

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority
Date of Meeting: 31 May 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: Landers, Rogers, Yarbrough, Busch
(Mayor Pro Tem Motte arrived at 6:10 p.m.)

*4 Council Members present.
(Mayor Pro Tem Motte arrived
at 6:10 p.m.)*

Staff Members Present: City Manager Apodaca, City Attorney Dunn, Community Development Director Barnes, City Engineer Motlagh, Finance Director Carr, Public Works Director Ansari, Planning Manager Belmudez, Assistant to City Manager Madkin, Police Chief Kestell, and City Clerk Rey.

Staff Members Present

3. *INVOCATION:*

The Invocation was led by Councilwoman Rogers.

*Councilwoman Rogers led the
Invocation.*

4. *PLEDGE OF ALLEGIANCE:*

Mayor Busch led the Pledge of Allegiance.

*Mayor Busch led the Pledge of
Allegiance.*

5. *PRESENTATIONS/ANNOUNCEMENTS:*

Mayor Busch acknowledged the Harry Hughes Family and proclaimed June 4th and 5th as Potato Festival Days 2005, presenting a plaque to Katie Keys in behalf of the Hughes Family and the Potato Festival.

*Mayor Busch acknowledged
the Harry Hughes Family and
proclaimed June 4th and 5th as
Potato Festival Days 2005.*

6. APPROVAL OF MINUTES:

- A. Approval of the Minutes of the Special Meeting of the City Council held May 10, 2005, and approval of the Minutes of the Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Utility Authority Meeting held May 10, 2005.

Approval of Minutes of the Special Meeting of the City Council and Regular Joint City Council, RDA, PPFA and PPUA Meeting held May 10, 2005.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Yarbrough) to approve the Minutes of the Special City Council Meeting and Regular Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority Meeting held on May 10, 2005.

Motion to approve the Minutes of May 10, 2005.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

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 1162 regarding Annexation No. 1 to Community Facilities District No. 2001-2 (Villages of Avalon) of the City of Perris.

Adoption of Second Reading of Ordinance Number 1162 regarding Annexation No. 1 to CFD 2001-2 (Villages of Avalon).

The Second Reading of Ordinance Number 1162 is entitled:

AN ORDINANCE 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 AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN THE AREA OF ANNEXATION NO. 1 TO SAID DISTRICT.

Ordinance Number 1162 of the City Council acting as the legislative body of CFD 2001-2 (Villages of Avalon) authorizing the levy of special taxes within the area of Annexation No. 1 to said district.

- B. To adopt Second Reading of Ordinance Number 1163 relating to Zone Change 04-0504; Tentative Tract Map 32707 (04-0480), to convert 36.8 acres of property located at the northeast corner of Evans Road and Nance Street from R4 Residential to R7. Tentative Tract Map 32707 would then subdivide property into 137 single-family residential lots. (Applicant: John Abel, Entrepreneurial-Sheffield, LLC)

Adoption of Second Reading of Ordinance Number 1163 relating to ZC 04-0504; TTM 32707, to convert 36.8 acres of property at the northeast corner of Evans Road and Nance Street from R4 to R7, to then be subdivided into 137 single-family residential lots. (John Abel, Entrepreneurial-Sheffield, LLC)

The Second Reading of Ordinance Number 1163 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2178) AND ZONE CHANGE (NUMBER 04-504) TO CHANGE THE ZONE DISTRICT FROM R4 RESIDENTIAL TO R7 RESIDENTIAL ON ROUGHLY 36.8 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF EVANS ROAD AND NANCE STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance Number 1163 approving ND 2178 and ZC 04-504 to change the zone district from R4 to R7 on roughly 36.8 acres located at the northeast corner of Evans Road and Nance Street.

