



## **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  
MORENO VALLEY PUBLIC FINANCING AUTHORITY  
BOARD OF LIBRARY TRUSTEES**

**April 2, 2019**

### **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.*

Dr. Yxstian A. Gutierrez, Mayor

Victoria Baca, Mayor Pro Tem  
Ulises Cabrera, Council Member

David Marquez, Council Member  
Dr. Carla J. Thornton, Council Member

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**April 2, 2019**

**CALL TO ORDER - 5:30 PM**

**SPECIAL PRESENTATIONS**

1. Proclamation Recognizing Cesar Chavez Day
2. Proclamation Recognizing Arbor Day
3. Proclamation Recognizing Animal Care and Control Appreciation Week

**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  
MORENO VALLEY PUBLIC FINANCING AUTHORITY  
AND THE BOARD OF LIBRARY TRUSTEES**

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

**REGULAR MEETING – 6:00 PM  
APRIL 2, 2019**

**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 Troy Shedeed, Generations 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-E)**

All items listed under the Consent Calendars, Sections A, B, C, D, and E 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 - MAR 5, 2019 4:30 PM

**Recommendation:** Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - REGULAR MEETING - MAR 5, 2019 6:00 PM

**Recommendation:** Approve as submitted.

- A.4. MINUTES - CITY COUNCIL - CLOSED SESSION - MAR 12, 2019 4:30 PM

**Recommendation:** Approve as submitted.

- A.5. MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE, AND THE EMERGING LEADERS COUNCIL (Report of: City Clerk)

**Recommendation:**

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

### **PLANNING COMMISSION**

| <u>Name</u>      | <u>Position</u> | <u>Term</u>     |
|------------------|-----------------|-----------------|
| Patricia Korzec  | Member          | Ending 03/31/23 |
| Jeff Sims        | Member          | Ending 03/31/23 |
| Rafael Brugueras | Member          | Ending 03/31/23 |

**PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE**

| <u>Name</u>    | <u>Position</u> | <u>Term</u>     |
|----------------|-----------------|-----------------|
| Barbara Baxter | Member          | Ending 06/30/20 |

**EMERGING LEADERS COUNCIL**

| <u>Name</u>    | <u>Position</u> | <u>Term</u>     |
|----------------|-----------------|-----------------|
| MaryLinda Reza | Member          | Ending 05/31/20 |

- A.6. APPROVE AMENDMENTS TO MULTIPLE CITY POLICIES (Report of: Financial & Management Services)

**Recommendations:**

1. Amend Policy No. 3.25, Identity Theft Prevention
2. Rescind Policy No. 5.12, Use of JTPA Students
3. Amend Policy No. 3.80, Use of City Resources for Special Events and Recognition Activities
4. Amend Policy No. 2.13, Evaluations of Council Appointed Positions
5. Approve a new Maintenance Policy for Public Landscaping within a Special Financing District and Rescind prior landscape maintenance policies: No. 2.37 Arterial Median Maintenance, No. 2.30 Zone D, No. 2.39 Zone S, and No. 2.41 CSD Zone E
6. Amend Policy No. 1.11, Boards and Commissions
7. Amend Policy No. 3.20, Travel and Related Business Expenses

- A.7. EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT FOR FUTURE SALE OF CITY-OWNED PROPERTY AT ALESSANDRO BOULEVARD AND LASSELLE STREET WITH PANORAMA PROPERTIES, INC. (Report of: Economic Development)

**Recommendation:**

1. That the City Council approve an Exclusive Right to Negotiate agreement with Panorama Properties, Inc. regarding the proposed development of City-owned property at Alessandro Boulevard and Lasselle Street.
2. That the City Council authorize the City Manager or designee to execute the Exclusive Right to Negotiate agreement with Panorama Properties, Inc.
3. That the City Council authorize the City Manager or designee to negotiate a Purchase & Sale Agreement during the Exclusive Right to Negotiate period for the development of City-owned property at Alessandro Boulevard and Lasselle Street.

A.8. APPROVAL OF THE FISCAL YEAR 2019/2020 STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA 152 (Report of: Public Works)

**Recommendations:**

1. Approve the County Service Area (CSA) 152 Budget for Fiscal Year (FY) 2019/2020 in the amount \$691,884.
2. Authorize the levy of County Service Area 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2019/2020.

A.9. AUTHORIZE THE PURCHASE OF A HEAVY-DUTY VEHICLE LIFT FOR THE FLEET SHOP (Report of: Public Works)

**Recommendations:**

1. Authorize the purchase of a heavy-duty vehicle lift and issuance of a purchase order to Mohawk Lifts in the amount of \$97,838.74 plus an estimated sales and use tax amount of \$9,783 for a total amount of \$107,621.74.
2. Authorize the Chief Financial Officer to make necessary budget amendments according to the Fiscal Impact section.

A.10. AUTHORIZATION TO SUBMIT GRANT APPLICATIONS UNDER THE SB821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM (Report of: Public Works)

**Recommendation:**

1. Authorize the submission of grant applications for the SB 821 Bicycle and Pedestrian Facilities Program as administered by the Riverside County Transportation Commission (RCTC).

A.11. APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2019/20 – 2023/24 AND MAINTENANCE OF EFFORT CERTIFICATION FOR FISCAL YEAR 2019/20 (Report of: Public Works)

**Recommendations:**

1. Approve and authorize submittal of the City of Moreno Valley's Measure A Local Streets and Roads Five-Year Capital Improvement Plan for Fiscal Years 2019/20 – 2023/24 and Maintenance of Effort Certification for Fiscal Year 2019/20 to the Riverside County Transportation Commission.

2. Authorize staff to submit an amended five-year plan to the Riverside County Transportation Commission if changes are made to the listed Measure A projects.

A.12. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.13. APPROVAL TO FUND A COMMUNITY SERVICES SUPERINTENDENT POSITION (Report of: Human Resources)

**Recommendations:**

1. Modify the City's Position Control Summary to de-fund one Community Services Supervisor position and fund one Community Services Superintendent position in the Parks and Community Services Department.
2. Approve the Classification Specification for the position of Community Services Superintendent.

**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 OF MAR 5, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- B.3. MINUTES - CLOSED SESSION OF MAR 12, 2019 4:30 PM (See A.4)

**Recommendation:** Approve as submitted.

- B.4. MINUTES - REGULAR MEETING OF MAR 5, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

B.5. ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN FISCAL YEAR 2019/20 FOR MORENO VALLEY COMMUNITY SERVICES DISTRICT LIGHTING MAINTENANCE DISTRICT NO. 2014-01 (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Initiating Proceedings to Levy Fiscal Year 2019/20 Assessments against Real Property in Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.
2. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving an Engineer's Report in Connection with Fiscal Year 2019/20 Assessments against Real Property in Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.
3. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring its Intention to Levy Fiscal Year 2019/20 Assessments against Real Property in Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.

B.6. ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN FISCAL YEAR 2019/20 FOR MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02 (Report of: Public Works)

**Recommendations:**

1. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Initiating Proceedings to Levy the Fiscal Year 2019/20 Assessment against Real Property in Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.
2. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving an Engineer's Report in Connection with the 2019/20 Assessment against Real Property in Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.



3. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring its Intention to Levy the Fiscal Year 2019/20 Assessment against Real Property in Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.

#### **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 OF MAR 5, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- C.3. MINUTES - REGULAR MEETING OF MAR 5, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

- C.4. MINUTES - CLOSED SESSION OF MAR 12, 2019 4:30 PM (See A.4)

**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 OF MAR 5, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- D.3. MINUTES - REGULAR MEETING OF MAR 5, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

- D.4. MINUTES - CLOSED SESSION OF MAR 12, 2019 4:30 PM (See A.4)

**Recommendation:** Approve as submitted.

**E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY**

- E.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.

- E.2. MINUTES - CLOSED SESSION OF MAR 5, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.

- E.3. MINUTES - REGULAR MEETING OF MAR 5, 2019 6:00 PM (See A.3)

**Recommendation:** Approve as submitted.

- E.4. MINUTES - CLOSED SESSION OF MAR 12, 2019 4:30 PM (See A.4)

**Recommendation:** Approve as submitted.

**F. PUBLIC HEARINGS - NONE**

**G. GENERAL BUSINESS - NONE**

**H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION**

**I. REPORTS**

- I.1. CITY COUNCIL REPORTS

(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

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

I.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](http://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](http://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](http://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: March 28, 2019

**TO:**

**FROM:** Pat Jacquez-Nares, City Clerk

**AGENDA DATE:** April 2, 2019

**TITLE:** PROCLAMATION RECOGNIZING CESAR CHAVEZ DAY

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**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:** April 2, 2019  
**TITLE:** PROCLAMATION RECOGNIZING ARBOR DAY

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**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:** April 2, 2019

**TITLE:** PROCLAMATION RECOGNIZING ANIMAL CARE AND CONTROL APPRECIATION WEEK

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**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  
March 5, 2019**

**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 |
|          | Dr. Carla J. Thornton    | Council Member |

**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 items as listed on the agenda and that staff did not anticipate any reportable action.

Minutes Acceptance: Minutes of Mar 5, 2019 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)

The Closed Session will be held pursuant to Government Code:

1 SECTION 54957.6 - LABOR NEGOTIATIONS

- a) Agency Representative: Thomas M. DeSantis, City Manager  
Employee Organization: Moreno Valley City Employees Association (MVCEA)
- b) Agency Representative: Thomas M. DeSantis, City Manager  
Employee Organization: Moreno Valley Management Association (MVMA)

Mayor Gutierrez recessed the Council to the City Manager's Conference Room, second floor, City Hall, for their Closed Session at 4:32 p.m.

Mayor Gutierrez reconvened the City Council in the Council Chamber from their Closed Session at 5:38 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, Mayor Gutierrez adjourned the meeting at 5:38 p.m.



Submitted by:

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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:

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Dr. Yxstian A. Gutierrez  
 Mayor  
 City of Moreno Valley  
 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  
March 5, 2019**

**CALL TO ORDER - 5:30 PM**

**SPECIAL PRESENTATIONS**

1. Proclamation Recognizing April as Senior Veterans' Month
2. Storm Ready City

**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  
PUBLIC FINANCING AUTHORITY**

**REGULAR MEETING – 6:00 PM  
March 5, 2019**

**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**

Pastor Jeff White, Sandals Church

**ROLL CALL**

|          |                          |                |
|----------|--------------------------|----------------|
| Council: | Dr. Yxstian A. Gutierrez | Mayor          |
|          | Victoria Baca            | Mayor Pro Tem  |
|          | David Marquez            | Council Member |
|          | Ulises Cabrera           | Council Member |
| Absent:  | Dr. Carla J. Thornton    | Council Member |

**INTRODUCTIONS**

|        |                    |  |
|--------|--------------------|--|
| Staff: | Pat Jacquez-Nares  | City Clerk                             |
|        | Regina Flores      | Senior Deputy City Clerk               |
|        | Marshall Eyerman   | Chief Financial Officer/City Treasurer |
|        | Martin Koczanowicz | City Attorney                          |

Minutes Acceptance: Minutes of Mar 5, 2019 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

- |                  |                                       |
|------------------|---------------------------------------|
| Tom DeSantis     | City Manager                          |
| Allen Brock      | Assistant City Manager                |
| Mike Lee         | Economic Development Director         |
| Rick Sandzimier  | Community Development Director        |
| Dave Lelevier    | Acting Police Chief                   |
| Abdul Ahmad      | Fire Chief                            |
| Kathleen Sanchez | Human Resources Director              |
| Patti Solano     | 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. Congratulated the City on the Storm Ready City award.
2. Reminded residents of the Race on the Base.

Louise Palomarez

1. Expressed her gratitude to the City Council.

Aja Smith

1. Conveyed her support for Item No. F.1.

Roy Bleckert

1. Communicated his concern that the City of Moreno Valley is not current on their payments to the Riverside Conservancy Agency.
2. Indicated that he is on an email blacklist with the City.
3. Requested information pursuant to the California Public Records Act.

**JOINT CONSENT CALENDARS (SECTIONS A-E)**

Council Member Cabrera expressed his support for the ratification of Kassandra Morin’s appointment to the Emerging Leaders Council.

Mayor Gutierrez opened the Consent Agenda items for public comments, which were received from Rafael Brugueras (Supports Item Nos. A.3., A.4., A.5., A.6., A.9., and A.10) and Roy Bleckert (Supports Item No. A.9).

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Victoria Baca, Mayor Pro Tem   |
| <b>SECONDER:</b> | David Marquez, Council Member  |
| <b>AYES:</b>     | Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera |
| <b>ABSENT:</b>   | Dr. Carla J. Thornton  |

**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 - Closed Session - Feb 19, 2019 4:30 PM

**Recommendation:** Approve as submitted.

- A.3. 2019-10: APPOINT A VOTING DELEGATE (MAYOR PRO TEM BACA) AND ALTERNATE DELEGATE (COUNCIL MEMBER CABRERA) FOR THE SCAG 2019 ANNUAL GENERAL ASSEMBLY (Report of: City Clerk)

**Recommendations:**

**That the City Council:**

- 1. Appoint a Delegate and an Alternate to the Southern California Association of Governments (SCAG) Annual General Assembly on May 2 – 3, 2019.
- 2. Direct staff to submit to the names to SCAG before the March 8, 2019 deadline.

- A.4. LIST OF PERSONNEL CHANGES (Report of: Human Resources)

**Recommendation:**

- 1. Ratify the list of personnel changes as described.

- A.5. MAYORAL APPOINTMENTS TO THE LIBRARY COMMISSION, SENIOR CITIZENS' ADVISORY BOARD, AND EMERGING LEADERS COUNCIL (Report of: City Clerk)

**Recommendation:**

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

**Library Commission**

| <u>Name</u>       | <u>Position</u> | <u>Term</u>     |
|-------------------|-----------------|-----------------|
| Frances Hernandez | Member          | Ending 06/30/20 |

Minutes Acceptance: Minutes of Mar 5, 2019 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

**Senior Citizens' Advisory Board**

| <u>Name</u>    | <u>Position</u> | <u>Term</u>     |
|----------------|-----------------|-----------------|
| Anna Christian | Member          | Ending 06/30/20 |

**Emerging Leaders Council (ELC)**

| <u>Name</u>     | <u>Position</u> | <u>Term</u>     |
|-----------------|-----------------|-----------------|
| Kassandra Morin | Member          | Ending 05/31/21 |

A.6. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO LEONIDA BUILDERS INC. FOR CYCLE 7 ADA PEDESTRIAN ACCESS RAMPS AND LIBERTY LANE IMPROVEMENTS - PROJECT NOS. 801 0074 & 801 0075 (AGMT NO. 2019-132) (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to Leonida Builders Inc., 15821 Live Oaks Springs Canyon Road, Santa Clarita, CA 91387, for the Cycle 7 ADA Pedestrian Access Ramps & Liberty Lane Improvements.
2. Authorize the City Manager to execute a contract with Leonida Builders Inc. in substantial conformance with the attached contract.
3. Authorize the issuance of a Purchase Order for Leonida Builders Inc. in the amount of \$616,550.00 (\$560,500.00 bid amount plus 10% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related change orders to the contract, but not exceeding, the total contingency of \$56,050.00 subject to the approval of the City Attorney.
5. Authorize the use of up to \$40,000 from the Annual ADA Compliant Curb Ramps Project (801 0008).

A.7. TRACT 27251-1 – EXECUTE A QUITCLAIM DEED TRANSFERRING THE CITY’S TITLE INTEREST IN A STORM DRAIN EASEMENT TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT DEVELOPER - RSI MORENO VALLEY, LLC (Report of: Public Works)

**Recommendations:**

1. Authorize the City Manager to execute the Quitclaim Deed transferring all rights, title, and interest in and to the storm drain easement in Lot 5 recorded on Tract Map 27251-1, recorded in Map Book 325, Pages 83 through 86 inclusive, in the Official Records of

Minutes Acceptance: Minutes of Mar 5, 2019 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Riverside County, California, to the Riverside County Flood Control and Water Conservation District.

2. Direct the City Clerk to forward the signed Quitclaim Deed to the Riverside County Flood Control and Water Conservation District for further processing and recordation.

A.8. PETCO FOUNDATION GRANT AWARD (Report of: Community Development)

Animal Services Division Manager Fries delivered the report.

Council Member Marquez inquired as to the number of years the City has been awarded this grant.

Animal Services Division Manager Fries supplied the information.

Council Member Marquez thanked Animal Services Division Manager Fries and his staff for their work.

**Recommendations:**

1. Receive and accept a grant award in the amount of \$30,000 from the Petco Foundation for the purpose of enhancing the health of community pets by providing low to no-cost spay-neuter services, pet vaccinations and microchips to low income pet owners along with maintaining the success of the TNR (Trap-Neuter-Release) Program for the community and feral cat population.
2. Approve the revenue and expense budget adjustments in the amount of \$30,000 as set forth in the Fiscal Impact section of this report.

A.9. Second Reading and Adoption of Ordinance No. 950 re TUMF collection process (Report of: Community Development)

1. That the City Council conduct second reading by title only and adopt Ordinance No. 950

A.10. 2018 General Plan Annual Progress Report RESO. NO. 2019-05 (Report of: Community Development)

**Recommendations: That the City Council:**

1. CERTIFY that this action on the General Plan Annual Progress Report is exempt under the general rule provision allowed in Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

2. APPROVE Resolution No. 2019-05, approving the General Plan Annual Progress Report and directing staff to submit the report to the State Office of Planning and Research and the State Department of Housing and Community Development by April 1, 2019.

A.11. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2018 (Report of: Financial & Management Services)

**Recommendation:**

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2018, in compliance with the City's Investment Policy.

**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 OF FEB 19, 2019 4:30 PM (See A.2)

**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 OF FEB 19, 2019 4:30 PM (See A.2)

**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 OF FEB 19, 2019 4:30 PM (See A.2)

**Recommendation:** Approve as submitted.



## E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

- E.1. Consider a Resolution of the Public Financing Authority Setting the Regular Meeting Dates (RESOLUTION NO. PFA 2019-01) (Report of: City Clerk)

### **Recommendation: That the Public Finance Authority**

1. Adopt Resolution No. PFA 2019-01 of the Moreno Valley Public Financing Authority Establishing New Regular Meeting Dates.

## F. PUBLIC HEARINGS

- F.1. Continental East Phase II Project RESO. NOS. 2019-06 - 09 ORD. NOS. 951 - 952 (Report of: Community Development)

Associate Planner Bradshaw provided the report.

Mayor Gutierrez recognized two of the recently ratified appointees to the Library Commission and the Senior Citizens' Advisory Board.

Council Member Marquez questioned whether an assertion by the applicant regarding future development was finalized in writing.

Community Development Director Sandzimier indicated that it was not in writing.

Mayor Gutierrez opened the Public Hearing at 6:33 p.m.

Mayor Gutierrez applauded the applicant for their successful community outreach campaign.

Mr. Rattan, the applicant, explained that he has no intention of building a gas station within the development. Provided details regarding the project.

Mayor Gutierrez commended Mr. Rattan for working with the community.

Council Member Cabrera asked if some of the units would include garages and electric vehicle charging stations, for information regarding the commercial portion of the project, and about student housing.

Mr. Rattan confirmed garages will be included and that he would not object to installing electric vehicle charging stations. He remarked that the commercial corner is designated for a plaza with a food court and explained that the proposed duplexes could accommodate students.

Rafael Brugueras supports Item No. F.1.

Carlos expressed his concerns with the project.

Roy Bleckert supports Item No. F.1.

There being no further comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 6:51 p.m.

**Recommendations: That the City Council:**

- 1. ADOPT Resolution 2019-06: A Resolution of the City Council of the City of Moreno Valley **CERTIFYING** that the Addendum to EIR 190 prepared for General Plan Amendment PEN18-0119, Specific Plan Amendment PEN18-0120, Zone Change PEN18-0121, Parcel Map PEN18-0090 and Plot Plan PEN18-0107 on file with the Community Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the Addendum and that the document reflects the City’s independent judgment and analysis and **ADOPTING** the Mitigation Monitoring Program prepared for Parcel Map PEN18-0090 and Plot Plan PEN18-0107; and

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Victoria Baca, Mayor Pro Tem   |
| <b>SECONDER:</b> | David Marquez, Council Member  |
| <b>AYES:</b>     | Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera |
| <b>ABSENT:</b>   | Dr. Carla J. Thornton  |

- 2. ADOPT Resolution 2019-07: A Resolution of the City Council of the City of Moreno Valley approving General Plan Amendment application PEN18-0119 to change the land use designation for a portion of the site from Residential 20 to Commercial; and
- 5. ADOPT Resolution No. 2019-08, A Resolution of the City Council of the City of Moreno Valley approving Tentative Parcel Map application PEN18-0090 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and
- 6. ADOPT Resolution No. 2019-09, A Resolution of the City Council of the City of Moreno Valley approving Plot Plan application PEN18-0107 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and

Minutes Acceptance: Minutes of Mar 5, 2019 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

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

- 3. INTRODUCE and conduct the first reading by title only of Ordinance No.951, approving a Specific Plan Amendment (PEN18-0120) from High Density Residential to Neighborhood Commercial and Medium High Density Residential for the areas described in the Ordinance, based on the findings contained in the Ordinance, and as shown on the attachment included as Exhibit A; and
- 4. INTRODUCE and conduct the first reading by title only of Ordinance No. 952, approving a Zone Change (PEN18-0121) from High Density Residential to Neighborhood Commercial and Medium High Density Residential for the areas described in the Ordinance, based on the findings contained in the Ordinance, and the revised Zoning Atlas; and
- 7. SCHEDULE the second reading and adoption of Ordinance No. 951 and Ordinance No. 952 for the next regular City Council meeting.

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

**G. GENERAL BUSINESS**

G.1. FISCAL YEAR 2018/19 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE FISCAL YEAR 2018/19 MID-YEAR BUDGET AMENDMENTS (RESOLUTION NOS. 2019-10 & CSD 2019-01) (Report of: Financial & Management Services)

Chief Financial Officer/City Treasurer Eyerman provided the report.

Council Member Marquez inquired as to the overtime hours for Public Works staff, as well as the viability of storing asphalt.

City Manager DeSantis explained how the overtime would be allotted.

Public Works Director/City Engineer Wolfe described the demanding nature of asphalt.

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Council Member Marquez urged residents to report pot holes by utilizing the City's new online application.

Council Member Cabrera remarked that upcoming agendas would include additional funding for roadway improvements.

**Recommendations: That the City Council:**

1. Receive and file the Fiscal Year 2018/19 Mid-Year Budget Review. (Attachment 1)
2. Adopt Resolution No. 2019-10. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2018/19.
3. Approve the revised City Position Summary. (Attachment 5)
4. Approve the Job Class Specifications for the Fleet & Facilities Maintenance Supervisor.

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

**Recommendation: That the CSD:**

1. Adopt Resolution No. CSD 2019-01. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budget for FY 2018/19.

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

**H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE**

Minutes Acceptance: Minutes of Mar 5, 2019 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

## I.REPORTS

### I.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC) – Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

The meeting was short but educational. The Commission heard an update from RCC's Office of Economic Development about customized training and government procurement contracting support they can provide businesses in our area.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA) – Council Member Marquez

Council Member Marquez reported the following:

In April, RTA is set to begin construction on the University of California, Riverside (UCR) Mobility Hub. The mobility hub will be an active transit destination with more than 1,800 anticipated daily boardings. The project includes numerous amenities and will serve routes 1, 16, 51, 52, 204, and the RapidLink Gold Line.

Western Riverside Council of Governments (WRCOG) – Mayor Pro Tem Baca

Mayor Pro Tem Baca provided the following report:

The City of Moreno Valley acquired approximately 3,400 streetlights from SCE in the first of three acquisition phases in November 2018. Due to the large number of streetlights within the City, a coordinated, phased-in approach for transitioning the streetlights from SCE to local control will occur. The City started the retrofit of its streetlights on December 18, 2018, and will continue installing GE LED fixtures through 2019.

Western Riverside County Regional Conservation Authority (RCA) – Council Member Marquez

Council Member Marquez reported the following:

- Moreno Valley's MSHCP fee collection totaled \$71,536 (34 residential permits) in January 2019.

School District/City Joint Task Force - None

## I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager DeSantis responded to comments made by public speakers.

## I.3. CITY ATTORNEY'S REPORT - NONE

(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, THE BOARD OF LIBRARY TRUSTEES, AND THE PUBLIC FINANCING AUTHORITY.

### Council Member Marquez

1. Attended the 2019 Riverside County Education luncheon.
2. Asked residents to demonstrate patience as the potholes are being repaired as quickly as possible.

### Council Member Cabrera

1. Reminded residents of the upcoming Race on the Base. Asked Parks & Community Services Director Solano to explain the event. Parks & Community Services Director Solano provided the details.
2. Mentioned that construction of the remaining San Juan Bautista De Anza trail is scheduled for next year.
3. Remarked on the upcoming summer grand opening of the Moreno Valley Ranch Golf Course.
4. Encouraged residents to visit the recently opened Jitterz Cafe on Perris and Iris.
5. Notified residents that the General Plan update will be discussed at a future Study Session.
6. Thanked his colleagues for working together to accomplish their goals.

### Mayor Pro Tem Baca

1. Thanked Council Member Cabrera for his praise.
2. Attended the 22nd Moreno Valley Annual Police Volunteer Appreciation dinner.

### Mayor Gutierrez

1. Expressed his gratitude to Council Member Cabrera for his sentiments.
2. Attended the Mayor's Cyber Security Challenge at Moreno Valley College.
3. Commended the recently ratified Commissioners.
4. Applauded Mr. Rattan for thoroughly engaging the community and gaining their support of his project.

## ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 7:20 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  
 Secretary, Public Finance Authority

Approved by:

---

Dr. Yxstian A. Gutierrez  
 Mayor  
 City of Moreno Valley  
 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  
 Chairperson, Public Financing Authority

**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  
March 12, 2019**

**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 5:07 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 |
|          | Dr. Carla J. Thornton    | Council Member |

**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 items as listed on the agenda and that staff did not anticipate any reportable action.

Minutes Acceptance: Minutes of Mar 12, 2019 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)



The Closed Session will be held pursuant to::

- 1 GOVERNMENT CODE SECTION 54957.6 - LABOR NEGOTIATIONS
  - a) Agency Representative: Thomas M. DeSantis, City Manager  
Employee Organization: Moreno Valley City Employees Association (MVCEA)
  - b) Agency Representative: Thomas M. DeSantis, City Manager  
Employee Organization: Moreno Valley Management Association (MVMA)
- 2 GOVERNMENT CODE SECTION 54956.9(d)  
Conference with Legal Counsel Potential Litigation  
(7 cases)

Mayor Gutierrez recessed the Council to the City Manager's Conference Room, second floor, City Hall, for their Closed Session at 5:08 p.m.

Mayor Gutierrez reconvened the City Council in the Council Chamber from their Closed Session at 6:06 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, Mayor Gutierrez adjourned the meeting at 6:06 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 A. Gutierrez  
 Mayor  
 City of Moreno Valley  
 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



## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Pat Jacquez-Nares, City Clerk

**AGENDA DATE:** April 2, 2019

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

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### **RECOMMENDED ACTION**

#### **Recommendation:**

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

#### **PLANNING COMMISSION**

| <u>Name</u>      | <u>Position</u> | <u>Term</u>     |
|------------------|-----------------|-----------------|
| Patricia Korzec  | Member          | Ending 03/31/23 |
| Jeff Sims        | Member          | Ending 03/31/23 |
| Rafael Brugueras | Member          | Ending 03/31/23 |

#### **PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE**

| <u>Name</u>    | <u>Position</u> | <u>Term</u>     |
|----------------|-----------------|-----------------|
| Barbara Baxter | Member          | Ending 06/30/20 |

#### **EMERGING LEADERS COUNCIL**

| <u>Name</u>    | <u>Position</u> | <u>Term</u>     |
|----------------|-----------------|-----------------|
| MaryLinda Reza | Member          | Ending 05/31/20 |

**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

**ATTACHMENTS**

- 1. Jeff Sims\_Redacted
- 2. Barbara Baxter\_Redacted
- 3. Rafael Brugueras\_Redacted
- 4. Patricia Korzec\_Redacted

**APPROVALS**

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/13/19 6:16 PM  |
| City Attorney Approval  | <u>✓ Approved</u> | 3/28/19 10:54 AM |
| City Manager Approval   | <u>✓ Approved</u> | 3/28/19 2:47 PM  |



# City of Moreno Valley

## Boards and Commissions

### Membership Application Form

CITY CLERK  
MORENO VALLEY  
RECEIVED

19 FEB 15 PM 3:53

For City Clerk's Use  
Stamp Date and Time Received

Name: Jeff Sims

Home Address: [REDACTED]  
Moreno Valley, CA 92555

How long have you resided in Moreno Valley? Since May 1994

#### 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: Retired Position: \_\_\_\_\_

Address: \_\_\_\_\_

Board or Commission applying for\*: 1<sup>st</sup> Choice Planning Commission

2<sup>nd</sup> Choice none

\*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?

see attached

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

see attached

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

see attached

What do you hope to accomplish by your participation?

see attached

Attachment: Jeff Sims\_Redacted (3482 : MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, PARKS, COMMUNITY SERVICES &

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:

see attached

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

see attached

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

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

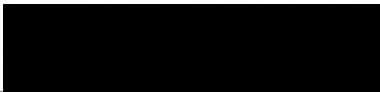
Date(s) of the meeting(s) attended: February 14, 2019 (Been a Planning Commissioner for 5+ years)

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

February 9, 2019

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.

Attachment: Jeff Sims\_Redacted (3482 : MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, PARKS, COMMUNITY SERVICES &

ATTACHMENT TO PLANNING COMMISSION  
MEMBERSHIP APPLICATION FORM

Jeff Sims

[Redacted]

Moreno Valley, CA 92555

[Redacted]

[Redacted]

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

As a 25-year resident of Moreno Valley and a current Planning Commissioner, I think I can continue to be useful to the City as a Planning Commissioner. I support economic growth and job creation for the City and welcome the opportunity to be a meaningful participant in that. It has been my goal as a commissioner to seek balance in development activity so proposals are well thought out, compatible with strategic city goals and general plans, and most importantly something all of us can be proud of for years to come.

My background gives me a good understanding of issues a Planning Commissioner faces as I currently am on the Planning Commission. In my professional life I have worked on both sides of the development process; public and private. From experience it is my firm belief that public agencies and the development community are dependent on each other. In the absence of the development community, most of the public amenities citizens enjoy would not be present. In the absence of city and governmental oversight, balanced/appropriate development activity may not happen. It is important for commissions such as the Planning Commission to be comprised of individuals that can objectively weigh projects for consistency with the overall general plan and zoning guidelines, combined with strategic economic and social needs for the betterment of the community. I have a significant amount of practical experience and believe I can help with recommendations to benefit our city.

Unlike the City of Riverside which I use as a touchstone due to being born there and lived for 33 years, the City of Moreno has fewer identifiable assets to create a sense of place. Riverside has a legitimate downtown, the greenbelt, Victoria Avenue, historical areas, and is rich in educational facilities. These give that city a head start in establishing themes and plans for a sense of place. Moreno Valley being newer still has a maturation process to grow through, but

does have some strong assets to build from. For example, some of the opportunities available to Moreno Valley include:

Opportunity to promote synergy of medical facility uses: There is a natural connection between Kaiser and Riverside Regional Medical. There could be economic drivers associated with promoting a medical corridor and partnering with both RCC Moreno Valley and UCR for nursing programs, assisted living facilities, and medical field jobs. In addition, adjacent to Moreno Valley there is the proposed medical campus within the MIPA controlled redevelopment areas. All of this combined provides great opportunity for the City. Perhaps Moreno Valley may consider creation of significant 55+ age communities; Banning has been highly successful with Sunlakes (as an example). Creation of these types of communities will provide demand and foster more medical facility type growth which supports creation of high paying jobs.

Eastern entry portal: Current development approvals is the proposed Logistics project. Upon that project being built, the project needs to buffer itself from existing residential and to provide appropriate mitigation for development impacts. The City has a large demand for parks and recreational areas for baseball and soccer; are there opportunities to create more along with ancillary support businesses associated with the Logistics Project?

Westerly entry portal: The westerly entrance of the City at Alessandro should be scrutinized for improvement.....that entrance is blighted and not a welcoming entry to our city. There are constraints with a poor water system and issues with the crash zone to March ARB runway, however, the City should not be deterred from making efforts to enhance that portal.

My participation on the Planning Commission this past six years should provide the Council with some insight as to my thought process in considering projects, and some assurance that I work well with the other Commissioners. The experience to date as a Commissioner has been worthwhile. Some of the projects and issues that has come before the Commission have been challenging, but I do believe the collective group has worked well to make good recommendations to the Council.

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

**Education:**

High School Diploma – Arlington High School, Riverside, CA



Associates of Science – Riverside City College, Riverside, CA

Bachelor of Science, Civil Engineering – California Polytechnic University, Pomona

Master of Public Administration – California State University, San Bernardino

Coursework in Law – Southern California Law School, Riverside, CA

**License:**

Professional Engineer, State of California – Civil Engineering; Registration No. 46212 (active)

**Training:**

City of Moreno Valley Planning Commissioner – have served as a Commissioner for 6 years.

Leadership Riverside Graduate – Class of 2012. I was accepted into this program sponsored by the City of Riverside Greater Chamber of Commerce and spent ten months learning about the many issues facing the City of Riverside and surrounding areas, including Moreno Valley. Although the focus of the program was on the City of Riverside, much of the learning was directly transferable to issue solving for the City of Moreno Valley. Essentially the program helped me better understand that city leadership faces many issues, but the problems are much more manageable with strategic thinking, planning, and collaboration with the community.

Numerous leadership trainings – while working for Western Municipal Water District I participated in many leadership and management training courses and seminars to provide me with better skill sets in providing leadership to staff at Western Municipal Water District

**Professional/Employment:**

September 2017 to Present – MV Engineering Service, Inc.

Position: Owner

After retirement from Western Municipal Water District I opened my own business, MV Engineering Service, Inc. and provide consulting services to various public and private entities. Main scope of work is to analyze engineering economic issues and provide alternatives with analysis of pros and cons. Some of this work relates to rate setting and establishing principles of agreements for development projects. Rather than working 60 plus hours per week as I did prior to retirement from Western MWD, I now work 40 to 60 hours per month on assignments that interest me without the day to day challenges of being in an executive leadership position.

1994 to May 31, 2017 – Western Municipal Water District, Riverside, CA

Last Position: Assistant General Manager/Chief Operating Officer

I reported directly to the Deputy General Manager and General Manager and was responsible for leading the engineering and operation functions of the District (a staff of over 100). My duties included maintaining relationships with leadership and elected of other agencies; providing leadership for the day to day operation of the District; interact with Western's Board of Directors; and set tone for Western's culture. I was involved with preparing District budgets, development review, CIP engineering, planning, community affairs, human resources, and development of agreements with developers and other agencies. Originally in 1994 I started as a Civil Engineer and over the years promoted to my last position, which I held for over 10 years until retirement.

1984 to 1994 – J. F. Davidson Associates, Inc., Riverside, CA

Last Position: Director of Land Development Services

While in college I began working as a draftsman, progressed to becoming an engineer, then into project management, and eventually leading J. F. Davidson Associates, Inc.'s land development team. During this period I learned aspects of land development working with many developers on projects from large residential master planned developments such as the Orangecrest and Mission Grove areas in Riverside, to commercial projects such as the Galleria at Tyler. I was involved in client relations, planning, plan production, entitlement activities such as presentations to planning commissions and councils, and construction management. This was a great job and learning experience, but I desired to work in the public sector so I resigned and took a pay cut to take a Civil Engineer position at Western Municipal Water District.

1979 to 1984 – Various jobs

I worked for the City of Riverside as an Engineering Aide; Boyle Engineering in San Bernardino as a draftsman; and Riverside Blueprint as a blueprinter.

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

I am currently on the Planning Commission. We review staff reports and recommendations on projects, planning documents and development policies for consistency with current adopted policies and procedures. The Commission make approval or denial recommendations to City Council regarding projects. Projects not approved by the Planning Commission can be appealed

to City Council. The Planning Commission is limited to following City Codes and rules, and bound to make decisions within those parameters as guided by legal counsel.

**What do you hope to accomplish by your participation?**

As I have gotten older, I realize that the way a community is does not happen by accident. It takes effort and commitment by people to help shape and influence how a community will be. Those of us in Moreno Valley enjoy the efforts of those folks before us that took the time to incorporate the City, make sure the County Regional Hospital located here, worked with RCC, and have as many parks and amenities as we do (to name a few). I feel an obligation as this is my home to offer my time and experience to help shape and influence the continuing maturation of Moreno Valley.

**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 names of the agency(ies) and dates served.**

**Employment:**

See above in prior answer.

**Community service:**

Riverside East Rotary – member since 2011

Moreno Valley Youth Federation – Active as a manager of teams from 1996 to 2004.

Pop Warner Youth Football – Active as a coach from 1996 to 1999.

Toastmasters – H2Orators Club

Planning Commissioner – City of Moreno Valley, 2013 – March 2019

Traffic Safety Commissioner – City of Moreno Valley, 2007 – 2010

Traffic, Parking and Streets Commissioner – City of Riverside, 1990

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

I have interest in the growth of the City of Moreno Valley specifically in its continued land use development, job creation, and enhancement of having a “sense of place.” A sense of place I believe is part and parcel of strategic planning decisions with land development and job creation. Where appropriate and feasible, portals into the city should be inviting and designed so people living here, those considering to live here, or wanting to invest here get a sense of arriving at a place.

I have no aspirations of elected political office in the future and only seek this appointment for the purpose of using my knowledge, education, work experience, and past participation as a Planning Commissioner. I have not joined in with any citizen group that has a stance on projects in the City, and only wish to contribute in helping the City grow, become more prosperous, create jobs and help our community work locally rather than commute.



# City of Moreno Valley

## Boards and Commissions

### Membership Application Form

CITY CLERK  
MORENO VALLEY  
RECEIVED  
19 FEB 12 AM 11:10

For City Clerk's Use  
Stamp Date and Time Received

Name: Barbara Baxter

Home Address: [REDACTED]

Moreno Valley CA 92555

How long have you resided in Moreno Valley? 30 years

#### CONFIDENTIAL INFORMATION

Home Phone No.: N/A

Driver's License No.: [REDACTED]

Work Phone No.: N/A

Email Address: [REDACTED]

Cell Phone No.: [REDACTED]

Date of Birth: [REDACTED] Com

Employer Name: Retired Position: [REDACTED]

Address: [REDACTED]

Board or Commission applying for\*: 1<sup>st</sup> Choice Parks, Community Services and Trails Com.  
2<sup>nd</sup> Choice [REDACTED]

\*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?

As an Equestrian I am passionate about this community, and seeing it thrive. I would like to be a voice representing that interest. The diversity of a city has foundations in all groups be represented, heard and embraced.

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

As a former US Air Force member I feel I have organization skills that are useful. I hold a AA degree from a school of Ministry. I feel this education is valuable for guidance, discernment and judgement.

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

This committee is an advisory body! They are tasked with making recommendations to the City on matters pertaining to our network of Park, trails and City wants to enhance the enjoyment of the public.

What do you hope to accomplish by your participation?

To further development of the MV Equestrian Center. The upgrade of our trails system and open opportunity for more diversity in events offered to the public for their maximum enjoyment and participation.

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:

M.V. Chamber of Commerce - 1990-93? Oscar Valera  
Hispanic Chamber of Commerce - 1990  
Morning Optimist Club of Moreno Valley - 1990-99? George Price

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

I am interested in traffic and safety. Seeing the development of safer passage for the donkeys who share this community with us.

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

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

Date(s) of the meeting(s) attended: July 12, 2018, Dec 6, 2018

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."

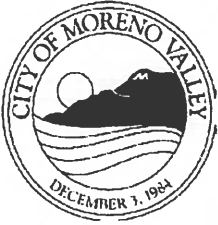
CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability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

[Redacted Signature]

12 Feb 2019  
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.

Attachment: Barbara Baxter\_Redacted (3482 : MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, PARKS, COMMUNITY SERVICES



# City of Moreno Valley

## Boards and Commissions

### Membership Application Form

CITY CLERK  
MORENO VALLEY  
RECEIVED

19 FEB -6 PH 1:08

For City Clerk's Use  
Stamp Date and Time Received

Name: Mr. Rafael Brugueras

Home Address: [REDACTED]  
Moreno Valley, Ca. 92555

How long have you resided in Moreno Valley? 26 years

#### CONFIDENTIAL INFORMATION

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

Work Phone No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

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

Employer Name: N/A Position: \_\_\_\_\_

Address: \_\_\_\_\_

Board or Commission applying for\*: 1<sup>st</sup> Choice Planning Commissioner

2<sup>nd</sup> 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 believe that I can be helpful in the City Of Moreno Valley with it growth.

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

I have understanding how Codes, Change of Zones, Plot Plan and General Plan Amendment Works.

I have been going to the Planning Commission Meetings for Years and I have On Hand Training From The Best..

I have a clear understanding on how Items on the Agenda works.

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

This Commission has the Authority (Power) To Approve or Disapprove Items On The Agenda.

They also have Limitations When it comes to Zone Change and General Plan Amendment Change .

It MUST go to Council For Final Approval.

What do you hope to accomplish by your participation?

To Help OUR City Of Moreno Valley To Grow.

To help OUR STATE, COUNTY and the CITY Of MORENO VALLEY With DEVELOPMENT. To Have RESIDENCE LIVE BETTER LI

Attachment: Rafael Brugueras\_Redacted (3482 : MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, 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:

Retired.

I Am A Community Member In The City Of Moreno Valley.

I'm The Chair Member On The Parks, Community Services And Trails Committee.

Mrs. Patti Solano

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

Leadership.

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

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

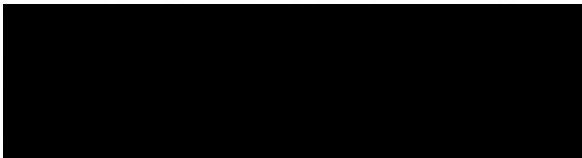
Date(s) of the meeting(s) attended: Many Years

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."

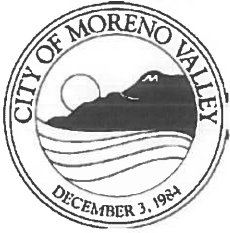
CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability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



February 6, 2019  
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  
19 FEB 19 PM 12:32

For City Clerk's Use  
Stamp Date and Time Received

Name: Patricia Sablak Korzec

Home Address: [Redacted]  
Moreno Valley

How long have you resided in Moreno Valley? 13 years

#### 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: self Position: professional artist

Address: 22580 Country Gate Rd  
Moreno Valley, CA

Board or Commission applying for\*: 1<sup>st</sup> Choice Planning Commission  
2<sup>nd</sup> 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 have served on the commission since 2015 and feel that my understanding of the community and its needs is constantly growing. I feel I can continue to consider each decision before the commission in an unbiased manner and for the general good of our community at large. I feel I offer more general insights into balance in our neighborhoods and the environment where we all work and play.

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

Bachelors in Education, Anna Maria College Paxton, MA Masters Certificate in Museum Administration, JFK University Orinda, CA  
Leadership Moreno Valley Graduate 2009 Moreno Valley Citizen of the Year 2015 61st Assembly District Woman of Distinction 2016

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

Review items submitted by staff for consideration. All items need to be viewed in an impartial manner and follow the guidelines of all state and local laws with consideration to our neighborhoods, citizens and future growth of our city. The commission does not set policy but can offer recommendations to the City Council.

What do you hope to accomplish by your participation?

Continue to help our city grow in a thoughtful manner with a balance of business and quality of life for all our citizens.

Attachment: Patricia Korzec\_Redacted (3482 : MAYORAL APPOINTMENTS TO THE PLANNING COMMISSION, PARKS, COMMUNITY SERVICES

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:

Coachella Valley History Museum -Executive Director 2016-2017 Karen Hawkesworth, March Field Air Museum Executive Director 2005-2016 Jamil Dada  
Chairperson of Fezziwg Ball (Riverside) 2017-2019 Doug Grant, Moreno Valley Arts Commission -Member and Chair 2007-2011,  
Riverside Cultural Consortium 2006-2014 Member, Vice-Chair, Chairperson 2006-2014, International Relations Council (Riverside) 2010-2012 Secretary Dr. Larry Geraty  
Moreno Valley Planning Commission 2015-present Vice Chair 2017-present

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

International Relations

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

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

Date(s) of the meeting(s) attended: 2/14/2019

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]

2/18/2019

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

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**TO:** Mayor and City Council

**FROM:** Marshall Eyerman, Chief Financial Officer

**AGENDA DATE:** April 2, 2019

**TITLE:** APPROVE AMENDMENTS TO MULTIPLE CITY POLICIES

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### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Amend Policy No. 3.25, Identity Theft Prevention
2. Rescind Policy No. 5.12, Use of JTPA Students
3. Amend Policy No. 3.80, Use of City Resources for Special Events and Recognition Activities
4. Amend Policy No. 2.13, Evaluations of Council Appointed Positions
5. Approve a new Maintenance Policy for Public Landscaping within a Special Financing District and Rescind prior landscape maintenance policies: No. 2.37 Arterial Median Maintenance, No. 2.30 Zone D, No. 2.39 Zone S, and No. 2.41 CSD Zone E
6. Amend Policy No. 1.11, Boards and Commissions
7. Amend Policy No. 3.20, Travel and Related Business Expenses

### **SUMMARY**

Certain policy amendments may be presented to the City Council throughout the fiscal year due to timing requirements, substantial changes, minor adjustments, or grammatical corrections. As part of the City's continuing efforts toward transparency and to maintain updated policies, the City Council may be presented with a comprehensive list of multiple policy updates. By requiring the annual management review of policies with City Council approvals as appropriate allows the City to further strengthen its management practices and policies for greater operational efficiencies, transparency, and protection of the City's assets.

### **DISCUSSION**

The following sets forth a summary of the proposed policy updates and key changes.

Redlined versions of the policies are also included as exhibits to this staff report.

### **Identity Theft Prevention Policy No. 3.25**

The policy provides rules to address identity theft and to provide protection to consumers who conduct business with the City of Moreno Valley.

Modifications are being proposed based on current operations and to include additional language from AB1149 was signed into law to amend Section 1798.29 of the Civil Code to require any local agency that owns or licenses personal information to disclose any breach in the security of that data by an unauthorized person.

### **Use of JTPA Students Policy No. 5.12**

The policy was established to clarify and explain the federal Job Training Partnership Act (JTPA) Program and how the students are to be used. As this program no longer exists, it is recommended that the Council rescind the policy.

### **Use of City resources for Special Events and Recognition Activities Policy No. 3.8**

The item establishes a policy on the use of City resources, including staff time, on City-sponsored special events and recognition activities. The policy was previously approved at the City Manager level; this is now being requested to be approved at the City Council level to more appropriately reflect the nature of these policies.

### **Evaluations of Council Appointed Positions Policy No. 2.13**

The policy was established to ensure that positions appointed by City Council receive formal evaluations by City Council on a routine basis. Such evaluations provide feedback and are key factors in determining the compensation to be paid to those who are employed as City staff. This policy applies to the City Manager, City Attorney, and City Clerk positions, which are appointed by the City Council. The policy has been updated to reflect current practices.

### **Maintenance Policy for Public Landscaping within a Special Financing District Policy No. 2.xx**

The policy was established to outline the types and frequency of landscape maintenance services provided to public landscaping areas which are included in the City's established special financing districts and how those districts are funded. The new policy consolidates and updates language from four separate policies and removes language, which is provided for in current legislation or City processes (e.g., policies, standards, conditions of approvals, etc.) to minimize conflict. Examples of updates include discussion on the annual inflationary adjustment, frequency of services, and defining the types of services provided. The Policy will apply to all types of landscape maintenance districts. It also adds language to create and define service levels, identify triggers when service levels are subject to change, establish and define reserve

requirements, and outline the annual process to determine the property tax levy. This policy will replace and rescind Policies No. 2.37 Arterial Median Maintenance, No. 2.30 Zone D, No. 2.39 Zone S, and No. 2.41 CSD Zone E.

### **Operating Policy for Boards and Commissions Policy No. 1.11**

This policy provides rules on the City Council authority to establish boards, commissions, and committees as part of the sub-government of the City. The policy also presents the City Council policies that apply to all City boards, commissions and committees, unless there is a different and/or more specific policy provided by an ordinance that formed a certain board, commission or committee. The policy has been updated to reflect the role of a directly elected Mayor.

### **Travel and Related Business Expenses (Elected Officials) Policy No. 3.20**

The policy was established to provide clarity in determining what expenses are reimbursed to City Elected Officials in order to enhance public confidence in the oversight of expenses incurred by City Elected Officials. It was last reviewed by Council 13 years ago. The policy has been updated to reflect current costs and formatting standards and provides additional clarification on the processes for payments.

### **ALTERNATIVES**

1. Approve the Recommended Actions as set forth in this staff report. This alternative is recommended so that the City's policies are formally updated to reflect current operational practices and to provide guidance.
2. Do not approve the Recommended Actions as set forth in this staff report. This alternative is not recommended since it will limit guidance for the future policies.

### **FISCAL IMPACT**

No current fiscal impact.

### **NOTIFICATION**

Public Notice

### **PREPARATION OF STAFF REPORT**

Prepared By:  
Marshall Eyerman  
Chief Financial Officer

Department Head Approval:  
Marshall Eyerman  
Chief Financial Officer

### **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. Policy 3.25 - Identity Theft Prevention - redline
- 2. Policy 5.12 - Use of JTPA Students
- 3. Policy 3.80 - Use of City Resources
- 4. Policy 2.13 - Council Appointed Positions - redline
- 5. Policy 2.xx - Landscape Maintenance Policy
- 6. Policy No. 2.37 - Arterial Median
- 7. Policy No. 2.30 - Zone D
- 8. Policy No. 2.39 - Zone S
- 9. Policy No. 2.41 - Zone E
- 10. Policy No. 1.11 - Operating Policy for Boards and Commissions - redlined
- 11. Policy No. 3.20 - Travel and Related Business Expenses

**APPROVALS**

|                         |                   |                 |
|-------------------------|-------------------|-----------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/28/19 4:13 PM |
| City Attorney Approval  | <u>✓ Approved</u> | 3/28/19 3:04 PM |
| City Manager Approval   | <u>✓ Approved</u> | 3/28/19 4:25 PM |

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**IDENTITY THEFT PREVENTION**


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**PURPOSE**

In 2003 the Fair and Accurate Credit Transactions Act (“FACT Act”) was enacted and added several new provisions to the Fair Credit Reporting Act of 1970. The Federal Trade Commission, (“FTC”) has established a series of rules known as the Red Flag Rules (“Rules”) which are the regulations and guidelines that implement Section 114 of the FACT Act that may be applicable to local agencies. These rules have been developed to address identity theft and to provide protection to consumers who conduct business with the City of Moreno Valley.

