

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority
Date of Meeting: 29 March 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.

6:00 p.m. Called to Order

2. *ROLL CALL:*

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

All Council Members present.

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

Staff Members Present

3. *INVOCATION:*

Pastor Fred Mumford
Faith Missionary Baptist
1895 Weston Road
Perris, CA

Pastor Mumford 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:*

Shelly Yarbrough, President of the Holiday Parade, gave a report on the very successful December 2004 parade and said they were pleased to be able to present a contribution back to the City in the amount of \$2,000.

Shelly Yarbrough, President of the Holiday Parade, presented a check to the City.

6. APPROVAL OF MINUTES:

A. Approval of the Minutes of the Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority Meeting held March 8, 2005.

Approval of Minutes of the Regular Joint City Council, RDA, PPFA and PPUA Meeting of March 8, 2005.

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 City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority Meeting held on March 8, 2005.

Motion to approve the Minutes of March 8, 2005.

AYES: Motte, Rogers, Yarbrough, Landers, 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

Councilmember Yarbrough abstained from Items C and E due to the proximity of his residence to these projects.

Councilmember Yarbrough abstained from Items C and E.

Mayor Pro Tem Motte abstained from Item F due to conflict of interests.

Mayor Pro Tem Motte abstained from Item F.

A. To adopt the Second Reading of Ordinance Number 1152 regarding the Adelpia Cable Franchise Agreement.

Adoption of Second Reading of Ordinance Number 1152 regarding the Adelpia Cable Franchise Agreement.

The Second Reading of Ordinance Number 1152 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, GRANTING A CABLE SYSTEM FRANCHISE TO CENTURY-TCI CALIFORNIA, L.P. (ADELPHIA CABLE COMMUNICATIONS).

Ordinance Number 1152 granting a cable system franchise to Century-TCI California, LP (Adelpia Cable Communications).

B. To adopt Resolution Numbers 3378 and 3379 regarding Community Facilities District 2005-2 (Harmony Grove).

Adoption of Resolution Numbers 3378 and 3379 regarding CFD 2005-2 (Harmony Grove).

Resolution Number 3378 is entitled:

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF PERRIS TO ESTABLISH COMMUNITY FACILITIES DISTRICT NO. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS AND TO

Resolution Number 3378 of intention of the City Council to establish CFD 2005-2

AUTHORIZE THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

(Harmony Grove) and to authorize the levy of a special tax within said district.

Resolution Number 3379 is entitled:

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF PERRIS TO INCUR BONDED INDEBTEDNESS IN THE AMOUNT OF NOT TO EXCEED \$16,500,000 WITHIN PROPOSED COMMUNITY FACILITIES DISTRICT NO. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS.

Resolution Number 3379 of intention to incur bonded indebtedness in the amount not to exceed \$16,500,000 within proposed CFD 2005-2 (Harmony Grove).

- C. To adopt Resolution Numbers 3380 and 3381 relating to annexation of property to Community Facilities District No. 2001-2 (Villages of Avalon).

Adoption of Resolution Numbers 3380 and 3381 relating to annexation of property to CFD 2001-2 (Villages of Avalon).

Resolution Number 3380 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO.

Resolution Number 3380 of the City Council acting as the legislative body of CFD 2001-2 (Villages of Avalon) declaring its intention to annex certain territory thereto.

Resolution Number 3381 is entitled:

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF PERRIS TO INCUR BONDED INDEBTEDNESS IN THE AMOUNT OF NOT TO EXCEED \$10,000,000 WITHIN COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS.

Resolution Number 3381 of intention to incur bonded indebtedness in the amount not to exceed \$10 million within CFD 2001-2 (Villages of Avalon).

- D. To adopt Resolution Number 3382 and approve Deposit and Reimbursement Agreement relating to refinance of Community Facilities District No. 93-2 (Perris Plaza).

Adoption of Resolution Number 3382 and approval of Deposit & Reimbursement Agreement relating to refinance of CFD 93-2 (Perris Plaza).