- C. To adopt Second Reading of Ordinance Number 1164 regarding Zone Change 04-0507; Tentative Tract Map 32708 (04-0481), to convert 61.5 acres of property located at the southeast corner of Evans Road and La Vina Street from R4 Residential to R7 Residential. Tentative Tract Map 32708 would then subdivide this property into 234 single-family residential lots. (Applicant: John Abel, Entrepreneurial-Sheffield, LLC)

Adoption of Second Reading of Ordinance Number 1164 regarding ZC 04-0507; TTM 32708, to convert 61.5 acres at the southeast corner of Evans Road and La Vina Street from R4 to R7, to then be subdivided into 234 single-family residential lots. (John Abel, Entrepreneurial-Sheffield, LLC)

The Second Reading of Ordinance Number 1164 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2179) AND ZONE CHANGE (NUMBERS 04-507) TO CHANGE THE ZONING DISTRICT FROM R4 RESIDENTIAL TO R7 RESIDENTIAL ON ROUGHLY 61.5 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF EVANS ROAD AND LA VINA STREET; AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance Number 1164 approving ND 2179 and ZC 04-507 to change the zoning district from R4 to R7 on roughly 61.5 acres located at the southeast corner of Evans Road and La Vina Street.

- D. Adopt Resolution Number 3407 relating to the implementation of a litter removal program and submittal for funding from the State Department of Conservation.

Adoption of Resolution Number 3407 relating to the implementation of a litter program and submittal for funding from the State Department of Conservation.

Resolution Number 3407 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AUTHORIZING THE IMPLEMENTATION OF A LITTER REMOVAL PROGRAM AND SUBMITTAL FOR FUNDING FROM THE STATE DEPARTMENT OF CONSERVATION.

Resolution Number 3407 authorizing the implementation of a litter removal program and submittal for funding from the State Department of Conservation.

- E. Approval of Extension of Time No. 05-0148 for Tentative Tract Map 30850, located at the southwest corner of Orange Avenue and Evans Road. (Applicant: Aware Development Co.)

Approval of Extension of Time No. 05-0148 for TTM 30850, located at the southwest corner of Orange Avenue and Evans Road. (Aware Development Co.)

- F. Adopt Resolution Number 3408 amending rubbish collection charges pursuant to agreement with CR&R.

Adoption of Resolution Number 3408 amending rubbish collection charges pursuant to agreement with CR&R.

Resolution Number 3408 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING RUBBISH COLLECTION CHARGES AS PERMITTED IN SECTION 7.16.050 (D) OF THE PERRIS MUNICIPAL CODE AND RESCINDING RESOLUTION NUMBER 3228.

Resolution Number 3408 amending rubbish collection charges as permitted in Section 7.15.050 (D) of the Perris Municipal Code and rescinding Resolution Number 3228.

- G. Adopt Resolution Number 3409 regarding a Water Wise Partnership with Riverside County.

Adoption of Resolution Number 3409 regarding a Water Wise Partnership with Riverside County.

Resolution Number 3409 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA FORMING A PARTNERSHIP WITH RIVERSIDE COUNTY IN WATER WISE COUNTY EFFORTS.

Resolution Number 3409 forming a partnership with Riverside County in Water Wise County efforts.

- H. Adopt Resolution Number 3410 regarding the Joint Community Facilities Agreements with Perris Elementary School District and Eastern Municipal Water District relating to CFD No. 2005-2 (Harmony Grove).

Adoption of Resolution Number 3410 regarding the Joint Community Facilities Agreement with Perris Elementary School District and Eastern Municipal Water District relating to CFD No. 2005-2 (Harmony Grove).

Resolution Number 3410 is entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND AUTHORIZING EXECUTION OF JOINT COMMUNITY FACILITIES AGREEMENTS IN CONNECTION WITH THE FORMATION OF COMMUNITY FACILITIES DISTRICT 2005-2 (HARMONY GROVE); AND MAKING FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH.

Resolution Number 3410 approving and authorizing execution of Joint Community Facilities Agreements in connection with the formation of CFD 2005-2 (Harmony Grove).

- I. Adopt Resolution Number 3411 approving the Deposit and Reimbursement Agreement with Stratford Ranch Partners, LLC, relating to formation of a Community Facilities District (TTM 32707 and 32708).

Adoption of Resolution Number 3411 approving the Deposit and Reimbursement Agreement with Stratford Ranch Partners, LLC, relating to formation of a CFD (TTM 32707 and 32708).

Resolution Number 3411 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 STRATFORD RANCH PARTNERS, LLC; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH.

Resolution Number 3411 approving and ordering the execution of that certain Deposit and Reimbursement Agreement with Stratford Ranch Partners, LLC.

