

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority
Date of Meeting: 25 January 2005
Time of Meeting: 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.

6:05 p.m. Called to Order

2. ROLL CALL:

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

All Council Members present.

Staff Members Present: City Manager Apodaca, City Attorney Dunn, Community Development Director Barnes, City Engineer Motlagh, Finance Director Carr, Assistant to City Manager Madkin, and City Clerk Rey.

Staff Members Present

3. INVOCATION:

Reverend Curtis McCullom
Perris Church of Christ
279 North "D" Street
Perris, CA

Councilmember Landers led the Invocation.

4. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Motte led the Pledge of Allegiance.

Mayor Pro Tem Motte led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

Mayor Busch asked Community Development Director Barnes to introduce Rene Avila, new Building Official Fire Marshal. Mr. Avila said he looked forward to serving the City.

Mayor Busch asked Director Barnes to introduce Rene Avila, new Building Official.

Mayor Busch, on behalf of the Heart Association, proclaimed February 4, 2005, "National Wear Red Day for Women."

On behalf of the Heart Association, Mayor Busch proclaimed February 4th "National Wear Red Day for Women."

He also proclaimed January 29, 2005, "Frederick Thomas Perris Day" and announced that the Bouris Family would be honored as part of the Pioneer Days celebration at the Orange Empire Railway Museum.

Mayor Busch announced the honoring of the Bouris Family on January 29th.

6. APPROVAL OF MINUTES:

- A. Approval of the Minutes of the Work Session of the Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utility Authority held January 11, 2005, and approval of the Minutes of the Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority Meeting held January 11, 2005.

Approval of Minutes of the Work Session and Regular Meeting of the Joint City Council, RDA, PPFA and PPUA held January 11, 2005.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Motte/Yarbrough) to approve the Minutes of the Work Session and Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Meeting held on January 11, 2005.

Motion to approve the Minutes of the Work Session and Meeting of January 11, 2005.

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

*Approved 4-0
(Councilmember Rogers abstained as she was not present for the meetings.)*

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

- A. To adopt Second Reading of Ordinance Number 1149 regarding Improvement Areas Nos. 4, 5, 6 and 7 of Community Facilities District No. 2001-1 (May Farms).

Adoption of Second Reading of Ordinance Number 1149 regarding Improvement Areas Nos. 4, 5, 6 and 7 of CFD No. 2001-1 (May Farms).

The Second Reading of Proposed Ordinance Number 1149 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. 2001-1 (MAY FARMS) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREAS NOS. 4, 5, 6 AND 7 OF SAID DISTRICT.

Ordinance Number 1149 authorizing levy of a special tax within Improvement Areas Nos. 4, 5, 6 and 7 of CFD No. 2001-1.

- B. To approve agreements related to the Perris Market Place project adjacent to the Perris Plaza, including (i) an agreement with LSA Associates, Inc. for the preparation of an environmental impact report; (ii) a deposit agreement with the developer, Trachman Indevco, to pay the City's costs for the environmental impact report and related planning activities; and (iii) an agreement with Trachman Indevco related to the proposed refinancing of the existing community facilities district.

Approval of agreements related to the Perris Market Place project.

- C. To adopt Resolution Number 3362 approving Mitigated Negative

Adoption of Resolution Number 3362 approving MND

Declaration Number 2176 for the Rider Street Bridge Replacement Project. (Applicant: City of Perris)

No. 2176 for the Rider Street Bridge Replacement project.

The Proposed Resolution Number 3362 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2176) FOR THE RIDER STREET BRIDGE REPLACEMENT PROJECT, ON RIDER STREET BETWEEN EVANS ROAD AND WILSON AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3362 approving MND 2176 for the Rider Street Bridge Replacement project, on Rider Street between Evans Road and Wilson Avenue.

D. Adopt proposed speed limit contained in traffic study for Ethanac Road.

Adoption of proposed speed limit contained in traffic study for Ethanac Road.

E. To receive and file Quarterly Investment Report for quarter ended December 31, 2004.

Receive and file Quarterly Investment Report for quarter ended December 31, 2004.

F. To approve modification of conditions of approval regarding Tentative Tract Map 04-0277, located at the southwest corner of Orange Avenue and Medical Center Drive. (Applicant: Craig Heaps).

Approval of modification of conditions of approval regarding TTM 04-0277 at southwest corner of Orange Avenue and Medical Center Drive. (Applicant: Craig Heaps)

G. To approve authorization of a Deposit Agreement between the City of Perris and Investment Development Services, Inc. to fund preparation of the peer review of an Environmental Impact Report and authorization of a Contract Services Agreement between the City of Perris and Christopher A. Joseph and Associates for preparation of the peer review of an Environmental Impact Report regarding the proposed Perris Distribution Center located at the northeast corner of Perris Boulevard and Morgan Street.

Approval of authorization of a Deposit Agreement between the City and Investment Development Services, Inc. and a Contract Services Agreement between the City and Christopher A. Joseph and Associates.

H. To approve the Professional Services Agreement for the design of Morgan Street Park.

Approval of Professional Services Agreement for the design of Morgan Street Park.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

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

Motion to approve the Consent Calendar as presented.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

8. PUBLIC HEARINGS

A. Consideration to adopt Resolution Number 3363 to adjust and revise the Transportation Uniform Mitigation Fee (TUMF) to finance construction of regional road and transportation programs.

