

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority

Date of Meeting: 25 April 2006

6:00 p.m.

Place of Meeting: City Council Chambers

1. CALL TO ORDER:

The Honorable Mayor Busch called the Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority Meeting to order.

6:00 p.m. Called to Order

2. ROLL CALL:

Council Members Present: Landers, Motte, Rogers, Yarbrough, Busch

All Council Members present

Staff Members Present: City Manager Apodaca, City Attorney Dunn, City Engineer Motlagh, Finance Director Carr, Public Works Director Ansari, Interim Director of Development Services Belmudez, Assistant to City Manager Madkin, and City Clerk Rey.

Staff Members Present

3. INVOCATION:

Pastor Terrence L. Hundley
City of Miracles Church
425 Rider Street
Perris, CA

Pastor Hundley led the Invocation.

4. PLEDGE OF ALLEGIANCE:

Councilmember Landers led the Pledge of Allegiance.

Councilmember Landers led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

None.

No Presentations or Announcements.

6. APPROVAL OF MINUTES:

A. Approval of the Minutes of the Regular Joint Work Session of the City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority held April 11, 2006, and the Regular Joint Meeting of the City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority Meeting held April 11, 2006.

Approval of Minutes of the Regular Joint Work Session and the Regular Joint Meeting of the City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority Meeting held April 11, 2006.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Rogers) to approve the Minutes of the Regular Joint Work Session of the City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority held on April 11, 2006, and the Minutes of the Regular Joint Meeting of the City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority held on April 11, 2006.

Motion to approve the Minutes of the Regular Joint Work Session and Regular Joint Meeting of the City Council, RDA, PPFA and PPUA held on April 11, 2006.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

7. CONSENT CALENDAR:

Mayor Busch called for any comments regarding Consent Calendar items only.

Mayor Busch called for comments regarding Consent Calendar only.

PUBLIC COMMENT: None

No Public Comment

Due to conflict of interests, Councilmember Landers abstained from Item E and Councilmember Motte abstained from Item D.

Councilmember Landers abstained from Item E, and Councilmember Motte abstained from Item D.

A. Adopt Second Reading of Ordinance Number 1187 regarding Community Facilities District No. 2005-4 (Stratford Ranch), located at the corner of Oleander Avenue and Murrieta Road. (Owners: Stratford Ranch Partners, LLC; Centex Homes, a Nevada General Partnership)

Adoption of Second Reading of Ordinance Number 1187 regarding CFD 2005-4 (Stratford Ranch), located at the corner of Oleander Ave. and Murrieta Rd. (Owners: Stratford Ranch Partners, LLC; Centex Homes, a Nevada General Partnership)

The Second Reading of Ordinance Number 1187 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-4 (STRATFORD RANCH) OF THE CITY OF PERRIS, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

Second Reading of Ordinance Number 1187 of the City Council acting in its capacity as the legislative body of CFD 2005-4 (Stratford Ranch), authorizing the levy of a Special Tax within said district.

- B. Adopt Second Reading of Ordinance Number 1188 regarding Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris. Annexation No. 9. (Owner/Developer: Stratford Ranch Partners, LLC; Centex Homes, a Nevada General Partnership)

Adoption of Second Reading of Ordinance Number 1188 regarding CFD 2001-3 (North Perris Public Safety), Annexation No. 9. (Owner/Developer: Stratford Ranch Partners, LLC; Centex Homes, a Nevada General Partnership)

The Second Reading of Ordinance Number 1188 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN ANNEXATION NO. 9 TO SAID DISTRICT.

Second Reading of Ordinance Number 1188 of the City Council acting in its capacity as the legislative body of CFD 2001-3 (North Perris Public Safety), authorizing the levy of a Special Tax within Annexation No. 9.

- C. Adopt Second Reading of Ordinance Number 1189 regarding Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 10, Tract Nos. 32793 and 33720 near the corner of Sunset Avenue and Evans Road; Assessor Parcel Numbers 305-020-004, 305-020-033 and 305-020-034 near the corner of Rider Street and Indian Avenue. (Owners/Developers: Tava-Watkins, LLC (Meritage Homes) and Road Machinery, LLC)

Adoption of Second Reading of Ordinance Number 1189 regarding CFD 2001-3 (North Perris Public Safety), Annexation No. 10, Tracts 32793 and 33720 near the corner of Sunset Ave. & Evans Rd.; APN 305-020-004, 305-020-033 and 305-020-034 near the corner of Rider St & Indian Ave. (Owners/Developers: Tava-Watkins, LLC (Meritage Homes) and Road Machinery, LLC)

The Second Reading of Ordinance Number 1189 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN ANNEXATION NO. 10 TO SAID DISTRICT.

Second Reading of Ordinance Number 1189 of the City Council acting in its capacity as the legislative body of CFD 2001-3 (North Perris Public Safety), authorizing the levy of a Special Tax within Annexation No. 10 to said district.