- J. To adopt Second Reading of Ordinance Number 1157 regarding Zone Change 04-0528, to change "P" (Public Semi-Public Facilities and Utilities) to "BP" (Business Park) on 58.2

Adoption of Second Reading of Ordinance Number 1157 regarding ZC 04-0528, to change "P" to "BP" on 58.2

acres of land located at the northeast corner of Trumble Road and Mapes Road. (Applicant: Eastern Municipal Water District)

acres at the northeast corner of Trumble Road and Mapes Road. (EMWD)

(Continued from May 10, 2005 Council Meeting)

The Second Reading of Ordinance Number 1157 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2173) AND ZONE CHANGE (04-0528), TO CHANGE THE ZONE DISTRICT FROM "P" (PUBLIC, SEMI-PUBLIC FACILITIES AND UTILITIES) TO "BP" (BUSINESS PARK) ON 58.2 ACRES OF LAND AT THE NORTHEAST CORNER OF TRUMBLE ROAD AND MAPES ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance Number 1157 approving ND 2173 and ZC 04-0528, to change the zone district from "P" to "BP" on 58.2 acres at the northeast corner of Trumble Road and Mapes Road.

K. Approval of the Contracts for Services Agreement with Ace Weed Abatement, Inc. and Environmental Klean-Up for weed abatement services.

Approval of the Contract for Services Agreement with Ace Weed Abatement, Inc. and Environmental Klean-Up for weed abatement services.

Councilmember Yarbrough abstained from Item A due to conflict of interests because of his residence being in proximity to the project, and asked to have Item K pulled for further discussion.

Councilmember Yarbrough abstained from Item A and asked to have Item K pulled for further discussion.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Yarbrough/Rogers) to approve the balance of the Consent Calendar, with Item K being pulled for further discussion.

Motion to approve the balance of the Consent Calendar, with Item K being pulled.

AYES: Motte, Rogers, Landers, Busch (Item A)
Motte, Rogers, Yarbrough, Landers, Busch
(balance of items: B-J, with Item K being pulled)

*Item A
Approved: 4-0
(Councilmember Yarbrough abstained)*

NOES:

ABSENT:

ABSTAIN: Yarbrough (Item A only)

*Items B-J
Approved: 5-0*

Item K was then considered by the Council.

Item K was considered by the Council.

Councilmember Yarbrough asked if this would be a two-year agreement in keeping with the two-year budget to be adopted. Ms. Barnes replied that the intent was that it would be a two-year contract, at \$30,000 per year.

Councilmember Yarbrough asked if this would be a two-year agreement. Ms. Barnes replied that it was intended to be a two-year contract, at \$30,000 per year.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Yarbrough/Motte) to approve Item K

Motion to approve Item K.

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

Approved: 5-0

8. **PUBLIC HEARINGS:**

A. Consideration to adopt Resolution Numbers 3412 through 3414, and adopt First Reading of Ordinance Number 1165 relating to Community Facilities District No. 2005-2 (Harmony Grove).

Adoption of Resolution Numbers 3412 through 3514, and adoption of First Reading of Ordinance Number 1165 relating to CFD 2005-2 (Harmony Grove).

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn asked Bond Counsel Anita Luck to introduce the item. Ms. Luck explained that this was the Public Hearing and Election for CFD No. 2005-2 (Harmony Grove), a development of approximately 378 residential units, divided into two zones. She said that certain items to be financed would be owned by EMWD and Perris Elementary School District. She also stated that bonds were not being issued until the developer was further into the project.

City Attorney Dunn asked Bond Counsel Luck to introduce the Public Hearing and Election. Ms. Luck stated that this was regarding CFD 2005-2 (Harmony Grove), a development of approximately 378 residential units.

Mayor Busch opened the Public Hearing.

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment

Mayor Busch closed the Public Hearing.

Mayor Busch closed the Public Hearing.

Bond Counsel Luck read the following resolution:

Bond Counsel Luck read the following resolution:

Resolution Number 3412 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS; AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS; ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT.

Resolution Number 3412 determining the validity of prior proceedings, establishing CFD 2005-2 (Harmony Grove); authorizing the levy of a special tax within CFD 2005-2 (Harmony Grove); establishing an appropriations limit; and taking certain other actions relating to said district.