On September 27, 2013 AB1149 was signed into law to amend Section 1798.29 of the Civil Code to require any local agency that owns or licenses personal information to disclose any breach in the security of that data by an unauthorized person.

**I. Scope**

This policy will apply to all departments within the City and to its related agencies such as the ~~Community Redevelopment~~ **Successor** Agency of the City of Moreno Valley, the Moreno Valley Community Services District and Moreno Valley Utility. This policy will also apply to any entity that performs billing activity or manages accounts on a contractual basis on behalf of the City.

**II. Definitions**

**Breach of the Security of the System:** Unauthorized acquisition of computerized data that compromises the security, identity, confidentiality or integrity of personal information maintained by the entity.

**Covered Account:** An account that is used mostly for personal, family or household purposes, and involves or is designed to permit multiple payments or transactions. Examples include utility accounts, mortgage loans, small business loans and multiple deferred payments for use of public facilities.

**Credit:** The right granted by a creditor to a debtor to defer payment of debt or to incur debts and defer its payment or to purchase property or services and defer payment therefore.

**Creditor:** Any entity that regularly extends, renews or continues credit.

**Program Administrator:** The City Treasurer or his/her designee. The person responsible for coordinating the implementation of the policy and program and the annual reporting for the program.

**Identifying Information:** Any name or number that may be used alone or in conjunction with any other information to identify a specific person or entity. Examples include but are not limited to name, social security number, date of birth, drivers license and passport number.

**Identity Theft:** A fraud attempt or committed using the personal identifying information of another person or entity without permission.

**Personal Information:** An individual’s first name or first initial and last name used in combination with any one or more of the following data elements:

## IDENTITY THEFT PREVENTION

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- Social security number
- Driver's license number or California identification card number
- Account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account
- Medical information
- Health insurance information

**Red Flags:** Patterns, practices, and specific activities that indicate the possible existence of identity theft.

**Service Provider:** A person or entity that provides a service directly to the creditor.

### III. Responsibility

- A. The City Treasurer has oversight, fiduciary, and administrative responsibility for all billing, accounts receivable management and cash collections performed by City staff or on behalf of the City by contractors.
- B. The City Treasurer/Program Administrator will coordinate the implementation of the Rules, oversee the ongoing training of staff and perform ongoing monitoring and reporting of the program.
- C. Departments that utilize accounts that fit the description of "Covered Accounts" or that provide services on a deferred payment basis will be responsible for the following functions:
  1. Training staff on Red Flag program
  2. Monitoring of accounts subject to the program
  3. Detection of questionable activities
  4. Reporting of activities that fit the "Red Flags" criteria.
- D. In the case of a breach the City Treasurer acting as the Program Administrator will oversee the notification process but may delegate this authority as appropriate.

### IV. Identity Theft "RED FLAGS" Program (FACT Act)

- A. Red Flags: Based on the types of accounts that are offered and methods that are available to open or access accounts, the following list of Red Flags have been identified.
  1. Notifications and warnings from credit reporting agencies.
    - a. Report of fraud accompanying a credit report.
    - b. Notice or report from a credit agency of a freeze on a customer or applicant.
    - c. Notice or report from a credit agency of an activity that is inconsistent with a customer's usual pattern or activity.
  2. Suspicious Documents
    - a. Identification document or card that appears to be forged, altered or inauthentic.



### IDENTITY THEFT PREVENTION

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- b. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document.
  - c. Other documents with information that is not consistent with the existing customer information (for example, if a person's signature on a check appears to be forged).
  - d. Application for service that appears to have been altered or forged.
3. Suspicious personal identifying information
- a. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates).
  - b. Identifying information presented that is inconsistent with other sources of information (for instance an address not matching an address on a credit report).
  - c. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent.
  - d. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address).
  - e. An address or phone number presented that is the same as that of another person.
  - f. A person fails to provide complete personal identifying information on a application when reminded to do so (however, by law social security numbers must not be required).
  - g. A person's identifying information is not consistent with the information that is on file for the customer.
4. Suspicious account activity or unusual use of account
- a. Change of address for an account followed by a request to change the account holder's name.
  - b. Payments stop on an otherwise consistently up-to-date account.
  - c. Account used in a way that is not consistent with prior use (example: high activity levels).
  - d. Mail sent to the account holder is repeatedly returned as undeliverable.
  - e. Notice to the entity that the customer is not receiving mail sent by the entity.
  - f. Notice to the entity that an account has unauthorized activity.
  - g. Unauthorized access to or use of customer account information.
5. Alerts from others.
- Notice to the entity from a customer, identity theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.
- B. Detecting Red Flags
- Staff will utilize the following steps to obtain and verify the identity of a person or business associated with an account:
- 1. New accounts
    - a. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity,

## IDENTITY THEFT PREVENTION

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- driver's license or other identification.
    - b. Verify the identity of the customer (for instance, review a driver's license or other identification card).
    - c. Review documentation showing the existence of a business entity.
    - d. Independently contact the customer.
  - 2. Existing accounts
    - a. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email).
    - b. Verify the validity of requests to change billing addresses.
    - c. Verify the changes in banking information given for billing and payment purposes.
- C. Preventing and mitigating identity theft
 

In the event City staff detects any identified Red Flags, such personnel shall take one or more of the following actions:

  - 1. Notify supervisor or program administrator to determine appropriate response.
  - 2. Continue to monitor the account.
  - 3. Contact the customer.
  - 4. Change any passwords or other security devices that permit access to accounts.
  - 5. Not open a new account.
  - 6. Close an existing account.
  - 7. Reopen an account with a new number.
  - 8. Notify law enforcement.
  - 9. Determine that no response is necessary under the circumstances.
- D. Program Updates
 

The City Treasurer will coordinate a periodic review and update of the program to reflect the changes in risks to customers and the soundness of the City's protection from identity theft. The following factors should be considered:

  - 1. The experiences of the City with identity theft.
  - 2. Changes in methods of identity theft.
  - 3. Changes in methods to detect, prevent and mitigate identity theft.
  - 4. Changes in the type of accounts offered by the City of Moreno Valley.
  - 5. Changes in service provider arrangements of the City.
- E. Program administration
  - 1. Authorization: The program established by this policy will be approved by the City Council.
  - 2. Oversight: The program established by this policy will be overseen by the City Treasurer.
  - 3. Reporting: A report will be prepared annually by departments covered by this policy and submitted to the City Treasurer to address material matters related to the program. Examples of the type of information that should be included are:
    - a. Effectiveness of the program in addressing the risk of identity theft in connection with the City's covered accounts.
    - b. Service provider arrangements.
    - c. Significant incidents involving identity theft and management's response to those incidents.
    - d. Items for consideration in updating the program or policy.

**IDENTITY THEFT PREVENTION**

e. Recommendations for material changes to the policy or program.

**F. Staff Training**

1. Staff responsible for implementing the program established by this policy shall be trained by staff identified by the City Treasurer in the detection and appropriate response to identified Red Flags.

**G. Service provider arrangements**

In the event the City engages a service provider to perform an activity in connection with one or more accounts, the City will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft:

1. Require, by contract, that service providers have such policies and procedures in place.
2. Require, by contract, that service providers review the City's program and report any Red Flags to City staff managing that contract.

**V. Identity Theft Local Agencies (AB 1149)****A. Internal Controls to Minimize or Identify System Breach**

1. All City staff shall implement and follow all internal controls designed to defeat or identify any security breaches including but not limited to the following control measures:
  - a. Collect the minimum amount of personal information necessary to accomplish business purposes and retain this information for the minimum time necessary. (Both paper and electronic formats)
  - b. Use appropriate physical and technological security safeguards to protect personal information, particularly notice-triggering information. (Both paper and electronic formats)
  - c. Promote awareness of security and privacy policies and procedures through ongoing employee training and communications.
  - d. Dispose of records and equipment containing personal information in a secure manner.
  - e. Require service providers and business partners who handle personal information on behalf of your organization to follow City approved security policies and procedures.
  - f. Whenever possible use data encryption in combination with host protection and access control to protect higher-risk personal information.
  - g. Inventory records systems, critical computing systems and storage media to identify those containing personal information.
  - h. Limit the ability to transfer and maintain notice-triggering personal information to laptops and other portable computers and storage devices.
  - i. Use intrusion detection technology and procedures to ensure rapid detection of unauthorized access to higher-risk personal information.
  - j. Do not use data containing personal information in testing software or systems.

**B. Notification of a Breach**

1. If a breach of personal information is detected or identified the notification will be immediately sent to those who may be impacted.

**IDENTITY THEFT PREVENTION**

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2. Notification may be delayed if a law enforcement agency determines that notification will impede a criminal investigation.
3. Notification may take the following forms:
  - a. Written notice (See Attachment 1 for sample)
  - b. Electronic notice
  - c. Substitute notice (email notice, conspicuous posting, statewide media)
    - i. If the cost of providing notice exceeds \$250,000
    - ii. If the population to notice exceeds 500,000 people
    - iii. The Agency does not have sufficient contact information
4. Notification requirements
  - a. Notification will be written in plain language and include the following information:
    - i. Name and contact information for reporting agency.
    - ii. A list of the types of information that were reasonably believed to have been breached.
    - iii. Date, Estimated Date or Date Range of breach
    - iv. Date of notice
    - v. Whether notice was delayed as a result of law enforcement investigation
    - vi. A general description of the breach
    - vii. Toll-free numbers and addresses of major credit reporting agencies (if data breached includes social security, driver's license or identification card numbers)
  - b. A breach which requires that more than 500 California citizens will require that a sample copy of the notification be sent to the State Attorney General's office.

Attachment: Policy 3.25 - Identity Theft Prevention - redline (3521 : APPROVE AMENDMENTS TO MULTIPLE CITY POLICIES)

**USE OF JTPA STUDENTS**

**PURPOSE:** To clarify and explain the JTPA Program and how the students are to be used.

**DEFINITIONS:** JTPA. The federal Job Training Partnership Act.  
The City: The City of Moreno Valley

**POLICY:****I. JTPA Program:****A. Purpose**

1. This program authorizes and funds a number of employment and training programs in California. JTPA's primary purpose is to establish programs to provide job training services for economically disadvantaged adults and youth, dislocated workers and others who face significant employment barriers. These programs help prepare individuals in California for participation in the state's workforce, increasing their employment and earning potential, improving their educational and occupational skills, and reducing their dependency on welfare.
2. JTPA is divided into the following four (4) programs:
  - a. Adults – age 22 and over
  - b. Youth – age 14 to 21 Summer Program
  - c. Youth – age 14 to 21 Year-Round Program
  - d. Dislocated Workers

**B. Administration**

1. State Level
  - a. The governor oversees the implementation of JTPA. The Employment Development Department (EDD) administers the program under the guidance of the State Job Training Coordinating Council (SJTCC). EDD receives JTPA funds and distributes them to Service Delivery Areas (SDA's), which are local partnerships of government agencies and businesses.
2. Local Level
  - a. The Moreno Valley Unified School district (MVUSD) administers this program for the Moreno Valley area. All concerns should be channeled through MVUSD.

**II. The Responsibilities of MVUSD in arranging for JTPA students:**

- A. The MVUSD will send a letter annually to Human Resources requesting that the City provide employment for the JTPA Students.

Approved by: City Manager  
December 17, 1997

### USE OF JTPA STUDENTS

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- B. Interested Departments should then fill out the necessary paperwork specifying the number of students needed and types of jobs to be done.
- C. Supervisors and Managers who request students are encouraged to attend the supervisor training session sponsored by the JTPA Program. This Session will clarify to Supervisors and Managers the details and purposes of the program.
- D. The JTPA Counselor at MVUSD will then assign the students to the City. The City is then responsible for assigning the students to the interested departments.

### III. The Responsibilities of the City:

- A. The City provides Supervisors for each student to monitor the student's work performance and progress. Students take instruction and direction from their City Supervisor and the JTPA Administrators. Other employees are not to direct the student's work.
- B. The City Supervisors must fill out weekly time cards and evaluations provided by JTPA. Since the JTPA Student's salary comes from the federal government, these time cards must be filled out to ensure that the students are paid.
- C. The students must abide by all City policies and rules while performing City business, even though they are not City employees.
- D. The City must provide an environment in which the JTPA Students are gaining the skills needed for future careers.
- E. The City must use the students in accordance with Child Labor Laws and other Labor Laws as applicable. JTPA Students are not to operate any City vehicles or power equipment. Any employee using the students for any purpose not consistent with the laws or policies may be subject to discipline.
- F. The City shall abide by the following work schedule:
  - 1. The summer employment term shall last 6-8 weeks. The student will work approximately 6 hours a day for 4-5 days a week.
- G. If a problem arises between the student and the City, or if there is no longer a need for the student, the Supervisor shall contact the Human Resources Manager. If it is in the best interests of the City and/or the student, Human Resources will contact the counselor at MVUSD to make arrangements for the student to be reassigned to another worksite.

## USE OF CITY RESOURCES FOR SPECIAL EVENTS AND RECOGNITION ACTIVITIES

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**PURPOSE:** To establish a policy on the use of City resources, including staff time, on City-sponsored special events and recognition activities.

**POLICY:**

**I. Council Recognition Events:** It shall be the policy of the City Council to recognize outgoing Councilmembers for their service to the City. Limited City funds and staff time may be used, with City Manager approval, for certain activities associated with the recognition events. Recognition activities are limited as follows:

- A. The event organizers are encouraged to have the attendees pay for their costs on a per-head basis;
- B. Recognition mementos paid by City funds are limited to \$200 per outgoing Councilmember;
- C. Up to \$100 of City funds may be spent for each event for supplies, refreshments, invitations, decorations, mail, etc. Additional costs must be paid for through private contributions;
- D. Staff time shall be limited to conducting activities necessary to organize an event, including planning the event, ordering supplies, establishing mailing lists and setup. Staff time spent after regular hours shall be considered voluntary unless assigned;
- E. Staff shall not be assigned to solicit donations from private contributors;
- F. The Mayor, or if the Mayor is outgoing, the Mayor Pro Tem shall appoint at a Council meeting a Council subcommittee to oversee and plan the event. Council ratification of the event is unnecessary unless requested by a Councilmember;
- G. City facilities may be scheduled and used for such events.

**II. Staff Recognition:** It shall be the policy of the City Council that it may, at its option, recognize outgoing City employees for their service to the City. City management may also conduct recognition activities for outgoing employees. The following policies apply to such activities:

- A. The event organizers are encouraged to have the attendees cover the costs on a per head basis;
- B. Mementos purchased with City funds shall not exceed \$25 unless authorized by the City Manager;
- C. The cost of supplies and refreshments shall be limited to \$25, unless otherwise authorized by the City Manager;
- D. Staff time shall be limited to conducting activities necessary to organize an event including planning the event, ordering supplies, establishing mailing lists and setup. Staff time spent after regular work hours shall be considered voluntary unless participation is assigned;
- E. Staff shall not be assigned to solicit donations from private contributors;
- F. City facilities may be scheduled and used to conduct the event.

**III. Special Events:** It shall be City Council policy to approve by official action the expenditure of City resources in support of special events, including events sponsored by City Council, City Boards and Commissions, or

## USE OF CITY RESOURCES FOR SPECIAL EVENTS AND RECOGNITION ACTIVITIES

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other community agencies. The following policies apply:

- A. All efforts shall be made to approve special events in advance and budget for the resources necessary to support the event. Pre-approved, budgeted events do not require City Council action unless there are policy questions and/or the nature of the event or resources required differ substantially from the original plan;
- B. If an event is unbudgeted, then a report to City Council shall be prepared in advance so City Council can determine whether it wants to allocate City resources to support such an event. Such reports shall include an analysis of the direct and indirect costs of resources required;
- C. The policy does not apply to private events where a use permit is required and the City fully recovers its costs for supporting the event.

For more information on this subject, please refer to "General Management Policy #2.11, the "Special Events Policy.

### IV. Donations for Funerals:

- A. It shall be City Council policy to allow City funds to be utilized to pay for donations or flowers in circumstances where a City officer or employee dies or has a death in the immediate family (father, mother, brother, sister, son, daughter or spouse). Such donations shall be modest, not to exceed \$60, and shall come from the City Council Office indicating the donation is from the Mayor, City Council and City staff. The donations are to be coordinated through the City Council office by staff in the subject employee's operating department, and paid for from the appropriate operating budget.
- B. It shall be City Council policy to allow City funds to be utilized to pay for (not to exceed sixty dollars (\$60)) donations or flowers for funerals in circumstances such as the death of a City Council-appointed committee member or death of a prominent community member.
- C. It shall be City Council policy to allow the expenditure of City funds in an amount not to exceed one hundred dollars (\$100) per event for wreaths commemorating Memorial Day and Veterans' Day.
- D. Nothing in this policy shall preclude individuals from contributing donations on behalf of themselves or a work unit.

- V. Special Recognition: It shall be City Council policy to allow the expenditure of City funds, in an award not to exceed fifty dollars (\$50) per circumstance, and three hundred dollars (\$300) annually, for "special recognition" purposes. Such expenditures must be authorized by the Mayor or, in his/her absence, the Mayor Pro Tem. Expenses in excess of the limits must be approved by the City Manager. This policy does not apply to employee recognition activities.



**USE OF CITY RESOURCES FOR SPECIAL EVENTS AND RECOGNITION ACTIVITIES**

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Attachment: Policy 3.80 - Use of City Resources (3521 : APPROVE AMENDMENTS TO MULTIPLE CITY POLICIES)

## EVALUATIONS OF COUNCIL-APPOINTED POSITIONS

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**PURPOSE:** The purpose of the policy is to ensure that positions appointed by City Council receive formal evaluations by City Council on a routine basis. Such evaluations provide feedback and are key factors in determining the compensation to be paid to those who are employed as City staff. This policy applies to the City Manager, City Attorney, and City Clerk positions, which are appointed by the City Council.

**POLICY:**

- I. It shall be the policy of City Council to conduct formal evaluations of Council-appointed employees.
  - A. Annually, and
  - B. At the conclusion of six months for new appointees.
- II. Such evaluations shall be conducted in a format and at a time mutually agreeable to Council and employee. The Mayor shall oversee the evaluation process.
- III. The ~~Assistant City Manager~~ Human Resources Director, and/or Assistant City Attorney, if requested by Council, ~~may~~ will provide assistance with the evaluation process.
- IV. A confidential summary of the evaluation shall be prepared by City Council, to be provided to the employee. Differing opinions may be included, but Council shall conclude collectively whether the subject employee's performance is satisfactory or unsatisfactory.
- V. Evaluations shall be conducted in Closed Executive Session, with appropriate notice to be given. A form for that purpose will be provided, but Council may choose any format to conduct and document the evaluation.
- VI. Nothing in this policy shall preclude Council from conducting evaluations more frequently, or from conducting any other personnel sessions for its appointed employees.

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Approved by: City Council

Date: August 11, 1992

Revised 11/25/03; xx/xx/19

**EVALUATIONS OF COUNCIL-APPOINTED POSITIONS**

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Attachment: Policy 2.13 - Council Appointed Positions - redline (3521 : APPROVE AMENDMENTS TO MULTIPLE CITY POLICIES)

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Approved by: City Council

Date: August 11, 1992

Revised 11/25/03; xx/xx/19

**MAINTENANCE POLICY FOR PUBLIC LANDSCAPING  
WITHIN A SPECIAL FINANCING DISTRICT**

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**PURPOSE:** The purpose of the policy is to outline the types and frequency of landscape maintenance services provided to public landscaping areas which are included in one of the City's established special financing districts and how those districts are funded.

**DEFINITIONS:**

Annual Inflation Adjustment:

The annual inflation adjustment shall be based on a clearly defined formula as per Government Code Section 53739 and as approved by the Qualified Electors at district formation, or as amended during a mail ballot proceeding, annexation, or other action. The application of the Annual Inflation Adjustment is not considered an increase to the annual Parcel Charge and does not require a rebalot or additional approval by the Qualified Electors. An Annual Inflation Adjustment will only be applied if previously approved by the Qualified Electors and authorized by the City Council.

Assigned Reserves:

Shall be the sum of the Operating Reserves and Repair and Replacement Reserves.

Operating Reserves:

Shall be equal to 58% of the anticipated costs for that year. This will provide the necessary cash flow to fund the services until the first installment of the property tax levy is received from the County.

Parcel Charge:

For the purpose of this policy, Parcel Charge is a general term to mean assessment, parcel charge, or special tax.

Proposition 218:

California State Constitutional amendment, Articles XIII C and XIII D, requires approval by the Qualified Electors for any new, extended, or increased general or special tax, property-related assessment, fee, and/or charge.

Qualified Electors:

Qualified Electors are those eligible to participate in a mail ballot proceeding, special election, or landowner petition. The specific terms are defined in the governing documents for each special financing district type as property owners, landowners, or registered voters.

Repair and Replacement Reserves:

Shall equal up to 50% of the anticipated costs for that year. These monies will be used in the event there is a repair or replacement need. The use of these monies will be at the direction of the City Manager or her/his Designee, subject to applicable purchasing policies and procedures and authority limits.

Unassigned Reserves:

Are those monies in excess of the sum of the Operating Reserves and Repair and Replacement Reserves and can be allocated at the direction of City staff, subject to applicable purchasing policies and procedures and authority limits. This term applies only to those districts where the governing documents allow for such reserve monies.

**MAINTENANCE POLICY FOR PUBLIC LANDSCAPING  
WITHIN A SPECIAL FINANCING DISTRICT**

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**POLICY:****I. Landscape Maintenance Districts**

The City and Community Services District (“City”) use several distinct benefit service programs (special financing districts) to provide landscape maintenance services to parkways, open space, and/or medians to landscape maintenance districts throughout the City. City maintained landscaping is located either in the public right-of-way, areas where a landscape easement has been granted by the underlying property owners, or on City owned property.

**II. Types of Landscape Maintenance Districts**

Several different types of special financing districts are used to provide the funding for the maintenance of the City maintained landscaped areas such as: Landscape Maintenance Districts, Community Services Districts, and Community Facilities Districts. The type of district in place generally depends on when the improvements were constructed and assumed by the City for ongoing maintenance.

**III. Purpose of Landscape Districts**

Landscape districts provide a funding mechanism to provide public landscape preservation through continued maintenance services, with the objective to:

- A. Enhance the aesthetic quality of the service area and provide continuity of character throughout the City;
- B. Encourage preservation of existing plant materials, specifically mature trees and shrubs;
- C. Provide environmental cleaners, water protectors, air cleaners, noise minimizers, slope stabilizers, wind barrier, drainage improvements, and natural coolant; and
- D. To provide funding for the maintenance of landscaping and associated appurtenances at a level of service supported by available funding.

**IV. Types of Services Provided**

A. Routine landscape maintenance services may include: mowing, edging, trimming, and fertilizing turf; trimming groundcover and shrubs; maintaining and pruning trees; removing litter and debris; general pest control services including but not limited to weeds, insects, vertebrate pests, and diseases; and maintaining irrigation systems. It may also include routine maintenance and repairs of pumps, backflows, electrical components, or other appurtenances. Additional work items may be provided based on available funding for replants of trees, vines, or shrubs, installation of mulch, upgrades to the irrigation system to achieve greater efficiencies, and/or to satisfy environmental or regulatory requirements.

This list is not exhaustive of the services provided in each of the service areas but is provided for reference only. For a complete list of services provided, reference is made to the Contractor’s maintenance agreements for each service area.

In unique circumstances, areas other than parkways and medians may be publically maintained such as paseos, open space, water quality facilities, or mitigated landscaped areas. Those areas will be

**MAINTENANCE POLICY FOR PUBLIC LANDSCAPING  
WITHIN A SPECIAL FINANCING DISTRICT**

evaluated on a case by case basis for the suggested maintenance services and schedule based on type of improvements, their location, and any environmental requirements (e.g. CA Dept. of Fish and Wildlife).

B. City staff provides general oversight of maintenance contractors, contract procurement and management; annual assessment reporting; customer service; and other indirect costs (e.g. insurance, computer and telecommunication expenses, accounting staff, human resource support, etc.).

**V. Frequency of Service Levels**

Routine maintenance services are provided to the publicly maintained landscape areas based on the available funding in each service area. The frequency of maintenance services can range from once every 4 weeks (Level 1) to once every 24 weeks (Level 6). Likewise, turf mowing is based on available funding and has two service levels. Below are the established service levels.

| Planter/Median Service Levels <sup>1</sup> | Turf Service Levels | Tree Trimming Schedule <sup>2</sup> |
|--|---------------------|-------------------------------------|
| Level 1 (4 Weeks)                          | Level 1 (1 Week)    | Every 3-5 Years                     |
| Level 2 (8 Weeks)                          | Level 2 (2 Weeks)   | Every 3-5 Years                     |
| Level 3 (12 Weeks)                         |                     | Every 5-7 Years                     |
| Level 4 (16 Weeks)                         |                     | Every 5-7 Years                     |
| Level 5 (20 Weeks)                         |                     | Every 5-7 Years                     |
| Level 6 (24 Weeks)                         |                     | Every 5-7 Years                     |

<sup>1</sup> If funding dictates, additional levels and/or extending the interval between routine service may be added to the Planter/Median Service Levels in 4-week increments.

<sup>2</sup> Tree trimming schedules are based on cycles. The trimming cycle may vary due to species of tree, health of the tree, and available funding for that service area. Due to differing growth rates, habits between tree species, and its specific environment, or for various health concerns, the City employs a target trimming method wherein each tree located in a specific service area is evaluated individually for its trimming requirements.

**VI. Funding**

A. Property owners within landscape maintenance districts shall fund the ongoing landscape maintenance through a Parcel Charge included on their property tax bill. The Parcel Charges are approved for inclusion on the property tax bill prior to the installation of the landscape improvements and are levied in accordance with Proposition 218 or other applicable legislative requirements of the special financing district.

B. All new or increased Parcel Charges for landscape maintenance shall include an Annual Inflation Adjustment, as approved by the Qualified Electors. This will allow for a consistent level of service to be provided as costs increase, which will limit the need to conduct costly mail ballot proceedings or special elections.

C. Each landscape maintenance district shall have Assigned Reserves to fund routine operations until revenue from the property tax bills are received, as well as for repair and replacement of the plant materials and irrigation components.

**MAINTENANCE POLICY FOR PUBLIC LANDSCAPING  
WITHIN A SPECIAL FINANCING DISTRICT**

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Establishment or replenishment of Assigned Reserves shall not exceed 5 years and can be accomplished through savings from the prior year's budget, reduction in expenditures, increasing the Parcel Charge up to the maximum rate, or any combination of these options.

D. Use of Unassigned Reserves can fund projects such as, but are not limited to: installation of drought tolerant plant material, drip irrigation, maxicom installation or upgrades, or additional tree trimmings.

E. Each year the City will evaluate the total anticipated costs of providing the services for the upcoming fiscal year. This evaluation will take any increases in costs as well as costs savings into consideration. Examples of these costs may include, but shall not be limited to: routine maintenance contracts, equipment repair (e.g. electric pedestals, irrigation pumps, etc.), irrigation parts and controllers, weed abatement, tree pruning, radios and electronic devices, water, electricity, fertilizer, vehicles and vehicle maintenance, and other administrative costs to operate the district. An annual budget shall be developed using these costs. The total costs shall be divided among the parcels in each area proportionally and consistent with the district's governing documents. This analysis will be completed for each landscape maintenance district. The Parcel Charge levied on the property tax bill will not exceed the maximum rate for that service area.

- i. Where the cost to provide the service is less than the maximum rate, the available capacity shall be applied to establish or re-establish Assigned Reserves, increase the service levels (for routine and additional work services), one-time professional services or infrastructure re-investments, reduce the Parcel Charge levied on the property tax bill, or any combination thereof.
- ii. Where the cost to provide the service exceeds the maximum rate for one-time situations (e.g. unanticipated equipment failure), the City will use available reserves to fund the shortfall. If expenses are anticipated to exceed revenue repeatedly (i.e. structural deficit), then the following steps shall be taken to bridge the shortfall:
  1. Reduce expenses;
  2. Use Unassigned Reserves;
  3. Survey the Qualified Electors to determine if there's an interest in conducting a ballot proceeding to increase the services (e.g. increase the maximum rate);
  4. Conduct a mail ballot proceeding of the Qualified Electors;
  5. Reduce the landscape maintenance service level consistent with available funding;
  6. Eliminate landscape maintenance services; or
  7. Other City Council direction.

## **VII. Volunteer Services**

Volunteer assistance in subsidizing service areas may be considered on a case by case basis and only where, in the City's opinion, the assistance of volunteers will significantly benefit the service area. Volunteer assistance is limited to the following nonessential services:

**MAINTENANCE POLICY FOR PUBLIC LANDSCAPING  
WITHIN A SPECIAL FINANCING DISTRICT**

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- A. Litter Removal;
- B. Weeding in parkway and open space areas only; or
- C. Donation of plant materials.
  - i. All plant material donations must be consistent with the current plant species used in the designated service area and be consistent with the guidelines and standards for landscape maintenance;
  - ii. All plant material donations must be approved by the Special Districts Division Manager, or their designee; and
  - iii. All plant material donations become the property of the City and shall be physically planted by qualified landscape personnel employed or contracted by the City of Moreno Valley.

All volunteers must complete a City approved Volunteer Application available from the City's website and comply with all requirements and guidelines stated within the Volunteer Policy (Personnel Policy #5.3).



## ARTERIAL MEDIAN MAINTENANCE POLICY

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**PURPOSE:** The purpose of the Arterial Median Maintenance Policy is to provide guidelines to fund aesthetically improved arterial roadway medians throughout the City of Moreno Valley's Community Services District (CSD).

**DEFINITION:**

Median – An aesthetically improved strip of land that divides a street into lanes and provides traffic control by restricting the directional flow of traffic along divided arterial streets and at intersections. Improvements may include, but are not necessarily limited to, landscaping, pavers, stamped or painted concrete, river rock or any combination thereof.

**POLICY:**

- I. All areas zoned for commercial, industrial or residential development abutting arterial streets, as defined within the circulation plan contained within the General Plan, shall be conditioned by the City of Moreno Valley, Public Works Department, Land Development Division to have medians constructed/modified as identified in the latest edition of the City of Moreno Valley approved *Public Works Standard Plans*, Nos. 111 and 112. Construction of the median improvements will occur at the time of development and/or, as may be determined, require payment of a development impact fee or an in lieu fee. Construction of arterial medians shall be required of the developer/owner as a condition of project approval if obligated per this Section of the policy.
- II. All arterial medians constructed/modified pursuant to the conditions of approval shall receive ongoing maintenance of the arterial median improvement(s) as defined in Section I through acceptance into a CSD or other program as determined by the City of Moreno Valley.
- III. Guidelines for Funding Median Maintenance
  - A. CSD Zone D (Parkway Landscape Maintenance) and Zone E (High-Service-Level Parkway Landscape Maintenance) Funding Guidelines - Residential Developments
    1. New residential projects within CSD Zones D or E shall, require the property owner(s)/developers to:
      - a. Ballot, prior to the recordation of the final map, in accordance with the requirements of Proposition 218 and the City of Moreno Valley's Policy for Conducting Mail Ballot Proceedings, Legislative Policy No. 1.12, for acceptance into either the CSD Zone D or CSD Zone E program and approval of the associated annual maintenance charge, including an annual inflation adjustment, if necessary, based upon the percentage change for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price index (CPI) – All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.
      - b. Fund, if approved, no less than the parkway landscaping area including square footage of the medians associated with the development project up to 100% of the total median maintenance and related general administration costs through the CSD Zone D or Zone E annual charge. Calculation of the appropriate Zone D or Zone E charge shall be identified in the CSD Annual Levy Report.
    2. Existing residential projects that are not currently within either the CSD Zone D or Zone E program, shall not be required to support associated median maintenance. Property owners of

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Approved by: City Council

January 28, 2003

Revised 1/24/06

## ARTERIAL MEDIAN MAINTENANCE POLICY

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an existing tract may survey and/or petition to be included into a CSD Zone D or E landscape program. If the required number of signatures are submitted to the CSD, property owners shall:

- a. Ballot, in accordance with the requirements of Proposition 218 and the City of Moreno Valley's Policy for Conducting Mail Ballot Proceedings, Legislative Policy No. 1.12, to consider inclusion into the CSD Zone D or CSD Zone E program and, if approved, shall include acceptance of the associated annual maintenance charge, including an annual inflation adjustment, if necessary.
  - b. Fund, if approved, no less than the parkway landscape, including square footage of the median area associated with the tract project up to 100% of the total median maintenance and related general administration costs through the CSD Zone D or Zone E annual charge. Calculation of the Zone D or Zone E charge shall be identified in the CSD Annual Levy Report
- B. CSD Zone M (Commercial, Industrial and/or Multifamily Improved Median Maintenance) program
1. New Commercial, Industrial and/or Multifamily projects that are conditioned to construct/modify an improved median shall require the property owner(s)/developer(s) to:
    - a. Ballot, prior to the recordation of the final map or permit issuance depending on the project, in accordance with the requirements of Proposition 218 and the City of Moreno Valley's Policy for Conducting Mail Ballot Proceedings, Legislative Policy No. 1.12, for acceptance into the CSD Zone M (Commercial, Industrial and/or Multifamily Improved Median Maintenance) program and approval of the annual maintenance charge, including an annual inflation adjustment, if necessary.
      - If a new Commercial, Industrial and/or Multifamily project is developed within an existing CSD Zone E area, the development shall fund median maintenance through the Zone E annual charge.
    - b. Fund, if approved, no less than the square footage of the median area associated with the development project up to 100% of the total median maintenance and related general administration costs through the CSD Zone M annual charge. If new development occurs or an application is approved to modify an existing property adjacent to the median, the property owner(s)/developer shall ballot for their proportional share based on their front linear footage to the median. Calculation of the Zone M charge shall be identified in the CSD Annual Levy Report.
  2. Existing Commercial, Industrial and/or Multifamily projects not in the CSD Zone M program that are associated with existing improved arterial roadway medians that are proceeding with an application to improve the property shall require the property owner(s)/developers to:
    - a. Ballot, prior to the issuance of the building permit, in accordance with the requirements of Proposition 218 and the City of Moreno Valley's Policy for Conducting Mail Ballot Proceedings, Legislative Policy No. 1.12, to consider inclusion into the CSD Zone M (Commercial, Industrial and/or Multifamily Improved Median Maintenance) program and approval of the annual maintenance charge, including an annual inflation adjustment, if necessary.

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Approved by: City Council

January 28, 2003

Revised 1/24/06

**ARTERIAL MEDIAN MAINTENANCE POLICY**

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- b. Fund, if approved, no less than the proportional cost of the square footage of the median area associated with the development project and related general administration costs through the CSD Zone M annual charge. If new development occurs or an application is approved to modify an existing property adjacent to the median, the property owner(s)/developer shall ballot for their proportional share based on their front linear footage to the median. Calculation of the Zone M charge shall be identified in the CSD Annual Levy Report.

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY**

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**PURPOSE:** This policy outlines the service plan parameters for maintaining the Moreno Valley Community Services District (CSD) Zone D (Parkway Landscape Maintenance) service areas.

**OBJECTIVE:** It is the objective of the CSD to implement the Zone D (Parkway Landscape Maintenance) Service Plan Policy to provide guidelines and standards for the funding and maintenance of CSD Zone D service areas throughout the City of Moreno Valley (City). Maintenance of these service areas shall be consistent with available funding.

**DEFINITIONS:**

Annual Inflation Adjustment:

The annual inflation adjustment shall be based on a clearly defined formula as per Government Code Section 53739. The application of the Annual Inflation Adjustment is not considered an increase to the Annual Parcel Charge and does not require a rebalot or additional approval by the property owners. An Annual Inflation Adjustment will only be applied if previously approved.

Full Cost Recovery:

May include, but is not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, administrative and maintenance staff support, maintenance and operating reserves, and other items necessary for the satisfactory maintenance of landscaped parkways and medians.

Proposition 218:

California State Constitutional amendment, Articles XIIC and XIID, requires voter approval for any new, extended, or increased general or special tax, property-related assessment, fee, and/or charge. For property-related charges, such as CSD Zone D, a simple majority (50%+1) of returned valid ballots is required for approval.

**POLICY:**

**I. CSD Zone D (Parkway Landscape Maintenance) Program & Funding**

- A. CSD Zone D is a distinct benefit service program that provides parkway perimeter and/or median landscape maintenance services to specific service areas throughout the City.
- B. The CSD has accepted for maintenance designated parkway and median landscaped areas located throughout the City.
- C. The CSD Zone D program provides parkway landscape preservation through continued maintenance service, with the objective to:
  1. Enhance the aesthetic quality of the service area in particular and provide continuity of character throughout the CSD;
  2. Encourage preservation of existing plant materials, specifically mature trees and shrubs; and

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Approved by: CSD Board  
January 9, 2001  
*Revised 1/22/02; 1/24/2006; April 26, 2011*

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY**

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3. Provide maintenance of landscaped service areas consistent with available funding to support a service level.

**II. CSD Zone D Funding**

- A. Each CSD Zone D service area is financed through annual charges. Charges levied on properties within a service area and collected annually on the Riverside County property tax bill or through a direct billing to the property owner.
- B. When costs exceed the annual charges to maintain a service area at the current service level, the Special Districts Division shall determine if that service area may be subject to either:
  1. A mail ballot proceeding, as mandated by Proposition 218; or,
  2. A reduction in service to provide a service level consistent with available funding. Prior to any adjustment in service, a letter shall be sent to notify the record owners of property that the current level of service will be reduced, not less than 30 days prior to the implementation of the reduction in service level. This letter shall include the following information:
    - i. APN and Tract No. or description of project area ;
    - ii. Explanation and/or description of the service(s) to be modified;
    - iii. Date which the change(s) in service level will be implemented;
    - iv. Explanation on how property owners may pursue a ballot proceeding to maintain the current service level, if desired;
    - v. Amount of proposed increase necessary to maintain the current service level; and,
    - vi. A statement as to the continuation of the charge and the amount to be levied.
- C. If a mail ballot proceeding occurs, the proposed annual charges shall not be more than the Full Cost Recovery amount required to maintain a specified level of landscape maintenance service. The proposed annual charges shall include an Annual Inflation Adjustment, to maintain full cost recovery.
  1. Any service area subject to a proposed charge increase for Zone D services shall participate in a mail ballot proceeding. If the returned valid ballots from the record owners of property for the balloted service area approve of the annual charges by a majority (50% +1), then the properties within the service area may be charged an amount up to the approved annual charges.
  2. If the property owners of record within a service area do not approve an increase in the annual charge to provide Full Cost Recovery for a specified level of service, the CSD shall retain the option to continue to provide service at a reduced level consistent with available funding.

Approved by: CSD Board

January 9, 2001

*Revised 1/22/02; 1/24/2006; April 26, 2011*

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY**

- D. If funding is insufficient to provide for services at the Street Tree Maintenance Service level, landscape maintenance services shall be eliminated. The service area shall continue to be charged at the current annual charges for the subsequent fiscal year to provide for abatement of weed and plant materials.

**III. CSD Zone D Service Levels**

- A. CSD Zone D service areas shall receive a designated level of service as listed on the table found in Section IIIC of this policy as follows:
  - 1. Based upon the available funding for each service area, the CSD shall provide either **Standard Maintenance Service, Reduced Maintenance Service, or Street Tree Maintenance Service.**
  - 2. In a service area where costs exceed the available funding to support Street Tree Maintenance Service, the CSD shall have the option to:
    - a. Provide the service area with clean-up (removal of dead or dying landscaped plant materials) to be funded at the current annual charge rate for the subsequent fiscal year; and,
    - b. Vacate the public interest and revert the service area to the record owner(s) of property for maintenance. Maintenance of the service area shall be the sole responsibility of the record owners of property within a service area.
- B. Service areas that don't fund the Full Cost Recovery to support Standard Maintenance Service will be evaluated to determine what level of service, if any, can be provided. The service level for each service area is contingent upon available funding to support the designated level of service.
- C. The following table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager.

| <b>CSD ZONE D – GENERAL SERVICE LEVEL GUIDELINES</b> |  |  |  |
|--|--|--|--|
| <b>Description of Landscape Maintenance Service</b>  | <b>Standard Maintenance Service</b>  | <b>Reduced Maintenance Service</b>   | <b>Street Tree Maintenance Service</b>   |
| Mowing, edging & trimming (of turf areas only)       | Weekly   | Monthly (or Bi-monthly as needed)  | N/A  |
| Aeration   | 3 times per year   | As needed  | N/A  |
| Tree trimming  | 1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment | 1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment | 1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment |

Approved by: CSD Board

January 9, 2001

Revised 1/22/02; 1/24/2006; April 26, 2011

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY**

| <b>CSD ZONE D – GENERAL SERVICE LEVEL GUIDELINES</b> |  |  |  |
|--|--|--|--|
| <b>Description of Landscape Maintenance Service</b>  | <b>Standard Maintenance Service</b>                                      | <b>Reduced Maintenance Service</b>                           | <b>Street Tree Maintenance Service</b>                       |
| Shrub trimming                                       | 1 time per year (minimum) to eliminate hazard and/or ROW encroachment    | 1 time per year to eliminate hazard and/or ROW encroachment  | 1 time per year to eliminate hazard and/or ROW encroachment  |
| Ground cover trimming                                | 4 times per year (quarterly) to eliminate hazard and/or ROW encroachment | 2 times per year to eliminate hazard and/or ROW encroachment | 2 times per year to eliminate hazard and/or ROW encroachment |
| Weed control   | Monthly  | 4 times per year (quarterly)                                 | 4 times per year (quarterly)                                 |
| Irrigation   | Weekly (inspect/adjust/repair)   | Monthly (inspect/adjust/repair)                              | Monthly (inspect/adjust/repair)                              |
| Litter removal                                       | Weekly   | 1 time per month or at least 1 time per 2 months             | 1 time per month or at least 1 time per 2 months             |
| Turf fertilizer                                      | 7 applications per year  | 3 applications per year                                      | N/A  |
| Shrub fertilizer                                     | 2 applications per year  | 1 application per year                                       | N/A  |
| Tree fertilizer                                      | As needed  | As needed  | As needed  |
| <b>Pesticides:</b>                                   |  |  |  |
| Shrubs/Ground covers (pre-emergent)                  | 2 times per year   | As needed (budget permitting)                                | N/A  |
| Shrubs/Ground covers (insect/disease control)        | As needed  | As needed (budget permitting)                                | N/A  |
| Shrubs/Ground covers (vertebrate pest control)       | As needed  | As needed (budget permitting)                                | N/A  |
| Turf (Weed control)                                  | As needed  | As needed (budget permitting)                                | N/A  |
| Turf (Vertebrate pest control)                       | As needed  | As needed (budget permitting)                                | N/A  |

**IV. Volunteer Services**

- A. Volunteer assistance in subsidizing Reduced Maintenance Service or Street Tree Maintenance Service may be considered on a service area by service area basis and only where, in the CSD's opinion, the assistance of volunteers will significantly benefit the service area.
- B. Volunteer assistance is limited to the following nonessential services:
1. Litter Removal

Approved by: CSD Board  
January 9, 2001  
Revised 1/22/02; 1/24/2006; April 26, 2011

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE D (PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN POLICY**

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2. Weeding
3. Donation of plant materials
  - a. All plant material donations must be consistent with the current plant species used in the designated service area and consistent with the Guidelines and Standards for Landscape Maintenance;
  - b. All plant material donations must be approved by the Special Districts Division Manager, or their designee;
  - c. All plant material donations become the property of the CSD and shall be physically planted by qualified landscape personnel employed or contracted by the City of Moreno Valley, Public Works Department, Special Districts Division; and,
  - d. No plant donations are to be planted by any person other than those listed in Section IVB3c of this policy.
- C. All volunteers must complete a City approved Volunteer Application available from the City's Human Resources Department and comply with all requirements and guidelines stated within the Personnel Policy #5.3, Volunteer Policy.
- D. Professional Licensed Contract Services may be donated with the understanding that:
  1. The Professional donating the service is a licensed contractor for the type of service being donated and can show proof of professional license and/or necessary certification;
  2. The Professional donating the service must have and be able to provide insurance certification showing they have liability insurance coverage with limits no less than the amount required by the City's Risk Management Division;
  3. It is understood that all professional donations are just that, donations, and the Professional shall receive no compensation, either direct or implied, by any agent, employee, or official of the City, CSD, RDA, or Special Districts Division; and
  4. Donations of professional services shall be accepted at the discretion of the Public Works Director/City Engineer.



### Zone S (Sunnymead Boulevard Maintenance) Policy

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**PURPOSE:** The purpose of the Zone S (Sunnymead Boulevard Maintenance) Policy is to provide guidelines to fund the maintenance for improvements along Sunnymead Boulevard in sections or in total, from Frederick Street to Perris Boulevard.

**DEFINITIONS:**

A. Gateway Arch:

Located approximately 100 feet east of Frederick Street, the arch will span the full width of Sunnymead Boulevard. The structure will have stacked stone columns with round finials in cast aluminum. The arch will be metal coated in dark blue paint.

B. Median:

An aesthetically improved strip of land that divides a street into lanes and provides traffic control by restricting the directional flow of traffic along divided arterial streets and at intersections. Improvements may include, but are not necessarily limited to, landscaping, pavers, stamped or painted concrete, river rock or any combination thereof.

C. Median “not”:

A center turn lane constructed of integral colored concrete.

**POLICY:**

**I. Zone S Program**

- A. Zone S will provide maintenance services for improvements installed as a result of the Sunnymead Boulevard Revitalization program along Sunnymead Boulevard which include, but not limited to, trimming, pruning, weeding, fertilizing, replacement of plant material and litter pick up in the medians and parkway areas, maintenance of the irrigation system, payment of the associated utility charges, maintenance of the gateway/arch, replacement of seasonal banners, median street sweeping, decorative hardscape repair and steam cleaning of the intersections, crosswalks and median “nots”. Maintenance of the service area shall be consistent with available funding.
- B. Boundaries of the Zone S service area include all parcels (and any division thereof) with front linear footage to Sunnymead Boulevard from Frederick Street to Perris Boulevard excluding exempt and unbuildable parcels.

**II. Zone S Funding**

- A. Zone S is financed through Community Services District (CSD) annual charges. CSD Zone S charges are levied only on those properties receiving the benefit from the improvements and are annually collected on the property tax bill.
- B. The annual CSD Zone S charge for each property is calculated based on the property’s proportional front linear footage along Sunnymead Boulevard.
- C. When costs to the CSD exceed the full cost recovery amount to maintain the service area, the property owners within that area shall be subject to a mail ballot proceeding, in accordance with

Approved by: City Council  
02/14/2006

**Zone S (Sunnymead Boulevard Maintenance) Policy**

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Proposition 218 ("The Right to Vote On Taxes Act"), to approve or not approve an increase in the CSD annual charge for Zone S services.

- D. No proposed charge increase shall be more than the difference between the full cost recovery amount including maintenance, operation and administration required to maintain the present level of service and the amount currently being charged to the service area. The proposed charge increase shall provide for an annual inflation adjustment, if necessary, to maintain full cost recovery. The annual adjustment is based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index – All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE E (EXTENSIVE PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN**

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**PURPOSE:** This policy outlines the service plan parameters for maintaining Moreno Valley Community Services District (CSD) Zone E (Extensive Landscape Maintenance) sub-zones.

**OBJECTIVE:** It is the objective of the CSD to implement the CSD Zone E (Extensive Landscape Maintenance) Service Plan policy to provide guidelines for the maintenance of CSD Zone E sub-zones throughout the City of Moreno Valley (City). Maintenance of the sub-zones shall be consistent with available funding.

**DEFINITIONS:**

Annual Inflation Adjustment:

The annual inflation adjustment shall be based on a clearly defined formula as per Government Code Section 53739. The application of the Annual Inflation Adjustment is not considered an increase to the Annual Parcel Charge and does not require a rebalot or additional approval by the property owners. An Annual Inflation Adjustment will only be applied if previously approved.

Full Cost Recovery:

May include, but is not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, administrative and maintenance staff support, maintenance and operating reserves, and other items necessary for the satisfactory maintenance of landscaped parkways, medians, entry statements, and/or open spaces.

Proposition 218:

California State Constitutional amendment, Articles XIIC and XIID, requires voter approval for any new, extended, or increased general or special tax, property-related assessment, fee, and/or charge. For property-related charges, such as CSD Zone E, a simple majority (50%+1) of returned valid ballots is required for approval.

**POLICY:**

**I. CSD Zone E (Extensive Landscape Maintenance) Program & Funding**

- A. CSD Zone E is a distinct benefit service program that provides extensive landscape maintenance services to specific major residential/commercial developments (sub-zones) that have landscaped perimeters, medians, entry statements, and/or open space throughout the City. A sub-zone defines the location of the service area within the City.
- B. The CSD has accepted for maintenance designated landscaped parkways, medians, entry statements, and/or open spaces located throughout the City.
- C. The purpose of the CSD Zone E program is to provide landscape preservation services through continued maintenance, with the objective to:
  1. Enhance the aesthetic quality of the sub-zone in particular and provide continuity of character throughout the CSD;

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE E (EXTENSIVE PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN**

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2. Encourage preservation of existing plant materials, specifically mature trees and shrubs; and
3. Provide maintenance of landscaped sub-zones consistent with available funding to support a service level.

**II. CSD Zone E Funding**

- A. Each area of distinct benefit (sub-zone) is financed through annual charges. Charges are levied on those properties within the sub-zone and are collected annually on the Riverside County property tax bill or through a direct billing to the property owner.
- B. When costs exceed the annual charges to maintain a sub-zone at a current service level, the Special Districts Division shall determine if that sub-zone may be subject to either:
  1. A mail ballot proceeding, as mandated by Proposition 218; or,
  2. A reduction in service to provide a service level consistent with available funding. Prior to any adjustment in service, a letter shall be sent to notify the record owners of property that the current level of service will be reduced, not less than 30 days prior to the implementation of the reduction in service level. This letter shall include the following information:
    - i. APN and/or description of sub-zone;
    - ii. Explanation and/or description of the service(s) to be modified;
    - iii. Date which the change(s) in service level will be implemented;
    - iv. Explanation on how property owners may pursue a ballot proceeding to maintain the current service level, if desired;
    - v. Amount of proposed increase necessary to maintain the current service level; and,
    - vi. A statement as to the continuation of the charge and the amount to be levied.
- C. If a mail ballot proceeding occurs, the proposed annual charges shall not be more than the Full Cost Recovery amount required to maintain a specified level of landscape maintenance service. The proposed annual charges shall include an Annual Inflation Adjustment, to maintain full cost recovery.
  1. Any sub-zone subject to a proposed charge increase for Zone E services shall participate in a mail ballot proceeding. If the returned valid ballots from the record owners of property for the balloted sub-zone approve the annual charges by a simple majority (50% +1), then the properties within the sub-zone may be charged an amount up to the approved annual charges.
  2. If the property owners of record within the sub-zone oppose an increase in the annual charges to provide Full Cost Recovery for a specified level of service, the CSD shall retain the option to provide service at a reduced level consistent with available funding.

