (TCEP)	<i>SoCal Freight Gateway: SR 60 Truck Safety and Efficiency Project—Phase 1A</i>	\$16,800,000	Pending
Local Partnership Program (LPP)	<i>Juan Bautista de Anza Multi-Use Trail</i>	\$3,100,000	Pending
Sustainable Transportation Planning Grants	<i>Dracaea Ave. Neighborhood Greenway Corridor Study</i>	\$154,927	In Progress
Active Transportation Program (ATP)	<i>Juan Bautista de Anza Multi-Use Trail</i>	\$3,100,000	In Progress

ALTERNATIVES

1. Authorize the Recommended Actions for an extension of the Agreement with Townsend Public Affairs and authorize the budget adjustments. *Staff recommends this option as it would support the efforts of the City to seek and potentially receive additional grant funding.*
2. Do not authorize the Recommended Actions for an Agreement with Townsend Public Affairs, nor authorize the budget adjustments. *Staff does not recommend this option as it would hinder the efforts of the City to seek and potentially receive additional grant funding.*

FISCAL IMPACT

The Agreement with Townsend Public Affairs will provide grant writing and funding advocacy at the cost of \$5,000 per month for the four remaining months in FY 2017/18 (\$20,000 total) and \$60,000 total for FY 2018/19. **Funding for the services will be provided by the General Fund.** The investment into these services has already been key to the award of more than \$90,000 to the City and may lead to the potential award of future grants. The following sets forth the recommended budget appropriations for the Agreement. Any grant awards will be brought to the City Council as separate items, as necessary.

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 18/19 Budget	Proposed Adjustments	FY 18/19 Amended Budget
Professional Services	GF	1010-30-35-25011-620299	Exp	\$105,500	\$60,000	\$165,500

PREPARATION OF STAFF REPORT

Prepared By:
Marshall Eyerman
Chief Financial Officer

Department Head Approval:
Marshall Eyerman
Chief Financial Officer

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. 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.

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Monthly Report_City of Moreno Valley_0118
- 2. Townsend Public Affairs Professional Services Agreement

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/08/18 8:50 AM
City Attorney Approval	<u>✓ Approved</u>	2/14/18 9:17 AM
City Manager Approval	<u>✓ Approved</u>	2/14/18 1:08 PM

MEMORANDUM

To: City of Moreno Valley
Marshall Eyerman, Chief Financial Officer/City Treasurer

From: Townsend Public Affairs, Inc.
Christopher Townsend, President
Richard Harmon, Senior Director
Eric O'Donnell, Associate

Date: January 31, 2018

Subject: Monthly Report—January 2018

SUMMARY

This memorandum is an overview of activities undertaken by Townsend Public Affairs (TPA) over the last month, working on behalf of the City of Moreno Valley, including the following subjects:

- Project Activity and Updates**

Funding Program	Project	Amount	Status
Infrastructure for Rebuilding America (INFRA)	<i>SoCal Freight Gateway: SR 60 Truck Safety and Efficiency Project—Phase 1</i>	\$67,500,000	Pending
Transformative Climate Communities (TCC)	<i>ENGAGE MoVal: Outreach Toolbox for Disadvantaged Communities</i>	\$93,960	Awarded
Trade Corridor Enhancement Program (TCEP)	<i>SoCal Freight Gateway: SR 60 Truck Safety and Efficiency Project—Phase 1A</i>	\$16,800,000	Pending
Local Partnership Program (LPP)	<i>Juan Bautista de Anza Multi-Use Trail</i>	\$3,100,000	Pending
Sustainable Transportation Planning Grants	<i>Dracaea Ave. Neighborhood Greenway Corridor Study</i>	\$154,927	In Progress
Active Transportation Program (ATP)	<i>Juan Bautista de Anza Multi-Use Trail</i>	\$3,100,000	In Progress

- Upcoming Funding Opportunities**



PROJECT ACTIVITY AND UPDATES

Infrastructure for Rebuilding America Grant Program

In August, TPA and City staff discussed the **Infrastructure for Rebuilding America (INFRA) grant program**, which provides dedicated, discretionary funding for projects that address critical issues facing the nation's highways and bridges. INFRA grants will support the Trump Administration's commitment to fixing the nation's crumbling infrastructure by creating opportunities for all levels of government and the private sector to fund infrastructure, using innovative approaches to improve the necessary processes for building significant projects, and increasing accountability for the projects that are built.

- **ACTION**—TPA worked with City staff to review the draft application, as well as to secure letters of support from Senator Feinstein, Representative Takano, Senator Roth, Assembly Member Medina, and Supervisor Ashley. We are also awaiting a letter from Senator Harris.
- **STATUS**—The application was submitted prior to the November 2 deadline and we are awaiting a funding decision from the U.S. Department of Transportation.

Transformative Climate Communities (TCC) Program

The Strategic Growth Council's (SGC) **TCC Program** funds two types of grants: Implementation Grants and Planning Grants. The SGC will award approximately \$1.5 million in Planning Grants to fund planning activities in communities to be eligible for future TCC Implementation Grants.

Funding for this program was allocated from the SGC's Sustainable Communities Planning Grants and Incentives Program, which is funded through Proposition 84. The grants are intended to help communities increase their ability to successfully apply for and to implement future Transformative Climate Communities Implementation Grant awards, or other California Climate Investment programs. Planning activities should focus on responding to planning issues or priorities that directly benefit vulnerable communities and that are defined within an existing regional or local plan. Individual grants can be up to \$250,000.

- **ACTION**—TPA worked with City staff to complete an application for this year's cycle of funding, secured letters of support, and provided to City staff for review before submittal. The City's application will fund the development of a community engagement toolbox to be used in the General Plan update and future planning efforts.
- **STATUS**—The application was submitted on November 30. SGC staff recommended the City's application for funding on January 19, and on January 29 the SGC voted to approve the application in the amount of \$93,960.

Trade Corridor Enhancement Program

The objective of the **Trade Corridor Enhancement Program (TCEP)** is to fund infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network, as identified in the California Freight Mobility Plan, and along other



corridors that have a high volume of freight movement as determined by the California Transportation Commission (CTC). The program will fund projects that benefit the movement of goods along identified major trade corridors.

To promote a corridor-based approach while also recognizing the key role of the State in prioritizing interregional freight projects, the CTC has developed the following targets for projects nominated by the Caltrans and for the geographic programming of projects nominated by other agencies. Pursuant to Streets and Highways Code, Section 2192, the target for Caltrans is 40 percent of the identified program funding. The remaining 60 percent is available for projects nominated by regional transportation agencies and other public agencies, including counties, cities, and port authorities.

- **ACTION**—TPA discussed the TCEP with City staff following the submittal of the INFRA grant application and decided to pursue funding for a first phase of the same project, focused on the Moreno Beach Drive Interchange. TPA worked with City staff to develop an application and secure letters of support.
- **STATUS**—The application was submitted by the January 30 deadline and we are currently awaiting consideration by the CTC.

Local Partnership Program

Jurisdictions with voter approved taxes, tolls, and fees, or with imposed fees, will be eligible for this competitive portion of the **Local Partnership Program (LPP)** if the taxes, tolls, or fees are dedicated solely to transportation. The initial programming cycle will cover 2017-18 through 2019-20. The program will match up to \$5 million for the construction of transportation projects.

Projects funded from the LPP will require at least a one-to-one match of private, local, federal, or state funds except jurisdictions with a voter approved tax or fee which generates less than \$100,000 annually need only provide a match equal to 50 percent of the requested LPP funds.

- **ACTION**—TPA discussed the TCEP with City staff and decided to pursue funding for the remaining unfunded segments of the Juan Bautista de Anza Multi-Use Trail. TPA worked with City staff to develop an application and secure letters of support.
- **STATUS**—The application was submitted by the January 30 deadline and we are currently awaiting consideration by the CTC.

Sustainable Transportation Planning Grant Program

In August, TPA and City staff discussed the **Caltrans Sustainable Transportation Planning Grant (STPG) Program**. The STPG Program has been an annual grant program through Caltrans for a number of years. This year—with the approval of Senate Bill 1—there is additional funding available to augment the program. Successful planning grant applications are expected to directly benefit the multi-modal transportation system, as well as improve public health, social equity, environmental justice, and provide other important community benefits.

The grant program will fund local and regional multimodal transportation and land use planning projects that further the region’s Regional Transportation Plan/Sustainable Communities



Strategy, contribute to the State’s greenhouse gas reduction targets, and also assist in achieving the Caltrans Mission and Grant Program Overarching Objectives. The program requires the standard Caltrans 11.47 percent minimum local match, and the competitive program will be capped at \$1 million per application.

City staff provided TPA with a copy of last year’s application for the City of Moreno Valley Corridor Study project to study Dracaea Avenue as a Neighborhood Greenway. A Neighborhood Greenway will serve to enhance the walking and bicycling opportunities along the corridor and improve safety and mobility of non-motorized users of all ages and abilities. TPA completed the application for last year’s cycle of funding, secured letters of support, and provided to City staff for review before submittal on October 20.

- **ACTION**—Recommended grant awards were announced on December 1, and, unfortunately, only two cities in Riverside County were included (Indio and Lake Elsinore).
- **STATUS**—TPA conducted a debriefing with Caltrans in December on its application and is preparing for resubmittal of the application by the February 23 deadline.

Active Transportation Program

The **Active Transportation Program (ATP)** was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation and is administered by the CTC. The ATP consolidated various transportation programs into a single program and was originally funded at about \$123 million a year from a combination of state and federal funds. Most recently, Road Repair and Accountability Act of 2017 Senate Bill 1 (Chapter 20, Statutes of 2017) added approximately \$100 million per year in available funds for the ATP. This will nearly double the amount of available funds for the Active Transportation Program.

- **ACTION**—During the development of the LPP application for the Juan Bautista de Anza Multi-Use Trail, the ATP was identified as the source of matching funds for the project.
- **STATUS**—TPA will be working with City staff to develop the application to the CTC by the deadline of June 15.

UPCOMING FUNDING OPPORTUNITIES

Included below is a list of several upcoming grant programs, descriptions and due dates (actual or anticipated):

- **Sustainable Transportation Planning Grants (February 23)**—Successful planning projects are expected to directly benefit the multi-modal transportation system. Sustainable Communities Grants will also improve public health, social equity, environmental justice, and provide other important community benefits. The grant program will fund local and regional multimodal transportation and land use planning projects that further the region’s RTP SCS, contribute to the State’s GHG reduction targets, and assist in achieving the Caltrans Mission and Program Objectives.



- **Adaptation Planning Grants (February 23)**—This funding will advance adaptation planning on California’s transportation infrastructure, including but not limited to roads, railways, bikeways, trails, bridges, ports, and airports. Funded projects are expected to not only adapt the transportation system to climate change impacts but also to benefit the multimodal transportation system. Applicants who have adaptation planning efforts underway as well as those who have not yet started work are encouraged to apply.
- **Urban and Community Forestry Grant Program (February 26)**—This program works to optimize the benefits of trees and related vegetation through multiple-objective projects. These projects further the goals of AB 32, result in a net greenhouse gas benefit, and provide environmental services and cost-effective solutions to the needs of urban communities and local agencies. Co-benefits of the projects include increased water supply, clean air and water, reduced energy use, flood and storm water management, recreation, urban revitalization, improved public health, and producing useful products such as bio-fuel, clean energy, and high-quality wood.
- **Urban Greening Grant Program (April 11)**—This program will fund projects that reduce greenhouse gases by sequestering carbon, decreasing energy consumption and reducing vehicle miles traveled, while also transforming the built environment into places that are more sustainable, enjoyable, and effective in creating healthy and vibrant communities. These projects will establish and enhance parks and open space, using natural solutions to improving air and water quality and reducing energy consumption, and creating more walkable and bike-able trails.
- **Active Transportation Program (June 15)**—The Active Transportation Program was created to encourage increased use of active modes of transportation, such as biking and walking. Pursuant to statute, the goals of the Active Transportation Program are to Increase the proportion of trips accomplished by biking and walking, increase the safety and mobility of non-motorized users, enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding, and ensure that disadvantaged communities fully share in the benefits of the program.
- **Environmental Enhancement and Mitigation Program (June)**—Projects funded from this program must contribute to mitigation of the environmental effects of transportation facilities. Eligible projects must fit one of the following categories: Urban Forestry projects designed to offset vehicular emissions of carbon dioxide. Resource Lands projects for the acquisition or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way acquired for transportation improvements. Mitigation Projects Beyond the Scope of the Lead Agency responsible for assessing the environmental impact of the proposed transportation improvement.
- **Highway Safety Improvement Program (July)**—Funding from the Highway Safety Improvement Program (HSIP) is intended to fund work on any public road or publicly-owned bicycle or pedestrian pathway or trail that improves safety for users. All proposed projects must lead to, and complete, the construction of safety improvements, and be consistent with California’s Strategic Highway Safety Plan.



City of Moreno Valley

AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES

This Agreement is made by and between the **City of Moreno Valley or Moreno Valley Housing Authority or Moreno Valley Community Services District**, California, a municipal corporation, with its principal place of business at 14177 Frederick Street, Moreno Valley, CA 92552, hereinafter referred to as the "City", and **Townsend Public Affairs Inc.**, a **California Corporation**, with its principal place of business at **1401 Dove Street, Suite 330, Newport Beach, CA 92660**, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

RECITALS

- A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors;
- B. Contractor desires to perform and assume responsibility for the provision of professional **Grant Writing and Funding Advocacy** contracting services required by the City on the terms and conditions set forth in this Agreement. Contractor represents that it is experienced in providing professional **Grant Writing and Funding Advocacy** contracting services, is licensed in the State of California, if applicable;
- C. City desires to engage Contractor to render such services for the **Grant Writing and Funding Advocacy** as set forth in this Agreement;
- D. The public interest, convenience, necessity and general welfare will be served by this Agreement; and
- E. This Agreement is made and entered into effective the date the City signs this Agreement.

TERMS

1. CONTRACTOR INFORMATION:

Contractor's Name: Townsend Public Affairs Inc.
 Address: 1401 Dove Street, Suite 330
 City: Newport Beach State: CA Zip: 92660
 Business Phone: 949-399-9050 Fax No. 949-476-8215
 Other Contact Number: _____
 Business License Number: _____
 Federal Tax I.D. Number: 91-1929265

2. CONTRACTOR SERVICES, FEES, AND RELEVANT DATES:

- A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.
- B. The City's responsibilities, other than payment, are described in Exhibit "B" attached hereto and incorporated herein by this reference.

- C. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.
- D. The term of this Agreement shall be from June 1, 2017 to March 1, 2018 unless terminated earlier as provided herein. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS:**

- A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.
- B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.
- C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].
- D. Conformance to Applicable Requirements. All work prepared by Contractor shall be subject to the approval of City.
- E. Substitution of Key Personnel. Contractor has represented to City that certain key personnel will perform and coordinate the services under this Agreement. Should one or more of such personnel become unavailable, Contractor may substitute other personnel of at least equal competence upon written approval of City. In the event that City and Contractor cannot agree as to the substitution of key personnel, City shall be entitled to terminate this Agreement for cause. As discussed below, any personnel who fail or refuse to perform the services in a manner acceptable to the City, or who are determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the project or a threat to the safety of persons or property, shall be promptly removed from the project by the

Contractor at the request of the City. The key personnel for performance of this Agreement are as follows: **Christopher Townsend, Richard Harmon, James Peterson, Laura Kroeger, Gary Rogers, Eric O'Donnell**

- F. City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.
- G. Contractor's Representative. Contractor hereby designates **Christopher Townsend**, or his or her designee, to act as its representative for the performance of this Agreement ("Contractor's Representative"). Contractor's Representative shall have full authority to represent and act on behalf of the Contractor for all purposes under this Agreement. The Contractor's Representative shall supervise and direct the services, using his or her best skill and attention, and shall be responsible for all means, methods, techniques, sequences and procedures and for the satisfactory coordination of all portions of the services under this Agreement.
- H. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement. Contractor shall be liable for all violations of such laws and regulations in connection with services. If the Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to the City, Contractor shall be solely responsible for all costs arising therefrom. Contractor shall defend, indemnify and hold City, its officials, directors, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.
- I. Standard of Care; Performance of Employees. Contractor shall perform all services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the profession necessary to perform the services. Contractor warrants that all employees and subcontractor shall have sufficient skill and experience to perform the services assigned to them. Finally, Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the services and that such licenses and approvals shall be maintained throughout the term of this Agreement. Any employee of the Contractor or its subcontractors who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the services in a manner acceptable to the City, shall be promptly removed from the project by the Contractor and shall not be re-employed to perform any of the services or to work on the project.

- J. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including, without limitation, the payment of all consequential damages, expert witness fees, reasonable attorney's fees and other related costs and expenses, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage. Contractor's obligation to indemnify shall survive expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by the City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees.
- K. Additional Indemnity Obligations. Contractor shall defend, with counsel of City's choosing and at Contractor's own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind covered by Section "J" that may be brought or instituted against City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees as part of any such claim, suit, action or other proceeding. Contractor shall also reimburse City for the cost of any settlement paid by City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Contractor shall reimburse City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.
- L. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form

“Exception to Worker’s Compensation Coverage” is signed, notarized and attached to this Agreement

X General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

- Bodily Injury \$1,000,000 per occurrence/ \$2,000,000 aggregate
- Property Damage \$500,000 per occurrence/ \$500,000 aggregate

X Professional Errors and Omission Insurance—such coverage shall not be less than \$1,000,000 per claim and aggregate.

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

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

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

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the

cancellation date, submit new evidence of insurance in the amounts established.

- M. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.
- N. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.
- O. Termination (a) The City may terminate the whole or any part of this Agreement at any time without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.
- (b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.
- (c) If this Agreement is terminated as provided herein, City may require Contractor to provide all finished or unfinished documents and data and other information of any kind prepared by Contractor in connection with the performance of services under this Agreement. Contractor shall be required to provide such documents and other information within fifteen (15) days of the request.
- P. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractor's time and materials charges under the Agreement. Such

records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

- Q. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.
- R. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.
- S. Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Contractor:

Townsend Public Affairs, Inc.
1401 Dove Street, Suite 330
Newport Beach, CA 92660
Attn: Nikki Yamat, Business Manager

City:

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552
Attn: Chief Financial Officer, Finance Department

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

- T. Time of Essence. Time is of the essence for each and every provision of this Agreement.
- U. City's Right to Employ Other Contractors. City reserves right to employ other contractors in connection with this project.
- V. Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both parties.
- W. 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 rights by custom, estoppel, or otherwise.

- X. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the parties.
- Y. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.
- Z. 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.
- AA. Assignment or Transfer. Contractor shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.

BB Supplementary General Conditions (for projects that are funded by Federal programs). The following provisions, pursuant to 44 Code of Federal Regulations, Part 13, Subpart C, Section 13.36, as it may be amended from time to time, are included in the Agreement and are required to be included in all subcontracts entered into by CONTRACTOR for work pursuant to the Agreement, unless otherwise expressly provided herein. These provisions supersede any conflicting provisions in the General Conditions and shall take precedence over the General Conditions for purposes of interpretation of the General Conditions. These provisions do not otherwise modify or replace General Conditions not in direct conflict with these provisions. Definitions used in these provisions are as contained in the General Conditions.

1. CONTRACTOR shall be subject to the administrative, contractual, and legal remedies provided in the General Conditions in the event CONTRACTOR violates or breaches terms of the Agreement.
2. CITY may terminate the Agreement for cause or for convenience, and CONTRACTOR may terminate the Agreement, as provided the General Conditions.
3. CONTRACTOR shall comply with Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity, as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by CITY and/or subcontracts in excess of \$10,000 entered into by CONTRACTOR.)
4. CONTRACTOR shall comply with the Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and subcontracts for construction or repair.)
5. CONTRACTOR shall comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a7) as supplemented by Department of Labor regulations (29 CFR Part 5).

6. CONTRACTOR shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327330) as supplemented by Department of Labor regulations (29 CFR Part 5).
7. CONTRACTOR shall observe CITY requirements and regulations pertaining to reporting included in the General Conditions.
8. Patent rights with respect to any discovery or invention which arises or is developed in the course of or under the Agreement shall be retained by the CITY.
9. Copyrights and rights in data developed in the course of or under the Agreement shall be the property of the CITY. FEMA/CalOES reserve a royalty-free, nonexclusive, irrevocable license to reproduce, publish or otherwise use or authorize to others to use for federal purposes a copyright in any work developed under the Agreement and/or subcontracts for work pursuant to the Agreement.
10. CONTRACTOR shall provide access by the City, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
11. CONTRACTOR shall retain all required records for three years after CITY makes final payments and all other pending matters relating to the Agreement are closed.
12. CONTRACTOR shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (This provision applies to contracts exceeding \$100,000 and to subcontracts entered into pursuant to such contracts.)
13. CONTRACTOR shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94163, 89 Stat. 871).

SIGNATURE PAGE TO FOLLOW

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

City of Moreno Valley
BY: [Signature]
City Manager
7.6.17
Date

Townsend Public Affairs, Inc.
BY: [Signature]
TITLE: President
(President or Vice President)
6/29/17
Date

INTERNAL USE ONLY

ATTEST:

APPROVED AS TO LEGAL FORM:

[Signature]
City Attorney
7-5-17
Date

RECOMMENDED FOR APPROVAL:

[Signature]
Department Head
7/6/17
Date

Attachment: Townsend Public Affairs Professional Services Agreement (2952 : TOWNSEND PUBLIC AFFAIRS GRANT WRITING AND FUNDING

EXHIBIT A

PROPOSAL

TOWNSEND
PUBLIC AFFAIRS
EST **TPA** 1998

WWW.TOWNSENDPA.COM

SACRAMENTO • WASHINGTON, DC
CENTRAL CALIFORNIA • SOUTHERN CALIFORNIA
NORTHERN CALIFORNIA



**Proposal for Grant Writing and
Funding Advocacy Services**

October 10, 2016

TOWNSEND
PUBLIC AFFAIRS
EST TPA 1998

October 10, 2016

Marshall Eyerman, Chief Financial & Management Services
City of Moreno Valley
14177 Frederick Street,
Moreno Valley, CA 92553

Dear Mr. Eyerman:

Thank you for the opportunity for Townsend Public Affairs, Inc. ("TPA") to submit our proposal for Grant Writing and Funding Advocacy Services to the City of Moreno Valley ("City").

Since its inception in 1998, TPA has earned the reputation of providing the experience, resources, and relationships expected from a premier advocacy and grant writing firm while also giving clients the unique brand of customer service they deserve: personal attention, accessibility, and passion for their mission.

TPA uses a comprehensive approach for managing client advocacy that is tailored to leverage our expertise and vast political network to help achieve legislative results and grant funding awards for our clients. Our ability to secure over **\$1 Billion** in competitive grants from a variety of sources for our clients from federal, state, and local government agencies, as well as private and nonprofit sources, is a result of the breadth and depth of our experience as dedicated grant writers and funding advocates across a wide range of issues.

Thank you again for your interest in our firm and your consideration of our proposal. Please contact us if you have any questions or need additional information. We would be honored to serve the City of Moreno Valley.

Yours truly,



Christopher Townsend
President

ABOUT TPA

TPA is a legislative advocacy and funding advocacy firm that provides federal, state, and local funding advocacy services to its clientele of public agencies and nonprofit organizations.

- Founder/Owner/President: Christopher Townsend
- Funding Success: Over **\$1 Billion** in federal, state, local, and private grants
- Longevity: 18 years (founded in 1998)
- Number of Employees: 18
- Number of Registered Lobbyists and Grant Writers: 13
- Number of Offices: Five
 - TPA Federal Office, Washington, DC
 - TPA State Capitol Office, Sacramento
 - TPA Southern California Office, Newport Beach
 - TPA Central California Office, Fresno
 - TPA Northern California Office, Oakland
- Client Base: 77 Clients
 - City Governments
 - County Governments
 - Transportation Districts
 - Water and Sanitation Districts
 - K-12 School Districts
 - Community College Districts
 - Parks and Recreation Districts
 - Museums, Science Centers, and Cultural Facilities
- Areas of Specialization:
 - Local Governance (Cities, Counties, Special Districts)
 - Water and Sanitation Policy and Infrastructure
 - Parks and Community Facilities (Recreational, Cultural, Historical)
 - Education Policy and Infrastructure
 - Natural Resources and Energy
 - Housing and Economic Development
 - Transportation Policy and Infrastructure
 - Public Safety
- Ranking by Revenue Reported to the California Secretary of State:
 - 9th of 383 Firms Registered in 2015
 - 98th Percentile



ABOUT TPA

FUNDING ACHIEVEMENTS

This table provides an overview of our funding achievements on behalf of our clients from federal, state, and local grant programs. These amounts represent grants secured through a competitive process and do NOT include any funds that were awarded to clients via formulas or related forms of funding entitlements.

	Policy Area	Federal Funding	State/Local Funding	All Sources
	Cultural Resources	\$7 Million	\$92.7 Million	\$99.7 Million
	Transportation	\$100.1 Million	\$122 Million	\$222.1 Million
	Water	\$1.8 Million	\$65 Million	\$66.8 Million
	Housing and Development	\$5.9 Million	\$323 Million	\$328.9 Million
	Public Safety	\$40.7 Million	\$15.7 Million	\$56.4 Million
	Parks and Recreation	\$825,000	\$66.6 Million	\$67.4 Million
	Education	\$22.3 Million	\$171.5 Million	\$193.8 Million
	TOTAL	\$178.6 Million	\$856.5 Million	\$1.03 Billion

A DETAILED SCHEDULE OF OUR FEDERAL, STATE, AND LOCAL FUNDING ACHIEVEMENTS CAN BE PROVIDED UPON REQUEST



ABOUT TPA

LEGISLATIVE ACHIEVEMENTS

Policy Area	Issue	Description
Local Government	Local Control and Finance	<ul style="list-style-type: none"> Public Facilities and Finance Public Employee Programs Contractual Assessment Programs Infrastructure Financing Opportunities
	Pension Reform	<ul style="list-style-type: none"> PEPRA Compliance JPA Benefits
	Health and Safety	<ul style="list-style-type: none"> Air Pollution Reduction Methods Disposition of the Remains of a Deceased Veteran
Recreation and Community Resources	Park Facilities	<ul style="list-style-type: none"> Joint-Use Projects with Schools Districts State Bond Funding for Local Park Projects
	Cultural Facilities	<ul style="list-style-type: none"> CA Cultural and Historical Endowment CA Nature Education Facilities Program
Public Safety	Crime Reduction	<ul style="list-style-type: none"> Sex Trafficking Control Gun Control
	Local Law Enforcement	<ul style="list-style-type: none"> Increasing Local Police Presence/COPS Police Body Cameras
Housing and Community Development	Affordable Housing	<ul style="list-style-type: none"> Developing Funding for Affordable Housing Expanding Affordable Housing Eligibility
	Economic Development	<ul style="list-style-type: none"> Enterprise Zone Program Regulations Military Base Re-Use Land Planning
	Redevelopment	<ul style="list-style-type: none"> Agency Dissolution Process Developing Post-RDA Funding Sources State Liability Reduction
Water Resources	Water Quality	<ul style="list-style-type: none"> Drinking Water Public Health Regulations Groundwater Pollution Liability Groundwater Management Plans
	Water Infrastructure	<ul style="list-style-type: none"> State Bond Funding for Water Projects Integrated Regional Watershed Projects Local Reliability Projects Water Conservation Programs
Transportation	Local Streets and Roads	<ul style="list-style-type: none"> State Highway Relinquishments Local Venue Signage on State Highways
	State Highway System	<ul style="list-style-type: none"> State Bond Funding for Highway Projects Expansion of Toll Lanes/Toll Roads
Education	Community College Districts	<ul style="list-style-type: none"> Veterans Resources Alternative Energy Job Training
	K-12 School Districts	<ul style="list-style-type: none"> K-12 Safety Planning Programs Joint Use Projects with Civic Agencies
	School Facilities	<ul style="list-style-type: none"> Charter School Facilities Funding Community College Facilities Funding K-12 School District Facilities Funding

A DETAILED SCHEDULE OF OUR FEDERAL, STATE, AND LOCAL ADVOCACY ACHIEVEMENTS CAN BE PROVIDED UPON REQUEST



SCOPE OF WORK

FUNDING SCOPE OF WORK

- **Conduct Detailed Orientation:** TPA utilizes an onboarding protocol that will help develop a strategic plan for the City that is both carefully tailored to satisfy the needs of the City, as well as designed for maximum success in the funding environment. This onboarding ensures that TPA efforts on behalf of the City, with respect to local, state, and federal funding opportunities, accurately and effectively align with the City's priority projects.
- **Develop Grant Funding Strategy:** Utilizing the information gathered during the onboarding process outlined above, TPA will coordinate with the City Manager to develop a strategic funding strategy that serves the needs of the City's priority projects. The strategy developed by TPA will list the City projects, outline multiple potential funding options for each project, and develop a comprehensive work plan and timeline for each project.
- **Identify, Research, and Monitor Grant Funding Opportunities:** TPA will utilize list-serve subscription programs, funding workshops, agency canvassing, and other networking tactics to ensure every potential opportunity is identified and reviewed for relevance with the City's projects. TPA will then share these opportunities with the City for further assessment and determination if a grant application is warranted. The City will also receive a matrix of grant programs that is updated regularly as new opportunities arise.
- **Grant Application Development and Submittal:** TPA will assist the City with the development, drafting, submission, and follow up of their grant applications. This support will include strategic assistance such as letters of support from key stakeholders and other materials to make the application as compelling and competitive as possible. TPA will also leverage relationships with relevant officials in various funding agencies to ensure that City grant applications are aligned with the goals of the specific grant program and that the applications are well-crafted and well-positioned for funding.
- **Post-Award Grant Administration and Compliance:** TPA will also assist, as needed, with post-award administration and compliance for all grant applications submitted by TPA on behalf of the City. This includes interface with the granting agency, providing support as needed for the drafting and submission of required reports, evaluations, and other tasks. With respect to any proposal that is not awarded funds, TPA will follow-up with granting agencies to get feedback on how to prepare a more competitive and successful application for the next round of funding.



SCOPE OF WORK

RELEVANT FUNDING OPPORTUNITIES

Initial funding opportunities TPA has identified for the City include, but are not limited to:

- **California Youth Soccer Grant:** The program, administered by the California Department of Parks and Recreation, provides funding for the development of new youth soccer, baseball, soccer, and basketball recreation opportunities, with a requirement of associated water conservation measures. Possible projects include, but are not limited to: turf replacement and installation, irrigation systems, basketball courts, indoor soccer, field lighting, baseball fields, and batting cages. The program has an upcoming deadline of November 1, 2016.
- **California Cultural and Historical Endowment (CCHE):** The program, administered by the California Natural Resources Agency (CNRA), provides funding for the preservation of historical artifacts, collections, archives, structures, and properties. In 2013, AB 482 authorized the creation of a competitive grant program to support small capital projects in museums, including the acquisition of property or the construction of projects at museum facilities. Applications for the most recent round of funding were due in September, 2015 and awards were finalized in June, 2016. The next round of funding is anticipated to commence in Spring, 2017, with applications due in September, 2017.
- **Museums for America:** The program, administered by the Institute of Museums and Library Services, provides funding for projects that strengthen the ability of an individual museum to serve its public. The program seeks to fund projects that have institutional impact, in-depth knowledge, project-based design, and demonstrable results. The program has an upcoming deadline of December 1, 2016.
- **Public Humanities Projects – Historic Places:** The program, administered by the US National Endowment for the Humanities, provides funding for ideas and insights of the humanities to life for general audiences. Projects must engage humanities scholarship to illuminate significant themes in disciplines such as history, literature, ethics, and art, or to address challenging issues in contemporary life. NEH encourages collaborative projects that include members of the public, humanities scholars, or contributions from the community in the development and delivery of humanities programming. For grants supporting historic places, funding supports the interpretation of historic sites, houses, neighborhoods, and regions, which might include living history presentations, guided tours, exhibitions, and public programs. The program has an upcoming deadline in January, 2017.
- **National Trust Preservation Fund:** The program, administered by the US National Trust for the Historic Preservation, provides funding for planning, education, and outreach. This includes support for obtaining professional expertise in areas such as architecture, archaeology, engineering, preservation planning, land use planning, and law as well as projects that aim to reach new audiences and introduce the preservation movement. The program has an upcoming deadline of February 1, 2017.