M/S/C: (Rogers/Landers) to approve Resolution Number 3412.

Motion to approve Resolution Number 3412.

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

Approved: 5-0

Resolution Number 3413 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. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS; DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$16,500,000 WITHIN SAID DISTRICT; AND CALLING A SPECIAL ELECTION.

Resolution Number 3413 of the City Council acting in its capacity as the legislative body of CFD 2005-2 (Harmony Grove); determining the necessity to incur bonded indebtedness in an amount not to exceed \$16,500,000 within said district; and calling a special election.

M/S/C: (Rogers/Landers) to approve Resolution Number 3413.

Motion to approve Resolution Number 3413.

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

Approved: 5-0

Election

Election

The Mayor requested the Election results from the City Clerk.

The Mayor requested the Election results from the City Clerk.

City Clerk Rey opened and read the two ballots for Community Facilities District Number 2005-2 (Harmony Grove) Special Bond, Tax and Appropriations Limit Election, May 31, 2005, which were both indicated as "Yes."

City Clerk Rey opened and read the ballots for CFD 2005-2 (Harmony Grove) Special Bond, Tax and Appropriations Limit Election, which were both indicated as "Yes."

Ms. Luck read the next resolution:

Ms. Luck read the next resolution:

Resolution Number 3414 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT.

Resolution Number 3414 of the City Council acting in its capacity as the legislative body of the CFD 2005-2 (Harmony Grove), declaring the results of a Special Election relating to the levy of a special tax within said district, the issuance of bonded indebtedness and the establishment of an appropriations limit.

M/S/C: (Rogers/Landers) to approve Resolution Number 3414.

Motion to approve Resolution Number 3414.

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

Approved: 5-0

The First Reading of Proposed Ordinance Number 1165 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. 2005-2 (HARMONY GROVE) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

Proposed Ordinance Number 1165 of the City Council acting in its capacity as the legislative body of CFD 2005-2 (Harmony Grove) authorizing the levy of a special tax within said district.

M/S/C: (Rogers/Landers) to approve the First Reading of Ordinance Number 1165.

Motion to approve the First Reading of Ordinance Number 1165.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

- B. Consideration to adopt Resolution Numbers 3415 and 3416, and adopt First Reading of Ordinance Number 1166, relating to Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris – Annexation No. 5 (Tract No. 30850).

Adoption of Resolution Numbers 3415 and 3416, and adoption of First Reading of Ordinance Number 1166, relating to Community Facilities District No. 2001-3 (North Perris Public Safety) – Annexation No. 5 (Tract No. 30850).

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn explained that a few years previously, the City had created the North Perris Public Safety CFD, and within a certain area of the northern part of Perris, the residential and industrial development would be annexed into this CFD and pay a special tax that the City was required to dedicate to public safety, particularly the North Perris Fire Station. He stated that this was the 5th annexation into that district. He said that Measure NN, which narrowly failed to pass in November, would have applied a city-wide parcel tax, and the people in the North Perris Public Safety CFD would have had their taxes offset by this and would not have paid any extra taxes.

City Attorney Dunn explained this item, the 5th annexation to the North Perris Public Safety CFD.

Bond Counsel Luck explained that this was going to be a Public Hearing and Special Election relating to Annexation No. 5, for fire protection services.

Bond Counsel Luck explained that this was a Public Hearing and Special Election regarding Annexation No. 5, for fire protection services.

Mayor Busch opened the Public Hearing.

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment

Mayor Busch closed the Public Hearing.

Mayor Busch closed the Public Hearing.

Bond Counsel Luck read the following resolution:

Bond Counsel Luck read the following resolution:

Resolution Number 3415 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 5 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 5.

Resolution Number 3415 of the City Council acting as the legislative body of CFD 2001-3 (North Perris Public Safety), calling a Special Election to submit to the qualified electors within proposed Annexation No. 5 the question of annexing such territory and levying of a special tax within the area of proposed Annexation No. 5.

M/S/C: (Rogers/Motte) to approve Resolution Number 3415.

Motion to approve Resolution Number 3415.