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE E (EXTENSIVE PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN**

- D. If funding is insufficient to provide for services at the Street Tree Maintenance Service level, landscape maintenance services shall be eliminated. The service area shall continue to be charged at the current annual charges for the subsequent fiscal year to provide for abatement of weed and plant materials.

**III. CSD Zone E Service Levels**

- A. CSD Zone E sub-zones shall receive a designated level of service as listed on the table found in Section IIIC of this policy as follows:
  - 1. Based upon the available funding for each sub-zone, the CSD shall provide either **Standard Maintenance Service, Reduced Maintenance Service, or Street Tree Maintenance Service.**
  - 2. In a sub-zones where costs exceed the available funding to support Street Tree Maintenance Service, the CSD shall have the option to:
    - a. Provide the sub-zone with clean-up (removal of dead or dying landscaped plant materials) to be funded at the current annual charge rate for the subsequent fiscal year; and,
    - b. Vacate the public interest and revert the sub-zone to the record owner(s) of property for maintenance. Maintenance of the sub-zone shall be the sole responsibility of the record owners of property within a sub-zone.
- B. Service areas that don't fund the Full Cost Recovery to support Standard Maintenance Service will be evaluated to determine what level of service, if any, can be provided. The service level for each service area is contingent upon available funding to support the designated level of service.
- C. The following table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager:

| Description of Landscape Maintenance Service   | CSD ZONE E – GENERAL SERVICE LEVEL GUIDELINES  |  |  |
|--|--|--|--|
|  | Standard Maintenance Service   | Reduced Maintenance Service  | Street Tree Maintenance Service  |
| Mowing, edging & trimming (of turf areas only) | Weekly   | Monthly (or Bi-monthly as needed)  | N/A  |
| Aeration                                       | 3 times per year   | As needed (budget permitting)  | N/A  |
| Tree trimming                                  | 1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment | 1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment | 1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment |

Approved by Community Services District  
September 25, 2007  
Revised April 26, 2011

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE E (EXTENSIVE PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN**

| Description of Landscape Maintenance Service | CSD ZONE E – GENERAL SERVICE LEVEL GUIDELINES                            |  |  |
|--|--|--|--|
|  | Standard Maintenance Service   | Reduced Maintenance Service                                  | Street Tree Maintenance Service                              |
| Shrub trimming                               | 1 time per year (minimum) to eliminate hazard and/or ROW encroachment    | 1 time per year to eliminate hazard and/or ROW encroachment  | 1 time per year to eliminate hazard and/or ROW encroachment  |
| Ground cover trimming                        | 4 times per year (quarterly) to eliminate hazard and/or ROW encroachment | 2 times per year to eliminate hazard and/or ROW encroachment | 2 times per year to eliminate hazard and/or ROW encroachment |
| Weed control                                 | Monthly  | 4 times per year (quarterly)                                 | 4 times per year (quarterly)                                 |
| Irrigation                                   | Weekly (inspect/adjust/repair)   | Monthly (inspect/adjust/repair)                              | Monthly (inspect/adjust/repair)                              |
| Litter removal                               | Weekly   | 1 time per month or at least 1 time per 2 months             | 1 time per month or at least 1 time per 2 months             |
| Turf fertilizer                              | 8 applications per year (minimum)  | 3 applications per year                                      | N/A  |
| Shrub fertilizer                             | 2 applications per year  | 1 application per year                                       | N/A  |
| Tree fertilizer                              | As needed  | As needed (budget permitting)                                | As needed (budget permitting)                                |
| <b>Pesticides:</b>                           |  |  |  |
| Shrubs/Ground covers                         | Pre-emergent 2 times per year  | As needed (budget permitting)                                | N/A  |
| Shrubs/Ground covers                         | Insect/disease control (as needed)                                       | As needed (budget permitting)                                | N/A  |
| Shrubs/Ground covers                         | Vertebrate pest control Monthly (minimum)                                | As needed (budget permitting)                                | N/A  |
| Turf   | Weed control, insect, and disease control (as needed)                    | As needed (budget permitting)                                | N/A  |
| Turf   | Vertebrate pest control Monthly (minimum)                                | As needed (budget permitting)                                | N/A  |

**IV. Volunteer Services**

- A. Volunteer assistance in subsidizing Reduced Maintenance Service or Street Tree Maintenance Service may be considered on a sub-zone by sub-zone basis and only where, in the CSD's opinion, the assistance of volunteers will significantly benefit the sub-zone.
- B. Volunteer assistance is limited to the following nonessential services only:
1. Litter Removal
  2. Weeding
  3. Donation of plant materials

**MORENO VALLEY COMMUNITY SERVICES DISTRICT  
ZONE E (EXTENSIVE PARKWAY LANDSCAPE MAINTENANCE) SERVICE PLAN**

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- a. All plant material donations must be consistent with the current plant species used in the designated sub-zone and consistent with the Guidelines and Standards for Landscape Maintenance;
  - b. All plant material donations must be approved by the Special Districts Division Manager, or their designee;
  - c. All plant material donations become the property of the CSD and shall be physically planted by qualified landscape personnel employed or contracted by the City of Moreno Valley, Public Works Department, Special Districts; and,
  - d. No plant donations are to be planted by any person other than those listed in Section IVB3c of this policy.
- C. All volunteers must complete a City approved Volunteer Application available from the City's Human Resources Department and comply with all requirements and guidelines stated within the Personnel Policy No. 5.3, Volunteer Policy.
- D. Professional Licensed Contract Services may be donated with the understanding that:
- 1. The professional donating the service is a licensed contractor for the type of service being donated and can show proof of professional license and/or necessary certification;
  - 2. The professional donating the service must have and be able to provide insurance certification showing they have liability insurance coverage with limits no less than the amount required by the City's Risk Management Division;
  - 3. It is understood that all professional donations are just that, donations, and the professional shall receive no compensation, either direct or implied, by any agent or employee or official of the City, CSD, RDA, or Special Districts Division; and
  - 4. Donations of professional services shall be accepted at the discretion of the Public Works Director/City Engineer.

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**OPERATING POLICY FOR BOARDS, COMMISSIONS AND COMMITTEES**

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**I. Policy**

- A. *Authority* – The City Council has broad authority to establish boards, commissions and committees as part of the sub-government of the City and set forth the powers, duties, and method of appointment of their members.
- B. *Purpose* - The purpose of this policy is to set forth those City Council policies that generally apply to all City’s boards, commissions and committees, unless there is a different and/or more specific policy provided by an ordinance that formed a certain board, commission or committee.

**II. Boards, Commissions and Committees**

- A. *Formation* – All City boards, commissions and committees shall only be established by an ordinance or resolution duly approved and adopted by the City Council.
- B. *General Scope* - Boards, commissions and committees are created by the City Council to: (1) provide an additional forum and opportunity for community participation in the public decision making process; (2) perform specific administrative acts on behalf of the City; and (3) recommend to City Council specific policy-related issues for possible City Council study and action.
- C. *Powers and Duties* – The specific powers and duties of each board, commission and committee shall be set forth in the formation ordinance or resolution that creates a board, commission or committee.
- D. *Terms* – Unless otherwise provided by the formation ordinance or resolution for a particular board, commission or committee, the term of members of boards, commissions and committees shall be three (3) years, or until his or her successor is appointed by the City Council.
- E. *Compensation* - Unless otherwise provided by the formation ordinance or resolution for a particular board, commission or committee, all members of any board, commission or committee shall serve without monetary compensation for their services.
- F. *Number of Members* - Unless otherwise provided by the formation ordinance or resolution for a particular board, commission or committee, the number of regular members on any board, commission or committee shall consist of no more than nine (9) plus up to two (2) alternate members.

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**OPERATING POLICY FOR BOARDS, COMMISSIONS AND COMMITTEES**


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- G. *Quorum* - Unless otherwise provided by the formation ordinance or resolution for a particular board, commission or committee, a quorum for any meeting shall require at least four (4) regular members to be present at the meeting, unless otherwise permitted by the Ralph M. Brown Act as set forth in California Government Code section 54950, et seq. Alternate members shall not be counted towards this quorum requirement.
- H. *Attendance and Absences* – If a member of any board, commission or committee is unable to attend a scheduled meeting, he or she should notify the Staff Liaison as soon as possible. Failure to notify the Staff Liaison in advance of an expected absence from a meeting will constitute an un-excused absence. Excused absences include, but are not limited to: (1) illness; (2) care of a family member; (3) transportation difficulty; (4) pre-scheduled appointments; (5) job interview; (6) employment issues; or (7) general household matters. The board, commission or committee reserves the right to excuse an absence for other legitimate reasons provided that a motion to excuse is made, seconded and approved by a majority of the subject board, commission or committee.
- I. *Meeting Locations* - *Meeting* locations for boards, commissions and committees shall be designated by staff based on the occupancy capacity of the meeting space and whether the meeting space is generally available on a consistent basis for periodic meetings of the subject board, commission or committee.
- J. *Regular Meetings* – The schedule of regular meetings of any board, commission or committee may be set by ordinance, resolution, or formal action of the City Council.
- K. *Ralph M. Brown Act* – All boards, commissions and committee are subject to the Ralph M. Brown Act as set forth in California Government Code section 54950, et seq.
- L. *Rules of Procedure* - All meetings of boards, commissions and committees shall be subject to Rosenberg’s Rules of Procedure.
- M. *Staff Liaison* - The City Manager shall assign at least one staff member to serve as Staff Liaison to each board, commission and committee. The Staff Liaison shall provide staff assistance, as may be required, to his or her assigned board, commission or committee. Staff assistance includes communicating concerns/requests for the board, commission or committee to the Council Liaison, preparing agendas, taking minutes and providing general administrative support.
- N. *Council Liaison* - The City Council may appoint a City Councilmember to serve as a Council Liaison to any board, commission or committee it so chooses. The Council Liaison shall attend at least one meeting per calendar year of their respective board, commission or committee. The Council Liaison may attend additional meetings on an as-needed or as-requested basis, subject to the Council Liaison’s availability. The

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Council Liaison, with the assistance of the Staff Liaison, shall serve as a contact person for the City Council to ask questions, receive clarification or provide direction regarding any matter within the subject matter jurisdiction of the Council Liaison's board, commission or committee.

### III. Appointment Procedures

- A. *Local Appointments List* – Pursuant to the Maddy Act, as set forth in Government Code sections 54970-54974, on or before December 31 of each year, the ~~Mayor City Council~~ shall direct the City Clerk to prepare a Local Appointments List which: (1) identifies all regular and ongoing boards, commissions, and committees which are ~~established appointed~~ by the City Council; and (2) lists all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for each position. The Local Appointments List shall be made available to members of the public through posting at the same physical locations regular City Council meeting agendas are posted, at the City's library and any of its branches and on the City's website.
- B. *Special Vacancy Notice* - Whenever an unscheduled vacancy occurs on any board, commission, or committee for which the ~~Mayor City Council~~ has the appointing power, subject to the City Council's confirmation, whether due to resignation, forfeiture, death, termination or other causes, a special vacancy notice shall be posted in the City Clerk's office, at the same physical locations regular City Council meeting agendas are posted, at the City's library and any of its branches and on the City's website not earlier than 20 days before or later than 20 days after the vacancy occurs.
- C. *Appointment Application* - All applicants, including incumbents, for membership on any board, commission or committee shall complete the standard application form provided by the City Clerk, which shall be the same application form for all board, commission and committee member applicants. ~~Completed a~~Applications shall be forwarded to the ~~Mayor City Council~~ for review. ~~Incomplete applications will be returned to the applicant as incomplete and will not be forwarded to the City Council for review. Mayor has the sole discretion to accept incomplete applications for review.~~
- D. *Emergency Appointments* – The ~~Mayor City Council~~ may, if ~~he/she it~~ finds that an emergency exists, fill an unscheduled vacancy immediately, subject to the City Council's confirmation. A person appointed to fill the vacancy on an emergency basis shall serve only ~~o~~in an acting basis until the final appointment is made.

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- E. *Final Appointments* - Final appointments to any board, commission, or committee shall not be made ~~by the City Council~~ for at least 10 working days after the posting of any directly related vacancy notice.
- F. *Elected Mayor* --~~Commencing December 2016~~ As set forth in Government Code Section 40605, the Mayor makes all appointments to boards, commissions, and committees, from the pool of applicants, subject to approval by a majority vote of the City Council, unless otherwise specifically provided by state law. In the event, there is no majority approval of the Mayor's appointment, the Mayor may make subsequent appointments from the remaining pool of applicants subject to approval by a majority of the City Council, until one of ~~the his or~~ appointments ~~is are~~ approved by a majority of the City Council.
- G. *Open Session Appointments* - Appointments must be discussed and confirmed ~~made~~ in an open session meeting of the City Council and appointments must be reported in an open session meeting of the City Council on the day of the appointment.
- H. *At-Will Status* -- All appointments to boards, commissions and committees are at-will, meaning that the City Council by majority vote has the right to remove or dismiss at any time with or without cause any member of a board, commission or committee created by the City Council, unless otherwise prohibited by any applicable law, regulation or policy.

#### IV. Eligibility

Unless otherwise set forth in state law or the City's Municipal Code, the following eligibility requirements shall apply to appointments and continued service as a member of a board, commission or committee.

- A. *Other Positions* - No board, commission or committee member shall concurrently serve on more than one board, commission or committee of the City or its affiliated agencies, occupy a position of employment with the City or its affiliated agencies, or hold a paid office with the City or any of its affiliated agencies. Acceptance of a position on another board, commission or committee or acceptance of employment or a paid office with the City or its affiliated agencies by a board, commission or committee member during his or her term shall result in the automatic forfeiture of his or her board, commission or committee membership status and said position shall be declared vacant by the City Clerk
- B. *Residency/Registered Voter* - A board, commission or committee member shall be a registered voter of the City and maintain his or her principal place of residence within the City throughout his or her term, unless otherwise provided by the formation

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ordinance or resolution for certain boards, commissions and committees that permit non-residents or minors to serve as members. If a board, commission or committee member loses his or her registered voter status or ceases to maintain his or her principal place of residence within the City during his or her term, then it shall result in an immediate forfeiture of office and said position shall be declared vacant by the City Clerk, unless otherwise provided by the board, commission or committee's formation ordinance or resolution.

- C. *Criminal Charges/Convictions* – A person imprisoned or on parole for the conviction of a felony shall be disqualified from being appointed to a board, commission or committee. In addition, a person shall be disqualified from being appointed to a board, commission or committee if the person has been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes. For purposes of this section, "conviction of a felony" includes a conviction of any of the aforementioned felonies not only under the laws of California but also under the laws of any other state, the United States, or any foreign government or country, if committed in California, would be the same as any of the aforementioned felonies, and for which the person has not received a pardon from the Governor of California, the governor or other officer authorized to grant pardons in another state, the President of the United States, or the officer of the foreign government or country authorized to grant pardons in that foreign jurisdiction. If a conviction of any of the aforementioned felonies occurs during a board, commission or committee member's term it shall result in an immediate forfeiture of office and said position shall be declared vacant by the City Clerk. If a board, commission or committee member is charged with any of the aforementioned felonies, but not yet convicted, he or she shall be suspended immediately from the office he or she then holds and the person shall not be entitled to receive the emoluments of the office, including, but not limited to, the rights to assume office, the exercise of the powers of the office, and the compensation, including benefits, which may be prescribed for the position. In the event a court of competent jurisdiction does not convict for any of the aforementioned felonies, sets aside or nullifies such a conviction, the inability to assume office or the suspension from holding office shall be lifted, and the person suspended from office shall be restored to the same office with its emoluments, including those that would have otherwise accrued during the suspension, excluding, however, interest on any monetary payments.
- D. *Youth Programs/Activities* – A conviction of any of the offenses specified in Public Resources Code Section 5164 shall disqualify a person from being appointed to a board, commission or committee which oversees any youth programs and/or youth activities in the City. If such conviction occurs during the board, commission or committee member's term it shall result in an immediate forfeiture of office and said

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position shall be declared vacant by the City Clerk. If a board, commission or committee member is charged with any of the aforementioned offenses, but not yet convicted, he or she shall be suspended immediately from the office he or she then holds and the person shall not be entitled to receive the emoluments of the office, including, but not limited to, the rights to assume office, the exercise of the powers of the office, and the compensation, including benefits, which may be prescribed for the office. In the event a court of competent jurisdiction does not convict, sets aside or nullifies the conviction, the inability to assume office or the suspension from holding office shall be lifted, and the person suspended from office shall be restored to the same office with its emoluments, including those that would have otherwise accrued during the suspension, excluding, however, interest on any monetary payments.

- E. *Background Check* - A board, commission or committee member appointee who refuses or neglects to submit to the same background checks required of City employees within the time prescribed shall result in the automatic forfeiture of his or her appointment status.
- F. *Mental Incapacity* - Any person committed to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict shall be disqualified ~~y~~ from being appointed to a board, commission or committee. If any such order of commitment occurs during the board, commission or committee member's term, it shall result in an immediate forfeiture of office once the order of commitment becomes final and said position shall be declared vacant by the City Clerk.
- G. *Physical Incapacity* - A board, commission or committee member who has been adjudicated as being physically incapacitated due to disease, illness, or accident, and that there is reasonable cause to believe that the he or she will not be able to perform the duties of his or her office for the remainder of his or her term shall result in an immediate forfeiture of office upon the City receiving proof of the final adjudication and said position shall be declared vacant by the City Clerk.
- H. *Excessive Unexcused Absences* - A board, commission or committee member who accumulates unexcused absences amounting to more than 25 percent of the meetings held during any twelve month period, commencing on the annual anniversary date of his or her appointment, shall result in the automatic forfeiture of his or her board, commission or committee membership status upon receiving notice from the City Clerk confirming the unexcused absences and said position shall be declared vacant by the City Clerk.
- I. *Oath/Bond* - A board, commission or committee member appointee who refuses or neglects to take and subscribe to the oath/affirmation set forth in Section 3 of Article

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XX of the California Constitution within the time prescribed or refuses or neglects to file any required bond within the time prescribed shall result in the automatic forfeiture of his or her appointment status and said position shall be declared vacant by the City Clerk.

- J. *Ethics Training* - A board, commission or committee member who refuses or neglects to attend or participate in a bona fide AB 1234 Ethics Training program, approved by the City Clerk or City Attorney, within the time prescribed shall result in the automatic forfeiture of his or her board, commission or committee membership status and said position shall be declared vacant by the City Clerk.
- K. *Disclosure of Confidential Information* - A board, commission or committee member who discloses, without written authorization by the City Clerk or City Attorney, any information deemed confidential or exempt from disclosure under any federal, state or local law, regulation or policy shall result in the automatic forfeiture of his or her board, commission or committee membership status upon receiving notice from the City Clerk or City Attorney confirming that the disclosure was unauthorized under an applicable federal, state or local law, regulation or policy and said position shall be declared vacant by the City Clerk.
- L. *Nepotism* – Any person who has an immediate family member who serves on the City Council shall not be eligible for appointment to any board, commission or committee. In addition, any person who has an immediate family member who is employed by the City shall not be eligible for appointment to any board, commission or committee that oversees any aspect of the department or division that the immediate family member works at or in on a routine basis. Immediate family member includes a spouse, domestic partner, cohabitant, child, stepchild, grandchild, parent, stepparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, half-brother, half-sister, stepsibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, or first cousin that is, a child of an aunt or uncle. If during a board, commission or committee member’s term, an immediate family member is elected or appointed to the City Council or employed by the City to work in a department or division that is overseen by the member’s board, commission or committee, this shall result in the automatic forfeiture of his or her board, commission or committee membership status and said position shall be declared vacant by the City Clerk, unless the immediate family chooses instead to relinquish his or her City Council seat or the subject employee transfers to another department or division beyond the oversight purview of the respective member’s board, commission or committee.

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**OPERATING POLICY FOR BOARDS, COMMISSIONS AND COMMITTEES**

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**Attachment: Policy No. 1.11 - Operating Policy for Boards and Commissions - redlined (3521 : APPROVE AMENDMENTS TO MULTIPLE CITY**

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**


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**PURPOSE:** This policy is intended to provide clarity in determining what expenses are reimbursed to City Elected Officials by the City of Moreno Valley ("The City") in order to enhance public confidence in the oversight of expenses incurred by City Elected Officials.

**SCOPE:** This policy applies to the members of the City of Moreno Valley City Council.

**POLICY:**

**I. General**

A. ~~PURPOSE:~~ California Assembly Bill AB-1234 requires the adoption of reimbursement policies that specify necessary and reasonable expenses that demonstrate a substantial benefit to the City.

1. Some of these necessary and reasonable expenses that would be beneficial to the City include:
  - i. Discussing community concerns with regional, state and national government representatives;
  - ii. Participating in regional, state and national organizations whose activities affect the City;
  - iii. Attending educational seminars designed to improve the skills and information levels of officials; and
  - iv. Promoting public service and morale by recognizing such service.

B. This policy establishes business expense guidelines for members of the City Council subject to the Ralph M. Brown Act and California Constitution provisions governing open meetings, including the City Council, pursuant to the requirements of AB 1234.

C. ~~This policy~~ specifies the kinds of activities that will be reimbursable for expenses incurred in the performance of the~~r~~ official duties of the City Council.

1. The City will pay for legitimate and reasonable travel-related business expenses, including transportation, lodging, registration fees, meals, and any other related expenses if they are for official business and fit within these guidelines and the guidelines established in Fiscal Policy #3.3 - Travel and Related Business Expenses. ~~The rates of reimbursement are specified for travel, meals, lodging and other related expenses.~~

D. This policy is not intended to address every issue, exception or contingency that may arise in the course of City travel or attendance at meetings. Accordingly, the basic standard that should always prevail is to use good judgment and economy in the use and stewardship of City funds.

E. This policy also applies to any charges made to a City credit card (Cal-Card), cash advances or other line of credit.

~~B.F.~~ If an official wishes to seek reimbursement for something that has not been adopted by this policy, then the official has the option of seeking prior approval for such reimbursement by action of the City Council. ~~If officials choose to upgrade a related travel/business service or accommodation, they may do so at their own expense.~~

**POLICY:**

**II. General Standards Travel Authorization & Expense Reporting For ("Travel Form")**

A. The "Travel Form" is a mandatory document whether or not one expects to receive a travel advance

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**


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or reimbursement for business related travel expenses.

1. Note: Always use the most up-to-date Travel Form located on the City's Intranet under the "Forms Library" Tab → Financial Forms.

B. Travel Form - Part I "Travel Authorization"

1. Prior to any travel, the City Official must complete Part 1 "Travel Authorization" of the Travel Form.

i. Part I of the Travel Form requires the official to estimate the total cost of the requested travel and provide documentation of cash advances, vendor payments and credit card purchases.

ii. Equally important, Part 1 serves as documented authorization to travel on City business and helps identify when the official is traveling on behalf of the City in case of an accident or other incident.

A.C. Authorized Expenses

- i. ~~City funds, equipment, supplies (including letterhead), and staff time must only be used for authorized City business.~~ Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:
- a. Communicating with representatives of regional, state and national government on City adopted policy positions;
  - b. Attending educational seminars designed to improve the skill and information levels of officials;
  - c. Participating in regional, state and national organizations whose activities affect the City's interests;
  - d. Recognizing service to the City (for example, thanking a longtime employee with a retirement gift or celebration of nominal value and cost);
  - e. Attending City and community events as a representative of the City;
  - f. Implementing a City-approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member; and

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- g. Attending meetings such as those listed above for which a meeting stipend is expressly authorized under this policy.
- ii. All other expenditures require prior approval by the City Council. The following expenses also require prior City Council approval:
  - a. International ~~and out of state~~ travel;
  - b. Expenses which exceed the annual limits established for each office holder; ~~and~~
  - c. Expenses exceeding ~~\$3,000~~ \$6,000 ~~reasonable costs~~ per trip.
  - d. Note: Travel with a total cost of \$100 or less does not require the submission of a Travel Form.
    - 1) A Petty Cash Request may be submitted for reimbursement and will be reimbursed per the Petty Cash Policy (Fiscal Policy #3.1).
- iii. City funds, equipment, supplies (including letterhead), and staff time must only be used for authorized City business.

A. Travel Form - Part II "Expense Reporting"

1. Upon returning from a trip, a final accounting of the travel is made by completing Part II "Expense Reporting" of the Travel Form; with the completed form being submitted to the Financial and Management Services Department within 15 workdays.
2. Expense reporting is required in all cases.
  - i. This is mandatory whether or not the advance received is equal to the expenses incurred, whether the official is eligible for additional reimbursement, or whether money is owed to the City.
3. If the official owes the City for the unused balance of a cash advance (other than per diem), they should pay the amount due to the Financial and Management Services Department cashier and attach the receipt to their Travel Form.
4. If the City owes the official money, they may request reimbursement by forwarding the Travel Form to the Financial and Management Services Department along with a Request for Direct Pay.
  - i. Requests for reimbursement by direct pay will be processed on the next available Accounts Payable check run, if submitted by the normal Accounts Payable deadline, but no later than ten workdays following receipt.
  - ii. If the amount requested is \$100 or less, a Petty Cash Request may be submitted for reimbursement.
    - a) Requests for reimbursement by petty cash will be reimbursed per the Petty Cash Policy (Fiscal Policy #3.1).

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**


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5. A final accounting of all expenses related to the trip must be submitted and approved by the City Clerk.
- i. The official must complete Part II of the Travel form and sign the report attesting to its accuracy.
- ii. The official must then submit the form, including all required receipts and supporting documentation of expenses, to the City Clerk for approval.
- iii. The City Clerk is responsible for ensuring that:
- a) All expenses are reasonable, necessary and consistent with these guidelines.
- b) Any required receipts are attached.
- c) The final disposition is correct (balance due City Official or City).
- d) Any amounts due to the City are fully reimbursed.
- e) Final accounting of all expenses related to the trip is submitted to the Financial and Management Services Department within **fifteen workdays** following the officials completed travel.

B.D. Unauthorized Expenses

1. Examples of personal expenses that the City will not reimburse include, but are not limited to:
- i. The personal portion of any trip;
- ii. Political or charitable contributions or events;
- iii. Family expenses, including partners' expenses when accompanying official on agency-related business, as well as children or pet-related expenses;
- iv. Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf related expenses), or other cultural events;
- v. Non-mileage personal automobile expenses, including repairs, traffic citations, insurance or gasoline; and
- vi. Personal losses incurred while on City business.
2. No reimbursement shall be made for personal expenses not provided by this policy or the approved City administrative travel policy. (Fiscal Policy #3.3)
3. Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**


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~~Any questions regarding the propriety of a particular type of expense should be resolved by the City Council before the expense is incurred.~~

~~C.E.~~ C.E. **Cash Advance Policy**

1. On occasion, it may be necessary for an official to request a cash advance to cover anticipated expenses while traveling or doing business on the City's behalf.
  - i. Such request for an advance should be submitted to the Finance Department no later than 7 working days prior to the need for the advance with the following information:
    - a) The purpose of the expenditure(s);
    - b) The benefits of such expenditure to the residents of the City;
    - c) The anticipated amount of the expenditure(s) (for example: hotel rates, meal costs and transportation expenses); and
    - d) The dates of the expenditure(s).
- ~~1.2.~~ 1.2. Any unused advance must be returned to the City treasury within two business days of the official's return, along with an expense report and receipts documenting how the advance was used in compliance with this expense policy.
- ~~2.3.~~ 2.3. In the event the Finance Department is uncertain as to whether a request complies with this policy, such individual must seek resolution from the City Council.

~~D.F.~~ D.F. **Credit Card Use Policy**

1. The City does not issue credit cards to individual office holders but does have an agency credit card for selected City expenses.
2. City office holders may use the City credit card for such purposes as airline tickets and hotel reservations by following the same procedures as for cash advances.
- ~~1. Receipts documenting expenses incurred on the City credit card and compliance with this policy must be submitted within five business days of use.~~
3. City credit cards may not be used for personal or other non-City expenses, even if the official subsequently reimburses the City.
- ~~1.4.~~ 1.4. A final accounting of all expenses related to the trip must be submitted in accordance with the approved City administrative travel policy. (Fiscal Policy #3.3)

**III. Travel**

- ~~A. The City will pay for legitimate and reasonable travel-related business expenses, including transportation, lodging, registration fees, meals, and any other related expenses if they are for official business and fit within these guidelines and those established in Fiscal Policy #3.3.~~
1. This policy is designed to provide guidelines specific to Elected Officials; please refer to Fiscal Policy #3.3 - Travel and Related Business Expenses for further information regarding additional City-wide guidelines for business travel.

A.B. **Transportation**

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**


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1. The most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements must be used, using the most direct and time-efficient route.
  - i. Government and group rates must be used when available.
- ~~1.2.~~ Airfare – Airfares that are equal to or less than those available through the Enhanced Local Government Airfare Program offered through the League of California Cities ([www.cacities.org/travel](http://www.cacities.org/travel)), California State Association of Counties (<http://www.counties.org/discount-travel-program>~~<http://www.esac.counties.org/default.asp?id=635>~~) and State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.
3. Automobile – ~~The reimbursed mileage rate for use of a private vehicle for City travel will be at the current Standard Federal Mileage Rate set by the IRS. (54.5 Cents per mile as of Jan. 1, 2018). Automobile mileage is reimbursed at Internal Revenue Service rates presently in effect (see [www.irs.gov](http://www.irs.gov)). For 2006, the rate is 44.5 cents per mile.~~
  - i. These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses associated with operating the vehicle.
  - ii. This amount does not include bridge and road tolls, which are also reimbursable.
  - ~~iii.~~ The Internal Revenue Service rates will not be paid for rental vehicles; only receipted fuel expenses will be reimbursed.
- ~~2.4.~~ Car Rental – Rental rates that are equal or less than those available through the State of California's website (<http://www.caltravelstore.com>/~~<http://www.catravelmart.com/default.htm>~~) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.
- ~~3.5.~~ Taxis/Shuttles/Ride Share Services – Taxis, ~~or~~ shuttles or ride sharing fares may be reimbursed, including up to a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline and parking combined, or when such transportation is necessary for time-efficiency.
- ~~4.6.~~ Reasonable incidental travel costs such as parking, tips, gratuities, etc. shall be reimbursed.
- ~~5.7.~~ Expenses for which City officials receive reimbursement from another agency are neither reimbursable nor reportable through the City.

**B.C. Lodging**

1. Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay.
  - i. Conferences/Meetings – If such lodging is in connection with a conference, lodging expenses shall not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, see next section.
  - ii. Other Lodging – Travelers must request government rates, when available. ~~A listing of hotels offering government rates in different areas is available at~~

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~~<http://www.catravelmart.com/lodguideframes.htm>~~ Lodging rates that are equal or less to government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

- iii. In the event that government rates are not available at a given time or in a given area, lodging rates that do not exceed the IRS per diem rates for a given area are presumed reasonable and hence reimbursable, when available.

**C.D. Meals**

- ~~1.~~ This policy recognizes that legislative and other regional, state and federal agency business is frequently conducted over meals; sharing a meal with regional, state and federal officials is frequently the best opportunity for a more extensive, focused and uninterrupted communication about the City's policy concerns.
- ~~1.2.~~ Each meal expenditure must comply with the limits and reporting requirements of local, state and federal law.
- ~~2.3.~~ Reimbursable meal expenses and associated gratuities will not exceed the following rates:
- a. Breakfast:   \$~~1215.71~~
  - b. Lunch:       \$~~1823.56~~
  - c. Dinner:      \$~~3444.50~~
- ~~3.4.~~ Such amounts will be annually adjusted to reflect changes in the cost of living in accordance with statistics published by the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index, all urban consumers for the Southern California area. (The annual adjustment will be based on this area whether travel is within the area or not.)
- ~~4.5.~~ The City will not pay for alcohol/personal bar expenses.

**IV. Communications****A. Telephone/Fax/Cellular**

- ~~1.~~ Officials will be reimbursed for actual telephone and fax expenses incurred on City business.
- ~~i.~~ Telephone bills should identify which calls were made on City business.

- ~~1.2.~~ For cellular calls when the official has a particular number of minutes included in the official's plan, the official can identify the percentage of calls made on public business.

**B. Internet**

1. Officials will be reimbursed for reasonable Internet access connection and/or usage fees away from home, if Internet access is necessary for City-related business.

**V. Expense Reporting Requirements**

- ~~A.~~ Officials must submit their expense reports within 15 workdays of an expense being incurred, accompanied by receipts documenting each expense.

-

Approved by: City Council  
July 11, 2006

Revised: April 2012

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**


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1. ~~Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.~~

1.2. ~~All expenses are subject to verification that they comply with this policy.~~

~~B.~~ Form Content and Submission Deadline

~~1. All cash advance expenditures, credit card expenses and expense reimbursement requests must be submitted on an expense report form provided by the City. This form shall contain the following advisory:~~

~~*All expenses reported on this form must comply with the City's policies relating to expenses and use of public resources. The information submitted on this form is a public record. Penalties for misusing public resources and violating the City's policies may include loss of reimbursement privileges, restitution, civil and criminal penalties and/or state and federal income tax liability.*~~

~~2. Expense reports must document that the expense in question met the requirements of this policy. For example, if the meeting is with a legislator, the local agency official should explain whose meals were purchased, what issues were discussed and how those relate to the City's adopted legislative positions and priorities.~~

~~3. Officials must submit their expense reports within 30 days of an expense being incurred, accompanied by receipts documenting each expense. Restaurant receipts, in addition to any credit card receipts, are also part of the necessary documentation. Inability to provide such documentation in a timely fashion may result in the expense being borne by the official.~~

~~4. All expenses are subject to verification that they comply with this policy.~~

~~C.B.~~ Reports to Legislative Bodies

1. ~~At the following meeting of the City Council, each official shall briefly report on meetings attended at City expense.~~

2. ~~The report may be either a written or oral report. The report should be agendaized to comply with Brown Act requirements.~~

3. ~~The report need not disclose details of confidential conversations, but shall disclose the date and place of the meeting and its general subject matter.~~

1.4. ~~If multiple officials attended the same event, a joint report may be made.~~

~~D.C.~~ Compliance With Laws

1. ~~City officials should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws.~~

i. ~~For example, meals are considered "gifts" to legislators that must be reported by them if the total value of gifts given from the City exceeds \$50 in a year; there also is an annual gift limit.~~

1.2. ~~All agency expenditures are public records subject to disclosure under the Public Records Act.~~

Approved by: City Council  
July 11, 2006

Revised: April 2012

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**TRAVEL AND RELATED BUSINESS EXPENSES (ELECTED OFFICIALS)**

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E.D. Violation of this Policy

1. Use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following:
  - i. Loss of reimbursement privileges;
  - ii. A demand for restitution to the City;
  - iii. The City reporting expenses as income to the elected official to state and federal tax authorities;
  - iv. Civil penalties of up to \$1,000 per day and three times the value of the resources used pursuant to state law; and
  - v. Prosecution for misuse of public resources.





## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Mike Lee, Economic Development Director

**AGENDA DATE:** April 2, 2019

**TITLE:** EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT FOR FUTURE SALE OF CITY-OWNED PROPERTY AT ALESSANDRO BOULEVARD AND LASSELLE STREET WITH PANORAMA PROPERTIES, INC.

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### **RECOMMENDED ACTION**

#### **Recommendation:**

1. That the City Council approve an Exclusive Right to Negotiate agreement with Panorama Properties, Inc. regarding the proposed development of City-owned property at Alessandro Boulevard and Lasselle Street.
2. That the City Council authorize the City Manager or designee to execute the Exclusive Right to Negotiate agreement with Panorama Properties, Inc.
3. That the City Council authorize the City Manager or designee to negotiate a Purchase & Sale Agreement during the Exclusive Right to Negotiate period for the development of City-owned property at Alessandro Boulevard and Lasselle Street.

### **SUMMARY**

This report requests City Council approval of an Exclusive Right to Negotiate agreement (“ERN”) for the proposed development of City-owned property at the southeast corner of Alessandro Boulevard and Lasselle Street (See Exhibit A). If the City Council approves, staff seeks further authorization to negotiate a Purchase & Sale Agreement with Panorama Properties, Inc. (“Panorama”), which would be brought back to the City Council for consideration in a future public meeting.

### **BACKGROUND**

The City owns 8.78 gross acres of vacant land at the southeast corner of Alessandro Boulevard and Lasselle Street (“City Parcels” - depicted in Exhibit A). The majority of

this property is zoned for Multi-Family Residential (R-30) development. However, a substantial portion that represents a large boulder is zoned as Open Space. Net of the boulder acreage, the property is left with an irregularly shaped buildable area.

The City has examined the City Parcels and determined that the severe site constraints created by the size, location, and removal cost of the boulder render the property less valuable for housing but provide good potential for a neighborhood commercial development.

## **DISCUSSION**

The City received a proposal (“Panorama Proposal” - Exhibit B) from Panorama Properties, Inc. (“Panorama”) to purchase the property from the City. The developer is proposing to develop the vacant City Parcels for commercial uses.

If the City Council desires to develop the City Parcels in partnership with Panorama, staff recommends approving an ERN for 12 months with an option to extend for an additional 6 months. An ERN is a legal agreement that allows the developer time to:

- Perform Due Diligence Site Research
- Design Project
- Process Entitlement Applications (Conditional Use Permits, Zone Change, General Plan Amendment)
- Complete an Appraisal
- Negotiate Terms of Sale
- Market Space for Potential Commercial Uses

Following are the summarized major terms of the attached ERN (see Exhibit C):

- **TERM:** ERN would be in effect for 12 months and may be extended for a period of 6 months.
- **ASSIGNMENT:** Panorama may not assign its rights without consent of the City, except to an entity of which a Panorama affiliate is a managing and/or controlling member.
- **DEVELOPMENT PLAN:** Panorama will present a proposed plan for the project (“Development Plan”) to the City staff for review within 90 days of the ERN effective date.
- **PANORAMA COSTS:** Panorama will bear all the predevelopment costs during the ERN period and any extension.
- **CITY APPLICATION FEES:** Panorama will pay all fees, deposits, and bonds associated with submitting and processing the City’s development applications and other documents.
- **CITY COSTS:** Panorama will deposit \$50,000 with the City to be the source used to reimburse the City for the actual out-of-pocket costs incurred fulfilling its obligations under the ERN, as well as negotiating / preparing the Purchase & Sale Agreement (“Purchase Agreement”).
- **COUNCIL AUTHORITY:** The ERN does not guarantee that any proposed Purchase & Sale Agreement negotiated by City staff will be approved by the City

Council.

If the ERN is approved, staff will negotiate a Purchase Agreement during the ERN period that will be brought back to the City Council for consideration. The Purchase Agreement will include terms related to the following provisions, among others:

- Financial terms
- Use covenants that run with the land
- Scope of the entitlement and development work
- Development schedule
- Performance bonding
- Insurance and indemnities
- Default processes

As drafted, Panorama is proposing to pay the City fair market value for the properties. As such, an appraisal will need to be completed, the cost for which Panorama has agreed to pay by reimbursing the City during the ERN period. It is important to note that this site has a large rock outcropping that is a severe site constraint that may diminish the value of the property because of the oddly-shaped buildable area.

Panorama Properties, Inc. has successfully developed a broad range of complex commercial projects. Its expertise includes planning, entitlements, development, management, strategic planning, and negotiations:

- Moreno Valley: Iris Plaza, CVS @ Perris / JFK
- Rancho Cucamonga: Day Creek Square, a mixed use, joint development with DR Horton at SEC of Baseline and Day Creek
- San Jacinto: Rancho Estudillo Plaza, an 8.81-acre 54,640 sq. ft. neighborhood center with anchor retail, fast casual restaurants, and a corner gas station at Sanderson and 7th

## **ALTERNATIVES**

1. Approve the attached Exclusive Right to Negotiate agreement with Panorama Properties, Inc. for development of City-owned property at Alessandro Boulevard and Lasselle Street and authorize the City Manager to execute the ERN as drafted. This alternative will allow for development of a neighborhood commercial center on oddly-shaped and otherwise difficult to develop parcels. Staff recommends this alternative.
2. Approve the attached Exclusive Right to Negotiate agreement with Panorama Properties, Inc. for development of City-owned property at Alessandro Boulevard and Lasselle Street and authorize the City Manager to execute the ERN as drafted. This alternative will allow for development of a neighborhood commercial center on oddly-shaped and otherwise difficult to develop parcels. Staff recommends this alternative.
3. Approve the attached Exclusive Right to Negotiate agreement with Panorama Properties, Inc. for development of City-owned property at Alessandro Boulevard and Lasselle Street and authorize the City Manager to execute the ERN as drafted. This alternative will allow for development of a neighborhood

commercial center on oddly-shaped and otherwise difficult to develop parcels. Staff recommends this alternative.

## **FISCAL IMPACT**

Authorizing execution of the Exclusive Right to Negotiate has no impact on the General Fund. If the ERN is executed as drafted, Panorama will bear all the predevelopment costs during the ERN period and any extension. Panorama will also pay all entitlement and plan check fees, deposits, and bonds associated with processing the City's development applications and other documents.

If a Purchase & Sale Agreement is successfully negotiated and executed, the City would receive land sale proceeds as revenue. In addition, the successful development of the project may create substantial jobs and generate new revenues to the City's General Fund in the form of property tax revenue, sales tax revenue, business license gross receipts, and utility users tax revenue.

## **PREPARATION OF STAFF REPORT**

Prepared By:  
Mike Lee  
Economic Development Director

Department Head Approval:  
Mike Lee  
Economic Development Director

## **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.

**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

## **ATTACHMENTS**

1. City Parcels
2. Panorama Development Proposal

3. Exclusive Right to Negotiate

**APPROVALS**

|                         |                   |                 |
|-------------------------|-------------------|-----------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/05/19 7:42 AM |
| City Attorney Approval  | <u>✓ Approved</u> | 3/07/19 2:27 PM |
| City Manager Approval   | <u>✓ Approved</u> | 3/13/19 5:39 PM |

**HISTORY:**

03/19/19                      City Council                      CONTINUED  
    Next: 04/02/19

Attachment A – City Parcels



Attachment: City Parcels (3458 : EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH PANORAMA)

PANORAMA PROPERTIES, INC.

2005 WINSTON COURT  
 UPLAND, CALIFORNIA 91784  
 (909) 931-3363 PHONE

October 17, 2018

Mr. Mike Lee  
 City of Moreno Valley

**Re: SEC Alessandro Blvd. & Lasselle Street  
 Moreno Valley, California**

Dear Mr. Lee:

The following are the terms and conditions we propose for the purchase of the above-referenced property.

- Property:** APN: 486-280-044 comprising approximately 8.47 Acres or net usable property.
- Buyer:** Panorama Properties, Inc.
- Price:** Fair market rate to be determined by certified appraisal.
- Deposit:** Upon full execution of a Purchase Agreement, Panorama Properties, Inc. shall deposit into escrow, upon the opening of escrow, Twenty Thousand and No/100 Dollars (\$20,000.00) that shall be credited toward the purchase price at closing. Upon the issuance of the Conditional Use Permits, Zone Change, and General Plan Amendment for the Property, the Deposit shall become nonrefundable but applicable to the Purchase Price.
- Escrow:** Escrow shall close Thirty (30) days after the issuance of the Conditional Use Permits and other noncontingent governmental approval of Buyer's proposed Use(s) for the Property.
- Conditions:**
- A. The Buyer shall obtain all permits and governmental approvals from the necessary agencies to construct its building(s) for its intended uses.
  - B. Buyer to approve a current title report.
  - C. Seller agrees to deliver the property free and clear of any violations of federal or local laws, ordinances or regulations relating to environmental conditions on, under or about the property.
- Condition of the Property:** The Property shall be delivered in "As Is" condition.
- Investigation:** Seller agrees to deliver to Buyer within five (5) days from Opening of Escrow copies of the following documents:
1. Copies of recent property tax statements.
  2. Copies of all leases, service maintenance, management or other contracts or agreements relating to the ownership of the property.
  3. Current ALTA Survey for property, if available.
  4. Copies of any environmental reports, if available.
- Offer expiration:** This letter shall expire on October 31, 2018.

Attachment: Panorama Development Proposal (3458 : EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH PANORAMA)

**This letter is intended solely and exclusively as a preliminary expression of general intentions. The parties mutually intend that neither shall have any binding contractual obligations to the other with respect to the matters referred to herein unless and until a formal written contract has been prepared with adequate opportunity for review by legal counsel and has been fully executed and delivered by the parties. Disclosure: Wes Fifield is a licensed California Real Estate Broker.**

Upon acceptance of this proposal, Buyer shall prepare a Purchase and Sale Agreement for execution by both Buyer and Seller. This contract will incorporate the terms and conditions of this letter and other customary terms and conditions. I look forward to working on this transaction with you. If you have any questions or comments, please feel free to give me a call.

Sincerely yours,

Panorama Properties, Inc., a California Corporation

Wesley M. Fifield  
President

Attachment: Panorama Development Proposal (3458 : EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH PANORAMA)



### EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT

This Exclusive Right to Negotiate Agreement ("**Agreement**") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019 ("**Effective Date**"), by and between the CITY OF MORENO VALLEY, a municipal corporation located in the County of Riverside, State of California ("**City**"), and PANORAMA PROPERTIES, INC., a California corporation, ("**Developer**"), collectively hereinafter referred to as the "Parties" and sometimes, singularly, a "Party," upon the following terms:

#### RECITALS

**WHEREAS**, City is the owner of that certain real property on the Southeast corner of the intersection of Alessandro Blvd. and Lasselle Street, comprising 8.78 gross acres ("**City Parcels**"), as legally described in Exhibit "A," attached hereto and incorporated herein by this reference; and

**WHEREAS**, Developer is the owner of that certain real property on the east side of Perris Boulevard and south of Iris Avenue ("**Iris Plaza**") and the CVS pharmacy at the southwest corner of Perris Boulevard and John F Kennedy Drive and has demonstrated expertise in commercial development, as described in Exhibit "B" (the "**Developer Proposal**" dated October 17, 2018); and

**WHEREAS**, subject to compliance with all requirements of the California Environmental Quality Act ("**CEQA**"), Developer desires to negotiate with City, and City desires to negotiate with Developer, to establish terms and conditions upon which Developer can purchase from City and develop a commercial shopping center on the City Parcels (the "**Project**"); and

**WHEREAS**, Developer and City desire as part of the negotiation process, to further define the concept for the future Project development following the purchase of the City Parcels from the City and their development by Developer, and to further define the scope and design of the overall use and development of the Project.

**WHEREAS**, it is the intent of both the City and Developer in entering into this Agreement to establish a specific, limited period of time to negotiate the terms of an agreement for the purchase of the City Parcels from City by Developer ("**Purchase Agreement**"), subject to certain conditions that address:

1. The purchase of the City Parcels by City and sale of same to Developer; and
2. The scope of the entitlement and development of the Project by Developer in a manner generally consistent with the Developer Proposal, all subject to mutually agreeable terms, conditions, covenants, restrictions and agreements to be negotiated and documented in the Purchase Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth below, City and Developer agree as follows:

1. **Recitals.** The Recitals set forth above are hereby incorporated into this Agreement by this reference, as though fully set forth herein.
2. **Identity of Parties.** The legal identities of the Parties to this Agreement and their addresses are as follows:
  - a. Developer is Panorama Properties, Incorporated, a California corporation. The principal office of Developer for purposes of this Agreement is 2005 Winston Court, Upland, California, 91784.
  - b. City is the City of Moreno Valley, a municipal corporation. The principal office of the City for purposes of this Agreement is 14177 Frederick Street, Moreno Valley, California 92552.
  - c. Notices to any Party shall be personally delivered or sent by first class mail or by overnight courier to its principal office address.
  - d. Notices to City shall be to City's principal office and clearly marked, "Attention: Economic Development Director."
  - e. Notices to Developer shall be to Developer's principal office and clearly marked, "Attention: Wes Fifield, President."
3. **Restrictions on Change in Ownership and Assignment of Agreement.**
  - a. The qualifications and identity of Developer are of particular concern to the City. Developer's qualifications, experience and proposal for the Project as generally set forth in Exhibits "B" are the reasons that the City has entered into this Agreement with Developer.
  - b. Developer may not assign its rights under this Agreement without the prior written consent of the City, which the City may withhold at its reasonable discretion provided, however, City agrees that Developer may assign its rights under this Agreement to an entity of which Developer, Wes Fifield, is a managing and/or controlling member, partner or owner, whether by ownership, contract or voting control.
4. **Term of Agreement.**
  - a. **Negotiation Period.** This Agreement shall be in effect for the period of twelve (12) months commencing on the Effective Date unless extended by its terms ("**Negotiation Period**").

- a. **Extension Period.** Upon satisfactory performance during the Negotiation Period by Developer as determined in City's reasonable discretion, and upon Developer's request, the Agreement shall be extended for a period of six (6) months ("**Extension Period**").
  - b. **Automatic Termination.** This Agreement shall automatically expire and be of no further force or effect on the earlier of:
    - i. the expiration or earlier termination of the Negotiation Period or subsequent Extension Period; and
    - ii. the execution of a separate Purchase Agreement by both the City and Developer, in their respective sole and absolute discretion.
5. **Obligations of Parties and Schedule of Performance.** During the Negotiation Period, City and Developer shall proceed diligently and in good faith to do all of the following:
- a. Within ninety (90) days following the Effective Date, Developer shall present to the City staff for review, a proposed plan ("**Development Plan**") for the development of the Project consistent with the Developer Proposal, including, without limitation:
    - i. the proposed land use for the future development and operation of the Project; and
    - ii. the scope of due diligence and design work required to implement the Development Plan.
  - b. City and Developer shall use the Developer Proposal submitted by Developer as a starting point to negotiate in good faith the terms of the Purchase Agreement for the City Parcels, as more specifically discussed in Section 12 below.
  - c. Developer shall, at least monthly throughout the Negotiation Period and subsequent Extension Period, if any, submit progress reports to the City, and upon request meet and confer with the City concerning the ongoing progress of the required actions. Throughout the Negotiation Period and any Extension Period, the City shall make its staff reasonably available to meet with the Developer to discuss the acquisition of the City Parcels, development of the Project and negotiation and preparation of the Purchase Agreement.
  - d. During the Negotiation Period and any Extended Period, Developer and its employees, agents or representatives, shall have the right of reasonable access to the City Parcels during normal business hours for the purposes

of inspecting the City Parcels and undertaking any necessary soils and other tests, studies and reports and otherwise conducting due diligence to ensure that the City Parcels are suitable for Developer's intended use. Notwithstanding anything else in this Agreement, Developer shall defend, indemnify and hold the City, its employees, officers and agents, harmless from any injury, property damage or liability arising out of the exercise by Developer of this right of access, other than injury, property damage or liability relating to the gross negligence or willful misconduct of the City or its officers, agents or employees.