- D. Adopt Second Reading of Ordinance Number 1190 regarding Zone Change 05-0333, Tentative Parcel Map 34082 (05-0334), and Development Plan Review 05-0335, located on the northwest corner of Illinois Avenue and Trumble Road, north of Ethanac Road, APN: 329-250-006, 329-250-007, and 329-250-010. (Applicant: Classic Pacific)

Adoption of Second Reading of Ordinance Number 1190 regarding ZC 05-0333, TPM 34082 and DPR 05-0335, located on the NW corner of Illinois Ave. & Trumble Rd., north of Ethanac Rd., APN 329-250-006, 329-250-007 and 329-250-010. (Applicant: Classic Pacific)

The Second Reading of Ordinance Number 1190 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2215) AND ZONE CHANGE NO. 05-0333 TO CHANGE THE ZONING DESIGNATION FROM "CC" COMMERCIAL COMMUNITY TO "CC-PD" COMMERCIAL COMMUNITY-PLANNED DEVELOPMENT ON 27.32 ACRES OF LAND

Second Reading of Ordinance Number 1190 approving ND 2215 and ZC 05-0333 to change the zoning designation from "CC" to "CC-PD" on 27.32 acres of land located on

LOCATED ON THE NORTHWEST CORNER OF ILLINOIS AVENUE AND TRUMBLE ROAD, NORTH OF ETHANAC, AND MAKING FINDINGS IN SUPPORT THEREOF.

the NW corner of Illinois Ave. & Trumble Rd., north of Ethanac.

(Councilmember Motte abstained from this item.)

(Councilmember Motte abstained from this item.)

- E. Approve a Memorandum of Understanding with John Ford, ParkWest Associates, D.R. Horton, Centex and Meritage Homes regarding the construction of Line Q along Nuevo Road east of the Perris Valley Storm Drain.

Approval of an MOU with John Ford, ParkWest Associates, D.R. Horton, Centex and Meritage Homes regarding the construction of Line Q along Nuevo Rd. east of the Perris Valley Storm Drain.

(Councilmember Landers abstained from this item.)

(Councilmember Landers abstained from this item.)

- F. Receive and File Quarterly Investment Report for the quarter ended March 31, 2006.

Receiving and Filing Quarterly Investment Report for the quarter ended March 31, 2006.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to approve the Consent Calendar as presented.

Motion to approve the Consent Calendar as presented.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
(Balance of Consent Calendar)

*Item D:
Approved: 4-0
Councilmember Motte abstained.*

NOES:
ABSENT

ABSTAIN: Motte (Item D only)
Landers (Item E only)

*Item E:
Approved: 4-0
Councilmember Landers abstained.*

*Balance of Consent Calendar
Approved: 5-0*

8. PUBLIC HEARINGS:

- A. Consideration to adopt Second Reading of Ordinance Number 1186 and Resolution Number 3627 regarding the Transportation Uniform Mitigation Fee (TUMF).

Adoption of Second Reading of Ordinance Number 1186 and Resolution Number 3627 regarding TUMF.

The Second Reading of Ordinance Number 1186 is entitled:

AN ORDINANCE OF THE CITY OF PERRIS AMENDING AND SUPERSEDING ORDINANCE NUMBER 1114 AUTHORIZING PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM.

Second Reading of Ordinance Number 1186 amending and superseding Ordinance Number 1114 authorizing participation in the Western Riverside County Transportation Uniform Mitigation Fee Program.

Resolution Number 3627 is entitled:

A RESOLUTION OF THE CITY OF PERRIS AMENDING THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF PERRIS.

Resolution Number 3627 amending the Transportation Uniform Mitigation Fee

(TUMF) applicable to all developments in the City of Perris.

Introduced by: Ron Carr, Finance Director

Director Carr advised that the Council was being asked to consider approving the 2005 Nexus Study, adopt the Second Reading of the TUMF Ordinance, and adopt the TUMF Resolution. Mr. Carr summarized the Nexus Study in three points:

Director Carr advised that the Council was being asked to consider approving the 2005 Nexus Study, adopt Second Reading of the TUMF Ordinance, and adopt the TUMF Resolution. Mr. Carr gave a summary of the Nexus Study.

- ◆ Continued growth will result in increasing congestion on arterial roadways.
- ◆ Capacity improvements are necessary to mitigate the cumulative regional impacts of new development.
- ◆ Roads on the TUMF network are the facilities that merit improvement through this fee program.

Mr. Carr added that in order to continue participating in the TUMF program, the Council was being asked to raise TUMF fees, with a single-family residential increasing from approximately \$7,200 to \$9,693.

Increase in TUMF fees.

In terms of economic impact on the City of Perris, Mr. Carr stated that so far the City had collected \$6.5 million in TUMF, and in the current Transportation Improvement Plan there was \$6.1 million in projects listed (first attachment to the Staff Report). The requested and revised Transportation Improvement Plan showed \$15.6 million in projects (second attachment to the Staff Report).

Economic impact of TUMF on the City of Perris.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Landers suggested that Ruthanne Taylor Berger, WRCOG representative, for the sake of the audience, tell a little about the projects and what the fees had been funding.