Resolution Number 3382 is entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND ORDERING THE EXECUTION OF THAT CERTAIN DEPOSIT AND REIMBURSEMENT AGREEMENT WITH TRACHMAN INDEVCO, LLC; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH.

Resolution Number 3382 approving and ordering the execution of Deposit & Reimbursement Agreement with Trachman Indevco, LLC.

- E. To approve amended recorded Final Map 22841 within the Villages of Avalon Specific Plan, at the northwest corner of Ramona Expressway and Bradley Street. (Applicant: Barratt American)

Approval of amended recorded Final Map 22841 within the Villages of Avalon Specific Plan (Barratt American).

- F. To approve quit claim of an easement regarding Short Street.

Approval of quit claim of an easement regarding Short Street.

G. To adopt plans and specifications and authorize the City Clerk to proceed with advertisement regarding the traffic signal at Jarvis and Perris Boulevard.

Adoption of plans and specifications and authorizing the City Clerk to proceed with advertisement regarding the traffic signal at Jarvis and Perris Blvd.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Rogers) to approve the balance of the Consent Calendar.

Motion to approve the balance of the Consent Calendar.

AYES: Landers, Motte, Rogers, Busch

All items except Items C, E and F:

NOES:

Approved: 5-0

ABSENT:

ABSTAIN: Yarbrough (Items C & E); Motte (Item F)

*Items C & E:
Approved: 4-0
(Councilmember Yarbrough abstained)*

*Item F:
Approved: 4-0
(Mayor Pro Tem Motte abstained)*

8. PUBLIC HEARINGS:

A. Consideration to adopt First Reading of Ordinance Number 1153 regarding Community Facilities District 2001-3 (North Perris Public Safety).

Adoption of First Reading of Ordinance Number 1153 regarding CFD 2001-3 (North Perris Public Safety).

The First Reading of Ordinance Number 1153 is entitled:

AN ORDINANCE 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 SAID DISTRICT.

Ordinance Number 1153 of the City of Perris acting in its capacity as the legislative body of CFD 2001-3 (North Perris Public Safety) authorizing the levy of a special tax within said district.

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn stated that this item was the culmination of a very long process initiated by the City several years previously to raise funds to pay for critical fire protection and public safety services in the north part of the city. That CFD was formed in 2002, with a few annexations to the district since then and a number of annexations to come in the near future. One of the requirements before the tax could be levied was the establishment of a public safety program and going forward with a city-wide parcel tax, which was voted on in November 2004 and almost passed. Since it was not a requirement for it to pass before the tax could be levied, the tax ordinance was now being presented for the first reading, with a deadline of August for it to be approved and submitted to the County so that the tax levy would begin with the December 2005 tax bills.

City Attorney Dunn gave a brief background on this ordinance.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Busch explained that this tax levy had already been in place for new development in the north part of the city whether or not the tax measure passed. Hopes were to include the rest of the city within the public safety district, but the measure failed by a very small margin (3%). Mayor Busch expressed hope that the public would support the tax if it were brought back to them in the future.

Mayor Busch explained that this tax levy had already been in place for the north part of the city whether or not the tax measure passed.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Yarbrough) to adopt the First Reading of Ordinance Number 1153 regarding Community Facilities District 2001-3.

Motion to adopt the First Reading of Ordinance Number 1153.

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

Approved: 5-0

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

- A. Consideration to adopt Resolution Number 3383 regarding Improvement Area No. 2 of Community Facilities District No. 2004-3 (Monument Ranch).

Adoption of Resolution Number 3383 regarding Improvement Area No. 2 of CFD 2004-3 (Monument Ranch).