## 6. Predevelopment Costs.

- a. Developer shall bear all predevelopment costs relating to actions of Developer under this Agreement. All fees or expenses of engineers, architects, financial consultants, attorneys, planning or other consultants or contractors, retained by Developer, for any study, analysis, evaluation, report, schedule, estimate, environmental review, surveys, planning and/or design activities, drawings, specifications or other activity or matter relating to the Project or negotiation of a Purchase Agreement that may be undertaken by Developer during the Negotiation Period and any subsequent Extension Period, pursuant to, in connection with, or in reliance upon this Agreement or in Developer's discretion, regarding any matter relating to a Purchase Agreement of the City Parcels, shall be the sole responsibility of and undertaken at the sole cost and expense of Developer and no such activity or matter shall be deemed to be undertaken for the benefit of, at the expense of, or in reliance upon the City.
- b. Developer shall pay all fees, charges and costs, make all deposits and provide all bonds or other security associated with the submission to and processing by the City of any and all applications and other documents and information to be submitted to the City by Developer pursuant to this Agreement or otherwise associated with the design, planning, entitlement, or development of the Project.

## 7. Deposit.

- a. Developer shall reimburse the City for the actual, out-of-pocket costs and expenses incurred (consultants' fees, title reports, and appraisal costs) in negotiating and preparing the Purchase Agreement and fulfilling its obligations under this Agreement ("**Reimbursable Costs**"). Within five (5) business days after the City approves and executes this Agreement and delivers a copy to Developer, Developer shall deposit with the City the sum of Fifty Thousand Dollars (\$50,000.00) ("**Deposit Funds**"). The Reimbursement Funds shall be used and applied from time to time by the City to pay itself for the Reimbursable Costs.
- b. The City shall provide Developer with a detailed accounting of the City's use

of any of the Reimbursement Funds within a reasonable time after the end of each sixty (60) day period during the term of this Agreement. The City shall also provide Developer with a quarterly budget for its use of such funds. Any remaining amount of the Reimbursement Funds shall be delivered to the Developer (along with a final accounting of the City's use of the Reimbursement Funds) within thirty (30) business days after the earlier of:

- i. the execution of the Purchase Agreement or
- ii. the expiration or earlier termination of this Agreement. The provisions of this Section shall survive the expiration or earlier termination of this Agreement.

8. **Exclusive Negotiations.** During the Negotiation Period and subsequent Extension Period, and in addition to the obligations it shares with Developer under Section 5, above, the City agrees that it shall not negotiate with any other person regarding the Purchase Agreement or sale or development of the City Parcels. The term "negotiate," as used in this Section 8, means engaging in any discussions with a person other than Developer with respect to that person's development of the City Parcels to the total or partial exclusion of Developer from acquiring or developing upon the City Parcels, without Developer's written consent, which may be withheld in Developer's sole and absolute discretion. The City may receive and retain unsolicited offers regarding the City Parcels, but shall not negotiate with the proponent of any such offer during the Negotiation Period or any Extension Period.

9. **Negotiation of Purchase Agreement.** During the Negotiation Period and any subsequent Extension Period, the City and Developer shall diligently and in good faith negotiate the potential terms, conditions, covenants, restrictions and agreements of a Purchase Agreement between them. The City and Developer shall generally cooperate with each other and supply such documents and information as may be reasonably requested by the other to facilitate the conduct of the negotiations. Both the City and Developer shall exercise reasonable efforts to complete discussions relating to the terms and conditions of a Purchase Agreement and such other matters, all as may be mutually acceptable to both the City and Developer. The exact terms and conditions of a Purchase Agreement, if any, shall be determined during the course of these negotiations. Nothing in this Agreement shall be interpreted or construed to be a representation or agreement by either the City or Developer that a mutually acceptable Purchase Agreement will be produced from negotiations under this Agreement. Nothing in this Agreement shall impose any obligation on either Party to agree to a definitive Purchase Agreement in the future. Nothing in this Agreement shall be interpreted or construed to be a guaranty, warranty or representation that any proposed Purchase Agreement that may be negotiated by City staff and Developer will be approved by the City's governing body. Developer acknowledges and agrees that the City's consideration of any Purchase Agreement is subject to the sole

discretion of the City governing body and all legally required public hearings, public meetings, notices, factual findings and other determinations required by law.

- 10. Legislative Action.** City and Developer acknowledge that the City must exercise its independent legislative authority in making any and all findings and determinations required of them by law concerning the City Parcels. This Agreement does not restrict the legislative authority of the City in any manner, whatsoever, and does not obligate the City to enter into the Purchase Agreement or to take any course of action with respect to the Project. Except as expressly stated in this Agreement, if this Agreement expires or sooner terminates without execution of a Purchase Agreement, each party shall bear its own costs related to this Agreement.
- 11. Defaults.** Either the City or Developer shall be in default of this Agreement if it (a) fails to fulfill its obligations when due, which failure is not caused by the other party, or otherwise violates any covenant, restriction or obligation contained in this Agreement, (b) does not negotiate the Purchase Agreement in good faith and upon the terms stated in this Agreement, (c) does not reasonably cooperate with the other in fulfilling the other's obligations under this Agreement, or (d) refuses to execute the Purchase Agreement when negotiations are completed and the Purchase Agreement has been approved by both Parties and deposit any funds then required of it for the Purchase Agreement (except if the City has disapproved the Project after public hearing in exercise of its legislative authority or in accordance with CEQA in exercise of its independent review. The defaulting Party shall have thirty (30) days to cure the default. Should the defaulting Party fail to cure the default within that thirty (30) day period, the non-defaulting Party may, as its sole remedy at law or in equity terminate this Agreement by written notice given to the defaulting Party. This thirty (30) day period in no way, manner, or form extends, continues, tolls, or modifies the Negotiation Period or Extended Period under this Agreement. Notwithstanding the terms of this Section 11, if City defaults in its obligations under Section 7 above, Developer may seek injunctive relief or specific performance to enforce its exclusive rights under Section 8.
- 11.1 Termination for Developer Default.** After termination of this Agreement for default of Developer, subject to Developer's cure rights, Developer shall have no rights under this Agreement to participate in the development of the Project, and the City shall have the absolute right to pursue development of the City Parcels, in any manner it deems appropriate.
- 11.2 Remedies.** The remedies contained in this Section 11 are the sole and exclusive remedies for default of this Agreement and neither Party may claim, as a result of a default of this Agreement, any damages, whether monetary, non-monetary, contingent, consequential, or otherwise.
- 12. Purchase Agreement.** In addition to other provisions stated in this Agreement, the Purchase Agreement will address, without limitation, the following provisions:

- a. Terms for financial consideration.
  - b. Use covenants to run with the land related to the Project.
  - c. The scope of work for the entitlement and development of the Project on the City Parcels.
  - c. Payment and performance bonding and other completion assurance.
  - e. Insurance and indemnities, including hazardous materials indemnities.
  - f. Anti-discrimination provisions.
  - g. Compliance with all applicable state and federal laws.
  - h. Performance assurances such as a good faith deposit to open escrow.
  - i. Limitation on assignments and transfers of the Purchase Agreement and its obligations and benefits without City approval.
  - j. Compliance with CEQA mitigation.
  - k. Definition of the net area of the City Parcels for sale by City to Developer.
  - l. City's rights to revest the City Parcels upon Developer default.
  - m. An estimated Project completion date.
  - n. City's rights to cure defaults, assume loans, and complete construction of the Project.
- 13. City Reliance on Developer.** Developer understands and acknowledges that the City is entering into this Agreement with Developer because Developer has reputed financial capacity, specific expertise and experience.
- 14. Acknowledgements and Reservations.**
- 14.1** The City and Developer agree that, if this Agreement expires or is terminated for any reason, or a future Purchase Agreement is not signed by both the City and Developer, for any reason, neither the City nor Developer shall be under any obligation, nor have any liability to each other or any other person regarding the sale or other disposition of the City Parcels or the development of the Project, except as may be expressly provided in this Agreement.

- 14.2** Developer acknowledges and agrees that no provision of this Agreement shall be deemed to be an offer by the City, nor an acceptance by the City of any offer or proposal from Developer for the City to convey any estate or interest in the City Parcels to Developer or for the City to provide any financial or other assistance to Developer for development of the Project or the City Parcels.
- 14.3** Developer acknowledges and agrees that Developer has not acquired, nor will acquire, by virtue of the terms of this Agreement, any legal or equitable interest in real or personal property from the City.
- 14.4** The City reserves the right to reasonably obtain further information, data and commitments to ascertain the ability and capacity of Developer to lease, develop and operate the City Parcels and/or the Project. Developer acknowledges that it may be requested to make certain financial disclosures to the City, its staff, legal counsel or other consultants, as part of the financial due diligence investigations of the City relating to the potential acquisition of the City Parcels and development of the Project on the City Parcels by Developer and that any such disclosures shall, to the fullest extent permitted by law, be maintained by the City as confidential information but may become public records that are subject to the Public Records Act.
- 14.5** The City shall not be deemed to be a party to any agreement for the acquisition, lease, or disposition of real or personal property, including the City Parcels, the provision of financial assistance to Developer or development of the Project on the City Parcels or elsewhere, until the terms and conditions of a complete future Purchase Agreement are considered and approved by the City's governing body in its sole discretion, following the conclusion of any public hearing(s) required by law. Developer expressly acknowledges and agrees that the City will not be bound by any statement, promise or representation made by City staff or representatives during the course of negotiations of a future Purchase Agreement and that the City shall only be legally bound upon the approval of a complete Purchase Agreement by the City's governing body in its sole discretion.
- 15. Waiver of Lis Pendens.** The Parties to this Agreement hereby expressly understand, acknowledge and agree that no lis pendens shall be filed against the City Parcels or any portion of such property for any claim, action or dispute arising from this Agreement except to the limited extent permitted in Section 11.
- 16. Indemnification and Hold Harmless.** Developer shall indemnify, defend, and hold City harmless from and against any and all claims, demands, actions, losses, damage, injuries, and liability, direct or indirect (including any and all costs and expenses in connection therewith) arising out of the performance of this Agreement and also for all aspects of the Project to the fullest extent permitted by law, provided this Section 16 shall not apply to any claims arising from the willful misconduct of City.



17. **Applicable Law; Venue.** This Agreement shall be construed in accordance with the law of the State of California, and venue for any action under this Agreement shall be in Riverside County, California.
18. **Attorneys' Fees.** In the event of any dispute between the Parties which dispute results in litigation, the prevailing party shall be reimbursed by the other party for all reasonable costs and expenses, including, without limitation, reasonable attorneys' fees, witness and expert fees and investigation costs as part of its judgement. A party receiving an award after arbitration or an order or judgment after hearing or trial shall not be considered a prevailing party if such award, order or judgment is not substantially greater than the other party's offer of settlement made in advance of the arbitration, hearing or trial.
19. **Unavoidable Delay.** For the purposes of any of the provisions of this Agreement, neither City nor Developer shall be considered in breach of, or default in, its obligations with regard to their respective obligations, if the delay in the performance of such obligations is due to unforeseeable causes beyond the delayed party's control and without its fault or negligence. Unforeseeable causes shall include acts of God, acts of the public enemy, acts of the federal government, acts of the other party, litigation filed in state or federal court by any third party which either directly results in a delay of either party's performance, or which, in the reasonable judgment of either party substantially increases the cost or risk of continued performance, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather (as for example, floods, tornadoes, or hurricanes). In the event of the occurrence of any such delay, the time or times for performance of such obligations of City and Developer shall be extended for the period of the delay provided that the party seeking the benefit of the provisions of this Section shall, within twenty (20) days after it has knowledge of any such delay, have first notified the other party, in writing, of the delay and its cause, and requested an extension for the period of the delay.
20. **Entitlements.** Developer shall, during the Negotiation Period and any subsequent Extension Period, prepare and process an Initial Study and undertake all other actions required under CEQA for City approval of the Project, at Developer's cost. In addition to the Initial Study, Developer may, during the Negotiation Period and any subsequent Extension Period, without any guaranty of approval therefor seek City approval of a General Plan amendment, zone change, and all subdivision entitlements that may be required for the development of the Project.
21. **No Third Parties Benefited.** This Agreement is made and entered into for the sole protection and benefit of the City and Developer, and no other person or entity does now or will have any right of action or any rights under or pursuant to this Agreement.
22. **Notice.** Any notice, request, approval or other communication to be provided by one Party to the other shall be in writing and provided by personal service or a reputable overnight delivery service (such as Federal Express) or by deposit in the

United States mail, certified, postage prepaid, return receipt requested and addressed as follows:

If to the Developer:

Panorama Properties, Inc.  
2005 Winston Court  
Upland, California 91784  
Attention: Wesley Fifield

If to the City:

City of Moreno Valley  
14177 Fredrick Street  
Moreno Valley, California 92553  
Attention: Mike Lee

Notices personally delivered or delivered by document delivery service shall be deemed effective upon receipt. Notices mailed in the manner provided above shall be deemed effective on the fourth business day following deposit in the United States mail. Such written notices, demands, and communications shall be sent in the same manner to such other addresses as either party may from time to time designate by a notice given in accordance with this Section.

23. **Representatives.** For purposes of the negotiations contemplated by this Agreement, the Developer's representative shall be Wesley Fifield (Phone: 909-921-5959; Email: [wes@panoramadev.com](mailto:wes@panoramadev.com)), and the City's representative shall be Mike Lee, Economic Development Director (Phone: (909) 413-3238 Email: [mikel@moval.org](mailto:mikel@moval.org)).
24. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same Agreement. Signatures delivered by facsimile or e-mailed (in pdf format) shall be as binding as originals upon the Parties so signing and delivering.
25. **Entire Agreement.** This Agreement constitutes the entire agreement of the Parties hereto with respect to the subject matter hereof. There are no other agreements or understandings between the Parties with respect to the subject matter hereof or any related subject and no representations by either Party to the other have been made as an inducement to enter into this Agreement. All prior negotiations between the Parties are superseded by this Agreement.

- 26. **Amendments.** This Agreement may not be altered, amended or modified except by a writing executed by all Parties hereto.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the Effective Date above.

CITY OF MORENO VALLEY

PANORAMA  
PROPERTIES, INC.,  
a California corporation

BY: \_\_\_\_\_  
Thomas M. DeSantis, City Manager

BY: Wes Fifi  
TITLE: Wes Fifi, President

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

2-27-19  
Date

Attachment: Exclusive Right to Negotiate (3458 : EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH PANORAMA)

# EXHIBIT "A"

## City Parcel Descriptions

The land referred to in this Exclusive Right to Negotiate Agreement is identified by Assessor's Parcel Numbers 486280044 and 486280059.

# Exhibit "B"

## Developer Proposal



## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 2, 2019

**TITLE:** APPROVAL OF THE FISCAL YEAR 2019/2020 STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA 152

---

### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Approve the County Service Area (CSA) 152 Budget for Fiscal Year (FY) 2019/2020 in the amount \$691,884.
2. Authorize the levy of County Service Area 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2019/2020.

### **SUMMARY**

The County Service Area (CSA) 152 was formed by Riverside County to offset a portion of the costs of the federally mandated National Pollutant Discharge Elimination System (NPDES) program. The County continues to manage the CSA program and applies parcel charges on the property tax bills of parcels which benefit from the services. For the City to receive funding from the County, the City must prepare a CSA 152 Budget for submission to the County. This report recommends approval of the Fiscal Year (FY) 2019/2020 County Service Area 152 Budget in the amount of \$691,884 and the authorization to levy the CSA 152 assessment at \$8.15 per Benefit Assessment Unit (BAU).

### **DISCUSSION**

The CSA 152 program, as administered by the County, allows for the collection of revenues on the property tax bills to support the NPDES program. The County is the lead agency in administering CSA 152 and the City is a participating agency. In order to continue with the service provided under CSA 152, the City is required to approve the

CSA 152 budget for FY 2019/2020 in a specific amount (Attachment 1); and approve a CSA 152 Assessment per Benefit Assessment Unit (BAU) for FY 2019/2020.

The CSA 152 funds are eligible to use for the NPDES program (Program) costs identified on the attached. In addition to CSA 152 revenues, the City has other funding sources (e.g. and approved NPDES Parcel Charge), which is also eligible for specified Program costs. Staff is not recommending an increase of the BAU assessment beyond the previously approved amount of \$8.15. Any increase to the BAU would require a mail ballot process under Proposition 218 and the approval of the property owners.

The County CSA 152 Administrative Services Agreement requires the City to adopt an annual CSA 152 Budget. To ensure the funding is secured and the assessment remains on the tax rolls for FY 2019/2020 staff is recommending Council adopt the CSA 152 budget as presented this evening. The County levies CSA 152 on the annual property tax bill on behalf of the City of Moreno Valley. The Finance Subcommittee was scheduled to review the proposed FY 2019/20 maximum and applied assessments at its March 26, 2019 meeting.

Failure by the City to enforce the NPDES program can result in penalties of up to \$37,500 per day for noncompliance and/or civil and criminal penalties. This is a federally mandated program administered by the State. There has been neither State nor Federal monies specifically allocated to local agencies to address the programs general requirements.

### **ALTERNATIVES**

1. Approve the CSA 152 Budget for FY 2019/2020 in the amount of \$691,884 and authorize the levy of CSA 152 Assessment at \$8.15 per BAU for FY 2019/2020. *Approval of this alternative ensures that a portion of the funds necessary to support the various storm water management and maintenance programs for the City will continue to be collected.*
2. Do not approve the CSA 152 Budget for FY 2019/2020 in the amount of \$691,884 and do not authorize the levy of CSA 152 Assessment at \$8.15 per BAU for FY 2019/2020. *This alternative does not provide for the collection of the assessment on the annual tax rolls to fund portions of the storm water management and maintenance programs. Not authorizing either the budget or levy will interrupt the assessment and revenue collection process. If the CSA assessment is not approved, another funding source such as the General Fund, would need to cover the expected \$691,884 revenue because the Program is State mandated with no options to significantly reduce services without the possibility of State issued monetary penalties.*

### **FISCAL IMPACT**



Adoption of the recommended CSA 152 Budget and authorization of the annual levy will ensure that the City receives its authorized funding from this source. With the implementation of the federally mandated NPDES program, the City uses CSA 152 revenues together with other funding sources. The costs associated with the Program are included in the City approved Operating Budget. Approving the CSA 152 Budget will ensure this eligible funding source is available for specific Program costs. Funds collected from the CSA 152 annual levy are restricted for use only within the Storm Water Management programs.

## **NOTIFICATION**

Publication of agenda.

## **PREPARATION OF STAFF REPORT**

Prepared By:  
Rae Beimer  
Storm Water Program Manager

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

Concurred By:  
Michael Lloyd, P.E.  
Engineering Division Manager

Concurred By:  
Marshall Eyerman  
Chief Financial Officer/City Treasurer

## **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

Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

**ATTACHMENTS**

- 1. Proposed FY 19-20 CSA 152 BUDGET DETAIL

**APPROVALS**

|                         |                   |                 |
|-------------------------|-------------------|-----------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/20/19 2:50 PM |
| City Attorney Approval  | <u>✓ Approved</u> | 3/28/19 3:03 PM |
| City Manager Approval   | <u>✓ Approved</u> | 3/28/19 4:26 PM |

ATTACHMENT 1

**CITY OF MORENO VALLEY**  
**FISCAL YEAR 2019/2020 CSA 152 - BUDGET DETAIL**

| Non-Fee Recovered Expenses                       |                        | Revenues Source      |                            |
|--|------------------------|----------------------|----------------------------|
|  |                        | CSA 152 Levy         | Other City Funding Sources |
| 1. STREET SWEEPING                               | \$ 295,096.68          | \$ 142,244.30        | \$ 152,852.38              |
| 2. STORMDRAIN MAINTENANCE                        | \$ 148,853.10          | \$ 71,751.08         | \$ 77,102.02               |
| 3. NPDES MS4 ANNUAL PERMIT FEE                   | \$ 49,805.00           | \$ 24,007.31         | \$ 25,797.69               |
| 4. RIVERSIDE COUNTY FLOOD CONTROL COST SHARE     | \$ 65,339.00           | \$ 31,495.10         | \$ 33,843.90               |
| 5. TMDL TASK FORCE_TMDL COMPLIANCE               | \$ 146,358.00          | \$ 70,548.38         | \$ 75,809.62               |
| 6. STORMWATER PROGRAM CONSULTANT                 | \$ 213,272.28          | \$ 102,802.80        | \$ 110,469.48              |
| 7. ADMINISTRATION_STAFF TIME                     | \$ 145,432.17          | \$ 70,102.10         | \$ 75,330.07               |
| 8. CSA 152 COUNTY ADMINISTRATION FEE             | \$ 41,513.05           | \$ 41,513.05         | \$ -                       |
| 9. CSA 152 ANNUAL ANALYSIS_CONSULTANT            | \$ 10,000.00           | \$ 10,000.00         | \$ -                       |
| 10. GENERAL OVERHEAD_ADMIN_ISF (FUNDS 2008/1010) | \$ 264,342.75          | \$ 127,420.10        | \$ 136,922.65              |
| <b>TOTAL PROJECTED</b>                           | <b>\$ 1,380,012.03</b> | <b>\$ 691,884.23</b> | <b>\$ 688,127.80</b>       |

|  |    |         |
|--|----|---------|
| Benefit Assessment Unit (BAU) Max Rate | \$ | 8.15    |
| Total BAUs                             |    | 84,894  |
| TOTAL PROJECTED CSA 152 BUDGET         | \$ | 691,884 |

Attachment: Proposed FY 19-20 CSA 152 BUDGET DETAIL [Revision 1] (3427 : APPROVAL OF THE FISCAL YEAR 2019/2020 STORM WATER)



## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 2, 2019

**TITLE:** AUTHORIZE THE PURCHASE OF A HEAVY-DUTY VEHICLE LIFT FOR THE FLEET SHOP

---

### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Authorize the purchase of a heavy-duty vehicle lift and issuance of a purchase order to Mohawk Lifts in the amount of \$97,838.74 plus an estimated sales and use tax amount of \$9,783 for a total amount of \$107,621.74.
2. Authorize the Chief Financial Officer to make necessary budget amendments according to the Fiscal Impact section.

### **SUMMARY**

City staff recommends utilizing the cooperative purchase agreement with Houston Galveston Area Council Buy program (HGACBuy) for the purchase of a replacement heavy-duty vehicle lift to allow continuing maintenance services to the larger City vehicles at the City's Fleet Shop.

The use of cooperative purchase agreements between HGACBuy and their vendors provides the City an advantageous purchasing strategy. The contracts have been competitively bid, and HGAC receives greater discounts from the vendors due to a higher purchase volume than the City would receive if issuing its own bid.

This purchase is recommended to be funded through existing budgeted Capital Equipment Replacement funds and Fleet Operations Equipment funds.

### **DISCUSSION**

The current heavy-duty vehicle lift has been in use for nineteen years and has reached the end of its useful life. Since several of the lift's safety mechanism are not operating

as designed, the existing lift has been placed out of service. Therefore, some of the City’s rolling stock cannot be maintained within the Fleet Shop resulting in the need for an outside vendor, at a higher cost, for any needed repairs. The proposed replacement lift meets the weight capacity needs, to include some of the newer heavier City equipment/vehicles, improves safety, and will result in increased productivity. To accommodate the installation of the proposed lift, a few minor changes to the existing Fleet Shop concrete slab are required and will be conducted by in-house staff as a cost savings measure.

The HGACBuy Cooperative Purchasing Agreement – Contract FL03-19 (awarded March 1, 2019 and expiring February 28, 2021), was competitively solicited and awarded.

Per the Moreno Valley Municipal Code, Section 3.12.260, “Where advantageous for the City and to the extent consistent with state law, the City Manager may authorize the Financial & Administrative Services Director or the Purchasing Manager to purchase supplies, materials, equipment or contractual services through legal, competitively awarded contracts with or of other governmental jurisdictions or public agencies, including California Multiple Award Schedules (CMAS) commonly referred to as “piggybacking,” without further contracting, solicitation or formal bidding as described in this chapter. (Ord. 624 § 1.7, 2003; Ord. 587 § 2.1 (part), 2001)”.

Staff believes the HGAC contracts provide the most competitive pricing and highest quality equipment to the City, thereby offering the best value.

**ALTERNATIVES**

1. Approve and authorize the recommended action as presented in this staff report. *Staff recommends this action as it is cost-effective and provides reliable equipment for the City.*
2. Reject any or all of the recommended actions as presented in this staff report. *Staff does not recommend this action as it makes it difficult to provide maintenance to heavier vehicles and equipment. Additionally, it may result in excessive maintenance costs if the work is not performed in-house.*

**FISCAL IMPACT**

To complete the lift purchase, a transfer of available designated fleet replacement funds of \$13,435 is being request to the fleet operations fund, as identified below. Additional funding for the project is available within the fleet operations fund. No new funding appropriations are being requested for this purchase. There is no impact to the City’s General Fund.

| Description | Fund | GL Account No. | Type (Rev/Exp) | FY 18/19 Budget | Proposed Adjustments | FY 18/19 Amended Budget |
|-------------|------|----------------|----------------|-----------------|----------------------|-------------------------|
|-------------|------|----------------|----------------|-----------------|----------------------|-------------------------|

|              |                  |                         |     |     |          |          |
|--------------|------------------|-------------------------|-----|-----|----------|----------|
| Transfer Out | Fleet Reserve    | 7430-99-99-97430-927410 | Exp | \$0 | \$13,435 | \$13,435 |
| Transfer In  | Fleet Operations | 7410-99-99-97410-827430 | Rev | 0   | 13,435   | 13,435   |

**NOTIFICATION**

N/A

**PREPARATION OF STAFF REPORT**

Prepared By:  
Joseph Mattox  
Fleet Maintenance Supervisor

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

Concurred By:  
Robert Lemon  
Maintenance & Operations Division Manager

Concurred By:  
Angelic Davis  
Purchasing & Facilities Division Manager

**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.

**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

**ATTACHMENTS**

- 1. Exhibit A\_Equipment Estimate

**APPROVALS**

Budget Officer Approval            ✓ Approved                            3/27/19 12:19 PM

City Attorney Approval  
City Manager Approval

✓ Approved  
✓ Approved

3/28/19 10:52 AM  
3/28/19 2:49 PM



**QUOTE**

Proposal: Moreno-TR75  
 Date: 3/13/2019  
 Expiry: 4/12/2019

From: Mohawk Resources Ltd.  
 PO Box 110  
 65 Vrooman Ave  
 Amsterdam, NY 12010  
 Phone: 1-800-833-2006  
 Fax:(518) 842-1289

**BUY ONCE. BUY RIGHT. BUY A MOHAWK.**

Quoted By: Zach Perlstein  
 Phone: 518-810-4706  
 Email: [zach@mohawklifts.com](mailto:zach@mohawklifts.com)



Proudly Built in Upstate NY Since 1981

| BILL TO   |
|---|
| Joseph Mattox<br>Fleet Maintenance Supervisor<br>951-413-3166<br>josephm@moval.org<br>25180 Santiago Dr., Moreno Valley, CA 92551 |

| SHIP TO   |
|---|
| Joseph Mattox<br>Fleet Maintenance Supervisor<br>951-413-3166<br>josephm@moval.org<br>25180 Santiago Dr., Moreno Valley, CA 92551 |

| Shipping Method | Shipping Terms                                       | Delivery Date    | Payment Terms |
|-----------------|--|------------------|---------------|
| Best Way        | FOB Destination, Amsterdam NY, Freight Prepaid & Add | 8 - 12 Weeks ARO | NET 30        |

| Qty | Part Number | Description   | List Price   | Purchase Price | Total       |
|-----|-------------|---|--------------|----------------|-------------|
| 1   | 075-050-054 | TR-75 (30' Tracks) - 75,000lb -**ALI CERTIFIED** (24" Wide tracks)                | \$108,950.00 | \$84,980.68    | \$84,980.68 |
| 1   | 050-050-063 | RJ-50-AH-50000- Air/Hyd Jacking Beam (50,000lb RATED FOR TR-75) **ALI CERTIFIED** | \$9,400.00   | \$7,331.97     | \$7,331.97  |
| 1   | 075-011-055 | Drive Thru Ramps - Stationary -TR-33,35/50/75 (24" wide)                          | \$3,495.00   | \$2,726.09     | \$2,726.09  |
|     |             |   |              |                |             |
|     |             |   |              |                |             |
|     |             |   |              |                |             |
|     |             |   |              |                |             |
|     |             |   |              |                |             |
|     |             |   |              |                |             |

DATA SHEET REQUIRED: **YES**  
 Installation Provided By: Midstate Automotive Equipment

**NOTES**

|                            |                    |
|----------------------------|--------------------|
| Subtotal                   | \$95,038.74        |
| Freight                    | Market             |
| Installation (optional)    | \$2,800.00         |
| Sales Tax (if applicable)* |                    |
| <b>TOTAL</b>               | <b>\$97,838.74</b> |

\*Resale or Tax Exempt Form Attached or Sales Tax (if applicable)

\*\*VISA or MasterCard credit cards accepted for orders less than \$18,000.00. A 3.25% processing fee will be applied.

This quotation is subject to the terms and conditions noted on the following page(s).  
**Thank you for your business!**

REV 03/2018

Attachment: Exhibit A\_Equipment Estimate (3494 : AUTHORIZE THE PURCHASE OF A HEAVY-DUTY VEHICLE LIFT FOR THE FLEET SHOP)



TERMS AND CONDITIONS OF THE SALE

This order is subject to the General Terms and Conditions and complete Mohawk warranty terms found at [www.mohawklifts.com/terms](http://www.mohawklifts.com/terms) and [www.mohawklifts.com/warranty](http://www.mohawklifts.com/warranty)

Delivery and Installation

- A fork truck must be supplied by customer at the offload site to unload the equipment from the freight carriers' trailer and if applicable for the installation
- The Customer is responsible for inspecting all Products at the time of delivery and before signing the delivery receipt, freight bill, or bill of lading. Should the customer determine at the time of delivery that any items are damaged or missing the Customer must note the item, discrepancy, or condition on the delivery receipt, freight bill, or bill of lading.
- Mohawk is not responsible for missing or damaged products when the customer has signed the delivery receipt, freight bill, or bill of lading in good condition.
- Quoted Installation does not include electrical hook-up or any concrete work which may be required. Electrical and any concrete work that may be required must be preformed prior to installer's appointment date
- Quoted Installation does not include any unforeseen circumstances such as plumbing, electrical, in floor heat, rebar, steel structures, drain, or drain slopes in the existing floor.
- Quoted Installation Price is subject to change if the lift is unable to be installed at the time of scheduled appointment, if the shop condition is not ready for installation (lack of adequate concrete, no electrical service, etc..) Or any other condition which would require additional return trips by the installer.
- Price does not include Sales tax (unless applicable), duties, brokerage, or any other fees.
- Any and all permits, licenses, fees, etc. are the customers' responsibility

PAYMENT

Payment for your equipment, including installation, is due with order or prior to shipping.

Payment can be made by certified check or wire transfer.

VISA or MasterCard credit cards accepted for orders less than \$18,000.00. A 3.25% processing fee will apply



**Acknowledged and Accepted by:**

|                       |              |
|-----------------------|--------------|
| Signature: _____      | Date: _____  |
| Name (printed): _____ | Title: _____ |
| Phone: _____          | Email: _____ |

To place your order, please return all (2) pages to:

MOHAWK RESOURCES LTD.  
PO Box 110, Amsterdam, NY 12010  
Fax 518-842-1289 or via email  
Thank you!

Attachment: Exhibit A\_Equipment Estimate (3494 : AUTHORIZE THE PURCHASE OF A HEAVY-DUTY VEHICLE LIFT FOR THE FLEET SHOP)



## Report to City Council

---

**TO:** Mayor and City Council

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

**AGENDA DATE:** April 2, 2019

**TITLE:** AUTHORIZATION TO SUBMIT GRANT APPLICATIONS UNDER THE SB821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM

---

### **RECOMMENDED ACTION**

#### **Recommendation:**

1. Authorize the submission of grant applications for the SB 821 Bicycle and Pedestrian Facilities Program as administered by the Riverside County Transportation Commission (RCTC).

### **SUMMARY**

The SB 821 Bicycle and Pedestrian Facilities Program administered by RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Staff recommends submitting applications for projects that improve mobility and safety for pedestrians and bicyclists in accordance with program guidelines.

### **DISCUSSION**

SB 821, the Bicycle and Pedestrian Facilities Program, is provided through the Transportation Development Act (TDA) and is funded through a ¼-cent statewide general sales tax. Based upon FY2018/19 and 2019/20 apportionments, the total funding available for this Call for Projects is approximately \$3,833,000.

On February 4, 2019, the City received notification from RCTC of a Call for Projects with a submittal deadline of April 25, 2019. Notification of projects selected to receive program funding will occur in June 2019.

Eligible projects were developed based upon results of the City's ADA Transition Plan

and the Momentum MoVal Strategic Plan. Other factors included requests from residents and the opportunity to close gaps in the pedestrian network. The following is a list of potential grant funded projects:

1. Cactus Avenue / Redwing Drive – Install a Pedestrian Hybrid Beacon
2. Heacock Street south of Gregory Lane - Construct sidewalk along the east side of Heacock Street south of Gregory Lane

The Traffic Safety Commission (TSC) indicated they fully support seeking all available transportation grant funding to construct the listed projects.

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

### **ALTERNATIVES**

1. Approve and authorize the recommended action as presented in this staff report. *This alternative will allow staff to pursue funding to construct needed improvements.*
2. Do not approve and authorize the recommended action. *This alternative would eliminate a potential funding source for projects.*

### **FISCAL IMPACT**

The SB821 program requires no matching funds. However, applications score higher when matching funding is provided. Matching funding amounts range from 10 to 50 percent of the total project costs. The matching funding would be from in-kind services (dedicated right of way) and/or Measure A funds as available. Use of Measure A funding is restricted to implementing transportation related programs. There is no impact to the General Fund with this action.

### **NOTIFICATION**

N/A

### **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 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

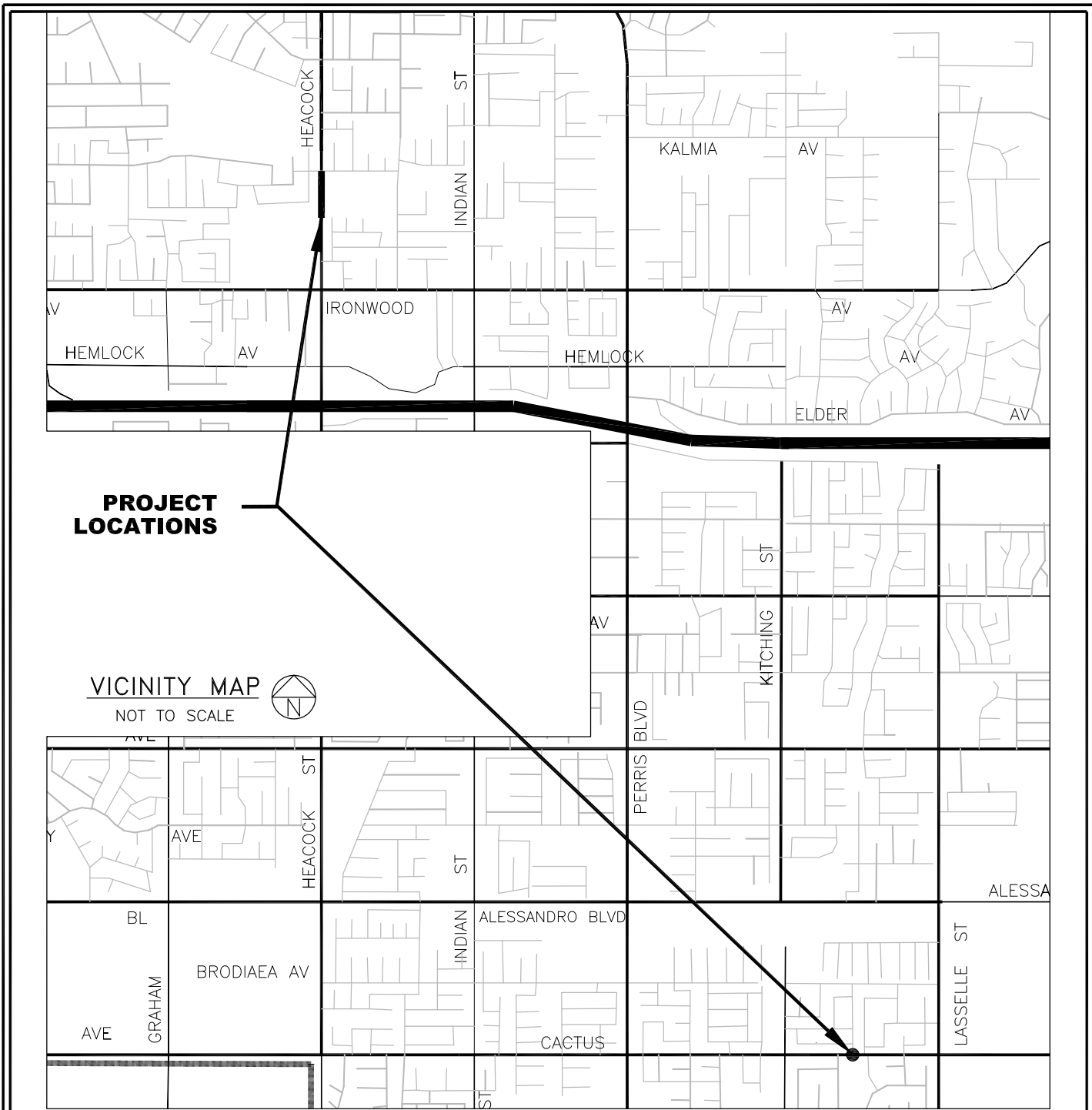
Objective 4.6: Advance the development of a well-connected and balanced citywide transportation network that serves all modes.

**ATTACHMENTS**

- 1. SB821 Projects 2019 Location Map

**APPROVALS**

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/25/19 8:59 AM  |
| City Attorney Approval  | <u>✓ Approved</u> | 3/28/19 10:51 AM |
| City Manager Approval   | <u>✓ Approved</u> | 3/28/19 2:52 PM  |



**PROJECT LOCATIONS**

VICINITY MAP  
NOT TO SCALE



# LOCATION MAP

Public Works Department  
Transportation Division

Scale: None  
ATTACHMENT "A"

SB821 PROJECTS  
HEACOCK STREET AND GREGORY LANE  
SIDEWALK IMPROVEMENTS  
CACTUS AVENUE AND REDWING DRIVE  
PEDESTRIAN HYBRID BEACON

Attachment: SB821 Projects 2019 Location Map (3511 : AUTHORIZATION TO SUBMIT GRANT APPLICATIONS UNDER THE SB821 BICYCLE



## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 2, 2019

**TITLE:** APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2019/20 – 2023/24 AND MAINTENANCE OF EFFORT CERTIFICATION FOR FISCAL YEAR 2019/20

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### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Approve and authorize submittal of the City of Moreno Valley's Measure A Local Streets and Roads Five-Year Capital Improvement Plan for Fiscal Years 2019/20 – 2023/24 and Maintenance of Effort Certification for Fiscal Year 2019/20 to the Riverside County Transportation Commission.
2. Authorize staff to submit an amended five-year plan to the Riverside County Transportation Commission if changes are made to the listed Measure A projects.

### **SUMMARY**

This report recommends approval of the City of Moreno Valley's Measure A Local Streets and Roads Five-Year Capital Improvement Plan (CIP) for Fiscal Years 2019/20 – 2023/24 and Maintenance of Effort (MOE) Certification for FY 2019/20. Annual submittal of the Measure A CIP and MOE to the Riverside County Transportation Commission (RCTC) is required for continued receipt of Measure A funds.

### **DISCUSSION**

Measure A is a major funding source for transportation infrastructure improvements. The City is scheduled to receive \$4,240,000 in Measure A revenue by Fiscal Year (FY) 2018/19 year-end and an estimated \$4,248,000 in funding for FY 2019/20.

RCTC requires all local jurisdictions to submit an annual five-year CIP, which includes a Project Status Report for FY 2018/19 Measure A funded CIP projects, for continued receipt of Measure A Local Streets and Roads funds. The projects are included in the Measure A Five-Year CIP to satisfy RCTC Ordinance No. 02-001 and only City projects with Measure A funding are required to be reported. Although RCTC requires this information by May 6, 2019, the City Council may make any changes to the list of projects as part of the City's CIP budget approval process. City staff can forward amended Measure A project lists to RCTC when necessary. The purpose of this report is to document progress to date on engineering, right-of-way acquisition, construction, and anticipated project completion date.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure A funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes. The City's MOE base year amount, approved by the RCTC at its July 2011 meeting, is \$1,459,153. The MOE requirement is met by the Public Works Department General Fund operating budgets.

Approval of the recommended actions would support Objective 4 of the *Momentum MoVal* Strategic Plan: "Manage and maximize Moreno Valley's public infrastructure to ensure an excellent quality of life, develop and implement innovative, cost effective infrastructure maintenance programs, public facilities management strategies, and capital improvement programming and project delivery."

## **ALTERNATIVES**

1. Approve and authorize the recommended actions as presented in this staff report. RCTC requires all cities within its jurisdiction to submit a plan by May 6, 2019. *This alternative allows the City to continue receiving Measure A revenue annually to fund significant roadway and other transportation related infrastructure improvements.* The approval of this plan does not in any way affect the City Council's deliberation and decisions on the approval of the City's overall CIP budget. Staff recommends this action.
2. Do not approve and authorize the recommended actions as presented in this staff report. *Since RCTC requires jurisdictions to submit a plan by May 6, 2019 in order to continue to receive Measure A funds, this alternative jeopardizes a significant revenue stream for the City, affecting the ability to deliver critical transportation related infrastructure improvements.* Staff does not recommend this action.

## **FISCAL IMPACT**

The timely approval and submittal of the Measure A Five-Year CIP by May 6, 2019 ensures continued receipt of Measure A funds for FY 2019/20. City staff will forward an

amended Measure A project list to RCTC if there are any changes throughout FY 2019/20. Measure A funds can only be used for transportation related purposes.

**PREPARATION OF STAFF REPORT**

Prepared By:  
Launa Jimenez  
Senior Management Analyst

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

Concurred By:  
Henry Ngo, P.E.  
Capital Projects 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

**ATTACHMENTS**

- 1. FY 2019.20-2023.24 Measure A CIP - Moreno Valley
- 2. FY 2019.20 Measure A MOE Certification Statement - Moreno Valley

**APPROVALS**

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/19/19 11:30 AM |
| City Attorney Approval  | <u>✓ Approved</u> | 3/19/19 3:58 PM  |
| City Manager Approval   | <u>✓ Approved</u> | 3/27/19 11:50 AM |





**MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM**

**FY 2019/20**

Agency: MORENO VALLEY  
 Prepared by: Launa Jimenez  
 Phone #: (951) 413-3128  
 Date: 3/13/2019

|   |                  |
|---|------------------|
| <b>FY 2017/18 Audited Measure A Balance:</b>                  | \$ 3,974,362     |
| <b>FY 2018/19 (Revised) Measure A Revenue:</b>                | 4,240,000        |
| <b>FY 2018/19 Project Status Report expenses:</b>             | <u>5,332,233</u> |
| <b>Estimated Prior Year Measure A Balance:</b>                | 2,882,129        |
| <b>Estimated FY 2019/20 Measure A Allocation:</b>             | <u>4,248,000</u> |
| <b>Estimated Measure A Available for FY 2019/20 Projects:</b> | \$ 7,130,129     |

| Item No.       | Project Name / Limits   | Project Type           | Total Project Cost   | Measure A Funds     |
|----------------|---|------------------------|----------------------|---------------------|
| <b>2019/20</b> |   |                        |                      |                     |
| 2020-01        | Public Works - Capital Projects Program Budget (Provide cost effective administrative functions for essential transportation projects and services: annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and right of way services for unfunded new projects. | Project Administration | \$ 207,487           | \$ 207,487          |
| 2020-02        | Public Works - Citywide Sign/Striping   | Maintenance            | 1,067,155            | 1,067,155           |
| 2020-03        | Public Works - Citywide Tree Trimming   | Maintenance            | 568,827              | 568,827             |
| 2020-04        | Fixed Charges/ Indirect Cost  | Overhead Cost          | 243,399              | 243,399             |
| 2020-05        | Transfers to 2013-2014 Refunding Lease Revenue Bonds  | Debt Service           | 1,055,000            | 1,055,000           |
| 2020-06        | Transfers to TRIP Debt Service  | Debt Service           | 1,490,000            | 1,490,000           |
| 2020-07        | Annual ADA Compliant Curb Ramp Upgrades - Citywide  | Street Improvements    | 789,878              | 189,878             |
| 2020-08        | Annual Pavement Maintenance - Crack Seal  | Street Improvements    | 60,000               | 60,000              |
| 2020-09        | Citywide Pavement Management Program  | Street Improvements    | 133,681              | 133,681             |
| 2020-10        | Citywide Pavement Rehabilitation Program FY18/19  | Street Improvements    | 3,483,810            | 201,074             |
| 2020-11        | Cycle 1 ATP Citywide SRTS Pedestrian Facility Improvements  | Street Improvements    | 119,729              | 6,152               |
| 2020-12        | Heacock St South Extension - Widen Heacock St from 2 lanes to 6 lanes from San Michelle to Harley Knox Blvd, including the bridge   | Street Improvements    | 925,364              | 24,953              |
| 2020-13        | Property Acquisition for Street Purposes  | Street Improvements    | 10,553               | 10,553              |
| 2020-14        | Residential Traffic Management Program (Speed Humps)  | Street Improvements    | 161,090              | 11,090              |
| 2020-15        | SR-60/ World Logistics Center Parkway Interchange   | Street Improvements    | 1,360,773            | 5,114               |
| 2020-16        | Heacock St Channel Improvements   | Drainage               | 288,755              | 1,661               |
| 2020-17        | Moreno MDP Line F-18 and F-19   | Drainage               | 168,806              | 168,806             |
| 2020-18        | Moreno MDP Line K-1 Stage 3 K-4   | Drainage               | 124,406              | 124,406             |
| 2020-19        | Sunnymead - Flaming Arrow Drive Storm Drain   | Drainage               | 621,646              | 374,490             |
| 2020-20        | Sunnymead MDP Line B-16A  | Drainage               | 9,000                | 9,000               |
| 2020-21        | Dynamic Traveler Alert Message Boards (Perris Blvd south of Cactus Ave, Alessandro Blvd east of Fredrick St, Cactus Ave east of Frederick St) - Deploy 3 dynamic message signs/ changeable message signs on new sign structures, including new electrical service connections   | Traffic Enhancements   | 393,138              | 11,938              |
| 2020-22        | Pedestrian Hybrid Beacon on Cactus Ave at Woodland Park   | Traffic Signals        | 203,993              | 203,993             |
| 2020-23        | Systemic Safety Analysis Report Program   | Traffic Signals        | 10,000               | 1,000               |
| 2020-24        | Traffic Signal Equipment/ Upgrades  | Traffic Signals        | 19,517               | 19,517              |
|                | <b>TOTAL</b>  |                        | <b>\$ 13,516,007</b> | <b>\$ 6,189,174</b> |

Attachment: FY 2019-20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL



**MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM**

**FY 2020/21**

Agency: MORENO VALLEY  
 Prepared by: Launa Jimenez  
 Phone #: (951) 413-3128  
 Date: 3/13/2019

**Estimated Prior Year Measure A Balance:** \$ 940,955  
**Estimated FY 2020/21 Measure A Allocation:** 4,354,000  
**Estimated Measure A Available for FY 2020/21 Projects:** \$ 5,294,955

| Item No.       | Project Name / Limits   | Project Type           | Total Project Cost  | Measure A Funds     |
|----------------|---|------------------------|---------------------|---------------------|
| <u>2020/21</u> |   |                        | \$ 214,545          | \$ 214,545          |
| 2021-01        | Public Works - Capital Projects Program Budget (Provide cost effective administrative functions for essential transportation projects and services: annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and right of way services for unfunded new projects. | Project Administration |                     |                     |
| 2021-02        | Public Works - Citywide Sign/Striping   | Maintenance            | 1,116,050           | 1,116,050           |
| 2021-03        | Public Works - Citywide Tree Trimming   | Maintenance            | 593,784             | 593,784             |
| 2021-04        | Fixed Charges/ Indirect Cost  | Overhead Cost          | 243,399             | 243,399             |
| 2021-05        | Transfers to 2013-2014 Refunding Lease Revenue Bonds  | Debt Service           | 1,055,000           | 1,055,000           |
| 2021-06        | Transfers to TRIP Debt Service  | Debt Service           | 1,492,000           | 1,492,000           |
|                |   | <b>TOTAL</b>           | <b>\$ 4,714,778</b> | <b>\$ 4,714,778</b> |

Attachment: FY 2019.20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL



**MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM**

**FY 2021/22**

Agency: MORENO VALLEY  
 Prepared by: Launa Jimenez  
 Phone #: (951) 413-3128  
 Date: 3/13/2019

Estimated Prior Year Measure A Balance: \$ 580,177  
 Estimated FY 2021/22 Measure A Allocation: 4,463,000  
 Estimated Measure A Available for FY 2021/22 Projects: \$ 5,043,177

| Item No.       | Project Name / Limits   | Project Type           | Total Project Cost  | Measure A Funds     |
|----------------|---|------------------------|---------------------|---------------------|
| <u>2021/22</u> |   |                        | \$ 214,545          | \$ 214,545          |
| 2022-01        | Public Works - Capital Projects Program Budget (Provide cost effective administrative functions for essential transportation projects and services: annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and right of way services for unfunded new projects. | Project Administration |                     |                     |
| 2022-02        | Public Works - Citywide Sign/Striping   | Maintenance            | 1,116,050           | 1,116,050           |
| 2022-03        | Public Works - Citywide Tree Trimming   | Maintenance            | 593,784             | 593,784             |
| 2022-04        | Fixed Charges/ Indirect Cost  | Overhead Cost          | 243,399             | 243,399             |
| 2022-05        | Transfers to 2013-2014 Refunding Lease Revenue Bonds  | Debt Service           | 1,055,000           | 1,055,000           |
| 2022-06        | Transfers to TRIP Debt Service  | Debt Service           | 1,492,000           | 1,492,000           |
|                |   | <b>TOTAL</b>           | <b>\$ 4,714,778</b> | <b>\$ 4,714,778</b> |

Attachment: FY 2019.20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL



**MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM**

**FY 2022/23**

Agency: MORENO VALLEY  
 Prepared by: Launa Jimenez  
 Phone #: (951) 413-3128  
 Date: 3/13/2019