Councilmember Landers suggested that WRCOG representative Ruthanne Taylor Berger enlighten the audience about TUMF projects and fees.

Ms. Taylor Berger advised that TUMF had programmed \$417 million, with about \$250 presently in the bank. She said the Transportation Commission had a separate set of projects, including the Ramona Expressway project and various projects all down the I-215, including the 4th Street/I-215 Interchange. She said there were a lot of shelf-ready planning projects underway in preparation for the construction projects, and that Perris residents would soon be seeing project signs in the area indicating that TUMF money and development dollars were at work.

Ms. Taylor Berger gave a brief overview of the TUMF program.

Councilmember Landers asked if she could expand a little on the 4th Street/I-215 Interchange project. Ms. Taylor Berger said that Mr. Motlagh would have more information on that.

Councilmember Landers asked about the 4th Street/I-215 project. Ms. Taylor Berger said Mr. Motlagh had more information on that.

Mr. Motlagh explained that the City had \$1 million from its TUMF fund allocated for the preliminary engineering and environmental for that project. He noted that RCTC was

Mr. Motlagh gave an update on funding for the Interchange project.

matching that with Proposition A funds. In addition, there was an \$800,000 federal grant for plans. He said that with the new TUMF, that project would receive up to \$32 million in TUMF funds, which would pay for right-of-way and construction of the entire new interchange. Barring any environmental issues, the hope was to begin construction on the project within three years.

Mr. Landers asked if there was any money or anything planned for Placentia or Oleander. Mr. Motlagh responded that Placentia was already on the books, but they were just waiting for the Mid-County Parkway route to be decided. If it did not impact Placentia, Placentia would be a TUMF project, and there was already money in the fund to pay for it. Mr. Motlagh said the City currently had \$6 million in the present TIP from local funds; the new TIP that the City was hoping to get approved by the zone would bring it to \$15 million. He stated that the City was more than using the funds it was collecting. In response to a question from Mr. Landers, Mr. Motlagh said there was a project slated for Ethanac, adding one lane on each side, making it a four-lane road, and that there was money in TUMF to pay for that as well.

Ms. Taylor Berger said TUMF was also working with RCTC and RTA on a multimodal transit station project.

Councilmember Motte asked if there could be funding for the freeway. Ms. Taylor Berger responded that the TUMF program was specifically designed for arterials. Mr. Motte asked if there had been discussions with Caltrans regarding addition of lanes on the freeway. Mr. Motlagh said that Caltrans was working on a project with RCTC to widen the I-215 from "D" Street all the way to Murrieta. Part of the funding would come from Measure M.

Mayor Busch asked for an explanation of "shelf ready." Mr. Motlagh said that what that meant was, for instance, that the City presently had funds for the 4th Street/I-215 Interchange allocated for some engineering. As the City received more funds, it would finish the process, design the project, get project permits, rights-of-way purchased, and get the project lined up so that all they needed was money to build it, because when a project is shelf ready, it is easier to match funds than when a project is just starting.

Mayor Busch called for a motion.

M/S/C: (Landers/Motte) to adopt Second Reading of Ordinance Number 1186 and Resolution Number 3627 regarding the Transportation Uniform Mitigation Fee (TUMF).

Mr. Landers inquired regarding plans for Placentia Oleander. Mr. Motlagh said Placentia was already on the books, but they were waiting for a decision on the Mid-County Parkway route. Mr. Landers asked about Ethanac, which Mr. Motlagh said was scheduled to be expanded to a four-lane road.

Ms. Taylor Berger said TUMF was also working on a multimodal transit station project with RCTC and RTA.

Councilmember Motte asked about funding for the freeway. Ms. Taylor Berger responded that the TUMF program was specifically for arterials. In response to another question, Mr. Motlagh said that Caltrans was working on a project with RCTC to widen the I-215 from Perris to Murrieta.

Mayor Busch asked for an explanation of "shelf ready". Mr. Motlagh responded.

Mayor Busch called for a motion.

Motion to adopt Second Reading of Ordinance Number 1186 and Resolution Number 3627 regarding the Transportation Uniform Mitigation Fee (TUMF).

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

Mayor Busch said he had received a request from the City Engineer to move ahead to Item 9.A. (Mid-County Parkway Transportation Survey), as representatives from Riverside County Transportation Commission (RCTC) were present to make a presentation but were on a very limited time schedule as they had to attend another meeting.

Mayor Busch advised that he had received a request to move ahead and take Item 9.A. out of order to accommodate RCTC representatives who were present.

9.A. Review findings of the Mid-County Parkway Transportation Survey. (Item reviewed out of order)

Review findings of the Mid-County Parkway Transportation Survey.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh thanked Mayor Busch for honoring the request to allow the RCTC representative to make his presentation early. He stated that this item was in response to Council's October 2005 request for a resident opinion survey regarding various alignments of the Mid-County Parkway. He then introduced Doug Johnson to give a PowerPoint presentation.