Adoption of Resolution Number 3363 to adjust and revised the TUMF to finance construction of regional road

The Proposed Resolution Number 3363 is entitled:

and transportation programs.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, STATE OF CALIFORNIA, REVISING THE TRANSPORTATION UNIFORM MITIGATION FEE SCHEDULE.

Resolution Number 3363 revising the TUMF schedule.

Introduced by: Olivia Barnes, Community Development Director

Director Barnes explained the City has been requested to increase TUMF fees (which are collected for new residential and non-residential development) to keep up with the cost of road construction. She said the increase effective April 1, 2005, would simply reflect the cost of construction, and subsequent increases would include only the increase to the commercial/industrial square footage fee. The second increase would commence on July 1, 2005, with the third increment increase on July 1, 2006, bringing it to the total fee assessed for commercial/industrial. Staff recommended adoption of Resolution Number 3363 adjusting the fees to reflect cost of construction.

Director Barnes explained the reason for the TUMF increase and recommended adoption of Resolution Number 3363 adjusting the fees.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Yarbrough said he believed that this was a result of the fact that when the County put the TUMF project together, they did not anticipate some of the projects, and the figures were miscalculated by the County. He questioned how many times they could come back and ask for these construction cost increases, when they had said the original costs would be good for the next 20 years. Ms. Barnes said it was her understanding from the WRCOG representatives that they were going to be reviewing this on an annual basis. He asked what would happen if the City chose not to participate.

Councilmember Yarbrough expressed his concern about how many times the County could increase these fees. Ms. Barnes said it was her understanding that WRCOG would be reviewing this on an annual basis.

City Engineer Motlagh explained that this was the first fee adjustment reflecting cost of living and construction increases. The next adjustment under study was made at the request of all agencies, including the City of Perris. He said the City had asked them to look at the 4th Street/I-215 Interchange as a regional interchange rather than local, thereby increasing their participation from \$4 million up to \$20 million or so. He said the County had also asked the agencies to review the TUMF list and come up with any other such requests, and every agency was doing so. He said he was afraid that because of the requests, the fee would be adjusted even higher. He said if the City did not participate, it would not receive the new Measure A, which was tied in with the TUMF. Mr. Motlagh pointed out the returns that the City would be receiving; namely, \$5 million in the next 3 to 5 years.

City Engineer Motlagh explained some of the reasons for the increases and also pointed out the returns that the City would be receiving.

Mr. Yarbrough asked about other cities' requests. Mr. Motlagh said the cities are receiving proportionately to their contributions.

Mr. Yarbrough asked about other cities' requests. Mr. Motlagh responded.

Councilmember Landers, also a representative of WRCOG, said he didn't believe WRCOG had any idea how much construction costs would be going up. He said the City of Perris had paid in about \$1.8 million to TUMF and presently had projects amounting to about \$5 million from which the City would benefit. He said unfortunately the consumer would bear the cost of this, and he did not like that, but he also realized that a lot of cities were not getting benefits from this, and felt that the City should go forward with it.

Councilmember Landers said he didn't believe WRCOG had any idea how much the costs would increase. He thought the benefits the City would receive would make it worth going forward with this.

Mayor Busch said that during the workshops when this was being processed, the commercial part of TUMF was pretty well outlined, and they said they would be looking at the residential rates.

Mayor Busch said that during the original TUMF workshops, the commercial part was pretty well outlined, and the County said they would be looking at the residential rates.

Mayor Pro Tem Motte asked if they were talking about using any of the funds to actually widen the freeways. City Engineer Motlagh said that, unfortunately, the only freeway-related improvements presently are basically the interchanges; widening would have to come through state or federal funds.

Mayor Pro Tem Motte asked if widening of freeways was included under these funds. City Engineer Motlagh said only interchanges were included; widening would have to come through state or federal.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to adopt Resolution Number 3363 adjusting TUMF fees.

Motion to adopt Resolution Number 3363 adjusting TUMF fees.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

- B. Consideration to adopt Resolution Number 3364 approving Negative Declaration No. 2159 and Tentative Tract Map 32406 (Case No. 04-0370) for the subdivision of 3.5 acres at the southwest corner of Bowen Road and Windflower Lane into 15 single-family lots. (Applicant: Sunwest Enterprises, Inc.)

Adoption of Resolution Number 3364 approving Negative Declaration 2159 and TTM 32406.

The Proposed Resolution Number 3364 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION 2159 AND TENTATIVE TRACT MAP 32406 (04-0370) TO SUBDIVIDE A 3.5-ACRE SITE INTO 15 SINGLE-FAMILY LOTS IN THE R7 ZONE AT THE SOUTHEAST CORNER OF BOWEN ROAD AND WINDFLOWER LANE, AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3364 approving Negative Declaration 2159 and TTM 32406 to subdivide a 3.5-acre site into 15 single-family lots in the R7 zone at the southeast corner of Bowen Road and Windflower Lane.