**Estimated Prior Year Measure A Balance:** \$ 328,399  
**Estimated FY 2022/23 Measure A Allocation:** 4,575,000  
**Estimated Measure A Available for FY 2022/23 Projects:** \$ 4,903,399

| Item No.       | Project Name / Limits   | Project Type           | Total Project Cost  | Measure A Funds     |
|----------------|---|------------------------|---------------------|---------------------|
| <u>2022/23</u> |   |                        | \$ 214,545          | \$ 214,545          |
| 2023-01        | Public Works - Capital Projects Program Budget (Provide cost effective administrative functions for essential transportation projects and services: annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and right of way services for unfunded new projects. | Project Administration |                     |                     |
| 2023-02        | Public Works - Citywide Sign/Striping   | Maintenance            | 1,116,050           | 1,116,050           |
| 2023-03        | Public Works - Citywide Tree Trimming   | Maintenance            | 593,784             | 593,784             |
| 2023-04        | Fixed Charges/ Indirect Cost  | Overhead Cost          | 243,399             | 243,399             |
| 2023-05        | Transfers to 2013-2014 Refunding Lease Revenue Bonds  | Debt Service           | 1,055,000           | 1,055,000           |
| 2023-06        | Transfers to TRIP Debt Service  | Debt Service           | 1,492,000           | 1,492,000           |
|                |   | <b>TOTAL</b>           | <b>\$ 4,714,778</b> | <b>\$ 4,714,778</b> |

Attachment: FY 2019.20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL



**MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM**

**FY 2023/24**

Agency: MORENO VALLEY  
 Prepared by: Launa Jimenez  
 Phone #: (951) 413-3128  
 Date: 3/13/2019

Estimated Prior Year Measure A Balance: \$ 188,621  
 Estimated FY 2023/24 Measure A Allocation: 4,689,000  
 Estimated Measure A Available for FY 2023/24 Projects: \$ 4,877,621

| Item No.       | Project Name / Limits   | Project Type           | Total Project Cost  | Measure A Funds     |
|----------------|---|------------------------|---------------------|---------------------|
| <u>2023/24</u> |   |                        | \$ 214,545          | \$ 214,545          |
| 2024-01        | Public Works - Capital Projects Program Budget (Provide cost effective administrative functions for essential transportation projects and services: annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and right of way services for unfunded new projects. | Project Administration |                     |                     |
| 2024-02        | Public Works - Citywide Sign/Striping   | Maintenance            | 1,116,050           | 1,116,050           |
| 2024-03        | Public Works - Citywide Tree Trimming   | Maintenance            | 593,784             | 593,784             |
| 2024-04        | Fixed Charges/ Indirect Cost  | Overhead Cost          | 243,399             | 243,399             |
| 2024-05        | Transfers to 2013-2014 Refunding Lease Revenue Bonds  | Debt Service           | 1,055,000           | 1,055,000           |
| 2024-06        | Transfers to TRIP Debt Service  | Debt Service           | 1,492,000           | 1,492,000           |
|                |   | <b>TOTAL</b>           | <b>\$ 4,714,778</b> | <b>\$ 4,714,778</b> |

Attachment: FY 2019.20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL



MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM

PROJECT STATUS REPORT FY 2018/19

Agency: MORENO VALLEY  
Prepared by: Launa Jimenez  
Phone #: (951) 413-3128  
Date: 3/13/2019

| Item No. | Project Name / Limits  | Project Type                     | Total Cost | Anticipated Measure A Funds Expended (Est thru 6/30/2019) | Estimated/ Actual Completion | Status   |
|----------|--|----------------------------------|------------|---|------------------------------|--|
| 1        | Public Works - Capital Projects Program Budget (Provide cost effective administrative functions for essential transportation projects and services: annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and right of way services for unfunded new projects.  | Project Administration           | \$ 216,742 | \$ 216,742  | N/A                          | Annual Budget  |
| 2        | Public Works - Citywide Sign/Striping  | Maintenance                      | 1,092,889  | 1,092,889   | N/A                          | Annual Budget  |
| 3        | Public Works - Citywide Tree Trimming  | Maintenance                      | 450,218    | 450,218   | N/A                          | Annual Budget  |
| 4        | Fixed Charges/ Indirect Cost   | Overhead Cost                    | 243,399    | 243,399   | N/A                          | Annual Budget  |
| 5        | Transfers to 2013-2014 Refunding Lease Revenue Bonds   | Debt Service                     | 1,055,000  | 1,055,000   | N/A                          | Annual Budget  |
| 6        | Transfers to TRIP Debt Service   | Debt Service                     | 1,491,000  | 1,491,000   | N/A                          | Annual Budget  |
| 7        | Alessandro Blvd/ Elsworth St Intersection Imprv - new traffic signal and signal technology, new drainage system, elimination of cross gutters, upgraded ADA ramps  | Street Improvements              | 2,444      | 2,444   | Mar-18                       | Project Completed  |
| 8        | Annual ADA Compliant Curb Ramp Upgrades - Citywide   | Street Improvements              | 40,000     | 40,000  | N/A                          | On-going Annual Project; future funding will come from Gas Tax               |
| 9        | Annual Pavement Maintenance - Crack Seal   | Street Improvements              | -          | -   | N/A                          | On-going Annual Project  |
| 10       | Bike Lane Improvements:<br><br>Install 10 bicycle racks on Sunnymead Blvd between Frederick St and Perris Blvd<br><br>Construction of bicycle lanes at 9 locations:<br>-Alessandro Blvd (western city limit to Indian St)<br>-Cactus Ave (Heacock St to Lasselle St)<br>-Heacock St (Alessandro Blvd to JFK Dr. and Ironwood Ave to Sunnymead Ranch Pkwy)<br>-Ironwood Ave (Barclay Dr to Pigeon Pass Blvd)<br>-Sunnymead Blvd (Frederick St to Perris Blvd)<br>-Kitching St (Iris Ave to Krameria Ave)<br>-Krameria Ave (Kitching St to MV Community College)<br>-Towngate Blvd (Frederick St to Memorial Way)<br>-Eucalyptus Ave (Memorial Way to Day St)<br><br>Installation of bicycle shared lane markings at 2 locations:<br>-Bay Ave (Frederick St to Graham St)<br>-Indian St (Cottonwood Ave to Sunnymead Blvd) | Street Improvements (Bike Lanes) | 28,789     | 28,789  | Jan-19                       | Project Completed  |
| 11       | Citywide Annual Pavement Resurfacing   | Street Improvements              | 3,025      | 3,025   | Feb-19                       | Discontinued; Measure A budget transferred to Citywide Pavement Mgmt Program |
| 12       | Citywide Pavement Management Program   | Street Improvements              | 10,000     | 10,000  | N/A                          | On-going Annual Project  |
| 13       | Citywide Pavement Rehabilitation Program FY18/19   | Street Improvements              | 10,000     | -   | Sep-19                       | Working on Construction Bid Documents  |
| 14       | Cycle 1 ATP Citywide SRTS Pedestrian Facility Improvements   | Street Improvements              | 1,170,288  | 50  | Dec-19                       | Construction   |
| 15       | Gentian Ave and Eucalyptus Ave Class II Bike Lanes - Construction of bicycle lanes at 2 locations  | Street Improvements              | 43,690     | 18,000  | Apr-19                       | Construction   |
| 16       | Heacock St/ Perris Vally Storm Drain Lateral A to Cactus Ave   | Street Improvements              | 6,370      | 6,370   | Jan-18                       | Warranty walk  |
| 17       | Heacock St South Extension - Widen Heacock St from 2 lanes to 6 lanes from San Michelle to Harley Knox Blvd, including the bridge  | Street Improvements              | 11,000     | 5,000   | Dec-20                       | Preliminary Engineering  |
| 18       | Moreno Townsite Area Storm Drain & Street Improvements/ Alessandro Blvd to Drainage Facility   | Street Improvements              | 788        | 788   | Feb-19                       | Discontinued; Measure A budget transferred to Moreno MDP Line F-18 and F-19  |
| 19       | Property Acquisition for Street Purposes   | Street Improvements              | 915        | 915   | N/A                          | On-going Annual Project  |
| 20       | Reche Vista Dr Realignment/ Perris Blvd/ Heacock St to NCL   | Street Improvements              | 872        | 872   | Mar-18                       | Completed  |
| 21       | Residential Traffic Management Program (Speed Humps)   | Street Improvements              | -          | -   | N/A                          | On-going Annual Project  |
| 22       | SR-60/ World Logistics Center Parkway Interchange  | Street Improvements              | 983,668    | 460,218   | Mar-20                       | PA/ED  |
| 23       | Heacock St Channel Improvements  | Drainage                         | 15,871     | 11,000  | May-19                       | Construction   |

Attachment: FY 2019-20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL



MEASURE A  
LOCAL STREETS  
AND ROADS PROGRAM

|              |   |                      |                     |                     |         |  |
|--------------|---|----------------------|---------------------|---------------------|---------|--|
| 24           | Hubbard St Storm Drain Line H-1A Stage 3  | Drainage             | -                   | -                   | Jun-18  | Warranty walk                                  |
| 25           | Moreno MDP Line F-18 and F-19   | Drainage             | 10,000              | 10,000              | Dec-21  | Preliminary Engineering                        |
| 26           | Moreno MDP Line K-1 Stage 3 K-4   | Drainage             | 142,514             | 142,514             | Dec-21  | Design   |
| 27           | Sunnymead - Flaming Arrow Drive Storm Drain   | Drainage             | 75,000              | -                   | Jun-20  | Design   |
| 28           | Sunnymead MDP Line B-16A  | Drainage             | 3,000               | 3,000               | Unknown | Preliminary Design and Environmental Clearance |
| 29           | Dynamic Traveler Alert Message Boards (Perris Blvd south of Cactus Ave, Alessandro Blvd east of Fredrick St, Cactus Ave east of Frederick St) - Deploy 3 dynamic message signs/ changeable message signs on new sign structures, including new electrical service connections | Traffic Enhancements | 15,000              | 1,000               | Dec-19  | Bidding for Construction                       |
| 30           | Pedestrian Hybrid Beacon on Cactus Ave at Woodland Park   | Traffic Signals      | -                   | -                   | Apr-20  | Awaiting full funding; On Hold                 |
| 31           | Systemic Safety Analysis Report Program   | Traffic Signals      | 140,000             | 14,000              | Aug-19  | Work underway (study)                          |
| 32           | Traffic Signal Equipment/ Upgrades  | Traffic Signals      | 25,000              | 25,000              | N/A     | On-going Annual Project                        |
| <b>TOTAL</b> |   |                      | <b>\$ 7,287,482</b> | <b>\$ 5,332,233</b> |         |  |

Attachment: FY 2019.20-2023.24 Measure A CIP - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL

**FY 2019/20  
MAINTENANCE OF EFFORT CERTIFICATION STATEMENT**

The undersigned agrees and certifies for the City of Moreno Valley (the "Agency") that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort Guidelines and a base year amount of \$1,459,153, approved by the Commission at its July 13, 2011 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds. Additionally, the Agency commits to expending Measure A Local Streets and Roads funds for projects listed in the Five Year Capital Improvement Plan as approved by Riverside County Transportation Commission.

Dated: \_\_\_\_\_, 2019

\_\_\_\_\_  
THOMAS M. DESANTIS, CITY MANAGER

ATTEST:

\_\_\_\_\_  
CITY CLERK

Attachment: FY 2019.20 Measure A MOE Certification Statement - Moreno Valley (3456 : APPROVE THE CITY OF MORENO VALLEY'S





## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Kathleen Sanchez, Human Resources Director

**AGENDA DATE:** April 2, 2019

**TITLE:** LIST OF PERSONNEL CHANGES

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### **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 is 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 - 4.2.19

**APPROVALS**

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/26/19 2:08 PM  |
| City Attorney Approval  | <u>✓ Approved</u> | 3/28/19 10:53 AM |
| City Manager Approval   | <u>✓ Approved</u> | 3/28/19 2:47 PM  |

# City of Moreno Valley Personnel Changes April 2, 2019

## New Hires

Jasmine Monroe, Recreation Program Leader  
Parks & Community Services Department/Community Services Division

Jose Luna, Parks Maintenance Worker  
Parks & Community Services Department/Parks Maintenance Division

## Promotions

Sandra Ramirez  
From: Sr. Office Assistant, Community Development Department/Code & Neighborhood Services Division  
To: Sr. Administrative Assistant, Public Works Department/Land Development Division

## Transfers

None

## Separations

None

Attachment: Personnel Changes - 4.2.19 [Revision 1] (3403 : LIST OF PERSONNEL CHANGES)



## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Kathleen Sanchez, Human Resources Director

**AGENDA DATE:** April 2, 2019

**TITLE:** APPROVAL TO FUND A COMMUNITY SERVICES SUPERINTENDENT POSITION

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### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Modify the City's Position Control Summary to de-fund one Community Services Supervisor position and fund one Community Services Superintendent position in the Parks and Community Services Department.
2. Approve the Classification Specification for the position of Community Services Superintendent.

### **SUMMARY**

This report recommends that the City Council update the Position Control Summary for the Parks and Community Services Department by de-funding one vacant Community Services Supervisor position and funding one Community Services Superintendent position. The recommended revision will appropriately align position responsibilities as the Department prepares to recruit to fill a recently vacated supervisory position.

### **DISCUSSION**

The City Position Summary, as approved by the City Council, serves as an important internal control tool to establish and fund authorized positions within the City. The authorized and funded positions enable staff to deliver services to our community. The City Position Summary addresses career authorized positions and does not include temporary positions.

As our Parks and Community Services Department continues to evolve to meet the community's public service needs, similar changes are seen in the scope of

responsibilities assigned to various operational positions. Following a study of existing classifications, the Human Resources Department has determined that the duties of the now vacant Community Services Supervisor position should be reclassified to correspond with assigned tasks as well as supervision responsibilities. The Community Services Superintendent classification, commonly found in larger cities like ours which offer similar programs, accurately reflects the level of responsibility for this position. Revising the position at this time will also equip the City to attract highly experienced applicants for this key role within the Parks and Community Services Department.

Staff recommends the following updates to the City Position Summary:

- De-fund one Community Services Supervisor position (C23 \$65,102.96 - \$91,661.02) in the Parks and Community Services Department.
- Fund one Community Services Superintendent position (C25 \$71,776.02 - \$101,056.38) in the Parks and Community Services Department.

No additional funds are required, as estimated costs of \$6,700 will be absorbed within the current budget.

| <u>Department / Position Title</u>             |    | <b>FY 2018/19<br/>Adjustment</b> | <b>Requested<br/>Budget<br/>Amendment</b> |
|--|----|----------------------------------|---|
| <u>Parks and Community Services Department</u> |    |                                  |   |
| Community Services Supervisor                  | FT | (1)                              | \$0                                       |
| Community Services Superintendent              | FT | 1                                |   |
| Total Adjustment                               |    | 0                                | \$0                                       |

**ALTERNATIVES**

1. Approve Recommended Actions as set forth in this staff report, including the approval of the City Position Summary for FY 2017/2018 - 2018/19 and Classification Specification as presented in the attachments to this report. *Staff recommends this alternative.*
2. Do not approve proposed Recommended Actions as set forth in this staff report. *Staff does not recommend this alternative.*

**FISCAL IMPACT**

Estimated costs of \$6,700 will be absorbed within the current budget and no additional funding is being requested.

**NOTIFICATION**

Publication of the Agenda

**PREPARATION OF STAFF REPORT**

Prepared By:  
Kathleen M. Sanchez  
Human Resources Director

Department Head Approval:  
Kathleen M. Sanchez  
Human Resources Director

Concurred By:  
Patti Solano  
Parks and Community Services Director

**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 1.5: Showcase Moreno Valley's unique assets.

Objective 1.6: Establish Moreno Valley as the worldwide model in logistics development.

**ATTACHMENTS**

- 1. City Position Summary FY 1718 - 1819 v7
- 2. Community Services Superintendent Class Specification 2019

**APPROVALS**

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/05/19 10:40 AM |
| City Attorney Approval  | <u>✓ Approved</u> | 3/07/19 1:53 PM  |
| City Manager Approval   | <u>✓ Approved</u> | 3/13/19 5:40 PM  |

**HISTORY:**

03/19/19                      City Council                      CONTINUED  
 Next: 04/02/19

City of Moreno Valley  
 FY 2017/18 - 2018/19  
 City Position Summary

| Position Title                           | FY             | FY             | FY             | FY             | FY             | FY              | FY             | FY              | FY             |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|----------------|-----------------|----------------|
|  | 2012/13<br>No. | 2013/14<br>No. | 2014/15<br>No. | 2015/16<br>No. | 2016/17<br>No. | 2017/18<br>Adj. | 2017/18<br>No. | 2018/19<br>Adj. | 2018/19<br>No. |
| Accountant I                             | 2              | 2              | 2              | 1              | 1              | -               | 1              | -               | 1              |
| Accountant II                            | -              | -              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Accounting Asst                          | 3              | 3              | 3              | 3              | 3              | -               | 3              | -               | 3              |
| Accounting Technician                    | 4              | 3              | 3              | 2              | 2              | -               | 2              | -               | 2              |
| Accounts Payable Supervisor              | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Administrative Asst                      | 5              | 8              | 7              | 7              | 8              | -               | 8              | -               | 8              |
| Administrative Services Dir              | 1              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| After School Prog Coordinator            | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| After School Prog Specialist             | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| After School Prog Supervisor             | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Animal Care Technician                   | 4              | 4              | 4              | 5              | 5              | -               | 5              | -               | 5              |
| Animal Care Technician Supervisor        | -              | -              | -              | -              | -              | 1               | 1              | -               | 1              |
| Animal Control Officer                   | 7              | 7              | 7              | 7              | 7              | -               | 7              | -               | 7              |
| Animal Rescue Coordinator                | -              | -              | -              | 1              | 1              | -               | 1              | -               | 1              |
| Animal Services Asst                     | 2              | 2              | 2              | 4              | 4              | -               | 4              | -               | 4              |
| Animal Svcs Dispatcher                   | 1              | 2              | 2              | 1              | 1              | -               | 1              | -               | 1              |
| Animal Svcs Division Manager             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Animal Svcs Field Supervisor             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Animal Svcs License Inspector            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Animal Svcs Office Supervisor            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Applications & DB Admin                  | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Applications Analyst                     | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Assistant City Attorney                  | -              | -              | -              | 1              | 1              | -               | 1              | -               | 1              |
| Assistant City Clerk                     | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Assoc Environmental Engineer             | 1              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| Associate Engineer                       | 5              | 5              | 5              | 4              | 4              | -               | 4              | -               | 4              |
| Associate Planner                        | 4              | 4              | 4              | 4              | 4              | -               | 4              | -               | 4              |
| Asst Buyer                               | 2              | 2              | 2              | 2              | 2              | -               | 2              | -               | 2              |
| Asst City Manager                        | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Asst Crossing Guard Spvr                 | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Asst Network Administrator               | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Asst to the City Manager                 | 1              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Asst. Applications Analyst               | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Banquet Facility Rep                     | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Budget Officer                           | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Building & Neighborhood Services Div Mgr | -              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Building Safety Supervisor               | -              | -              | -              | 1              | 1              | -               | 1              | -               | 1              |
| Building Div Mgr / Official              | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Building Inspector I I                   | 4              | 4              | 4              | 4              | 4              | -               | 4              | -               | 4              |
| Business License Liaison                 | -              | -              | -              | 1              | 1              | -               | 1              | -               | 1              |
| Bus. Support & Neigh Prog Admin          | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Cable TV Producer                        | 2              | 2              | 2              | 4              | 2              | -               | 2              | -               | 2              |
| Capital Projects Division Manager        | -              | -              | -              | -              | 1              | -               | 1              | -               | 1              |
| Chief Financial Officer/City Treasurer   | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Child Care Asst                          | 5              | 4              | 4              | 4              | 4              | -               | 4              | -               | 4              |
| Child Care Instructor I I                | 5              | 4              | 4              | 4              | 4              | -               | 4              | -               | 4              |
| Child Care Program Manager               | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Child Care Site Supervisor               | 5              | 4              | 4              | 4              | 4              | -               | 4              | -               | 4              |
| City Attorney                            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| City Clerk                               | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| City Manager                             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Code & Neigh Svcs Division Manager       | -              | -              | -              | -              | -              | 1               | 1              | -               | 1              |
| Code & Neigh Svcs Official               | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Code Compliance Field Sup.               | -              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| Code Compliance Officer I/I I            | 5              | 6              | 6              | 6              | 6              | -               | 6              | -               | 6              |
| Code Supervisor                          | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Comm & Economic Dev Director             | 1              | 1              | -              | -              | -              | -               | -              | -               | -              |
| Community Dev Director                   | -              | -              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Community Services Coordinator           | -              | -              | -              | -              | 3              | -               | 3              | 1               | 4              |
| Community Services Superintendent        | -              | -              | -              | -              | -              | -               | -              | 1               | 1              |
| Community Svcs Supervisor                | 1              | 1              | 1              | 1              | 1              | -               | 1              | (1)             | -              |
| Construction Inspector                   | 5              | 5              | 5              | 5              | 5              | -               | 5              | (3)             | 2              |

Attachment: City Position Summary FY 1718 - 1819 v7 (2019-22 : APPROVAL TO FUND A COMMUNITY SERVICES SUPERINTENDENT

City of Moreno Valley  
 FY 2017/18 - 2018/19  
 City Position Summary

| Position Title                                       | FY             | FY             | FY             | FY             | FY             | FY              | FY             | FY              | FY             |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|----------------|-----------------|----------------|
|  | 2012/13<br>No. | 2013/14<br>No. | 2014/15<br>No. | 2015/16<br>No. | 2016/17<br>No. | 2017/18<br>Adj. | 2017/18<br>No. | 2018/19<br>Adj. | 2018/19<br>No. |
| Construction Inspector Supervisor                    | -              | -              | -              | -              | -              | -               | -              | 1               | 1              |
| Crossing Guard                                       | 35             | 35             | 35             | 35             | 35             | -               | 35             | -               | 35             |
| Crossing Guard Supervisor                            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Customer Service Asst                                | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Dep PW Dir /Asst City Engineer                       | 1              | 1              | 1              | 1              | -              | -               | -              | -               | -              |
| Deputy City Attorney I                               | -              | -              | -              | -              | 1              | -               | 1              | -               | 1              |
| Deputy City Attorney III                             | 2              | -              | 1              | -              | -              | -               | -              | -               | -              |
| Deputy City Clerk                                    | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Deputy City Manager                                  | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Dep. Comm & Economic Dev Director                    | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Development Svcs Coordinator                         | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Economic Dev Director                                | -              | -              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Economic Dev Division Mgr                            | -              | -              | -              | 1              | 1              | -               | 1              | 1               | 2              |
| Electric Utility Chief Engineer                      | -              | -              | -              | -              | -              | -               | -              | 1               | 1              |
| Electric Utility Division Mgr                        | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Electric Utility Program Coord                       | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Emerg Mgmt & Vol Svc Prog Spec                       | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Emerg Mgmt & Vol Svcs Prog Mgr                       | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Engineering Division Manager/Assistant City Engineer | -              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Engineering Technician II                            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Enterprise Systems Admin                             | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Environmental Analyst                                | 1              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| Equipment Operator                                   | 4              | 4              | 4              | 4              | 4              | -               | 4              | -               | 4              |
| Exec Asst to Mayor / City Council                    | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Exec. Assistant to the City Manager                  | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Executive Asst I                                     | 9              | 9              | 9              | 9              | 9              | -               | 9              | -               | 9              |
| Executive Asst II                                    | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Facilities Maint Mechanic                            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Facilities Maint Worker                              | 3              | 3              | 2              | 3              | 3              | -               | 3              | -               | 3              |
| Facilities Maintenance Spvr                          | -              | -              | -              | -              | 1              | -               | 1              | (1)             | -              |
| Financial Analyst                                    | -              | -              | -              | 1              | 1              | (1)             | -              | -               | -              |
| Financial Operations Div Mgr                         | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Financial Resources Div Mgr                          | -              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Fire Inspector I                                     | -              | 2              | 2              | -              | -              | -               | -              | -               | -              |
| Fire Inspector II                                    | 2              | 2              | 1              | -              | -              | -               | -              | -               | -              |
| Fire Marshall  | 1              | 1              | -              | -              | -              | -               | -              | -               | -              |
| Fire Safety Specialist                               | 1              | 2              | 1              | -              | -              | -               | -              | -               | -              |
| Fleet Supervisor                                     | -              | -              | -              | 1              | 1              | -               | 1              | (1)             | -              |
| Fleet & Facilities Maintenance Supervisor            | -              | -              | -              | -              | -              | -               | -              | 1               | 1              |
| GIS Administrator                                    | 2              | 2              | -              | -              | -              | -               | -              | -               | -              |
| GIS Specialist                                       | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| GIS Technician                                       | -              | -              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Housing Program Coordinator                          | 1              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Housing Program Specialist                           | 3              | -              | -              | -              | -              | -               | -              | -               | -              |
| Human Resources Analyst                              | 1              | 1              | 1              | 1              | 1              | -               | 1              | (1)             | -              |
| Human Resources Director                             | -              | -              | -              | -              | -              | 1               | 1              | -               | 1              |
| Human Resources Technician                           | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Info Technology Technician                           | 4              | 4              | 4              | 4              | 2              | -               | 2              | -               | 2              |
| Landscape Development Coord                          | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Landscape Irrigation Tech                            | 1              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| Landscape Svcs Inspector                             | 3              | 2              | 2              | 2              | 2              | -               | 2              | -               | 2              |
| Landscape Svcs Supervisor                            | -              | -              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Lead Animal Care Technician                          | 1              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| Lead Facilities Maint Worker                         | -              | -              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Lead Maintenance Worker                              | 3              | 3              | 3              | 4              | 4              | -               | 4              | -               | 4              |
| Lead Parks Maint Worker                              | 5              | 5              | 5              | 6              | 6              | -               | 6              | -               | 6              |
| Lead Traffic Sign/Marking Tech                       | 2              | 2              | 2              | 2              | 2              | -               | 2              | -               | 2              |
| Lead Vehicle / Equip Tech                            | 1              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Legal Secretary                                      | 1              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Lib Serv Div Mgr                                     | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Librarian  | 4              | -              | -              | -              | -              | -               | -              | -               | -              |
| Library Asst   | 13             | -              | -              | -              | -              | -               | -              | -               | -              |

Attachment: City Position Summary FY 1718 - 1819 v7 (2019-22 : APPROVAL TO FUND A COMMUNITY SERVICES SUPERINTENDENT



City of Moreno Valley  
 FY 2017/18 - 2018/19  
 City Position Summary

| Position Title   | FY             | FY             | FY             | FY             | FY             | FY              | FY             | FY              | FY             |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|----------------|-----------------|----------------|
|  | 2012/13<br>No. | 2013/14<br>No. | 2014/15<br>No. | 2015/16<br>No. | 2016/17<br>No. | 2017/18<br>Adj. | 2017/18<br>No. | 2018/19<br>Adj. | 2018/19<br>No. |
| Library Circulation Supervisor                         | 1              | -              | -              | -              | -              | -               | -              | -               | -              |
| Maint & Operations Div Mgr                             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Maintenance Worker I                                   | -              | 7              | -              | -              | -              | -               | -              | -               | -              |
| Maintenance Worker II                                  | 1              | 1              | -              | -              | -              | -               | -              | -               | -              |
| Maintenance Worker I/II                                | 12             | 12             | 18             | 18             | 18             | -               | 18             | -               | 18             |
| Management Aide  | -              | -              | 1              | 2              | 2              | (1)             | 1              | 1               | 2              |
| Management Analyst                                     | 14             | 12             | 11             | 10             | 9              | 4               | 13             | 1               | 14             |
| Management Asst  | 3              | 4              | 5              | 4              | 4              | 1               | 5              | 1               | 6              |
| Media Division Manager                                 | -              | -              | -              | -              | -              | 1               | 1              | -               | 1              |
| Media & Production Supervisor                          | 1              | 1              | 1              | 2              | 1              | (1)             | -              | -               | -              |
| Network Administrator                                  | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Office Asst  | 1              | 1              | -              | -              | -              | -               | -              | -               | -              |
| Paralegal  | -              | -              | -              | 1              | 1              | -               | 1              | -               | 1              |
| Park Ranger  | 3              | 3              | 3              | 3              | 3              | -               | 3              | -               | 3              |
| Parking Control Officer                                | 2              | 2              | 2              | 2              | 2              | -               | 2              | -               | 2              |
| Parks & Community Services Deputy Director             | -              | -              | -              | -              | -              | 1               | 1              | -               | 1              |
| Parks & Community Services Director                    | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Parks & Community Services Division Manager            | 1              | 1              | 1              | 1              | 1              | (1)             | -              | -               | -              |
| Parks Maintenance Division Manager                     | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Parks Maint Supervisor                                 | 2              | 2              | 2              | 2              | 2              | -               | 2              | -               | 2              |
| Parks Maint Worker                                     | 13             | 13             | 13             | 12             | 12             | -               | 12             | -               | 12             |
| Parks Projects Coordinator                             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Payroll Supervisor                                     | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Permit Technician                                      | 6              | 5              | 5              | 5              | 5              | -               | 5              | -               | 5              |
| Planning Commissioner                                  | 7              | 7              | 7              | 7              | 7              | -               | 7              | -               | 7              |
| Planning Div Mgr / Official                            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Principal Accountant                                   | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Public Information/Intergovernmental Relations Officer | -              | -              | -              | 1              | 1              | -               | 1              | -               | 1              |
| Public Safety Contract Administrator                   | -              | -              | -              | -              | -              | 1               | 1              | -               | 1              |
| Purch & Facilities Div Mgr                             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| PW Director / City Engineer                            | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Recreation Program Coord                               | 1              | 1              | 1              | 2              | -              | -               | -              | -               | -              |
| Recreation Program Leader                              | 7              | 7              | 7              | 7              | 7              | -               | 7              | -               | 7              |
| Recreation Supervisor                                  | 1              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Recycling Specialist                                   | -              | 1              | 1              | 2              | 1              | -               | 1              | -               | 1              |
| Resource Analyst                                       | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Risk Division Manager                                  | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Security Guard   | 2              | 2              | 2              | 2              | 2              | -               | 2              | -               | 2              |
| Spec Dist Budg & Accting Spvr                          | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Spec Districts Div Mgr                                 | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Special Districts Prog Mgr                             | 1              | 1              | 1              | -              | -              | -               | -              | -               | -              |
| Sr Accountant  | 1              | 1              | 1              | 2              | 2              | 1               | 3              | -               | 3              |
| Sr Administrative Asst                                 | 16             | 14             | 17             | 17             | 17             | -               | 17             | -               | 17             |
| Sr Applications Analyst                                | -              | -              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Sr Citizens Center Coord                               | 1              | 1              | 1              | 1              | -              | -               | -              | -               | -              |
| Sr Code Compliance Officer                             | -              | -              | -              | -              | -              | 2               | 2              | -               | 2              |
| Sr Construction Inspector                              | -              | -              | -              | -              | -              | -               | -              | 2               | 2              |
| Sr Customer Service Asst                               | 3              | 3              | 3              | 3              | 3              | -               | 3              | -               | 3              |
| Sr Deputy City Clerk                                   | -              | -              | -              | -              | -              | -               | -              | 1               | 1              |
| Sr Electrical Engineer                                 | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Sr Engineer, P.E.                                      | 9              | 9              | 9              | 7              | 6              | (1)             | 5              | -               | 5              |
| Sr Engineering Technician                              | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Sr Equipment Operator                                  | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Sr Financial Analyst                                   | 2              | 2              | 1              | -              | -              | -               | -              | -               | -              |
| Sr GIS Analyst   | 2              | 2              | 2              | 2              | 1              | -               | 1              | -               | 1              |
| Sr Graphics Designer                                   | 1              | 1              | 1              | 2              | 1              | -               | 1              | -               | 1              |
| Sr Human Resources Analyst                             | 1              | 1              | 1              | 1              | 1              | -               | 1              | -               | 1              |
| Sr IT Technician                                       | -              | -              | -              | -              | -              | -               | -              | -               | -              |
| Sr Landscape Svcs Inspector                            | 1              | 1              | -              | -              | -              | -               | -              | -               | -              |
| Sr Management Analyst                                  | 2              | 2              | 3              | 4              | 5              | (1)             | 4              | (1)             | 3              |
| Sr Office Asst   | 5              | 4              | 3              | 3              | 3              | (1)             | 2              | -               | 2              |
| Sr Park Ranger   | -              | -              | -              | -              | -              | -               | -              | -               | -              |

Attachment: City Position Summary FY 1718 - 1819 v7 (2019-22 : APPROVAL TO FUND A COMMUNITY SERVICES SUPERINTENDENT

City of Moreno Valley  
 FY 2017/18 - 2018/19  
 City Position Summary

| Position Title                              | FY         | FY         | FY         | FY         | FY         | FY       | FY         | FY       | FY         |
|---|------------|------------|------------|------------|------------|----------|------------|----------|------------|
|   | 2012/13    | 2013/14    | 2014/15    | 2015/16    | 2016/17    | 2017/18  | 2017/18    | 2018/19  | 2018/19    |
|   | No.        | No.        | No.        | No.        | No.        | Adj.     | No.        | Adj.     | No.        |
| Sr Parking Control Officer                  | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Sr Parks Maint Technician                   | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Sr Payroll Technician                       | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Sr Permit Technician                        | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Sr Planner                                  | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Sr Recreation Program Leader                | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Sr Telecomm Technician                      | 2          | 2          | 2          | 2          | 1          | -        | 1          | -        | 1          |
| Sr Traffic Engineer                         | 1          | 1          | 1          | -          | -          | -        | -          | -        | -          |
| Sr Traffic Signal Technician                | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Storekeeper                                 | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Storm Water Prog Mgr                        | 1          | 1          | 1          | 1          | 1          | (1)      | -          | -        | -          |
| Strategic Initiatives Manager               | -          | -          | -          | -          | -          | 1        | 1          | -        | 1          |
| Street Maintenance Supervisor               | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Sustainability & Intergovernmental Prog Mgr | -          | 1          | 1          | -          | -          | -        | -          | -        | -          |
| Technology Services Div Mgr                 | 2          | 2          | 2          | 2          | 1          | (1)      | -          | -        | -          |
| Telecomm Engineer / Admin                   | 2          | 2          | 2          | 2          | 1          | -        | 1          | -        | 1          |
| Telecomm Technician                         | 2          | 2          | 2          | 2          | 1          | -        | 1          | -        | 1          |
| Traffic Operations Supervisor               | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Traffic Sign / Marking Tech I               | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Traffic Sign/Marking Tech II                | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Traffic Signal Technician                   | 2          | 2          | 2          | 2          | 2          | -        | 2          | -        | 2          |
| Trans Div Mgr / City Traf Engr              | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Treasury Operations Div Mgr                 | 1          | 1          | 1          | 1          | 1          | -        | 1          | -        | 1          |
| Tree Trimmer                                | 1          | 1          | 1          | -          | -          | -        | -          | -        | -          |
| Vehicle / Equipment Technician              | 2          | 3          | 3          | 3          | 3          | -        | 3          | 1        | 4          |
| <b>Total</b>                                | <b>391</b> | <b>374</b> | <b>375</b> | <b>374</b> | <b>356</b> | <b>-</b> | <b>356</b> | <b>5</b> | <b>361</b> |

Attachment: City Position Summary FY 1718 - 1819 v7 (2019-22 : APPROVAL TO FUND A COMMUNITY SERVICES SUPERINTENDENT

City of Moreno Valley

Date Council Approved

Date Effective \_\_\_\_\_

**CLASS SPECIFICATION**  
**Community Services Superintendent**

**GENERAL PURPOSE**

Under direction, supervises, evaluates, oversees and participates in the operations and activities of the Community Services Division. Coordinates and supervises recreation, youth and adult sports and senior programs, front office operations, and numerous citywide special events; coordinates marketing of division programs and activities; and performs related duties as assigned.

**DISTINGUISHING CHARACTERISTICS**

Community Services Superintendent is responsible for supervising, overseeing, evaluating and participating in the operations of the Community Services Division. Incumbent oversees front office responsible for providing customer service to the public and is also responsible for supervising and coordinating recreation programs, youth and adult sports, and the Senior Center, its classes, and activities; marketing of division programs and activities and plans and coordinates special events. Duties and responsibilities are carried out with considerable independence within the framework of established policies, procedures and guidelines.

**ESSENTIAL DUTIES AND RESPONSIBILITIES**

The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to this class.

1. Plans, organizes, supervises and evaluates the work of assigned staff; with staff, develops, implements and monitors work plans to achieve assigned goals and objectives; contributes to the development and monitoring of performance against annual division and program budgets; participates in developing, implementing and evaluating work programs, plans, processes, systems and procedures to achieve division and City goals, objectives and performance measures consistent with the City's quality and service expectations.
2. Plans and evaluates the performance of assigned staff; establishes performance requirements and personal development targets; regularly monitors performance and provides coaching for performance improvement and development; recommends compensation and provides other rewards to recognize performance; subject to management concurrence, takes disciplinary action, up to and including termination, to address performance deficiencies, in accordance with the City's human resources policies and labor contract provisions.
3. Supervises all Community Services Division programming personnel, application and administration of grant programs, youth and adult sports programs, senior/community center, conference and recreation centers, after-school programs and associated activities.
4. Provides day-to-day leadership and works with staff to ensure a high-performance, customer service-oriented work environment that supports achieving City objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations

environment.

5. Supervises, evaluates, oversees and participates in the work of Community Services Division front-office and public counter staff responsible for providing information to the public on City recreation programs and facilities, facility and special event applications and reservations and recreation program registration; provides facility schedules and makes park and picnic shelter and field reservations for customers; registers customers in recreation programs; processes special event applications; maintains division insurance records; programs lights for evening athletic events; balances cash drawer and prepares daily deposits; answers division phones and routes calls to appropriate staff member; responds to and resolves citizen inquires and complaints or refers to appropriate staff member for resolution.
6. Coordinates marketing of the division's programs and activities; provides direction and assists with the design of division printed materials, including flyers, brochures, invitations, banners, promotional items and folders; provides recreation program and activity information and schedules for upload to the City's and division's website; prepares printing schedules; assists in the design, revision and preparation of recreation activity guide; researches and makes recommendations on marketing plans for sponsorship campaigns for division programs.
7. Plans, coordinates and supervises City-wide special events; ; promotes and acquires sponsorships for major programs and events and prepares staff reports for agencies requesting City co-sponsorship; plans and coordinates park dedications and grand openings.
8. Prepares requests for proposal, contracts and service agreements to obtain necessary services, equipment and supplies for City recreation programs; recommends award of contracts to vendors and service providers.
9. Analyzes and prepares reports for Director regarding usage and participant fees for parks and recreation programs, services, facilities and equipment; prepares other special studies and reports as assigned.
10. Researches, develops and prepares recommendations regarding division policies and procedures; prepares reports regarding City ordinances and fee schedules for City Council consideration; prepares memorandums regarding division activities and programs to the City Manager as assigned; coordinates with the City Attorney's Office to resolve legal issues.
11. Provides leadership and works with supervisors and staff to develop and maintain a high-performance, customer service-oriented work environment that supports achieving the City's mission, strategic goals and core values; provides leadership and participates in programs and activities that promote workplace diversity and a positive employee relations environment.
12. Provides intradepartmental and interdepartmental support on various projects, including capital projects, park development, and facility management.
13. Acts as the software administrator for the division's computerized recreation registration system; creates specialized reports to extrapolate data for division evaluation of program revenues; acts as liaison with other divisions to verify accounts; provides technical support and training to division staff on system use.
14. Interfaces with Finance staff to reconcile accounts receivables and journal entries, make customer account adjustments, monitor revolving accounts, monitor refunds and credit card transactions, and justify and analyze funds handling in division accounts; tracks revenue and funding sources; may participate in developing and monitoring performance against the annual departmental budget.

15. Develops, maintains and updates financial, statistical and other division reports and records; develops and prepares written reports and correspondence.

#### **OTHER DUTIES**

1. Serves on a variety of commissions, boards and committees as assigned.
2. Keeps abreast of current trends in related fields by reviewing professional literature and participating in professional organizations
3. Attends a variety of meetings, training sessions, conferences and seminars as required.
4. Serves on the Emergency Operations Team and assists with preparations for City-wide disaster drills; serves as division call-out contact for care and shelter set-up during emergencies.
5. Serves as Deputy Director in that individual's absence.
6. May direct and manage administration and enforcement of permits for use of applicable recreation sites

#### **QUALIFICATIONS**

##### **Knowledge of:**

1. Basic principles of community service, recreation programming and reservation systems.
2. City goals and policies pertaining to providing recreation activities and programs to the public.
3. Federal, state and local laws, regulations and court decisions applicable to assigned areas of responsibility.
4. City park systems, facilities and programs.
5. Graphics design processes and materials, and marketing strategies using graphics alternatives.
6. Office administrative and management practices and procedures.
7. Basic research techniques, methods and procedures.
8. Basic principles and practices of public administration, including budgeting, purchasing and maintenance of public records.
9. Principles and practices of sound business communication.
10. Principles and practices of effective supervision.
11. City human resources policies and procedures and labor agreement provisions.

##### **Ability to:**

1. Design and develop software programs to assist management and staff in tracking budget expenditures and developing budget expenditure projections.
2. Attend and participate in public functions or gatherings to provide information on community services programming and events.

3. Understand and carry out oral and written instructions.
4. Communicate clearly and effectively, both orally and in writing.
5. Prepare clear, concise and comprehensive correspondence, reports and other written materials.
6. Organize, set priorities and exercise sound independent judgment within areas of responsibility.
7. Exercise tact and diplomacy in dealing with sensitive and complex issues and situations.
8. Establish and maintain effective working relationships with City management, staff, outside organizations, customers, the public and others encountered in the course of work.
9. Respond sensitively to community issues and concerns; handle citizen complaints in a timely and effective manner.
10. Develop, implement and enforce recreation program policies, procedures and processes.

#### **Education, Training and Experience:**

A bachelor's degree in public or business administration, recreation, kinesiology, sociology, or a closely related field; and four years of progressively responsible supervisory experience in the administration of organized recreation, social service, and community activities.

#### **Licenses; Certificates; Special Requirements:**

A valid California driver's license and the ability to maintain insurability under the City's vehicle insurance policy.

CPR and first-aid certificates or the ability to obtain certification within six months of date of hire.

#### **PHYSICAL AND MENTAL DEMANDS**

The physical and mental demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

##### **Physical Demands**

While performing the duties of this job, the employee is regularly required to sit; talk or hear, both in person and by telephone; use hands to finger, handle and feel computers and standard business equipment; and reach with hands and arms. The employee is frequently required to stand and walk.

Specific vision abilities required by this job include close vision, distance vision, peripheral vision and the ability to adjust focus.

##### **Mental Demands**

While performing the duties of this class, the incumbent is regularly required to use written and oral communication skills; read and interpret data, information and documents; analyze and solve problems; use math/mathematical reasoning; perform highly detailed work under changing deadlines on multiple concurrent tasks; work with constant interruptions; and interact with City management, staff, outside organizations, customers, the public and others encountered in the course of work.

**WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee works under typical office conditions, and the noise level is usually quiet. The employee may occasionally be required to work in outside conditions, exposed to wet and/or humid conditions, where the noise level may be loud.



## **Report to City Council**

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**TO:** 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)

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

**AGENDA DATE:** April 2, 2019

**TITLE:** ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN FISCAL YEAR 2019/20 FOR MORENO VALLEY COMMUNITY SERVICES DISTRICT LIGHTING MAINTENANCE DISTRICT NO. 2014-01

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### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Initiating Proceedings to Levy Fiscal Year 2019/20 Assessments against Real Property in Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.
2. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving an Engineer's Report in Connection with Fiscal Year 2019/20 Assessments against Real Property in Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.
3. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring its Intention to Levy Fiscal Year 2019/20 Assessments against Real Property in Moreno Valley Community Services District Lighting Maintenance District No. 2014-01.

### **SUMMARY**



This report recommends adoption of three resolutions, which will initiate the annual process to continue the levy of special assessments on the fiscal year (FY) 2019/20 property tax roll for Moreno Valley Community Services District (“CSD”) Lighting Maintenance District (LMD) No. 2014-01. If adopted, the resolutions (Attachments 1, 2, and 3) will 1) initiate proceedings to levy the annual assessments, 2) approve the assessment engineer’s report for the district, and 3) declare the intent to levy assessments for FY 2019/20 and set May 21, 2019 as the date of the Public Hearing.

The proposed assessments are a continuation of the real property assessments currently levied on the property tax bills. There are no increases proposed to the assessments other than an annual inflationary adjustment, provided the property owners previously approved such adjustment. Revenue received from the assessments partially fund the street lighting services provided by the district.

The Finance Subcommittee was scheduled to review the proposed FY 2019/20 maximum and applied assessments at its March 26, 2019 meeting.

## **DISCUSSION**

On May 27, 2014, the CSD adopted its Resolution No. CSD 2014-08, establishing LMD No. 2014-01 (“District”) (formerly Zone B, residential street lighting). Property owners of parcels within the District pay a special assessment as part of their annual property tax bill. Revenue received from the assessments fund a majority of the Special Benefit costs, as defined in the Assessment Engineer’s Report (“Report”), to maintain, service, and operate (O&M) street lights located within the District.

The boundaries of the District are comprised of three benefit zones. Parcels within the District are grouped into one of the three zones based on the Special Benefit the property receives from the District improvements. The bulk of the parcels are located in either Zone 01 or Zone 02. These zones are defined separately for administrative purposes. Zone 01 includes parcels where the assessment is not subject to an annual inflationary adjustment. Zone 02 includes parcels where the assessment is subject to an annual inflationary adjustment based on the Consumer Price Index. The level of service is substantially identical in the two zones and the ratio of the number of lights to the number of parcels is substantially the same.

Zone 03 includes the 65 residential parcels in Tract 21958 (immediately north of SR 60 freeway, east of Nason Street, west of Oliver Street). This tract was developed with a substantially lower street light density (i.e. street lights are spaced farther apart than those found in Zone 01 and Zone 02). As a result, the costs to provide the Special Benefit to the parcels in Tract 21958 is substantially less than the cost of providing the street lighting Special Benefit elsewhere in the District. Therefore, the assessment for parcels in Zone 03 is less than Zones 01 and 02.

The Landscaping and Lighting Act of 1972 (“1972 Act”) requires an annual review and evaluation of the District’s revenues and expenditures before assessments can continue to be levied on the property tax bill for the next fiscal year. The Report includes a

description of the improvements within the District, the estimated O&M costs, the method of assessment apportionment for each lot or parcel within the District boundaries, and a diagram showing the parcels within the zones that make up the District.

The Report also provides an analysis of the District's annual financial status. It separates and apportions the cost of Special Benefit to the benefiting properties, the cost of General Benefit, and other costs funded by the General Fund. The budget in the Report identifies, by zones, the number of parcels within the zones that can be assessed and the proposed assessments to levy on the FY 2019/20 property tax bills. In Zone 02, where the property owners have previously authorized an annual inflationary adjustment, the proposed assessment will increase by 3.24% or \$0.90/parcel. Otherwise, the proposed assessments remain unchanged from the 2018/19 fiscal year.

The City is finalizing the purchase of the Southern California Edison owned street lights, and retrofitting them to energy efficient lighting. The attached Report and proposed budget for FY 2019/20 accounts for the anticipated transfer of the street lights and the retrofit.

Costs considered to be of General Benefit, as defined in the Report, are not allowed to be assessed to properties and therefore are apportioned as a General Fund expense. General Benefit refers to the benefit the general public receives from the street lighting improvements of the District. The FY 2019/20 General Benefit obligation is \$29,370.00. Because the maximum assessment amounts and other District revenues (e.g. interest, property taxes, etc.) are not sufficient to cover the full cost of the Special Benefit provided to the respective parcels, the report also identifies a projected budget shortfall of \$357,430.00. The City's FY 2019/20 proposed Operating Budget includes a \$386,800.00 General Fund contribution to cover the General Benefit obligation and the amount necessary to continue operation of the street lighting program.

Adoption of the proposed resolutions will 1) initiate proceedings for the annual levy of assessments for LMD No. 2014-01, 2) approve the Report, and 3) declare the intent to levy assessments on the FY 2019/20 property tax bills and set 6:00 p.m. on May 21, 2019 as the date of the Public Hearing. After the close of the May 21 Public Hearing and provided there is not a majority protest, the CSD Board can consider authorizing the recommended assessments to levy on the FY 2019/20 property tax bills of parcels within LMD No. 2014-01.

This action meets the Strategic Plan Priorities by managing and maximizing Moreno Valley's public infrastructure to ensure an excellent quality of life, develop and implement innovative, cost effective infrastructure maintenance programs, public facilities management strategies, and capital improvement programming and project delivery.

## **ALTERNATIVES**

1. Adopt the proposed resolutions. *Staff recommends this alternative, as it will initiate the annual process to continue levying the annual assessments on the property tax bills to support the residential street lighting program for FY 2019/20 and is consistent with the 1972 Act.*
2. Do not adopt the proposed resolutions. *Staff does not recommend this alternative as it may prevent the City from levying the FY 2019/20 assessments and collecting funding to support the services of the District.*
3. Do not adopt the proposed resolutions but rather continue the item to a future Council meeting. *Staff does not recommend this alternative as it may prevent the City from meeting the County's deadline to include assessments on the FY 2019/20 property tax roll.*

### **FISCAL IMPACT**

For FY 2019/20, the total projected expenditures for the District is \$1,505,105.36. The property assessments are projected to generate \$962,405.04 in revenue. Other revenue sources to the District (e.g. property tax revenues, advanced energy fees for new installations, etc.), fund balance, and a contribution from the General Fund are programmed to fund the difference. The City's FY 2019/20 proposed Operating Budget includes a total General Fund contribution of \$386,800.00. This includes the required General Benefit cost (\$29,370.00) and General Fund subsidy (\$357,430.00). Funds received for the benefit of the District are restricted and can only be used to fund the operation of the District.

