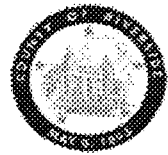


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

392



FROM: Executive Office

SUBMITTAL DATE:
June 22, 2009

SUBJECT: Resolution No. 2009-233 Extending the Furnishing of Services to the Cities of Menifee and Wildomar; Memorandum of Understanding Between the County of Riverside and the City of Menifee concerning the Furnishing of Professional Services; Memorandum of Understanding Between the County of Riverside and the City of Wildomar concerning the Furnishing of Professional Services.


RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2009-233, extending the furnishing of services to the Cities of Menifee and Wildomar;
2. Approve the attached separate Memoranda of Understanding between the County of Riverside and the cities of Menifee and Wildomar; and
3. Authorize the Chairman to execute the said Memoranda of Understanding.

BACKGROUND: When a city incorporates, government code requires the county to provide existing level of service to the area incorporated for the remaining fiscal year, or until the city council requests discontinuance of service, whichever occurs first. The transition periods for the cities of Menifee and Wildomar terminates as of June 30, 2009.

Continued on the next page


 Tina Grande, Principal Management Analyst

FORM APPROVED COUNTY COUNSEL
 BY: 
 PAMELA J. WALLS
 DATE: 6/23/09
 Departmental Concurrence

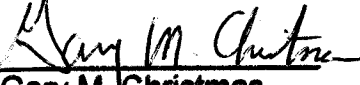
Dept's Recomm.:
 Per Exec. Ofc.:
 Consent
 Policy
 Consent
 Policy

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$	Budget Adjustment:	No
	Annual Net County Cost:	\$	For Fiscal Year:	09/10

SOURCE OF FUNDS: Reimbursed by the cities of Menifee and Wildomar	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: 
 Gary M. Christmas

County Executive Office Signature

3.7

FORM 11: Resolution No. 2009-233 Extending the Furnishing of Services to the Cities of Menifee and Wildomar; Memorandum of Understanding Between the County of Riverside and the City of Menifee concerning the Furnishing of Professional Services; Memorandum of Understanding Between the County of Riverside and the City of Wildomar concerning the Furnishing of Professional Services

Page 2

BACKGROUND (continued):

The City of Menifee has requested a 30-day extension of certain services currently being provided by a few county departments. This will allow the city and county to negotiate, review, and approve longer term contracts for services. The city will pay for these services at the end of the 30-day period; these costs will not be included in the 5-year transition year repayment.

The Executive Office contacted the City of Wildomar and offered, and the city accepted, the same extension. City of Wildomar is further in the process of contracting with the county, so the services to be extended will differ slightly from the services to be provided to Menifee. Also, at the City of Wildomar attorney's request, language was added to the Memorandum of Understanding (MOU) between the County and the City of Wildomar, which requires the city to officially request continuation of service. The county has requested the city send a letter detailing all services needed along with the signed MOU.

Any service agreements between the county and the individual city adopted prior to the end of this 30-day extension period will be made retroactive and effective as of July 1, 2009. Until final contracts are negotiated and adopted or services are terminated, the final amount to be billed to the cities is unknown.

2
3 RESOLUTION NO. 2009-233

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
5 COUNTY OF RIVERSIDE EXTENDING THE FURNISHING
6 OF SERVICES TO THE CITIES OF MENIFEE AND WILDOMAR

7
8 WHEREAS, the City of Menifee incorporated on October 1, 2008 and the City of Wildomar
9 incorporated on July 1, 2008.

10 WHEREAS, pursuant to subdivision (b) of Government Code section 57384, the County of
11 Riverside ("County") has continued to furnish services to the Cities of Menifee and Wildomar ("Cities"),
12 subject to reimbursement by the Cities within five (5) years of the effective date of incorporation.

13 WHEREAS, the requirement to provide such services to the Cities terminates on June 30, 2009
14 (the end of the fiscal year following the date of incorporation).