Introduced by: Olivia Barnes, Community Development Director

Director Barnes said that Tentative Tract Map 32406 as proposed would create 15 single-family lots with an average size of 6,900 sq. ft. and was

Director Barnes gave a summary of the proposed development and stated that

adjacent to a previously approved map (TTM 31560) developed by the same applicant. She said the Planning Commission had reviewed the case and recommended that the Council adopt a Resolution approving Negative Declaration 2159 and approving Tentative Tract Map 32406 subject to the findings and conditions of approval.

the Planning Commission recommended adoption of Resolution Number 3364.

City Engineer Motlagh discussed changes in conditions of approval regarding some drainage issues, and asked that the conditions be changed back to what they had originally been. He clarified that he was not requesting that the 15-lot subdivision install Master Plan facilities. He was asking that, in the event improvements were constructed by the adjacent project (Pacific Communities), Mr. Reichel's development would be required to tie in to and coordinate with those facilities so the basin could be eliminated.

City Engineer Motlagh asked for a reversal of the changes that were made to the conditions of approval.

PUBLIC COMMENT:

Public Comment

John Reichels asked that the conditions of approval for their Tract 31560 also be applied to this tract.

John Reichels asked that the conditions of approval for their Tract 31650 be applied to this tract.

City Engineer Motlagh said he had talked to Pacific Communities and they said they had every intention to build the facility. He said he was agreeable to allowing the conditions of approval to be the same as the other tract, because he believed the Pacific Communities facility would be built; he just needed the Council's support to be able to put pressure on developers to all do their fair share in providing the necessary facilities.

City Engineer Motlagh said Pacific Communities did intend to build the facility. He was agreeable to allowing the conditions of approval to be the same as Tract 31560.

Mayor Busch asked what type of problems the City would have if the Council approved those conditions and the other facility did not get built. He said all the drainage would go into the basin and then would be pumped back out into the street. He was quite sure that Pacific Communities would be building, however.

Mayor Busch asked what problems there would be if the other facility did not get built.

Mr. Reichels said that in their first development, they had provided a great deal of flood control infrastructure, and believed they had paid their fair share.

Mr. Reichels said in their first development, they had provided a great deal of flood control infrastructure.

City Attorney Dunn had a question regarding Conditions 1.h. and 1.e. Mr. Motlagh said 1.e. would remain as it was; 1.h. would be added as revised by Planning Commission, with a statement regarding the handout Mr. Reichels had provided. He said they would still need to do the 18" storm drain and catch basin.

City Attorney Dunn had a question regarding Conditions 1.h. and 1.e. Mr. Motlagh gave clarification.

Mr. Reichels said it would cause a great hardship on this small development to fulfill these requirements; about \$5,000 to \$6,000 per lot.

Mr. Reichels said it would create a great hardship to fulfill the requirements.

Mayor Pro Tem Motte said he supported the City Engineer.

Mayor Pro Tem Motte said he supported the City Engineer.

Councilmember Landers said he had always supported Mr. Reichels in all of his developments, but this time he needed to support the Engineer's position. He thought the developers needed to come to an agreement on this.

Councilmember Landers said he had always supported Mr. Reichels' developments, but this time needed to support the Engineer's position.

Councilmember Yarbrough said he could see both sides of the issue and asked if there was a way to make a condition if there was a problem regarding the cross gutter after honoring the developer's request. The City Attorney said that when the developer was ready to sell the homes, he would have to be able to show that he was in compliance with City regulations; the City would not be able to go to the homeowners to take care of any future drainage problems. So any conditions would need to be clear as to whether or not they were met at the time the map was recorded. Mr. Yarbrough said he actually had reference to the period up to the time of final construction.

Councilmember Yarbrough said he could see both sides and asked if there was a way to make a condition if a problem arose regarding the cross gutter after honoring the developer's request.

City Engineer Motlagh said he would concur with eliminating the cross gutter at Windflower Lane and "A" Street and leaving the rest of the condition "as is". On Condition 1.e., the only thing to be dropped was the catch basin at the intersection of Windflower Lane and "A" Street, a cul-de-sac. Everything else would remain the same and they would connect to Master Plan facilities if it were imminent. This would revert this to the verbiage of the previous condition. Mr. Reichels said he was very happy with the decision.

City Engineer Motlagh said he would concur with eliminating the cross gutter at Windflower Lane and "A" Street and leaving the rest of the condition "as is". On Condition 1.e., the only thing to be dropped was the catch basin at Windflower Lane and "A". This decision pleased Mr. Reichels.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Landers) to approve Resolution Number 3364 approving Negative Declaration 2159 and Tentative Tract Map 32406 for the subdivision of 3.5 acres, with the inclusion under Condition 1.h. of the previous condition of Sunwest's development of 61 lots, and 1.e., with the exception of the cross gutter at the intersection of Windflower Lane and "A" Street.

Motion to approve Resolution Number 3364 approving Negative Declaration 2159 and TTM 32406 for the subdivision of 3.5 acres with the inclusion under Condition 1.h. of the previous condition of Sunwest's development of 61 lots, and 1.e., with the exception of the catch basin at Windflower Lane and "A".

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

Approved: 5-0

C. Consideration to hold a public hearing and adopt Resolution Number 3365 forming an Underground Utility District.

Public Hearing to adopt Resolution Number 3365 forming an Underground Utility District.