The Report recommends maintaining the assessment for Zone 01 and Zone 03 at the current rates, while increasing the Zone 02 assessment by the property owner authorized annual inflationary adjustment for FY 2019/20.

| Zone   | <u>FY 2018/19</u> |              | <u>Proposed FY 2019/20</u> |                           |  |                        | Total Assessment Revenue |
|--|-------------------|--------------|----------------------------|---------------------------|--|------------------------|--------------------------|
|  | Max Rate          | Applied Rate | Max Rate <sup>1</sup>      | Applied Rate <sup>2</sup> | Annual Adjustment to Max Rate <sup>1</sup> | Change in Applied Rate |                          |
| Zone 01  | \$ 23.00          | \$ 23.00     | \$ 23.00                   | \$ 23.00                  | 0.00%                                      | \$ -                   | \$ 752,238.00            |
| Zone 02  | 28.26             | 28.26        | 29.17                      | 29.16                     | 3.24%                                      | 0.90                   | 209,777.04               |
| Zone 03  | 6.00              | 6.00         | 6.00                       | 6.00                      | 0.00%                                      | -                      | 390.00                   |
| <b>Total Projected Assessment Revenue</b>  |                   |              |                            |                           |  |                        | <b>\$ 962,405.04</b>     |
| <small><sup>1</sup>Property owner approved inflationary adjustment to max rate based on percentage change calculated for the prior year in the Los Angeles-Long Beach-Anaheim Regional Consumer Price Index, as published by the Department of Labor's Bureau of Labor Statistics. 3.24% applied to FY 2018/19 maximum rate of \$28.26 to determine the FY 2019/20 maximum rate of \$29.17. Actual % increase could be less due to rounding.</small> |                   |              |                            |                           |  |                        |                          |
| <small><sup>2</sup>Riverside County requires fixed charges (i.e. assessments) to be even numbers.</small>  |                   |              |                            |                           |  |                        |                          |

Third party costs associated with the annual levy approval process and preparation of the Report for LMD No. 2014-01 are projected not to exceed \$2,500.00. Third party services include a consultant assessment engineer, special legal counsel, and publication of a legal notice. These costs are included in the City's FY 2018/19 Adopted Budget for LMD No. 2014-01 (fund 5012).

**NOTIFICATION**

Posting of the agenda.

**PREPARATION OF STAFF REPORT**

Prepared By:  
Candace E. Cassel  
Special Districts Division Manager

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

**CITY COUNCIL GOALS**

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

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

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

**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

See the Discussion section above for details of how this action supports the City Council's Strategic Priorities.

**ATTACHMENTS**

1. Resolution Initiating Proceedings
2. Resolution Approving Engineer's Report
3. Resolution Declaring Intent
4. LMD 2014-01 Assessment Engineer's Report

**APPROVALS**

Budget Officer Approval            ✓ Approved                            3/20/19 2:46 PM

City Attorney Approval  
City Manager Approval

✓ Approved  
✓ Approved

3/27/19 5:10 PM  
3/28/19 9:50 AM

## RESOLUTION NO. CSD 2019-\_\_\_

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, INITIATING PROCEEDINGS TO LEVY FISCAL YEAR 2019/20 ASSESSMENTS AGAINST REAL PROPERTY IN MORENO VALLEY COMMUNITY SERVICES DISTRICT LIGHTING MAINTENANCE DISTRICT NO. 2014-01

WHEREAS, pursuant to Government Code Section 61122(e), the Moreno Valley Community Services District (the "CSD") is authorized to levy benefit assessments for operations and maintenance pursuant to the Landscaping and Lighting Assessment Act of 1972 (Streets & Highways Code Section 22500 et seq.) (the "Act"); and

WHEREAS, by its Resolution No. CSD 2014-08, adopted on May 27, 2014, the Board of Directors, pursuant to the Act, established the Moreno Valley Community Services District Lighting Maintenance District No. 2014-01 (the "Assessment District") to fund street lighting services through the levy of annual assessments against real property; and

WHEREAS, the Board of Directors desires to initiate proceedings to levy assessments in connection with the Assessment District for fiscal year (FY) 2019/20.

NOW, THEREFORE, THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct.
2. Initiation of Proceedings. Pursuant to Section 22622 of the Act, the Board of Directors hereby initiates proceedings for the FY 2019/20 levy of the annual assessments in connection with the Assessment District.
3. Direction to Engineer. The City Engineer is hereby directed to prepare and file, or cause to be prepared and filed, a report pursuant to Section 22565 et seq. of the Act with respect to the FY 2019/20 levy in connection with the Assessment District. The improvements associated with the Assessment District are substantially the same improvements as in FY 2018/19.
4. Effective Date. This Resolution shall be effective immediately upon adoption.

1  
Resolution No. CSD 2019-\_\_\_  
Date Adopted: April 2, 2019

- 5. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

APPROVED AND ADOPTED this 2<sup>nd</sup> day of April, 2019.

\_\_\_\_\_  
 By:  
 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

Attachment: Resolution Initiating Proceedings [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY

Resolution No. CSD 2019-  2    
 Date Adopted: April 2, 2019

**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 2019-\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 2<sup>nd</sup> day of April 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

Resolution No. CSD 2019-\_\_<sup>3</sup>  
Date Adopted: April 2, 2019

Attachment: Resolution Initiating Proceedings [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY



## RESOLUTION NO. CSD 2019-\_\_\_\_

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN ENGINEER'S REPORT IN CONNECTION WITH FISCAL YEAR 2019/20 ASSESSMENTS AGAINST REAL PROPERTY IN MORENO VALLEY COMMUNITY SERVICES DISTRICT LIGHTING MAINTENANCE DISTRICT NO. 2014-01

WHEREAS, pursuant to Government Code Section 61122(e), the Moreno Valley Community Services District (the "CSD") is authorized to levy benefit assessments for operations and maintenance pursuant to the Landscaping and Lighting Assessment Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, by its Resolution No. CSD 2014-08, adopted on May 27, 2014, the Board of Directors, pursuant to the Act, established the Moreno Valley Community Services District Lighting Maintenance District No. 2014-01 (the "Assessment District") to fund street lighting services through the levy of annual assessments against real property; and

WHEREAS, by prior resolution, the Board of Directors initiated proceedings to levy Fiscal Year 2019/20 assessments against real property in the Assessment District and directed the City Engineer to prepare and file, or cause to be prepared and filed, a report pursuant to Section 22565 *et seq.* of the Act with respect to said levy; and

WHEREAS, the City Engineer has designated Webb Municipal Finance, LLC as assessment engineer (the "Assessment Engineer"); and

WHEREAS, the Assessment Engineer has prepared and filed a report entitled "Annual Engineer's Report Fiscal Year 2019/20, Moreno Valley Community Services District Lighting Maintenance District No. 2014-01" (the "Report"), which is on file in the Office of the Secretary of the CSD (the Office of the City Clerk of the City of Moreno Valley), is available for public inspection, and is incorporated herein by reference; and

WHEREAS, the Board of Directors now desires to approve the Report.

NOW, THEREFORE, THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct and incorporated herein by this reference.

1  
Resolution No. CSD 2019-\_\_\_\_  
Date Adopted: April 2, 2019

- 2. Approval of Report. The Board of Directors hereby approves the Report as filed.
- 3. Provision of Services. Nothing in the description of services or any Resolution of the Board of Directors shall be construed as committing the CSD to provide all of the proposed services. The provision of services shall be subject to the availability of sufficient funding through the collection of assessment revenue within each zone of the Assessment District.
- 4. Severability. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the Board of Directors declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- 5. Effective Date. This Resolution shall be effective immediately upon adoption.
- 6. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

APPROVED AND ADOPTED this 2<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
 By:  
 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

2  
 Resolution No. CSD 2019-\_\_\_\_  
 Date Adopted: April 2, 2019

Attachment: Resolution Approving Engineer's Report [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY

Valley Community Services District

Attachment: Resolution Approving Engineer's Report [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY

Resolution No. CSD 2019-3  
Date Adopted: April 2, 2019

**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 2019-\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 2<sup>nd</sup> day of April 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

Resolution No. CSD 2019-\_\_<sup>4</sup>  
Date Adopted: April 2, 2019

Attachment: Resolution Approving Engineer's Report [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY

## RESOLUTION NO. CSD 2019-\_\_

A RESOLUTION OF THE BOARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENTION TO LEVY FISCAL YEAR 2019/20 ASSESSMENTS AGAINST REAL PROPERTY IN MORENO VALLEY COMMUNITY SERVICES DISTRICT LIGHTING MAINTENANCE DISTRICT NO. 2014-01

WHEREAS, pursuant to Government Code Section 61122(e), the Moreno Valley Community Services District (the "CSD") is authorized to levy benefit assessments for operations and maintenance pursuant to the Landscaping and Lighting Assessment Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, by its Resolution No. CSD 2014-08, adopted on May 27, 2014, the Board of Directors, pursuant to the Act, established the Moreno Valley Community Services District Lighting Maintenance District No. 2014-01 (the "Assessment District") to fund street lighting services through the levy of annual assessments against real property; and

WHEREAS, by prior resolution, the Board of Directors initiated proceedings to levy fiscal year (FY) 2019/20 assessments against real property in the Assessment District and directed the City Engineer to prepare and file, or cause to be prepared and filed, a report pursuant to Section 22565 *et seq.* of the Act with respect to said levy; and

WHEREAS, the City Engineer has designated Webb Municipal Finance, LLC as assessment engineer (the "Assessment Engineer"); and

WHEREAS, the Assessment Engineer has prepared and filed a report entitled "Annual Engineer's Report Fiscal Year 2019/20, Moreno Valley Community Services District Lighting Maintenance District No. 2014-01" (the "Report"), which is on file in the Office of the Secretary of the CSD (the Office of the City Clerk of the City of Moreno Valley), is available for public inspection, and is incorporated herein by reference; and

WHEREAS, by prior resolution, the Board of Directors approved the Report as filed; and

WHEREAS, the Board of Directors desires to declare its intention to levy FY 2019/20 assessments as described in the Report.

NOW, THEREFORE, THE BOIARD FOR THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1  
Resolution No. CSD 2019-\_\_  
Date Adopted: April 2, 2019

1. Recitals. The above recitals are all true and correct and incorporated herein by this reference.
2. Declaration of Intent. The Board of Directors hereby declares its intention to levy and collect FY 2019/20 assessments in connection with the Assessment District.
3. Name of Assessment District. The Assessment District is designated "Moreno Valley Community Services District Lighting Maintenance District No. 2014-01."
4. Boundaries of the Assessment District. The Assessment District includes territory within the CSD that has been included within the Boundaries of the Assessment District.
5. Description of Improvements. The Assessment District will fund the operation, maintenance and servicing of street light improvements.
6. Reference to Report. The Report contains a full and detailed description of (i) the street light improvements to be maintained in connection with the Assessment District; (ii) the boundaries of the Assessment District and the zones therein; and (iii) the proposed assessments upon assessable lots and parcels of land within the Assessment District. The Report describes, among other things, each affected parcel of real property and the amount of the assessment for each such affected parcel for FY 2019/20.
7. Public Hearing. On May 21, 2019 at 6:00 p.m. or as soon thereafter as practical, in the City Council Chamber located at 14177 Frederick Street, Moreno Valley, California 92553, the Board of Directors shall hold a full and fair public hearing on the question of the levy of the proposed assessments for FY 2019/20 (the "Hearing"). At the Hearing, the Board of Directors will also hear and consider any objections or protests to the Report.
8. Notice. Notice of the Hearing shall be given in the manner set forth in Section 22626(a) of the Act.
9. Protest. Pursuant to Section 22628 of the Act, any interested person may, prior to the conclusion of the Hearing, file a written protest with the Secretary of the CSD (the City Clerk of the City of Moreno Valley) or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by the property owner.
10. No Increase. Aside from the implementation of previously approved annual

2

Resolution No. CSD 2019-\_\_\_\_  
Date Adopted: April 2, 2019

inflation adjustments, as described in the Report, the assessment rates are not proposed to increase from the rates levied in FY 2018/19.

- 11. Severability. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the Board of Directors declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- 12. Effective Date. This Resolution shall be effective immediately upon adoption.
- 13. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

APPROVED AND ADOPTED this 2<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
 By: \_\_\_\_\_,  
 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

3  
 Resolution No. CSD 2019-\_\_\_\_  
 Date Adopted: April 2, 2019

Attachment: Resolution Declaring Intent [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN

**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 2019-\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 2<sup>nd</sup> day of April 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

Resolution No. CSD 2019-\_\_<sup>4</sup>  
Date Adopted: April 2, 2019

Attachment: Resolution Declaring Intent [Revision 2] (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN





# Annual Engineer's Report

Fiscal Year 2019/20

## Moreno Valley Community Services District Lighting Maintenance District No. 2014-01

Prepared For



May 2019



Attachment: LMD 2014-01 Assessment Engineer's Report (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

ENGINEER'S REPORT  
FOR THE ANNUAL LEVY  
FOR FISCAL YEAR 2019/20

MORENO VALLEY COMMUNITY SERVICES DISTRICT

COUNTY OF RIVERSIDE

STATE OF CALIFORNIA

LIGHTING MAINTENANCE DISTRICT NO. 2014-01

Approved by the Board of Directors of the Moreno Valley Community Services District  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

Secretary of the Board of Directors

Attachment: LMD 2014-01 Assessment Engineer's Report (3416 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

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**AGENCY:** MORENO VALLEY COMMUNITY SERVICES DISTRICT,  
RIVERSIDE COUNTY, CALIFORNIA

**PROJECT:** ANNUAL ENGINEER'S REPORT STATEMENT

**DISTRICT:** LIGHTING MAINTENANCE DISTRICT NO. 2014-01

**TO:** THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

I, Matthew E. Webb, a Professional Civil Engineer (employed by Albert A. Webb Associates and retained through an agreement between Webb Municipal Finance, LLC and my employer), acting on behalf of the Moreno Valley Community Services District (CSD), pursuant to the Landscaping and Lighting Act of 1972 (California Streets and Highways Code Section 22500 et seq.) (the "1972 Act"), do hereby submit the following:

Each fiscal year, an Engineer's Report ("Report") is prepared and presented to the CSD Board of Directors (the "Board") describing the CSD Lighting Maintenance District No. 2014-01 (the "District"), any changes to the District or improvements, an estimate of the costs of the maintenance, operations, and servicing of the improvements, and the proposed budget and assessments for that fiscal year.

This is the detailed Report for Fiscal Year (FY) 2019/20 regarding the District and the proposed assessments to be levied on the properties therein to provide ongoing funding for the costs and expenses required to service and maintain lighting improvements associated with and resulting from development of properties within the District, in accordance with the proportional special benefits the properties receive from the improvements. The CSD requested Webb Municipal Finance, LLC to prepare and file the Report for the referenced fiscal year.

A public hearing is held each year before the Board to allow the public an opportunity to hear and be heard regarding the District. Following consideration of all public comments and written protests at the noticed public hearing, and review of the Report, the Board may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report, and confirmation of the assessments, the Board shall order the levy and collection of assessments for FY 2019/20. In such case, the levy information will be submitted to the Riverside County Auditor/Controller and included as assessments on the property tax roll for the various services provided in FY 2019/20.

In November 1996, the voters of California adopted Proposition 218 (the "Right to Vote on Taxes Act"), which has been codified as Articles XIII C and XIII D of the California Constitution. If, in any year, the proposed annual assessments for the District exceed the maximum assessments previously approved in a Proposition 218 proceeding (or grandfathered under Proposition 218), such an assessment would be considered a new or increased assessment and be confirmed through a mailed property owner protest ballot proceeding before that new or increased assessment could be imposed.

This Report and the information contained herein reflect the proposed budget for each of the various services provided by the District and the rates and assessments applicable to those services as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of APNs within the District. The undersigned respectfully submits the enclosed Report as directed by the Board of Directors of the Moreno Valley Community Services District. Please note that Albert A. Webb Associates provides engineering advice and related consulting services. Albert A. Webb Associates is not a registered municipal advisor and does not participate in municipal advisory activities, and nothing in this Engineer's Report is, or should be interpreted to be, municipal advisory services or advice.

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

ALBERT A. WEBB ASSOCIATES



\_\_\_\_\_  
MATTHEW E. WEBB  
PROFESSIONAL CIVIL ENGINEER NO. 37385  
ENGINEER OF WORK  
ON BEHALF OF THE CITY OF MORENO VALLEY AND  
THE MORENO VALLEY COMMUNITY SERVICES DISTRICT  
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessments and all matters in the Engineer's Report were made on the \_\_\_\_\_ day of \_\_\_\_\_ 2019, by adoption of Resolution No. \_\_\_\_\_ by the Board of Directors.

\_\_\_\_\_  
CITY CLERK  
CITY OF MORENO VALLEY  
STATE OF CALIFORNIA

A copy of the Preliminary Assessment Roll and Engineer's Annual Levy Report were filed in the office of the City Clerk on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
CITY CLERK  
CITY OF MORENO VALLEY  
STATE OF CALIFORNIA

## INTRODUCTION

The CSD was established pursuant to the Community Services District Law (California Government Code Section 61000 et seq.) ("CSD Law") in 1984 at the time of the incorporation of the City of Moreno Valley (the "City"). The CSD is a dependent special district of the City, and the Moreno Valley City Council serves as the Board of Directors of the CSD. The boundaries of the CSD are the same as those of the City.

Prior to the City's incorporation, the territory that would become the City of Moreno Valley was an unincorporated territory of Riverside County. The County had created County Service Areas (CSAs) to fund and provide certain enhanced services in this territory. The CSD was created so that responsibility for these funding mechanisms (and services) within the territory of the City could be transitioned from CSAs governed by the Riverside County Board of Supervisors to a CSD governed by the Moreno Valley City Council.

The CSD is comprised of a number of Zones, each of which provides a specific set of services within a defined portion of the City. Zone B of the CSD was established and responsible for providing residential street lighting in certain residential subdivisions. These street lighting services were funded through a charge on the annual property tax roll to parcels served by the street lighting.

With the passage of Proposition 218, a number of substantive and procedural requirements were placed on taxes, assessments, and property-related fees imposed by local governments in California. Although referred to by the CSD as "charges", the charges imposed by Zone B of the CSD were categorized under Proposition 218 as real-property assessments.

Street lighting is a maintenance and operation expense for sidewalks and streets. Consequently, the Zone B charges imposed prior to November 5, 1996 were grandfathered under Article XIII D, Section 5(a) of the Constitution, which permitted the continuation of assessments existing prior to the effective date of Proposition 218 so long as those assessments were imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. These grandfathered Zone B charges continued to be levied annually by the CSD without additional property-owner approval.

Since the adoption of Proposition 218, territories (and associated street lights) were added to CSD Zone B. When this occurred, the CSD conducted a mail ballot assessment proceeding with respect to the levy of the Zone B charges as required by Article XIII D, Section 4(e) of the Constitution. Beginning in December 1999, the CSD's practice when balloting for Zone B charges in new territory was generally to present the charge with an incorporated automatic inflation adjustment. This was not done for the "grandfathered" territory nor much of the territory added to Zone B between November 1996 and December 1999. Therefore, in some parts of CSD Zone B the charge was imposed annually at a level rate, whereas in other parts of Zone B the maximum charge was increased each year based on inflation.

In May 2014, the CSD formed the District pursuant to the 1972 Act, replacing the previous CSD Zone B. Parcels that had been charged an annual Zone B charge for street lighting services are instead assessed an annual assessment for those services as part of Lighting Maintenance District No. 2014-01 as real property assessments with a procedural device designed for the levy of such assessments. This transition did not increase the amount paid annually by any property owner and did not change the nature or extent of the street lighting services provided. The assessments levied in connection with the assessment district, in every way serve as a continuation of the charges levied in connection with Zone B.

The improvements, the method of apportionment, and the special benefit assessments described in this Report are based on the improvements and development of properties within the District and represent an estimate of the direct expenditures and incidental expenses that will be necessary to maintain, service, and operate such improvements for FY 2019/20. The improvements to be maintained in connection with the development of

properties within the District and described herein are based on the development plans and specifications for the properties in the District and by reference these plans and specifications are made part of this Report.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessor's Parcel Number (APN) by the Riverside County Assessor's Office. The Riverside County Auditor/Controller uses APNs and a dedicated fund number established for the District to identify properties to be assessed on the tax roll and the allocation of the funds collected.

This Report consists of five (5) Sections:

- SECTION 1 PLANS AND SPECIFICATIONS:** Provides a description of the District boundaries and the improvements associated with the District. The District has three zones of benefit (hereafter referred to as "Zones"), which are described in more detail in this Section as well as in Section 2 (Method of Apportionment). A diagram showing the exterior boundaries of the CSD, of the District, and the Zones established within the District, is attached and incorporated herein in Section 4 (District Diagram). The plans for the street light installations (if available), including the City's current standard specifications are on file with the Public Works Department. The location of each street light can be found by using the Moreno Valley Map Viewer located on the City's website.
- SECTION 2 METHOD OF APPORTIONMENT:** Provides a discussion of the general and special benefits associated with the overall street lighting improvements provided within the District (Proposition 218 Benefit Analysis). This Section also includes a determination of the proportional costs of the special benefits and a separation of costs considered to be of general benefit (and therefore not assessed). This Section also outlines the method of calculating each property's proportional special benefit and annual assessment utilizing a weighted benefit apportionment.
- SECTION 3 ESTIMATE OF IMPROVEMENT COSTS:** Provides an estimate of the annual funding required for the maintenance, servicing, and operation of street lighting improvements within the District and specifically the costs associated with the improvements determined to be of special benefit to APNs within the District. The budget identifies an estimate of anticipated annual expenses to service, maintain, and operate existing street lighting improvements within the District for FY 2019/20 including, but not limited to, servicing of the street lights and related facilities, energy costs, and related incidental expenses authorized by the 1972 Act and pursuant to the provisions of Proposition 218. The budget also identifies the maximum and proposed assessment rates for each Zone of the District and the associated assessment range formula (inflationary adjust), as applicable.
- SECTION 4 DISTRICT DIAGRAMS:** Diagrams showing the boundaries of the District and the Zones therein, including all APNs that receive special benefits from the improvements. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.
- SECTION 5 ASSESSMENT ROLL:** A listing of the proposed assessment amount for each APN within the District. The proposed assessment amount for each APN is based on the APN's calculated proportional special benefit as outlined in the method of apportionment and proposed assessment rates established in the District Budget. These assessment amounts represent the assessments proposed to be levied and collected on the County Tax Rolls for FY 2019/20.



## 1. Plans and Specifications

### DESCRIPTION OF THE DISTRICT

The territory within the District consists of all lots and APNs of land that receive special benefits from the street light improvements funded by the District assessments. The boundaries of the District are comprised of three benefit Zones. APNs within the District are identified and grouped into one of the three designated Zones based on the special benefits properties receive from the District improvements and the authorized maximum assessments established. The three Zones within the District and the benefits associated with the properties therein are described in more detail in Section 2 (Method of Apportionment) of this Report. In addition, the District Diagram in Section 4 of the Report provides a visual representation of the District showing the boundaries of the District Zones.

### DISTRICT FACILITIES AND IMPROVEMENTS

The street lights funded by the District are primarily low-intensity residential street lights located within the District, generally provided via 9,500-lumen or equivalent lights (8,322 of the total lights) spaced approximately every 125 feet within a subdivision, but also includes some lights with lesser lumens (approximately 314 lights) and some with greater lumens (approximately 122 lights). Generally, high-intensity lights outside the subdivisions (which are typically 22,000 lumen lights and greater) are funded through other revenue sources and not part of the District assessments.

The City is in the process of purchasing street lights owned by Southern California Edison (SCE). The street lights within the District are included in this purchase. SCE will continue to provide electricity to the street lights acquired by the City; however, the City will own the street lights and provide any necessary maintenance and servicing of the light fixtures and poles. All of the street lights within the District will be retrofitted to Light Emitting Diode (LED) fixtures, a more energy efficient technology. Because LED bulbs are more energy efficient, they are expected to have a longer life span than traditional high-pressure sodium vapor bulbs.

The maintenance, operation, and servicing of the District's lighting improvements generally include the furnishing of labor, materials, equipment, and electricity for the ordinary and usual maintenance, operation, and servicing of street lights within the public right-of-ways and easements dedicated to the City. These activities include, but are not limited to:

- Furnishing of electric current or other illuminating agent.
- Maintenance, repair, and replacement of light poles and fixtures, including changing light bulbs, painting, photoelectric cell repair or replacement, and repairing damage cause by accidents, vandalism, time, and weather.
- Electrical conduit and pull-box repair and replacement due to damage by construction and weather.
- Monitoring of the Underground Service Alert (USA) network, identification of proposed excavation in the vicinity of lighting electrical conduits, and marking the location of those underground conduits in the field to prevent damage by excavation.
- Service, maintenance, repair, and replacement including replacing worn out electrical components and repairing damage due to accidents, vandalism, and weather.
- Periodic repair and rehabilitation of the street lighting system including replacement of old equipment with new or reconditioned equipment; and repair, removal or replacement of related equipment as required including, but not limited to, lighting fixtures, poles, meters, conduits, electrical cable, and relocation of street light facilities as necessary, including the purchase and installation of related equipment and facilities.

## 1. Plans and Specifications

---

- Street light inventory database, pole numbering, and mapping to establish the number of street lights that must be maintained, as well as the condition and location of these street lights as part of an effective maintenance program.
- Responding to citizen inquiries regarding street lighting.

## 2. Method of Apportionment

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, including the acquisition, construction, installation, and servicing of street lighting improvements and related facilities. The 1972 Act requires that the cost of these improvements be levied according to benefit rather than assessed value.

Section 22573 defines the net amount to be assessed as follows:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Section 22574 provides for zones as follows:

*"The diagram and assessment may classify various areas within an assessment district into different zones where, by reason of variations in the nature, location, and extent of the improvements, the various areas will receive differing degrees of benefit from the improvements. A zone shall consist of all territory which will receive substantially the same degree of benefit from the improvements."*

The formulas used for calculating assessments and the designation of zones herein reflect the composition of APNs within the District and the improvements and activities to be provided and have been designed to fairly apportion the cost of providing those improvements based on a determination of the proportional special benefits to each APN, consistent with the requirements of the 1972 Act and the provisions of Proposition 218 and Article XIII D of the California Constitution.

### PROPOSITION 218 BENEFIT ANALYSIS

The costs of the proposed improvements for FY 2019/20 have been identified and allocated to properties within the District based on special benefit. The improvements provided by the District and for which properties are assessed are public street lighting improvements. These improvements generally were installed in connection with the development of the properties within the District and were required by the City as a condition of development.

Article XIII D Section 2(d) defines District as follows:

*"District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service.*

Article XIII D Section 2(i) defines Special Benefit as follows:

*"Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."*

Article XIII D Section 4(a) defines proportional special benefit assessments as follows:

*An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.*

## 2. Method of Apportionment

### BENEFIT ANALYSIS

#### Special Benefit

The street lighting in the District is primarily low-intensity street lighting that is useful for illuminating the sidewalks and parking lanes in the District. This lighting is distinct from the high-intensity lights installed on major streets which serve in part to enhance traffic safety. Residential street lights are of lower intensity, but more closely spaced, than the high-intensity (22,000-lumen) street lights. These sorts of low-level, low-intensity residential street lights provide three main special benefits: (i) residential security benefit, (ii) pedestrian safety benefit, and (iii) parkway/roadway egress benefit. Because traffic in the District is largely limited to local traffic consisting of residents and residents' guests traveling to and from property within the District, it is reasonable to assume that essentially all pedestrians and parking vehicles in the lit areas will, after dark, be directly associated with an assessed dwelling unit.

With the exception of the development that comprises Zone 03 (discussed below), the street lights within the District are consistent with the City's typical intensity and spacing standards for residential lighting at the time of development and each APN to be assessed is served directly by the system of street lights providing appropriate lighting within the subdivision. Consequently, we conclude that each residential APN within the District receives substantially similar benefit from the improvements regardless of their location within the District. Furthermore, the cost of maintaining and operating each light is substantially the same, regardless of the location of the light within the District.

#### General Benefit

Approximately 5% of the street lights funded by the District are located at the perimeter/entryway of a residential development. These perimeter/entryway lights, in contrast to the remainder of the lights funded by the District, arguably provide some illumination that extends beyond the boundaries of the developments and APNs being assessed within the District, that enhances the safety of members of the public unassociated with an assessed APN, that illuminates traffic or parking on major thoroughfares, or that otherwise provides services to the general public. Although, in general, these street lights exist solely because of the development of assessed APNs, and although the primary purpose of these lights is to provide illumination benefiting assessed APNs, they may provide some level of general benefit in addition to the special benefits provided to the assessed APNs. We estimate that this general benefit constitutes not more than 25% of the total benefit from perimeter/entryway lights. As 25% of the benefit from 5% of the lights constitutes not more than 2% of the total benefit from all improvements operated and maintained by the District, we determine that the total general benefit from operation and maintenance activities will not exceed 2% of operations and maintenance costs.

## 2. Method of Apportionment

### ZONES OF BENEFIT

In an effort to ensure an appropriate allocation of the estimated annual cost to provide the District improvements based on proportional special benefits, this District was established with benefit Zones as authorized pursuant to Chapter 1 Article 4, Section 22574 of the 1972 Act:

*"The diagram and assessment may classify various areas within an assessment district into different zones where, by reason of variations in the nature, location, and extent of the improvements, the various areas will receive differing degrees of benefit from the improvements. A zone shall consist of all territory which will receive substantially the same degree of benefit from the improvements."*

There are three Zones within the District. The bulk of the APNs in the District are located in either Zone 01 or Zone 02. These Zones are defined separately, largely for administrative purpose, as the level of service is substantially identical in the two Zones and the ratio of the number of lights to the number of APNs is substantially the same. Zone 01 consists of those APNs that, as a result of Proposition 218, are subject to an assessment that is not annually adjusted for inflation. Zone 02 consists of those APNs for which the assessment can be adjusted annually for inflation.

Zone 03 consists of 65 residential APNs located in Tract 21958. This tract is unique within the District because it was developed with a substantially lower street light density (street lights are spaced farther apart than the residential street lights typically found in the residential tracts of Zone 01 and Zone 02). As a result, the APNs in Tract 21958 generally receive less lighting than APNs elsewhere in the District, and the per APN cost of providing street light special benefits to Tract 21958 APNs is substantially less than the cost of providing benefits elsewhere in the District.

#### For FY 2019/20:

- Zone 01 includes 32,717 APNs and has 7,166 street lights.
- Zone 02 includes 7,254 APNs and has 1,589 street lights.
- Zone 03 includes 65 APNs and 3 street lights.

The District budget, incorporated herein under Section 3 of this Report, provides a summary of the total estimated cost of providing the street lighting improvements and the allocation of those costs between the three Zones (which is based on the number of lights in each Zone) as well as those costs that are considered general benefit. Details regarding the location and extent of the street lighting improvements within the District and the Zones therein are on file in the Public Works Department, Special Districts Division and by reference these documents are made part of this Report. A diagram showing the boundaries of the three Zones outlined above is attached and incorporated herein under Section 4 (District Diagram) of this Report.

## 2. Method of Apportionment

### ASSESSMENT METHODOLOGY

The method of apportionment for this District calculates the receipt of special benefit from the respective improvements based on the land use of the APNs.

#### Equivalent Benefit Unit Application

To proportionally allocate special benefit to each APN, it is necessary to correlate each property's proportional benefit to other properties that benefit from the improvements and services being funded. In order to do this, the assessment methodology assigns each APN a number of Equivalent Benefit Units (EBUs) based on its land use. One EBU is defined as the special benefit allocable to a single-family home. In each case, a APN is only allocated EBUs in a fiscal year if the street lights serving the APN (or serving the perimeter of the complex in the case of apartments, condominiums, etc.) has been accepted by the City or will be accepted by the City during the upcoming fiscal year.

**Single-Family Residential:** This land use is defined as a fully subdivided single-family residential home site with or without a structure. This land use is assigned 1.0 EBU per lot or APN.

**Condominium Residential:** This land use is defined as a fully subdivided condominium residential unit assigned its own APN by the County. EBUs are assigned to these APNs by multiplying the overall acreage of the condominium development by 4 (the typical number of single-family homes in an acre of typical development), and then dividing the result by the number of condominium units/APNs in the development.

**Multi-Family Residential and Mobile Home Parks:** This land use classification identifies properties that are used for residential purposes and contain more than one residential unit per APN. The proportional special benefit and EBUs for these APNs is based on acreage, at 4.0 EBUs per acre.

**Vacant Parcels:** This land use classification identifies properties that are undeveloped and not fully subdivided, but are served by a street light improvement. This land use is assigned 1.0 EBU per lot or APN.

**Approved Single-Family Residential:** This land use is defined as a fully subdivided single-family residential home site with or without a structure, but the street lights to be installed as part of the development have not yet been installed and are not anticipated to come online this fiscal year. Generally, these APNs were annexed to the District in anticipation of the property being developed and street lights being installed, but until such time that the street lights are to be installed, these APNs will not be assessed and are assigned 0.0 EBU.

**Planned Residential Development:** This land use is defined as a property that is currently considered vacant or undeveloped land that is to be subdivided into a known number of residential lots, but the street lights to be installed as part of the development have not yet been installed and are not anticipated to come online this fiscal year. Generally, these APNs were annexed to the District in anticipation of the property being developed and street lights being installed, but that has not yet occurred. Until such time that the street lights are to be installed, these APNs will not be assessed and are assigned 0.0 EBU.

**Exempt:** This classification means any lot or APN that is not considered to specially benefit directly from improvements. This classification includes, but is not limited to, areas of public streets, private streets and other roadways; public easements or right-of-ways including landscaped parkways, easement, utility right-of-ways, or easements such as irrigation or drainage ditches, channels, or basins; and flood plains. These types of parcels of land (similar to the improvements) are typically the result of property development rather than the direct cause

## 2. Method of Apportionment

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of development and have little or no need for the improvements. These types of properties may or may not be assigned an APN by the County.

Also exempt from assessment are lots that are identified as common areas (properties for which the surrounding residential parcels have a shared interest); bifurcated lots; and small parcels vacated by the County or similar sliver parcels that cannot be developed independent of an adjacent parcel. These types of parcels are generally not separately assessed because they are functionally a part of another parcel that is assessed for its own benefit and the benefit of the associated parcel.

### 3. Estimate of Costs

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#### CALCULATION OF ASSESSMENTS

An assessment amount per EBU is calculated by:

Taking the "Total Annual Expenses" (total budgeted costs) and subtracting the proportional "General Benefit Costs" which establishes the "Total Special Benefit Costs";

*Total Amount Expenses - General Benefit Costs = Total Special Benefit Costs*

To the resulting "Total Special Benefit Costs", various "Other Available Funding" adjustments are applied. For further information please reference line items in the budget on the following page under "Other Available Funding."

These adjustments to the Total Special Benefit Costs result in the "Net Special Benefit Assessment";

*Total Special Benefit Costs +/- Other Available Funding = Net Special Benefit Assessment*

The amount identified as the "Net Special Benefit Assessment" is divided by the Total EBUs of APNs to be Assessed <sup>1</sup> to establish the "Assessment Rate" or "Assessment per EBU" for the fiscal year. The Assessment Rate is then applied to each APN's individual EBU to calculate the APN's proportionate special benefit and assessment obligation for the improvements.

*Net Special Benefit Assessment / Total EBU (to be Assessed) = Assessment per EBU*

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<sup>1</sup> The Total EBUs of APNs to be Assessed is the Total EBUs in the District less the Total EBUs of Non-Assessed Parcels.



### 3. Estimate of Costs

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#### DISTRICT BUDGET

The following budget outlines the estimated costs to maintain the improvements and the anticipated expenditures for FY 2019/20. Operation and Maintenance (O&M) costs were allocated amongst the Zones proportionately to the number of street lights serving the Zones.

### 3. Estimate of Costs

Table 3-1  
FY 2019/20 Budget

|   | Zone 01               | Zone 02              | Zone 03           | Total                 |
|---|-----------------------|----------------------|-------------------|-----------------------|
| <b>Annual Operating Expenses</b>  |                       |                      |                   |                       |
| Operations & Maintenance  | \$76,456.16           | \$16,951.83          | \$32.01           | \$93,440.00           |
| Utilities   | \$1,062,891.22        | \$235,663.81         | \$444.96          | \$1,299,000.00        |
| <b>Total O&amp;M Expenses</b>   | <b>\$1,139,347.39</b> | <b>\$252,615.64</b>  | <b>\$476.97</b>   | <b>\$1,392,440.00</b> |
| <b>Incidental/Administrative Expenses</b>                               |                       |                      |                   |                       |
| District Administration   | \$43,709.46           | \$9,691.24           | \$18.30           | \$53,419.00           |
| County Fees   | \$15,791.99           | \$3,501.39           | \$6.61            | \$19,300.00           |
| Miscellaneous Administrative Expenses                                   | \$2,700.19            | \$598.68             | \$1.13            | \$3,300.00            |
| <b>Total Incidental/Administrative Expenses</b>                         | <b>\$62,201.64</b>    | <b>\$13,791.32</b>   | <b>\$26.04</b>    | <b>\$76,019.00</b>    |
| <b>Contribution to Fund Balance</b>                                     | <b>\$0.00</b>         | <b>\$36,583.37</b>   | <b>\$62.99</b>    | <b>\$36,646.36</b>    |
| <b>Total Annual Expenses</b>  | <b>\$1,201,549.02</b> | <b>\$302,990.33</b>  | <b>\$566.00</b>   | <b>\$1,505,105.36</b> |
| General Benefit Costs   | (\$24,031.65)         | (\$5,328.29)         | (\$10.06)         | (\$29,370.00)         |
| <b>Total Special Benefit Costs</b>                                      | <b>\$1,177,517.37</b> | <b>\$297,662.05</b>  | <b>\$555.94</b>   | <b>\$1,475,735.36</b> |
| <b>Other Available Funding</b>  |                       |                      |                   |                       |
| Use of Fund Balance <sup>1</sup>  | (\$28,900.32)         | \$0.00               | \$0.00            | (\$28,900.32)         |
| Additional Agency Contribution <sup>2</sup>                             | (\$292,462.83)        | (\$64,844.74)        | (\$122.44)        | (\$357,430.00)        |
| Other Revenue Sources <sup>3</sup>                                      | (\$103,916.23)        | (\$23,040.26)        | (\$43.50)         | (\$127,000.00)        |
| <b>Total Contributions/Adjustments</b>                                  | <b>(\$425,279.38)</b> | <b>(\$87,885.00)</b> | <b>(\$165.94)</b> | <b>(\$513,330.32)</b> |
| <b>NET SPECIAL BENEFIT ASSESSMENT</b>                                   | <b>\$752,238.00</b>   | <b>\$209,777.04</b>  | <b>\$390.00</b>   | <b>\$962,405.04</b>   |
| <b>District Statistics</b>  |                       |                      |                   |                       |
| Total Parcels <sup>4</sup>  | 32,717                | 7,254                | 65                | 40,036                |
| Total Assessed Parcels <sup>5</sup>                                     | 32,706                | 7,194                | 65                | 39,965                |
| Total EBUs  | 32,706                | 7,194                | 65                | 39,965                |
| <b>Proposed Assessment per EBU <sup>6</sup></b>                         | <b>\$23.00</b>        | <b>\$29.16</b>       | <b>\$6.00</b>     |                       |
| <b>Maximum Assessment per EBU</b>                                       | <b>\$23.00</b>        | <b>\$29.17</b>       | <b>\$6.00</b>     |                       |
| <b>Reserve Fund/Fund Balance</b>  |                       |                      |                   |                       |
| <b>Estimated Beginning Fund Balance as of July 1, 2019 <sup>7</sup></b> | <b>\$82,410.98</b>    | <b>\$18,272.13</b>   | <b>\$34.50</b>    | <b>\$100,717.61</b>   |
| Revenue and City Contributions  | \$1,177,517.37        | \$297,662.05         | \$555.94          | \$1,475,735.36        |
| Reserve Fund Contribution/(Use)   | (\$28,900.32)         | \$36,583.37          | \$62.99           | \$7,746.04            |
| Expenditures less General Benefit Costs                                 | (\$1,177,517.37)      | (\$297,662.05)       | (\$555.94)        | (\$1,475,735.36)      |
| <b>Estimated Ending Fund Balance as of June 30, 2020</b>                | <b>\$53,510.66</b>    | <b>\$54,855.50</b>   | <b>\$97.49</b>    | <b>\$108,463.65</b>   |

Slight variances are due to rounding.

<sup>1</sup> Additional funds are being used to meet proposed levy amount.

<sup>2</sup> All Zones are being levied at the Maximum Special Assessment Rate. The Additional Agency Contribution bridges the shortfall between the Special Benefit Costs for FY 2019/20 and the Maximum Assessment that can be levied. This contribution is in addition to the General Benefit Costs.

<sup>3</sup> Includes property taxes, interest income, advanced energy fees, and unrealized gains/losses.

<sup>4</sup> "Total Parcels" indicates the total of both exempt and non-exempt parcels within the district.

<sup>5</sup> "Total Assessed Parcels" is the total number of APNs in the District less the total number of Non-Assessed Parcels.

<sup>6</sup> The Proposed and the Maximum Assessment per EBU rates differ slightly to meet the County of Riverside's requirement for even assessment amounts.

<sup>7</sup> The Assessment District has historically levied the Assessment at a rate that does not fully cover the special benefits of the services provided. Consequently, in addition to City general funds contributed to the Assessment District to pay for general benefits, the City has, in most years, contributed additional general funds to the Assessment District. General fund contributions are kept in the same account as other Assessment District monies, but it is the practice of the City to expend all other available funds from the Assessment District account before expending contributions from the General Fund.

### 3. Estimate of Costs

#### ASSESSMENT RATES

The following shows the assessment rates applicable to each Zone for FY 2019/20 based on the budget and the method of apportionment presented in this Report.

Table 3-2  
FY 2019/20 Proposed Assessment Rates

| Zone    | Maximum Rates        | Applied Rates   |
|---------|----------------------|-----------------|
| Zone 01 | \$23.00              | \$23.00 per EBU |
| Zone 02 | \$29.17 <sup>1</sup> | \$29.16 per EBU |
| Zone 03 | \$6.00               | \$6.00 per EBU  |

Note that for FY 2019/20 there are:

- 32,706.00 EBUs in Zone 01 sharing \$1,177,517.37 in proportional special benefit.
- 7,194.00 EBUs in Zone 02 sharing \$297,662.05 in proportional special benefit.
- 65.00 EBUs in Zone 03 sharing \$555.94 in proportional special benefit.
- The proposed assessment rates in each Zone do not exceed the cost of the proportional special benefits per EBU for that Zone.

#### ANNUAL INFLATIONARY ADJUSTMENT (ASSESSMENT RANGE FORMULA)

The following inflation adjustment applies to Zone 02 only:

The Maximum Assessment Rate per EBU for Zone 02 established for the improvements in the previous fiscal year may be adjusted by the percentage change calculated for the previous calendar year in the Los Angeles-Long Beach-Anaheim Consumer Price Index (CPI)<sup>2</sup>, as published by the Department of Labor's Bureau of Labor Statistics.

The "All Urban Consumers" Index for Los Angeles-Long Beach-Anaheim Region is used to calculate the annual inflation adjustment. The inflation adjustment from December 2017 to December 2018 is 3.24%.

<sup>1</sup> The Maximum Assessment Rate includes an inflationary adjustment previously balloted and approved by the property owners.

<sup>2</sup> In January 2018, the Bureau of Labor Statistics introduced a new geographic area sample for the Consumer Price Index (CPI). Riverside, CA, which was previously included in the Los Angeles-Riverside-Orange County, CA MSA (Metropolitan Statistical Area), will now be included in a separate CBSA (Core Based Statistical Area) and will be considered a new index named Riverside-San Bernardino-Ontario, starting at 100.000. The Los Angeles-Riverside-Orange County, CA index was renamed "Los Angeles-Long Beach-Anaheim". Because the CPI approved by the property owners was the Los Angeles-Riverside-Orange County index, and it was renamed and not eliminated, CSD General Counsel determined the District would continue to use the Los Angeles-Long Beach-Anaheim index.

## 4. District Diagrams

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### DISTRICT DIAGRAMS

The following boundary maps depict the APNs within the three Zones that make up the District, which are those that existed at the time this Report was prepared. The combination of these maps and the Assessment Roll referenced by this Report constitute the Assessment Diagram for the District.







## 5. Assessment Roll

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### ASSESSMENT ROLL

APN identification for each lot or APN within the District is based on available parcel maps and property data from the Riverside County Assessor's Office. A listing of the APNs to be assessed within this District, along with the corresponding assessment amounts to be levied for FY 2019/20 has been provided electronically to the Secretary of the CSD Board (City Clerk). The listing is incorporated herein by reference. The Report can also be found online at the City's website at [www.moval.org/sd](http://www.moval.org/sd). If any APN identified therein is submitted for collection and identified by the County Auditor/Controller of the County of Riverside to be an invalid parcel number for any fiscal year, a corrected APN and/or new APN(s) will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment, as described in this Report and approved by the CSD Board.





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## Report to City Council

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**TO:** 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)

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

**AGENDA DATE:** April 2, 2019

**TITLE:** ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN FISCAL YEAR 2019/20 FOR MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02

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### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Initiating Proceedings to Levy the Fiscal Year 2019/20 Assessment against Real Property in Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.
2. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Approving an Engineer's Report in Connection with the 2019/20 Assessment against Real Property in Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.
3. Adopt Resolution No. CSD 2019-\_\_\_, a Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Declaring its Intention to Levy the Fiscal Year 2019/20 Assessment against Real Property in Moreno Valley Community Services District Landscape Maintenance District No. 2014-02.

### **SUMMARY**

This report recommends adoption of three resolutions, which will initiate the annual process to continue the levy of special assessments on the fiscal year (FY) 2019/20 property tax roll for Moreno Valley Community Services District (“CSD”) Landscape Maintenance District (LMD) No. 2014-02. If adopted, the resolutions (Attachments 1, 2, and 3) will 1) initiate proceedings to levy the annual assessments, 2) approve the assessment engineer’s report for the district, and 3) declare the intent to levy assessments for FY 2019/20 and set May 21, 2019 as the date of the Public Hearing.

The proposed assessments are a continuation of the real property assessments currently levied on the property tax bills. There are no increases proposed to the assessments other than an annual inflationary adjustment, provided the property owners previously approved such adjustment. Revenue received from the assessments fund the maintenance of public landscape improvements provided by the district and are restricted for use in the zones for which they are collected.

The Finance Subcommittee was scheduled to review the proposed FY 2019/20 maximum and applied assessments at its March 26, 2019 meeting.

## **DISCUSSION**

On May 27, 2014, the CSD adopted its Resolution CSD 2014-09, establishing LMD No. 2014-02 (“District”) (certain former CSD landscape zones). On May 12, 2015, Zone 09 was annexed into the District. LMD No. 2014-02 includes eleven benefit zones. Each zone provides a certain level of public landscape maintenance services within a defined geographical area of the City.

Property owners of parcels within the District pay a special assessment as part of their annual property tax bill to fund the cost of maintaining public landscaping within the District. Revenue from the assessments fund the cost to provide the Special Benefit, as defined in the Assessment Engineer’s Report (“Report”), to maintain the public landscaping located within the District. Funds collected for each zone are restricted and can only be used within the zone and for the purposes for which it was collected.

The level of landscape maintenance provided is based on each zone’s financial resources. At the time the City accepts an area’s public landscaping for maintenance, the assessment is set at a rate sufficient to fund the City’s standard frequency of service, Level 1 (4-week rotation). For those zones where costs to maintain the landscaping have increased and the property owners have not approved a mail ballot proceeding to increase the assessment to fund those increases, the frequency of service has been reduced to a level consistent with available funding. A brief summary of each zone and its current service level is in the table below. Maps of each zone are included in the Report (Attachment 4).

| Zones                | Name                       | Service Level <sup>1</sup> | Sq. Ft. of Landscaping                            |
|----------------------|----------------------------|----------------------------|---|
| Zone 01              | TownGate                   | Level 2 <sup>2</sup>       | 323,609 sq. ft.                                   |
| Zone 01A             | Renaissance Park           | Level 3                    | 72,335 sq. ft.                                    |
| Zone 02              | Hidden Springs             | Level 1                    | 193,743 sq. ft.<br>3,674,297 sq. ft. (open space) |
| Zone 03              | Moreno Valley Ranch West   | Level 1                    | 866,943 sq. ft.                                   |
| Zone 03A             | Lasselle Powerline Parkway | Level 1                    | 53,774 sq. ft.                                    |
| Zone 04              | Moreno Valley Ranch East   | Level 5                    | 980,404 sq. ft.                                   |
| Zone 05              | Stoneridge Ranch           | Level 1                    | 98,392 sq.ft.                                     |
| Zone 06              | Mahogany Fields            | Level 1                    | 178,564 sq.ft                                     |
| Zone 07 <sup>3</sup> | Celebration                | Level 1                    | 44,591 sq. ft.<br>180,563 sq. ft. (buffer)        |
| Zone 08              | Shadow Mountain            | Level 1                    | 76,771 sq. ft.                                    |
| Zone 09              | Savannah                   | Level 1                    | 64,456 sq. ft.                                    |

<sup>1</sup>Service rotations: Level 1=4-week; Level 2=8-week; Level 3=12-week; Level 4=16-week; Level 5=20-week.

<sup>2</sup>Proposed to increase from Level 2 to Level 1 during FY 2019/20 provided assessment can supported contract costs.

<sup>3</sup>Some areas are under construction or in the warranty period and have not yet been assumed for maintenance.

The Landscaping and Lighting Act of 1972 (“1972 Act”) requires an annual review and evaluation of the District’s revenues and expenditures before assessments can continue to be levied on the property tax bill for the next fiscal year. The Report includes a description of the improvements within the District, the estimated maintenance costs, the method of assessment apportionment for each lot or parcel within the District boundaries, and a diagram showing the parcels within the zones that make up the District.

The Report also provides an analysis of the District’s annual financial status. It separates and apportions the cost of General Benefit, other costs funded by the General Fund, and the cost of Special Benefit to the benefiting properties.

### *General Fund Costs*

The Report identifies a \$196,326.20 contribution from the General Fund, which is included in the City’s FY 2019/20 proposed Operating Budget.

- General Benefit Cost (\$154,052.00) – as defined in the Report, represents costs which are not allowed to be assessed to properties and therefore are apportioned to the General Fund. The General Benefit is the benefit the general public receives from the public landscape improvements in the district and is the minimum amount the community would fund (e.g., costs for weed abatement and erosion control) had the improvement not been installed.
- General Fund Maintained Area Costs (\$14,652.20) - funds the ongoing maintenance of improvements that provide no Special Benefit to the

parcels in the zone and therefore, cannot be funded by the assessments; these improvements were included in a zone at the time of the area's development (e.g., drainage area in Zone 04).

- Contribution for Non-Assessed Parcels (\$27,622.00) - funds the annual contribution for parcels that benefit from the improvements but have not been assessed because the property owner had not previously approved the rate through a mail ballot proceeding; these are, or were, typically government owned properties (e.g. Fire Station).

### *Special Benefit Costs*

A parcel's Special Benefit cost is calculated by determining the assessment rate per equivalent benefit unit (EBU). Generally speaking, the EBU is the equivalent to one single-family residential parcel. In some zones, the EBU is further defined by densities greater or less than a single-family residential parcel (e.g., acre, condo). The Special Benefit a parcel receives from the improvements is apportioned based on its assigned EBU.