Resolution Number 3383 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2004-3 (MONUMENT RANCH) OF THE CITY OF PERRIS, AUTHORIZING THE ISSUANCE OF ITS IMPROVEMENT AREA NO. 2 SPECIAL TAX REVENUE BONDS, 2005 SERIES A, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,500,000; AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

Resolution Number 3383 of the City Council acting in its capacity as the legislative body of CFD 2004-3 (Monument Ranch), authorizing the issuance of its Improvement Area No. 2 special tax revenue bonds, 2005 Series A, in an aggregate principal amount not to exceed \$9,500,000.

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn asked that the Council not act on this item but pull it from the Agenda. No action was necessary, and the item was to be brought back when a couple of things had been finalized.

City Attorney Dunn asked that the Council pull this item from the Agenda.

PUBLIC COMMENT: None

No Public Comment

- B. Consideration regarding sale of surplus City land located on Orange Avenue.

Sale of surplus City land on Orange Avenue.

Introduced by: Michael McDermott, Real Estate Services Manager

Manager McDermott said he was asking for the Council's approval to sell three acres of surplus City land. In Closed Session on March 8th, the Council had approved the sale, with two conditions and one concern. The conditions were: 1) that the project be built on minimum 6,000 lots; 2) that the City retain a permanent first right of refusal to repurchase the property if the project never got built. The concern was in regards to whether or not the price, \$480,000, was bringing a fair market value to the City. Mr. McDermott said the conditions had been met and the purchaser had already signed the contract, which included the first right of refusal clause, drawn up by the City Attorney. He said in considering comparables, this appeared to be a fair price, at \$160,000 an acre.

Manager McDermott asked for the Council's approval to sell three acres of surplus City land. He reported that the Council's conditions for sale had been met and that the sale price appeared to be a fair value for the City.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte said he appreciated Mr. McDermott's information and thought the City was doing quite well in the negotiation.

Mayor Pro Tem Motte appreciated the information and thought the City was doing quite well.

Following a short discussion regarding the property, including that the proceeds from the sale would probably be put into the Development Impact Fund for future park application, Mayor Busch called for a motion.

Following a short discussion, Mayor Busch called for a motion.

M/S/C: (Rogers/Motte) to approve the sale of the surplus City land located on Orange Avenue.

Motion to approve the sale of the surplus City land located on Orange Avenue.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

- C. Consideration regarding easement connecting Bob Long Park with Redlands/Dale Park.

Approval of cost of easement connecting Bob Long Park with Redlands/Dale Park.

Introduced by: Michael McDermott, Real Estate Services Manager

Manager McDermott stated that the City had spent a great deal of time trying to negotiate for either a purchase or an easement of a strip of land tying the two parks together, and an easement had finally been agreed to by the parcel owners. Mr. McDermott said he was asking the Council to approve paying \$10,000 for a 10-foot-wide permanent easement approximately 331 feet in length (3,310 square feet).

Manager McDermott asked the Council to approve paying \$10,000 for a 10-foot-wide permanent easement approximately 331 feet in length.

City Manager Apodaca commented that design documents were currently being circulated for the Redlands/Dale Park, with bidding for the work being scheduled for June.

City Manager Apodaca gave an update on the Redlands/Dale Park.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte was pleased that the City was able to acquire the easement to connect the parks.

Mayor Pro Tem Motte was pleased that the easement connecting the parks was obtained.

Mayor Busch felt it was going to greatly benefit the City to have the two parks tied together, allowing Perris to be able to host tournaments.

Mayor Busch felt it was going to be very beneficial to have the two parks tied together.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Motte/Landers) to authorize the City Manager or his designee to execute all actions and related documents to complete the easement acquisition and approve the appropriation of \$10,000 from the park development impact fees.

Motion to authorize the City Manager or his designee to execute all actions and related documents to complete the acquisition and approve the appropriation of \$10,000 from the park development impact fees.

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

Approved: 5-0

D. Consideration regarding authorization to proceed with advertisement for bids regarding the Chambers/Community Building.