The Proposed Resolution Number 3365 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ESTABLISHING AN UNDERGROUND UTILITY DISTRICT AND ORDERING THE REMOVAL OF POLES, OVERHEAD WIRES AND ASSOCIATED STRUCTURES, AND THE UNDERGROUND INSTALLATION OF WIRES AND FACILITIES FOR SUPPLYING ELECTRIC, COMMUNICATION, OR SIMILAR ASSOCIATED SERVICES.

Resolution Number 3365 establishing an Underground Utility District and ordering removal of poles, overhead wires and associated structures and installation of

Introduced by: Eric Dunn, City Attorney

wires and facilities for supplying services.

City Attorney Dunn explained this was the next step in adopting the Underground Utility District that had been proposed in September 2004. At that time, the Council had adopted a resolution of intention to form a district located on Perris Boulevard between Nuevo Road and 4th Street; and on Nuevo Road a little west of Perris, all the way to the east of the city limits. A public hearing had been set and continued to this meeting to allow for more information to be gathered and all the notices to be sent out properly. He said that had all been done. This district, along with the Perris Municipal Code and Rule 20(A) (a mechanism for collecting money from consumers through customer rates, adding up over a period of time to allow the City to do projects such as this), would allow the City to have some existing power lines undergrounded, different from the ones the developers are required to underground. This would also include Adelphia and Verizon utilities. The City has about \$800,000 accumulated in Rule 20(A) funds that could be used for this project of about \$675,000. There would be no cost to the property owners in setting up the district, or to the City, other than administrative costs in setting it up. Mr. Dunn said work was scheduled to begin in 2006 and would take a couple of years to complete.

City Attorney Dunn explained this hearing was the next step in adopting the Underground Utility District and gave the boundaries of the district. He also explained the Rule 20(A) funding available for this project.

Mayor Busch opened the Public Hearing and called for public comment.

Mayor Busch opened the Public Hearing and called for public comment.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Yarbrough asked how it would affect the City if, in the future sometime, Edison was no longer the only energy provider. City Attorney Dunn responded that the Rule 20(A) would only apply to Edison.

Councilmember Yarbrough asked how it would affect the City if Edison were not the only energy provider.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Motte) to approve Resolution Number 3365 establishing an Underground Utility District and ordering removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication, or similar associated services.

Motion to approve Resolution Number 3365 establishing an Underground and ordering removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication, or similar associated services.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

ABSENT:

ABSTAIN:

Approved: 5-0

- D. Consideration to adopt Resolution Number (next in order) and introduce Urgency Ordinance Number (next in order) adjusting water and sewer rates.

Adoption of Resolution and Introduction of Urgency Ordinance adjusting water and sewer rates.

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ADJUSTING WATER SERVICE RATES ESTABLISHED BY MUNICIPAL CODE CHAPTER 14.08.

Proposed Resolution adjusting water service rates established by Municipal Code Chapter 14.08.

Introduce Urgency Ordinance Number (next in order) entitled:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING MUNICIPAL CODE CHAPTER 14.28 REGARDING SEWER SERVICE RATES.

Proposed Urgency Ordinance amending Municipal Code Chapter 14.28 regarding sewer service rates.

Introduced by: Ron Carr, Finance Director

Director Carr explained that the adjusted rates within the proposed resolution and the urgency ordinance were based upon the Work Session held earlier in the evening. To be consistent with the City's existing ordinances, two items based on consumption, monthly service charges and capital improvement charges, had been combined into a Consumption Charge for water and Service Charge for sewer. He said future rates would increase based upon Riverside County CPI, so they would go up each year. The Council's options were to adopt the items as presented, to adopt an increase of a lesser amount, or to defer the decision until after the Work Session that had been requested at this evening's Work Session.

Director Carr explained that the adjusted rates were based upon the Work Session held earlier in the evening. He said the Council could adopt the items as presented, adopt an increase of a lesser amount, or defer the decision until after a requested future Work Session.

Mayor Busch opened the Public Hearing and called for public comment.

Mayor Busch opened the Public Hearing and called for Public Comment.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte said he still had some questions regarding whether or not "the quantity we're selling is actually matching the quantity we're purchasing." He did not want to see a 40% increase in rates.

Mayor Pro Tem Motte had concerns regarding the quantity of water being sold matching the quantity purchased.

Councilmember Landers said he would like to see a Work Session before burdening the residents with an increase, to make sure the City did not have a leakage or was not being overcharged by EMWD.

Councilmember Landers wanted to have a Work Session before burdening residents with an increase.

Councilmember Yarbrough said a rate adjustment of some sort was imminent, but he thought management experts should be brought in to help the City develop a long-term plan. He asked that a Work Session be agendaized or that this item be continued to a very near future date so they could do what they needed to do, once and for all.

Councilmember Yarbrough thought management experts should be brought in to help the City develop a long-term plan.

Councilmember Rogers also supported deferring the decision until the Council had had opportunity to examine additional facts and make a combined collaborative decision based on the evidence.

Councilmember Rogers supported deferring the decision until they had more facts.

Mayor Busch asked Director Carr, for the public's benefit, to give the dates of the last increases. Mr. Carr stated that the last sewer rate increase was in 1988 and the last water rate increase was in 1995.