SCOPE OF WORK

- **Art Works Program – Museums:** The program, administered by the US National Endowment for the Arts, supports museum activity that demonstrates exceptional aesthetic investigation and meaningful community engagement. Specifically, the National Endowment for the Arts assists museums through the support of exhibitions, care of collections, conservation, commissions, public art works, community engagement, education activities, and other museum work. Museum projects funded by the National Endowment for the Arts demonstrate artistic excellence in and across a variety of mediums, movements, eras, and cultures. The program has an upcoming deadline in February, 2017.
- **Federal Funding Advocacy:** TPA has cultivated an extensive network of powerful relationships at the federal level that can be leveraged on behalf of the City to advance the funding agendas and priorities of Moreno Valley. TPA has close working relationships with US Senators Dianne Feinstein and Barbara Boxer, along with key Members of Congress who represent the Inland Empire, including Representatives Ken Calvert, Pete Aguilar, Mark Takano, Raul Ruiz, and Paul Cook. In addition, TPA maintains strong relationships with the California congressional delegation, key members of both the authorizing and appropriations committees in Congress, and leadership within the Obama Administration.

The availability of federal grants is dependent upon both the authorization and appropriation of funds to relevant federal agencies during the federal budget process. An effective grant strategy requires the combination of advocacy for legislation that creates or expands grant program opportunities as well as an appropriations strategy to encourage optimal funding in the President's annual budget proposal and House and Senate Appropriations Committee mark-up. By leveraging its experience, knowledge, and relationships, TPA navigates this process to identify, protect, and expand grant funding opportunities for its clients.

- **State Funding Advocacy – California Park Bond of 2018:** TPA worked with the Legislature on AB 2444, a statewide park bond to provide funding for capital projects to improve the state park system, support local park projects, and preserve environmental resources and habitats. TPA provided language to promote additional funding for a wide range of local park and recreation projects as well as an additional \$100 million in capital funding for the CCHE grant program.

Due to time constraints as the 2016 legislative session reached adjournment, the Governor and Legislature agreed to postpone finalization of a state park bond to the 2017 legislative session with a target of putting the measure on the June, 2018 statewide ballot. In coordination with the City, TPA will work with Assembly Member Garcia, Assembly and Senate Leadership, and other key stakeholders to protect and promote relevant priorities in the legislation. TPA will also participate in public workshops on behalf of the City, and provide regular updates to the City on the process.



CLIENT SERVICE TEAM



Christopher Townsend, President

- 33 years of legislative and public policy experience and 18 years as the Founder and President of TPA
- Provides strategic guidance and advocacy support for every client, including cities and counties
- Maintains relationship with Governor Jerry Brown dating back to 1974, including his tenure as Mayor of Oakland, where TPA served as his state advocacy firm
- Leverages a widespread network of relationships in Sacramento and Washington, DC with legislators, staffers, and agency officials
- Expertise in the policy areas of public infrastructure, including transportation, water, and community facilities for education, recreation, cultural, and other enrichment purposes



Richard Harmon, Director

- 17 years of legislative and public policy experience:
 - Director
Townsend Public Affairs
 - District 10 Director
California Department of Transportation
 - Deputy Director for Legislative/Local Government Affairs
California Department of Transportation
 - Chief of Staff
Assembly Member Bonnie Garcia
- Extensive experience representing public agencies during his tenure at TPA
- Widespread bi-partisan relationships with the Brown Administration, Members of the California Legislature, and staff
- Expertise in the policy areas of transportation policy, planning, and infrastructure (including CTC, Caltrans, HSR), local government, strategic growth council, and economic development
- Responsible for significant grant awards for local public agency clients throughout California



CLIENT SERVICE TEAM



James Peterson, Federal Director

- 18 years of legislative and public policy experience:
 - Director
Federal Office, Townsend Public Affairs
 - Legislative Assistant
US Senator Dianne Feinstein (CA)
 - Deputy State Director
US Senator Dianne Feinstein (CA)
 - Assistant to Anaheim Mayor Tom Daly (now member of the California Assembly)
- Expertise in the policy areas of water resources, public lands, agriculture, energy, transportation, border security, and tribal relations, as well as the federal appropriations process
- Extensive bi-partisan relationships with congressional members and staff as well as state and federal agencies



Laura Kroeger, Associate

- Five years of government affairs and public policy experience, including serving as a Legislative Correspondent for US Senator Dianne Feinstein (CA)
- Relationships with key staff and agency officials from Senate, House of Representatives, and Department of Defense
- Specialized experience managing legislative activity, including bill analysis and research
- Expertise in the policy areas of veterans' resources, water resources, environmental hazards, agriculture, foreign affairs, defense, and healthcare



CLIENT SERVICE TEAM

**Gary Rogers, Associate**

- Former educator with six years of experience as a grant writer on behalf of public agencies throughout California
- Secured grant awards from federal, state, and local government grant programs, as well as private and nonprofit organization sources, for public agency clients throughout California
- Responsible for major grant awards in the policy areas of water resources, natural resources, energy, parks and recreation, housing and economic development, and transportation

**Eric O'Donnell, Associate**

- Experience working with public agencies throughout California
- Relationships with key staff and members of the legislature
- Secured major funding wins in the area of water resources on behalf of clients
- Expertise in the policy areas of water resources and infrastructure, parks and recreation, and natural resources



CLIENT SERVICE TEAM

Casey Elliott
State Capitol Director



Policy Expertise

- Budget & Finance
- Water Resources
- Parks & Recreation
- Natural Resources
- Municipal Governance
- Cultural Resources

Cori Williams
Senior Associate



Policy Expertise

- Water Resources
- Municipal Governance
- Transportation
- Parks & Recreation
- Economic Development
- Grant Writing

Niccolo De Luca
Senior Director



Policy Expertise

- Public Safety
- Parks & Recreation
- Natural Resources
- Municipal Governance
- Cultural Resources
- Grant Writing

Sharon Gonsalves
Senior Associate



Policy Expertise

- Water Resources
- Environment
- Energy
- Agriculture
- Municipal Governance
- Grant Writing



CLIENT SERVICE TEAM

Sophia Sadaat
Associate



Policy Expertise

- Municipal Governance
- Economic Development
- Education
- Public Safety
- Parks & Recreation
- Grant Writing

Chelsea Vongehr
Associate



Policy Expertise

- Higher Education
- K-12 Education
- Cultural Resources
- Economic Development
- Municipal Governance
- Grant Writing

Alex Gibbs
Associate



Policy Expertise

- Municipal Governance
- Parks & Recreation
- Public Safety
- Labor Relations
- Grant Writing

FEE SCHEDULE

DESCRIPTION OF SERVICES	FEE
Grant Writing and Funding Advocacy Services	\$5,000 Per Month*
• Conduct Detailed Orientation	Included
• Develop Grant Funding Strategy	Included
• Identify, Research, and Monitor Grant Funding Opportunities	Included
• Grant Application Development and Submittal	Included
• Post-Award Grant Administration and Compliance	Included
• Provide Progress Reports	Included
• Prepare and File Lobbying Disclosure Forms	Included
<i>*The monthly fee includes all normal business expenses and travel costs</i>	



EXHIBIT BCITY'S RESPONSIBILITIES

1. The City shall assist in scheduling and participating in the .orientation meeting.

2. The City shall participate in the grant funding strategy by providing timely and responsive feedback.

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed \$45,000 for the term set forth in 2.D of this agreement.
2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml
3. The Contractor will electronically submit an invoice to the City on a monthly basis for progress payments in the amount of \$5,000 per month per the fee schedule set forth in Exhibit A, page 14 along with documentation evidencing services completed to date. If City is not content with service, City may terminate. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org

Accounts Payable questions can be directed to (951) 413-3073.

Copies of invoices may be submitted to the Financial & Management Services Department at marshalle@moval.org or calls directed to (951) 413-3021.

3. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf
4. The minimum information required on all invoices is:
 - A. Vendor Name, Mailing Address, and Phone Number
 - B. Invoice Date
 - C. Vendor Invoice Number
 - D. City-provided Reference Number (e.g. Project, Activity)
 - E. Detailed by services performed, explicit portion of a contract amount, or detailed billing information that is sufficient to justify

the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.
7. Reimbursement for Expenses. Contractor shall not be reimbursed for any expenses unless authorized in writing by City.
8. Maintenance and Inspection. Contractor shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Contractor shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Contractor shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe, P.E., Public Works Director/City Engineer

AGENDA DATE: February 20, 2018

TITLE: AUTHORIZATION TO AWARD CONTRACT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR SAFETY ANALYSIS AND DESIGN OF TWO HIGHWAY SAFETY IMPROVEMENT PROGRAM PROJECTS

RECOMMENDED ACTION

Recommendations:

1. Award Agreement for Professional Consultant Services to Kimley-Horn and Associates, Inc., to complete a safety study and subsequent environmental and design services for two roads, funded by the Highway Safety Improvement Program.
2. Authorize the City Manager to execute a contract with Kimley-Horn and Associates, subject to the approval by the City Attorney.
3. Authorize the issuance of a Purchase Order to Kimley-Horn and Associates, in the amount of \$101,890 when the contract has been signed by all parties.
4. Authorize the Public Works Director to execute any subsequent related amendments to the Agreement for Professional Consultant Services with Kimley-Horn and Associates, not to exceed the Purchase Order amount, subject to the approval by the City Attorney.
5. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report.

SUMMARY

This report recommends approval of an agreement for Professional Consultant Services with Kimley-Horn and Associates, Inc. to prepare a safety analysis, environmental

clearance, and design of eligible improvements. The corridors to be analyzed are Ironwood Avenue from 500 feet west of Lasselle Street to Nason Street, and Kitching Street between Sunnymead Boulevard and Alessandro Boulevard. The project is funded by the Highway Safety Improvement Program (HSIP).

DISCUSSION

In 2015, Moreno Valley applied for and received HSIP funding to prepare a road signing and striping audit on the following roadway segments:

1. Ironwood Avenue from 500 feet west of Lasselle Street to Nason Street
2. Kitching Street between Sunnymead Boulevard and Alessandro Boulevard

The segments were identified based on a citywide collision database analysis. The HSIP grant will fund the following work:

1. Preparation of a Road Signing and Striping Audit (RSSA) to identify changes in signing, striping, lighting, and roadside features (e.g., guardrail) that will enhance traffic safety.
2. National Environmental Policy Act (NEPA) clearance of the recommended improvements through Caltrans Local Assistance.
3. Design and construction of the recommended improvements.

In addition, the Public Works Department will fund the preparation of a Road Safety Audit (RSA) for each segment, which will identify collision reduction measures over and above those eligible for funding by HSIP. The RSA will guide future project programming and position the City for future grant opportunities.

Three firms responded to a widely advertised request for proposals. Kimley-Horn was selected on the basis of their qualifications to perform safety analysis, as scored by a three-person panel.

Approval of the recommended actions would support Objective 4.6 of the Momentum MoVal Strategic Plan: “Advance the development of a well-connected and balanced citywide transportation network that serves all modes.”

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will provide for the project to move forward in accordance with the grant requirements.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay the project and jeopardize funding within the approved schedule.*

FISCAL IMPACT

The projects are included in the Fiscal Year 2017/18 and 2018/19 Capital Improvement Plan (CIP) as funded projects. The HSIP grants will provide reimbursement of up to \$490,000 with a 100% reimbursement rate (no local match required). Staff proposes to fund the road safety audits (which are not part of the HSIP grant award) with the Transportation Engineering Division’s professional services operating budget.

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 17/18 Budget	Proposed Adjustments	FY 17/18 Amended Budget
Operating Budget	General Fund	1010-70-76-45110 Contractual Services Category	EXP	\$54,946	(\$15,000)	\$39,946
CIP	General Fund	1010-70-76-80008-720199 808 0019-1010-99	EXP	\$0 \$0	\$15,000 \$15,000	\$15,000 \$15,000

PROJECT BUDGET:

Capital Projects Grants

(Account No. 2301-70-76-80008) (Project No. 808 0019)	\$350,000
(Account No. 2301-70-76-80008) (Project No. 808 0020)	\$140,000
Total	\$490,000

ESTIMATED COSTS

Engineering (RSSA, environmental, design)— <i>HSIP Eligible</i>	\$87,500
Road Safety Audit (<i>General Fund/not HSIP eligible</i>)	\$15,000
Construction of Signing/Striping Improvements— <i>HSIP Eligible</i>	\$300,000
Project Administration*— <i>HSIP Eligible</i>	\$70,000
Total Estimated Costs	\$472,500

*Includes City project administration, application fees, related miscellaneous costs, and approvals.

ANTICIPATED PROJECT SCHEDULE:

Complete RSSA and RSA	December 2018
Complete Environmental Clearance	June 2019
Complete Design	December 2019
Complete Construction	June 2020

NOTIFICATION

Publication of agenda

PREPARATION OF STAFF REPORT

Prepared By:
John Kerenyi, P.E.
Senior Engineer

Department Head Approval:
Michael L. Wolfe, P.E.
Public Works Director/City Engineer

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer/Transportation Division Manager

CITY COUNCIL GOALS

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

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

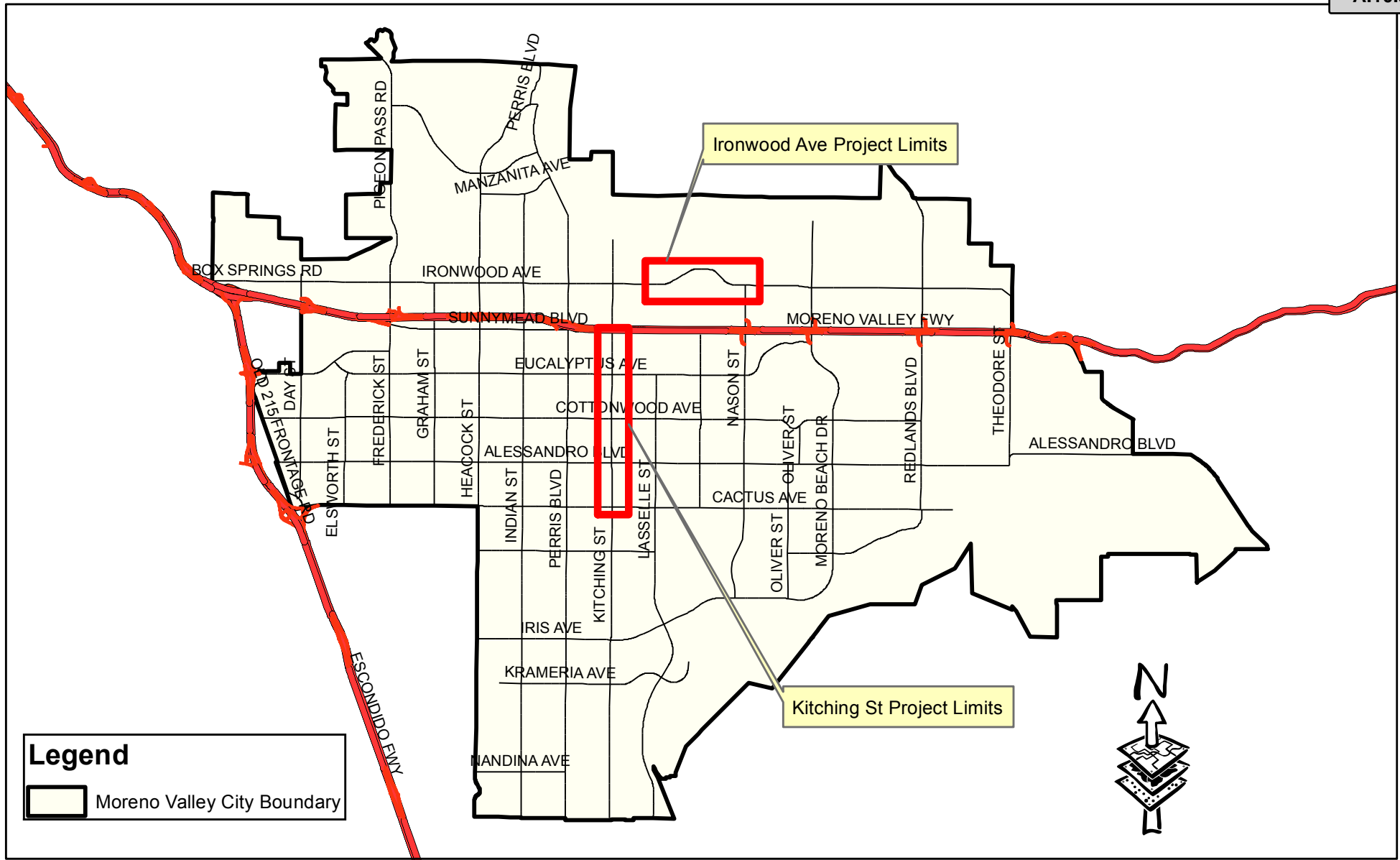
Objective 4.6: Advance the development of a well-connected and balanced citywide transportation network that serves all modes.

ATTACHMENTS

- 1. Vicinity Map for RSSAs
- 2. Consultant Agreement

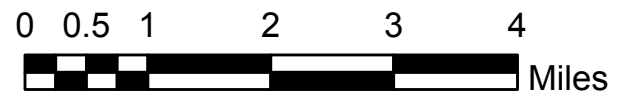
APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/07/18 6:28 PM
City Attorney Approval	<u>✓ Approved</u>	2/12/18 4:34 PM
City Manager Approval	<u>✓ Approved</u>	2/12/18 4:52 PM



Legend
 [Thick black line] Moreno Valley City Boundary

**Attachment 1:
Vicinity Map**



Attachment: Vicinity Map for RSSAs (2809) : AUTHORIZATION TO AWARD CONTRACT TO KIMLEY-HORN

**AGREEMENT FOR PROFESSIONAL
CONSULTANT SERVICES
FOR ROAD SAFETY AUDITS/ROAD SIGNING/STRIPING AUDITS ON IRONWOOD
AVENUE AND ON KITCHING STREET
PROJECTS 808 0019 AND 808 0020/HSIPL-5441(066) AND HSIPL-5441(067)**

This Agreement is by and between the City of Moreno Valley, California, a municipal corporation, hereinafter described as "City," and Kimley-Horn and Associates, Inc., a North Carolina corporation, hereinafter described as "Consultant." This Agreement is made and entered into effective on the date the City signs this Agreement.

RECITALS

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

WHEREAS, the City has determined the Project involves the performance of professional and technical services of a temporary nature as more specifically described in Exhibit A (Scope of Services) hereto; and

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

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

WHEREAS, the Consultant is professionally qualified in California to perform the professional and technical services required for the Project, and hereby represents that it desires to and is professionally and legally capable of performing the services called for by this Agreement;

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

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

DESCRIPTION OF PROJECT

1. The Project is described as professional consultant design services for two road safety audits/signing and striping audits. The limits of work are Ironwood Avenue from 500 feet west of Lassel Street to Nason Street, and Kitching Street from Sunnymead Boulevard to Alessandro Boulevard.

SCOPE OF SERVICES

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

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

PAYMENT TERMS

4. The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of \$101,890 in accordance with the payment terms provided on Exhibit D attached hereto and incorporated herein by this reference.

TIME FOR PERFORMANCE

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

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

7. This Agreement shall be effective from effective date and shall continue in full force and effect date through **December 31, 2020**, subject to any earlier termination in accordance with this Agreement. The services of Consultant shall be completed in a sequence assuring expeditious completion, but in any event, all such services shall be

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

completed prior to expiration of this Agreement.

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

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

SPECIAL PROVISIONS

9. It is understood and agreed that the Consultant is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Consultant or any individual whose compensation for services is paid by the Consultant, an agent or employee of the City, or authorizing the Consultant to create or assume any obligation or liability for or on behalf of the City.

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

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

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

13. To the extent required by controlling federal, state and local law, Consultant shall

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

not employ discriminatory practices in the provision of services, employment of personnel, or in any other respect on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era. Subject to the foregoing and during the performance of this Agreement, Consultant agrees as follows:

(a) Consultant will comply with all applicable laws and regulations providing that no person shall, on the grounds of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity made possible by or resulting from this Agreement.

(b) Consultant will not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era. Consultant shall ensure that applicants are employed, and the employees are treated during employment, without regard to their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era. Such requirement shall apply to Consultant's employment practices including, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provision of this nondiscrimination clause.

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

(c) Consultant will, in all solicitations or advertisements for employees placed by or on behalf of Consultant in pursuit hereof, state that all qualified applicants will receive consideration for employment without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era.

(d) If Consultant should subcontract all or any portion of the services to be performed under this Agreement, Consultant shall cause each subcontractor to also comply with the requirements of this Section 13.

14. To the furthest extent allowed by law (including California Civil Code section 2782.8 if applicable), Consultant shall indemnify, hold harmless and defend the City, the Moreno Valley Community Services District ("CSD"), the Moreno Valley Housing Authority (MVHA) and each of their officers, officials, employees, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage), and from any and all claims, demands and actions in law or equity (including reasonable attorney's fees and litigation expenses) that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of Consultant, its principals, officers, employees, agents or volunteers in the performance of this Agreement.

If Consultant should subcontract all or any portion of the services to be performed under this Agreement, Consultant shall require each subcontractor to indemnify, hold harmless and defend City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers in accordance with the terms of the preceding paragraph.

This section shall survive termination or expiration of this Agreement.

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

15. Insurance.

(a) Throughout the life of this Agreement, Consultant shall pay for and maintain in full force and effect all insurance as required in Exhibit E or as may be authorized in writing by the City Manager or his/her designee at any time and in his/her sole discretion.

(b) If at any time during the life of the Agreement or any extension, Consultant or any of its subcontractors fail to maintain any required insurance in full force and effect, all services and work under this Agreement shall be discontinued immediately, and all payments due or that become due to Consultant shall be withheld until notice is received by City that the required insurance has been restored to full force and effect and that the premiums therefore have been paid for a period satisfactory to City. Any failure to maintain the required insurance shall be sufficient cause for City to terminate this Agreement. No action taken by City pursuant to this section shall in any way relieve Consultant of its responsibilities under this Agreement. The phrase "fail to maintain any required insurance" shall include, without limitation, notification received by City that an insurer has commenced proceedings, or has had proceedings commenced against it, indicating that the insurer is insolvent.

(c) The fact that insurance is obtained by Consultant shall not be deemed to release or diminish the liability of Consultant, including, without limitation, liability under the indemnity provisions of this Agreement. The duty to indemnify City shall apply to all claims and liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by Consultant. Approval or purchase of any insurance contracts or policies shall in no way relieve from liability nor limit the liability of Consultant, its principals, officers, agents, employees, persons under the supervision of Consultant, vendors, suppliers, invitees, consultants, sub-consultants, subcontractors, or anyone employed directly or indirectly by any of them.

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

(d) Upon request of City, Consultant shall immediately furnish City with a complete copy of any insurance policy required under this Agreement, including all endorsements, with said copy certified by the underwriter to be a true and correct copy of the original policy. This requirement shall survive expiration or termination of this Agreement.

(e) If Consultant should subcontract all or any portion of the services to be performed under this Agreement, Consultant shall require each subcontractor to provide insurance protection in favor of City and each of its officers, officials, employees, agents and volunteers in accordance with the terms of this section, except that any required certificates and applicable endorsements shall be on file with Consultant and City prior to the commencement of any services by the subcontractor.

16. The waiver by either party of a breach by the other of any provision of this Agreement shall not constitute a continuing waiver or a waiver of any subsequent breach of either the same or a different provision of this Agreement. No provisions of this Agreement may be waived unless in writing and signed by all parties to this Agreement. Waiver of any one provision herein shall not be deemed to be a waiver of any other provision herein.

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

18. (a) The Consultant shall deliver to the Public Works Director of the City or his designated representative, fully completed and detailed project-related documents which shall become the property of the City. The Consultant may retain, for its files, copies of any and all material, including drawings, documents, and specifications, produced by the Consultant in performance of this Agreement.

(b) The Consultant shall be entitled to copies of all furnished materials for his files and his subconsultants, if any.

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

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

19. (a) This Agreement shall terminate without any liability of City to Consultant upon the earlier of: (i) Consultant's filing for protection under the federal bankruptcy laws, or any bankruptcy petition or petition for receiver commenced by a third party against Consultant; (ii) 10 calendar days prior written notice with or without cause by City to Consultant; (iii) City's non-appropriation of funds sufficient to meet its obligations hereunder during any City fiscal year of this Agreement, or insufficient funding for the Project; or (iv) expiration of this Agreement. The written notice shall specify the date of termination. Upon receipt of such notice, the Consultant may continue services on the project through the date of termination, provided that no service(s) shall be commenced or continued after receipt of the notice, which is not intended to protect the interest of the City. The City shall pay the Consultant within thirty (30) days after the date of termination for all non-objected to services performed by the Consultant in accordance herewith through the date of termination. Consultant shall not be paid for any work or services performed or costs incurred which reasonably could have been avoided.

(b) In the event of termination due to failure of Consultant to satisfactorily perform in accordance with the terms of this Agreement, City may withhold an amount that would otherwise be payable as an offset to, but not in excess of, City's damages caused by such failure. In no event shall any payment by City pursuant to this Agreement constitute a waiver by City of any breach of this Agreement which may then exist on the part of Consultant, nor

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

shall such payment impair or prejudice any remedy available to City with respect to the breach.

(c) Upon any breach of this Agreement by Consultant, City may (i) exercise any right, remedy (in contract, law or equity), or privilege which may be available to it under applicable laws of the State of California or any other applicable law; (ii) proceed by appropriate court action to enforce the terms of the Agreement; and/or (iii) recover all direct, indirect, consequential, economic and incidental damages for the breach of the Agreement. If it is determined that City improperly terminated this Agreement for default, such termination shall be deemed a termination for convenience.

(d) Consultant shall be liable for default unless nonperformance is caused by an occurrence beyond the reasonable control of Consultant and without its fault or negligence such as, acts of God or the public enemy, acts of City in its contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, unusually severe weather, and delays of common carriers. Consultant shall notify City in writing as soon as it is reasonably possible after the commencement of any excusable delay, setting forth the full particulars in connection therewith, and shall remedy such occurrence with all reasonable dispatch, and shall promptly give written notice to Administrator of the cessation of such occurrence.

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

21. A City representative shall be designated by the City and a Consultant representative shall be designated by the Consultant. The City representative and the Consultant representative shall be the primary contact person for each party regarding performance of this Agreement. The City representative shall cooperate with the Consultant,

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

and the Consultant's representative shall cooperate with the City in all matters regarding this Agreement and in such a manner as will result in the performance of the services in a timely and expeditious fashion.

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

23. Where the payment terms provide for compensation on a time and materials basis, the Consultant shall maintain adequate records to permit inspection and audit of the Consultant's time and materials charges under this Agreement. The Consultant shall make such records available to the City at the Consultant's office during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records. Except as may be otherwise required by law, such records will be available only to the City. Such records shall be maintained by the Consultant for three (3) years following completion of the services under this Agreement.

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

25. (a) Consultant shall comply, and require its subcontractors to comply, with all applicable (i) professional canons and requirements governing avoidance of impermissible client conflicts; and (ii) federal, state and local conflict of interest laws and regulations including, without limitation, California Government Code Section 1090 et. seq., the California Political Reform Act (California Government Code Section 87100 et. seq.) and the regulations of the Fair Political Practices Commission concerning disclosure and disqualification (2

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

California Code of Regulations Section 18700 et. seq.). At any time, upon written request of City, Consultant shall provide a written opinion of its legal counsel and that of any subcontractor that, after a due diligent inquiry, Consultant and the respective subcontractor(s) are in full compliance with all laws and regulations. Consultant shall take, and require its subcontractors to take, reasonable steps to avoid any appearance of a conflict of interest. Upon discovery of any facts giving rise to the appearance of a conflict of interest, Consultant shall immediately notify City of these facts in writing.

(b) In performing the work or services to be provided hereunder, Consultant shall not employ or retain the services of any person while such person either is employed by City or is a member of any City council, commission, board, committee, or similar City body. This requirement may be waived in writing by the City Manager, if no actual or potential conflict is involved.

(c) Consultant represents and warrants that it has not paid or agreed to pay any compensation, contingent or otherwise, direct or indirect, to solicit or procure this Agreement or any rights/benefits hereunder.

(d) Neither Consultant, nor any of Consultant's subcontractors performing any services on this Project, shall bid for, assist anyone in the preparation of a bid for, or perform any services pursuant to, any other contract in connection with this Project unless fully disclosed to and approved by the City Manager, in advance and in writing. Consultant and any of its subcontractors shall have no interest, direct or indirect, in any other contract with a third party in connection with this Project unless such interest is in accordance with all applicable law and fully disclosed to and approved by the City Manager, in advance and in writing. Notwithstanding any approval given by the City Manager under this provision, Consultant shall remain responsible for complying with Section 25(a), above.

**AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 808 0019 AND 808 0020
FEDERAL PROJECT NO. HSIPL-5441(066) AND HSIPL-5441(067)**

(e) If Consultant should subcontract all or any portion of the work to be performed or services to be provided under this Agreement, Consultant shall include the provisions of this Section 25 in each subcontract and require its subcontractors to comply therewith.

(f) This Section 25 shall survive expiration or termination of this Agreement.

26. All Plans, drawings, Specifications, reports, logs, and other documents prepared by the Consultant in its performance under this Agreement shall, upon completion of the project, be delivered to and be the property of the City, provided that the Consultant shall be entitled, at its own expense, to make copies thereof for its own use.

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

28. The Consultant shall comply with the supplementary Federal provisions described on Exhibit F (Supplemental General Conditions) and Exhibit G (Caltrans Supplementary Conditions) attached hereto and incorporated by this reference.

SIGNATURE PAGE FOLLOWS

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

City of Moreno Valley

Kimley-Horn and Associates, Inc.

BY: _____
City Manager

Date

BY: _____
Name: _____
TITLE: _____
(President or Vice President)

Date

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

BY: _____
Name: _____
TITLE: _____
(Corporate Secretary)

Date

Attachment: Consultant Agreement (2809 : AUTHORIZATION TO AWARD CONTRACT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR SAFETY

Moreno Valley RSAs and RSSA
Exhibit A
Scope of Services

Task 1. RSSA Project Initiation, Administration, and Data Collection

1.1 – Develop QA/QC Plan

At the onset of the project, Kimley-Horn will prepare and implement a project-specific Quality Assurance/Quality Control (QA/QC) Plan that will outline QA/QC procedures for project deliverables, budgets, and schedules. Our QA/QC program assigns experienced, senior professionals, who are qualified to conduct the project, to serve only in a quality control role.