15 WHEREAS, the City Councils of the Cities of Menifee and Wildomar have requested the County
16 furnish certain services to their respective cities beyond the June 30, 2009 termination date.

17 WHEREAS, The Board of Supervisors is authorized to enter into agreements for the furnishing of
18 services beyond end of the fiscal year following incorporation.

19 WHEREAS, service agreements are being prepared to provide the following County department
20 services to the Cities including, but not limited to: Fire, Sheriff, Animal Control, Economic
21 Development/Graffiti Abatement, Environmental Health/Vector Control, Transportation and Land
22 Management Agency including Administrative Services, Building and Safety, Code Enforcement,
23 Environmental Programs, Planning and Transportation ("Services").

24 WHEREAS, it is anticipated that these service agreements will not be completed and approved by
25 the Cities and County before the June 30, 2009 termination date.

26 WHEREAS, it is therefore necessary to extend furnishing of Services for an additional thirty (30)
27 days to allow for completion and approval of these service agreements by the Cities and County, and to
28 ensure that there is no disruption in the continuity of Services from the County to the Cities.

1 WHEREAS, the extension of the furnishing of Services to the Cities will be under the terms and
2 conditions set forth in the Memoranda of Understanding, attached hereto and incorporated by reference
3 herein; now therefore,

4 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside,
5 State of California, in regular session assembled on June 23, 2009 as follows:

6 1. The Board of Supervisors hereby directs that County Services continue to be provided to
7 the Cities for an additional thirty (30) days, to July 30, 2009, under the terms and conditions set forth in
8 the attached Memoranda of Understanding.

9 2. The attached Memoranda of Understanding is approved and the Chairman of the Board is
10 authorized to sign the Memorandum of Understanding on behalf of the County.

11 3. This Resolution shall take effect upon adoption.
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24 FORM APPROVED COUNTY COUNSEL
25 BY: P. J. Walls 6/23/09
PAMELA J. WALLS DATE

26
27 PJW:ay
06/18/09

28 G:\Property\07-RESOLUTION\Reso 2009-233 - Ext of Svcs to Menifee & Wildomar.doc

MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF WILDOMAR
CONCERNING THE FURNISHING OF PROFESSIONAL SERVICES

The County of Riverside ("County") and the City of Wildomar ("City") enter into the following Memorandum of Understanding ("this Agreement"), effective July, 1, 2009, for the County to provide certain professional services to the City.

RECITALS

- A. The City of Wildomar incorporated on July 1, 2008.
- B. Pursuant to subdivision (b) of Government Code section 57384, the County continued to furnish services to the City, subject to reimbursement by the City within five (5) years of the date of incorporation.
- C. The requirement to provide such services to the City terminates on June 30, 2009 (the end of the fiscal year following incorporation).
- D. The City Council of the City of Wildomar has requested the County furnish certain services beyond the June 30, 2009 termination date. These services include, but are not limited to, professional services of the following County departments: Animal Control, Economic Development (graffiti abatement), Environmental Health/Vector Control, Transportation Land Management Agency including Administrative Services, Building and Safety, Code Enforcement, Environmental Programs, Planning and Transportation ("Services").
- E. The City and County are currently preparing service agreements for the provision of the Services by the County to the City. It is anticipated that these service agreements will not be completed and approved by the City and County before the June 30, 2009 termination date.

F. The City and County therefore desire to extend the furnishing of Services by the County to the City and hereby agree as follows:

AGREEMENT

1. The foregoing recitals are incorporated herein and made a part of this Agreement by reference.

2. The County will, upon City's request, furnish Services to the City for the period of July 1, 2009 to and including August 1, 2009 on the condition that:

(a) City shall pay the invoice for requested Services rendered to the City within thirty (30) days after City's contract administrator receives the invoice for the Services from the County's contract administrator. City may dispute any monthly invoice by submitting a written description of the dispute to County's contract administrator within ten (10) days of the date City's contract administrator receives the invoice from County's contract administrator. City may defer the payment of any portion of the invoice in dispute until such time as the dispute is resolved; however, all portions of the invoice not in dispute must be paid within the thirty (30)-day period set forth herein.