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

Approved: 5-0

Election

Election

The Mayor requested the Election results from the City Clerk.

The Mayor requested the Election results from the City Clerk.

City Clerk Rey opened and read the ballot for Community Facilities District Number 2001-3 (North Perris Public Safety) Special Tax and Appropriations Limit Election, May 31, 2005, which was indicated as "Yes."

City Clerk Rey opened and read the ballot for CFD 2001-3 (Harmony Grove) Special Tax and Appropriations Limit Election, which was indicated as "Yes."

Resolution Number 3416 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 5 AND ORDERING THE ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION NO. 5 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN.

Resolution Number 3416 of the City Council acting as the legislative body of CFD 2001-3 (North Perris Public Safety), declaring the results of a Special Election relating to Annexation No. 5 and ordering the annexation of such territory, the levying of a special tax within the area of Annexation No. 5 and directing the recording of a Notice of Special Tax Lien.

M/S/C: (Rogers/Motte) to approve Resolution Number 3416.

Motion to approve Resolution Number 3416.

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

Approved: 5-0

The First Reading of Proposed Ordinance Number 1166 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. 5 TO SAID DISTRICT.

Proposed Ordinance Number 1166 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. 5 to said District.

M/S/C: (Rogers/Motte) to approve the First Reading of Ordinance Number 1166.

Motion to approve the First Reading of Ordinance Number 1166.

AYES: Motte, Rogers, Yarbrough, Landers, Busch

Approved: 5-0

NOES:

ABSENT:

ABSTAIN:

- C. Consideration to adopt Resolution Number 3417 to approve Tentative Tract Map 33227 (04-0574) and Development Plan Review 04-0199, to subdivide 10.63 acres of vacant land into 12 lots for a 94-unit townhome subdivision, and to approve the plotting and building architecture of the townhome building complexes located on the east side of Bradley Road, north of Rider Street. (Applicant: Barratt American)

Adoption of Resolution Number 3417 to approve TTM 33227 and DPR 04-0199, to subdivide 10.63 acres of vacant land into 12 lots for a 94-unit townhome subdivision, and to approve the plotting and building architecture of the townhome building complexes located on the east side of Bradley Road, north of Rider Street. (Barratt American)

Councilmember Yarbrough abstained from this item due to conflict of interests relating to his residing in close proximity to the project, and excused himself from the Council Chambers.

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

Resolution Number 3417 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2188); TENTATIVE TRACT MAP 33227 (04-0574) TO SUBDIVIDE 10.65 ACRES OF VACANT LAND INTO 12 LOTS FOR A 94-UNIT TOWNHOME SUBDIVISION IN THE R14 ZONE, LOCATED EAST ON BRADLEY ROAD, NORTH OF RIDER STREET; DEVELOPMENT PLAN REVIEW 04-0199 TO APPROVE THE PLOTTING AND BUILDING ARCHITECTURE OF THE TOWNHOME BUILDING COMPLEXES; AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3417 approving ND 2188; TTM 33227 to subdivide 10.65 acres of vacant land into 12 lots for a 94-unit townhome subdivision in the R14 zone, located east on Bradley Road, north of Rider Street; DPR 04-0199 to approve the plotting and building architecture of the townhome building complexes.

Introduced by: Olivia Barnes, Community Development Director

Planning Manager Belmudez stated that this proposal had been submitted by Barratt American, to subdivide 10.63 acres of R14 vacant land into a condominium subdivision. Included in the proposal, a gated community with a variety of design features, would

Planning Manager Belmudez stated that this was a proposal by Barratt American to subdivide 10.63 acres of R14 vacant land into a

be a homeowners facility and trails. The primary access for the project would be on Bradley Road.

condominium subdivision.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte commented that the project looked like it had been well researched.

Mayor Pro Tem Motte was favorably impressed with the project.

Mayor Busch asked what the average size of the units would be. Lou Ochoa of Barratt American replied that it would be around 1400 sq. ft., with the smallest being 1100 sq. ft. and the largest about 1520 sq. ft.

Mayor Busch asked what the average size of the units would be. Lou Ochoa of Barratt American replied that it would be around 1400 sq. ft.