Our internal QA/QC program will include:

- An internal kick-off meeting with key team members to clearly define scope of services, subtask responsibilities, schedules (including QC/QA reviews), and critical milestones and goals.
- Supporting calculations, text, or data used to develop a project element will be signed and dated by the individual involved when the work is performed.
- Telephone conversations and meetings will be documented and files of correspondence and memoranda will be maintained.
- Documents will be reviewed and/or checked by our Quality Review team. We will check for clarity, accuracy, completeness, and scope compliance. Any follow-up activity required will be noted and initiated as appropriate.
- Maintain an inventory of comments received. This data will be fed into our checklist system, which will identify the person responsible for dealing with the comment, the schedule for addressing the comment, and the status of disposition.
- The QC/QA program will include reviews conducted prior to submittals at each stage in the project.

1.2 – Project Management and Meetings

- This task includes general project administration, including management of project staff and subconsultants, quality control, and project accounting. Kimley-Horn shall be entitled to rely on the completeness and accuracy of all information provided by the City. The City shall provide all information requested by Kimley-Horn during the project, including but not limited to the following:
 - County collision data of sufficient detail to identify high accident, high priority locations
 - Identification of all fatal and severe injury collisions
 - County speed survey data

1.2.1 – Kick-Off Meeting

Upon Notice to Proceed, Kimley-Horn will coordinate and attend a project kick-off meeting with City staff to discuss both corridors. The primary purpose of this coordination step will be to confirm the City's expectations of the project, to identify and discuss critical issues, and to establish a mutually acceptable project schedule.

Kimley-Horn will participate in one additional face-to-face meeting with City staff. This meeting is anticipated to coincide with the draft RSSA report deliverable. Meeting participation includes preparation, coordination, attendance, and documentation.

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1.2.2 – Public Outreach Meeting

Kimley-Horn will attend one public outreach meeting. We will prepare presentation materials for the meeting, which will be submitted to the City for review. We have budgeted four (4) hours to prepare presentation materials. We will have one preparation meeting with the City to discuss the materials. We will provide the presentation materials to the City a week prior to the preparation meeting. We anticipate that the preparation meeting can be conducted via conference call. City to provide facility for the outreach meeting and notify potential attendees.

1.2.3 – Traffic Commission Meeting

Kimley-Horn will attend one Traffic Commission meeting to present the findings for both the Ironwood Avenue and Kitching Street projects. We will also prepare presentation materials for the traffic commission meeting, which will be submitted to the City for review.

We have budgeted four (4) hours to prepare presentation materials. We will have one preparation meeting with the City to discuss the materials. We will provide the presentation materials to the City at least a week prior to the preparation meeting. We anticipate that the preparation meeting can be conducted via conference call.

1.2.3 – Traffic Commission Meeting

Kimley-Horn will attend one meeting with Caltrans Local Assistance and Environmental staff to discuss the environmental clearance for both projects.

1.3 – Field Review of Existing Signs

The Kimley-Horn team will collect the existing field data necessary for this evaluation for the two corridors. These efforts are based on the following primary assumptions:

- Regulatory and Warning signs are included
- Street name signs are excluded
- Engineering and Traffic Studies to establish speed limits are not included
- Limited consideration for stopping and corner sight distance at roadway/driveway connections
- Limited consideration for stopping/passing sight distance analyses

These data collection activities are anticipated (all data sets will be compiled in ESRI GIS format)

- Our staff will travel the two corridors and examine each sign to collect sign location and retroreflectivity data. We will use RoadVista 922 or similar retroreflectometer to measure the retroreflectivity of each color on the sign (excluding black) to obtain an average value. We will check compliance of these values with MUTCD minimum retro-reflectivity requirements. A GPS coordinate will be collected to provide location along with distance to Edge of Travelled Way (ETW) or Edge of Pavement (EP).
- Ball-bank data will be collected via a vehicle-mounted Reiker Curve Advisory Reporting System (CARS). This system is FHWA MUTCD compliant and includes integrated GPS to geographically correlate curve radius, super elevation, location, date, and time.
- We will collect data for up to 200 Regulatory and Warning Signs as specified by the California Manual of Uniform Traffic Control Devices (MUTCD) on the project. This data will be extracted in the field. Attributes that will be compiled include:
 1. GPS coordinates (CCS83)

Moreno Valley RSAs and RSSA

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Scope of Services

2. Sign type (MUTCD designation or other specified)
 3. Sign colors (Foreground & Background)
 4. Sign category (per MUTCD)
 5. Sign size (per MUTCD standard specifications)
 6. Sign orientation using 8-point compass direction (of face of sign)
 7. Sign position as seen by traveling motorist
 8. Sign mount (post, multi-post, overhead, fence, other)
 9. Sign condition (bent, graffiti, holes, faded, etc.)
 10. Sign photos (2 per sign: contextual & close-up)
 11. Post type
 12. Post number (quantity of posts for sign structure)
 13. Post shared with other signs (yes or no)
 14. Post condition (good, bent, needs replacement, etc.)
- Retroreflectivity data will be downloaded from the Roadvista and correlated with attributes. Information will include:
 1. Location (GPS coordinates)
 2. Sign inventory number
 3. Observed reflectivity measurements
 - Raw data from CARS system will be downloaded. This information will include:
 1. Curve radius
 2. Super elevation
 3. Coordinates
 4. Date and time of observations

Task 1 Deliverables:

- Quality Assurance/Quality Control Plan
- Kick-Off Meeting Agenda and Summary
- Sign Inventory data in Shape file format
- Sign Inventory data in KMZ file format
- Sign Inventory data in Excel Comma Delimited format
- CARS method raw data

Task 2. Sign Evaluations and Recommendations

2.1 – New Sign Recommendations, Upgrades, and Relocations

Using the existing, readily available City collision and speed data (per Task 1) and field observations and review of the attributes collected in Task 1.3, the Kimley-Horn team will perform an evaluation of the existing signing along the two corridors. This evaluation will be primarily based on current published standards, guidance, and requirements per the current edition of the California Manual on Uniform Traffic Control Devices, Caltrans' Highway Design Manual, and other applicable City and/or Caltrans documentation.

The focus of this evaluation will be prioritized as follows:

1. High-accident locations as evident by the review of City collision data

Moreno Valley RSAs and RSSA

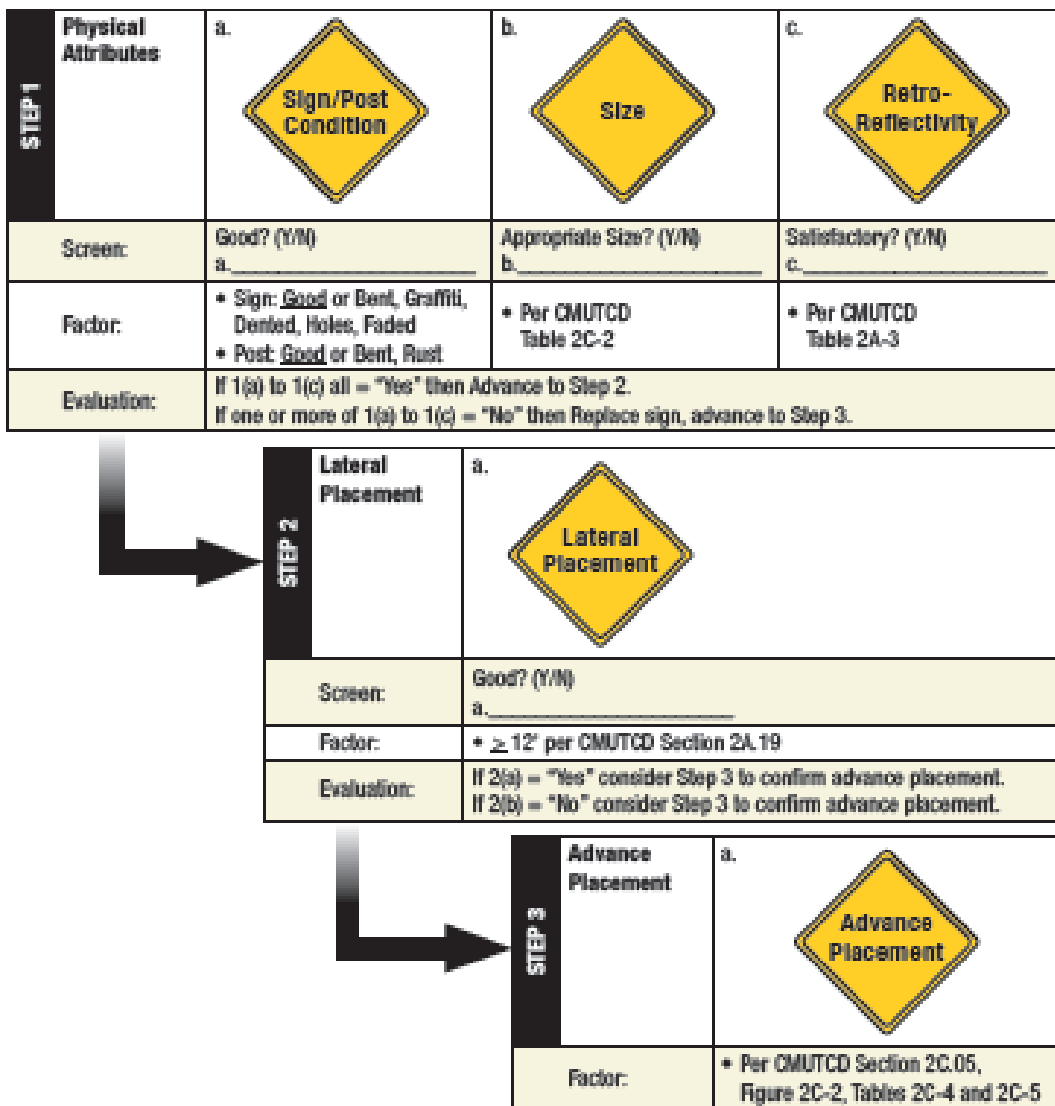
Exhibit A

Scope of Services

2. Deficient locations as determined by field observations, visual evidence, and/or information provided by the City
3. Locations with severe horizontal and/or vertical curvature
4. Others with a focus on uniform application of improvements and enhancements. Additional considerations include: application of guardrail, stopping/corner sight distance, and advance warning for high-volume side streets.

Through our experience on previous RSSA projects, we have developed the general sequence of evaluation criteria depicted in Exhibit 1 below. As shown, each warning sign will be evaluated based on its physical attributes (sign/post conditions, size, and retroreflectivity), lateral placement (proximity to edge of traveled way), and advance placement of particular horizontal and/or vertical roadway geometric conditions.

Exhibit 1



Moreno Valley RSAs and RSSA

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Scope of Services

Kimley-Horn will prepare a Draft RSSA Project Report in which the following information will be included:

- Overview of existing conditions including field observations, sign inventory findings, horizontal curve data, roadway striping conditions, and retroreflectivity information.
- Prioritized list of improvements, including opinions of probable cost estimates, anticipated to include both relocations/modifications to existing conditions, and recommendations for new devices.
- Graphics/exhibits depicting existing conditions and recommended improvements.

The Draft RSSA Project Report will be submitted electronically (in PDF format) to the City for review and comment. Kimley-Horn will produce a Final RSSA Project Report based on one set of consolidated, non-conflicting comments received from the City on the Draft Report. We will prepare and submit an electronic (in PDF format) and up to four bound hard copies of the Final Report. The Final Report deliverable will also include a GIS layer in which the attributes of the corridors' signs are provided.

Task 2 Deliverables:

- Draft RSSA Project Report (PDF format only)
- Final RSSA Project Report (PDF and up to four hard copies)
- GIS shapefile reflecting attributes for the subject traffic devices

Task 3. Road Safety Audit (RSA)

Prepare an RSA for Ironwood Avenue from Lasselle Street to Nason Street and for Kitching Street from Sunnymead Boulevard to Alessandro Boulevard.

3.1 – Identify Interdisciplinary RSA Team

We will work with City staff to identify an interdisciplinary RSA team. The RSA team will provide insight to certain site and crash characteristics depending on the individual's expertise.

Task 3.1 Deliverables:

- List of potential RSA team members contacted with their corresponding profession and area of expertise, agency, email address, and phone number, reason for acceptance or decline
- Invitation letter/memo or copy of e-mail sent to potential RSA team members
- List of selected RSA team members
- RSA schedule

3.2 – Prepare Relevant Data and Documents

We will prepare the relevant crash data and documents for the RSA team to review for each corridor. This is intended to isolate and review the individual roadway components to be assessed.

Task 3.2 Deliverables:

- Compiled copy of relevant data and documents distributed to each team member

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3.3 – Conduct RSA Briefing Meeting

The meeting will be organized approximately three weeks in advance so RSA team members can participate. Prior to performing the field review, we will organize and communicate transportation arrangements to RSA team members. We will identify key roles in the field, such as notetaker and photographer. Kimley-Horn will provide RSA prompt lists to team members.

The Kimley-Horn team will develop an RSA prompt list specific to each RSA that is based on FHWA RSA Guidelines for the specific type of RSA (pedestrian, bicycle, motorcycle, etc.).

Task 3.3 Deliverables:

- Meeting minutes

3.4 – Perform Field Reviews

Kimley-Horn team leaders will facilitate discussion among the team to identify crash mitigation strategies. The team leader will review the site before the RSA team so data collection and field inventory efforts can be accomplished efficiently prior to the full study team reviewing the location. The team leader will be present to facilitate the RSA team field review. The RSA team will have exhibits and prompt lists on hand during the field review with relevant project information to focus efforts on issues and suggestions that address the severe crashes throughout the project site. The RSA team will collect the following information, as appropriate, during each field review:

- Roadway and intersection configurations
- Digital still photographs of the corridor's typical section, identified issues, and intersection approaches

Task 3.4 Deliverables:

- Photos, field review notes, and team member sketches

3.5 – Conduct Debriefing Meeting

The notetaker will use a spreadsheet form to uniformly capture all critical information for each issue identified in the field. The form has fields for location, issue, suggestion, and priority. The RSA team then reviews and updates this form during the debriefing meeting. In addition, photos will be available for review during the debriefing meeting to aid discussion and suggestions for each issue and to help build consensus.

Task 3.5 Deliverables:

- RSA team findings and safety improvement suggestions
- Lists of comments, observations, and suggestions not considered by the audit team in spreadsheet format

Tasks 3.3 to 3.5 are intended to be conducted with the RSA team over a 1½ to 2-day period starting with the Briefing Meeting, followed by the field review during the day. We also plan to drive the corridors at night to see the effects of the street lighting. We typically follow this up with a morning field visit to observe the peak traffic and close with the Debriefing Meeting.

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3.6 – Conduct RSA Cost Analysis

The Kimley-Horn team will apply the Highway Safety Manual (HSM) on pilot projects to estimate the predicted crash reduction for each safety countermeasure and the associated societal benefit.

We will then develop opinions on benefit/cost ratios for crash countermeasures to provide the City with a list of suggestive countermeasures. We will provide an opinion of the project cost using project cost from similar projects in Moreno Valley and surrounding areas.

Task 3.6 Deliverables:

- Cost analysis results
- List of safety improvement suggestions by priority and category

3.7 – Prepare Draft RSA Findings Report

Kimley-Horn will develop the Draft RSA Findings Report for each study location for review and comment by the field review team. The report will include the following as a minimum:

- Overview of intersection and corridor characteristics with location map
- Aerial photos/sketches of critical design and traffic control device features and measurements, and signal timing information if applicable
- A summary of issues and suggestions with photos
- Preliminary opinions of probable cost estimates for recommended improvements
- Crash reduction benefits calculated using the procedures in the HSM for the countermeasures with documented crash modification factors (CMFs)
- Computation of opinions of benefit/cost ratio based on societal benefit of the reduction in crashes derived from recommended improvements where possible

The Draft RSA Findings Report will undergo a quality assurance/quality control (QA/QC) review from an independent senior team member.

Task 3.7 Deliverable:

- Draft RSA Findings Report

3.8 – Present Draft RSA Findings Report

After completing the Draft RSA Findings Report, the team leader (team members may be present) will present the RSA findings to the City.

Task 3.8 Deliverables:

- Presentation of Draft RSA Findings Report
- Meeting minutes

3.9 – Final RSA Findings Report Submission

The team leader will respond to questions or comments provided on the Draft RSA Findings Report and will prepare the Final RSA Draft Findings Report. We have budgeted 8 hours of effort for this task.

Original copies of the wet-stamped RSA Report will be delivered to the City. In addition, a PDF of the document will be sent via email to the City's PM and all RSA team members.

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Task 3.9 Deliverables:

- Final RSA Findings Report (hard copy) and a CD containing the final report (Word document and PDF) and all photos

3.10 – Conduct Post-RSA Meeting with City

The Kimley-Horn team will have a post-RSA meeting with the City via conference call. We will prepare a lessons-learned summary for the project.

Task 3.10 Deliverables:

- Meeting minutes from the post-RSA meeting
- Lessons-learned summary sheet

Task 4. Environmental

The following environmental scope of services is based on the following key assumptions:

- CEQA compliance documentation will be prepared by City staff for both projects.
- Supporting resource screening documents will be developed pursuant to both NEPA and CEQA guidelines as administered by Caltrans.
- One project design alternative will be evaluated through environmental review.
- A Preliminary Environmental Study (PES) is all that will be required for approval and no technical studies will be required. Technical studies can be provided as an additional service.

Kick-off Meeting and Information Gathering

Our work program will be initiated with the kick-off meeting/discussion which will define the parameters of the analysis, scheduling, and understanding of the projects. The Kimley-Horn Team will evaluate the necessary information with respect to the projects. Project research will include coordination with appropriate City departments to acquire relevant readily available environmental data, previous studies for the area and other available files, exhibits, maps, and reference documents. Environmental issues that may require further detailed study or that may delay or affect the viability of the projects will be documented.

Preliminary Environmental Study (PES)

A key factor in the projects' NEPA clearance will be consistency and compliance with Caltrans' Environmental Handbook which provides Caltrans' guidance for the development and processing of federal environmental documentation. The initial and most critical step involves the successful preparation of a Preliminary Environmental Study (PES) Form. A PES will be drafted for each of the two projects by Kimley-Horn staff as part of the scope of work. The PES identifies the necessary level of technical assessment required to support the environmental documentation for each project and generally summarizes specific environmental issues that may affect project approval, programming, scheduling, design considerations, and project costs.

Environmental issues that may require further study would be documented in the PES for City/Caltrans concurrence prior to the initiation of the NEPA documentation. Kimley-Horn will draft a PES Form for each of the two projects and submit the forms to the City. Upon City review, the PES forms will be submitted to Caltrans for review and approval. Consistent with the RFP, Kimley-Horn will attend one

Moreno Valley RSAs and RSSA

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meeting with Caltrans staff. This meeting could occur in the field to visit the project sites and receive comments on the PES forms. The Caltrans approved PES forms will act as the work scope for the required NEPA compliance documentation.

Technical Analyses

Based upon our preparation of environmental documentation for road safety audits and a review of the projects as presented in the RFP, Kimley-Horn anticipates that the following technical topics would be addressed by Caltrans staff, or within the context of the environmental document which is anticipated to be a Categorical Exemption (CE) under CEQA and a Categorical Exclusion (CatEx) under NEPA. It is our understanding that the technical analyses will be prepared to support both the CE and the CatEx; however, the City will prepare the CE for CEQA purposes. Should the City and Caltrans review the PES forms and require more analysis on the following resources, Kimley-Horn can provide this analysis under a separate scope of work and fee.

- Air quality can be addressed within the context of the environmental document (CE/CatEx) for construction purposes and would not require a technical study. In addition, the project is exempt from air quality conformity based on 40 CFR 93.126, Table 2, which lists HSIP implementation projects, as exempt from the requirement that a conformity determination be made.
- Noise can be addressed within the context of the environmental document (CE/CatEx) for construction purposes and would not require a technical study.
- For cultural resources, based on the nature of the projects, a Screened Undertaking, would be prepared by Caltrans PQS. If during the PES process, Caltrans PQS staff determines that one or both projects requires an APE map and HPSR/ASR, Kimley-Horn is prepared to do so, and can provide a separate scope and fee.
- Traffic impacts during construction can be addressed within the context of the environmental document (CE/CatEx) and would not require a technical study.
- Water quality can be addressed within the context of the environmental document (CE/CatEx) for construction purposes because the project sites are within FEMA Zone X and do not cross a water resource; therefore, a technical study would not be required.
- Location Hydraulic Study/Summary Floodplain Encroachment Reports will not be required because the entire length of both project sites is within FEMA Zone X.
- Land Use and Community Impact Technical Memorandum will not be required because the projects are proposed to implement safety features to reduce the frequency of collisions along these roadway segments. However, if during the PES process, Caltrans determines that documentation of the benefit to the community is necessary, a technical memorandum can be prepared. Kimley-Horn can provide this analysis under a separate scope of work and fee.

NEPA Compliance

Kimley-Horn will compile a technical package of materials to provide to Caltrans in support of the NEPA CatEx. This package will include the supporting technical studies identified above, as well as the City's approved CEQA CE. This Scope of Work assumes that Caltrans will draft the NEPA CatEx and Draft Environmental Commitments Record (ECR), if necessary. Should any of the studies identify the need to

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prepare the more time consuming Environmental Assessment, a separate scope and fee will be provided to the City.

Deliverables for Task 4:

- Draft PES for City review (one round of review; electronic transmittal)
- Revised PES for City and Caltrans review (one round of concurrent review; electronic transmittal)
- Final PES to Caltrans (electronic transmittal to Caltrans)

Task 5. Plans, Specifications, and Estimates

5.1 – Prepare Signing and Striping Plans

We will prepare signing and striping plans for Ironwood Avenue from 500' west of Lasselle Street to Nason Street and along Kitching Street between Sunnymead Boulevard and Alessandro Boulevard. The signing and striping plans will be prepared in accordance with current City of Moreno Valley and Caltrans standards at 40 scale (1"=40') using AutoCAD 2015 version drafting software on ten (10), 24" x 36", full-size sheets. We anticipate up to six sheets for Ironwood Avenue and up to four double stacked sheets for Kitching Street. We will address one round of consolidated comments from the City on the 60% submittal and from the 90% submittal.

5.2– Specifications

Kimley-Horn will prepare technical specifications based upon a boiler plate supplied by the City. Bid items required by the plans will be described in the General Provisions and included in the Contractor's bid list. Technical provisions will contain detail in coordination with the plans and will reference the Greenbook, Caltrans, or other appropriate specifications.

5.3 – Opinion of Probable Construction Cost

Our team will prepare an opinion of probable construction cost for comparison to the project budget. Measurement of units will be contained in the specifications with additional detail for lump sum items. Unit prices will be derived from current bid information on similar work within the area. Backup information will be submitted along with the estimate if requested for City record and concurrence.

Task 5 Deliverables:

- 60% Submittal – Design Plans and Estimates
- 90% Submittal – Design PS&E
- 100% Final Submittal – Design PS&E

Task 6. Construction Stage Services

6.1 – Construction Support

Assist the City during the construction period by attending meetings, answering contractor's RFIs, reviewing submittals, reviewing shop drawings, conducting field observations and preparing addendums and clarifications. This also includes assisting in interpretation of bid documents, review of change

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orders and review of changed conditions in the field. We are budgeting up to 15 hours of effort for construction support. **Assumptions/Exclusions include the following:**

1. Street Improvement plans are not included.
2. Utility potholing is not included.
3. Utility relocation designs are not anticipated to be necessary.
4. ADA improvements are not included.
5. Mass copying for bid sets or other items is not anticipated.
6. No traffic control will be necessary.
7. City will provide all access and permits as necessary.
8. Record drawings are not included.

EXHIBIT C**CITY - SERVICES TO BE PROVIDED
TO CONSULTANT**

1. Furnish the Consultant all in-house data which is pertinent to services to be performed by the Consultant and which is within the custody or control of the City, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the City.
2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Consultant.
3. Provide timely City staff liaison with the Consultant when requested and when reasonably needed.

EXHIBIT D

TERMS OF PAYMENT

1. The Consultant's compensation shall not exceed \$101,890.
2. The Consultant will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: <http://www.moval.org/biz-lic>.
3. The Consultant will electronically submit an invoice to the City along with documentation evidencing services completed to date as specified in the Request for Proposal. Progress payments will be made in accordance with the payment schedule outlined in the Request for Proposal, but in no case will progress payments be made to the Consultant more frequently than once per month. The progress payment is based on actual time and materials expended in furnishing authorized professional services during the preceding calendar month. At no time will the City pay for more services than have been satisfactorily completed and the City Engineer's determination of the amount due for any progress payment shall be final. The consultant will submit all original invoices to Accounts Payable staff at TechInfo-CapProj@moval.org. Accounts Payable questions can be directed to (951) 413-3130.
4. The Consultant agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid

because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at:

http://www.moval.org/city_hall/forms.shtml#bf

5. The minimum information required on all invoices is:
 - A. Vendor Name, Mailing Address, and Phone Number
 - B. Invoice Date
 - C. Vendor Invoice Number
 - D. City-provided Reference Number (e.g. Project, Activity)
 - E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.
6. The City shall pay the Consultant for all invoiced, authorized professional services within forty-five (45) days of receipt of the invoice for same.

EXHIBIT E

INSURANCE REQUIREMENTS

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. The most current version of Insurance Services Office (ISO) Commercial General Liability Coverage Form CG 00 01, which shall include insurance for “bodily injury,” “property damage” and “personal and advertising injury” with coverage for premises and operations, products and completed operations, and contractual liability.
2. The most current version of Insurance Service Office (ISO) Business Auto Coverage Form CA 00 01, which shall include coverage for all owned, hired, and non-owned automobiles or other licensed vehicles (Code 1- Any Auto).
3. Workers’ Compensation insurance as required by the California Labor Code and Employer’s Liability Insurance.
4. Professional Liability (Errors and Omissions) insurance appropriate to Consultant’s profession.

Minimum Limits of Insurance

Consultant shall maintain limits of liability of not less than:

1. General Liability:
 - \$1,000,000 per occurrence for bodily injury and property damage
 - \$1,000,000 per occurrence for personal and advertising injury
 - \$2,000,000 aggregate for products and completed operations
 - \$2,000,000 general aggregate
2. Automobile Liability:
 - \$1,000,000 per accident for bodily injury and property damage
3. Employer’s Liability:
 - \$1,000,000 each accident for bodily injury
 - \$1,000,000 disease each employee
 - \$1,000,000 disease policy limit

Attachment: Consultant Agreement (2809 : AUTHORIZATION TO AWARD CONTRACT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR SAFETY

4. Professional Liability (Errors and Omissions):

\$1,000,000 per claim/occurrence
\$2,000,000 policy aggregate

Umbrella or Excess Insurance

In the event Consultant purchases an Umbrella or Excess insurance policy(ies) to meet the "Minimum Limits of Insurance," this insurance policy(ies) shall "follow form" and afford no less coverage than the primary insurance policy(ies).

Deductibles and Self-Insured Retentions

Consultant shall be responsible for payment of any deductibles contained in any insurance policy(ies) required hereunder and Consultant shall also be responsible for payment of any self-insured retentions. Any deductibles or self-insured retentions must be declared to, and approved by, the City Manager or his/her designee. At the option of the City Manager or his/her designee, either (i) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers; or (ii) Consultant shall provide a financial guarantee, satisfactory to the City Manager or his/her designee, guaranteeing payment of losses and related investigations, claim administration and defense expenses. At no time shall City be responsible for the payment of any deductibles or self-insured retentions.

Other Insurance Provisions

The General Liability and Automobile Liability insurance policies are to contain, or be endorsed to contain, the following provisions:

1. City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers are to be covered as additional insureds.
2. The coverage shall contain no special limitations on the scope of protection afforded to City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers.
3. Consultant's insurance coverage shall be primary and no contribution shall be required of City.

The Workers' Compensation insurance policy is to contain, or be endorsed to contain, the following provision: Consultant and its insurer shall waive any right of subrogation against City, CSD, Housing Authority and each of their officers, officials, employees, agents and volunteers.

If the Professional Liability (Errors and Omissions) insurance policy is written on a claims-made form:

1. The retroactive date must be shown, and must be before the effective date of the Agreement or the commencement of work by Consultant.
2. Insurance must be maintained and evidence of insurance must be provided for at least 3 years after any expiration or termination of the Agreement or, in the alternative, the policy shall be endorsed to provide not less than a 3-year discovery period.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the effective date of the Agreement or the commencement of work by Consultant, Consultant must purchase extended reporting coverage for a minimum of 3 years following the expiration or termination of the Agreement.
4. A copy of the claims reporting requirements must be submitted to City for review.
5. These requirements shall survive expiration or termination of the Agreement.

All policies of insurance required hereunder shall be endorsed to provide that the coverage shall not be cancelled, non-renewed, reduced in coverage or in limits except after 30 calendar day written notice by certified mail, return receipt requested, has been given to City. Upon issuance by the insurer, broker, or agent of a notice of cancellation, non-renewal, or reduction in coverage or in limits, Consultant shall furnish City with a new certificate and applicable endorsements for such policy(ies). In the event any policy is due to expire during the work to be performed for City, Consultant shall provide a new certificate, and applicable endorsements, evidencing renewal of such policy not less than 15 calendar days prior to the expiration date of the expiring policy.

Acceptability of Insurers

All policies of insurance required hereunder shall be placed with an insurance company(ies) admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-VII" in Best's Insurance Rating Guide; or authorized by the City Manager or his/her designee.

Verification of Coverage

Consultant shall furnish City with all certificate(s) and **applicable endorsements** effecting coverage required hereunder. All certificates and **applicable endorsements** are to be received and approved by the City Manager or his/her designee prior to City's execution of the Agreement and before work commences.

**EXHIBIT F
CITY OF MORENO VALLEY
SUPPLEMENTARY GENERAL CONDITIONS**

The following provisions, pursuant to 44 Code of Federal Regulations, Part 13, Subpart C, Section 13.36, as it may be amended from time to time, are included in the Agreement and are required to be included in all subcontracts entered into by CONTRACTOR for work pursuant to the Agreement, unless otherwise expressly provided herein. These provisions supersede any conflicting provisions in the General Conditions and shall take precedence over the General Conditions for purposes of interpretation of the General Conditions. These provisions do not otherwise modify or replace General Conditions not in direct conflict with these provisions. Definitions used in these provisions are as contained in the General Conditions.

- (1) CONTRACTOR shall be subject to the administrative, contractual, and legal remedies provided in the General Conditions in the event CONTRACTOR violates or breaches terms of the Agreement.
- (2) CITY may terminate the Agreement for cause or for convenience, and CONTRACTOR may terminate the Agreement, as provided the General Conditions.
- (3) CONTRACTOR shall comply with Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity, as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by CITY and/or subcontracts in excess of \$10,000 entered into by CONTRACTOR.)
- (4) CONTRACTOR shall comply with the Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and subcontracts for construction or repair.)
- (5) CONTRACTOR shall comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a7) as supplemented by Department of Labor regulations (29 CFR Part 5).
- (6) CONTRACTOR shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327330) as supplemented by Department of Labor regulations (29 CFR Part 5).
- (7) CONTRACTOR shall observe CITY requirements and regulations pertaining to reporting included in the General Conditions.
- (8) Patent rights with respect to any discovery or invention which arises or is developed in the course of or under the Agreement shall be retained by the CITY.
- (9) Copyrights and rights in data developed in the course of or under the Agreement shall be the property of the CITY. FEMA/CalOES reserve a royalty-free, nonexclusive, irrevocable license to reproduce, publish or otherwise use or authorize to others to use for federal purposes a copyright

in any work developed under the Agreement and/or subcontracts for work pursuant to the Agreement.