Mayor Busch asked Director Carr to give the dates of the last increases.

Mayor Busch realized an increase was necessary, but agreed with the rest of the Council that they needed more information. He suggested perhaps initiating a minimum increase at present and then studying it in the near future.

Mayor Busch agreed that the Council needed more information.

City Manager Apodaca said there had been questions at the Work Session regarding the water system. He said since he hadn't heard any questions on the sewer system, perhaps they could implement those increases now and then come back and study the water system.

City Manager Apodaca suggested implementing the sewer system now and then further studying the water system.

Councilmember Landers asked how much of a burden it would put on Staff to come up with increases. Mr. Apodaca said he thought the leakage could be looked into pretty quickly. Mr. Landers said they would like to have information on wells. Mr. Apodaca said they had come back with an irrigation component, but couldn't estimate how long it would take to come back with the drinking component.

Councilmember Landers asked about the Staff coming up with increases and information on wells. City Manager Apodaca wasn't sure how long it would take.

City Engineer said each well, depending on the water quality, could cost an average of \$1.2 million or more, including some treatment. It would also require having staff trained and licensed to operate the wells.

City Engineer Motlagh said each well could cost an average of \$1.2 million or more.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Rogers) to continue the item to a later meeting and have Staff bring back information to a Work Session in the very near future.

Motion to continue the item to a later meeting and have Staff bring back information.

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

Approved: 5-0

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

- A. Consideration to authorize emergency pavement repairs to Redlands Avenue.

Authorization of emergency pavement repairs to Redlands Avenue.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh said that recent rains had caused a lot of potholes on Redlands, resulting in many complaints from citizens. Redlands had originally been scheduled for renovation in conjunction with the

City Engineer Motlagh said that Redlands Avenue was in urgent need of pavement reconstruction.

Roundabout project, which had now been put aside. Therefore, Staff, with the City Attorney's consent, was recommending an urgency item to reconstruct all the old sections of pavement on Redlands Avenue between 4th Street and Ellis Avenue.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte asked if the car dealership in the area had been asked to participate in the expense of the pavement. City Engineer Motlagh said that with the direction and support of the Council, he would approach the dealer and ask him to participate with his fair share.

Mayor Pro Tem Motte asked if the car dealership would be participating in the pavement expense. City Engineer Motlagh said he would approach the dealer about it.

Councilmember Yarbrough expressed his appreciation for Mr. Motte's having asked that question. In addition, he had a question regarding Chevron. Mr. Motlagh said they had already done their offsite improvements when they first developed the land. Mr. Yarbrough also had concerns about the approaches to the driveways. He asked Director Barnes if there were any projects on Redlands southeast of that. She responded that she was not aware of any at that time.

Councilmember Yarbrough thanked Mr. Motte for asking the question, and also had a question regarding Chevron. Mr. Motlagh said they would not be obligated to provide any more offsite improvements.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Motte/Rogers) to consider paving Redlands Avenue south of 4th Street as an urgency item and authorize Staff to enter into an agreement with a contractor to repave it.

Motion to consider paving Redlands Avenue south of 4th Street as an urgency item and authorize Staff to enter into an agreement for the paving.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

ABSENT:

ABSTAIN:

Approved: 5-0

- B. Consideration to adopt traffic report dated December 13, 2004 authorizing traffic controls at Rider Street/Indian Avenue Intersection.

Adoption of traffic report dated December 13, 2004, authorizing traffic controls at Rider Street & Indian Avenue Intersection.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh said that because of recent development on the north side of Perris by Lowe's and Ross, employees and others were using the farm road, an extension of Indian north of Rider, which had resulted in some accidents. A traffic study had been ordered, and one of the recommendations had been to install 4-way stop signs at the intersection. Staff was now asking the Council to adopt the traffic study and authorize Staff to proceed with improvements on an interim basis and then monitor the intersection and come up with a future budget allocation for further road improvements in the area.

City Engineer Motlagh said there had been increased traffic in this unpaved area, resulting in some accidents. He asked the Council to adopt the traffic study and authorize Staff to proceed with recommended improvements.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION: None

No Council Questions or Discussion.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Yarbrough) to adopt traffic report dated December 13, 2004, authorizing traffic controls at Rider Street and Indian Avenue intersection.

Motion to adopt traffic report dated December 13, 2004, authorizing traffic controls at Rider Street and Indian Avenue intersection.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

- C. Consideration to award contract to BJ Development, reject all other bids, and authorize the Mayor to sign the contract regarding Rider Street sidewalk.

Award of contract regarding Rider Street sidewalk to BJ Development.

Introduced by: Habib Motlagh, City Engineer

Because of residing on that street, Councilmember Yarbrough abstained from the item and excused himself from the Council Chambers.

Councilmember Yarbrough abstained from the item and left the Council Chambers.

City Engineer Motlagh said this project included construction of sidewalk on the south side of Rider, as well as some interim sidewalk on the north side adjacent to six or seven residences. This would basically provide safe and convenient access for students and other residents in that area to the new school project.

City Engineer Motlagh said the project would provide safe and convenient access for students and other residents to the new school project.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Busch had a question regarding excess funds that were budgeted for this. City Engineer Motlagh said he had asked for a 30% contingency so that in the event they had more sidewalk, they could take advantage of the contractor's fair price; otherwise, the money would stay in the Rider Street improvements, which would include widening and a bridge crossing the channel.