Authorization to proceed with advertisement for bids regarding the Chambers/Community Building.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh stated that this was a follow-up to the January 15th presentation by the architect, John Loomis, regarding proposed improvements to the Council/Community Chambers. Mr. Motlagh said that if this was approved by the Council, Staff would be able to proceed with bid advertisement as soon as they had received approval from the Building Department, hopefully bringing the bids back to Council within 45 days for review and final approval. He reported that the architect's estimate for Phase I was approximately \$1.2 million.

City Engineer Motlagh requested that the Council authorize proceeding with advertisement for bids on Phase I of the Council/Community Chambers project.

Mr. McDermott presented drawings of the Phase I improvements as well as sketches by the landscape architect of proposed landscaping that would be a part of a future phase.

Mr. McDermott presented drawings of the Phase I improvements as well as sketches of future landscaping.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Yarbrough expressed that he was really looking forward to seeing the finished product, believing that this building, once destined for destruction, was definitely going to be

Councilmember Yarbrough felt this building was going to be a very functional addition for the City and the public, as

a showpiece, as well as being functional not only for Staff and Council, but also for the public.

well as a showpiece.

Mayor Pro Tem Motte was also enthusiastic about the potential for the building.

Mayor Pro Tem Motte agreed that the building was going to be a great asset to the City.

Mayor Busch asked City Manager Apodaca to explain what Phase II would include. Mr. Apodaca said it would primarily be the tenant improvements, including the location of the dais, seating arrangements for the audience, lighting fixtures, etc., to be brought to the Council for input within a few months.

Mayor Busch asked City Manager Apodaca to explain what would be included in Phase II.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Yarbrough/Landers) to approve the item as presented by Staff.

Motion to approve the item as presented by Staff.

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

Approved: 5-0

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

A. Tim Rodgers of the Perris Valley Chamber of Commerce gave an update on community events.

Tim Rodgers gave an update on community events.

11. COUNCIL COMMUNICATIONS:

A. Councilmember Landers expressed appreciation to the community for their support of the upcoming Relay for Life on April 9th at Perris High School.

Councilmember Landers thanked the community for their support of the upcoming Relay for Life.

Councilmember Yarbrough reported that the Perris Valley Raceway had raised more than \$10,000 for this worthwhile cause.

Councilmember Yarbrough reported that the Perris Valley Raceway had raised more than \$10,000 for this worthwhile cause.

Councilmember Landers expressed thanks to Councilmember Yarbrough for volunteering one of his race cars to be signed by all the Cancer survivors in the area. He said the car would then go to Banning for the regional event, which would be televised, giving this community national press coverage.

Councilmember Landers expressed thanks to Councilmember Yarbrough for volunteering a race car to be signed by the Cancer survivors and become a part of the regional event.

B. Mayor Busch stated that he had attended the ribbon cutting at the new National Archives and Record Administration Building on Cajalco Road.

Mayor Busch reported on the ribbon cutting of the National Archives and Record Administration Building.

12. CITY MANAGER'S REPORT:

City Manager Apodaca reported that on March 19th, the City completed a successful Cleanup Day. He thanked all the individuals and community groups that took part in this effort.

City Manager Apodaca reported on the successful Cleanup Day.

Mr. Apodaca then gave an update on the Park Master Plan which was in progress, to be followed by the Bike Master Component. He also reported that the conceptual plan for the 15-acre Morgan Park, eventually to be built by KB Home, would come to the Council in April, with construction to start by KB in January 2006.

Mr. Apodaca gave an update on the proposed parks.

City Manager Apodaca further reported that the YMCA would hopefully have a draft Memorandum of Understanding for the Council in May, so that the YMCA would be able to start providing support recreation services for the City of Perris, including a boxing component.

Mr. Apodaca said a YMCA draft MOU, regarding providing support recreation services for the City, would come before the Council in May.

In conclusion, Mr. Apodaca reported that the road improvements at Goetz and Ellis were in progress and would be completed by April 1st.

City Manager Apodaca commented on road improvements.

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 6:55 p.m.

6:55 p.m. Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned.

Respectfully Submitted,

Margaret Rey, City Clerk