City Engineer Motlagh explained that this presentation was in response to Council's request in October for a resident opinion survey regarding various alignments of the Mid-County Parkway. Mr. Motlagh introduced Doug Johnson of RCTC to give the presentation.

Mr. Johnson stated that they had conducted a survey of 400 Perris residents during the month of March, with a goal of accessing views on the potential Mid-County Parkway routes.

Mr. Johnson gave a report on the survey that had been conducted in March, indicating the prominent responses to each question.

(Question 1) The first question they had asked the residents was regarding the top issue facing the City. Crime rated number one, with transportation and road maintenance in second and third place.

Top issue facing the City

(Question 2) In response to a question regarding commuting, 52% of the people indicated that they commuted four times a week, with 27% of them driving more than an hour each way.

Commuting

(Question 7) Eighty-two percent indicated they thought a new east-west freeway was needed.

Need for a new east-west freeway

(Questions 5 & 6) Awareness: 82% said they had not heard of the Mid-County Parkway; the remainder said they had; about 1/3 said they had heard of the proposed "east-west freeway."

Awareness

(Questions 8 & 9) About 45% said they were concerned about the environmental impact on the Lake Matthews wetlands; about the same amount were concerned about the Multi-Species Habitat.

Environmental impact

(Question 10) When asked their preference for the route options, 32% said they liked the Storm Drain route, 27% the

Route preference

Dam-Ramona route, 17% didn't know, and 11% like the Placentia route.

(Question 12) When asked if they would choose another route if it cost less, those who had chosen the Dam-Ramona route were the most dedicated to their choice.

Loyalty to preference

(Question 13) When asked if they would change their choice if it required relocating the Fire Station, those who were least likely to change their choice were those who had chosen the Dam-Ramona route.

Loyalty to preference if it required relocating the Fire Station

(Question 14) After being given a brief description of the State Department of Water Resources position concerning the Dam-Ramona route, the people were asked if the City should drop that route. Most responded that they wanted to learn more about it before making a decision.

Response to DWR position

(Question 15) They then asked what the people's top priority was in choosing a route: the best transportation route, the lowest cost, or the one that would demolish the fewest homes and businesses. Most indicated it would be the one that would demolish the fewest homes and businesses.

Top priority in choosing a route

Mr. Johnson noted that those persons who were aware of the project were less likely to say, "Change the route if it's going to impact the Fire Station." He said that obviously there were still a lot of people who simply were not aware of this project.

Mr. Johnson noted that many people were still not aware of this project.

Mayor Busch asked Cathy Bechtel, Project Delivery Chair for RCTC, if she had any comments. Ms. Bechtel said she had been somewhat surprised at some of the responses to the survey, especially to learn that 82% of those surveyed were not even aware of the Mid-County Parkway project. That indicated to her that they needed to do a better job of informing the public. She said one of the reasons that many of those surveyed were not aware of the project was possibly because a large number of them had lived in the City less than three years, and there had not been recent public meetings regarding the project. Regarding the route preference, Ms. Bechtel said it was not surprising that the respondents were concerned about their homes. Regarding the possible loss of the Fire Station, Ms. Bechtel said she did not know if it had been explained to the people that if it was demolished, the Fire Station would be relocated and built at no cost to the City.

Mayor Busch asked for comments from Cathy Bechtel, Project Delivery Chair for RCTC. Ms. Bechtel expressed surprise at some of the responses, particularly to learn that 82% of the people were not even aware of the Mid-County Parkway project. She said that indicated that they needed to do a better job of informing the public. She also said it was not surprising that the people were most concerned about their homes.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Landers asked Ms. Bechtel how definite it was that the Ramona route could not be used. He said he believed that if they went back to the board, they could find a way to go down Ramona, a route that would be much less destructive to the City. Ms. Bechtel responded that all of their discussions and

Councilmember Landers asked Ms. Bechtel if it was certain that the Ramona route could not be used. He thought there should be a way to use that route, which would be a

correspondence with the Department of Water Resources had indicated that this freeway could not be in their right-of-way. Because they had to stay out of that right-of-way, the only other option would be to move it west, where there were homes, and it would require frontage roads, which would require even more right-of-way in that area. Mr. Landers felt this was a political issue.

much less destructive one to the City. Ms. Bechtel said that all communications with DWR indicated that this freeway could not be in their right-of-way, leaving only one other option of moving it west, where there were homes and where frontage roads would be required, making even more right-of-way necessary.

Mayor Pro Tem Yarbrough stated that unless they were able to come up with some out-of-the box solution for this, the City would have no choice but to support a “no go” on this project. He believed that the RCTC was simply not concerned with Perris. He said he believed the problem with the dam was straightforward. There had been problems before and they had gone in and corrected them; now suddenly there was this huge “technical challenge.” Mr. Yarbrough believed that unless they could come up with something really creative to make this work, such as a route in front of the dam that would work as a primary spillway and provide a shelter for the endangered species, then they would just have to go around Perris.

Mayor Pro Tem Yarbrough said that unless they were able to come up with a unique solution for this, the City would have to support a “no go” on the project.