3. The Service Agreements will be made retroactive and effective as of July 1, 2009, when approved, and shall supersede this Agreement.

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4. This Agreement shall only apply to those Services for which a Service Agreement has not been approved by the City and County on or before July 1, 2009.

COUNTY Approvals:

JEFF STONE, Chairman
Board of Supervisors, County of Riverside

Dated: _____

APPROVED AS TO FORM:



PAMELA J. WALLS, County Counsel
County of Riverside

Dated: 6/23/09

ATTEST:

CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

CITY Approvals:

SCOTT FARNAM, Mayor
City of Wildomar

Dated: _____

APPROVED AS TO FORM:

JULIE BIGGS, City Attorney
City of Wildomar

Dated: _____

ATTEST:

CITY CLERK

By: _____
DEBBIE A. LEE

(SEAL)

MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF RIVERSIDE AND THE CITY OF MENIFEE
CONCERNING THE FURNISHING OF PROFESSIONAL SERVICES

The County of Riverside ("County") and the City of Menifee ("City") enter into the following Memorandum of Understanding ("this Agreement"), effective July 1, 2009, for the County to provide certain professional services to the City.

RECITALS

- A. The City of Menifee incorporated on October 1, 2008.
- B. Pursuant to subdivision (b) of Government Code section 57384, the County continued to furnish services to the City, subject to reimbursement by the City within five (5) years of the date of incorporation.
- C. The requirement to provide such services to the City terminates on June 30, 2009 (the end of the fiscal year following incorporation).
- D. The City Council of the City of Menifee has requested the County furnish certain services beyond the June 30, 2009 termination date. These services include, but are not limited to, professional services of the following County departments: Fire, Sheriff, Animal Control, Economic Development, Environmental Health/Vector Control, Transportation Land Management Agency including Administrative Services, Building and Safety, Code Enforcement, Environmental Programs, Planning and Transportation ("Services").
- E. The City and County are currently preparing service agreements for the provision of the Services by the County to the City. It is anticipated that these service agreements will not be completed and approved by the City and County before the June 30, 2009 termination date.

F. The City and County therefore desire to extend the furnishing of Services by the County to the City and hereby agree as follows:

AGREEMENT

1. The foregoing recitals are incorporated herein and made a part of this Agreement by reference.

2. The County will furnish Services to the City for the period of July 1, 2009 to and including August 1, 2009 on the condition that:

(a) City shall pay the invoice for Services rendered to the City within thirty (30) days after City's contract administrator receives the invoice for the Services from the County's contract administrator. City may dispute any monthly invoice by submitting a written description of the dispute to County's contract administrator within ten (10) days of the date City's contract administrator receives the invoice from County's contract administrator. City may defer the payment of any portion of the invoice in dispute until such time as the dispute is resolved; however, all portions of the invoice not in dispute must be paid within the thirty (30)-day period set forth herein.

3. The Service Agreements will be made retroactive and effective as of July 1, 2009, when approved, and shall supersede this Agreement.

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4. This Agreement shall only apply to those Services for which a Service Agreement has not been approved by the City and County on or before July 1, 2009.

COUNTY Approvals:

JEFF STONE, Chairman
Board of Supervisors, County of Riverside

Dated: _____

APPROVED AS TO FORM:



PAMELA J. WALLS, County Counsel
County of Riverside

Dated: 6/23/09

ATTEST:

CLERK OF THE BOARD

By: _____

Deputy

(SEAL)

CITY Approvals:

WALLACE EDGERTON, Mayor
City of Menifee

Dated: _____

APPROVED AS TO FORM:

ELIZABETH MARTYN, City Attorney
City of Menifee

Dated: _____

ATTEST:

CITY CLERK

By: _____

KATHY BENNETT

(SEAL)