- (10) CONTRACTOR shall provide access by the City, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
- (11) CONTRACTOR shall retain all required records for three years after CITY makes final payments and all other pending matters relating to the Agreement are closed.
- (12) CONTRACTOR shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (This provision applies to contracts exceeding \$100,000 and to subcontracts entered into pursuant to such contracts.)
- (13) CONTRACTOR shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94163, 89 Stat. 871).

EXHIBIT G
CITY OF MORENO VALLEY
CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANT)

The following provisions, pursuant to Caltrans Local Assistance Procedures Manual Chapter 10, Exhibit 10R, as it may be amended from time to time, are included in the Agreement. These provisions supersede any conflicting provisions in the General Conditions and shall take precedence over the General Conditions for purposes of interpretation of the General Conditions. These provisions do not otherwise modify or replace General Conditions not in direct conflict with these provisions. Definitions used in these provisions are as contained in the General Conditions.

- A. This contract is between the following named, hereinafter referred to as, CONSULTANT and the following named, hereinafter referred to as, LOCAL AGENCY:

The name of the "CONSULTANT" is as follows:

[Kimley-Horn and Associates, Inc.](#)
[6671 South Las Vegas Boulevard, Suite 320](#)
[Las Vegas, NV 89119](#)

Incorporated in the State of [North Carolina](#)

The Project Manager for the "CONSULTANT" will be

[Mike Colety, P.E., PTOE](#)

The name of the "LOCAL AGENCY" is as follows:

THE CITY OF MORENO VALLEY

Version 1.1 1

CALTRANS SUPPLEMENTARY GENERAL CONDITIONS (FOR CONSULTANTS)

The Contract Administrator for LOCAL AGENCY will be the **Public Works Director/City Engineer or his/her designee.**

ARTICLE IV PERFORMANCE PERIOD

- A. This contract shall go into effect on February 6, 2018 contingent upon approval by LOCAL AGENCY, and CONSULTANT shall commence work after notification to proceed by LOCAL AGENCY'S Contract Administrator. The contract shall end on December 31, 2020 unless extended by contract amendment.
- B. CONSULTANT is advised that any recommendation for contract award is not binding on LOCAL AGENCY until the contract is fully executed and approved by LOCAL AGENCY.

ARTICLE V ALLOWABLE COSTS AND PAYMENTS

- A. CONSULTANT will be reimbursed for hours worked at the hourly rates specified in CONSULTANTs Cost Proposal (Exhibit C). The specified hourly rates shall include direct salary costs, employee benefits, overhead, and fee. These rates are not adjustable for the performance period set forth in this Contract.
- B. In addition, CONSULTANT will be reimbursed for incurred (actual) direct costs other than salary costs that are in the cost proposal and identified in the cost proposal and in the executed Task Order.
- C. Reimbursement for transportation and subsistence costs shall not exceed the rates as specified in the approved Cost Proposal.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- D. When milestone cost estimates are included in the approved Cost Proposal, CONSULTANT shall obtain prior written approval for a revised milestone cost estimate from the Contract Administrator before exceeding such estimate.
- E. Progress payments will be made monthly in arrears based on services provided and actual costs incurred.
- F. CONSULTANT shall not commence performance of work or services until this contract has been approved by LOCAL AGENCY, and notification to proceed has been issued by LOCAL AGENCY'S Contract Administrator. No payment will be made prior to approval or for any work performed prior to approval of this contract.
- G. CONSULTANT will be reimbursed, as promptly as fiscal procedures will permit upon receipt by LOCAL AGENCY'S Contract Administrator of itemized invoices in triplicate. Separate invoices itemizing all costs are required for all work performed under each Task Order. Invoices shall be submitted no later than 45 calendar days after the performance of work for which CONSULTANT is billing, or upon completion of the Task Order. Invoices shall detail the work performed on each milestone, on each project as applicable. Invoices shall follow the format stipulated for the approved Cost Proposal and shall reference this contract number, project title and Task Order number. Credits due LOCAL AGENCY that include any equipment purchased under the provisions of Article XI Equipment Purchase of this contract, must be reimbursed by CONSULTANT prior to the expiration or

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- termination of this contract. Invoices shall be mailed to LOCAL AGENCY's Contract Administrator at the following address:
- H. City of Moreno Valley
 - I. Capital Projects
 - J. PO Box 88005
 - K. Moreno Valley, CA 92552-0805
 - L. techinfo-capproj@moval.org
- M. The period of performance for Task Orders shall be in accordance with dates specified in the Task Order. No Task Order will be written which extends beyond the expiration date of this Contract.
- N. The total amount payable by LOCAL AGENCY shall not exceed the amount agreed to, unless authorized by contract amendment.
- O. If the Consultant fails to satisfactorily complete a deliverable according to the schedule set forth in a Task Order, no payment will be made until the deliverable has been satisfactorily completed.

ARTICLE VI TERMINATION

- A. LOCAL AGENCY reserves the right to terminate this contract upon thirty (30) calendar days written notice to CONSULTANT with the reasons for termination stated in the notice.
- B. LOCAL AGENCY may terminate this contract with CONSULTANT should CONSULTANT fail to perform the covenants herein contained at the time and in the manner herein provided. In the event of such termination,

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

LOCAL AGENCY may proceed with the work in any manner deemed proper by LOCAL AGENCY. If LOCAL AGENCY terminates this contract with CONSULTANT, LOCAL AGENCY shall pay CONSULTANT the sum due to CONSULTANT under this contract prior to termination, unless the cost of completion to LOCAL AGENCY exceeds the funds remaining in the contract. In which case the overage shall be deducted from any sum due CONSULTANT under this contract and the balance, if any, shall be paid to CONSULTANT upon demand.

- C. The maximum amount for which the LOCAL AGENCY shall be liable if this contract is terminated is 0 dollars.

ARTICLE VII COST PRINCIPLES AND ADMINISTRATIVE REQUIREMENTS

- A. CONSULTANT agrees that the Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31.000 et seq., shall be used to determine the cost allowability of individual items.
- B. CONSULTANT also agrees to comply with federal procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- C. Any costs for which payment has been made to CONSULTANT that are determined by subsequent audit to be unallowable under 49 CFR, Part 18 and 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31.000 et seq., are subject to repayment by CONSULTANT to LOCAL AGENCY.

CALTRANS SUPPLEMENTARY GENERAL CONDITIONS (FOR CONSULTANTS)

ARTICLE VIII RETENTION OF RECORDS/AUDIT

For the purpose of determining compliance with Public Contract Code 10115, et seq. and Title 21, California Code of Regulations, Chapter 21, Section 2500 et seq., when applicable and other matters connected with the performance of the contract pursuant to Government Code 8546.7; CONSULTANT, subconsultants, and LOCAL AGENCY shall maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of the contract, including but not limited to, the costs of administering the contract. All parties shall make such materials available at their respective offices at all reasonable times during the contract period and for three years from the date of final payment under the contract. The state, State Auditor, LOCAL AGENCY, FHWA, or any duly authorized representative of the Federal Government shall have access to any books, records, and documents of CONSULTANT and its certified public accountants (CPA) work papers that are pertinent to the contract and indirect cost rates (ICR) for audit, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.

ARTICLE IX AUDIT REVIEW PROCEDURES

- A. Any dispute concerning a question of fact arising under an interim or post audit of this contract that is not disposed of by agreement, shall be reviewed by LOCAL AGENCY'S Chief Financial Officer.
- B. Not later than 30 days after issuance of the final audit report,

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- CONSULTANT may request a review by LOCAL AGENCY'S Chief Financial Officer of unresolved audit issues. The request for review will be submitted in writing.
- C. Neither the pendency of a dispute nor its consideration by LOCAL AGENCY will excuse CONSULTANT from full and timely performance, in accordance with the terms of this contract.
- D. CONSULTANT and subconsultant contracts, including cost proposals and ICR, are subject to audits or reviews such as, but not limited to, a contract audit, an incurred cost audit, an ICR Audit, or a CPA ICR audit work paper review. If selected for audit or review, the contract, cost proposal and ICR and related work papers, if applicable, will be reviewed to verify compliance with 48 CFR, Part 31 and other related laws and regulations. In the instances of a CPA ICR audit work paper review it is CONSULTANT's responsibility to ensure federal, state, or local government officials are allowed full access to the CPA's work papers including making copies as necessary. The contract, cost proposal, and ICR shall be adjusted by CONSULTANT and approved by LOCAL AGENCY contract manager to conform to the audit or review recommendations. CONSULTANT agrees that individual terms of costs identified in the audit report shall be incorporated into the contract by this reference if directed by LOCAL AGENCY at its sole discretion. Refusal by CONSULTANT to incorporate audit or review recommendations, or to ensure that the federal, state or local

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- governments have access to CPA work papers, will be considered a breach of contract terms and cause for termination of the contract and disallowance of prior reimbursed costs.
1. During a Caltrans' review of the ICR audit work papers created by the CONSULTANT's independent CPA, Caltrans will work with the CPA and/or CONSULTANT toward a resolution of issues that arise during the review. Each party agrees to use its best efforts to resolve any audit disputes in a timely manner. If Caltrans identifies significant issues during the review and is unable to issue a cognizant approval letter, LOCAL AGENCY will reimburse the CONSULTANT at a provisional ICR until a FAR compliant ICR {e.g. 48 CFR, part 31; GAGAS (Generally Accepted Auditing Standards); CAS (Cost Accounting Standards), if applicable; in accordance with procedures and guidelines of the American Association of State Highways and Transportation Officials Audit Guide; and other applicable procedures and guidelines} is received and approved by A&I. Provisional rates will be as follows:
 - a. If the proposed rate is less than 150% - the provisional rate reimbursed will be 90% of the proposed rate.
 - b. If the proposed rate is between 150% and 200% - the provisional rate will be 85% of the proposed rate.
 - c. If the proposed rate is greater than 200% - the provisional rate will be 75% of the proposed rate.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

2. If Caltrans is unable to issue a cognizant letter per paragraph E.1. above, Caltrans may require CONSULTANT to submit a revised independent CPA-audited ICR and audit report within three (3) months of the effective date of the management letter. Caltrans will then have up to six (6) months to review the CONSULTANT's and/or the independent CPA's revisions.
3. If the CONSULTANT fails to comply with the provisions of this Section E, or if Caltrans is still unable to issue a cognizant approval letter after the revised independent CPA-audited ICR is submitted, overhead cost reimbursement will be limited to the provisional ICR that was established upon initial rejection of the ICR and set forth in paragraph E.1. above for all rendered services. In this event, this provisional ICR will become the actual and final ICR for reimbursement purposes under this contract.
4. CONSULTANT may submit to LOCAL AGENCY final invoice only when all of the following items have occurred: (1) Caltrans approves or rejects the original or revised independent CPA-audited ICR; (2) all work under this contract has been completed to the satisfaction of LOCAL AGENCY; and, (3) Caltrans has issued its final ICR review letter. The CONSULTANT MUST SUBMIT ITS FINAL INVOICE TO local agency no later than 60 days after occurrence of the last of these items.

The provisional ICR will apply to this contract and all other contracts executed between LOCAL AGENCY and the CONSULTANT, either as a prime or subconsultant, with the same fiscal period ICR.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)****ARTICLE X SUBCONTRACTING**

- A. Nothing contained in this contract or otherwise, shall create any contractual relation between LOCAL AGENCY and any subconsultant(s), and no subcontract shall relieve CONSULTANT of its responsibilities and obligations hereunder. CONSULTANT agrees to be as fully responsible to LOCAL AGENCY for the acts and omissions of its subconsultant(s) and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by CONSULTANT. CONSULTANT's obligation to pay its subconsultant(s) is an independent obligation from LOCAL AGENCY'S obligation to make payments to the CONSULTANT.
- B. CONSULTANT shall perform the work contemplated with resources available within its own organization and no portion of the work pertinent to this contract shall be subcontracted without written authorization by LOCAL AGENCY's Contract Administrator, except that, which is expressly identified in the approved Cost Proposal.
- C. CONSULTANT shall pay its subconsultants within ten (10) calendar days from receipt of each payment made to CONSULTANT by LOCAL AGENCY.
- D. All subcontracts entered into as a result of this contract shall contain all the provisions stipulated in this contract to be applicable to subconsultants.
- E. Any substitution of subconsultant(s) must be approved in writing by LOCAL AGENCY's Contract Administrator prior to the start of work by the subconsultant(s).

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)****ARTICLE XI EQUIPMENT PURCHASE**

- A. Prior authorization in writing, by LOCAL AGENCY's Contract Administrator shall be required before CONSULTANT enters into any unbudgeted purchase order, or subcontract exceeding \$5,000 for supplies, equipment, or CONSULTANT services. CONSULTANT shall provide an evaluation of the necessity or desirability of incurring such costs.
- B. For purchase of any item, service or consulting work not covered in CONSULTANT's Cost Proposal and exceeding \$5,000 prior authorization by LOCAL AGENCY's Contract Administrator; three competitive quotations must be submitted with the request, or the absence of bidding must be adequately justified.
- C. Any equipment purchased as a result of this contract is subject to the following: "CONSULTANT shall maintain an inventory of all nonexpendable property. Nonexpendable property is defined as having a useful life of at least two years and an acquisition cost of \$5,000 or more. If the purchased equipment needs replacement and is sold or traded in, LOCAL AGENCY shall receive a proper refund or credit at the conclusion of the contract, or if the contract is terminated, CONSULTANT may either keep the equipment and credit LOCAL AGENCY in an amount equal to its fair market value, or sell such equipment at the best price obtainable at a public or private sale, in accordance with established LOCAL AGENCY procedures; and credit LOCAL AGENCY in an amount equal to the sales price. If CONSULTANT elects to

CALTRANS SUPPLEMENTARY GENERAL CONDITIONS (FOR CONSULTANTS)

keep the equipment, fair market value shall be determined at CONSULTANT's expense, on the basis of a competent independent appraisal of such equipment. Appraisals shall be obtained from an appraiser mutually agreeable to by LOCAL AGENCY and CONSULTANT, if it is determined to sell the equipment, the terms and conditions of such sale must be approved in advance by LOCAL AGENCY." 49 CFR, Part 18 requires a credit to Federal funds when participating equipment with a fair market value greater than \$5,000 is credited to the project.

ARTICLE XII STATE PREVAILING WAGE RATES

- A. CONSULTANT shall comply with the State of California's General Prevailing Wage Rate requirements in accordance with California Labor Code, Section 1770, and all Federal, State, and local laws and ordinances applicable to the work.
- B. Any subcontract entered into as a result of this contract, if for more than \$25,000 for public works construction or more than \$15,000 for the alteration, demolition, repair, or maintenance of public works, shall contain all of the provisions of this Article, unless the awarding agency has an approved labor compliance program by the Director of Industrial Relations.
- C. When prevailing wages apply to the services described in the scope of work, transportation and subsistence costs shall be reimbursed at the minimum rates set by the Department of Industrial Relations (DIR) as outlined in the applicable Prevailing Wage Determination. See <http://www.dir.ca.gov>.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

ARTICLE XIII CONFLICT OF INTEREST

- A. CONSULTANT shall disclose any financial, business, or other relationship with LOCAL AGENCY that may have an impact upon the outcome of this contract, or any ensuing LOCAL AGENCY construction project. CONSULTANT shall also list current clients who may have a financial interest in the outcome of this contract, or any ensuing LOCAL AGENCY construction project, which will follow.
- B. CONSULTANT hereby certifies that it does not now have, nor shall it acquire any financial or business interest that would conflict with the performance of services under this contract.
- C. CONSULTANT hereby certifies that neither CONSULTANT, nor any firm affiliated with CONSULTANT will bid on any construction contract, or on any contract to provide construction inspection for any construction project resulting from this contract. An affiliated firm is one, which is subject to the control of the same persons through joint-ownership, or otherwise.
- D. Except for subconsultants whose services are limited to providing surveying or materials testing information, no subconsultant who has provided design services in connection with this contract shall be eligible to bid on any construction contract, or on any contract to provide

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

construction inspection for any construction project resulting from this contract.

ARTICLE XIV REBATES, KICKBACKS OR OTHER UNLAWFUL CONSIDERATION

CONSULTANT warrants that this contract was not obtained or secured through rebates kickbacks or other unlawful consideration, either promised or paid to any LOCAL AGENCY employee. For breach or violation of this warranty, LOCAL AGENCY shall have the right in its discretion; to terminate the contract without liability; to pay only for the value of the work actually performed; or to deduct from the contract price; or otherwise recover the full amount of such rebate, kickback or other unlawful consideration.

ARTICLE XV PROHIBITION OF EXPENDING LOCAL AGENCY STATE OR FEDERAL FUNDS FOR LOBBYING

- A. CONSULTANT certifies to the best of his or her knowledge and belief that:
1. No state, federal or local agency appropriated funds have been paid, or will be paid by-or-on behalf of CONSULTANT to any person for influencing or attempting to influence an officer or employee of any state or federal agency; a Member of the State Legislature or United States Congress; an officer or employee of the Legislature or Congress; or any employee of a Member of the Legislature or Congress, in connection with the awarding of any state or federal contract; the making of any state or federal grant; the making of any state or federal loan; the entering into

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any state or federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid, or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency; a Member of Congress; an officer or employee of Congress, or an employee of a Member of Congress; in connection with this federal contract, grant, loan, or cooperative agreement; CONSULTANT shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- B. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- C. CONSULTANT also agrees by signing this document that he or she shall require that the language of this certification be included in all lower-tier subcontracts, which exceed \$100,000 and that all such sub recipients shall certify and disclose accordingly.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)****ARTICLE XVI STATEMENT OF COMPLIANCE**

- A. CONSULTANT's signature affixed herein, and dated, shall constitute a certification under penalty of perjury under the laws of the State of California that CONSULTANT has, unless exempt, complied with, the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Administrative Code, Section 8103.
- B. During the performance of this Contract, Consultant and its subconsultants shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (e.g., cancer), age (over 40), marital status, and denial of family care leave. Consultant and subconsultants shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Consultant and subconsultants shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated there under (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Contract by reference and made a part hereof as

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

if set forth in full.

Consultant and its subconsultants shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

- C. The Consultant shall comply with regulations relative to Title VI (nondiscrimination in federally-assisted programs of the Department of Transportation – Title 49 Code of Federal Regulations, Part 21 - Effectuation of Title VI of the 1964 Civil Rights Act). Title VI provides that the recipients of federal assistance will implement and maintain a policy of nondiscrimination in which no person in the state of California shall, on the basis of race, color, national origin, religion, sex, age, disability, be excluded from participation in, denied the benefits of or subject to discrimination under any program or activity by the recipients of federal assistance or their assignees and successors in interest.
- D. The Consultant, with regard to the work performed by it during the Agreement shall act in accordance with Title VI. Specifically, the Consultant shall not discriminate on the basis of race, color, national origin, religion, sex, age, or disability in the selection and retention of Subconsultants, including procurement of materials and leases of equipment. The Consultant shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the U.S. DOT's

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

Regulations, including employment practices when the Agreement covers a program whose goal is employment.

ARTICLE XVII DEBARMENT AND SUSPENSION CERTIFICATION

- A. CONSULTANT's signature affixed herein, shall constitute a certification under penalty of perjury under the laws of the State of California, that CONSULTANT has complied with Title 2 CFR, Part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (nonprocurement)", which certifies that he/she or any person associated therewith in the capacity of owner, partner, director, officer, or manager, is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by any federal agency within the past three (3) years; does not have a proposed debarment pending; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years. Any exceptions to this certification must be disclosed to LOCAL AGENCY.
- B. Exceptions will not necessarily result in denial of recommendation for award, but will be considered in determining CONSULTANT responsibility. Disclosures must indicate to whom exceptions apply, initiating agency, and dates of action.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- C. Exceptions to the Federal Government Excluded Parties List System maintained by the General Services Administration are to be determined by the Federal highway Administration.

ARTICLE XVIII FUNDING REQUIREMENTS

- A. It is mutually understood between the parties that this contract may have been written before ascertaining the availability of funds or appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the contract were executed after that determination was made.
- B. This contract is valid and enforceable only, if sufficient funds are made available to LOCAL AGENCY for the purpose of this contract. In addition, this contract is subject to any additional restrictions, limitations, conditions, or any statute enacted by the Congress, State Legislature, or LOCAL AGENCY governing board that may affect the provisions, terms, or funding of this contract in any manner.
- C. It is mutually agreed that if sufficient funds are not appropriated, this contract may be amended to reflect any reduction in funds.
- D. LOCAL AGENCY has the option to void the contract under the 30-day termination clause pursuant to Article VI, or by mutual agreement to amend the contract to reflect any reduction of funds.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

ARTICLE XIX CHANGE IN TERMS

- A. This contract may be amended or modified only by mutual written agreement of the parties.
- B. CONSULTANT shall only commence work covered by an amendment after the amendment is executed and notification to proceed has been provided by LOCAL AGENCY's Contract Administrator.
- C. There shall be no change in CONSULTANT's Project Manager or members of the project team, as listed in the approved Cost Proposal, which is a part of this contract without prior written approval by LOCAL AGENCY's Contract Administrator.

**ARTICLE XX DISADVANTAGED BUSINESS ENTERPRISES (DBE)
PARTICIPATION**

- A. This contract is subject to 49 CFR, Part 26 entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs". Consultants who obtain DBE participation on this contract will assist Caltrans in meeting its federally mandated statewide overall DBE goal.
- B. The goal for DBE participation for this contract is 15%. Participation by DBE consultant or subconsultants shall be in accordance with information contained in the Consultant Proposal DBE Commitment (Exhibit 10-O1), or in the Consultant Contract DBE Information (Exhibit 10-O2) attached hereto and incorporated as part of the Contract. If a DBE subconsultant is unable

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- to perform, CONSULTANT must make a good faith effort to replace him/her with another DBE subconsultant, if the goal is not otherwise met.
- C. DBEs and other small businesses, as defined in 49 CFR, Part 26 are encouraged to participate in the performance of contracts financed in whole or in part with federal funds. CONSULTANT or subconsultant shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. CONSULTANT shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of US DOT-assisted agreements. Failure by CONSULTANT to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as LOCAL AGENCY deems appropriate.
- D. Any subcontract entered into as a result of this contract shall contain all of the provisions of this section.
- E. A DBE firm may be terminated only with prior written approval from LOCAL AGENCY and only for the reasons specified in 49 CFR 26.53(f). Prior to requesting LOCAL AGENCY consent for the termination, CONSULTANT must meet the procedural requirements specified in 49 CFR 26.53(f).
- F. A DBE performs a Commercially Useful Function (CUF) when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a CUF, the DBE must also be responsible with respect

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. To determine whether a DBE is performing a CUF, evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing, and other relevant factors.
- G. A DBE does not perform a CUF if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, examine similar transactions, particularly those in which DBEs do not participate.
- H. If a DBE does not perform or exercise responsibility for at least thirty percent (30%) of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of the work of the contract than would be expected on the basis of normal industry practice for the type of work involved, it will be presumed that it is not performing a CUF.
- I. CONSULTANT shall maintain records of materials purchased or supplied from all subcontracts entered into with certified DBEs. The records shall show the name and business address of each DBE or vendor and the total dollar amount actually paid each DBE or vendor, regardless of tier. The records shall show the date of payment and the total dollar figure paid to all

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- firms. DBE prime consultants shall also show the date of work performed by their own forces along with the corresponding dollar value of the work.
- J. Upon completion of the Contract, a summary of these records shall be prepared and submitted on the form entitled, "Final Report-Utilization of Disadvantaged Business Enterprise (DBE), First-Tier Subconsultants" CEM-2402F [Exhibit 17-F, of the LAPM], certified correct by CONSULTANT or CONSULTANT's authorized representative and shall be furnished to the Contract Administrator with the final invoice. Failure to provide the summary of DBE payments with the final invoice will result in twenty-five percent (25%) of the dollar value of the invoice being withheld from payment until the form is submitted. The amount will be returned to CONSULTANT when a satisfactory "Final Report-Utilization of Disadvantaged Business Enterprises (DBE), First-Tier Subconsultants" is submitted to the Contract Administrator.
- K. If a DBE subconsultant is decertified during the life of the contract, the decertified subconsultant shall notify CONSULTANT in writing with the date of decertification. If a subconsultant becomes a certified DBE during the life of the Contract, the subconsultant shall notify CONSULTANT in writing with the date of certification. Any changes should be reported to LOCAL AGENCY's Contract Administrator within 30 days.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)****ARTICLE XXI CONTINGENT FEE**

CONSULTANT warrants, by execution of this contract that no person or selling agency has been employed, or retained, to solicit or secure this contract upon an agreement or understanding, for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees, or bona fide established commercial or selling agencies maintained by CONSULTANT for the purpose of securing business. For breach or violation of this warranty, LOCAL AGENCY has the right to annul this contract without liability; pay only for the value of the work actually performed, or in its discretion to deduct from the contract price or consideration, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

ARTICLE XXII DISPUTES

- A. Any dispute, other than audit, concerning a question of fact arising under this contract that is not disposed of by agreement shall be decided by a committee consisting of LOCAL AGENCY's Contract Administrator and Public Works Director/City Engineer who may consider written or verbal information submitted by CONSULTANT.
- B. Not later than 30 days after completion of all deliverables necessary to complete the plans, specifications and estimate, CONSULTANT may request review by LOCAL AGENCY Governing Board of unresolved claims or disputes, other than audit. The request for review will be submitted in writing.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- C. Neither the pendency of a dispute, nor its consideration by the committee will excuse CONSULTANT from full and timely performance in accordance with the terms of this contract.

ARTICLE XXIII INSPECTION OF WORK

CONSULTANT and any subconsultant shall permit LOCAL AGENCY, the state, and the FHWA if federal participating funds are used in this contract; to review and inspect the project activities and files at all reasonable times during the performance period of this contract including review and inspection on a daily basis.

ARTICLE XXIV SAFETY

- A. CONSULTANT shall comply with OSHA regulations applicable to CONSULTANT regarding necessary safety equipment or procedures. CONSULTANT shall comply with safety instructions issued by LOCAL AGENCY Safety Officer and other LOCAL AGENCY representatives. CONSULTANT personnel shall wear hard hats and safety vests at all times while working on the construction project site.
- B. Pursuant to the authority contained in Section 591 of the Vehicle Code, LOCAL AGENCY has determined that such areas are within the limits of the project and are open to public traffic. CONSULTANT shall comply with all of the requirements set forth in Divisions 11, 12, 13, 14, and 15 of the Vehicle Code. CONSULTANT shall take all reasonably necessary

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- precautions for safe operation of its vehicles and the protection of the traveling public from injury and damage from such vehicles.
- C. Any subcontract entered into as a result of this contract, shall contain all of the provisions of this Article.
- D. CONSULTANT must have a Division of Occupational Safety and Health (CAL-OSHA) permit(s), as outlined in California Labor Code Sections 6500 and 6705, prior to the initiation of any practices, work, method, operation, or process related to the construction or excavation of trenches which are five feet or deeper.

ARTICLE XXV INSURANCE

- A. Prior to commencement of the work described herein, CONSULTANT shall furnish LOCAL AGENCY a Certificate of Insurance stating that there is general comprehensive liability insurance presently in effect for CONSULTANT with a combined single limit (CSL) of not less than one million dollars (\$1,000,000) per occurrence.
- B. The Certificate of Insurance will provide:
1. That the insurer will not cancel the insured's coverage without 30 days prior written notice to LOCAL AGENCY.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

2. That LOCAL AGENCY, its officers, agents, employees, and servants are included as additional insureds, but only insofar as the operations under this contract are concerned.
 3. That LOCAL AGENCY will not be responsible for any premiums or assessments on the policy.
- C. CONSULTANT agrees that the bodily injury liability insurance herein provided for, shall be in effect at all times during the term of this contract. In the event said insurance coverage expires at any time or times during the term of this contract, CONSULTANT agrees to provide at least thirty (30) days prior notice to said expiration date; and a new Certificate of Insurance evidencing insurance coverage as provided for herein, for not less than either the remainder of the term of the contract, or for a period of not less than one (1) year. New Certificates of Insurance are subject to the approval of LOCAL AGENCY. In the event CONSULTANT fails to keep in effect at all times insurance coverage as herein provided, LOCAL AGENCY may, in addition to any other remedies it may have, terminate this contract upon occurrence of such event.

ARTICLE XXVI OWNERSHIP OF DATA

- A. Upon completion of all work under this contract, ownership and title to all reports, documents, plans, specifications, and estimates produce as part of this contract will automatically be vested in LOCAL AGENCY; and no further agreement will be necessary to transfer ownership to LOCAL

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- AGENCY. CONSULTANT shall furnish LOCAL AGENCY all necessary copies of data needed to complete the review and approval process.
- B. It is understood and agreed that all calculations, drawings and specifications, whether in hard copy or machine-readable form, are intended for one-time use in the construction of the project for which this contract has been entered into.
- C. CONSULTANT is not liable for claims, liabilities, or losses arising out of, or connected with the modification, or misuse by LOCAL AGENCY of the machine-readable information and data provided by CONSULTANT under this contract; further, CONSULTANT is not liable for claims, liabilities, or losses arising out of, or connected with any use by LOCAL AGENCY of the project documentation on other projects for additions to this project, or for the completion of this project by others, except only such use as many be authorized in writing by CONSULTANT.
- D. Applicable patent rights provisions regarding rights to inventions shall be included in the contracts as appropriate (48 CFR 27, Subpart 27.3 - Patent Rights under Government Contracts for federal-aid contracts).
- E. LOCAL AGENCY may permit copyrighting reports or other agreement products. If copyrights are permitted; the agreement shall provide that the FHWA shall have the royalty-free nonexclusive and irrevocable right to reproduce, publish, or otherwise use; and to authorize others to use, the work for government purposes.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)****ARTICLE XXVII CLAIMS FILED BY LOCAL AGENCY'S CONSTRUCTION CONTRACTOR**

- A. If claims are filed by LOCAL AGENCY's construction contractor relating to work performed by CONSULTANT's personnel, and additional information or assistance from CONSULTANT's personnel is required in order to evaluate or defend against such claims; CONSULTANT agrees to make its personnel available for consultation with LOCAL AGENCY'S construction contract administration and legal staff and for testimony, if necessary, at depositions and at trial or arbitration proceedings.
- B. CONSULTANT's personnel that LOCAL AGENCY considers essential to assist in defending against construction contractor claims will be made available on reasonable notice from LOCAL AGENCY. Consultation or testimony will be reimbursed at the same rates, including travel costs that are being paid for CONSULTANT's personnel services under this contract.
- C. Services of CONSULTANT's personnel in connection with LOCAL AGENCY's construction contractor claims will be performed pursuant to a written contract amendment, if necessary, extending the termination date of this contract in order to resolve the construction claims.

ARTICLE XXVIII CONFIDENTIALITY OF DATA

- A. All financial, statistical, personal, technical, or other data and information relative to LOCAL AGENCY's operations, which are designated

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

- confidential by LOCAL AGENCY and made available to CONSULTANT in order to carry out this contract, shall be protected by CONSULTANT from unauthorized use and disclosure.
- B. Permission to disclose information on one occasion, or public hearing held by LOCAL AGENCY relating to the contract, shall not authorize CONSULTANT to further disclose such information, or disseminate the same on any other occasion.
- C. CONSULTANT shall not comment publicly to the press or any other media regarding the contract or LOCAL AGENCY's actions on the same, except to LOCAL AGENCY's staff, CONSULTANT's own personnel involved in the performance of this contract, at public hearings or in response to questions from a Legislative committee.
- D. CONSULTANT shall not issue any news release or public relations item of any nature, whatsoever, regarding work performed or to be performed under this contract without prior review of the contents thereof by LOCAL AGENCY, and receipt of LOCAL AGENCY'S written permission.
- E. Any subcontract entered into as a result of this contract shall contain all of the provisions of this Article.
- F. All information related to the construction estimate is confidential, and shall not be disclosed by CONSULTANT to any entity other than LOCAL AGENCY.