Councilmember Rogers stated that at the last workshop regarding the project, she had requested information on the impact of each route on the business community. She asked if that determination had been made. Ms. Bechtel said they had collected a lot of information on the housing, but had not yet addressed the businesses. Ms. Rogers said she felt that information would be very important in making a decision.

Councilmember Rogers felt that before making a decision, it would be very important to have information regarding the impact of each route on the business community

Mayor Busch said he was glad they had done the survey, but felt it didn't really answer all their questions. He asked if RCTC could come back at a future meeting with an update on the Mid-County Parkway, so that the Council could look at their position and possibly make some more evaluations based on current information.

Mayor Busch felt the survey did not answer all the Council's questions. He asked RCTC to come back at a future meeting with updated information on the Mid-County Parkway.

Councilmember Motte encouraged the use of whatever means were necessary to inform the public of this issue. Ms. Bechtel said that perhaps they, with input from City Staff, could work on a focused piece that could be put on the internet and distributed to residents. She said she welcomed the opportunity to come back and make a presentation to help educate the public about the project. Mr. Yarbrough thanked the RCTC representatives for attending the meeting and for their professionalism in handling this matter. He also encouraged Staff to ensure that the press had a copy of the report and that that they were kept apprised.

Councilmember Motte encouraged the use of whatever means were necessary to inform the public of this issue. Ms. Bechtel said she would work with the City in getting information made available to the public and welcomed the opportunity to come back and make a presentation.

Because no action was necessary, the item was closed, with a request that it be agendaized at a future meeting.

No action was necessary, but a request was made to agendaize the item at a future meeting.

8. PUBLIC HEARINGS:

The Council then returned to Item 8.B.

The Council returned to Item 8.B.

B. Consideration to adopt First Reading of Ordinance Number 1191 regarding compensation of City Councilmembers and Planning Commissioners.

Adoption of First Reading of Ordinance Number 1191 regarding compensation of City Councilmembers and Planning Commissioners.

The First Reading of Ordinance Number 1191 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE SECTIONS 2.16.010 AND 2.37.040 REGARDING COMPENSATION OF CITY COUNCILMEMBERS AND PLANNING COMMISSIONERS.

First Reading of Ordinance Number 1191, amending Municipal Code Sections 2.16.010 and 2.37.040 regarding compensation of City Councilmembers and Planning Commissioners.

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn stated that this Ordinance would amend the Perris Municipal Code sections regarding the compensation of City Councilmembers and Planning Commissioners. Under State law, the Council's basic compensation is determined by the size of the City. In 1990 the Council adopted an Ordinance that set the compensation at \$378 per month, and that was the last time it was changed. The Government Code allows the compensation to be increased by 5% per year since the last year it was adjusted. Mr. Dunn presented a slide showing the Council salary history and the amounts of increase that would have been allowed by law from that time to the present. He also showed a salary comparison chart (taken from online Municipal Codes) showing salaries from surrounding cities. All of the cities except one had made adjustments to the salaries since 2000. Mr. Dunn noted that if this Ordinance was adopted, the salary increase to \$809 per month would not take effect until December 1, 2006, following the November election. The State law and the Ordinance did not allow for any back pay. In addition, the State law prohibited automatic future increases.

City Attorney Dunn stated that this Ordinance would amend the PMC sections regarding the compensation of City Councilmembers and Planning Commissioners. The salary of the Council had not been adjusted since 1990, when it was set at \$378 per month. Mr. Dunn presented the amounts of increase that would have been allowed by law from that time to present, along with a comparison of salaries in nearby cities. He noted that this increase to \$809 a month would not take effect until December 1, 2006, following the November election.

Regarding the Planning Commissioners, Mr. Dunn explained that in 2001 when the City Council established the Planning Commission, they had set a salary of \$50 per month, not to exceed \$50 per month, even though there were two meetings per month. This Ordinance would now authorize the Commissioners to be paid \$50 per meeting, not to exceed \$100 per month. If adopted, this increase would become effective 30 days after the adoption of the Ordinance.

The Planning Commission salary had been set at \$50 a month at the time the Commission had been established in 2001. This new Ordinance would authorize \$50 per meeting, not to exceed \$100 per month.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Regarding the Planning Commission salary, Mayor Pro Tem Yarbrough asked how the \$50 per meeting had been determined. City Attorney Dunn responded that, as he recalled, when it was first proposed it was just sort of a typical amount being paid at that time. By law there is no certain amount, and the amount is set by City Council. In view of the long hours now expended by the Commissioners in meetings, Mr.