Mayor Busch asked about the excess funds that had been budgeted. City Engineer Motlagh replied.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Rogers) to award the contract to BJ Development of Pomona for \$158,550 plus a 30% contingency, reject all other bids, and authorize the Mayor to sign the contract.

Motion to award the contract to BJ Development of Pomona for \$158,550 plus a 30% contingency, reject all other bids, and authorize the Mayor to sign the contract.

AYES: Motte, Rogers, Landers, Busch

Approved: 4-0

NOES:

ABSENT:

ABSTAIN: Yarbrough

(Councilmember Yarbrough abstained)

D. Consideration regarding establishment of the Foreign Trade Zone.

Establishment of Foreign Trade Zone.

Introduced by: Michael McDermott, Real Estate Services Manager

Real Estate Services Manager McDermott explained that the March JPA was sponsoring a Foreign Trade Zone application. He introduced David Harlow, President of International Trade Zone Consulting Inc. to outline the benefits and explain the JPA application process and program.

Real Estate Services Manager McDermott explained that the March JPA was sponsoring a Foreign Trade Zone application.

Mr. Harlow said what they were doing was expanding the Foreign Trade Zone out of the March JPA. Because the harbor areas had become so over-expanded with import/export businesses, the businesses were looking for somewhere else to go, and they were going east to find warehousing. This would mean that this area would be able to have Customs on site at the March JPA. He said his company was under contract with the March JPA to provide them with input on their international trade program, and that they were endeavoring to set up the region to be able to adjust to this influx of business and establish international trade in this area. Normally when a business imports to ports, they have to pay tariffs and fees and comply with Customs regulations. When they bring products into a Foreign Trade Zone, they do not have to meet any of those requirements. The Foreign Trade Zones, which operate under the Department of Commerce, would create and retain jobs, stimulate economic growth, and promote international trade.

David Harlow, President of International Trade Zone Consulting, Inc., said they were expanding the Foreign Trade Zone out of the March JPA. Because the harbor areas were so overcrowded, businesses were moving to outer areas to find warehousing.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte asked if the whole city could be included in a Foreign Trade Zone. Mr. Harlow said it could not include residential or retail areas. It would have to be vacant land that was zoned for industrial/manufacturing.

Mayor Pro Tem Motte asked if the whole city could be included. Mr. Harlow said it could not include residential or retail areas.

Councilmember Yarbrough asked Mr. Harlow to explain the infrastructure. Mr. Yarbrough also asked if Perris would be partnering with the other cities in the area for the application. The answer was that it would be partnering for the application, to expand the trade zone. After the application, there would be no connection between the City of Perris and the other cities; just the City's connection with March JPA.

Councilmember Yarbrough asked about the infrastructure. He also asked if our city would be partnering with other cities. Mr. Harlow said they would be partnering for the application, but then would be separate.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Yarbrough/Motte) to budget the \$10,000 and participate in the application fee for the Foreign Trade Zone as presented.

Motion to budget the \$10,000 and participate in the application fee for the Foreign Trade Zone as presented.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

ABSENT:

ABSTAIN:

Approved: 5-0

E. Consideration of the newly designed City of Perris Website.

Newly designed City of Perris Website.

Introduced by: Michael McDermott, Real Estate Services Manager

Real Estate Services Manager McDermott gave a live demonstration of the new City of Perris Website (www.cityofperris.org) and pointed out the many new features and the volumes of information, announcements and forms now available on the site. He noted that it also included pictures, descriptions and maps of every park in town. He said they were basically trying to make it interactive, providing economic development information, brochures, newsletters, forms, and whatever else the community needed in order to be informed. He said the website would be updated several times a day.

Real Estate Services Manager McDermott gave a live demonstration of the new City of Perris Website and its many advanced features.

PUBLIC COMMENT:

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

The Council was pleased with the capabilities of the new website.

The Council was pleased with the website.

The report was received and filed.

The report was received and filed.

F. Consideration regarding the possible change to City elections.
(Continued from January 11, 2005 City Council Meeting)

Possible change to City elections (continued from January 11, 2005 City Council Meeting).

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn explained that the City currently held its general elections in November of odd-numbered years. An agenda item had been requested regarding the possibility of changing the election to even-numbered years to align with Presidential elections. It was felt that such a change would result in an increase in voter participation in City elections. Mr. Dunn stated that the City Council could adopt an ordinance to change the date to even-numbered years, subject to the approval of the County Board of Supervisors, provided no current term of office was extended for more than 12 months. The only change in fiscal impact would be that the City Clerk would be required to notify all voters of the change.

City Attorney Dunn stated that the Council could change the election dates to even-numbered years by adopting an ordinance, subject to approval by the County Board of Supervisors, provided no current term of office was extended for more than 12 months.

PUBLIC COMMENT:

Public Comment

Jim Finney presented a handout showing records from the office of the Registrar of Voters, showing that the gubernatorial vote was almost twice that of the City election. Of the 13,712 registered voters in Perris, 9,941 voted in the Presidential election. Measure NN had 7,780 votes. He said basically the same people voted year after year for the elected officials. In 1982 the City was on an even-year vote; it was changed because they said they would have increased voter turnout. However, he noted, the voter turnout had not changed.