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

ARTICLE XXIX NATIONAL LABOR RELATIONS BOARD CERTIFICATION

In accordance with Public Contract Code Section 10296, CONSULTANT hereby states under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against CONSULTANT within the immediately preceding two-year period, because of CONSULTANT's failure to comply with an order of a federal court that orders CONSULTANT to comply with an order of the National Labor Relations Board.

ARTICLE XXX EVALUATION OF CONSULTANT

CONSULTANT's performance will be evaluated by LOCAL AGENCY. A copy of the evaluation will be sent to CONSULTANT for comments. The evaluation together with the comments shall be retained as part of the contract record.

ARTICLE XXXI RETENTION OF FUNDS

- A. Any subcontract entered into as a result of this Contract shall contain all of the provisions of this section.
- B. No retainage will be withheld by the Agency from progress payments due the prime consultant. Retainage by the prime consultant or subconsultants is prohibited, and no retainage will be held by the prime consultant from progress due subconsultants. Any violation of this provision shall subject the violating prime consultant or subconsultants to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair

**CALTRANS SUPPLEMENTARY GENERAL CONDITIONS
(FOR CONSULTANTS)**

any contractual, administrative, or judicial remedies, otherwise available to the prime consultant or subconsultant in the event of a dispute involving late payment or nonpayment by the prime consultant or deficient subconsultant performance, or noncompliance by a subconsultant. This provision applies to both DBE and non-DBE prime consultants and subconsultants.

ARTICLE XXXII NOTIFICATION

All notices hereunder and communications regarding interpretation of the terms of this contract and changes thereto, shall be effected by the mailing thereof by registered or certified mail, return receipt requested, postage prepaid, and addressed as follows:

CONSULTANT:

Kimley-Horn and Associates, Inc.

Mike Colety, Project Manager

6671 Las Vegas Boulevard, Suite 320

Las Vegas, NV 89119

LOCAL AGENCY:

City of Moreno Valley

John Kerenyi, Contract Administrator

14177 Frederick Street

Moreno Valley, CA 92552



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe, P.E., Public Works Director/City Engineer

AGENDA DATE: February 20, 2018

TITLE: APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION FOR LOCAL GOVERNMENT PARTNERSHIP PROGRAM FUNDING FROM THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE

RECOMMENDED ACTION

Recommendation:

1. Approve Resolution No. 2018-XX – A Resolution of the City Council of the City of Moreno Valley, California, approving the submittal of an application for Local Government Partnership Program funding from the Mobile Source Air Pollution Reduction Review Committee (MSRC) in the amount of \$25,000.

SUMMARY

Approval of the proposed resolution will authorize the submittal of an application for the 2017 Local Government Partnership Program through Clean Transportation Funding from the Mobile Source Air Pollution Reduction Review Committee (MSRC), managed by South Coast Air Quality Management District (SCAQMD). The funding for the 2017 Local Government Partnership Program is available between September 1, 2017 through March 2, 2018. The available funding from MSRC's 2017 Local Government Partnership Program to the City is \$25,000 that will go towards the purchase of a Vactor Storm Drain maintenance truck, approved by Council on December 5, 2017.

DISCUSSION

MSRC funding can be used to fund up to a maximum of 50% of a qualifying vehicle's net purchase price, or up to \$25,000 per vehicle, whichever is less. Council approved the purchase of a new Vactor Storm Drain maintenance truck on December 5, 2017 that is currently under agreement with Haaker Equipment Company to build. The \$25,000

to be received from MSRC can be used towards the purchase cost of the Vactor truck, which is \$511,879.31 because this purchase is a qualifying heavy-duty alternative fuel vehicle equipped with an engine certified by the California Air Resources Board meeting a near-zero emission.

AB 2766 authorizes air pollution control districts to use motor vehicle registration surcharge fees to fund projects which reduce air pollution from motor vehicles, and for related planning, monitoring, enforcement, and technical studies that implement the California Clean Air Act of 1988. Under the provisions of AB 2766, the SCAQMD is now considering applications as part of the current Local Government Partnership Program for emission reduction projects identified in its most recent Air Quality Management Plan.

MSRC is offering to partner directly with cities and counties within the SCAQMD on a new Local Government Partnership Program. Participation in the Local Government Partnership Program funding requires a brief presentation to each City Council member of a MSRC-provided PowerPoint Presentation from the MSRC website. This requirement is met via the inclusion of Attachment 2 (“Local Government Partnership Program”) as part of the staff report. The approval of the proposed resolution shall authorize the City to apply to and be eligible for the 2017 Local Government Partnership Program. Additionally, participation in the Clean Transportation Funding from MSRC allows the City the opportunity to increase public awareness of alternative fuel vehicles while participating in overall air quality improvement measures.

ALTERNATIVES

1. Approve the proposed resolution. Staff recommends this alternative, as it will provide available funding of approximately \$25,000 towards the purchase of a qualifying heavy-duty alternative fuel vehicle.
2. Do not adopt this resolution. Staff does not recommend this alternative as it will limit the ability to acquire available funding of \$25,000 towards the purchase of a qualifying heavy-duty alternative fuel vehicle equipped with an engine certified by the California Air Resources Board meeting a near-zero emission.

FISCAL IMPACT

The MSRC grant revenue reimbursement is \$25,000. The Grant funds will be deposited into Account 7410-70-78-45370 (Equipment Maintenance/Fleet Ops).

*Adjustment from FY 2015/16

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 18/19 Budget	Proposed Adjustments	FY 18/19 Amended Budget
Receipt of Grant	Fleet Ops	7410-99-99-97410-486000	Rev	\$0	\$25,000	\$25,000
Receipt of Grant	Fleet Ops	7410-70-78-45370-XXXXXX	Exp	\$1,242,731	\$25,000	\$1,267,731

NOTIFICATION

Publication of the Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Robert Linton
Management Assistant

Department Head Approval:
Michael L. Wolfe
Public Works Director/City Engineer

Concurred By:
Robert Lemon
Maintenance and Operations Division Manager

CITY COUNCIL GOALS

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

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 5.5: Promote a healthy community and lifestyle.

ATTACHMENTS

- 1. Local Government Partnership Program - Presentation
- 2. Resolution for MSRC Funding - Resolution

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/08/18 3:06 PM
City Attorney Approval	<u>✓ Approved</u>	2/12/18 5:50 PM
City Manager Approval	<u>✓ Approved</u>	2/12/18 6:15 PM



LOCAL GOVERNMENT PARTNERSHIP PROGRAM

A Funding Opportunity to Improve Air Quality
in Your Community

Mobile Source Air Pollution Reduction Review Committee, aka “The MSRC”

- The MSRC was Established by the California Legislature in 1990
- Sole Mission is to Invest Funds to Reduce Air Pollution Generated by Mobile Sources (i.e., cars, trucks, buses, etc.)
 - ⇒ *Funds Generated by Surcharge on Motor Vehicle Registrations*
- The MSRC Works Closely with the South Coast Air Quality Management District; However, the MSRC is NOT a Regulatory Agency
 - ⇒ *The MSRC Invests in Clean Air Projects that Support SCAQMD Objectives & Priorities*

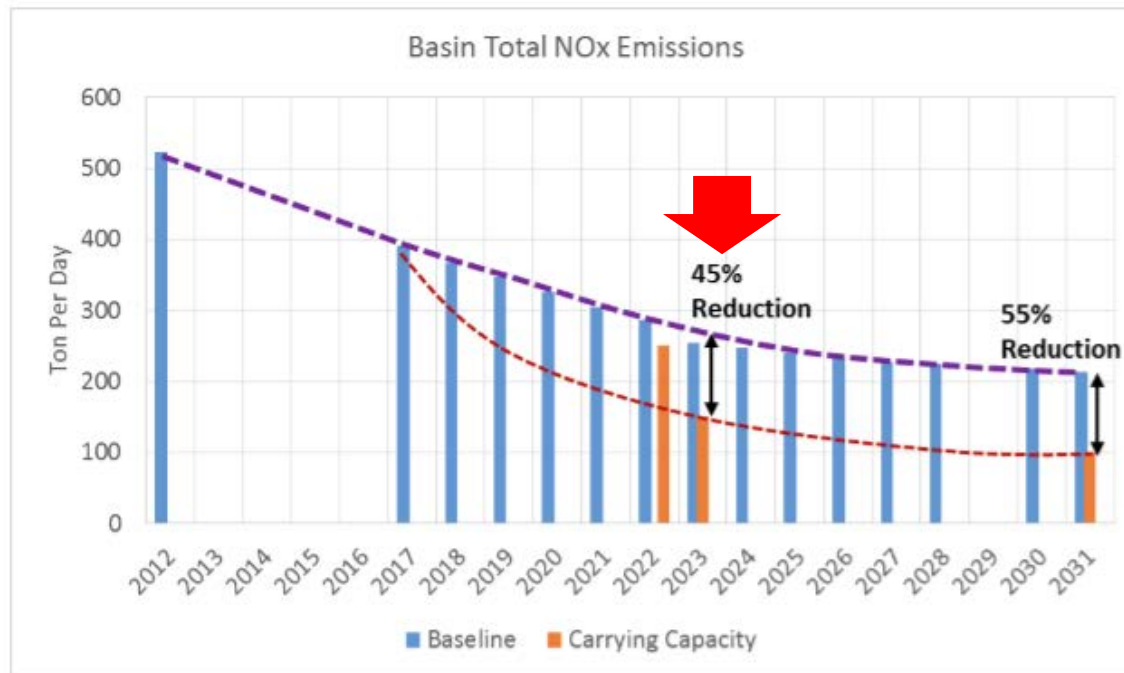
SIGNIFICANT AIR QUALITY CHALLENGES IN OUR REGION...

Standard	Concentration	Classification	Latest Attainment Year
2008 8-hour Ozone	75 ppb	Extreme	2031
2012 Annual PM2.5	12 µg/m³	Moderate	2021
		Serious	2025
2006 24-hour PM2.5	35 µg/m³	Serious	2019
1997 8-hour Ozone	80 ppb	Extreme	2023
1979 1-hour Ozone	120 ppb	Extreme	2022

- **ACCORDING TO THE SOUTH COAST AQMD...**

- South Coast Region is EXTREME NON-ATTAINMENT for OZONE
- Ozone Causes RESPIRATORY AILMENTS and is a Primary Component of **SMOG**

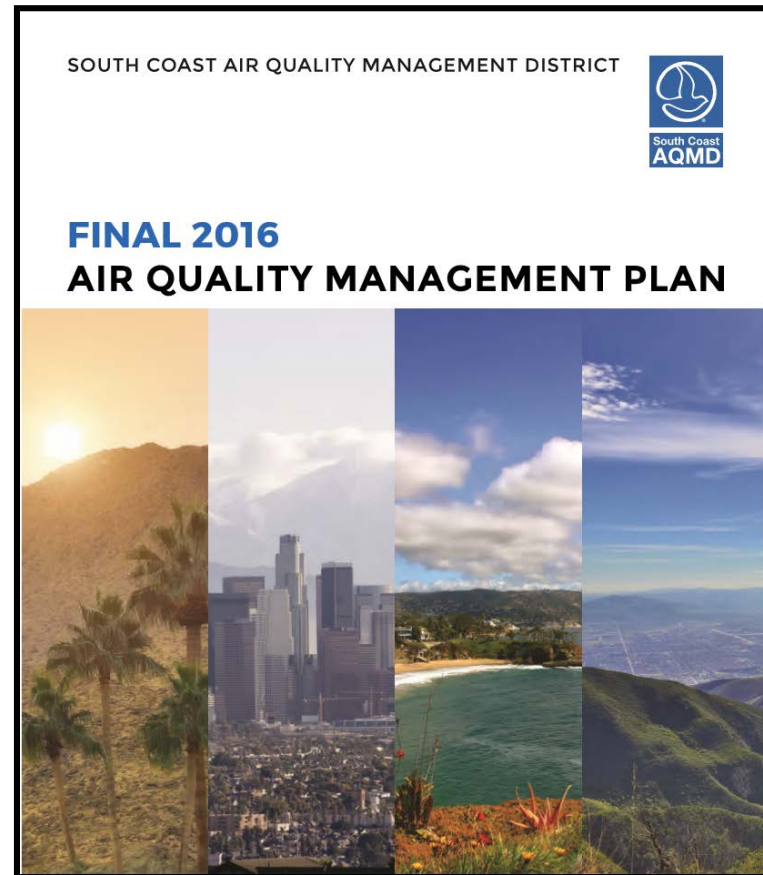
MANDATORY AIR POLLUTION REDUCTIONS ARE NEEDED NOW...



- **NOx** is a Precursor to Ozone (SMOG) Formation...
- *From Today's Levels – NOx Emissions Need to be Reduced 45% by 2023 – That's Only a Few Years Away...*

HOW DO WE REDUCE NO_x EMISSIONS BY 45%?

By Implementing the
Clean Air Measures
Outlined in the South Coast
AQMD's 2016 Air Quality
Management Plan



- **The AQMP is the Roadmap for How to Meet Our Mandated Clean Air Obligations**

THE MSRC IS PARTNERING WITH THE SOUTH COAST AQMD AND WANTS TO PARTNER WITH YOU...

...To Implement High Priority AQMP Strategies

- ✓ AQMP includes Traditional Regulatory Measures & Incentive-based Strategies
- ✓ Incentive-Based Programs will Accelerate the Introduction of Key AQMP Technologies including Zero & Near-Zero Emission Vehicles

The MSRC Has Reserved Incentive Funding for Your Jurisdiction under the Local Government Partnership Program

This is a great opportunity to receive funding to implement projects your jurisdiction needs to be part of our clean air future

Participation is 100% voluntary

Funding is already reserved for your jurisdiction

Please ask your staff to work with the MSRC to develop projects that jumpstart implementation of the AQMP & help improve air quality for all residents

RESOLUTION NO. 2018-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR THE MSRC LOCAL GOVERNMENT PARTNERSHIP PROGRAM AND THE REQUIREMENT FOR \$25,000 MSRC MATCHING FUNDS

WHEREAS, the Mobile Source Air Pollution Reduction Review Committee (MSRC) has created a new Local Government Partnership Program to emphasize an accelerated transition to zero and near-zero emissions vehicles along with essential supporting infrastructure for jurisdictions within South Coast Air Quality Management District (AQMD); and

WHEREAS, the Local Government Partnership Program sets aside a pro-rata share of MSRC funding for each city and county within the South Coast AQMD that participates in the AB 2766 Motor Vehicle Registration Fee Program, directly supports implementation of the South Coast AQMD's 2016 Air Quality Management Plan, educates local government leadership on the District's air quality challenges, and leverages other sources of available funding; and

WHEREAS, the City of Moreno Valley receives an annual allocation of AB 2766 Subvention Funds greater than \$50,000 and is therefore eligible to receive a MSRC Partnership match of \$25,000 to implement meaningful air pollution reduction project(s); and

WHEREAS, to receive funding, the City of Moreno Valley must provide a resolution from City Council that acknowledges receipt of the MSRC Clean Transportation Presentation from City staff, authorizes proposed project(s), allocates the necessary matching funds and authorizes an agreement with the MSRC.

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

1. Recitals. The above recitals are all true and correct and are herein incorporated.
2. Authorization Approved. The City Council of the City of Moreno Valley, California, authorizes the submittal of application to South Coast AQMD for the MSRC Local Government Partnership Program for which the City of Moreno Valley is eligible.
3. Signature Authority. The City Manager, and/or the Public Works Director/City Engineer, are hereby authorized and empowered to execute in the name of the City of Moreno Valley all grant related documents, including but not limited to, applications, agreements, amendments, and requests for payment, necessary to secure grant funds and implement the approved grant project.

1
Resolution No. 2018-___
Date Adopted: February 20, 2018

Attachment: Resolution for MSRC Funding - Resolution (2971) : APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION FOR CLEAN

4. Effective Date. This Resolution shall be effective immediately upon adoption.

5. Term. These authorizations shall be effective for five (5) years from the date of adoption of this Resolution.

4. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain this resolution on file as a public record.

5. Severability. The City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

6. Repeal of Conflicting Provisions. All the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this 20th day of February, 2018.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2018- 2
Date Adopted: February 20, 2018

Attachment: Resolution for MSRC Funding - Resolution (2971 : APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION FOR CLEAN

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Patricia Jacquez-Narez, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2017-___ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 7th day of November, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2018- 3
Date Adopted: February 20, 2018

Attachment: Resolution for MSRC Funding - Resolution (2971 : APPROVE RESOLUTION FOR SUBMITTAL OF APPLICATION FOR CLEAN



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe, P.E., Public Works Director/City Engineer

AGENDA DATE: February 20, 2018

TITLE: PA15-0024 (PM 35150) – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF HEACOCK STREET FROM SAN MICHELE ROAD TO NANDINA AVENUE FROM FEBRUARY 26, 2018 - APRIL 27, 2018. DEVELOPER: FR/CAL MORENO VALLEY, LLC

RECOMMENDED ACTION

Recommendations:

1. Authorize a full Road Closure of Heacock Street from San Michele Road to Nandina Avenue for the reconstruction of Heacock Street from February 26, 2018 – April 27, 2018.
2. Authorize the Public Works Director/City Engineer to approve a one-time extension, if needed, of the road closure for a period not to exceed 14 calendar days.

SUMMARY

On June 1, 2015, the City of Moreno Valley approved project PA15-0024 (TR 35150). The project is for the development of one industrial building on a single parcel on approximately 42.20 acres located on the eastside of Heacock Street between San Michele Road and Nandina Avenue.

The developer, FR/CAL Moreno Valley, LLC has submitted the Agreement and Security for Public Improvements. The developer is required to construct a new northbound half street plus a 14-foot wide southbound lane along Heacock Street between San Michele Road and Nandina Avenue which will also require the demolishing of the existing two-lane road.

DISCUSSION

FR/CAL Moreno Valley, LLC is requesting a full road closure of Heacock Street between San Michele Road and Nandina Avenue for the reconstruction of Heacock Street. The road closure will be for sixty (60) days. The request for the road closure is due to major improvement work including, but not limited to, excavation of road and raising the street grade by approximately 2 feet, removal of existing asphalt concrete, the installation of storm drain laterals, catch basins, street lights, asphalt base, asphalt concrete, sidewalk, curb & gutter, and striping. All of the work will be reviewed by inspectors from the City of Moreno Valley. It is anticipated that the road will be open to traffic on or before April 27, 2018.

The road closure will not adversely affect the ingress or egress of any of the neighboring properties although it does require some detouring. City staff does require the developer to contact/notify all potentially affected property owners of the closure dates. The developer is required to contact the March Air Reserve Base, Police, Fire and Ambulance Services, Amazon, and other affected local businesses. The road closure/detour plan has been approved by the City Traffic Engineer.

In case the developer encounters any unforeseen issues arise during the construction of the improvements, staff is requesting the City Council authorize the City Engineer approval authority for an extension of the road closure dates, up to 14 calendar days.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this alternative as this alternative will allow the demolishing of Heacock Street for major improvement work required and expedite the re-opening of Heacock Street for public use.*
2. Do not approve and do not authorize the recommended actions as presented in this staff report. *Staff does not recommend this alternative as this alternative would result in no road closure, would prolong the construction schedule, and result in a less safe work environment.*

FISCAL IMPACT

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

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, VVUSD, MARB, MJPA, and affected businesses and residents. The public will be notified by special roadside signage showing the dates of closure and detour signs.

PREPARATION OF STAFF REPORT

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

Department Head Approval:
Michael L. Wolfe, P.E.
Public Works Director/City Engineer

Concurred By:
Michael D. Lloyd, P.E.
Engineering Division Manager/Assistant City Engineer

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

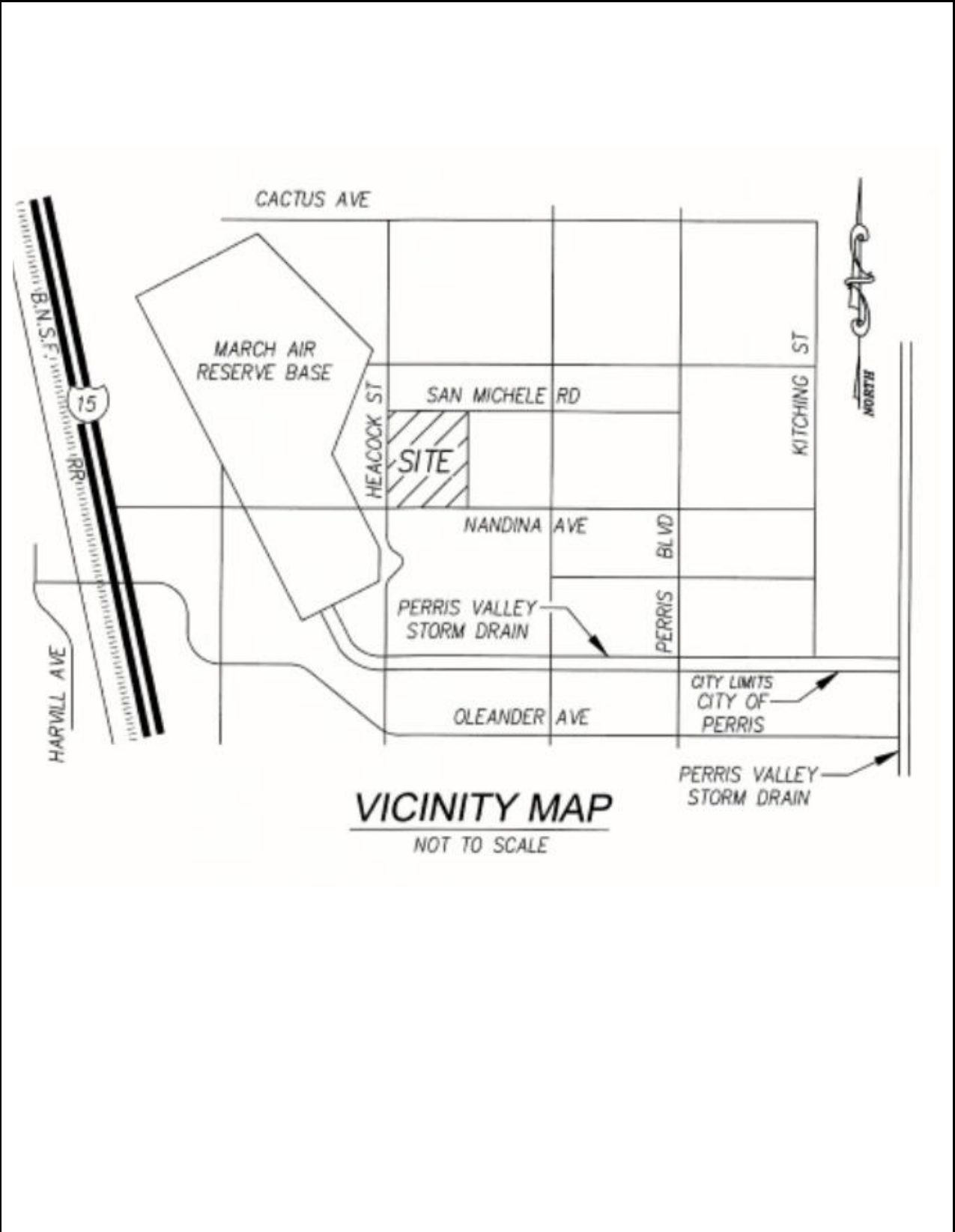
Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

ATTACHMENTS

- 1. Vicinity Map - PA15-0024 (PM 35150)
- 2. Road Closure Detour Map - PA15-0024 (PM 35150)
- 3. GIS Orthography Map - PA15-0024 (PM 35150)

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/07/18 6:29 PM
City Attorney Approval	<u>✓ Approved</u>	2/14/18 9:04 AM
City Manager Approval	<u>✓ Approved</u>	2/14/18 12:40 PM

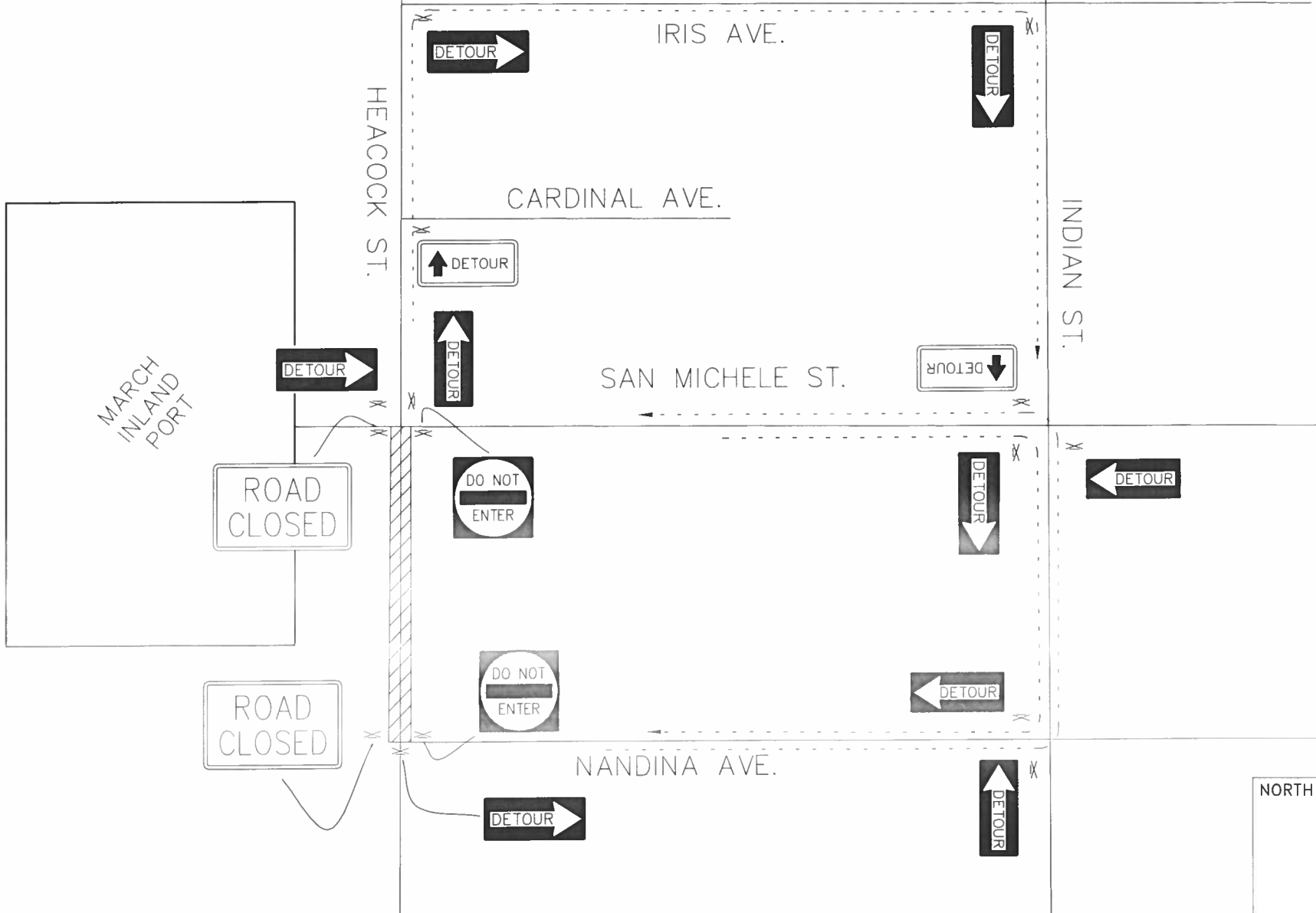


CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT

PA15-0024 (PM 35150)

Attachment: Vicinity Map - PA15-0024 (PM 35150) (2974 : PA15-0024 (PM 35150) - REQUEST TO CONDUCT A FULL ROAD CLOSURE)

DETOUR ROUTE:



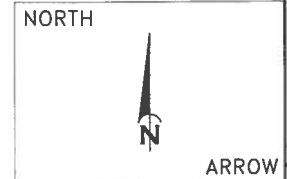
MARCH
INLAND
PORT

ROAD
CLOSED

ROAD
CLOSED

CITY OF MORENO VALLEY
PUBLIC WORKS
LAND DEVELOPMENT

PAI5-0024 (PM 35150)
DETOUR MAP



PA15-0024 (PM 35150) Nandina "A" GIS Ortho Map



Legend

Public Facilities

■ Public Facilities; Employment Re:
Permanente Moreno Valley Medi
Conference & Recreation Center;
Mall Branch

★ Fire Stations

Road Labels

□ Parcels

⊞ City Boundary

⊞ Sphere of Influence

1,261.9 0 630.96 1,261.9 Feet

Notes



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe, P.E., Public Works Director/City Engineer

AGENDA DATE: February 20, 2018

TITLE: DESIGNATION OF DULY AUTHORIZED REPRESENTATIVE FOR SIGNATORY PURPOSES IN COMPLIANCE WITH NPDES PERMIT NO. R8-2010-0033

RECOMMENDED ACTION

Recommendations:

1. Approve the designation of the Public Works Director as the duly authorized representative for signatory purposes in compliance with the NPDES Permit No. R8-2010-0033.
2. Adopt Resolution No. 2018-XX. A Resolution of the City Council of the City of Moreno Valley, California, Approving the Designation of the City's Public Works Director as the Duly Authorized Representative for Signatory Purposes in Compliance with NPDES Permit No. R8-2010-0033.
3. Authorize the City Manager to sign a designation letter authorizing the Public Works Director to be named as duly authorized representative for signatory purposes in compliance with the NPDES Permit No. R8-2010-0033.

SUMMARY

This Report recommends that the Council approve the designation of the position of Public Works Director as the duly authorized representative able to perform signatory functions as required in the Permit, adopt a Resolution authorizing this designation, and authorize the City Manager to sign a letter that will be submitted to the Board solidifying the designation.

DISCUSSION

The City currently operates under NPDES (National Pollutant Discharge Elimination System) Permit No. R8-2010-0033 (Permit) issued by the California State Water Resources Control Board (State Board). The Permit requires that all applications, reports, or information submitted to the Santa Ana Regional Water Quality Control Board (Regional Board), State Board, and/or United States Environmental Protection Agency are to be signed and certified by either a ranking elected official or a duly authorized representative of a ranking elected official.

Previously, the City Manager assumed the role as duly authorized representative for prior activities under the Permit. The Permit states that if an authorization is no longer accurate because a different individual or position has overall responsibility for environmental matters for the agency, a new authorization must be submitted to the Regional Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

A person is a duly authorized representative only if the authorization is made in writing by a ranking elected official. The authorization must specify either an individual or a position having overall responsibility for environmental matters for the agency related to the Permit. A duly authorized representative may thus be either a named individual or any individual occupying a named position. Staff proposes naming a position (Public Works Director) as duly authorized, as this position is directly involved with Permit compliance efforts.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this alternative as this alternative will allow the Public Works Director to assume the role of duly authorized representative for signatory purposes in compliance with the NPDES Permit No. R8-2010-0033.*
2. Do not approve and do not authorize the recommended actions as presented in this staff report. *Staff does not recommend this alternative as this alternative would result in no authorized representative being designated for signatory purposes in compliance with the NPDES Permit No. R8-2010-0033.*

FISCAL IMPACT

There is no fiscal impact in authorizing this designation.