If the property owners approved an annual inflationary adjustment, the Report recommends increasing the FY 2018/19 maximum rates by an annual inflationary adjustment (Consumer Price Index or other factor approved by the property owners). Zone 04 is the only zone where the property owners have not approved an annual inflationary adjustment. The applied rate is the amount needed to fund the services of each zone, up to the maximum rate. After completing an individual analysis of each zone's current level of service, anticipated expenditures, fund balance, assigned reserve levels, and proposed capital improvement projects, the Report recommends setting the applied rates as those set forth in the Fiscal Impact section of this report.

Adoption of the proposed resolutions will 1) initiate proceedings for the annual levy of assessments for LMD No. 2014-02, 2) approve the Report, and 3) declare the intent to levy assessments on the FY 2019/20 property tax bills and set 6:00 p.m. on May 21, 2019 as the date of the Public Hearing. After the close of the May 21 Public Hearing and provided there is not a majority protest, the CSD Board can consider authorizing the recommended assessments to levy on the FY 2019/20 property tax bills of parcels within LMD No. 2014-02.

This action meets the Strategic Plan Priorities by managing and maximizing Moreno Valley's public infrastructure to ensure an excellent quality of life, develop and implement innovative, cost effective infrastructure maintenance programs, public facilities management strategies, and capital improvement programming and project delivery.

### **ALTERNATIVES**

1. Adopt the proposed resolutions. *Staff recommends this alternative, as it will initiate the annual process to continue levying the assessments on the property tax bills to*

*support the maintenance of public landscaping for FY 2019/20 and is consistent with the 1972 Act.*

2. Do not adopt the proposed resolutions. *Staff does not recommend this alternative, as it may prevent the City from levying the FY 2019/20 assessments and collecting funding to support the services of the District.*
3. Do not adopt the proposed resolutions but rather continue the item to a future Council meeting. *Staff does not recommend this alternative, as it may prevent the City from meeting the County's deadline to include assessments on the FY 2019/20 property tax roll.*

### **FISCAL IMPACT**

For FY 2019/20, the total projected expenditures for the District is \$2,698,879.83. The property assessments are projected to generate \$2,026,205.94 in revenue. Other revenue sources to the District (e.g. interest income), the use of available unassigned reserves for applicable Zones, and the General Fund are programmed to fund the difference. The City's FY 2019/20 proposed Operating Budget includes a General Fund contribution of \$196,326.20. This includes the required General Benefit Cost (\$154,052.00), General Fund Maintained Area Cost (\$14,652.20), and the General Fund Contribution for Non-Assessed Parcels (\$27,622.00). Funds received for the benefit of each zone are restricted and can only be used to fund the services of that zone. The Report's recommended rates for FY 2019/20 are listed in the table below.

Third party costs associated with the annual levy approval process and preparation of the Report for LMD No. 2014-02 are projected not to exceed \$5,500. Third party services include a consultant assessment engineer, special legal counsel, and publication of the Public Hearing legal notice. These costs are included in the City's FY 2018/19 Adopted Budget for LMD No. 2014-02 (fund 5014).

| Zone  | Charge Category                  | FY 2018/19         |                    | Proposed FY 2019/20   |                           |  |                        | Total Assessment Revenue |
|---|----------------------------------|--------------------|--------------------|-----------------------|---------------------------|--|------------------------|--------------------------|
|   |                                  | Max Rate           | Applied Rate       | Max Rate <sup>1</sup> | Applied Rate <sup>2</sup> | Annual Adjustment to Max Rate <sup>1</sup> | Change in Applied Rate |                          |
| Zone 01   | per EBU<br>per condo Tract 34299 | \$ 146.39<br>66.06 | \$ 134.20<br>60.54 | \$ 151.13<br>68.20    | \$ 151.12<br>68.18        | 3.24%                                      | \$ 16.92<br>7.64       | \$ 329,398.54            |
| Zone 01A  | per EBU                          | 89.64              | 89.64              | 92.54                 | 92.54                     | 3.24%                                      | 2.90                   | 51,544.78                |
| Zone 02   | per EBU                          | 461.77             | 431.34             | 476.73                | 476.72                    | 3.24%                                      | 45.38                  | 561,576.16               |
| Zone 03   | per EBU                          | 146.39             | 133.06             | 151.13                | 151.12                    |  | 18.06                  |                          |
|   | per condo Tr 32142               | 64.85              | 58.96              | 66.95                 | 66.94                     |  | 7.98                   |                          |
|   | per condo Tr 32143/4             | 62.49              | 56.81              | 64.51                 | 64.50                     | 3.24%                                      | 7.69                   |                          |
|   | per condo Tr 32145               | 36.55              | 33.23              | 37.73                 | 37.72                     |  | 4.49                   |                          |
|   | per condo Tr 32146               | 35.36              | 32.16              | 36.50                 | 36.50                     |  | 4.34                   | 662,755.24               |
| Zone 03A  | per EBU                          | 77.85              | 74.08              | 80.37                 | 80.36                     | 3.24%                                      | 6.28                   | 37,528.12                |
| Zone 04 <sup>3</sup>  | per EBU                          | 110.00             | 110.00             | 110.00                | 110.00                    | 0.00%                                      | -                      | 244,266.00               |
| Zone 05 <sup>4</sup>  | per EBU                          | 460.06             | 150.00             | 474.96                | 25.00                     | 3.24%                                      | (125.00)               | 8,350.00                 |
| Zone 06 <sup>4</sup>  | per EBU                          | 322.14             | 306.50             | 332.57                | 139.14                    | 3.24%                                      | (167.36)               | 58,995.36                |
| Zone 07 <sup>4</sup>  | per EBU                          | 385.91             | 170.10             | 398.41                | 38.16                     | 3.24%                                      | (131.94)               | 9,997.92                 |
| Zone 08 <sup>4</sup>  | per EBU                          | 339.83             | 314.32             | 350.84                | 79.02                     | 3.24%                                      | (235.30)               | 22,994.82                |
| Zone 09 <sup>4,5</sup>  | per EBU                          | 696.96             | 374.48             | 719.54                | 258.66                    | 3.24%                                      | (115.82)               | 38,799.00                |
| <b>Total Projected Assessment Revenue</b>   |                                  |                    |                    |                       |                           |  |                        | <b>\$ 2,026,205.94</b>   |
| <sup>1</sup> Maximum Rate increased by property owner authorized annual inflationary adjustment (0% for Zone 04; the greater of 3.24% CPI or 3% for Zone 09; 3.24% CPI for all other zones). Based on percentage change calculated for the prior year in the Los Angeles-Long Beach-Anaheim Regional Consumer Price Index (CPI), as published by the Department of Labor's Bureau of Labor Statistics.<br><sup>2</sup> Riverside County requires fixed charges (i.e. assessments) to be even numbers.<br><sup>3</sup> Does not have a property owner approved annual adjustment.<br><sup>4</sup> Applied rate less than maximum rate based on projected expenses and/or available funding which offsets the required assessment.<br><sup>5</sup> Property owners authorized an annual inflationary adjustment of the greater of CPI or 3%.<br>EBU = Equivalent Benefit Unit |                                  |                    |                    |                       |                           |  |                        |                          |

**NOTIFICATION**

Posting of the agenda.

**PREPARATION OF STAFF REPORT**

Prepared By:  
Candace E. Cassel  
Special Districts Division Manager

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

**CITY COUNCIL GOALS**

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

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

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

**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

See the Discussion section above for details of how this action supports the City Council's Strategic Priorities.

**ATTACHMENTS**

- 1. Resolution Initiating Proceedings
- 2. Resolution Approving Engineer's Report
- 3. Resolution Declaring Intent
- 4. LMD 2014-02 Assessment Engineer's Report

**APPROVALS**

|                         |                   |                  |
|-------------------------|-------------------|------------------|
| Budget Officer Approval | <u>✓ Approved</u> | 3/20/19 2:48 PM  |
| City Attorney Approval  | <u>✓ Approved</u> | 3/28/19 10:11 AM |
| City Manager Approval   | <u>✓ Approved</u> | 3/28/19 2:46 PM  |



## RESOLUTION NO. CSD 2019-\_\_

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, INITIATING PROCEEDINGS TO LEVY THE FISCAL YEAR 2019/20 ASSESSMENTS AGAINST REAL PROPERTY IN MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02

WHEREAS, pursuant to Government Code Section 61122(e), the Moreno Valley Community Services District (the "CSD") is authorized to levy benefit assessments for operations and maintenance pursuant to the Landscaping and Lighting Assessment Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, by its Resolution No. CSD 2014-09, adopted on May 27, 2014, the Board of Directors, pursuant to the Act, established the Moreno Valley Community Services District Landscape Maintenance District No. 2014-02 (the "Assessment District") to fund landscape maintenance services through the levy of annual assessments against real property; and

WHEREAS, the Board of Directors desires to initiate proceedings to levy assessments in connection with the Assessment District for fiscal year (FY) 2019/20.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct.
2. Initiation of Proceedings. Pursuant to Section 22622, the Board of Directors hereby initiates proceedings for the FY 2019/20 levy of the annual assessments in connection with the Assessment District.
3. Direction to Engineer. The City Engineer is hereby directed to prepare and file, or cause to be prepared and filed, a report pursuant to Section 22565 *et seq.* of the Act with respect to the FY 2019/20 levy in connection with the Assessment District. The improvements associated with the Assessment District are substantially the same improvements as in FY 2018/19.
4. Effective Date. This Resolution shall be effective immediately upon adoption.
5. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

1  
Resolution No. CSD 2019-\_\_  
Date Adopted: April 2, 2019

APPROVED AND ADOPTED this 2<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
By: \_\_\_\_\_,  
Acting in the capacity of President of the  
Moreno Valley Community Services District

ATTEST:

\_\_\_\_\_  
City Clerk, acting in the capacity of  
Secretary of the Moreno Valley  
Community Services District

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, acting in the capacity  
of General Counsel of the Moreno  
Valley Community Services District

Resolution No. CSD 2019-  2    
Date Adopted: April 2, 2019

Attachment: Resolution Initiating Proceedings [Revision 1] (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY

**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 2019-\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 2<sup>nd</sup> day of April 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

Resolution No. CSD 2019-\_\_<sup>3</sup>  
Date Adopted: April 2, 2019

Attachment: Resolution Initiating Proceedings [Revision 1] (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY

## RESOLUTION NO. CSD 2019-\_\_

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN ENGINEER'S REPORT IN CONNECTION WITH THE FISCAL YEAR 2019/20 ASSESSMENTS AGAINST REAL PROPERTY IN MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02

WHEREAS, pursuant to Government Code Section 61122(e), the Moreno Valley Community Services District (the "CSD") is authorized to levy benefit assessments for operations and maintenance pursuant to the Landscaping and Lighting Assessment Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, by its Resolution No. CSD 2014-09, adopted on May 27, 2014, the Board of Directors, pursuant to the Act, established the Moreno Valley Community Services District Landscape Maintenance District No. 2014-02 (the "Assessment District") to fund landscape maintenance services through the levy of annual assessments against real property; and

WHEREAS, by prior resolution, the Board of Directors initiated proceedings to levy the Fiscal Year 2019/20 assessments against real property in the Assessment District and directed the City Engineer to prepare and file, or cause to be prepared and filed, a report pursuant to Section 22565 *et seq.* of the Act with respect to said levy; and

WHEREAS, the City Engineer has designated Webb Municipal Finance, LLC as assessment engineer (the "Assessment Engineer"); and

WHEREAS, the Assessment Engineer has prepared and filed a report entitled "Annual Engineer's Report Fiscal Year 2019/20, Moreno Valley Community Services District Landscape Maintenance District No. 2014-02" (the "Report"), which is on file in the Office of the Secretary of the CSD (the Office of the City Clerk of the City of Moreno Valley), is available for public inspection, and is incorporated herein by reference; and

WHEREAS, the Board of Directors now desires to approve the Report.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct and incorporated herein by this reference.
2. Approval of Report. The Board of Directors hereby approves the Report as filed.

1  
Resolution No. CSD 2019-\_\_  
Date Adopted: April 2, 2019

3. Capital Improvement Project. In accordance with Streets and Highways Code Section 22660(a), the City Council has determined that the estimated cost of certain proposed improvements, described in Section 22525, subdivisions (a) through (d), are greater than can conveniently be raised from a single assessment and, as a result, shall be collected in installments over a period not to exceed five fiscal years and held in a reserve account, as noted in the Engineer's Report. General descriptions of these improvements for all zones in the District, as well as the estimated costs thereof, the number of annual installments and years during which they are to be collected, and the maximum amount of each annual installment, are described in the attached Capital Improvement Projects, included herein as Exhibit A and incorporated into this Resolution by this reference and in the Report.
4. Provision of Services. Nothing in the description of services or any Resolution of the CSD Board shall be construed as committing the CSD to provide all of the proposed services. The provision of services shall be subject to the availability of sufficient funding through the collection of assessment revenue within each zone of the Assessment District.
5. Severability. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the Board of Directors declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
6. Effective Date. This Resolution shall be effective immediately upon adoption.
7. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

2  
Resolution No. CSD 2019-\_\_  
Date Adopted: April 2, 2019

APPROVED AND ADOPTED this 2<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
By:  
Acting in the capacity of President of the  
Moreno Valley Community Services District

ATTEST:

\_\_\_\_\_  
City Clerk, acting in the capacity of  
Secretary of the Moreno Valley  
Community Services District

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, acting in the capacity  
of General Counsel of the Moreno  
Valley Community Services District

Resolution No. CSD 2019-  3    
Date Adopted: April 2, 2019

Exhibit A  
Capital Improvement Projects

| Projects  | Zone 01  |          |          |          | Zone 02  |          |          |          | Zone 03  |          |          |          | Zone 03A |          |          |          | Zone 05  |          |          |          | Zone 06  |          |          |          | Zone 07  |          |          |          | Zone 08  |          |  |  |  |  |
|---|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|--|--|--|--|
|   | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 | FY 23/24 |  |  |  |  |
| Backflow Cage Upgrades                              | X        | X        |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |
| Irrigation/Smart<br>Controller Installations        |          |          |          |          |          | X        | X        |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |
| Lighting Upgrades                                   |          |          |          |          |          | X        | X        |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |
| Day St/Centerpointe<br>Median Renovations           | X        | X        |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |
| Median Renovations                                  |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |
| Parkway Renovations                                 |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |
| Stamped concrete on Nason<br>(southern-most median) |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |  |  |  |  |

**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 2019-\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 2<sup>nd</sup> day of April 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

Resolution No. CSD 2019-<sup>5</sup>  
Date Adopted: April 2, 2019

Attachment: Resolution Approving Engineer's Report [Revision 1] (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY



## RESOLUTION NO. CSD 2019-\_\_

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENTION TO LEVY THE FISCAL YEAR 2019/20 ASSESSMENTS AGAINST REAL PROPERTY IN MORENO VALLEY COMMUNITY SERVICES DISTRICT LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02

WHEREAS, pursuant to Government Code Section 61122(e), the Moreno Valley Community Services District (the "CSD") is authorized to levy benefit assessments for operations and maintenance pursuant to the Landscaping and Lighting Assessment Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act"); and

WHEREAS, by its Resolution No. CSD 2014-09, adopted on May 27, 2014, the Board of Directors, pursuant to the Act, established the Moreno Valley Community Services District Landscape Maintenance District No. 2014-02 (the "Assessment District") to fund landscape maintenance services through the levy of annual assessments against real property; and

WHEREAS, by prior resolution, the Board of Directors initiated proceedings to levy the fiscal year (FY) 2019/20 assessment against real property in the Assessment District and directed the City Engineer to prepare and file, or cause to be prepared and filed, a report pursuant to Section 22565 *et seq.* of the Act with respect to said levy; and

WHEREAS, the City Engineer has designated Webb Municipal Finance, LLC as assessment engineer (the "Assessment Engineer"); and

WHEREAS, the Assessment Engineer has prepared and filed a report entitled "Annual Engineer's Report Fiscal Year 2019/20, Moreno Valley Community Services District Landscape Maintenance District No. 2014-02" (the "Report"), which is on file in the Office of the Secretary of the CSD (the Office of the City Clerk of the City of Moreno Valley), is available for public inspection, and is incorporated herein by reference; and

WHEREAS, by prior resolution, the Board of Directors approved the Report as filed; and

WHEREAS, the Board of Directors desires to declare its intention to levy the FY 2019/20 assessments as described in the Report.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct.
2. Declaration of Intent. The Board of Directors hereby declares its intention to levy and collect the FY 2019/20 assessments in connection with the Assessment District.
3. Name of Assessment District. The Assessment District is designated "Moreno Valley Community Services District Landscape Maintenance District No. 2014-02."
4. Boundaries of the Assessment District. The Assessment District includes territory within the CSD that has been included within the Boundaries of the Assessment District.
5. Description of Improvements. The Assessment District will fund the maintenance of landscape improvements to the extent funding is available.
6. Reference to Report. Reference is made to the Report for a full and detailed description of (i) the landscape improvements to be maintained in connection with the Assessment District; (ii) the boundaries of the Assessment District and the zones therein; and (iii) the proposed assessments upon assessable lots and parcels of land within the Assessment District. The Report describes, among other things, each affected parcel of real property and the amount of the assessment for each such affected parcel for FY 2019/20.
7. Public Hearing. On May 21, 2019 at 6:00 p.m. or as soon thereafter as practical, in the City Council Chamber located at 14177 Frederick Street, Moreno Valley, California 92553, the Board of Directors shall hold a full and fair public hearing on the question of the levy of the proposed assessments for FY 2019/20 (the "Hearing"). At the Hearing, the Board of Directors will also hear and consider any objections or protests to the Report.
8. Notice. Notice of the Hearing shall be given in the manner set forth in Section 22626(a) of the Act.
9. Protest. Pursuant to Section 22628 of the Act, any interested person may, prior to the conclusion of the Hearing, file a written protest with the Secretary of the CSD (the City Clerk of the City of Moreno Valley) or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by the property owner.
10. No Increase. Aside from the implementation of previously adopted annual

inflation adjustments, as described in the Report, the assessment rates are not proposed to increase from the rates levied in FY 2018/19.

- 11. Severability. If any provision of this Resolution or the application of any such provision is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable and that the Board of Directors declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- 12. Effective Date. This Resolution shall be effective immediately upon adoption.
- 13. Certification. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

APPROVED AND ADOPTED this 2<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
 By: \_\_\_\_\_,  
 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

3  
 Resolution No. CSD 2019-\_\_\_\_  
 Date Adopted: April 2, 2019

**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 2019-\_\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 2<sup>nd</sup> day of April 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

4  
Resolution No. CSD 2019-\_\_\_  
Date Adopted: April 2, 2019

Attachment: Resolution Declaring Intent [Revision 1] (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS IN

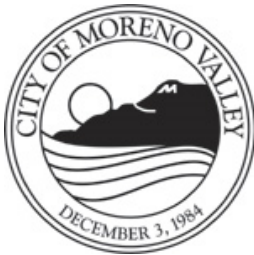


# Annual Engineer's Report

Fiscal Year 2019/20

## Moreno Valley Community Services District Landscape Maintenance District No. 2014-02

Prepared For



May 2019



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

ENGINEER'S REPORT  
FOR THE ANNUAL LEVY  
FOR FY 2019/20

MORENO VALLEY COMMUNITY SERVICES DISTRICT

COUNTY OF RIVERSIDE

STATE OF CALIFORNIA

LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02

Approved by the Board of Directors of the Moreno Valley Community Services District  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

Secretary of the Board of Directors

Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

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**AGENCY:** MORENO VALLEY COMMUNITY SERVICES DISTRICT,  
RIVERSIDE COUNTY, CALIFORNIA

**PROJECT:** ANNUAL ENGINEER'S REPORT

**DISTRICT:** LANDSCAPE MAINTENANCE DISTRICT NO. 2014-02

**TO:** THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

I, Matthew E. Webb, a Professional Civil Engineer (employed by Albert A. Webb Associates and retained through an agreement between Webb Municipal Finance, LLC and my employer), acting on behalf of the Moreno Valley Community Services District (CSD), pursuant to the Landscaping and Lighting Act of 1972 (California Streets and Highways Code Section 22500 et seq.) (the "1972 Act"), do hereby submit the following:

Each fiscal year, an Engineer's Report ("Report") is prepared and presented to the CSD Board of Directors (the "Board") describing the CSD Landscape Maintenance District No. 2014-02 (the "District"), any changes to the District or improvements, an estimate of the costs of the maintenance, operations, and servicing of the improvements, and the proposed budget and assessments for that fiscal year.

This is the detailed Report for Fiscal Year (FY) 2019/20 regarding the District and the proposed assessments to be levied on the properties therein to provide ongoing funding for the costs and expenses required to service and maintain landscaping improvements associated with and resulting from development of properties within the District, in accordance with the proportional special benefits the properties receive from the improvements. The CSD requested Webb Municipal Finance, LLC to prepare and file the Report for the referenced fiscal year.

A public hearing is held each year before the Board to allow the public an opportunity to hear and be heard regarding the District. Following consideration of all public comments and written protests at the noticed public hearing, and review of the Report, the Board may order amendments to the Report or confirm the Report as submitted. Following final approval of the Report, and confirmation of the assessments, the Board shall order the levy and collection of assessments for FY 2019/20. In such case, the levy information will be submitted to the Riverside County Auditor/Controller and included as assessments on the property tax roll for the various services provided in FY 2019/20.

In November 1996, the voters of California adopted Proposition 218 (the "Right to Vote on Taxes Act"), which has been codified as Articles XIII C and XIII D of the California Constitution. If, in any year, the proposed annual assessments for the District exceed the maximum assessments previously approved in a Proposition 218 proceeding (or grandfathered under Proposition 218), such an assessment would be considered a new or increased assessment and be confirmed through a mailed property owner protest ballot proceeding before that new or increased assessment could be imposed.

This Report and the information contained herein reflect the proposed budget for each of the various services provided by the District and the rates and assessments applicable to those services as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the Riverside County Assessor's maps for a detailed description of the lines and dimensions of APNs within the District. The undersigned respectfully submits the enclosed Report as directed by the Board of Directors of the Moreno Valley Community Services District. Please note that Albert A. Webb Associates provides engineering advice and related consulting services. Albert A. Webb Associates is not a registered municipal advisor and does not participate in municipal advisory activities, and nothing in this Engineer's Report is, or should be interpreted to be, municipal advisory services or advice.



Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

ALBERT A. WEBB ASSOCIATES



\_\_\_\_\_  
MATTHEW E. WEBB  
PROFESSIONAL CIVIL ENGINEER NO. 37385  
ENGINEER OF WORK  
ON BEHALF OF THE CITY OF MORENO VALLEY AND  
THE MORENO VALLEY COMMUNITY SERVICES DISTRICT  
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessments and all matters in the Engineer's Report were made on the \_\_\_\_\_ day of \_\_\_\_\_ 2019, by adoption of Resolution No. \_\_\_\_\_ by the Board of Directors.

\_\_\_\_\_  
CITY CLERK  
CITY OF MORENO VALLEY  
STATE OF CALIFORNIA

A copy of the Preliminary Assessment Roll and Engineer's Annual Levy Report were filed in the office of the City Clerk on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
CITY CLERK  
CITY OF MORENO VALLEY  
STATE OF CALIFORNIA

## INTRODUCTION

The CSD was established pursuant to the Community Services District Law (California Government Code Section 61000 et seq.) ("CSD Law") in 1984 at the time of the incorporation of the City of Moreno Valley (the "City"). The CSD is a dependent special district of the City, and the Moreno Valley City Council serves as the Board of Directors of the CSD. The boundaries of the CSD are the same as those of the City.

Prior to the City's incorporation, the territory that would become the City of Moreno Valley was an unincorporated territory of Riverside County. The County had created County Service Areas (CSAs) to fund and provide certain enhanced services in this territory. The CSD was created so that responsibility for these funding mechanisms (and services) within the territory of the City could be transitioned from CSAs governed by the Riverside County Board of Supervisors to a CSD governed by the Moreno Valley City Council.

The CSD is comprised of a number of Zones, each of which provides a specific set of services within a defined portion of the City. Zone E of the CSD was established in 1987 to fund landscape maintenance services in certain geographical and development areas of the City. Zone E was comprised of a number of subzones (i.e. Zone E-1, Zone E-3A, etc.), each of which funded specific landscape improvements associated with the subdivision (or parts of subdivisions) that comprised the zones.

With the passage of Proposition 218, a number of substantive and procedural requirements were placed on taxes, assessments, and property-related fees imposed by local governments in California. Although referred by the CSD as "charges", the charges imposed by Zone E of the CSD were categorized under Proposition 218 as real-property assessments.

Subsequent to the adoption of Proposition 218, the CSD conducted mail ballot protest proceedings pursuant to Article XIII D, Section 4(e) of the Constitution with respect to the CSD charges. These proceedings included base rates and an automatic annual inflation adjustment. Proceedings were successfully completed, without majority protest, for each of the Zones with the exception of former CSD Zone E-4 (now designated as Benefit Zone 04). The assessments identified in this Report reflect the charges and the automatic annual inflation adjustments approved in connection with those mail ballot protest proceedings.

The assessment established for Zone 04 exclusively funds street landscaping and predates Proposition 218. Therefore, pursuant to Article XIII D, Section 5 of the Constitution the existing Zone 04 assessment is not required to be approved at a mail ballot proceeding so long as the rate of the assessment/charge is not increased.<sup>1</sup>

In May 2014, the Moreno Valley Community Services District, formed Landscape Maintenance District No. 2014-02 ("District"), pursuant to the Landscaping and Lighting Act of 1972 (California Streets and Highways Code Section 22500 et seq.) (the "1972 Act"), replacing the previous CSD Zones E-1, E-1A, E-2, E-3, E-3A, E-4, E-4A, E-12, E-14, E-15, and E-16. Parcels that had been charged an annual CSD Zone E charge for landscape maintenance services are now instead assessed an annual real property assessment for those services as part of Landscape Maintenance District No. 2014-02. This transition did not increase the amount paid annually by any property owner and did not change the nature or extent of the landscape maintenance services provided. The assessments levied in connection with this assessment district in every way serve as a continuation of the charges levied in connection with CSD Zone E for the ongoing maintenance, servicing, and operation of local landscaping improvements previously established and maintained in CSD Zones E-1, E-1A, E-2, E-3, E-3A, E-4, E-4A, E-12, E-14, E-15, and E-16.

<sup>1</sup> CSD Zone E-4 was annexed to the CSD in FY 1988/89 prior to Proposition 218 and the charge per single family residential property was originally established at \$182.00, with non-residential properties being charged four times that amount per acre. Subsequently, that \$182.00 rate was reduced over the next several years to \$110.00. The \$110.00 rate was in effect at the time Proposition 218 was enacted. Pursuant to the exemption provisions of Proposition 218, the \$110.00 rate was grandfathered as the Zone charge in FY 1997/98. In June 2016, the CSD proposed a rate increase for the Zone. The increase was protested by property owners and did not become effective.

Landscape Maintenance District No. 2014-02 was initially comprised of ten (10) benefit zones, corresponding to eleven subzones of Zone E of the CSD, but with CSD Zones E-4 and E-4A merged into a single benefit Zone 04.

On May 12, 2015 a new benefit Zone 09 was annexed to Landscape Maintenance District No. 2014-02, bringing the total number of benefit zones to eleven (11).

The improvements, the method of apportionment, and special benefit assessments described in this Report are based on the improvements and development of properties within the District and represent an estimate of the direct expenditures and incidental expenses that will be necessary to maintain, service, and operate such improvements for FY 2019/20. The improvements installed in connection with the development of properties within the District and to be maintained as described herein, are based on the development plans and specifications for the properties and developments within the District and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the Riverside County Assessor’s Office. The Riverside County Auditor/Controller uses APNs and a dedicated fund number established for the District to identify properties to be assessed on the tax roll and the allocation of the funds collected.

This Report consists of five (5) Sections:

- SECTION 1 PLANS AND SPECIFICATIONS:** Provides a description of the District boundaries and the improvements associated with the District. The District has eleven zones of benefit (“Zones”), which are described in more detail in this Section as well as in Section II (Method of Apportionment). A diagram showing the exterior boundaries of the CSD, of the District, and the Zones established within the District, is attached and incorporated herein in Section IV (District Diagrams). The plans for the landscape improvements (if available), including the City’s standard specifications are on file with the Public Works Department. The location of the improvements for each zone can be found by using the Moreno Valley Map Viewer located on the City’s website.
- SECTION 2 METHOD OF APPORTIONMENT:** Provides a discussion of the general and special benefits associated with the overall local landscaping improvements provided within the District (Proposition 218 Benefit Analysis). This Section also includes a determination of the proportional costs of the special benefits and a separation of costs considered to be of general benefit (and therefore not assessed). This Section also outlines the method of calculating each property’s proportional special benefit and annual assessment utilizing a weighted benefit apportionment.
- SECTION 3 ESTIMATE OF IMPROVEMENT COSTS:** Provides an estimate of the annual funding required for the maintenance, servicing, and operation of landscape improvements within the District and specifically the costs associated with the improvements determined to be of special benefit to parcels within the District. The budget identifies an estimate of anticipated annual expenses to service, maintain, and operate existing landscape improvements within the District for FY 2019/20 including, but not limited to, servicing of those improvements and related facilities, utility costs, and related incidental expenses authorized by the 1972 Act. The budget also identifies the maximum and proposed assessment rates for each Zone of the District and the associated assessment range formula (inflationary adjust) as applicable.
- SECTION 4 DISTRICT DIAGRAMS:** Diagrams showing the boundaries of the Zones, which collectively represent the boundaries of the District, are provided in this Report and these diagrams identify all parcels that receive special benefits from the improvements. Reference is hereby made to the Riverside County Assessor’s maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.
- SECTION 5 ASSESSMENT ROLL:** A listing of the proposed assessment amount for each parcel within the District. The proposed assessment amount for each parcel is based on the parcel’s calculated proportional special benefit as outlined in the method of apportionment and proposed assessment rates established in the District Budget. These assessment amounts represent the assessments proposed to be levied and collected on the County Tax Rolls for FY 2019/20.

## 1. Plans and Specifications

### DESCRIPTION OF THE DISTRICT

The territory within this District consists of all lots and APNs of land that receive special benefits from the landscape improvements maintained and funded by the District assessments. The boundaries of the District consist of Benefit Zones, each of which is associated with a set of landscape improvements. Each APN within the District is assigned to each Zone that funds landscape maintenance services that specially benefit the APN. Two Zones (Zone 01A and 03A) are comprised solely of a subset of the APNs in a larger Zone (Zones 01 and 03, respectively). Thus, all APNs in Zone 01A are also a part of Zone 01 and all APNs in Zone 03A are also a part of Zone 03. These overlapping zones exist because, for example, the landscaping improvements associated with Zone 01 provides special benefit to each APN in Zone 01 (including Zone 01A APNs) but the landscaping improvements associated with Zone 01A provides special benefit to only the Zone 01A APNs.

These eleven (11) Zones within the District and the benefits associated with the properties therein are described in more detail in Section 2 (Method of Apportionment) of this Report. In addition, the District Diagrams found in Section 4 of this Report provide visual representations of the District showing the boundaries of the Zones and the improvement areas being maintained.

### DISTRICT FACILITIES AND IMPROVEMENTS

The landscape improvements maintained for each Zone are local landscaping improvements that were installed in connection with the development of the APNs comprising each respective Zone. These landscape improvements are an integral part of the subdivisions and development for which they were installed, creating a green amenity and aesthetically pleasing enhancement to the APNs served by the landscaping. In most cases, the landscaping improvements were a condition of development of the APNs in the Zone, and the properties within the Zone could not have been developed if the landscaping were not included. Improvements for each Zone are either located within the subdivision or along the entry path to the residential subdivisions or non-residential developments.

Collectively within the eleven (11) Zones, there is approximately 2,953,582 square feet of parkway and median landscaped area, 3,854,860 square feet of open space, and 9,582 trees to be maintained and funded in part by the District assessments. The District Diagrams found in Section 4 of this Report provide visual representations of the District, showing the boundaries of the Zones and the general location of the improvement areas being maintained. Detailed plans identifying the location and extent of the District's landscape improvements and maps of those Zones and improvement areas are on file in the Public Works Department, Special Districts Division, and by reference these plans and maps are made part of this Report.

The maintenance, operation, and servicing of the District's landscape improvements include the furnishing of labor, materials, equipment, and utilities for the ordinary and usual maintenance, operation, and servicing of the landscape areas within the public right-of-ways, easements dedicated to the City, or on city-owned property.

The various landscape improvements associated with each Zone include combinations of landscape amenities such as turf ground cover, plants, shrubs, trees, and associated appurtenant facilities including, but not limited to, irrigation and drainage systems, various types of groundcover, stamped concrete, electrical and lighting, and entry monuments that may be maintained in whole or in part as part of the landscape improvements depending on available funding.

The following is a brief description and summary of the landscaped areas associated with each Zone included in the District. A visual depiction of the location and extent of the landscape improvement areas and Zone boundaries are provided on the District Diagrams provided in Section 4 of this Report.

## 1. Plans and Specifications

### ZONES

#### Local Landscaping Zone 01 (TownGate)

The properties within Zone 01 receive special benefits from landscaped parkways and medians within the TownGate area, which is bordered by Day Street on the west, Cottonwood Avenue, Dracaea Avenue, and Eucalyptus Avenue on the south, Elsworth Street and Frederick Street on the east, and State Highway 60 on the north. The Zone improvements are currently maintained at Level 2 service (8-week rotation); the City anticipates increasing the service to Level 1 (4-week rotation), provided funding supports contract costs. The overall improvements include approximately 323,609 square feet of landscaped area and 1,045 trees.

#### Local Landscaping Zone 01A (Renaissance Park)

The properties within Zone 01A receive special benefits from landscaped parkways and medians within the TownGate area along with other APNs in Zone 01, but in addition, receive special benefits from parkway landscaping and entry medians on the internal neighborhood streets (Dracaea Avenue and Arbor Park Lane) that connect the various residential developments in this area. The Renaissance Park area is bordered by Day Street on the west, Cottonwood Avenue on the south, Elsworth Street on the east, and Eucalyptus Avenue on the north. The Zone improvements are currently maintained at Level 3 service (12-week rotation) due to funding. The overall improvements include approximately 72,335 square feet of landscaped area and 201 trees.

#### Local Landscaping Zone 02 (Hidden Springs)

The properties within Zone 02 receive special benefits from parkway landscaping along Hidden Springs Drive, an entry median on Hidden Springs Drive at Pigeon Pass Road, and the west side of Pigeon Pass Road bordering the Hidden Springs community, as well as maintenance of open space areas throughout the community. The Zone parkway improvements are currently maintained at Level 1 service (4-week rotation). The open space improvements are maintained on a monthly rotation. The overall improvements include approximately 193,743 square feet of landscaped area, 3,674,297 square feet of open space area, and 3,179 trees.

#### Local Landscaping Zone 03 (Moreno Valley Ranch - West)

The properties within Zone 03 receive special benefits from parkway and median landscaping generally surrounding the Moreno Valley Ranch area, bordered by Kitching Street on the west, Gentian Avenue and Casa Encantador Road on the north, and generally the City boundary to the east and south. The Zone improvements are currently maintained at Level 1 service (4-week rotation). The overall improvements include approximately 866,943 square feet of landscaped area and 2,382 trees.

#### Local Landscaping Zone 03A (Lasselle Powerline Parkway)

The properties within Zone 03A receive special benefits from landscaped parkways and medians within the Moreno Valley Ranch - West area along with other APNs in Zone 03, but in addition, receive special benefits from parkway landscaping on the internal neighborhood streets along portions of Withers Way, Via Xavier, Cremello Way, Cavalcade Drive, and Kentucky Derby Drive. The Zone improvements are currently maintained at Level 1 service (4-week rotation) due to funding. The overall improvements include approximately 53,774 square feet of landscaped area and 89 trees.

#### Local Landscaping Zone 04 (Moreno Valley Ranch - East)

The properties within Zone 04 receive special benefits from parkway and median landscaping generally surrounding the developments bordered by Hammett Court, Oliver Street, and Moreno Beach Drive to the west,

## 1. Plans and Specifications

Iris Avenue, John F. Kennedy Drive, and Cactus Avenue to the north, and generally the City boundary to the southeast. The improvements include approximately 980,404 square feet of landscaped area and 1,710 trees.

Because assessments in the Zone have been capped at the FY 1996/97 rate, the CSD has not been able to provide the level of service in this Zone that is provided in other Zones. The Zone improvements are currently maintained at Level 5 service (20-week rotation) due to funding.

### Local Landscaping Zone 05 (Stoneridge Ranch)

The properties within Zone 05 receive special benefits from parkway and median landscaping generally surrounding the Stoneridge Ranch residential neighborhood, bordered by Nason Street on the west, Dracaea Avenue on the south, Eucalyptus Avenue on the east and Fir Avenue on the north. The Zone improvements are currently maintained at Level 1 service (4-week rotation). The overall improvements include approximately 98,392 square feet of landscaped area and 202 trees.

### Local Landscaping Zone 06 (Mahogany Fields)

The properties within Zone 06 receive special benefits from parkway and median landscaping generally located within the Mahogany Fields community, bordered on the south by Alessandro Boulevard, by Cottonwood Avenue on the north, and Darwin Drive on the west. The Zone improvements are currently maintained at Level 1 service (4-week rotation). The overall improvements include approximately 178,564 square feet of landscaped area and 345 trees.

### Local Landscaping Zone 07 (Celebration)

The properties within Zone 07 receive special benefits from parkway and median landscaping generally located within the Celebration community along Nason Street, Cactus Avenue, and Oliver Street. The Zone improvements are currently maintained at Level 1 service (4-week rotation). For FY 2019/20, the CSD anticipates incurring expenses to maintain buffer landscaping located on the slopes of a flood control at the southeast corner of Zone 07. These improvements were included in the budget for Zone 07 at the time it last went to property owner assessment balloting. The CSD anticipates accepting the improvements for ongoing maintenance in FY 2019/20. The overall improvements include approximately 44,591 square feet of landscaped area, 180,563 square feet of open space area (flood control channel slopes), and 119 trees.

### Local Landscaping Zone 08 (Shadow Mountain)

The properties within Zone 08 receive special benefits from parkway and median landscaping generally surrounding the Shadow Mountain residential neighborhood, bordered by Pigeon Pass Road on the west, Sunnymead Ranch Parkway on the south, Presidio Hills on the east, and Lawless Road on the north. The Zone improvements are currently maintained at Level 1 service (4-week rotation). The overall improvements include approximately 76,771 square feet of landscaped area and 172 trees.

### Local Landscaping Zone 09 (Savannah)

The properties within Zone 09 receive special benefits from parkway landscaping generally surrounding the Savannah residential neighborhood, bordered by Morrison Street on the west, Eucalyptus Avenue on the south, Fir Avenue on the north, and the tract boundary to the east. The landscape improvements associated with Zone 09 were accepted for ongoing maintenance by the CSD in late FY 2017/18. The Zone improvements are currently maintained at Level 1 service (4-week rotation). The overall improvements include approximately 64,456 square feet of landscaped area and 138 trees.

## 2. Method of Apportionment

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, including the acquisition, construction, installation, and servicing of street Landscaping improvements and related facilities. The 1972 Act requires that the cost of these improvements be levied according to benefit.

Section 22573 defines the net amount to be assessed as follows:

*"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Section 22574 provides for zones as follows:

*"The diagram and assessment may classify various areas within an assessment district into different zones where, by reason of variations in the nature, location, and extent of the improvements, the various areas will receive differing degrees of benefit from the improvements. A zone shall consist of all territory which will receive substantially the same degree of benefit from the improvements."*

The formulas used for calculating assessments and the designation of zones herein reflect the composition of APNs within the District and the improvements and activities to be provided and have been designed to fairly apportion the cost of providing those improvements based on a determination of the proportional special benefits to each APN, consistent with the requirements of the 1972 Act and the provisions of Proposition 218 and Article XIII D of the California Constitution.

### PROPOSITION 218 BENEFIT ANALYSIS

The costs of the proposed improvements for FY 2019/20 have been identified and allocated to properties within the District based on special benefit. The improvements provided by this District and for which properties are assessed are local public landscape improvements and related amenities that were installed in connection with the development of the properties or would otherwise be required for the development of properties within each respective Zone of the District. The assessments and method of apportionment is based on the premise that these improvements would otherwise not have been required without the development of those APNs within the District.

Article XIII D Section 2(d) defines District as follows:

*"District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service.*

Article XIII D Section 2(i) defines Special Benefit as follows:

*"Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."*

Article XIII D Section 4(a) defines proportional special benefit assessments as follows:

*An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.*



## 2. Method of Apportionment

### BENEFIT ANALYSIS

#### Special Benefit

The ongoing maintenance of local public landscaped areas within the District provides aesthetic benefits to the properties within each respective Zone and provides a more pleasant environment to walk, drive, live, and work. The primary function of these landscape improvements and related amenities is to serve as an aesthetically pleasing enhancement and green space for the benefit of the immediately surrounding developments for which the improvements were constructed and installed. These improvements are an integral part of the physical environment of parcels in associated Zones, and if the improvements were not properly maintained, it is these parcels that would be aesthetically burdened. In addition, the street landscaping in these Zones serve as both a physical buffer as well as a sound reduction or buffer between the roadways and the properties in the District and the open spaces, where applicable, provide a physical buffer and openness between properties. Furthermore, open spaces serve as an extension of the recreational features of parcels, such as their front or rear yards, and entry landscaping serves as a pleasant aesthetic amenity that improves the approach to the parcels. As a result, the maintenance of these landscaped improvements is a particular and distinct benefit to the properties and developments within each Zone.

#### General Benefit

In reviewing the location and extent of the specific landscaped areas and improvements to be funded by District assessments and the proximity and relationship to properties to be assessed, it is evident these improvements are local improvements that were installed in connection with the development of properties in each respective Zone or are improvements that would otherwise be shared by and required for the future development of properties in those Zones. It is also evident that the aesthetic maintenance of these improvements and the enhanced level of maintenance provided only has a direct and particular impact on those properties (special benefit) and such maintenance beyond that which is required to ensure the safety and protection of the general public and property in general, has no identifiable benefit to the public at large or properties outside each respective Zone.

In the absence of a special funding Zone, the City would typically provide only weed abatement and erosion control services for landscaped areas. These services would typically be provided twice annually. This level of service provides for public safety and avoids negative impacts on adjacent roadways and vehicles traveling on those roadways but results in a far less visually pleasing environment than is created with the enhanced levels of services associated with the District. The cost to provide the baseline level of service is approximately \$0.0224202 per square foot per servicing for streetscape areas and \$0.0112101 per square foot per servicing for open space areas that require maintenance. Utilizing these per square foot costs, the square footages of the improvement areas, and the number of servicing in each Zone, the following table summarizes the current estimated general benefit costs calculated for each District Zone:

## 2. Method of Apportionment

Table 2-1  
FY 2019/20 Estimated General Benefit Costs

| Zone   | General Benefit Costs <sup>1</sup> |
|--|------------------------------------|
| Zone 01                                      | \$14,511                           |
| Zone 01A                                     | \$3,244                            |
| Zone 02                                      | \$29,283                           |
| Zone 03                                      | \$38,875                           |
| Zone 03A                                     | \$2,412                            |
| Zone 04                                      | \$43,962                           |
| Zone 05                                      | \$4,412                            |
| Zone 06                                      | \$8,007                            |
| Zone 07                                      | \$3,012                            |
| Zone 08                                      | \$3,443                            |
| Zone 09                                      | \$2,891                            |
| <b>Total Estimated General Benefit Costs</b> | <b>\$154,052</b>                   |

### General Fund Maintained Areas

The following improvements are excluded from assessment funding and instead funded from other sources. Areas which require a General Fund Maintained Area contribution are re-evaluated annually to reflect estimated cost. These particular improvement areas are identified on the District Diagrams provided in Section 4 of this Report as "General Fund Maintained" improvements and include the improvements in the following Zones:

#### Zone 04

The 31,000 square feet of planter area and eight trees in the drainage area south of Iris Avenue and west of Turnberry Street previously included in CSD Zone E-4A (Daybreak) is maintained and funded by other general fund revenues and not included in the assessments for Zone 04. (See "General Fund Maintained Greenbelt Drainage Area" in Diagram 4-6 on page 23.) These improvements constitute all the landscaped areas previously in CSD Zone E-4A.

#### Zone 07

The 2,230 square feet of parkway planter area on the east side of Nason Street north of Damascus Road that was previously included in CSD Zone E-15 (Celebration), is maintained and funded by other general fund revenues and not included in the assessments for Zone 07. (See "General Fund Maintained Parkway" in Diagram 4-9 on page 26.)

<sup>1</sup> The General Benefit Costs presented in the table above are reflected in the budgets for each Zone. As with most landscape maintenance costs, these General Benefit Costs are subject to an annual CPI increase and as such the General Benefit Cost contributions are adjusted annually for inflation.

## 2. Method of Apportionment

### ASSESSMENT METHODOLOGY

The method of apportionment for this District calculates the receipt of special benefit from the respective improvements based on the land use of the APNs.

#### Equivalent Benefit Unit Application

To proportionally allocate special benefit to each APN, it is necessary to correlate each property's proportional benefit to other properties that benefit from the improvements and services being funded. In order to do this, the assessment methodology assigns each APN a number of Equivalent Benefit Units (EBUs) based on its land use as of March 1, preceding the fiscal year addressed herein. One EBU is defined as the special benefit allocable to a single-family home (basic EBU). In each case, an APN is only allocated EBUs if the landscaping serving the Zone has been accepted by the City or will be accepted by the City during the upcoming fiscal year.

Single-Family Residential: This land use is defined as a fully subdivided single-family residential home site with or without a structure. As previously noted, the single-family residential APN has been selected as the basic EBU for calculation of assessments and each single-family residential home site is assigned 1.0 Equivalent Benefit Unit (1.0 EBU per lot or APN).

Condominium Residential: This land use is defined as a fully subdivided condominium residential unit assigned its own APN by the County. EBUs are assigned to these APNs by multiplying the overall acreage of the condominium development by 4 (the typical number of single-family homes in an acre of typical development), and then dividing the result by the number of condominium units/APNs in the development.

Multi-Family Residential and Mobile Home Park: This land use classification identifies properties that are used for residential purposes and contain more than one residential unit. The proportional special benefit and EBU for these APNs is based on acreage, at 4.0 EBUs per acre.

Developed Non-Residential: This classification includes developed properties including parking lots that are identified or zoned for commercial, industrial, or other non-residential use including offices, hotels, recreational facilities (excluding parks), and institutional facilities including, hospitals, churches or facilities utilized by other non-profit organizations, whether those facilities are publicly owned (non-taxable) or privately owned. Like Multi-Family Residential and Mobile Home Park properties, the proportional special benefit and EBU for these APNs is based on acreage, at 4.0 EBUs per acre.

Planned Residential Development: This land use is defined as a property that is currently considered vacant or undeveloped land, but for which the number of residential lots to be developed on the property is known or has been approved. These properties benefit from the existing Zone improvements but may as part of their development install additional landscape improvements to be maintained either solely by the development or as part of the District improvements depending on the location and extent of those improvements. The proportional special benefit and EBU for these APNs is based on the planned residential units for the APN, at 0.50 EBU per planned unit (50% of the basic EBU unit for a single-family residential APN).

Undeveloped/Vacant Property: This land use is defined as an APN that is currently considered vacant or undeveloped land that can be developed, but for which the use and/or development of the property has not been fully determined. These APNs are assigned a proportional EBU that is based on 50% of the proportional benefit established for a developed property in the District. The proportional special benefit and EBU for these APNs is based on acreage, at 2.0 EBUs per acre.

## 2. Method of Apportionment

**Special Case Property:** In some Zones there may be one or more properties that the standard land use classifications identified above do not accurately identify the use and special benefit received from the improvements and/or it has been determined that the property receives special benefit but has not been previously assessed for various reasons. Properties that are typically classified as Special Case properties usually involve some type of development or land restrictions whether those restrictions are temporary or permanent and affect the properties proportional special benefit. Examples of such restrictions may include situations where only a small percentage of the APN's total acreage can actually be developed. In such a case, the net usable acreage of the APN rather than the gross acreage of the APN may be applied to calculate the APN's proportional special benefit. In addition, in certain Zones there are a few APNs that have been identified as properties that receive special benefit from the Zone improvements, but likely because of their ownership or tax status (government or non-profit owned properties) these APNs were not previously levied the annual assessment. The proportional special benefit and proposed assessment for each of these APNs is calculated along with all other properties in the Zone, but rather than ballot these properties for a new or increased assessment at this time, the agency will make an off-setting contribution to the Zone that is equal to the assessment amount these Non-Assessed APNs would otherwise have been assessed.

**Exempt:** This classification means any lot or parcel that is considered to not specially benefit directly from improvements. This classification includes, but is not limited to, areas of public streets, private streets, and other roadways; and public easements or right-of-ways including landscaped parkways or easements; and utility right-of-ways or easements such as irrigation or drainage ditches, channels or basins, and flood plains. These types of parcels (similar to the improvements) are typically the result of property development rather than the direct cause of development and have little or no need for the improvements. These types of properties may or may not be assigned an APN by the County.

Also, exempt from assessment are parcels that are identified as common areas (properties for which the surrounding residential parcels have a shared interest); bifurcated lots; small parcels vacated by the County or similar sliver parcels that cannot be developed independent of an adjacent parcel. These types of parcels are generally not separately assessed because they are functionally a part of another parcel that is assessed for its own benefit and the benefit of the associated parcel. Based on the improvements maintained in this District it has been determined that public schools, public parks, golf courses, and open space areas provide landscape amenities that are available to the public or are similar in nature to the improvements of a Zone and any benefit these properties may derive from the Zone improvements are more than off-set by the public benefit they provide to properties in the Zone.

### 3. Estimate of Costs

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#### CALCULATION OF ASSESSMENTS

An assessment amount per EBU is calculated by:

Taking the "Total Annual Expenses" (total budgeted costs) and subtracting the proportional "General Benefit Costs" which establishes the "Total Special Benefit Costs";

*Total Amount Budgeted - General Benefit Costs <sup>1</sup> = Total Special Benefit Costs*

To the resulting "Total Special Benefit Costs", various "Other Available Funding" adjustments are applied. For further information please reference line items in the budget on the following page under "Other Available Funding."

These adjustments to the Total Special Benefit Costs result in the "Net Special Benefit Assessment";

*Total Special Benefit Costs +/- Other Available Funding = Net Special Benefit Assessment*

The amount identified as the "Net Special Benefit Assessment" is divided by the Total EBUs of APNs to be Assessed <sup>2</sup> to establish the "Assessment Rate" or "Assessment per EBU" for the fiscal year. The Assessment Rate is then applied to each APN's individual EBU to calculate the APN's proportionate special benefit and assessment obligation for the improvements.