M/S/C: (Landers/Motte) to adopt Resolution Number 3417 to approve Tentative Tract Map 33227 (04-0574) and Development Plan Review 04-0199, to subdivide 10.63 acres of vacant land into 12 lots.

Motion to adopt Resolution Number 3417 to approve TTM 33227 and DPR 04-0199, to subdivide 10.63 acres of vacant land into 12 lots.

AYES: Motte, Rogers, Landers, Busch

Approved: 4-0

NOES:

(Councilmember Yarbrough abstained)

ABSENT:

ABSTAIN: Yarbrough

Councilmember Yarbrough rejoined the Council.

Councilmember Yarbrough rejoined the Council.

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

A. Presentation of the proposed Morgan Street Park Conceptual Plan.

Provision of direction regarding Enchanted Heights Roadway Improvements.

Introduced by: Darren Madkin, Assistant to the City Manager

Mr. Madkin stated that this item was presented to formally unveil the conceptual master plan for the proposed Morgan Street Park. The 48-acre site was assembled through development agreements with KB Home and Meritage Homes to provide open space for park development. Mr. Madkin explained that the first 15-acre phase of the park was to be constructed by KB Home. The remaining 33-acre phase of the park had not been budgeted but would be included in the City’s CIP budget. Mr. Madkin introduced consultant Jim Pickel of Purkiss-Rose RSI to make a brief presentation of the plan.

Mr. Madkin stated that this was a formal unveiling of the conceptual master plan for the proposed Morgan Street Park. He introduced Jim Pickel of Purkiss-Rose RSI to make a brief presentation.

Mr. Pickel showed a conceptual drawing of the first phase of the park, which included three full-size divisional soccer fields, a parking lot, a drop-off area, a restroom and concession facility, a tot lot, two basketball courts, an open area, a group picnic area, a maintenance building, and a walkway around the perimeter. Mr. Pickel also pointed out the 33-acre second phase to include two soccer fields, a softball wheel with a concession at the hub of four baseball diamonds, two play areas, a community center, and parking.

Mr. Pickel presented a conceptual drawing of the first and second phases of the park, pointing out the various features.

Mr. Madkin noted that construction on the first phase of the park was scheduled to begin in January 2006.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Motte asked about the lighting and turf of the soccer fields. Mr. Pickel responded.

Mayor Pro Tem Motte asked about the lighting and turf of the soccer fields. Mr. Pickel responded.

Councilmember Landers asked Staff if this would forego plans with Big League Dreams. The response was that the City had not finalized any plans with them. Mr. Landers complimented Purkiss-Rose on the fine job that had been done so far. He felt that the concessions should probably be contracted out to a private party to operate.

Councilmember Landers asked if this would forego plans with Big League Dreams. The response was that the City had not finalized any plans with them. Mr. Landers complimented Purkiss-Rose on the fine job they had done.

Councilmember Yarbrough had questions about the trail and the wall around the maintenance building, and suggested having artificial turf on some of the fields.

Councilmember Yarbrough had questions about the trail and the wall around the maintenance building, and suggested using artificial turf on some of the fields.

Councilmember Rogers asked about restroom facilities in the second phase. The response was that there would be facilities in the community center as well as in the concession area.

Councilmember Rogers had a question regarding restroom facilities.

Councilmember Yarbrough asked about the possibility of using solar lighting in the parking areas. City Engineer Motlagh offered that although it would initially be more expensive, that was a good type of lighting for neighborhood parks.

Councilmember Yarbrough asked about using solar lighting in the parking areas. City Engineer Motlagh responded.

Councilmember Rogers asked if there would be an additional maintenance building in the second phase. The answer was that there would not.

Councilmember Rogers asked if the second phase would have an additional maintenance building. It would not.

Mayor Pro Tem Motte asked if they planned to have a well there. The response was that it was planned to use reclaimed water. Mr. Motlagh said that they could possibly consider putting in a well at a future date.

Mayor Pro Tem Motte asked if they planned to use a well. It had been planned to use reclaimed water.

Mayor Busch suggested adding more basketball courts in the second phase. Mr. Pickel said there would be plenty of room to add a couple more.

Mayor Busch suggested adding more basketball courts in the second phase.

The presentation was received and filed.

Presentation was received and filed.