Mayor Pro Tem Yarbrough asked how the \$50 per meeting had been determined. Mr. Dunn said it was just sort of a typical amount being paid at that time. The law sets no certain amount; it is set by the City Council. Mr. Yarbrough

Yarbrough felt the salary should be increased to \$100 per meeting, not to exceed \$200 per month. He thought they should be compensated for their time. He had no problem with increases being granted, but was concerned that there be a consistency across the board. In particular, he felt it was unfortunate that there was an inconsistency in increasing the salary of the Council, made up of five elected persons, while there was still an unresolved issue with the City Clerk, who was also an elected official. He said if he chose not to support the increase, it would not be because it was not needed, but rather because of the one issue that they had not been able to pull together and deal with.

thought the Commissioners should be compensated for their time, and that the salary should be increased to \$100 per meeting, not to exceed \$200 per month. He also felt that there needed to be consistency in compensation across the board within the City, and regretted the unresolved issue with the City Clerk, who was also an elected official.

Councilmember Landers said he would also like to see the Planning Commission salary increased as proposed by Mr. Yarbrough. He asked City Attorney Dunn if it would be possible to change the Ordinance to reflect that, should the Council decide to do so. Mr. Dunn said that this was just the introduction of the First Reading of the Ordinance, and that it would be perfectly fine to make any corrections to it at this point. The Ordinance would be brought back with the corrected version for the Second Reading. Mr. Landers said he was torn regarding the salary for the City Council. While he felt the increase was certainly justified and needed to be made, he believed they needed to work on the situation with the City Clerk. He said they were all elected, all a team, and needed to do right by everyone.

Councilmember Landers was in favor of increasing the Planning Commission salary as proposed by Mr. Yarbrough and asked the City Attorney if that could be done. He said it could be, as this was just the First Reading of the Ordinance, and the change could be brought back in the Second Reading. Mr. Landers said he felt they still needed to work on the situation with the City Clerk, in order to do right by everyone.

Councilmember Motte favored increasing the Planning Commission salary as proposed by Mr. Yarbrough.

Councilmember Motte favored increasing the Planning Commission salary as proposed by Mr. Yarbrough.

Councilmember Rogers concurred with that as well.

Councilmember Rogers concurred.

Mayor Busch felt the Council and Commission increases were justified and in line with salaries in other cities, and called for a motion.

Mayor Busch felt the Council and Commission increases were justified and in line with salaries in other cities, and called for a motion.

M/S/C: (Rogers/Motte) to introduce the First Reading of Ordinance Number 1191 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE SECTIONS 2.16.010 AND 2.37.040 REGARDING COMPENSATION OF CITY COUNCILMEMBERS AND PLANNING COMMISSIONERS", with the verbiage increased in that Ordinance for the Planning Commissioners to \$100 per meeting, with a cap of \$200 per month.

Motion to introduce First Reading of Ordinance Number 1191 amending Municipal Code Sections 2.16.010 and 2.37.040 regarding compensation of City Councilmembers and Planning Commissioners, with the verbiage increased for the Planning Commissioners to \$100 per meeting, with a cap of \$200 per month.

AYES: Landers, Motte, Rogers, Busch
NOES: Yarbrough
ABSENT:
ABSTAIN:

*Approved: 4-1
Mayor Pro Tem Yarbrough voted "No."*

9. BUSINESS ITEMS (not requiring a “Public Hearing”):

The Council then returned to Item 9.B. and resumed the regular agenda schedule.

The Council returned to Item 9.B. and resumed the regular agenda schedule.

- B. Consideration to authorize expenditure of \$500,000 in Area Drainage Plan fees for Flood Control Facilities and the advancement of not to exceed \$400,000 in Redevelopment Agency funds for sewer construction regarding Northern Perris Infrastructure Improvements, and authorize City Manager to execute all related transactions and documents.

Authorization of expenditure of \$500,000 in Area Drainage Plan fees for Flood Control Facilities and the advancement of not to exceed \$400,000 in RDA funds for sewer construction regarding Northern Perris Infrastructure Improvements, and authorizing City Manager to execute all related transactions and documents.

Introduced by: Michael McDermott, Real Estate Services Manager

Mr. McDermott stated that he would be discussing infrastructure improvements in North Perris, bordered on the west by I-215, Oleander on the south, and March ARB on the north and east. He said there were currently three projects in that area: The Nandina Business Park, Top Brand Equipment Sales, and Arizona Tile. Mr. McDermott pointed out the new sewer systems that were proposed for that area, without which such economic growth would be impossible. As noted in the Staff Report, the proposal was for RDA and EMWD to each advance 50% of the immediate costs. The RDA portion would be reimbursed through a Reimbursement Agreement; as connection fees and frontage fees were collected, they would be reimbursed. Mr. McDermott pointed out the Flood Control improvements that were to be made. Nandina Business Park and Arizona Tile had agreed to pay the balance of Flood Control Facility costs in excess of the \$600,000 in Area Drainage Plan fees to be allocated to this project by the City, which is estimated to be a contribution on their part of \$400,000 to \$500,000.

Mr. McDermott discussed the North Perris infrastructure improvements, noting that RDA and EMWD would each advance 50% of the immediate costs for these much-needed improvements, without which economic growth in that area would not be possible.