*Net Special Benefit Assessment / Total EBUs (to be Assessed) = Assessment per EBU*

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<sup>1</sup> Plus, where applicable, General Fund-maintained Area Costs.

<sup>2</sup> "Total EBUs of APNs to be Assessed" is the total EBUs in the District less the total EBUs of non-assessed parcels.

### 3. Estimate of Costs

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#### **DISTRICT BUDGET**

The following budgets outline the estimated costs to maintain the improvements and the anticipated expenditures for each Zone for FY 2019/20.

### 3. Estimate of Costs

Table 3-1  
FY 2019/20 Budget

|  | Zone 01              | Zone 01A             | Zone 02              | Zone 03             |
|--|----------------------|----------------------|----------------------|---------------------|
| <b>Annual Operating Expenses</b>   |                      |                      |                      |                     |
| Operations & Maintenance ("O&M")   | \$226,255.00         | \$33,965.00          | \$465,015.00         | \$463,155.00        |
| Utilities  | \$87,200.00          | \$29,670.00          | \$132,230.00         | \$121,720.00        |
| <b>Total O&amp;M Expenses</b>  | <b>\$313,455.00</b>  | <b>\$63,635.00</b>   | <b>\$597,245.00</b>  | <b>\$584,875.00</b> |
| <b>Capital Improvement Project (CIP) and Rehabilitation <sup>1</sup></b> |                      |                      |                      |                     |
| Planned CIP & Rehabilitation Expenditures                                | \$100,000.00         | \$0.00               | \$0.00               | \$165,000.00        |
| CIP & Rehabilitation Fund Collections                                    | \$24,035.06          | \$0.00               | \$41,583.40          | \$39,248.15         |
| <b>Incidental/Administrative Expenses</b>                                |                      |                      |                      |                     |
| District Administration  | \$19,563.00          | \$4,662.00           | \$40,477.00          | \$46,706.00         |
| County Fees  | \$580.00             | \$400.00             | \$560.00             | \$2,180.00          |
| Miscellaneous Administrative Expenses                                    | \$1,100.00           | \$266.00             | \$2,254.00           | \$2,610.00          |
| <b>Total Incidental/Administrative Expenses</b>                          | <b>\$21,243.00</b>   | <b>\$5,328.00</b>    | <b>\$43,291.00</b>   | <b>\$51,496.00</b>  |
| Contribution to Reserves   | \$0.00               | \$0.00               | \$0.00               | \$49,418.29         |
| <b>Total Annual Expenses</b>   | <b>\$358,733.06</b>  | <b>\$68,963.00</b>   | <b>\$682,119.40</b>  | <b>\$725,037.44</b> |
| <b>Special Benefit Costs</b>   |                      |                      |                      |                     |
| General Benefit Costs  | (\$14,511.00)        | (\$3,244.00)         | (\$29,283.00)        | (\$38,875.00)       |
| General Fund Maintained Area Costs                                       | \$0.00               | \$0.00               | \$0.00               | \$0.00              |
| <b>Total Special Benefit Costs</b>                                       | <b>\$344,222.06</b>  | <b>\$65,719.00</b>   | <b>\$652,836.40</b>  | <b>\$686,162.44</b> |
| <b>Other Available Funding</b>   |                      |                      |                      |                     |
| Use of Reserves <sup>2</sup>   | (\$5,667.92)         | (\$13,574.22)        | (\$86,660.24)        | \$0.00              |
| Interest Income & Unrealized Gains/Losses                                | (\$2,400.00)         | (\$600.00)           | (\$4,600.00)         | (\$5,200.00)        |
| Reimbursement Agreements   | (\$6,000.00)         | \$0.00               | \$0.00               | \$0.00              |
| <b>Total Contributions/Adjustments</b>                                   | <b>(\$14,067.92)</b> | <b>(\$14,174.22)</b> | <b>(\$91,260.24)</b> | <b>(\$5,200.00)</b> |
| <b>Net Special Benefit Assessment</b>                                    | <b>\$330,154.14</b>  | <b>\$51,544.78</b>   | <b>\$561,576.16</b>  | <b>\$680,962.44</b> |
| <b>District Statistics</b>   |                      |                      |                      |                     |
| Total Parcels  | 1,186                | 557                  | 1,151                | 4,513               |
| Total Assessed Parcels <sup>3</sup>                                      | 1,185                | 557                  | 1,151                | 4,509               |
| Total EBUs   | 2,184.72575          | 557.00000            | 1,178.00000          | 4,506.17291         |
| <b>Proposed Assessment per EBU</b>                                       | <b>\$151.12</b>      | <b>\$92.54</b>       | <b>\$476.72</b>      | <b>\$151.12</b>     |
| <b>Maximum Assessment per EBU</b>  | <b>\$151.13</b>      | <b>\$92.54</b>       | <b>\$476.73</b>      | <b>\$151.13</b>     |
| EBU of Non-Assessed Parcels  | 5.00000              | n/a                  | n/a                  | 120.48200           |
| Contribution for Non-Assessed Parcels <sup>4</sup>                       | (\$755.60)           | n/a                  | n/a                  | (\$18,207.20)       |
| <b>Net Balance to Levy</b>   | <b>\$329,398.54</b>  | <b>\$51,544.78</b>   | <b>\$561,576.16</b>  | <b>\$662,755.24</b> |
| <b>Reserve Fund/Fund Balance</b>   |                      |                      |                      |                     |
| <b>Estimated Beginning Fund Balance as of July 1, 2019</b>               | \$496,152.26         | \$103,898.66         | \$966,727.30         | \$976,110.24        |
| Levy and Other Funding Sources   | \$338,554.14         | \$52,144.78          | \$566,176.16         | \$686,162.44        |
| Expenditures less General Benefit Costs                                  | (\$344,222.06)       | (\$65,719.00)        | (\$652,836.40)       | (\$686,162.44)      |
| 2019/20 Planned CIP & Rehabilitation Expenditures                        | (\$100,000.00)       | \$0.00               | \$0.00               | (\$165,000.00)      |
| <b>Estimated Ending Fund Balance as of June 30, 2020</b>                 | <b>\$390,484.34</b>  | <b>\$90,324.44</b>   | <b>\$880,067.06</b>  | <b>\$811,110.24</b> |

<sup>1</sup> See Appendix A for planned long-term Capital Improvement Projects and Rehabilitations included in the FY 2019/20 Budget.

<sup>2</sup> Use of Reserves to fund services beyond levy amount.

<sup>3</sup> "Total Assessed Parcels" is the total number of APNs in the District less the total number of non-assessed parcels.

<sup>4</sup> Agency contribution for parcels that benefit but have not historically been assessed (typically government-owned properties).

### 3. Estimate of Costs

Table 3-2  
FY 2019/20 Budget

|  | Zone 03A             | Zone 04             | Zone 05              | Zone 06              |
|--|----------------------|---------------------|----------------------|----------------------|
| <b>Annual Operating Expenses</b>   |                      |                     |                      |                      |
| Operations & Maintenance   | \$26,860.00          | \$224,866.00        | \$64,544.00          | \$99,086.00          |
| Utilities  | \$6,960.00           | \$48,340.00         | \$32,270.00          | \$39,720.00          |
| <b>Total O&amp;M Expenses</b>  | <b>\$33,820.00</b>   | <b>\$273,206.00</b> | <b>\$96,814.00</b>   | <b>\$138,806.00</b>  |
| <b>Capital Improvement Project (CIP) and Rehabilitation <sup>1</sup></b> |                      |                     |                      |                      |
| Planned CIP & Rehabilitation Expenditures                                | \$0.00               | \$0.00              | \$3,000.00           | \$9,000.00           |
| CIP & Rehabilitation Fund Collections                                    | \$26,534.93          | \$0.00              | \$0.00               | \$0.00               |
| <b>Incidental/Administrative Expenses</b>                                |                      |                     |                      |                      |
| District Administration  | \$3,698.00           | \$42,024.00         | \$4,553.00           | \$7,499.00           |
| County Fees  | \$350.00             | \$1,000.00          | \$170.00             | \$210.00             |
| Miscellaneous Administrative Expenses                                    | \$209.00             | \$3,265.00          | \$255.00             | \$406.00             |
| <b>Total Incidental/Administrative Expenses</b>                          | <b>\$4,257.00</b>    | <b>\$46,289.00</b>  | <b>\$4,978.00</b>    | <b>\$8,115.00</b>    |
| Contribution to Reserves   | \$0.00               | \$0.00              | \$0.00               | \$0.00               |
| <b>Total Annual Expenses</b>   | <b>\$64,611.93</b>   | <b>\$319,495.00</b> | <b>\$101,792.00</b>  | <b>\$146,921.00</b>  |
| <b>Special Benefit Costs</b>   |                      |                     |                      |                      |
| General Benefit Costs  | (\$2,412.00)         | (\$43,962.00)       | (\$4,412.00)         | (\$8,007.00)         |
| General Fund Maintained Area Costs                                       | \$0.00               | (\$14,125.52)       | \$0.00               | \$0.00               |
| <b>Total Special Benefit Costs</b>                                       | <b>\$62,199.93</b>   | <b>\$261,407.48</b> | <b>\$97,380.00</b>   | <b>\$138,914.00</b>  |
| <b>Other Available Funding</b>   |                      |                     |                      |                      |
| Use of Reserves <sup>2</sup>   | (\$24,271.81)        | (\$6,682.28)        | (\$86,830.00)        | (\$78,118.64)        |
| Interest Income & Unrealized Gains/Losses                                | (\$400.00)           | (\$1,800.00)        | (\$2,200.00)         | (\$1,800.00)         |
| Reimbursement Agreements   | \$0.00               | \$0.00              | \$0.00               | \$0.00               |
| <b>Total Contributions/Adjustments</b>                                   | <b>(\$24,671.81)</b> | <b>(\$8,482.28)</b> | <b>(\$89,030.00)</b> | <b>(\$79,918.64)</b> |
| <b>Net Special Benefit Assessment</b>                                    | <b>\$37,528.12</b>   | <b>\$252,925.20</b> | <b>\$8,350.00</b>    | <b>\$58,995.36</b>   |
| <b>District Statistics</b>   |                      |                     |                      |                      |
| Total Parcels  | 467                  | 2,087               | 334                  | 424                  |
| Total Assessed Parcels <sup>3</sup>                                      | 467                  | 2,074               | 334                  | 424                  |
| Total EBUs   | 467.00000            | 2,299.32000         | 334.00000            | 424.00000            |
| <b>Proposed Assessment per EBU</b>                                       | <b>\$80.36</b>       | <b>\$110.00</b>     | <b>\$25.00</b>       | <b>\$139.14</b>      |
| <b>Maximum Assessment per EBU</b>  | <b>\$80.37</b>       | <b>\$110.00</b>     | <b>\$474.96</b>      | <b>\$332.57</b>      |
| EBU of Non-Assessed Parcels  | n/a                  | 78.72000            | n/a                  | n/a                  |
| Contribution for Non-Assessed Parcels <sup>4</sup>                       | n/a                  | (\$8,659.20)        | n/a                  | n/a                  |
| <b>Net Balance to Levy</b>   | <b>\$37,528.12</b>   | <b>\$244,266.00</b> | <b>\$8,350.00</b>    | <b>\$58,995.36</b>   |
| <b>Reserve Fund/Fund Balance</b>   |                      |                     |                      |                      |
| <b>Estimated Beginning Fund Balance as of July 1, 2019</b>               | \$91,123.50          | \$530,863.39        | \$343,395.85         | \$349,281.86         |
| Levy and Other Funding Sources   | \$37,928.12          | \$254,725.20        | \$10,550.00          | \$60,795.36          |
| Expenditures less General Benefit Costs                                  | (\$62,199.93)        | (\$261,407.48)      | (\$97,380.00)        | (\$138,914.00)       |
| 2019/20 Planned CIP & Rehabilitation Expenditures                        | \$0.00               | \$0.00              | (\$3,000.00)         | (\$9,000.00)         |
| <b>Estimated Ending Fund Balance as of June 30, 2020</b>                 | <b>\$66,851.69</b>   | <b>\$524,181.11</b> | <b>\$253,565.85</b>  | <b>\$262,163.22</b>  |

<sup>1</sup> See Appendix A for planned long-term Capital Improvement Projects and Rehabilitations included in the FY 2019/20 Budget.

<sup>2</sup> Use of Reserves to fund services beyond levy amount.

<sup>3</sup> "Total Assessed Parcels" is the total number of APNs in the District less the total number of non-assessed parcels.

<sup>4</sup> Agency contribution for parcels that benefit but have not historically been assessed (typically government-owned properties).



### 3. Estimate of Costs

Table 3-3  
FY 2019/20 Budget

|  | Zone 07              | Zone 08              | Zone 09              | Total                 |
|--|----------------------|----------------------|----------------------|-----------------------|
| <b>Annual Operating Expenses</b>   |                      |                      |                      |                       |
| Operations & Maintenance   | \$68,824.00          | \$70,140.00          | \$28,094.00          | \$1,770,804.00        |
| Utilities  | \$7,160.00           | \$20,560.00          | \$25,140.00          | \$550,970.00          |
| <b>Total O&amp;M Expenses</b>  | <b>\$75,984.00</b>   | <b>\$90,700.00</b>   | <b>\$53,234.00</b>   | <b>\$2,321,774.00</b> |
| <b>Capital Improvement Project (CIP) and Rehabilitation <sup>1</sup></b> |                      |                      |                      |                       |
| Planned CIP & Rehabilitation Expenditures                                | \$3,000.00           | \$8,000.00           | \$0.00               | \$288,000.00          |
| CIP & Rehabilitation Fund Collections                                    | \$0.00               | \$0.00               | \$0.00               | \$131,401.54          |
| <b>Incidental/Administrative Expenses</b>                                |                      |                      |                      |                       |
| District Administration  | \$3,982.00           | \$3,679.00           | \$2,696.00           | \$179,539.00          |
| County Fees  | \$130.00             | \$150.00             | \$80.00              | \$5,810.00            |
| Miscellaneous Administrative Expenses                                    | \$221.00             | \$209.00             | \$142.00             | \$10,937.00           |
| <b>Total Incidental/Administrative Expenses</b>                          | <b>\$4,333.00</b>    | <b>\$4,038.00</b>    | <b>\$2,918.00</b>    | <b>\$196,286.00</b>   |
| Contribution to Reserves   | \$0.00               | \$0.00               | \$0.00               | \$49,418.29           |
| <b>Total Annual Expenses</b>   | <b>\$80,317.00</b>   | <b>\$94,738.00</b>   | <b>\$56,152.00</b>   | <b>\$2,698,879.83</b> |
| General Benefit Costs  | (\$3,012.00)         | (\$3,443.00)         | (\$2,891.00)         | (\$154,052.00)        |
| General Fund Maintained Area Costs                                       | (\$526.68)           | \$0.00               | \$0.00               | (\$14,652.20)         |
| <b>Total Special Benefit Costs</b>                                       | <b>\$76,778.32</b>   | <b>\$91,295.00</b>   | <b>\$53,261.00</b>   | <b>\$2,530,175.63</b> |
| <b>Other Available Funding</b>   |                      |                      |                      |                       |
| Use of Reserves <sup>2</sup>   | (\$63,480.40)        | (\$67,000.18)        | (\$14,062.00)        | (\$446,347.69)        |
| Interest Income & Unrealized Gains/Losses                                | (\$3,300.00)         | (\$1,300.00)         | (\$400.00)           | (\$24,000.00)         |
| Reimbursement Agreements   | \$0.00               | \$0.00               | \$0.00               | (\$6,000.00)          |
| <b>Total Contributions/Adjustments</b>                                   | <b>(\$66,780.40)</b> | <b>(\$68,300.18)</b> | <b>(\$14,462.00)</b> | <b>(\$476,347.69)</b> |
| <b>Net Special Benefit Assessment</b>                                    | <b>\$9,997.92</b>    | <b>\$22,994.82</b>   | <b>\$38,799.00</b>   | <b>\$2,053,827.94</b> |
| <b>District Statistics</b>   |                      |                      |                      |                       |
| Total Parcels  | 262                  | 291                  | 150                  | 11,422                |
| Total Assessed Parcels <sup>3</sup>                                      | 262                  | 291                  | 150                  | 11,404                |
| Total EBUs   | 262.00000            | 291.00000            | 150.00000            | 12,653.21866          |
| <b>Proposed Assessment per EBU</b>                                       | <b>\$38.16</b>       | <b>\$79.02</b>       | <b>\$258.66</b>      |                       |
| <b>Maximum Assessment per EBU</b>  | <b>\$398.41</b>      | <b>\$350.84</b>      | <b>\$719.54</b>      |                       |
| EBU of Non-Assessed Parcels  | n/a                  | n/a                  | n/a                  | 204.2020              |
| Contribution for Non-Assessed Parcels <sup>4</sup>                       | n/a                  | n/a                  | n/a                  | (\$27,622.00)         |
| <b>Net Balance to Levy</b>   | <b>\$9,997.92</b>    | <b>\$22,994.82</b>   | <b>\$38,799.00</b>   | <b>\$2,026,205.94</b> |
| <b>Reserve Fund/Fund Balance</b>   |                      |                      |                      |                       |
| <b>Estimated Beginning Fund Balance as of July 1, 2019</b>               | \$581,388.10         | \$253,044.16         | \$94,594.16          | \$4,786,579.48        |
| Levy and Other Funding Sources   | \$13,297.92          | \$24,294.82          | \$39,199.00          | \$2,083,827.94        |
| Expenditures less General Benefit Costs                                  | (\$76,778.32)        | (\$91,295.00)        | (\$53,261.00)        | (\$2,530,175.63)      |
| 2019/20 Planned CIP & Rehabilitation Expenditures                        | (\$3,000.00)         | (\$8,000.00)         | \$0.00               | (\$288,000.00)        |
| <b>Estimated Ending Fund Balance as of June 30, 2020</b>                 | <b>\$514,907.70</b>  | <b>\$178,043.98</b>  | <b>\$80,532.16</b>   | <b>\$4,052,231.79</b> |

<sup>1</sup> See Appendix A for planned long-term Capital Improvement Projects and Rehabilitations included in the FY 2019/20 Budget.

<sup>2</sup> Use of Reserves to fund services beyond levy amount.

<sup>3</sup> "Total Assessed Parcels" is the total number of APNs in the District less the total number of non-assessed parcels.

<sup>4</sup> Agency contribution for parcels that benefit but have not historically been assessed (typically government-owned properties).

### 3. Estimate of Costs

#### ASSESSMENT RATES

The following shows the assessment rates applicable to each Zone for FY 2019/20 based on the budget and the method of apportionment presented above.

Table 3-4  
FY 2019/20 Proposed Assessment Rates

| Zone                        | Maximum Assessment Rate per EBU <sup>1</sup> | Applied Rate per EBU |
|-----------------------------|--|----------------------|
| Zone 01                     | \$151.13                                     | \$151.12             |
| Zone 01 Condo               | \$68.20                                      | \$68.18              |
| Zone 01A                    | \$92.54                                      | \$92.54              |
| Zone 02                     | \$476.73                                     | \$476.72             |
| Zone 03                     | \$151.13                                     | \$151.12             |
| Zone 03 Condo 32142         | \$66.95                                      | \$66.94              |
| Zone 03 Condo 32143 & 32144 | \$64.51                                      | \$64.50              |
| Zone 03 Condo 32145         | \$37.73                                      | \$37.72              |
| Zone 03 Condo 32146         | \$36.50                                      | \$36.50              |
| Zone 03A                    | \$80.37                                      | \$80.36              |
| Zone 04                     | \$110.00                                     | \$110.00             |
| Zone 05                     | \$474.96                                     | \$25.00              |
| Zone 06                     | \$332.57                                     | \$139.14             |
| Zone 07                     | \$398.41                                     | \$38.16              |
| Zone 08                     | \$350.84                                     | \$79.02              |
| Zone 09                     | \$719.54                                     | \$258.66             |

#### ANNUAL INFLATIONARY ADJUSTMENT (ASSESSMENT RANGE FORMULA)

##### Zone 01 through Zone 03A and Zone 05 through Zone 08

The Maximum Assessment per EBU (Assessment Rate) established for the improvements in the previous fiscal year may be adjusted by the percentage change calculated for the previous calendar year in the Los Angeles-Long Beach-Anaheim Consumer Price Index (CPI) <sup>2</sup>, as published by the Department of Labor's Bureau of Labor Statistics.

The "All Urban Consumers" Index for Los Angeles-Long Beach-Anaheim Region is used to calculate the annual inflation adjustment. The inflation adjustment from December 2017 to December 2018 is 3.24%.

##### Zone 04

The Maximum Assessment Rate per EBU does not include an annual inflation adjustment.

<sup>1</sup> The Maximum Assessment Rate per EBU for all Zones (except Zone 04) includes an inflationary adjustment that was approved by the property owners as part of the balloted assessment proceeding.

<sup>2</sup> In January 2018, the Bureau of Labor Statistics introduced a new geographic area sample for the Consumer Price Index (CPI). Riverside, CA, which was previously included in the Los Angeles-Riverside-Orange County, CA MSA (Metropolitan Statistical Area), will now be included in a separate CBSA (Core Based Statistical Area) and will be considered a new index named Riverside-San Bernardino-Ontario, starting at 100.000. The Los Angeles-Riverside-Orange County, CA index was renamed "Los Angeles-Long Beach-Anaheim". Because the CPI approved by the property owners was the Los Angeles-Riverside-Orange County index, and it was renamed and not eliminated, CSD General Counsel determined the District would continue to use the Los Angeles-Long Beach-Anaheim index.

### 3. Estimate of Costs

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#### Zone 09

Each fiscal year the Maximum Assessment Rate per EBU will be automatically adjusted by the percentage change in the CPI for All Urban Consumers for the Los Angeles-Long Beach-Anaheim Region as published by the Department of Labor's Bureau of Labor Statistics or three percent (3%), whichever is greater.

Each year, the Board of Directors will consider whether the assessment needs to be levied at the adjusted maximum rate; and the Board may levy it at some lower rate or choose not to implement an automatic rate adjustment.

## 4. District Diagrams

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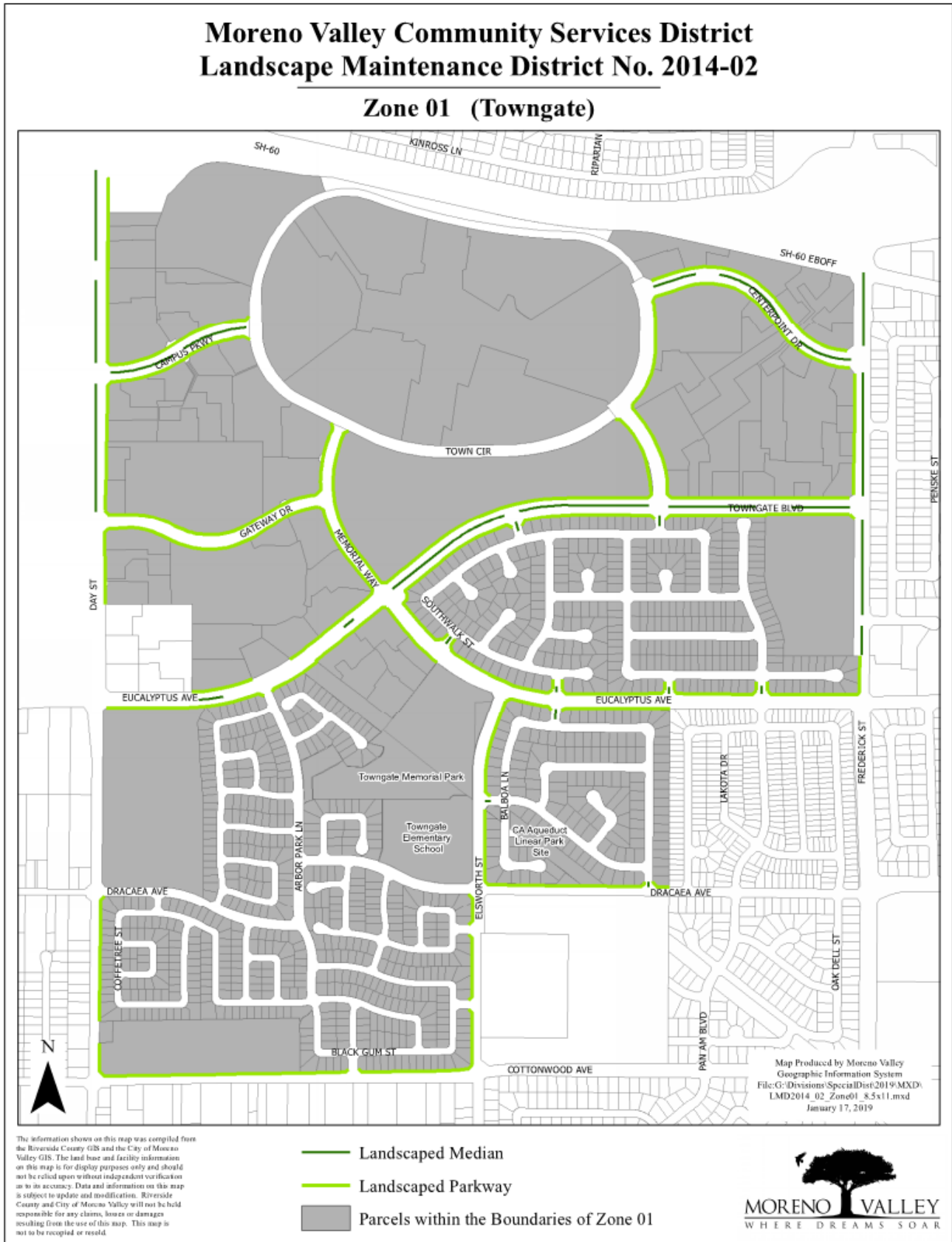
### DISTRICT DIAGRAMS

The following pages provide boundary diagrams for each Zone within the District, as well as a general depiction of the location of the improvements as identified at the time this Report was prepared. Detailed maps of the full extent and location of the improvement areas are on file with the Public Works Department, Special Districts Division. The combination of these map and the Assessment Roll referenced by this Report constitute the Assessment Diagrams for the District.



### 4. District Diagrams

Diagram 4-2



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

4. District Diagrams

Diagram 4-3



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

4. District Diagrams

Diagram 4-4

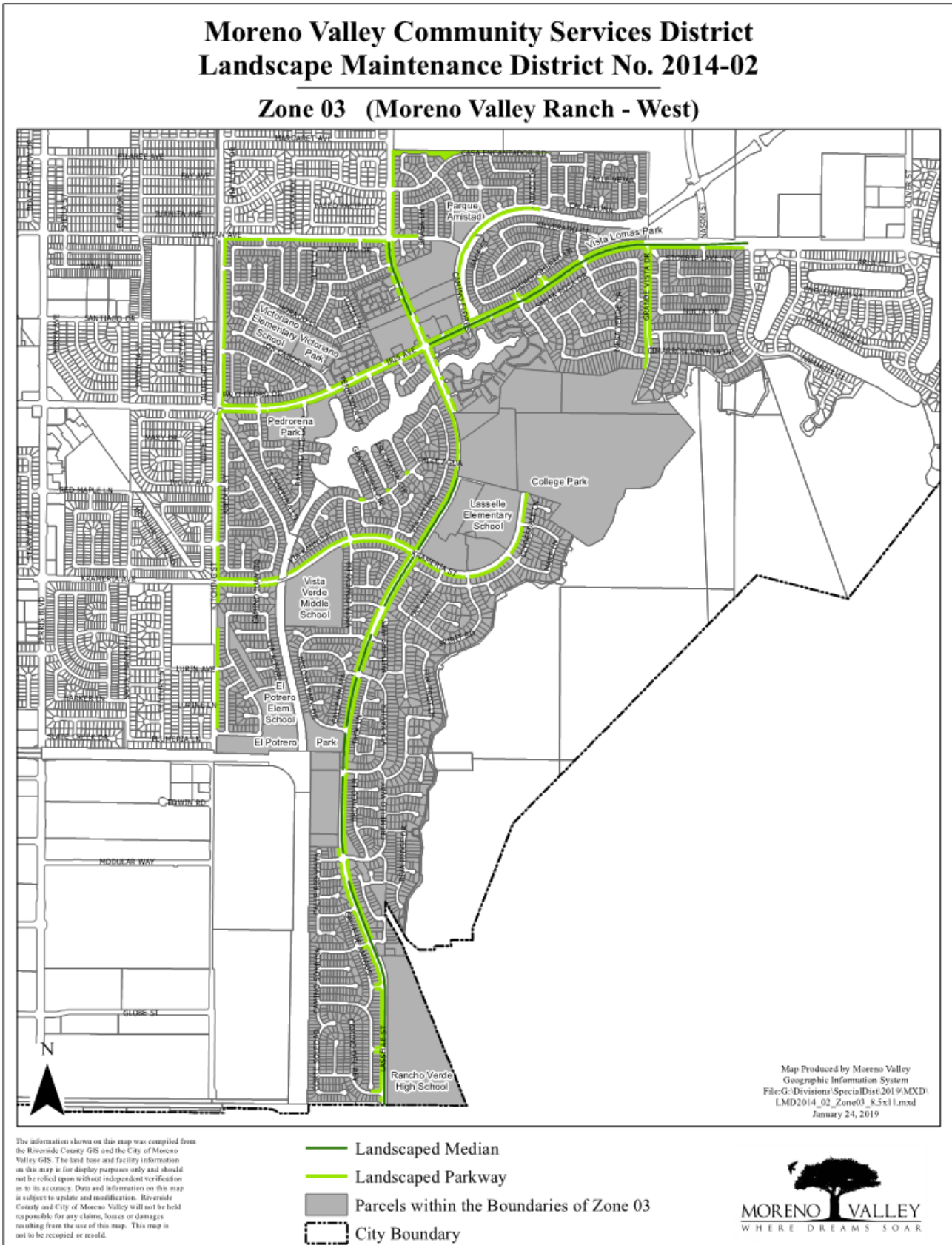


Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS



### 4. District Diagrams

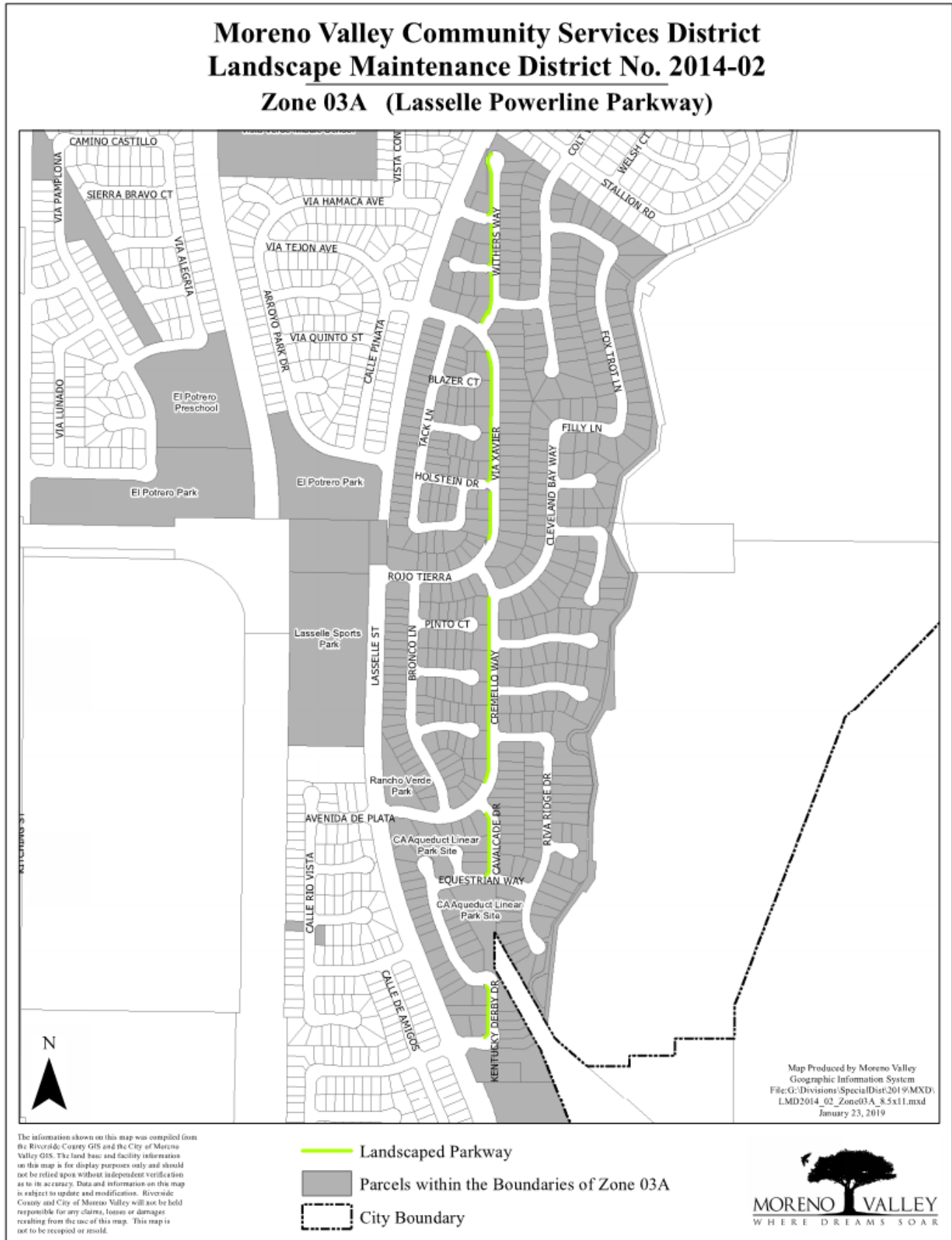
Diagram 4-5



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

### 4. District Diagrams

Diagram 4-6



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

### 4. District Diagrams

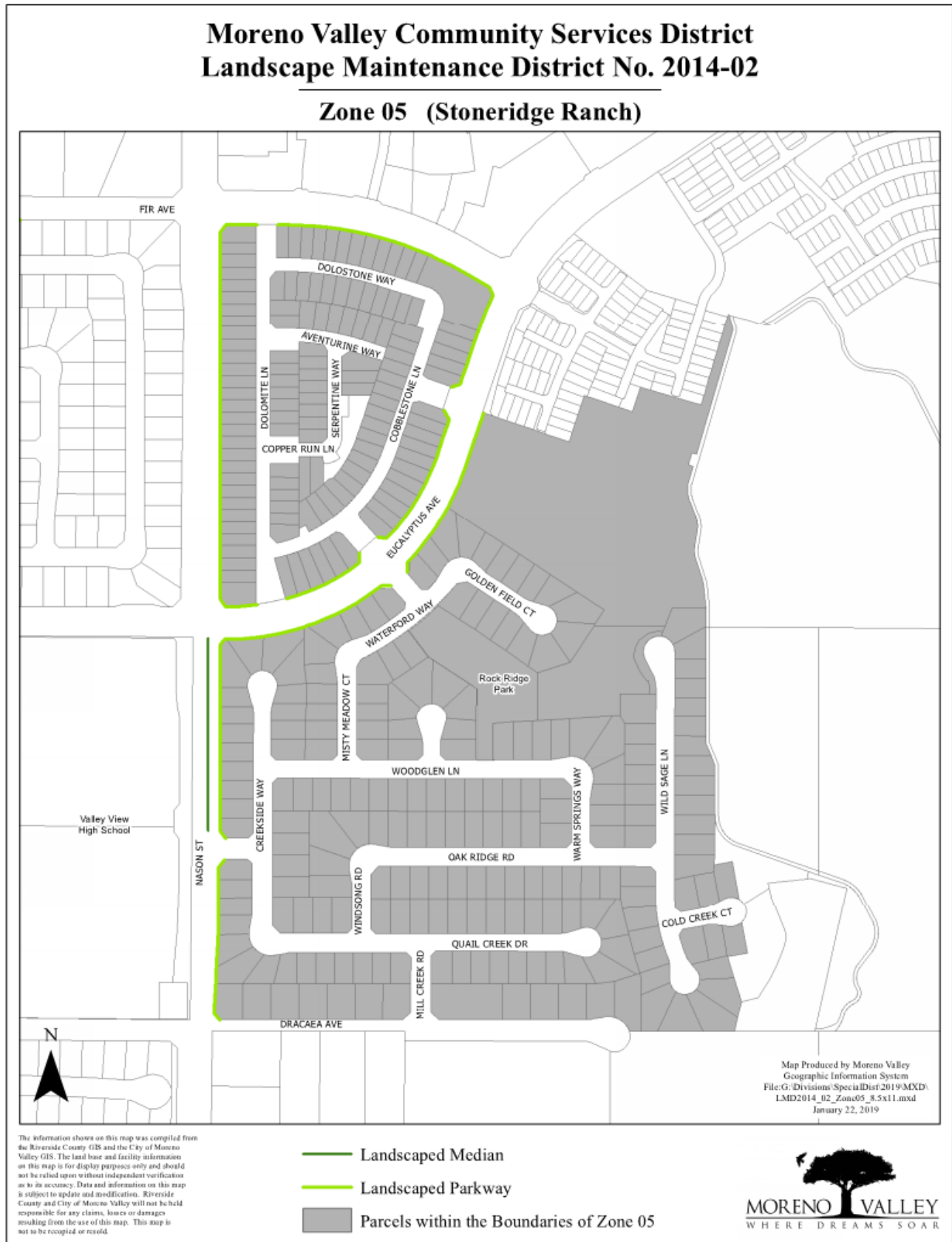
Diagram 4-7



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

### 4. District Diagrams

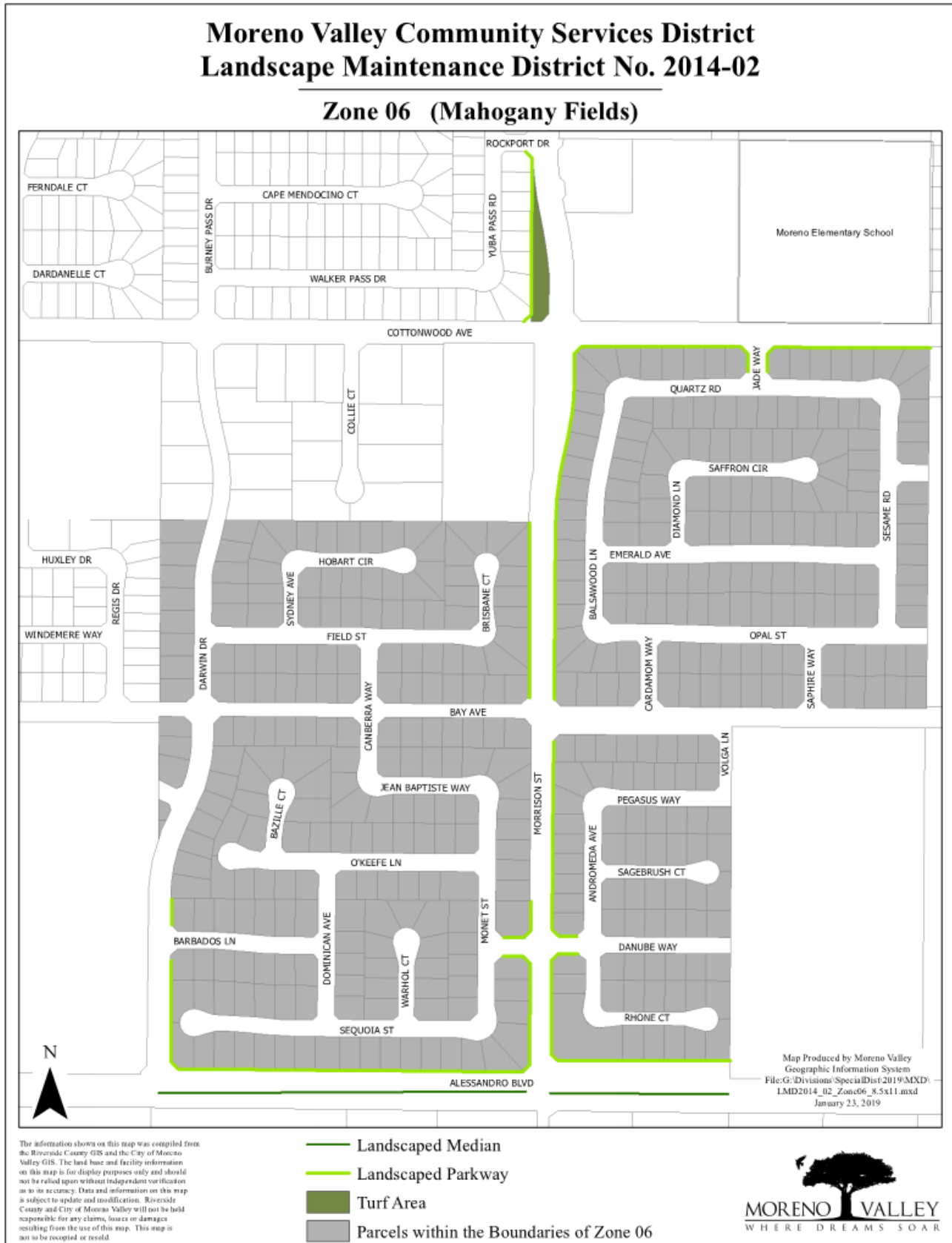
Diagram 4-8



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

### 4. District Diagrams

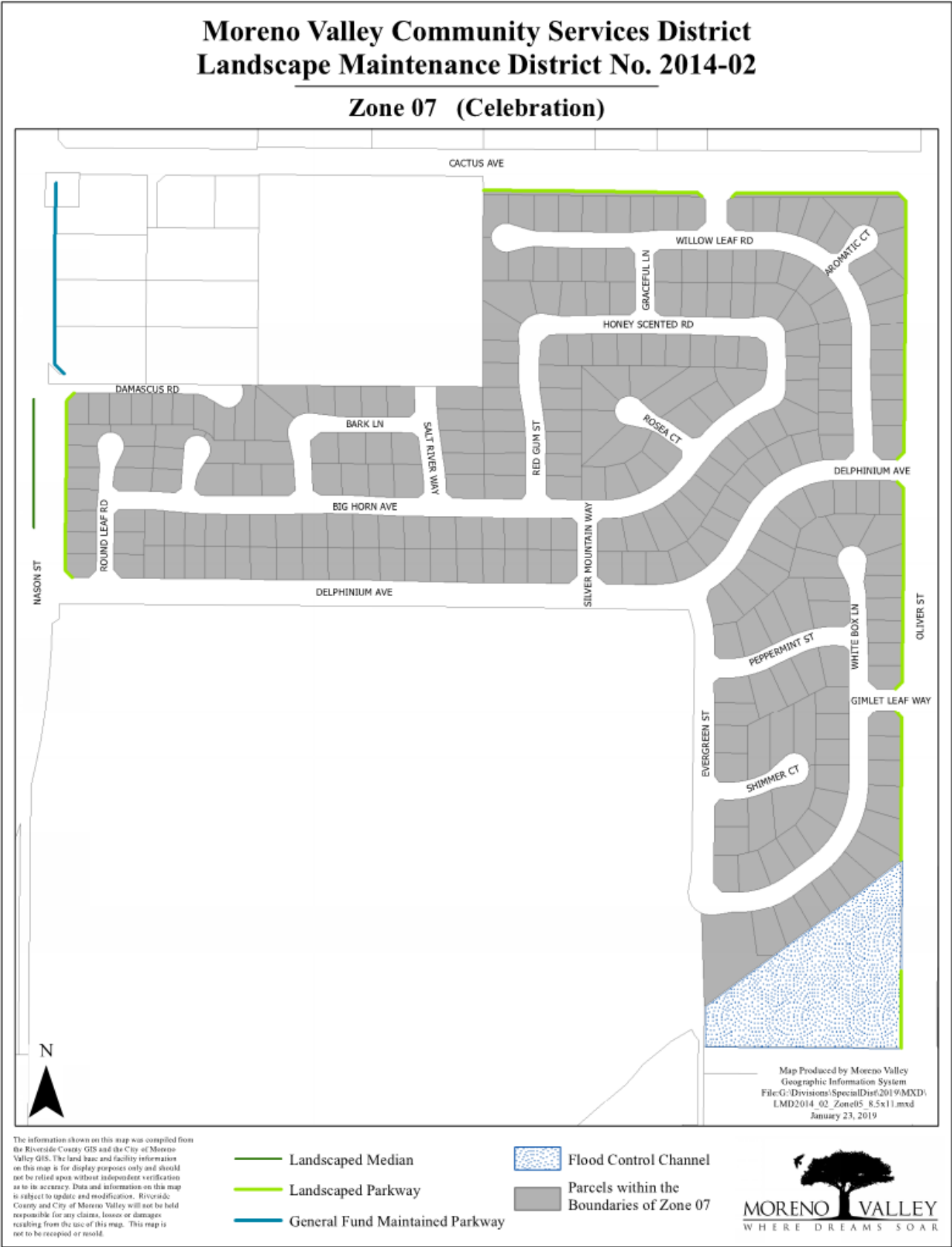
Diagram 4-9



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

4. District Diagrams

Diagram 4-10



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

### 4. District Diagrams

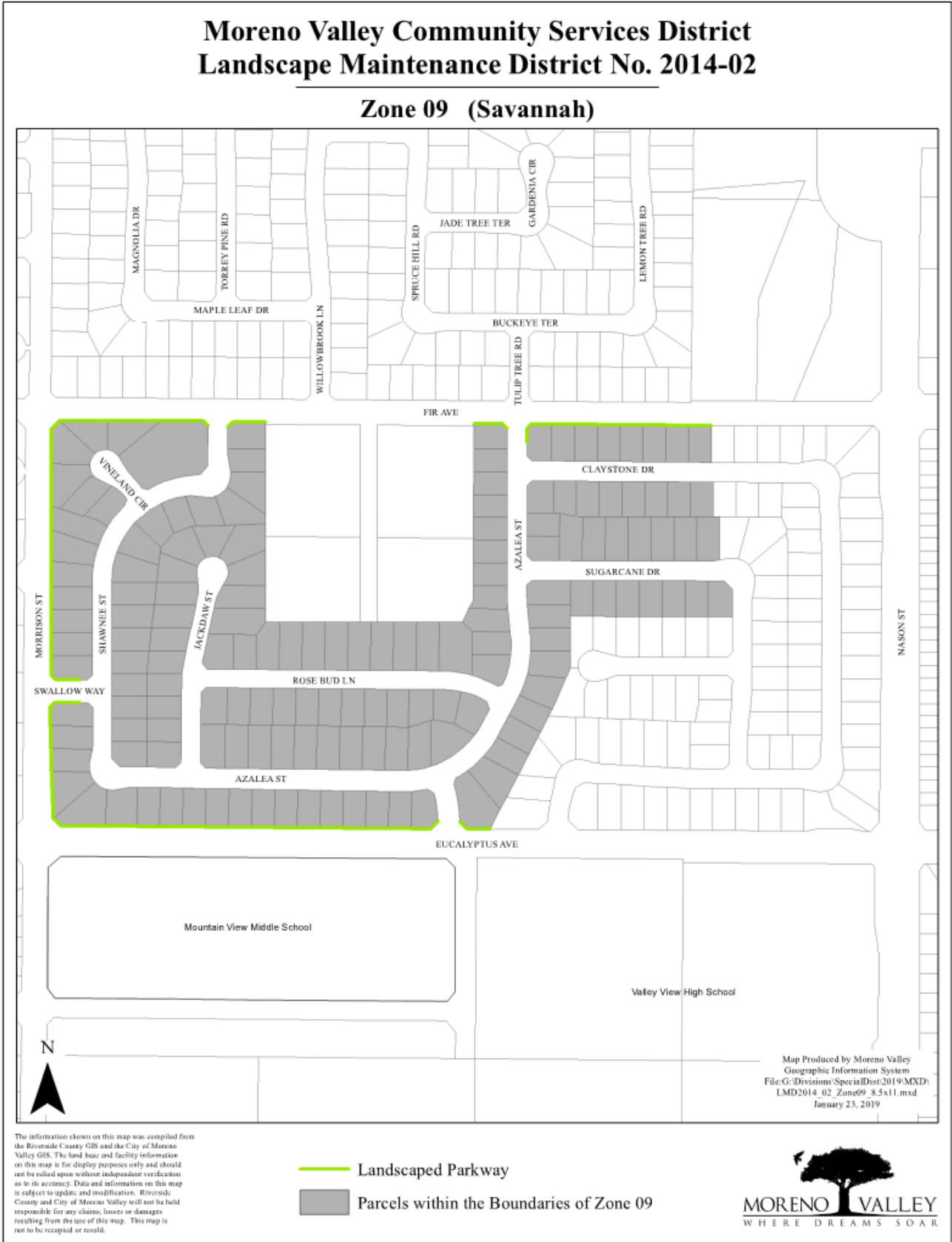
Diagram 4-11



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS

4. District Diagrams

Diagram 4-12



Attachment: LMD 2014-02 Assessment Engineer's Report (3417 : ADOPT RESOLUTIONS TO INITIATE PROCEEDINGS TO LEVY ASSESSMENTS



## 5. Assessment Roll

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### ASSESSMENT ROLL

APN identification for each lot or APN within the District is based on available parcel maps and property data from the Riverside County Assessor's Office. A listing of the APNs to be assessed within this District, along with the corresponding assessment amounts to be levied for FY 2019/20 has been provided electronically to the Secretary of the CSD Board (City Clerk). The listing is incorporated herein by reference. The Report can also be found online at the City's website at [www.moval.org/sd](http://www.moval.org/sd). If any APN identified therein is submitted for collection and identified by the County Auditor/Controller of the County of Riverside to be an invalid parcel number for any fiscal year, a corrected APN and/or new APN(s) will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment, as described in this Report and approved by the CSD Board.

APPENDIX A

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Capital Improvement Projects



Appendix A Capital Improvement Projects

Long-term Capital Improvement Projects and Rehabilitations included in the FY 2019/20 Budget.

| Projects   | Zone 01  |          | Zone 02  |          | Zone 03  |          | Zone 03A |          | Zone 05  |          | Zone 06  |          | Zone 07  |          | Zone 08  |          |
|--|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
|  | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 | FY 19/20 | FY 20/21 |
| Backflow Cage Upgrades                           | X        | X        |          |          |          |          |          |          |          |          |          |          |          |          | X        | X        |
| Irrigation/Smart Controller Installations        |          |          |          |          | X        | X        |          |          |          |          |          |          |          |          |          |          |
| Lighting Upgrades                                |          |          |          |          | X        | X        |          |          |          |          |          |          |          |          |          |          |
| Day St/Centerpointe Median Renovations           | X        | X        |          |          |          |          |          |          |          |          |          |          |          |          |          |          |
| Median Renovations                               |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |
| Parkway Renovations                              |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |
| Stamped concrete on Nason (southern-most median) |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |          |



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