B. Adopt City Council Resolution Number 3418 and RDA Resolution Number 264 adopting the General Fund and Redevelopment Agency Budget for Fiscal Years 2005/06 and 2006/07.

Adoption of City Council Resolution Number 3418 and RDA Resolution Number 264 adopting the General Fund and RDA Budget for Fiscal Years 2005/06 and 2006/07.

The Proposed City Council Resolution Number 3418 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE CITY GENERAL FUND TWO-YEAR BUDGET AND APPROPRIATING REVENUE FOR THE 2005/06 AND 2006/07 FISCAL YEARS.

Resolution Number 3418 adopting the City General Fund two-year budget and appropriating revenue for the 2005/06 and 2006/07 fiscal years.

The Redevelopment Agency Resolution Number 264 is entitled:

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE REDEVELOPMENT AGENCY TWO-YEAR BUDGET AND APPROPRIATING REVENUE OF THE AGENCY FOR THE 2005/06 AND 2006/07 FISCAL YEARS.

RDA Resolution Number 264 adopting the RDA two-year budget and appropriating revenue of the agency for the 2005/06 and 2006/07 fiscal years.

Introduced by: Ron Carr, Finance Director

Director Carr stated that in the Work Session before the Council Meeting, Staff had presented the proposed General Fund and Redevelopment Agency Budget. Items left for Council discussion included 1) funding for Fire Station 91 (Moreno Valley) (\$216,000 for the full year or \$108,000 for half a year), 2) perhaps reprogramming funding into recreational staffing and/or portable bleachers, and 3) suspending the reserve policy to allow for expenditures out of the General Fund. He said that Staff was recommending approval of the General Fund and Redevelopment Agency budget, subject to any changes based on discussion by Council of the three items mentioned, or any other amendments Council may wish to make.

Director Carr said the proposed General Fund and RDA budget for two years had been presented at the Work Session earlier in the evening, and three items remained to be discussed by Council. Staff recommended approval of the budget, subject to any changes the Council wished to make.

City Manager Apodaca said that in regard to Councilmember Yarbrough's concern about streets, in four weeks they would be bringing back the CIP expenditures, which would involve approximately \$20 million that would go toward physical improvements in the City.

Regarding Councilmember Yarbrough's concern about the streets, City Manager Apodaca reported that in four weeks they would be bringing back the CIP expenditures, which would involve \$20 million to go toward physical improvements in the City.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

The Council revisited the three items mentioned. Regarding the Moreno Valley Fire Station funding, it was decided to pay for half a year. Regarding the reserve policy, Councilmember Rogers said she would prefer to keep it as placed and after forthcoming information had been reviewed and they found it didn't address all the concerns, they could reconsider at that time. But she felt they should approve the budget as is and leave the reserve policy in for now.

The Council revisited the three items mentioned, deciding to fund the Moreno Valley for just half a year and keep the reserve policy in place.

Councilmember Yarbrough said it looked like they were going to have to spend more than they had planned on for street repairs. He asked the City Engineer if there were some projects that they could expedite that might be considered TUMF projects for which the City could be reimbursed by the County if they take the lead on it and get it done.

Councilmember Yarbrough asked if there were some street projects that might be considered TUMF projects that could be expedited, with the City being reimbursed by the County.

Councilmember Landers said he wanted the Council to put a heavy emphasis on City roads.

Councilmember Landers wanted to put a heavy emphasis on roads.

Mayor Pro Tem Motte said he was in favor of the reserve policy.

Mayor Pro Tem Motte was in favor of the reserve policy.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Landers) to approve proposed Resolution Number 3418 entitled Resolution of the City Council of the City of Perris, County of Riverside, State of California, adopting the City General Fund two-year budget and appropriating revenue for the 2005/06 and 2006/07 fiscal years.

Motion to approve Resolution Number 3418.

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

Approved: 5-0

M/S/C: (Rogers/Landers) to approve proposed RDA Resolution Number 264 entitled Resolution of the Redevelopment Agency of the City of Perris, County of Riverside, State of California, adopting the Redevelopment Agency two-year budget and appropriating revenue of the agency for the 2005/06 and 2006/07 fiscal years.

Motion to approve RDA Resolution Number 264.