Mr. McDermott discussed the following economic benefits of the projects:

Economic benefits of the three projects:

- ◆ Nandina Business Park: The creation of 100+ jobs; annual tax increment of \$220,000; and annual sales tax in an amount yet unknown.
- ◆ Top Brand Equipment Sales: Ten jobs, with the average salary starting at \$10 per hour; annual tax increment of \$20,000; and annual sales tax of \$125,000.
- ◆ Arizona Tile: 150 jobs, with average annual management salary of \$82,500, average order desk salary of \$15 per hour, average warehouse laborer salary of \$12.50 per hour; annual tax increment of \$200,000, and annual sales tax of \$95,000+.

The following would be the cumulative economic benefits in exchange for the City’s investment:

Cumulative economic benefits in exchange for the City’s investment.

- ◆ 260+ new jobs
- ◆ \$440,000 annual tax increment
- ◆ \$220,000+ annual sales tax

Mr. McDermott said the requested action was identical to that in the Staff Report, with \$100,000 added to the ADP fees.

Mr. McDermott said the requested action was identical to that in the Staff Report, with \$100,000 added to the ADP fees.

PUBLIC COMMENTS:

Public Comments

Matt Ewert of Arizona Tile stated that they were a family-owned business with approximately 1,000 employees in 22 locations. He said this company had been in business for almost 30 years, was a good employer, and they looked forward to being good neighbors and good employers in the City of Perris. He expressed appreciation for the professionalism of Mr. Apodaca, Mr. Motlagh and Mr. McDermott, saying it had been a pleasure working with them.

Matt Ewert of Arizona Tile gave a brief background of his company and thanked Staff for their professionalism in working with them.

Mayor Busch asked Mr. Ewert what types of products they provided. Mr. Ewert said they sold ceramic tile, porcelain tile, and granite slabs.

Mayor Busch inquired regarding their products. Mr. Ewert responded.

A representative of Nandina Business Park spoke in support of that project.

A representative of Nandina Business Park spoke in support of that project.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Yarbrough queried the City Engineer regarding the issue with the Caltrans infrastructure that Mr. McDermott had mentioned. Mr. Motlagh responded.

Mayor Pro Tem Yarbrough asked about the Caltrans infrastructure mentioned by Mr. McDermott. Mr. Motlagh responded.

Mr. Yarbrough said that, especially in light of the new projects and economic growth coming into that area, he supported this long-overdue project.

Mr. Yarbrough supported this long-overdue project.

Councilmember Landers said it was exciting to hear of employers coming in with new jobs for the City's residents.

Councilmember Landers said it was exciting to hear of employers coming in with new jobs for City residents.

Councilmember Motte congratulated Staff for being proactive in pursuing these new business projects.

Councilmember Motte congratulated Staff for their proactive approach to these new business projects.

Mr. Motlagh acknowledged EMWD's participation in providing matching funds for this project. Mayor Busch noted that the City and EMWD would be reimbursed as connection fees were collected in the future.

Mr. Motlagh acknowledged EMWD's participation in providing matching funds for this project. Mayor Busch noted that the City and EMWD would be reimbursed from future connection fees.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Yarbrough) to authorize expenditure of \$600,000 in Area Drainage Plan (ADP) fees for Flood Control Facilities and the advance of not to exceed \$400,000 in

Motion to authorize expenditure of \$600,000 in Area Drainage Plan (ADP) fees for Flood Control

Redevelopment Agency Funds for sewer construction, and to authorize the City Manager to execute all related transactions and documents.

Facilities and the advance of not to exceed \$400,000 in RDA funds for sewer construction, and to authorize the City Manager to execute all related transactions and documents.

AYES: Landers, Motte, Rogers, Yarbrough, Busch
NOES:
ABSENT:
ABSTAIN:

Approved: 5-0

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

Before beginning Public Comment, Mayor Busch acknowledged that a number of Boy Scouts from Troup 195 were present to earn their "Citizenship in the Community" Merit Badge. At his request, they introduced themselves.

Before beginning Public Comment, Mayor Busch acknowledged the local Boy Scouts who were present to earn their "Citizenship in the Community" Merit Badge.

A. As a follow-up to a complaint regarding an incident involving Animal Control that had been filed earlier, Perris resident Christine Grant wished to have it on record and to make the Council aware of the situation and relate her story face to face. She explained that her animal, picked up by Animal Control for adoption, had ended up being euthanized the same day. She expressed her displeasure with the lack of response she had received upon requesting information about the animal, and asserted that she had been lied to and treated in an unprofessional manner by Public Works/Animal Control staff. Ms. Grant said she wanted it to go on record that she had sent an e-mail to City Clerk Margaret Rey explaining the situation. She also wanted it noted that she was sure there were probably incidents that people were not aware of. She said what she had been through in the past couple of weeks was heartbreaking, and stated that she had indicated in her letter to the City Clerk that she would be hiring a private investigator to determine what had really happened and would be going to the media with the story, as she did not feel that taxpaying citizens should be treated in such a manner.

Perris resident Christine Grant related to the Council her story regarding her unfortunate experience with City personnel.

B. Tim Rodgers, Clerk for the Perris Valley Chamber of Commerce, gave an update on community events.

Tim Rodgers, Clerk for the Perris Valley Chamber of Commerce, gave an update on community events.