NOTIFICATION

Notification not necessary.

PREPARATION OF STAFF REPORT

Prepared By:
Rae Beimer

Department Head Approval:
Michael L. Wolfe, P.E.

Storm Water Program Manager

Public Works Director/City Engineer

Concurred By:
Michael D. Lloyd, P.E.
Engineering Division Manager/Assistant City Engineer

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

ATTACHMENTS

- 1. Resolution 2018-XX - NPDES Desig of Duly Auth Rep
- 2. Designation letter

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/07/18 6:28 PM
City Attorney Approval	<u>✓ Approved</u>	2/12/18 4:53 PM
City Manager Approval	<u>✓ Approved</u>	2/12/18 4:57 PM

RESOLUTION NO. 2018-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE DESIGNATION OF THE CITY'S PUBLIC WORKS DIRECTOR AS THE DULY AUTHORIZED REPRESENTATIVE FOR SIGNATORY PURPOSES IN COMPLIANCE WITH NPDES PERMIT NO. R8-2010-0033

WHEREAS, the NPDES (National Pollutant Discharge Elimination System) Permit No. R8-2010-0033 (Permit) issued by the California State Water Resources Control Board (State Board). requires that all applications, reports, or information submitted to the Santa Ana Regional Water Quality Control Board (Regional Board), State Board, and/or USEPA are to be signed and certified by either a ranking elected official or a duly authorized representative of a ranking elected official; and

WHEREAS, the prior duly authorized individual is no longer assuming the role as signatory; and

WHEREAS, the Permit states that if an authorization is no longer accurate because a different individual or position has overall responsibility for environmental matters for the agency, a new authorization must be submitted to the Regional Board prior to or together with any reports, information, or applications, to be signed by an authorized representative; and

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

1. The position of Public Works Director shall be designated as the duly authorized representative for signatory purposes in compliance with NPDES Permit No. R8-2010-0033.
2. A letter of designation shall be submitted to the Executive Officer of the Regional Board to fulfill the requirements for designation set forth in the Permit.

APPROVED AND ADOPTED this 20th day of February 2018.

Mayor of the City of Moreno Valley

1
Resolution No. 2018-XX
Date Adopted: February 20, 2018

Attachment: Resolution 2018-XX - NPDES Desig of Duly Auth Rep (2975 : DESIGNATION OF DULY AUTHORIZED REPRESENTATIVE FOR)

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2018-XX²
Date Adopted: February 20, 2018

Attachment: Resolution 2018-XX - NPDES Desig of Duly Auth Rep (2975 : DESIGNATION OF DULY AUTHORIZED REPRESENTATIVE FOR)

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2018-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on 20th day of February, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2018-XX³
Date Adopted: February 20, 2018

Attachment: Resolution 2018-XX - NPDES Desig of Duly Auth Rep (2975 : DESIGNATION OF DULY AUTHORIZED REPRESENTATIVE FOR)

February 6, 2018

Hope Smythe, Executive Officer
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

SUBJECT: CHANGE IN DULY AUTHORIZED REPRESENTATIVE

Dear Ms. Smythe:

The City Council at its February 20th 2018 meeting adopted the attached Resolution which designates the person that assumes the role of Public Works Director for the City of Moreno Valley to be authorized as a signatory for the City per the requirements outlined in NPDES Permit No. R8-2010-0033.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Sincerely,

Thomas M. DeSantis
City Manager



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe, P.E., Public Works Director/City Engineer

AGENDA DATE: February 20, 2018

TITLE: ACCEPTANCE OF CYCLE 3 ACTIVE TRANSPORTATION PROGRAM (ATP) GRANT AND FUNDING APPROPRIATION FOR JUAN BAUTISTA DE ANZA TRAIL GAP CLOSURE PROJECT

RECOMMENDED ACTION

Recommendation:

1. Accept the Active Transportation Program (ATP) grant award of up to \$2,849,000 to build a segment of the Juan Bautista De Anza Multi-Use Trail.
2. Authorize the Chief Financial Officer to appropriate \$2,849,000 as revenue and expense in the Capital Projects Grants fund (Fund 2301).

SUMMARY

This report requests that City Council accept the \$2,849,000 ATP Cycle 3 grant award from the California Department of Transportation and appropriate funds for the project to build a segment of the Juan Bautista De Anza Multi-Use Trail.

DISCUSSION

The Active Transportation Program (ATP) was created by California Senate Bill 99 (Chapter 359, Statutes of 2013) and California Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. The ATP consolidated existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and the State-funded Safe Routes to School (SR2S) Program, into a single program that is annually funded by approximately \$360 million of various state and federal funds from appropriations in the annual Budget Act. Eligible projects for ATP grant funding include pedestrian facilities, traffic control devices, bicycle facilities,

and recreational trails.

At the June 7, 2016 regular meeting, City Council approved submission of an application for this project under the ATP Cycle 3 Call for Projects. In October 2016, the City was notified that our project application was approved for funding for the total amount requested, intended for construction in FY 2019/2020. With the passage of the Road Repair and Accountability Act of 2017, Senate Bill (SB) 1, funding was made available to advance the construction of projects approved within the ATP Cycle 3 by two years. The City made an application under the SB1 Augmentation Call for Projects and in October 2017 staff was notified that our funding request was approved.

Per the provisions of the ATP grant, the City is required to use its own funds to implement the project and then receive reimbursement progress payments. Staff is requesting City Council authorize the appropriation of \$2,849,000 as revenue and expense in the Capital Projects Grants fund (Fund 2301) for this project.

The project entails the design, right of way acquisition, and construction of a two mile segment of the Juan Bautista De Anza Multi-Use Trail from El Portrero Park to Lake Perris State Recreational Area. The trail segment will close a gap in the southern portion of the trail and expand connectivity to Rancho Verde High School and the existing multi-use trail surrounding Lake Perris.

Approval of the recommended actions will support Initiative 4.6.1 of the Momentum MoVal Strategic Plan: "Complete the Juan Bautista De Anza Regional Trail".

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this report. *This alternative, as recommended by staff, allows this Active Transportation project to be implemented, thereby enhancing air quality, and providing for improved safety and mobility for all trail users.*
2. Do not approve and authorize the recommended actions. *This alternative, not recommended by staff, would delay implementation of this project and all of its derived benefits.*

FISCAL IMPACT

The ATP grant will provide for reimbursement of up to \$2,849,000 for the design, right-of-way, and construction phases of the project. The City will appropriate \$2,849,000 as revenue and expense in the Capital Grants fund (Fund 2301). \$300,000 of matching funds, in the form of in-kind services, are required as part of the project. The in-kind services include dedication of right of way from the Val Verde Unified School District. ATP funds can only be used for Active Transportation Projects. **There is no impact to**

the General Fund.

Proposed Appropriation for Fiscal year 2017/2018:

Category	Fund	Project Number (PN) GL Account (GL)	Type	Original Budget	Proposed Adjustment	Revised Budget
CIP	Capital Projects Grants (2301)	GL – 2301-99-99-92301-482020	Rev	\$3,880,225	\$2,849,000	\$6,729,225
CIP	Capital Projects Grants (2301)	GL – 2301-70-77-80001-720199 PN – 801 0080-2301-99	Exp	\$4,309,741 \$0	\$2,849,000 \$2,849,000	\$7,158,741 \$2,849,000

PROPOSED PROJECT BUDGET:

Proposed Capital Projects Reimbursements Appropriation
 (Account No. 2301-70-76-80001) (Project No. 801 0080-2301-99)..... \$2,849,000

ESTIMATED PROJECT COSTS:

Project Approval and Environmental Document (PA&ED) \$90,000
 Plans, Specifications, and Estimate (PS&E) \$160,000
 Right of Way Engineering..... \$25,000
 Construction \$2,574,000
 Sub-Total..... \$2,849,000

Right of Way (matching funds by in-kind donation) \$300,000

ANTICIPATED PROJECT SCHEDULE:

Receive Caltrans Authorization for Design.....May 2018
 Complete Design.....January 2019
 Receive Caltrans Authorization for Construction April 2019
 Complete Construction.....June 2020

NOTIFICATION

Publication of agenda.

PREPARATION OF STAFF REPORT

Prepared By:
 Eric Lewis, P.E., T.E.
 City Traffic Engineer

Department Head Approval:
 Michael L. Wolfe, P.E.
 Public Works Director/City Engineer

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 4.6: Advance the development of a well-connected and balanced citywide transportation network that serves all modes.

ATTACHMENTS

- 1. Vicinity Map

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/08/18 3:22 PM
City Attorney Approval	<u>✓ Approved</u>	2/12/18 4:17 PM
City Manager Approval	<u>✓ Approved</u>	2/12/18 4:51 PM



Attachment: Vicinity Map (2983 : ACCEPTANCE OF CYCLE 3 ACTIVE TRANSPORTATION PROGRAM (ATP) GRANT AND FUNDING



Report to City Council

TO: Mayor and City Council
 Mayor and City Council Acting in its Capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District (CSD)
 Mayor and City Council Acting in its Capacity as Chairman and Commissioners of the Moreno Valley Housing Authority (HA)

FROM: Marshall Eyerman, Chief Financial Officer
 Thomas M. DeSantis, City Manager

AGENDA DATE: February 20, 2018

TITLE: FISCAL YEAR 2017/18 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE REVISED OPERATING BUDGETS FOR FISCAL YEAR 2017/18 AND FISCAL YEAR 2018/19

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2017/18 Mid-Year Budget Review. (Attachment 1)
2. Adopt Resolution No. 2018-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

Recommendation: That the CSD:

1. Adopt Resolution No. CSD 2018-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

Recommendation: That the HA:

1. Adopt Resolution No. HA 2018-XX. A resolution of the Moreno Valley Housing Authority of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

Recommendations: That the City Council as Successor Agency:

1. Adopt Resolution No. SA 2018-XX. A Resolution of the City Council of the City of Moreno Valley, California, Serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, California, adopting the revised budgets for Fiscal Year 2017/18 and Fiscal Year 2018/19.

SUMMARY

This report provides the Mid-Year Budget Report which updates the Mayor and City Council regarding current year financial trends and provides the Fiscal Year (FY) 2017/18 Mid-Year Budget Review through December 31, 2017. This report also requests the approval of recommended amendments to FY 2017/18 and 2018/19 revenues and expenditures.

DISCUSSION

On May 2, 2017, the City Council adopted the Two-Year Budget for Fiscal Years 2017/18 & 2018/19. The budget included all component units of the City, including the General Fund, Community Services District, Housing Authority and Successor Agency. During the two-year budget period, the City Council will be updated of the City's financial condition through the process of First Quarter, Mid-Year and Third Quarter Budget Reviews. This ongoing process ensures a forum to review expenditure and revenue changes from the estimates made in the budget document. Additionally, any significant changes in projected revenue or unanticipated expenditures that may occur will be shared with the City Council. This report provides the FY 2017/18 Mid-Year Review for the first six months, July through December. The Mid-Year Budget Review will focus primarily on the City's General Fund. This review will also present six months operational results from other key funds.

The City Council's direction to "Maintain a Balanced General Fund Budget" serves as a foundation for the fiscal status of City operations. Ongoing funding is directed to sustain ongoing operational expenses; one-time funding is directed toward one-time expenditures.

Recommended budget adjustments address projected expenditures and correct one-time requirements in several funds.

FISCAL YEAR 2017/18 MID-YEAR REVIEW:

This Mid-Year Report updates the Mayor and City Council regarding current year financial trends and provides the opportunity for the City Council to review the recommended actions as they relate to revenues and expenditures.

General Fund Revenue Update

Revenue receipts do not follow an even schedule. Although 50% of the fiscal year has elapsed, based on historic trends revenues are estimated to be at approximately 33% of the budgeted amount. Actual revenues received are currently 32% of budget. Revenue amounts continue to be stable. Although there will be variances in some of the amounts budgeted, the total is expected to remain within 1% of the amended budget for the year. It should be noted that the lag in timing of revenue receipts is one reason an operating cash reserve continues to be necessary.

General Fund Expenditure Update

Although not all expenditures follow a straight-line spending pattern, operating expenditures should track close to within 50% of budget for the year at the end of the first 6 months. As of December 31, 2017, total General Fund expenditures were at 48%. This pace is within expectations for most activities in the General Fund.

FISCAL YEAR 2017/18 BUDGET ADJUSTMENTS

The FY 2017/18 General Fund revenue budget, as amended, totals approximately \$103.1 million. Based on economic activity and revenue collections through December 2017, staff is not anticipating that total revenues will produce any significant increases over the amounts originally budgeted. Although there are some decreases noted by revised estimates, adjustments offset these impacts. The recommended Mid-Year budget changes increase revenues by \$853,456 to approximately \$104 million, due primarily to increased building permits and administrative fees.

The FY 2017/18 General Fund expenditures budget, as currently amended, totals approximately \$101.9 million. The recommended Mid-Year budget changes increase expenditures by \$477,111 to \$104.9 million. This is primarily due to moving budget originally in FY 2018/19 to FY2017/18 for the March Air Reserve Base Air show and a reallocation of personnel and internal service fund charges from Gas Tax to the General Fund. *The fund continues to be structurally balanced, without the use of fund balance for ongoing operations.* The specific budget adjustments for the General Fund are summarized in Exhibit A attached to the City Council Resolutions recommended for approval.

Fund	Type (Rev/Exp)	FY 2017/18 Amended Budget	Proposed Adjustments (\$)	Proposed Adjustments (%)	FY 2017/18 Amended Budget (1)
General Fund	Rev	\$103,102,086	\$853,456	<1%	\$103,955,542

General Fund	Exp	\$103,077,957	\$477,111	<1%	\$103,555,068
Net Total*		\$24,129	\$376,345		\$400,474

*Excludes one-time expenditures from fund balance as described below.

The City ended FY 2016/17 with a budget surplus in excess of \$5 million due to annual savings and reduction of expenses below budgets. The surplus reflects that the Operating Budget is being effectively managed and allows for the use of the funds for one-time expenditures in FY 2017/18. Based on the City Council's actions, the following provides a summary of the approved one-time expenditures to date from these one-time revenues:

Carryovers	(\$363,418)
Turf Replacement - Community Park	(\$1,000,000)
Street Improvements	(\$1,200,000)

SUMMARIES OF MAJOR FUNDS

The following provides a summary of some of the proposed budget adjustments. A complete list of all changes is identified in Exhibit A to the Resolutions.

Gas Tax (Fund 2000)

Decreasing revenue budget by \$47,560 to align with the updated Highway Users Tax Account revenue projections.

Due to a structural change in personnel and internal service funds, both were moved from Gas Tax to the General Fund, which is partially offset by reimbursable time spent on capital projects.

Capital Project Grant (Fund 2301)

Request a carryover of \$8,486,273 to match previously approved and awarded grants that were previously budgeted but not yet received.

Tax Allocation Bonds (Fund 4851/4852)

In May 2017, the City Council authorized the issuance of the Tax Allocation Refunding Bonds, Series 2017. The final transactions for the receipt of bond proceeds and the refunding of the prior bonds of \$40,855,000 aggregate principal amount are reflected in the requested adjustments.

Electric (Fund 6010/6011)

Expenditures are increasing by \$2,425,700 and revenue to \$1,137,700 due to the increase in demand and new development. The increase in demand requires Moreno Valley Utilities to purchase electricity from wholesale vendors. New development within

our service area is increasing demand for electricity, but also increasing revenue due to an increased customer base.

ALTERNATIVES

1. Recommend approval of proposed Recommended Actions as set forth in this staff report, including the approval of the budget adjustments for FY 2017/18 and 2018/19, as presented in Exhibit A. The approval of these items will allow for ongoing activities to be carried out in the current fiscal year and the City is able to modify budgets and operations as necessary through this quarterly review, while retaining a structurally balanced General Fund budget. *Staff recommends this alternative.*
2. Do not recommend approval of proposed Recommended Actions as set forth in this staff report, including the resolutions adopting the budget adjustments to the FY 2017/18 and 2018/19 budget, as presented in Exhibit A. *Staff does not recommend this alternative.*

FISCAL IMPACT

The City's Budget provides the funding and expenditure plan for all funds. As such, it serves as the City's financial plan for the fiscal year. The fiscal impacts for the proposed budget amendments are identified in Exhibit A to the Resolutions.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Stephanie Cuff
Management Analyst

Department Head Approval:
Marshall Eyerman
Chief Financial Officer/City Treasurer

Concurred By:
Brian Mohan
Financial Resources Division Manager

Approved by:
Thomas M. DeSantis
City Manager

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.

CITY COUNCIL STRATEGIC PRIORITIES

1. **Economic Development**
2. **Public Safety**
3. **Library**

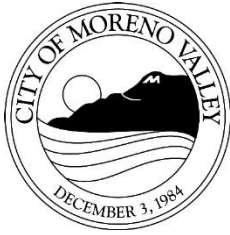
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Mid-Year Financial Summary Report FY 2017/18
- 2. City Resolution 2018-XX
- 3. Exhibit A - Amendments FY 2017/18 & FY 2018/19
- 4. CSD Resolution 2018-XX
- 5. Housing Resolution 2018-XX
- 6. SA Resolution 2018-XX

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/13/18 9:26 AM
City Attorney Approval	<u>✓ Approved</u>	2/14/18 9:02 AM
City Manager Approval	<u>✓ Approved</u>	2/14/18 12:30 PM



City of Moreno Valley Fiscal Year 2017/18 Mid-Year Financial Summary

TO: Mayor and City Council

FROM: Marshall Eyerman, Chief Financial Officer/City Treasurer

DATE: February 20, 2018

INTRODUCTION

On May 2, 2017, the City Council adopted the Two-Year Operating Budget for Fiscal Years (FY) 2017/18 – 2018/19. During the two-year budget period the City Council will be kept apprised of the City's financial condition through the process of First Quarter, Mid-Year Budget and Third Quarter Reviews. This ongoing process ensures a forum to look at expenditure and revenue deviations from the estimates made in the budget document. Additionally, any significant changes in projected revenue or unanticipated expenditures that may occur will be shared with the City Council.

This report provides a review of the unaudited financial results at the Mid-Year of FY 2017/18 (July 2017 – December 2017, 50% of the fiscal year).

CITYWIDE OPERATING REVENUE FY2016/17

The City ended FY 2016/17 with a budget surplus in excess of \$5 million due to annual savings and reduction of expenses below budgets. The surplus reflects that the Operating Budget is being effectively managed and allows for the use of the funds for one-time expenditures in FY 2017/18. Based on the City Council's actions, the following provides a summary of the approved one-time expenditures to date from these one-time revenues:

Carryovers	(\$363,418)
Turf Replacement – Community Park	(\$1,000,000)
Street Improvements	(\$1,200,000)

CITYWIDE OPERATING EXPENDITURE SUMMARY

The following table contains a summary of the adopted budget, amended budget and the Mid-Year expenditures. The totals represent each major fund type and component unit of the City.

Table 1. Citywide Operating Expenditures

Fund/Component Unit	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/17 (unaudited)	% of Amended Budget
General Fund	\$ 100,679,474	\$ 103,271,266	\$ 49,359,505	47.8%
Community Services District (CSD)	19,684,286	19,704,061	8,240,276	41.8%
Successor Agency	4,772,867	4,411,467	43,465,508	985.3% (1)
Housing Fund	250,000	250,000	(12,542)	-5.0%
Special Revenue Funds	28,708,442	52,191,621	14,069,119	27.0%
Capital Projects Funds	5,704,618	12,966,818	2,270,429	17.5%
Electric Utility Funds	34,193,565	44,669,761	18,491,797	41.4%
Internal Service Funds	13,798,372	17,133,093	6,649,693	38.8%
Debt Service Funds	6,461,310	4,549,870	2,628,190	57.8%
Total	\$ 214,252,934	\$ 259,147,957	\$ 145,161,976	56.0%

(1) The Successor Agency actuals currently reflect the recent refunding of the bonds as approved by the City Council. Following the refunding, budget adjustments will be made as part of the mid-year budget requests.

Actions taken by the City Council subsequent to the May 2, 2017 adoption of the two-year budget and included in the Amended Budget are:

- Capital Improvement Plan included \$29,747,946 of carryover budget from the prior fiscal year.
- Refunding of the Successor Agency 2007 RDA Tax Allocation Bonds. The associated budget amendments are reflected in the proposed Mid-Year budget adjustments.
- Throughout the fiscal year there are also budget amendments to reflect the acceptance of grants and adjustments to contractual services and material/supplies. The individual amendments are reviewed as part of separate City Council agenda items.
- First quarter carryover and budget adjustments were approved on the November 7, 2017 Council meeting.

The majority of this Mid-Year update will focus on the General Fund, as it supports all basic services provided to City residents. Highlights for other key component funds will be discussed at a summary level as well.

GENERAL FUND OPERATING

Table 2. General Fund Operations

	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/2017 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 13,930,000	\$ 13,930,000	\$ 4,380,307	31.4%
Property Tax in-lieu	18,300,000	18,300,000	-	0.0%
Utility Users Tax	16,200,000	16,200,000	7,343,722	45.3%
Sales Tax	18,200,000	18,275,000	6,160,221	33.7%
Other Taxes	12,133,500	12,133,500	3,053,936	25.2%
Licenses & Permits	2,674,824	2,674,824	1,812,917	67.8%
Intergovernmental	463,000	750,948	516,065	68.7%
Charges for Services	11,756,141	11,831,141	6,072,877	51.3%
Use of Money & Property	3,157,862	3,167,861	1,840,869	58.1%
Fines & Forfeitures	662,050	662,050	211,726	32.0%
Miscellaneous	70,197	70,197	200,793	286.0%
Total Revenues	\$ 97,547,574	\$ 97,995,521	\$ 31,593,434	32.2%
Expenditures:				
Personnel Services	\$ 17,003,887	\$ 19,908,262	\$ 9,803,890	49.2%
Contractual Services	68,600,590	65,902,538	32,249,048	48.9%
Material & Supplies	3,628,015	5,448,435	1,470,206	27.0%
Fixed Charges	5,739,869	5,839,869	2,800,914	48.0%
Fixed Assets	120,000	421,678	58,523	13.9%
Total Expenditures	\$ 95,092,361	\$ 97,520,782	\$ 46,382,580	47.6%
<i>Excess (Deficiency) of Revenues Over (Under) Expenditures</i>	\$ 2,455,213	\$ 474,739	\$ (14,789,146)	
Transfers:				
Transfers In	\$ 3,259,850	\$ 4,936,456	\$ 1,533,278	31.1%
Transfers Out	5,587,113	5,750,484	2,976,925	51.8%
Net Transfers	\$ (2,327,263)	\$ (814,028)	\$ (1,443,647)	
Total Revenues & Transfers In	\$ 100,807,424	\$ 102,931,977	\$ 33,126,711	32.2%
Total Expenditures & Transfers Out	100,679,474	103,271,266	49,359,505	47.8%
Net Change of Fund Balance	\$ 127,950	\$ (339,289)	\$ (16,232,794)	

General Fund Operating Revenues

The General Fund is comprised of several revenue types. However, the main sources include property tax, utility users tax, and sales tax. Each of these is affected by different economic activity cycles and pressures.

Table 3. General Fund Operating Revenues

	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/2017 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 13,930,000	\$ 13,930,000	\$ 4,380,307	31.4%
Property Tax in-lieu	18,300,000	18,300,000	-	0.0%
Utility Users Tax	16,200,000	16,200,000	7,343,722	45.3%
Sales Tax	18,200,000	18,275,000	6,160,221	33.7%
Other Taxes	12,133,500	12,133,500	3,053,936	25.2%
Licenses & Permits	2,674,824	2,674,824	1,812,917	67.8%
Intergovernmental	463,000	750,948	516,065	68.7%
Charges for Services	11,756,141	11,831,141	6,072,877	51.3%
Use of Money & Property	3,157,862	3,167,861	1,840,869	58.1%
Fines & Forfeitures	662,050	662,050	211,726	32.0%
Miscellaneous	70,197	70,197	200,793	286.0%
Total Revenues	\$ 97,547,574	\$ 97,995,521	\$ 31,593,434	32.2%

Property Taxes/Property Taxes In-Lieu

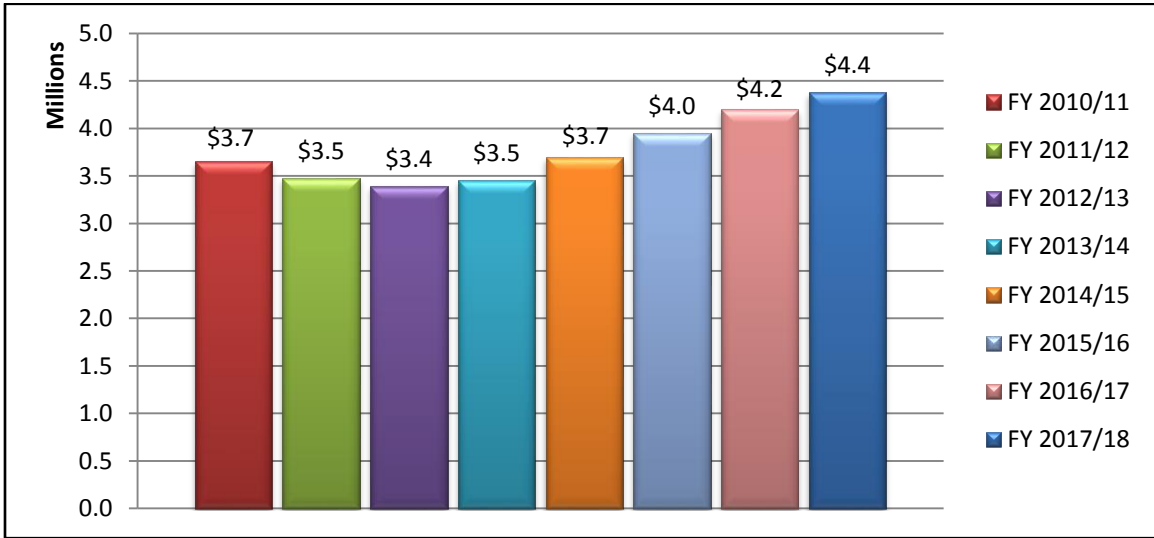
Property taxes were budgeted to increase by 6% from the FY 2016/17 Amended Budget. The annual schedule of property tax payments from the County of Riverside will provide payments to the City based on the following estimated schedule:

Secured Property Tax Payment Dates

Settlement 1	January
Settlement 2	May
Settlement 3	August
Teeter Settlement	October

Based on historical averages of actual receipts, the City is estimated to receive 15% of the budgeted property tax revenue through Mid-Year. The City has currently received 14% through first quarter. Property taxes will continue to be monitored as property valuations may adjust through the year based on property sales and assessment appeals filed with the County.

Chart 1. General Fund First Quarter Revenue Trend – Property Taxes

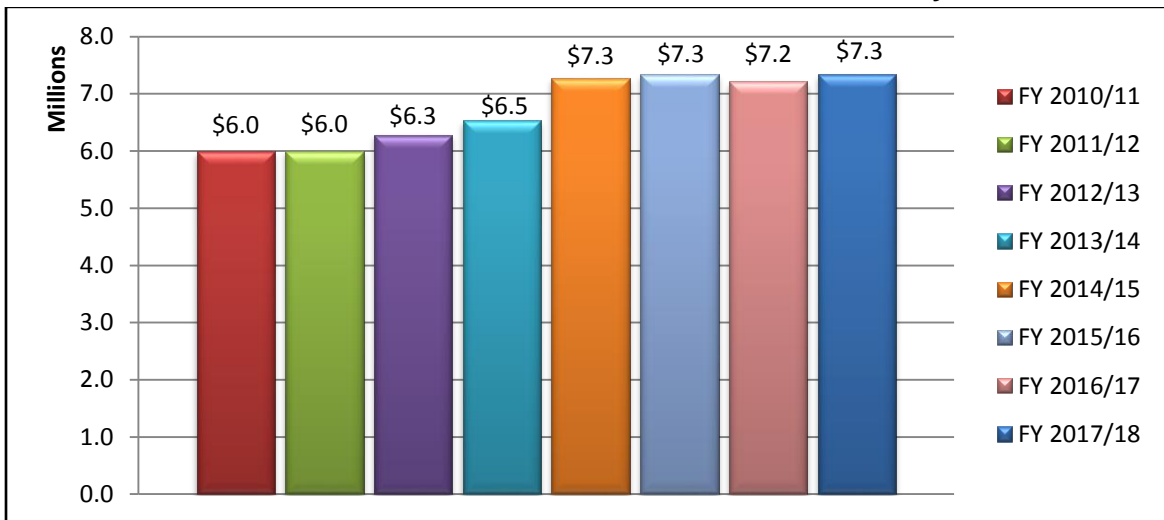


Utility Users Tax

Utility Users taxes were budgeted to remain flat from the FY 2016/17 Amended Budget. This projection is primarily due to competitive forces within the communications markets. Both the wireless and wired markets experienced downturns year over year. Based on our discussions with utility tax experts, there are a couple of causes for this trend. First is competition and bundling practices within the market as more small players continue to join the market. Second is the migration of customers from contract plans to prepaid plans.

Based on historical averages of actual receipts, the City is estimated to receive 42% of the budgeted utility users tax revenue through first quarter. The City has currently received 45% through first quarter.

Chart 2. General Fund First Quarter Revenue Trend – Utility Users Taxes

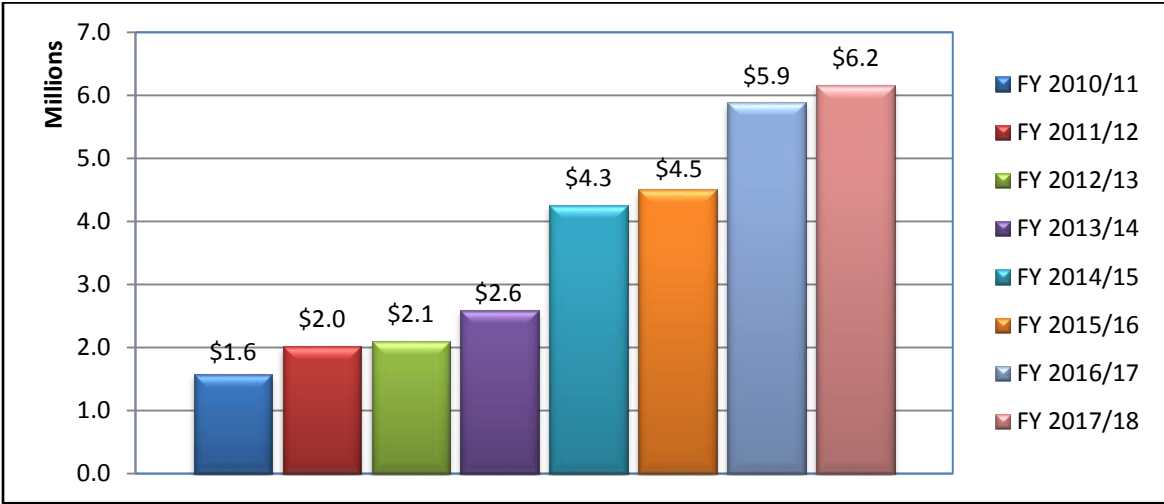


Sales Taxes

Due to the receipt of one-time taxes in the amount of \$2.287M related to the ending of the States “Triple Flip” in FY 2016/17, the FY 2017/18 sales tax budget was decreased by 7%. Sales tax receipts will need to be continually monitored through the year to determine if current trends begin to plateau or begin to decrease.