Jim Finney presented a handout showing voting records, asserting that the voter turnout had not changed.

Dave Webber said there were many voters who were not happy with what was going on in Perris. He felt that to change the elections at this point in time would be inappropriate and self

Dave Webber said there were many voters who were not happy about conditions in

...serving. He said that on behalf of the voters, he was urging the Council to keep the elections as they were, as it was their only chance to “stop some of the madness.”

Perris. He wanted to see elections left as they were.

Brian Vidal noted that if the City Council vote were changed to an even year, the School Board would be running alone in an odd-numbered year, probably resulting in a lower voter turnout for the School Board. He also thought that the money that would be spent notifying voters of the change should instead be spent in enticing voters to vote in the November 2005 election. He said that changing the length of the elected officials’ terms would be undermining the citizens who voted, and that he did not want to see the current Council in office one day longer than they had to be.

Brian Vidal noted that if the Council vote were changed to an even year, the School Board would be running alone in an odd-numbered year. He voiced his displeasure with the Council.

Jose Mesa said there hadn’t been any changes made; why add another year to do nothing? He asked for a response. Mayor Busch made it clear this was not a time for discussion and that the Council was not going to respond.

Jose Mesa alleged there had not been any changes made. He asked for a response. Mayor Busch made it clear this was not the time for discussion.

Kelly Kaus thought it was a little late to make a change in the election; that it would more appropriate following the upcoming scheduled election. He thought it could create a scandal in the City.

Kelly Kaus thought the change should be made following the upcoming scheduled election.

Blanche Finney asked them to let the people vote; not to let one person change it all.

Blanche Finney asked them to let the people vote.

Judy Haughney said she was speaking as a private citizen. She said this was not about politics – it was about extending terms and doing what was right for the citizens of Perris. She said the City had historically suffered from low voter turnout. She said City officials had been elected with 500, 700, or 900 votes. At some point, she said, something different needed to be done. She urged the Council to extend the election cycle and not keep waiting.

Judy Haughney said the City had historically suffered from low voter turnout. She said something different needed to be done and urged the Council to extend the election cycle.

Mayor Busch closed the Public Comment.

Mayor Busch closed the Public Comment.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Yarbrough explained that this item had been placed on the agenda as a result of many citizens’ inquiries: “They do it in other cities....Have you ever considered...?” He stated that it was up to the Council; they could make this decision if they felt it was appropriate. In response to one of the comments, Mr. Yarbrough said all one had to do was go to the City’s website to see all the accomplishments that had taken place just within the last year alone. He believed the Council had worked well together and had accomplished a lot, and that Perris was catching up, having gone from being weeks away from bankruptcy, to now having reserves. He thanked the Council, the community, the Fire Department and Police Department for the fine job they had done. He felt that the

Councilmember Yarbrough said this item had been placed on the agenda in response to public request. He said a visit to the City’s website would show all the accomplishments that had taken place in the previous year alone. He felt that the more input the City got from the public, the better it was for the community; and that was the intention of this item.

more input the City got from the public, the better it was for the community. He added he would like to see a greater voter turnout, and that was clearly the intention of this item.

Councilmember Rogers thanked Mr. Finney for the voter statistics. She said she had also done some research on voting statistics. She said the statistics showed that votes were alarmingly low in odd-numbered-year City Council elections when compared to votes in Presidential elections in 2000 and 2004. She was very concerned that such a small percentage of the local citizens were participating in this vote and said she would rather know that a higher percentage had voted – whether she won or lost – and know that she was there at the discretion of the will of the people.

Councilmember Rogers said she had also done some research into voting statistics.

Councilmember Landers said the “Council wannabes” who had spoken did not realize how much time was involved in serving on the City Council. All the hours spent, all the listening to people tell them what a terrible job they’re doing, when they had accomplished so many things in the past year and the city was blooming; for what – the \$378 a month that they receive? He said the wannabe’s needed to think about what they were doing before they ran for Council.

Councilmember Landers’ response to public comment.

Mayor Pro Tem Motte was not sure at that point what the best answer was.

Mayor Pro Tem Motte was not sure of the best answer.

Mayor Busch said he often had people approach him at his place of business regarding their feelings – good and bad – on various issues. But he said he had not had one person even broach the subject of extending the office for one more year. He also said he had attended a recent meeting of elected officials and had spoken with five people from five different cities, and they said they had all changed to even-year elections to get a better voter turnout. Some did not get as much of an increase as they had hoped for, but one said they had actually had a 40% increase in voter turnout.

Mayor Busch said he had not had heard any opposition to this matter.

Mayor Busch said he thought the Council had done a fine job and emphasized the many accomplishments they had seen, working together.

Mayor Busch said he thought the Council had done a fine job and accomplished a great deal.

Councilmember Landers said he had come prepared to vote “no”, but was now going to vote “yes”, as he felt the unity of the Council was very important, and that the fact that they had been united this past year had played a big part in their accomplishments.

Councilmember Landers said he was changing his vote from “no” to “yes” for the sake of Council unity.