C. Mr. McCree, Perris resident, expressed his dissatisfaction with local law enforcement procedures.

Mr. McCree expressed his dissatisfaction with local law enforcement procedures.

11. COUNCIL COMMUNICATIONS:

A. Councilmember Rogers thanked the 35 students from Lakeside Middle School who had sent her a letter regarding their concerns about traffic. She said the City Engineer would be addressing a letter to their teacher, but she just wanted to let the students know that the City planned to open up another road near the school by September, which would alleviate some of the traffic. Ms. Rogers

Councilmember Rogers thanked Lakeside Middle School students for their letter regarding traffic concerns, noting that the City Engineer would be sending them a letter, and advising them that another

also reminded everyone of the upcoming March of Dimes “Walk America” event at Riverside Community College to help prevent birth defects and infant mortality.

road near the school was scheduled to be opened in September, helping to alleviate the traffic. Ms. Rogers also reminded everyone of the upcoming Walk America event for March of Dimes.

- B. Councilmember Landers commented on the mail he had received from Perris citizens regarding fireworks and noise abatement, and requested that these items be agendaized. He also asked that this meeting be adjourned in honor of Sister Ruth Lyle, who had very recently passed away.

Councilmember Landers commented on mail he had received regarding fireworks and noise abatement, and requested those matters be agendaized. He also asked that this meeting be adjourned in honor of Sister Ruth Lyle, who had just passed away.

- C. Mayor Pro Tem Yarbrough noted that he had requested at the previous meeting to agendaize a discussion regarding having some type of participation with the Fairgrounds for a Fourth of July event. He apologized to the Fairgrounds CEO, who was in the audience, that it was not on this agenda. He then asked to agendaize a presentation, discussion and action regarding a joint effort with the City of Moreno Valley regarding street racing.

Mayor Pro Tem Yarbrough noted that his request for an agenda item regarding participation with the Fairgrounds for a Fourth of July event had not been included in this agenda, apologizing to the Fairgrounds CEO for the oversight. He also asked to agendaize a presentation, discussion and action regarding a joint effort with the City of Moreno Valley regarding street racing.

- D. Mayor Busch commented that he, Ms. Rogers and Mr. Yarbrough had enjoyed the privilege of having dinner with the Citizens on Patrol at their annual awards ceremony for their volunteer personnel. Mr. Busch praised the volunteers for the great work they do and the many hours they donate to serve the City. He also encouraged other interested individuals to join this fine unit. Mr. Yarbrough suggested inviting the volunteers to the next Council Meeting so they could be recognized and the public could be made aware of the many hours contributed to this worthwhile cause. Mayor Busch also announced the Student of the Month to be held at Sizzler, another wonderful program that honors outstanding high school students.

Mayor Busch commented on attendance at the Citizens on Patrol awards ceremony and expressed appreciation for the great work they do and the many hours they donate to serve the City in this capacity. Mr. Yarbrough suggested inviting them to a Council Meeting to introduce them and allow the public to be informed regarding the many hours donated to this worthy cause.

12. CITY MANAGER’S REPORT:

- A. City Manager Apodaca reported that the Chamber of Commerce had asked to host a meeting, hopefully by the end of May, in the Council/Community Chambers, the shell of which should be complete by then. He advised that the Community Cleanup Day had been tentatively set for June 10th. Mr. Apodaca related to the Council that Staff would be looking for their input regarding the Summer Council Schedule. He also announced that Morgan Street Park Phase I plans were ready for bidding, with contract award expected on June 13th and construction to begin on July 10th.

City Manager Apodaca said the Chamber of Commerce had asked to host a meeting in the new Council/Community Chambers, hopefully by the end of May. He also indicated that Staff would be looking for Council’s input regarding a Summer Council Schedule, and announced progress on the Morgan Street Phase I project.

13. CLOSED SESSION:

None.

No Closed Session

City Attorney Dunn, in response to Mr. Landers' earlier comments regarding fireworks and loud parties, stated that he had also received copies of the letters, and said that Staff could come forward with proposed ordinances setting penalties, as opposed to coming with a presentation of options. A brief discussion followed regarding how to enforce the existing ban on fireworks, with a suggestion that perhaps Police Chief Kestell would have some ideas on this issue. Mr. Dunn said he would be happy to speak with him.

In response to Mr. Landers' earlier comments regarding fireworks and noise control, City Attorney Dunn said he had also received copies of the letters, and said a proposed ordinance setting penalties could be brought forward, as opposed to coming with a presentation of options. A brief discussion ended with a suggestion that perhaps Police Chief Kestell had some ideas on the matter, and Mr. Dunn said he would be happy to speak with him about that.

14. ADJOURNMENT:

Following a motion by Councilmember Rogers and a second by Councilmember Landers, by unanimous consent the Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned at 7:55 p.m. in honor of Ruth Lyle.

7:55 p.m. Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned in honor of Ruth Lyle.

Respectfully submitted,

Margaret Rey, City Clerk