Based on historical averages of actual receipts, the City is estimated to receive 21% of the budgeted sales tax revenue through first quarter. The City has currently received 34% through first quarter.

Chart 3. General Fund First Quarter Revenue Trend – Sales Taxes

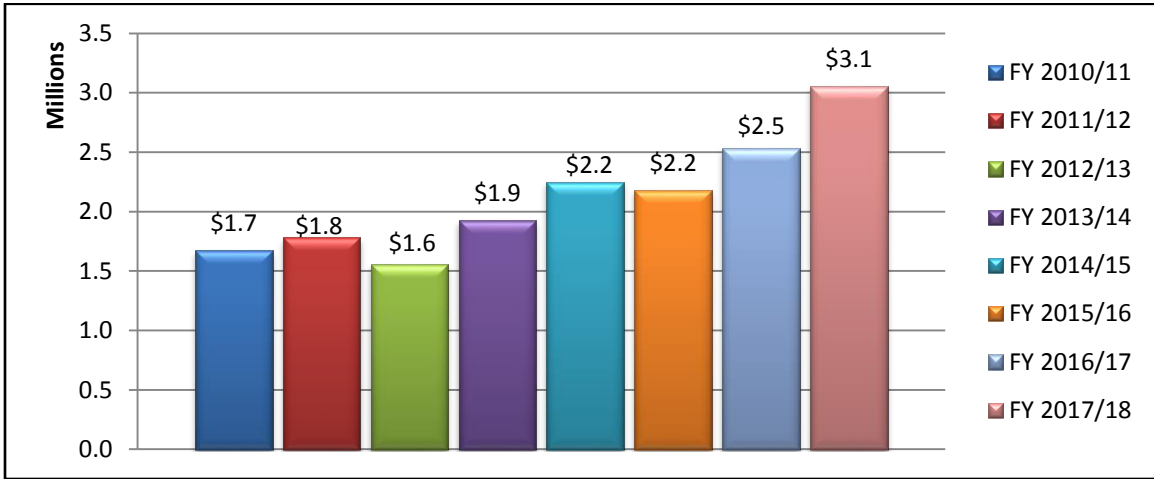


Other Taxes

Other taxes are primarily composed of Business Gross Receipts, Transient Occupancy Tax, Documentary Transfer Tax, and Franchise Fees. Collectively, other taxes were budgeted to increase 24% from the FY 2016/17 Amended Budget.

Based on historical averages of actual receipts, the City is estimated to receive 24% of the budgeted Other Taxes revenue through first quarter. The City has currently received 25% through first quarter.

Chart 4. General Fund First Quarter Revenue Trend – Other Taxes

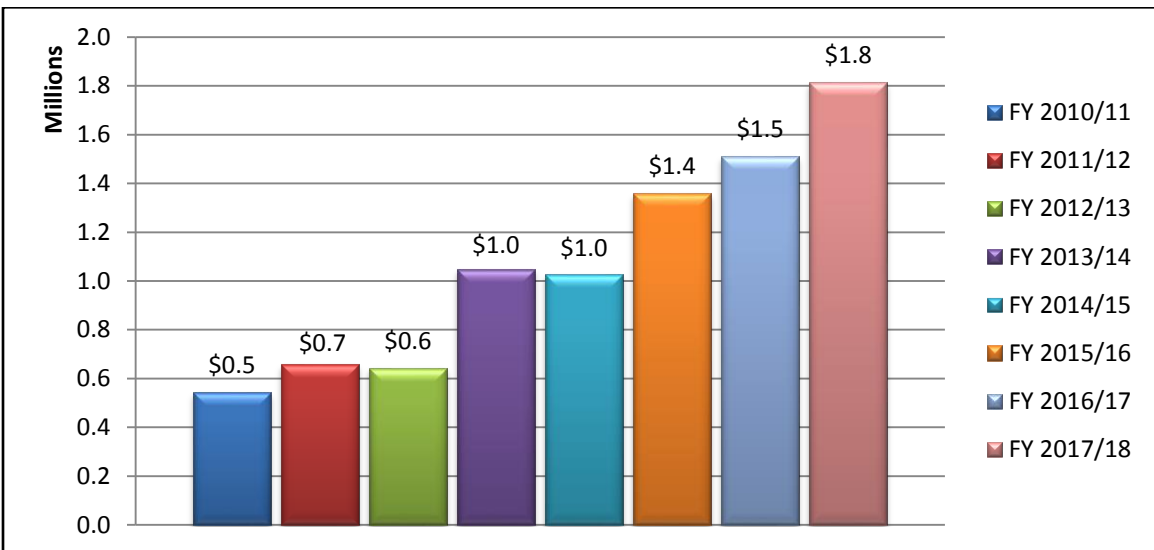


Licenses & Permits

Licenses & Permits are primarily composed of Business and Animal Licenses, along with Building, Electrical, Mechanical, Plumbing and other permits. Collectively, Licenses & Permits were budgeted to increase by 25% from the FY 2016/17 Amended Budget.

Based on historical averages of actual receipts, the City is estimated to receive 50% of the budgeted Licenses & Permits revenue through first quarter. The City has currently received 68% through first quarter. The higher growth rate is related primarily to the recent building permit activities.

Chart 5. General Fund First Quarter Revenue Trend – Licenses & Permits

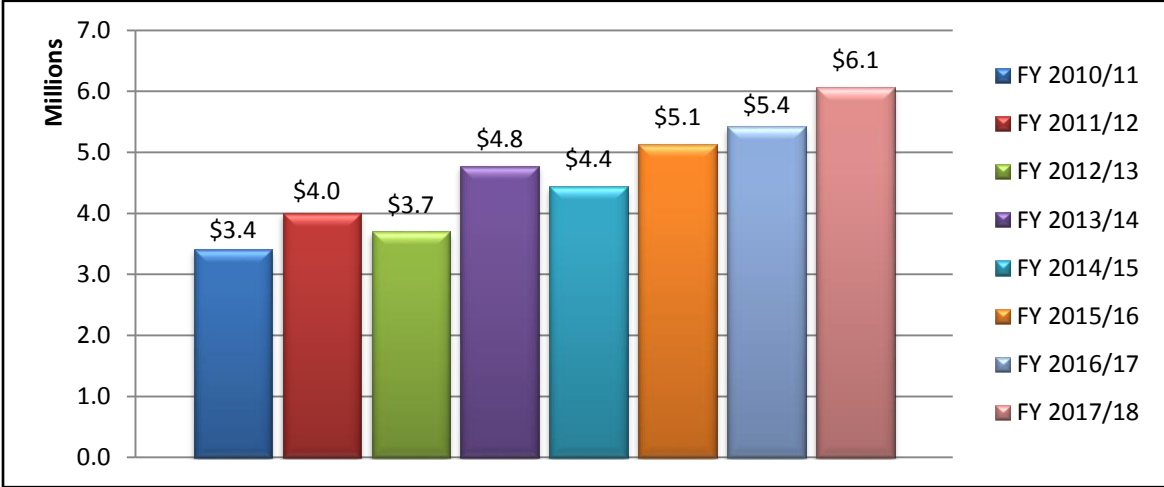


Charges for Services

Charges for Services are primarily composed of Plan Check Fees, Inspection Fees, Administrative Charges to other funds, and Parking Control Fines. Collectively, Charges for Services were budgeted to increase 7% from the FY 2016/17 Amended Budget.

Based on historical averages of actual receipts, the City is estimated to receive 49% of the budgeted Charges for Services revenue through first quarter. The City has currently received 51% through first quarter.

Chart 6. General Fund First Quarter Revenue Trend – Charges for Services



Use of Money and Property

Investment income continues to remain low due to extremely low rates of return for fixed income investments. The investments managed by Chandler Asset Management totaled \$85,008,412 at par and achieved a Yield to Maturity (YTM) for December 2017 of 1.73%. This compares to a YTM in December 2016 of 1.52% and a YTM in June 2017 of 1.63%. The investments managed by Insight Investments totaled \$55,541,162 at par and achieved a Yield to Maturity (YTM) for December 2017 of 1.44%. This compares to a YTM in December 2016 of 1.14% and a YTM in June 2017 of 1.24%. In addition, the City maintained \$36,962,434 in the State Local Agency Investment Fund Pool (LAIF) with a YTM of 1.24%. This is a very low rate of return compared to historical experience, but is indicative of how investment income is performing everywhere, which is the reason the City utilizes the active management approach.

General Fund Expenditures

Expenditures are being spent in-line with prior year expenditures. Each Department's activities will be monitored throughout the year as they may be impacted by different operational activities and project timelines.

Table 4. General Fund Expenditures

Department	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/17 (unaudited)	% of Amended Budget
City Council	\$ 995,390	\$ 1,057,545	\$ 452,551	42.8%
City Clerk	575,432	592,202	204,447	34.5%
City Manager	5,856,908	5,920,065	2,525,676	42.7%
City Attorney	881,672	893,000	360,163	40.3%
Community Development	8,897,511	9,086,295	3,987,766	43.9%
Economic Development	1,752,456	1,828,956	765,410	41.8%
Financial & Management Services	4,207,263	4,207,263	1,816,993	43.2%
Human Resources	1,051,088	1,051,088	578,463	55.0%
Public Works	8,409,115	10,378,699	3,550,479	34.2%
Non-Departmental	6,085,510	6,248,881	4,226,770	67.6%
Non-Public Safety Subtotal	\$ 38,712,345	\$ 41,263,994	\$ 18,468,718	44.8%
Public Safety				
Police	\$ 41,914,996	\$ 42,005,273	\$ 20,583,745	49.0%
Fire	20,052,133	20,001,999	10,307,042	51.5%
Public Safety Subtotal	\$ 61,967,129	\$ 62,007,272	\$ 30,890,787	49.8%
Total	\$ 100,679,474	\$ 103,271,266	\$ 49,359,505	

The City's adopted General Fund Budget included an estimated 6% increase for the current contract with the Riverside County Sheriff for Police services. Following the adoption of the budget, the Sheriff notified all contract cities that the contract rate may increase 8-10%. This higher cost increase was primarily driven by potential personnel costs as a result of ongoing employee union negotiations along with a reduction to the level of patrol officers being funded by the County for unincorporated areas of the County. The City continues to work with the Sheriff and the County to monitor the status of any proposed increases and also to seek solutions to reduce any potential cost increases. The City shall be informed of the final cost increases in May 2018. If such increases fall within the amounts previously reported by the Sheriff, this may mean an additional cost of \$850,000 to \$1,700,000 from the City's General Fund.

OTHER KEY FUNDS

The following summaries describe other major funds in the City.

Moreno Valley Community Services District

The Moreno Valley Community Services District (CSD) was formed by the voters in 1984 to collect fees and certain taxes to provide an array of services including parks, recreation and community services, streetlights, landscaping and ongoing maintenance. The CSD provides these services through separate “zones” that define the services that are provided.

For certain zones, the primary revenue source used to provide services to properties is parcel fees or taxes levied on properties via their annual tax bill. Proposition 218, passed by California voters in November 1996, and has posed a serious challenge to managing the future operation of the CSD zones. Prop. 218 requires any revenue increase to be addressed through a voting process by affected property owners. For a period following the initial implementation of Prop. 218, the CSD was successful in receiving approval for some new or increased revenues. There were also revenue increases due to the growth of developed parcels within the zones. However, due to cost increases that exceed any offsetting increases in the revenues over the past years, and the recent economic downturn slowing new parcel growth, property owners have been resistant to efforts to fully fund service levels.

Table 5. CSD Operations

	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/17 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 4,510,094	\$ 4,510,094	\$ 1,495,224	33.2%
Other Taxes	6,548,241	6,548,031	63,090	1.0%
Charges for Services	5,956,700	5,826,702	720,019	12.4%
Use of Money & Property	812,701	812,701	484,637	59.6%
Fines & Forfeitures	50,000	50,000	16,790	33.6%
Miscellaneous	13,500	188,000	198,633	105.7%
Transfers In	2,223,064	2,183,064	1,091,532	50.0%
Total Revenues	\$ 20,114,300	\$ 20,118,592	\$ 4,069,925	20.2%
Expenditures:				
Library Services Fund (5010)	\$ 2,332,043	\$ 2,332,043	\$ 1,095,787	47.0%
Zone A Parks Fund (5011)	9,387,656	9,387,656	4,186,580	44.6%
LMD 2014-01 Residential Street Lighting Fund (5012)	1,524,949	1,534,724	705,208	46.0%
Zone C Arterial Street Lighting Fund (5110)	865,014	875,014	341,440	39.0%
Zone D Standard Landscaping Fund (5111)	1,126,769	1,126,769	330,922	29.4%
Zone E Extensive Landscaping Fund (5013)	321,318	321,318	92,639	28.8%
5014 LMD 2014-02	2,358,181	2,358,181	824,135	34.9%
Zone M Median Fund (5112)	259,652	259,652	70,548	27.2%
CFD No. 1 (5113)	1,331,234	1,331,234	576,131	43.3%
Zone S (5114)	66,470	66,470	16,884	25.4%
5211 Zone A Parks - Restricted Assets	111,000	111,000	-	0%
Total Expenditures	\$ 19,684,286	\$ 19,704,061	\$ 8,240,276	41.8%
Net Change or Adopted Use of Fund Balance	\$ 430,014	\$ 414,531	\$ (4,170,352)	

Community Services District Zone A – Parks & Community Services

The largest Zone within the CSD is Zone A. It accounts for the administration and maintenance of the Parks & Community Services facilities and programs. Funding sources for these services come from a combination of property taxes, fees for service and smaller amounts from other City funds.

Table 6. CSD Zone A Operations

	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/17 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 2,250,887	\$ 2,250,887	\$ 772,634	34.3%
Other Taxes	4,930,000	4,930,000	57,488	1.2%
Charges for Services	1,114,350	1,114,350	630,089	56.5%
Use of Money & Property	681,200	677,001	387,629	57.3%
Miscellaneous	7,150	7,150	23,698	331.4%
Transfers In	521,021	524,084	262,044	50.0%
Total Revenues	\$ 9,504,608	\$ 9,503,472	\$ 2,133,581	22.5%
Expenditures:				
35010 Parks & Comm Svcs - Admin	\$ 500,638	\$ 506,984	\$ 198,625	39.2%
35210 Park Maintenance - General	3,472,640	3,424,895	1,470,296	42.9%
35211 Contract Park Maintenance	502,650	505,023	165,706	32.8%
35212 Park Ranger Program	386,369	386,369	164,185	42.5%
35213 Golf Course Program	278,757	343,214	178,203	51.9%
35214 Parks Projects	207,700	207,700	92,866	44.7%
35310 Senior Program	571,615	571,615	249,613	43.7%
35311 Community Services	189,741	157,611	99,141	62.9%
35312 Community Events	82,767	103,767	45,063	43.4%
35313 Conf & Rec Cntr	492,927	542,896	269,459	49.6%
35314 Conf & Rec Cntr - Banquet	343,393	346,456	160,045	46.2%
35315 Recreation Programs	1,344,500	1,344,500	690,909	51.4%
35317 July 4th Celebration	134,594	134,594	57,643	42.8%
35318 Sports Programs	676,447	652,317	276,405	42.4%
35319 Towngate Community Center	66,053	66,053	29,695	45.0%
Total Expenditures	\$ 9,250,791	\$ 9,293,994	\$ 4,186,580	45.0%
Net Change or Adopted Use of Fund Balance	\$ 253,817	\$ 209,478	\$ (2,052,999)	

Electric Utility

The Moreno Valley Utility (MVU) manages the operation, maintenance and business planning of the City's electric utility. MVU's basic purpose is to purchase and distribute electricity to customers in newly developed areas of the City. The City began serving new customers in February 2004, and now serves more than 6,300 customers. As it reaches fiscal and operational maturity, MVU will continue to be a key component of the City's economic development strategy. The City Council has established special tiered rates for electric utility customers based upon factors such as the number of jobs created.

The main revenue source for this fund is derived from charges for services. The customer base includes residential, commercial and industrial customers. The growth in customer base will continue to provide for the ability to create rate stabilization and replacement reserve funding.

Table 7. MVU Operations

	FY 2017/18 Adopted Budget	FY 2017/18 Amended Budget	Actuals as of 12/31/2017 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Charges for Services	\$ 30,585,700	\$ 30,585,700	\$ 17,980,843	58.8%
Use of Money & Property	155,500	155,500	121,731	78.3%
Miscellaneous	141,500	141,500	186,509	131.8%
Total Revenues	\$ 30,882,700	\$ 30,882,700	\$ 18,289,083	59.2%
Expenditures:				
45510 Electric Utility - General	\$ 21,511,326	\$ 21,917,948	\$ 11,135,090	50.8%
45511 Public Purpose Program	1,920,039	1,920,039	283,225	14.8%
80005 CIP - Electric Utility	7,191,700	17,594,274	5,275,916	30.0%
96010 Non-Dept Electric	300,000	300,000	162,641	54.2%
96030 Non-Dept 2005 Lease Revenue Bonds	1,430,000	1,430,000	552,090	38.6%
96021 Non-Dept 2016 Tax LRB of 07 Tax	879,700	879,700	436,825	49.7%
96031 Non-Dept 2013 Refunding 05 LRB	177,500	44,500	156,573	351.8%
96032 Non-Dept 2014 Refunding 2005 LRB	119,300	119,300	59,839	50.2%
96040 Non-Dept 2015 Taxable LRB	664,000	464,000	429,597	92.6%
Total Expenditures	\$ 34,193,565	\$ 44,669,761	\$ 18,491,797	41.4%
Net Change or Adopted Use of Fund Balance	\$ (3,310,865)	\$ (13,787,061)	\$ (202,713)	

MVU's revenues and expenses will fluctuate annually based on energy demands.

SUMMARY

The City of Moreno Valley is experiencing certain levels of growth and continues to maintain a balanced Budget without the use of reserves.

Although the City has experienced positive results in some areas through FY 2016/17 and through the Mid-Year of FY 2017/18, the City should remain cautiously optimistic as we proceed through the fiscal year.

As positive fund balances begin to grow, we will bring back to the City Council for discussion options to address the other challenges and unfunded liabilities.

RESOLUTION NO. 2018-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE REVISED OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2017/18 AND FISCAL YEAR 2018/19

WHEREAS, the City Council approved the Operating and Capital Budgets for the City for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the City Council, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the City Council approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the Mid-Year budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the City Council proposed amendments to the Operating and Capital Budgets for the City for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the City Council, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of City services during periods of operational deficits; and

WHEREAS, the City Council has made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

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

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the City Council, are hereby approved and adopted as the annual Operating and Capital Budgets of the City of Moreno Valley for Fiscal Year 2017/18 and Fiscal Year 2018/19.

1
Resolution No. 2018-XX
Date Adopted: February 20, 2018

- 2. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal years.
- 3. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 20th day of February, 2018.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

2
Resolution No. 2018-XX
Date Adopted: February 20, 2018

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2018-xx was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 20th day of February, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2018-XX³
Date Adopted: February 20, 2018

Attachment: City Resolution 2018-XX (2946 : FY 17/18 MID-YEAR BUDGETS REVIEW AND APPROVAL OF THE REVISED OPERATING BUDGET

**CITY OF MORENO VALLEY
GENERAL FUND
FY 2017/18 Proposed Amendments**

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2017/18 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Community Development	1010	Building Permits	1010-20-28-20310-425000		\$ 1,700,000	\$ 800,000	\$ 2,500,000	Adjusting budget due to increased building permit activity.
Community Development	1010	Admin Citation Fees	1010-20-26-20110-500900		156,060	113,940	270,000	Adjusting budget due to increased activity.
Economic Development	1010	Other Misc. Revenue	1010-22-25-20010-589900		-	27,000	27,000	Budgeting for Cal Baptist lease at the Employment Resource Center.
Financial & Management Services	1010	Transfers in - from EQUIP REPLACEMENT (FURN & EQUIP)	1010-99-99-91010-807510		175,809	12,418	188,227	Replacement funding for kitchen appliances for Fire Station #6.
Fire	1010	Fire Inspection Permits	1010-40-46-30210-425040		74,547	(74,547)	-	Fire Inspection Permits revenue was reallocated from Fire Prevention Inspection to Fire Prevention. Adjusting budget to zero as they budget is now in a different section.
Fire	1010	Fire Plan Check Fees	1010-40-46-30210-540030		429,760	(30,760)	399,000	Adjusted based on project activity.
Public Works	1010	Transfers in - from EQUIP REPLACEMENT (FURN & EQUIP)	1010-99-99-91010-807510		175,809	5,405	181,214	Requesting the transfer of replacement funds to purchase an Automatic Tripod Kit and accessories from HILTI.
REVENUE TOTAL					\$ 2,711,985	\$ 853,456	\$ 3,565,441	
Financial & Management Services	1010	Transfers to COMM DEV BLK GRANTS (CDBG)	1010-99-99-91010-902512		\$ -	\$ 32,995	\$ 32,995	Community Development Block grant refund to Housing and Urban Development related to CODE award.
Police	1010	Agency Svcs - Cnty	1010-60-67-40210-620320		6,286,276	82,131	6,368,407	Moving budget from FY 2018/19 to FY 2017/18 for the March ARB Air Show.
Public Works	1010	CIP Other	1010-70-77-80002-720199	802 0003 70 77	70,000	(70,000)	-	\$70,000 of General Fund was budgeted to CIP project 802 0003 for the maintenance of irrigation and a concentrated area of landscaping, around the Nason/60 Freeway Bridge. This maintenance will now be administered by Special Districts. \$70,000 will be transferred out of the General Fund and into "ZONE M MEDIANS."
Public Works	1010	Transfers to ZONE "M" MEDIAN FUND	1010-99-99-91010-905112		108,500	70,000	178,500	
Public Works	1010	Mach-Equip, Repl - Furn & Equip	1010-70-77-45210-660320		-	5,405	5,405	Requesting the transfer of replacement funds to purchase an Automatic Tripod Kit and accessories from HILTI.
Public Works	1010	Salaries, Overtime	1010-70-76-45110-611210		-	1,000	1,000	Establishing overtime budget based on projected demands.
Public Works	1010	Salaries, Overtime	1010-70-76-45111-611210		-	21,100	21,100	
Public Works	1010	Salaries, Regular	1010-70-77-45210-611110		-	609,168	609,168	Reflects the reallocation of personnel budgets and internal service fund transactions from Gas Tax to the General Fund.
Public Works	1010	Salaries, Overtime	1010-70-77-45210-611210		-	2,000	2,000	
Public Works	1010	Salaries, Temporary	1010-70-77-45210-611310		-	20,000	20,000	
Public Works	1010	Salaries, Reimbursable (In/Out)	1010-70-77-45210-611510		-	(1,067,533)	(1,067,533)	
Public Works	1010	Salaries, Addl - Bilingual	1010-70-77-45210-611620		-	840	840	
Public Works	1010	Salaries, Addl - Other	1010-70-77-45210-611699		-	25,880	25,880	
Public Works	1010	Benefits - PERS & ERPD Def Comp	1010-70-77-45210-612110		-	206,014	206,014	
Public Works	1010	Benefits - Bank	1010-70-77-45210-612120		-	139,237	139,237	
Public Works	1010	Benefits - Medicare	1010-70-77-45210-612130		-	13,420	13,420	
Public Works	1010	Benefits - Group Life Insurance	1010-70-77-45210-612140		-	4,710	4,710	
Public Works	1010	Benefits - ST/LT Disability	1010-70-77-45210-612145		-	7,681	7,681	
Public Works	1010	Benefits - Addl % Mgmt Pkg	1010-70-77-45210-612150		-	22,241	22,241	
Public Works	1010	Benefits - Auto Allowance	1010-70-77-45210-612155		-	4,095	4,095	
Public Works	1010	Benefits - Annuity	1010-70-77-45210-612160		-	5,527	5,527	
Public Works	1010	Benefits - Other	1010-70-77-45210-612199		-	6,720	6,720	
Public Works	1010	Reimbursed Indirect Costs	1010-70-77-45210-680410		-	(85,000)	(85,000)	
Public Works	1010	ISF - TS Oper	1010-70-77-45210-690118		-	105,852	105,852	
Public Works	1010	ISF - Risk - General Liability	1010-70-77-45210-690210		-	38,418	38,418	
Public Works	1010	ISF - Risk - Workers Comp	1010-70-77-45210-690220		-	17,505	17,505	
Public Works	1010	ISF - Purch & Fac - Copier Chrg	1010-70-77-45210-690320		-	10,111	10,111	
Public Works	1010	ISF - Purch & Fac	1010-70-77-45210-690390		-	98,000	98,000	
Public Works	1010	Admin Chrg - GF - Cost Alloc	1010-70-77-45210-692010		-	132,250	132,250	
Public Works	1010	Admin Chrg - OPEB	1010-70-77-45210-692012		-	17,344	17,344	
EXPENSES TOTAL					\$ 6,464,776	\$ 477,111	\$ 6,941,887	

Attachment: Exhibit A - Amendments FY 2017/18 & FY 2018/19 [Revision 3] (2946 : FY 17/18 MID-YEAR

**CITY OF MORENO VALLEY
NON - GENERAL FUND
FY 2017/18 Proposed Amendments**

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2017/18 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Financial & Management Services	2512	Fed Grant-Operating Revenue	2512-99-99-92512-485000		\$ 2,098,143	\$ 903,967	\$ 3,002,110	Carryover of prior FY Community Development Block Grant revenue not yet received.
Financial & Management Services	8884	Princ. Repayment- HAP	8884-30-36-20601-461070		-	35,000	35,000	Due to unanticipated home sale under the Housing Authority.
Financial & Management Services	4852	Bond Proceeds	4852-99-99-94852-589000		-	41,152,582	41,152,582	
Financial & Management Services	4851	Transfers in - from SUCSR AGENCY 2017 REF 2007 TABS	4851-99-99-94851-824852		-	41,152,582	41,152,582	Budget for transactions related to the tax allocation bonds.
Financial & Management Services	6010	Engineering Plan Check Fees	6010-30-80-45510-540040		150,000	200,000	350,000	The proposed adjustment is due to an increase in development activity requiring engineering design and inspection work.
Financial & Management Services	6010	Generation	6010-30-80-45510-560010		16,251,000	572,500	16,823,500	
Financial & Management Services	6010	Distribution	6010-30-80-45510-560020		9,298,700	337,300	9,636,000	The request to increase revenue is due to load growth.
Financial & Management Services	6010	Transmission	6010-30-80-45510-560030		2,297,100	27,900	2,325,000	
Financial & Management Services	2017	Rebates-Energy Efficiency	2017-99-99-92017-580080		-	10,000	10,000	Increasing the budget based on rebate trends.
Financial & Management Services	7220	Transfers in - within categ TECHNOLOGY REPLACEMENT RESERVE	7220-99-99-97220-827230		1,369,699	85,837	1,455,536	To upgrade the City's Enterprise Geographic Information System with available replacement funds.
Financial & Management Services	2512	Fed Grant-Operating Revenue	2512-99-99-92512-485000		2,098,143	(32,995)	2,065,148	
Financial & Management Services	2512	Transfers in - from GENERAL FUND	2512-99-99-92512-801010		-	32,995	32,995	Community Development Block grant refund to Housing and Urban Development related to CODE award.
Financial & Management Services	6011	Transfers in - within cat ELECTRIC FUND	6011-99-99-96011-826010		-	1,500,000	1,500,000	Transfer of funds for pay-go funding of Kitching Substation..
Parks & Community Services	5011	Donations	5011-50-58-35310-580200		5,000	4,200	9,200	
Parks & Community Services	5011	Donations	5011-50-58-35311-580200		-	15,000	15,000	Moreno Valley Utility has committed to \$21,450 in sponsorship for the Parks and Community Services department, comprised of advertisements, donations to sports and special events for FY 2017/18. The Economic Development Department has also committed to advertisements totaling \$7500 for FY 2017/18.
Parks & Community Services	5011	Spl Seasonal Events	5011-50-58-35312-507090		7,000	1,250	8,250	
Parks & Community Services	5011	Spl Seasonal Events-4th of Jul	5011-50-58-35317-507080		45,000	1,000	46,000	
Parks & Community Services	5011	Donations	5011-50-58-35318-580200		-	7,500	7,500	
Public Works	2000	State Gas Tax 2107	2000-99-99-92000-408000		1,542,135	(65,305)	1,476,830	
Public Works	2000	State Gas Tax 2106	2000-99-99-92000-408020		725,780	(5,951)	719,829	
Public Works	2000	State Gas Tax 2105	2000-99-99-92000-408030		1,193,737	3,994	1,197,731	Adjusting based on updated Highway Users Tax Account revenue projections.
Public Works	2000	State Gas Tax 2103	2000-99-99-92000-408040		822,309	958	823,267	
Public Works	2000	State Gas Tax - Loan Repay	2000-99-99-92000-408050		234,997	42	235,039	
Public Works	2000	State Gas Tax - RMRA	2000-99-99-92000-408060		1,160,433	18,702	1,179,135	
Public Works	5112	Transfers in - from GENERAL FUND	5112-99-99-95112-801010		108,500	70,000	178,500	\$70,000 of General Fund was budgeted to CIP project 802 0003 for the maintenance of irrigation and a concentrated area of landscaping around the Nason/60 Freeway Bridge. This maintenance will now be administered by Special Districts. \$70,000 will be transferred out of the General Fund and into "ZONE M MEDIANS."
Public Works	3405	Transfers in - from TWNGT IMPV SPCL TAX REF DEBT S	3405-99-91-93405-803705		36,100	(36,100)	-	
Public Works	3406	Transfers in - from TWNGT SPCL TAX REFNDG DEBT SV	3406-99-91-93406-803706		146,570	(146,570)	-	Due to restructuring of funds, these budgets are not needed under these funds.
Public Works	3414	Transfers in - from IA1 CFD 7 DEBT SERVICE	3414-99-91-93414-803714		32,200	(32,200)	-	
Public Works	4105	Reimbursements-Trustee	4105-99-99-94105-585400		-	32,430	32,430	
Public Works	4106	Reimbursements-Trustee	4106-99-99-94106-585400		-	146,570	146,570	To reflect current accounting practices, amounts requesting from Trustee for administrative expenses, as well as amounts going to the Trustee (special taxed received and/or ROPS).
Public Works	4108	Reimbursements-Trustee	4108-99-99-94108-585400		-	54,200	54,200	
Public Works	4114	Reimbursements-Trustee	4114-99-99-94114-585400		-	32,000	32,000	
Public Works	2006	Insp Fees - Landscape	2006-70-79-25701-523050		30,000	15,000	45,000	Increasing budget due to higher than anticipated revenue.
Public Works	2050	Advanced Energy Fees	2050-70-79-25722-501100		25,000	40,000	65,000	
Public Works	2301	Fed Reimb-Capital	2301-99-99-92301-482020		3,880,225	6,908,658	10,788,883	Budgeting for prior year revnues/reimbursements not yet received.
Public Works	2301	Reimbursements - Other Govts	2301-99-99-92301-483010		826,803	1,577,615	2,404,418	
REVENUE TOTAL					\$ 44,384,574	\$ 94,620,661	\$ 139,005,235	
City Manager	7230	Transfers to - within cat TECHNOLOGY SERVICES ASSET FUND	7230-99-99-97230-927220		\$ 1,369,699	\$ 85,837	\$ 1,455,536	To upgrade the City's Enterprise Geographic Information System with available replacement funds.
City Manager	7220	Computer, Repl - Hardware	7220-16-39-25455-660420		101,480	85,837	187,317	
City Manager	5010	Contractual Svcs - Other	5010-16-56-18510-625099		1,810,357	37,373	1,847,730	For anticipated annual adjustments to utility charges from the Mall Branch Library.