M/S/C: (Yarbrough/Rogers) to have Staff prepare documentation necessary to petition the County to make the changes to the City’s elections from odd years to even years as outlined in the agenda item.

Motion to have Staff prepare documentation necessary to petition the County to make the changes to the City’s elections from odd years to even years as outlined in the agenda item.

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

Approved: 5-0

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

- A. Dave Stewart, Operations Manager of the Perris Valley Chamber of Commerce, complimented the City on the wonderful new website. He said he believed that when it was fully realized, it would truly reflect the truly great city they live in. *Dave Stewart complimented the City on the wonderful new website.*
- Mr. Stewart then gave an update on coming community events. *Mr. Stewart gave an update on community events.*
- B. Jim Finney had a complaint about ice cream trucks on Rider Street. He said kids were loitering in that area and leaving a great deal of trash in the area. *Jim Finney had a complaint about ice cream trucks on Rider causing kids to loiter in the area.*
- C. Tim Rodgers said he spends a great deal of time volunteering to make the City a better place, but had experienced repeated burglaries at his home while he was busy volunteering; an example, he felt, of ungrateful citizens that didn't appreciate what had been done. He said he thought the Council was doing a great job. *Tim Rodgers said he thought there were citizens who were ungrateful for what had been done, but he thought the Council had done a great job.*
- D. Kelly Kaus said this was an opportunity for the community to learn how "Politics 101" worked. He criticized Council members for changing their votes, claiming some had "lied", and asserted that they had literally "stolen the election." He said the community was watching them. *Kelly Kaus expressed his criticism of the Council.*
- E. In light of the fact that he had recently seen a hit-and-run victim, Brian Vidal asked that the Council consider lowering the speed limits in the areas between tracts for the sake of public safety. *Brian Vidal asked that the Council consider lowering speed limits near residential areas.*
- F. Judy Haughney related that the vehicle that hit the victim had been identified as a small white car. She said she had been keeping her eyes open for any such car with recent front-end damage, and thought that perhaps the speed limit did need to be addressed. *Judy Haughney said she had been looking for the hit-and-run vehicle and thought the speed limit needed to be addressed.*

11. COUNCIL COMMUNICATIONS:

- A. Councilmember Rogers announced that at the last Department of Community Action Commission meeting, grants were given to the Perris Valley Women's Club and the Romoland School District on their mentoring program. She mentioned that the Commission was also taking applications for energy assistance at (951) 955-4500. *Councilmember Rogers reported on Department of Community Action Commission grants and energy assistance applications.*
- Ms. Rogers also shared that the Perris Chapter of Cops & Clergy had been designated as the role model, so she would be going to Redlands on February 1st to address the entire Cops & Clergy network, sharing some of the things that were being done in Perris. *Ms. Rogers shared that she would be going to Redlands to address the Cops & Clergy network, sharing some of the things that were being done by*

the Perris Chapter of Cops & Clergy, which had been named the role model for the organization.

Ms. Rogers also reported that on January 21st, she and the City Engineer had accompanied Dr. Fred Workman, Board Chair Marla Kirkland, and Vice Chair Shelly Yarbrough to Sacramento to the Office of Public School Construction and Department of Education to present the City's concerns regarding help with infrastructure on the school campuses. She felt that going as a delegation to meet with them had made a positive impression on the State, and they were hoping to hear some positive results from that meeting.

Ms. Rogers reported on the delegation that visited the Office of Public School Construction and Department of Education in Sacramento to present the City's concerns regarding help with infrastructure on school campuses.

B. Councilmember Yarbrough thanked the Council for their support on the election issue. Regarding the City's website, he said he would like to see the entire staff included on the website. He also said he would like to see monitors in the Council Chambers and in the lobby made available for the public during meetings. He also wished his niece, Alicia Fowler, a happy 15th birthday.

Councilmember Yarbrough thanked the Council for their support, offered a suggestion for the website, and said he would like to see monitors in Council Chambers and lobby during meetings.

C. Mayor Busch reported on the Groundbreaking for Fire Station #2, stating that there had been a very good turnout and Staff had done an excellent job of arranging the event and inviting people. County Supervisor Ashley was present, as was the City Manager of San Jacinto, as that city was also going to be building a fire station.

Mayor Busch gave a report on the Groundbreaking for Fire Station #2.

Mr. Busch also stated that he had recently been appointed by the Riverside County Transportation Commission to serve on the MetroLink board. He believed this would be helpful in view of MetroLink's future expansion to Perris.

Mr. Busch stated he had been appointed to the MetroLink board.

Mayor Busch also commented on his displeasure with the caustic public comments and false accusations that had been made earlier in the meeting. He wanted the public to know that he had been proud to serve and proud of what the Council had done for the City, and believed that everything done in this meeting had been aboveboard and for a purpose, as explained.

Mayor Busch also commented on his displeasure with the caustic public comments and false accusations earlier in the meeting.

12. CITY MANAGER'S REPORT:

City Manager Apodaca said he did not have a report.

There was no report.

13. CLOSED SESSION:

There was no Closed Session.

No Closed Session

14. ADJOURNMENT:

By unanimous consent, the Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned at 9:20 p.m.

9:20 p.m. Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned.

Respectfully Submitted,

Margaret Rey, City Clerk