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

Approved: 5-0

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

A. Dave Stuart, Operations Manager of the Perris Valley Chamber of Commerce, gave an update on community events.

Dave Stuart gave an update on community events.

B. John Barnes announced that he would be picking up the first Community Response Vehicle, the first of its kind in the nation, on June 17th for the City of Perris. He added that three other vehicles would be going to Hemet/San Jacinto, Banning, and Riverside. Mr. Barnes said he would be working hard to get the graphics done and get the vehicle loaded with clothes and food. Hopefully it would be ready by the first of July. The Council congratulated Mr. Barnes.

John Barnes announced that he would be picking up the first Community Response Vehicle, the first of its kind in the nation, on June 17th for the City of Perris.

11. COUNCIL COMMUNICATIONS:

A. Councilmember Landers asked to bring back for reconsideration the Oliver Cagle project to give him a second chance since he had worked so hard on the project. He said he would like to give him a chance to make some changes and perhaps get the project through the Council, perhaps addressing it differently.

Councilmember Landers asked to bring back for reconsideration the Oliver Cagle project.

City Attorney Dunn said it was in order to reconsider the item, after renoting it and bringing it back to the agenda.

City Attorney Dunn said it was in order to reconsider the item.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Rogers) to reconsider the Oliver Cagle project presented at the May 10 Council Meeting.

Motion to reconsider the Oliver Cagle project.

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

*Approved: 3
Noes: 1
(Mayor Pro Tem Motte abstained)*

B. Councilmember Yarbrough said he would like to agendize the Orange Avenue river crossing for discussion and action.

Councilmember Yarbrough said he would like to agendize the Orange Avenue river crossing for discussion and action.

C. Mayor Busch said he would like to see the Council stand behind the move to restrict known sex offenders from being allowed within a certain distance from schools, and would like to have the Council's support in getting the County's resolution regarding this and putting it on the next City Council agenda to adopt an ordinance in support of their resolution, in an effort to protect the citizens of this community.

Mayor Busch said he would like to see the Council stand behind the move to restrict known sex offenders from being allowed within a certain distance from schools.

D. Councilmember Rogers reported that at the recent Department of Community Action meeting, they honored approximately 60 volunteers who had prepared income tax returns for low-income people throughout Riverside County. Over 1,700 tax returns were filed, and more than \$2.2 million was received by people in the community for the Earned Income Tax Credit, so it was a very successful effort. The Strategic Plan for Eliminating Poverty was approved at the last meeting and will be forwarded to the County

Councilmember Rogers reported on the last meeting of the Department of Community Action.

Board of Supervisors to review the poverty statistics for their various districts. Our District 5 is extremely high, and corrective action needs to be taken. Ms. Rogers also mentioned that there is a series of grant development workshops being scheduled by the Department of Community Action.

12. CITY MANAGER'S REPORT:

A. City Manager Apodaca reported that he had attended the International Conference of Shopping Centers in Las Vegas, made up of major retail developers and major retail tenants. Lewis Retail was there promoting the Perris venue and met with potential retailers who are coming to Perris when the Interchange project has been completed. Mr. Apodaca stated that Perris is currently in the planning process of 3-4 million square feet of retail space, and this conference presented a great opportunity to promote Perris.

City Manager Apodaca reported on his attendance at the International Conference of Shopping Centers.

B. Mayor Busch asked City Attorney Dunn if he could give a brief recap of the result of the recent litigation against the City. Mr. Dunn stated that it was fairly common knowledge that the former City Manager (referring to William G. Vasquez) had sued the City after he was terminated. The matter was turned over to the City's insurance carrier who handles those types of claims. Mr. Dunn explained that the City had paid a small deductible to the insurance company that settled the case for a relatively minor amount, and a full release had been signed by the plaintiff.

Mayor Busch asked the City Attorney to give a brief recap of the result of the recent litigation against the City. Mr. Dunn explained that the City had paid a small deductible to the insurance company that settled the case (referring to former City Manager William G. Vasquez) for a relatively minor amount, and that a full release had been signed by the plaintiff.

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 7:30 p.m.

7:30 p.m. Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned.

Respectfully Submitted,

Margaret Rey, City Clerk