Attachment: Exhibit A - Amendments FY 2017/18 & FY 2018/19 [Revision 3] (2946 : FY 17/18 MID-YEAR

Financial & Management Services	7510	Transfers to GENERAL FUND	7510-99-97-88110-901010		175,809	12,418	188,227	Replacement funding for kitchen appliances for Fire Station #6.
Financial & Management Services	4852	Bond Issuance Costs	4852-99-99-94852-670510		-	549,739	549,739	
Financial & Management Services	4852	Transfers to - within cat SUCSR AGENCY DEBT SERVICE	4852-99-99-94852-924851		-	41,152,582	41,152,582	Budget for transactions related to the tax allocation bonds.
Financial & Management Services	4851	Bond Principal	4851-99-99-94851-670314		250,000	40,107,396	40,357,396	
Financial & Management Services	4851	Interest Expense	4851-99-99-94851-670410		1,295,400	747,590	2,042,990	
Financial & Management Services	7610	Leave Payouts - Annual	7610-99-99-97610-613110		50,000	100,000	150,000	Budgeting for anticipated leave payouts.
Financial & Management Services	6011	CIP Other	6011-30-80-80005-720199	805 0045	17,594,274	(9,353)	17,584,921	Reduction due to anticipated expenses.
Financial & Management Services	6010	Technical Svcs - Other	6010-30-80-45510-620899		-	25,000	25,000	This request will cover engineering and inspection services on additional non-developer projects through the fiscal year-end.
Financial & Management Services	6010	Purchased Power	6010-30-80-45510-710110		11,100,000	1,900,000	13,000,000	The request for additional budget is driven by increasing demand for electricity and new development within our service area.
Financial & Management Services	6010	Distribution Share	6010-30-80-45510-710122		4,499,100	500,000	4,999,100	The request for additional budget is to cover additional expenses through fiscal year-end caused by new development within the Moreno Valley Utilities service area.
Financial & Management Services	6010	Transfers to - within cat ELECTRIC - RESTRICTED ASSETS	6010-99-99-96010-926011		-	1,500,000	1,500,000	Transfer of fund for pay-go funding of Kitching Substation.
Public Works	5112	Maint & Repair - Bldg & Ground	5112-70-79-25719-620910		93,800	38,000	131,800	For routine maintenance, estimated repairs and EMWD water charges for irrigation in and around the Nason/60 freeway bridge.. In addition an increase for a contract amendment to remove and replant material in the Eucalyptus Avenue median, not relate to the Nason/60 freeway bridge.
Public Works	5112	Utilities - Water	5112-70-79-25719-621030		61,900	6,000	67,900	
Public Works	7510	Transfers to GENERAL FUND	7510-99-97-88110-901010		175,809	5,405	181,214	Requesting the transfer of replacement funds to purchase an Automatic Tripod Kit and accessories from HILTI.
Public Works	2001	CIP Other	2001-70-77-80002-720199	802 0002 70 77	1,100	(1,100)	-	Budget no longer needed and will be returned to Fund Balance.
Public Works	2000	Salaries, Regular	2000-70-77-45220-611110		759,168	(17,598)	741,570	
Public Works	2001	Salaries, Regular	2001-70-77-45230-611110		29,397	17,598	46,995	
Public Works	2000	Benefits - PERS & ERPD Def Comp	2000-70-77-45220-612110		227,786	(5,285)	222,501	
Public Works	2001	Benefits - PERS & ERPD Def Comp	2001-70-77-45230-612110		8,813	5,285	14,098	
Public Works	2000	Benefits - Bank	2000-70-77-45220-612120		139,237	(4,250)	134,987	
Public Works	2001	Benefits - Bank	2001-70-77-45230-612120		5,343	4,250	9,593	
Public Works	2000	Benefits - Medicare	2000-70-77-45220-612130		13,420	(317)	13,103	
Public Works	2001	Benefits - Medicare	2001-70-77-45230-612130		519	317	836	
Public Works	2000	Benefits - Group Life Insurance	2000-70-77-45220-612140		4,710	(110)	4,600	
Public Works	2001	Benefits - Group Life Insurance	2001-70-77-45230-612140		183	110	293	
Public Works	2000	Benefits - ST/LT Disability	2000-70-77-45220-612145		7,681	(178)	7,503	
Public Works	2001	Benefits - ST/LT Disability	2001-70-77-45230-612145		297	178	475	
Public Works	2000	Benefits - Annuity	2000-70-77-45220-612160		5,527	(300)	5,227	
Public Works	2001	Benefits - Annuity	2001-70-77-45230-612160		300	300	600	
Public Works	3705	Transfers to TWNGT IMPV SPCL TAX CAP ADMIN	3705-99-90-93705-903405		36,100	(36,100)	-	
Public Works	3706	Transfers to 2007 TWNGT SPCLTAX REF CAP ADM	3706-99-90-93706-903406		146,570	(146,570)	-	Due to restructuring of funds, these budgets are not needed under these funds.
Public Works	3714	Transfers to IA1 CFD 7 CAPITAL/ADMIN	3714-99-90-93714-903414		32,200	(32,200)	-	
Public Works	4105	Payments to Trustee	4105-99-99-94105-680402		-	393,350	393,350	
Public Works	4106	Payments to Trustee	4106-99-99-94106-680402		-	1,173,750	1,173,750	
Public Works	4108	Payments to Trustee	4108-99-99-94108-680402		-	436,740	436,740	To reflect current accounting practices, amounts requesting from Trustee for administrative expenses, as well as amounts going to the Trustee (special taxed received and/or ROPS).
Public Works	4114	Payments to Trustee	4114-99-99-94114-680402		-	189,410	189,410	
Public Works	2050	Professional Svcs - Legal Svcs	2050-70-79-25722-620230		-	750	750	
Public Works	2006	Agency Svcs - Cnty	2006-70-79-25701-620320		3,500	1,500	5,000	Professional services expense for consulting special legal counsel regarding district related issues. Agency services includes the new fee of \$75 from State collected by the County for each recorded boundary map and tax lien.
Public Works	2050	Utilities - Water	2050-70-79-25722-621030		5,200	6,000	11,200	Projected new facilities for ongoing maintenance.
Public Works	5014	Utilities - Water	5014-70-79-25721-621030		414,600	34,990	449,590	
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 01A RP	414,600	1,690	416,290	
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 02 HS	414,600	10,900	425,500	
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 03 MVRW	414,600	15,540	430,140	Water usage increased as a result of lifting outdoor watering restrictions.
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 03A LPP	414,600	390	414,990	
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 05 SR	414,600	2,370	416,970	
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 06 MF	414,600	2,670	417,270	
Public Works	5014	Utilities - Water	5014-70-79-25721-621030	SD LMD ZN 08 SM	414,600	1,430	416,030	
Public Works	2007	Oper Mtrls - Fuel: Alternative Fuel	2007-70-78-45340-630357		25,000	23,000	48,000	
Public Works	2007	Oper Mtrls - Fuel: Alternative Fuel	2007-70-78-45341-630357		7,200	8,800	16,000	
Public Works	2000	Oper Mtrls - Fuel: Alternative Fuel	2000-70-78-45311-630357		4,000	19,000	23,000	Adjusting to accommodate the increase in fleet. Increases in alternative fuel costs are partially offset by reductions in diesel usage. Other variables contributing to increased alternative fuel costs include dual engine street sweepers, mileage variables, fuel efficiency variables, and fuel costs.
Public Works	2001	Oper Mtrls - Fuel: Diesel	2001-70-78-45315-630356		7,000	(6,000)	1,000	
Public Works	2000	Oper Mtrls - Fuel: Diesel	2000-70-78-45311-630356		30,000	(5,000)	25,000	
Public Works	2007	Oper Mtrls - Fuel: Diesel	2007-70-78-45340-630356		7,000	(5,000)	2,000	
Public Works	7410	Oper Mtrls - Fuel: Diesel	7410-70-78-45370-630356		50,834	(17,000)	33,834	

Attachment: Exhibit A - Amendments FY 2017/18 & FY 2018/19 [Revision 3] (2946 : FY 17/18 MID-YEAR

Public Works	2000	Salaries, Overtime	2000-70-78-45311-611210		-	43,000	43,000	Establishing overtime budgets based on projected demands.
Public Works	2001	Salaries, Overtime	2001-70-76-45122-611210		-	1,000	1,000	
Public Works	2000	Salaries, Regular	2000-70-77-45220-611110		759,168	(609,168)	150,000	Reflects the reallocation of personnel budgets and internal service fund transactions from Gas Tax to the General Fund.
Public Works	2000	Salaries, Overtime	2000-70-77-45220-611210		2,000	(2,000)	-	
Public Works	2000	Salaries, Temporary	2000-70-77-45220-611310		20,000	(20,000)	-	
Public Works	2000	Salaries, Reimbursable (In/Out)	2000-70-77-45220-611510		(1,131,014)	1,131,014	-	
Public Works	2000	Salaries, Addl - Bilingual	2000-70-77-45220-611620		840	(840)	-	
Public Works	2000	Salaries, Addl - Other	2000-70-77-45220-611699		25,880	(25,880)	-	
Public Works	2000	Benefits - PERS & ERPD Def Comp	2000-70-77-45220-612110		227,786	(206,014)	21,772	
Public Works	2000	Benefits - Bank	2000-70-77-45220-612120		139,237	(139,237)	-	
Public Works	2000	Benefits - Medicare	2000-70-77-45220-612130		13,420	(13,420)	-	
Public Works	2000	Benefits - Group Life Insurance	2000-70-77-45220-612140		4,710	(4,710)	-	
Public Works	2000	Benefits - ST/LT Disability	2000-70-77-45220-612145		7,681	(7,681)	-	
Public Works	2000	Benefits - Addl % Mgmt Pkg	2000-70-77-45220-612150		22,241	(22,241)	-	
Public Works	2000	Benefits - Auto Allowance	2000-70-77-45220-612155		4,095	(4,095)	-	
Public Works	2000	Benefits - Annuity	2000-70-77-45220-612160		5,527	(5,527)	-	
Public Works	2000	Benefits - Other	2000-70-77-45220-612199		6,720	(6,720)	-	
Public Works	2000	Reimbursed Indirect Costs	2000-70-77-45220-680410		(85,000)	85,000	-	
Public Works	2000	ISF - TS Oper	2000-70-77-45220-690118		136,095	(105,852)	30,243	
Public Works	2000	ISF - Risk - General Liability	2000-70-77-45220-690210		49,394	(38,418)	10,976	
Public Works	2000	ISF - Risk - Workers Comp	2000-70-77-45220-690220		22,506	(17,505)	5,001	
Public Works	2000	ISF - Purch & Fac - Copier Chrg	2000-70-77-45220-690320		13,000	(10,111)	2,889	
Public Works	2000	ISF - Purch & Fac	2000-70-77-45220-690390		126,000	(98,000)	28,000	
Public Works	2000	Admin Chrg - GF - Cost Alloc	2000-70-77-45220-692010		170,036	(132,250)	37,786	
Public Works	2000	Admin Chrg - OPEB	2000-70-77-45220-692012		22,300	(17,344)	4,956	
EXPENSES TOTAL					\$ 44,015,135	\$ 88,690,135	\$ 132,705,270	

CITY OF MORENO VALLEY
 GENERAL FUND
 FY 2018/19 Proposed Amendments

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2018/19 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Community Development	1010	Building Permits	1010-20-28-20310-425000		\$ 1,800,000	\$ 85,000	\$ 1,885,000	Based on trends increasing budget.
Police	1010	Agency Svcs - Cnty	1010-60-67-40210-620320		6,770,729	(82,131)	6,688,598	Moving budget from FY18/19 to FY17/18 for March Air Show.
Public Works	1010	CIP Other	1010-70-77-80002-720199	802 0003 70 77	70,000	(70,000)	-	\$70,000 of General Fund was budgeted to CIP project 802 0003 for the maintenance of irrigation and a concentrated area of landscaping around the Nason/60 Freeway Bridge. This maintenance will now be administered by Special Districts. \$70,000 will be transferred out of the General Fund and into "ZONE M MEDIANS."
Public Works	1010	Transfers to ZONE "M" MEDIAN FUND	1010-99-99-91010-905112		108,500	70,000	178,500	
Public Works	1010	Salaries, Overtime	1010-70-76-45110-611210		-	1,000	1,000	Establishing overtime budgets based on projected demands.
Public Works	1010	Salaries, Overtime	1010-70-76-45111-611210		-	21,100	21,100	
Public Works	1010	Salaries, Regular	1010-70-77-45210-611110		-	634,515	634,515	
Public Works	1010	Salaries, Overtime	1010-70-77-45210-611210		-	2,000	2,000	
Public Works	1010	Salaries, Temporary	1010-70-77-45210-611310		-	20,000	20,000	
Public Works	1010	Salaries, Reimbursable (In/Out)	1010-70-77-45210-611510		-	(1,131,014)	(1,131,014)	
Public Works	1010	Salaries, Addl - Bilingual	1010-70-77-45210-611620		-	840	840	
Public Works	1010	Salaries, Addl - Other	1010-70-77-45210-611699		-	43,651	43,651	
Public Works	1010	Benefits - PERS & ERPD Def Comp	1010-70-77-45210-612110		-	234,118	234,118	
Public Works	1010	Benefits - Bank	1010-70-77-45210-612120		-	130,023	130,023	
Public Works	1010	Benefits - Medicare	1010-70-77-45210-612130		-	13,666	13,666	
Public Works	1010	Benefits - Group Life Insurance	1010-70-77-45210-612140		-	4,868	4,868	
Public Works	1010	Benefits - ST/LT Disability	1010-70-77-45210-612145		-	7,942	7,942	
Public Works	1010	Benefits - Addl % Mgmt Pkg	1010-70-77-45210-612150		-	23,049	23,049	Reflects the reallocation of personnel budgets and internal service fund transactions from Gas Tax to the General Fund.
Public Works	1010	Benefits - Auto Allowance	1010-70-77-45210-612155		-	4,095	4,095	
Public Works	1010	Benefits - Annuity	1010-70-77-45210-612160		-	5,527	5,527	
Public Works	1010	Benefits - Other	1010-70-77-45210-612199		-	6,720	6,720	
Public Works	1010	Reimbursed Indirect Costs	1010-70-77-45210-680410		-	(85,000)	(85,000)	
Public Works	1010	ISF - TS Oper	1010-70-77-45210-690118		-	105,852	105,852	
Public Works	1010	ISF - Risk - General Liability	1010-70-77-45210-690210		-	38,418	38,418	
Public Works	1010	ISF - Risk - Workers Comp	1010-70-77-45210-690220		-	17,505	17,505	
Public Works	1010	ISF - Purch & Fac - Copier Chrg	1010-70-77-45210-690320		-	10,111	10,111	
Public Works	1010	ISF - Purch & Fac	1010-70-77-45210-690390		-	98,000	98,000	
Public Works	1010	Admin Chrg - GF - Cost Alloc	1010-70-77-45210-692010		-	132,250	132,250	
Public Works	1010	Admin Chrg - OPEB	1010-70-77-45210-692012		-	17,344	17,344	
EXPENSES TOTAL					\$ 8,749,229	\$ 359,449	\$ 9,108,678	

Attachment: Exhibit A - Amendments FY 2017/18 & FY 2018/19 [Revision 3] (2946 : FY 17/18 MID-YEAR

**CITY OF MORENO VALLEY
NON - GENERAL FUND
FY 2018/19 Proposed Amendments**

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2018/19 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Financial & Management Services	2017	Rebates-Energy Efficiency	2017-99-99-92017-580080		\$ -	\$ 10,000	10,000	Increasing the budget based on rebate trends.
Public Works	5112	Transfers in - from GENERAL FUND	5112-99-99-95112-801010		108,500	70,000	178,500	\$70,000 of General Fund was budgeted to CIP project 802 0003 for the maintenance of irrigation and a concentrated area of landscaping around the Nason/60 Freeway Bridge. This maintenance will now be administered by Special Districts. \$70,000 will be transferred out of the General Fund and into "ZONE M MEDIANS."
Public Works	3405	Transfers in - from TWNGT IMPV SPCL TAX REF DEBT S	3405-99-91-93405-803705		36,100	(36,100)	-	
Public Works	3406	Transfers in - from TWNGT SPCL TAX REFNDG DEBT SV	3406-99-91-93406-803706		146,570	(146,570)	-	Due to restructuring of funds, these budgets are not needed under these funds.
Public Works	3414	Transfers in - from IA1 CFD 7 DEBT SERVICE	3414-99-91-93414-803714		32,150	(32,150)	-	
Public Works	4105	Reimbursements-Trustee	4105-99-99-94105-585400		-	35,900	35,900	
Public Works	4106	Reimbursements-Trustee	4106-99-99-94106-585400		-	146,570	146,570	
Public Works	4108	Reimbursements-Trustee	4108-99-99-94108-585400		-	54,200	54,200	To reflect current accounting practices, amounts requesting from Trustee for administrative expenses, as well as amounts going to the Trustee (special taxed received and/or ROPS).
Public Works	4114	Reimbursements-Trustee	4114-99-99-94114-585400		-	31,950	31,950	
REVENUE TOTAL					\$ 323,320	\$ 133,800	\$ 457,120	
City Manager	7210	Non-Invent Asset - Repl	7210-16-39-25411-631011		\$ -	\$ 104,000	\$ 104,000	
City Manager	7210	Computers - Hardware	7210-16-39-25410-630910		-	10,000	10,000	
City Manager	7210	Computers - Software	7210-16-39-25410-630911		-	5,000	5,000	
City Manager	7210	Computers - Hardware	7210-16-39-25411-630910		-	12,532	12,532	
City Manager	7210	Computers - Other	7210-16-39-25411-630999		-	5,000	5,000	
City Manager	7210	Non-Invent Asset - New	7210-16-39-25412-631010		-	15,000	15,000	Computer hardware replacement and software licensing.
City Manager	7210	Non-Invent Asset - Repl	7210-16-39-25412-631011		-	24,000	24,000	
City Manager	7210	Computers - Hardware	7210-16-39-25412-630910		-	3,000	3,000	
City Manager	7210	Computers - Software	7210-16-39-25412-630911		-	3,000	3,000	
City Manager	7210	Computers - Hardware	7210-16-39-25413-630910		-	1,050	1,050	
City Manager	7210	Computers - Software	7210-16-39-25413-630911		-	3,250	3,250	
City Manager	5010	Contractual Svcs - Other	5010-16-56-18510-625099		1,944,543	37,373	1,981,916	For anticipated annual adjustments to utility charges from the Mall Branch Library.
Financial & Management Services	7610	Leave Payouts - Annual	7610-99-99-97610-613110		100,000	50,000	150,000	Budgeting for anticipated leave payouts.
Public Works	5112	Maint & Repair - Bldg & Ground	5112-70-79-25719-620910		123,800	29,000	152,800	For routine maintenance, estimated repairs and EMWD water charges for irrigation in and around the Nason/60 freeway bridge..
Public Works	5112	Utilities - Water	5112-70-79-25719-621030		63,800	6,000	69,800	
Public Works	2000	Salaries, Regular	2000-70-77-45220-611110		784,515	(18,474)	766,041	
Public Works	2001	Salaries, Regular	2001-70-77-45230-611110		30,867	18,474	49,341	
Public Works	2000	Benefits - PERS & ERPD Def Comp	2000-70-77-45220-612110		255,890	(6,030)	249,860	
Public Works	2001	Benefits - PERS & ERPD Def Comp	2001-70-77-45230-612110		10,061	6,030	16,091	
Public Works	2000	Benefits - Bank	2000-70-77-45220-612120		130,023	(4,250)	125,773	
Public Works	2001	Benefits - Bank	2001-70-77-45230-612120		5,343	4,250	9,593	
Public Works	2000	Benefits - Medicare	2000-70-77-45220-612130		13,666	(330)	13,336	Reallocation and update to match current personnel position allocations.
Public Works	2001	Benefits - Medicare	2001-70-77-45230-612130		541	330	871	
Public Works	2000	Benefits - Group Life Insurance	2000-70-77-45220-612140		4,868	(116)	4,752	
Public Works	2001	Benefits - Group Life Insurance	2001-70-77-45230-612140		192	116	308	
Public Works	2000	Benefits - ST/LT Disability	2000-70-77-45220-612145		7,942	(187)	7,755	
Public Works	2001	Benefits - ST/LT Disability	2001-70-77-45230-612145		312	187	499	
Public Works	2000	Benefits - Annuity	2000-70-77-45220-612160		5,527	(300)	5,227	
Public Works	2001	Benefits - Annuity	2001-70-77-45230-612160		300	300	600	
Public Works	3705	Transfers to TWNGT IMPV SPCL TAX CAP ADMIN	3705-99-90-93705-903405		36,100	(36,100)	-	
Public Works	3706	Transfers to 2007 TWNGT SPCLTAX REF CAP ADM	3706-99-90-93706-903406		146,570	(146,570)	-	Due to restructuring of funds, these budgets are not needed under these funds.
Public Works	3714	Transfers to IA1 CFD 7 CAPITAL/ADMIN	3714-99-90-93714-903414		32,150	(32,150)	-	
Public Works	4105	Payments to Trustee	4105-99-99-94105-680402		-	401,400	401,400	
Public Works	4106	Payments to Trustee	4106-99-99-94106-680402		-	1,190,000	1,190,000	To reflect current accounting practices, amounts requesting from Trustee for administrative expenses, as well as amounts going to the Trustee (special taxed received and/or ROPS).
Public Works	4108	Payments to Trustee	4108-99-99-94108-680402		-	430,390	430,390	
Public Works	4114	Payments to Trustee	4114-99-99-94114-680402		-	199,890	199,890	
Public Works	2050	Professional Svcs - Legal Svcs	2050-70-79-25722-620230		-	750	750	Professional services expense for consulting special legal counsel regarding district related issues. Agency services includes the new fee of \$75 from State collected by the County for each recorded boundary map and tax lien.
Public Works	2006	Agency Svcs - Cnty	2006-70-79-25701-620320		3,500	2,250	5,750	

Attachment: Exhibit A - Amendments FY 2017/18 & FY 2018/19 [Revision 3] (2946 : FY 17/18 MID-YEAR

Public Works	2007	Oper Mtrls - Fuel: Alternative Fuel	2007-70-78-45340-630357		25,000	23,000	48,000	
Public Works	2007	Oper Mtrls - Fuel: Alternative Fuel	2007-70-78-45341-630357		7,200	8,800	16,000	
Public Works	2000	Oper Mtrls - Fuel: Alternative Fuel	2000-70-78-45311-630357		4,000	19,000	23,000	Increased alternative fuel costs related to FY 2017/18 vehicle purchases (increase from three to six CNG vehicles).
Public Works	2001	Oper Mtrls - Fuel: Diesel	2001-70-78-45315-630356		7,000	(6,000)	1,000	Increases in alternative fuel costs are partially offset by reductions in diesel usage. Other variables contributing to
Public Works	2000	Oper Mtrls - Fuel: Diesel	2000-70-78-45311-630356		30,000	(5,000)	25,000	increased alternative fuel costs include dual engine street sweepers, mileage variables, fuel efficiency variables, and
Public Works	2007	Oper Mtrls - Fuel: Diesel	2007-70-78-45340-630356		7,000	(5,000)	2,000	fuel costs.
Public Works	7410	Oper Mtrls - Fuel: Diesel	7410-70-78-45370-630356		50,834	(17,000)	33,834	
Public Works	2000	Salaries, Overtime	2000-70-78-45311-611210		-	43,000	43,000	Establish overtime budgets based on projected demands.
Public Works	2001	Salaries, Overtime	2001-70-76-45122-611210		-	1,000	1,000	
Public Works	2000	Salaries, Regular	2000-70-77-45220-611110		784,515	(634,515)	150,000	
Public Works	2000	Salaries, Overtime	2000-70-77-45220-611210		2,000	(2,000)	-	
Public Works	2000	Salaries, Temporary	2000-70-77-45220-611310		20,000	(20,000)	-	
Public Works	2000	Salaries, Reimbursable (In/Out)	2000-70-77-45220-611510		(1,131,014)	1,131,014	-	
Public Works	2000	Salaries, Addl - Bilingual	2000-70-77-45220-611620		840	(840)	-	
Public Works	2000	Salaries, Addl - Other	2000-70-77-45220-611699		43,651	(43,651)	-	
Public Works	2000	Benefits - PERS & ERPD Def Comp	2000-70-77-45220-612110		255,890	(234,118)	21,772	
Public Works	2000	Benefits - Bank	2000-70-77-45220-612120		130,023	(130,023)	-	
Public Works	2000	Benefits - Medicare	2000-70-77-45220-612130		13,666	(13,666)	-	
Public Works	2000	Benefits - Group Life Insurance	2000-70-77-45220-612140		4,868	(4,868)	-	
Public Works	2000	Benefits - ST/LT Disability	2000-70-77-45220-612145		7,942	(7,942)	-	
Public Works	2000	Benefits - Addl % Mgmt Pkg	2000-70-77-45220-612150		23,049	(23,049)	-	Reflects the reallocation of personnel budgets and internal service fund transactions from Gas Tax to the General
Public Works	2000	Benefits - Auto Allowance	2000-70-77-45220-612155		4,095	(4,095)	-	Fund.
Public Works	2000	Benefits - Annuity	2000-70-77-45220-612160		5,527	(5,527)	-	
Public Works	2000	Benefits - Other	2000-70-77-45220-612199		6,720	(6,720)	-	
Public Works	2000	Reimbursed Indirect Costs	2000-70-77-45220-680410		(85,000)	85,000	-	
Public Works	2000	ISF - TS Oper	2000-70-77-45220-690118		136,095	(105,852)	30,243	
Public Works	2000	ISF - Risk - General Liability	2000-70-77-45220-690210		49,394	(38,418)	10,976	
Public Works	2000	ISF - Risk - Workers Comp	2000-70-77-45220-690220		22,506	(17,505)	5,001	
Public Works	2000	ISF - Purch & Fac - Copier Chrg	2000-70-77-45220-690320		13,000	(10,111)	2,889	
Public Works	2000	ISF - Purch & Fac	2000-70-77-45220-690390		126,000	(98,000)	28,000	
Public Works	2000	Admin Chrg - GF - Cost Alloc	2000-70-77-45220-692010		170,036	(132,250)	37,786	
Public Works	2000	Admin Chrg - OPEB	2000-70-77-45220-692012		22,300	(17,344)	4,956	
EXPENSES TOTAL					\$ 4,457,647	\$ 2,045,385	\$ 6,503,032	

RESOLUTION NO. CSD 2018-XX

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE REVISED OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2017/18 AND FISCAL YEAR 2018/19

WHEREAS, the Community Services District Board (CSD) approved the Operating and Capital Budgets for the City for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the CSD Board, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the CSD Board approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the Mid-Year budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District proposed amendments to the Operating and Capital Budgets for the District for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the District's Board of Directors, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contain expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of CSD services during periods of operational deficits; and

WHEREAS, the President and Board of Directors have made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1
Resolution No. CSD 2018-XX
Date Adopted: February 20, 2018

1. The proposed amendments to the Operating and Capital Budgets, as Exhibits A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the Community Services District’s Board of Directors, is hereby approved and adopted as the annual Operating and Capital Budgets of the Moreno Valley Community Services District for the Fiscal Year 2017/18 and Fiscal Year 2018/19. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal years.
2. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Directors of the Community Services District, shall be \$100 per meeting or for each day’s service rendered as a Director, not to exceed six days or \$600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business.
3. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 20th day of February, 2018.

 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

2
 Resolution No. CSD 2018-XX
 Date Adopted: February 20, 2018

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2018-XX was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 20th day of February, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Board members, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2018-XX
Date Adopted: February 20, 2018

RESOLUTION NO. HA 2018-XX
 A RESOLUTION OF THE HOUSING AUTHORITY OF THE
 CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING
 THE REVISED OPERATING AND CAPITAL BUDGETS
 FOR FISCAL YEAR 2017/18 AND FISCAL YEAR 2018/19

WHEREAS, the Housing Authority approved the Operating and Capital Budgets for the City for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the Housing Authority, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the Housing Authority approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the Mid-Year budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the Housing Authority proposed amendments to the Operating and Capital Budgets for the District for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the Housing Authority, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contain expenditure requirements and the resources available to the Housing Authority; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of Housing Authority services during periods of operational deficits; and

WHEREAS, the Housing Authority have made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the Housing Authority to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

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

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the Housing Authority, is hereby approved and adopted as the annual Operating and Capital Budgets of the Moreno Valley Housing Authority for the Fiscal Year 2017/18 and Fiscal Year 2018/19.

1
 Resolution No. HA 2018-XX
 Date Adopted: February 20, 2018

- 2. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal years.
- 3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Housing Authority, shall be \$100 per meeting or for each day's service rendered as a Director, not to exceed six days or \$600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business.
- 4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 20th day of February, 2018.

 Mayor of the City of Moreno Valley,
 Acting in the capacity of Chairman of the
 Housing Authority

ATTEST:

 City Clerk, acting in the capacity of
 Secretary of the Housing Authority

APPROVED AS TO FORM:

 City Attorney, acting in the capacity of
 General Counsel of the Housing Authority

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, Secretary of the Housing Authority, Moreno Valley, California do hereby certify that Resolution No. HA 2018-XX was duly and regularly adopted by the Commissioners of the Housing Authority at a regular meeting held on the 20th day of February, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Commissioners, Vice Chairperson and Chairperson)

SECRETARY

(SEAL)

Resolution No. HA 2018-XX
Date Adopted: February 20, 2018

RESOLUTION NO. SA 2018-XX
 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
 COMMUNITY REDEVELOPMENT AGENCY OF THE CITY
 OF MORENO VALLEY, CALIFORNIA, ADOPTING THE
 REVISED OPERATING AND CAPITAL BUDGETS FOR
 FISCAL YEAR 2017/18 AND FISCAL YEAR 2018/19

WHEREAS, the Mayor and City Council of the City of Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley approved the Operating and Capital Budgets for the City for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the Mayor and City Council of the City of Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the Mid-Year budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the Mayor and City Council of the City Moreno Valley as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley proposed amendments to the Operating and Capital Budgets for the Agency for Fiscal Year 2017/18 and Fiscal Year 2018/19, a copy of which, as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contain expenditure requirements and the resources available to the Successor Agency; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley services during periods of operational deficits; and

WHEREAS, the Mayor and City Council have made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

1
 Resolution No. SA 2018-XX
 Date Adopted: February 20, 2018

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

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, is hereby approved and adopted as the annual Operating and Capital Budgets of the Moreno Valley Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley for Fiscal Year 2017/18 and Fiscal Year 2018/19.
2. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal years.
3. Pursuant to Section 61047 of the California Government Code, compensation for the City Council acting in the capacity of the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley, shall be \$100 per meeting or for each day's service rendered as a Director, not to exceed six days or \$600 in any calendar month. In addition, the Directors shall be compensated for actual and necessary traveling and incidental expenses incurred while on official business.
4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 20th day of February, 2018.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

2
Resolution No. SA 2018-XX
Date Adopted: February 20, 2018

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California do hereby certify that Resolution No. SA 2018-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting held on the 20th day of February, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

SECRETARY

(SEAL)

3
Resolution No. SA 2018-XX
Date Adopted: February 20, 2018