

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority
Date of Meeting: 30 March 2004
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: Landers, Motte, Rogers, Yarbrough and Busch

All Councilmembers present.

Staff Members Present: City Manager Apodaca, City Attorney Dunn, Community Development Director Gutierrez, City Engineer Motlagh, Interim Finance Director Fructuoso, Police Chief Kestell and City Clerk Rey.

Staff Members Present.

3. *INVOCATION:*

Reverend Greg Simpson
First Congregational Church
100 North "A" Street
Perris, CA

Reverend Greg Simpson led the invocation.

4. *PLEDGE OF ALLEGIANCE:*

Mayor Pro Tem Landers led the Pledge of Allegiance.

Mayor Pro Tem Landers led the Pledge.

5. *PRESENTATIONS/ANNOUNCEMENTS:*

Mayor Busch announced that Don Sanger, former Mayor of the City of Perris, had passed away. Gravesite services would be held on Friday, April 2 at Perris Valley cemetery.

Mayor Busch announced that Don Sanger, a former Mayor of the City of Perris had passed away.

6. *APPROVAL OF MINUTES:*

Approval of the minutes of the Special Joint City Council meeting held March 9, 2004; approval of the minutes of the Joint Work Session of the City Council, Redevelopment Agency, PPFA and PPUA held March 9, 2004 and the Minutes of the Joint

Minutes of the Special Joint City Council meeting; Joint Work Session and regular City Council, Redevelopment Agency, PPFA and PPUA meetings held March 9, 2004.

Meeting of the City Council, Redevelopment Agency, PPFA and PPUA held March 9, 2004.

M/S/C: (Landers/Motte) to approve the minutes of the Special City Council meeting; the worksession and regular City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority held on March 9, 2004.

*Minutes of March 9, 2004
Approved: 5-0*

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

7. CONSENT CALENDAR:

PUBLIC COMMENT: None

No Public Comment

A. The Second Reading of Ordinance Number 1127 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING ZONE CHANGE NO. 03-0250 TO CHANGE THE ZONING DESIGNATION FROM CC COMMUNITY COMMERCIAL TO R7 RESIDENTIAL ON APPROXIMATELY 9.1 ACRES OF AN 18.1 ACRE PROPERTY AT THE NORTHEAST CORNER OF SAN JACINTO AVENUE AND WILSON AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Ordinance 1127 approving zone change no. 03-0250 at the Northeast corner of San Jacinto Avenue and Wilson Avenue.

B. To approve the amendment of the current year budget to include the increase in Annual Education Revenue Augmentation Fund (ERAF) contribution.

Amendment of the current budget to include the increase in Annual Education Revenue Augmentation Fund contribution

C. To receive and file the June 30, 2003 annual financial and informational reports.

Receive and file annual financial reports.

D. To approve Proposed Resolution Number 3199 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPOINTING THE MARCH JOINT POWERS AUTHORITY THE SINGLE LOCAL BASE RETENTION ENTITY FOR MARCH AIR RESERVE BASE.

Proposed Resolution Number 3199 appointing the March Joint Powers Authority the single local Base retention entity for March Air Reserve Base.

E. To approve the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, County of Riverside, Ashby Financial Company, Inc. and the City of Perris for construction of Interim Improvements for Romoland Master Drainage Plan – Line A.

Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, County of Riverside, Ashby Financial Company, Inc. and the City of Perris.

F. To approve a loan agreement between the March Joint Powers Redevelopment Agency and the City of Perris for base retention lobbyist services.

Loan Agreement between March Joint Powers Redevelopment Agency and the City of Perris.

G. To approve the contract between Glenn Lukos Associates and the City of Perris to provide biological support and CEQA review pertaining to road crossing improvements at Case Road and the San Jacinto River.

Contract between Glenn Lukos Associates and the City of Perris.

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

*Approval of the Consent Calendar as presented.
Approved: 5-0*

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

8. PUBLIC HEARINGS:

- A. Consideration and discussion to adopt Resolution Numbers 3200, 3201, 3202, and 3203 and First Reading of Ordinance Number 1128 and approve the Fiscal Agent Agreement, the Purchase Contract, the Preliminary Official Statement and the Continuing Disclosure Agreement regarding formation of Community Facilities District No. 2004-1 of the City of Perris, the Amber Oaks Development and the issuance of bonds.
(Continued from the March 9, 2004 City Council Meeting)

Resolution Numbers 3200, 3201, 3202 and 3203 and first reading of Ordinance Number 1128 and approval of the Fiscal Agent Agreement, the Purchase Contract, the Preliminary Official Statement and the Continuing Disclosure Agreement regarding formation of CFD No. 2004-1 (Amber Oaks).

The Proposed Resolution Number 3200 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2004-1 (AMBER OAKS) OF THE CITY OF PERRIS; AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2004-1 (AMBER OAKS) OF THE CITY OF PERRIS; ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT.

Resolution Number 3200 establishing CFD No. 2004-1 (Amber Oaks) and authorizing the levy of a Special Tax and establishing an appropriations limit.

The Proposed Resolution Number 3201 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. 2004-1 (AMBER OAKS) OF THE CITY OF PERRIS; DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$4,000,000 WITHIN SAID DISTRICT; AND CALLING A SPECIAL ELECTION.

Resolution Number 3201 determining the necessity to incur bonded indebtedness and calling a Special Election.

CONDUCT ELECTION:

Conduct Election

The Proposed Resolution Number 3202 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. 2004-1 (AMBER OAKS) 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 3202 declaring the results of a Special Election, CFD 2004-1 (Amber Oaks) relating to the levy of a Special Tax, the issuance of bonded indebtedness and the establishment of an appropriations limit.

The Proposed Resolution Number 3203 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. 2004-1 (AMBER OAKS) OF THE CITY OF PERRIS; AUTHORIZING THE ISSUANCE OF ITS SPECIAL TAX REVENUE BONDS, 2004 SERIES A IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED

Resolution Number 3203 authorizing the levy of a Special Tax, CFD 2004-1 (Amber Oaks)

FOUR MILLION DOLLARS \$4,000,000; AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

The First Reading of Proposed Ordinance Number 1128 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. 2004-1 (AMBER OAKS) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

First Reading of Ordinance Number 1128 authorizing the levy of a Special Tax.

Introduced by: Urban Schreiner, Bond Counsel

Mr. Schreiner, a member of the law firm of Aleshire and Wynder and Bond Counsel for the City of Perris, explained that there were two items on the agenda. The first was the combined hearings for the Amber Oaks project for Young American Homes. These hearings were on the formation of a Community Facilities District and the levy of a Special Tax. He explained how the hearings were to be conducted. First the City Clerk would be asked if the appropriate notice of hearing had been given. Then the Public Hearing would be opened and the Financial Advisor's Report would be given. Once all questions from any property owner or other interested person were answered, the hearing would be closed. At that time, the Clerk would notify the Council that she was in receipt of a ballot indicating the concurrence of the property owners and the levy of the tax to pay the bonds to finance the project. Those ballots would then be on the records of the City. That would then trigger two more resolutions and the introduction of an ordinance levying the tax. That would be the procedure for the Amber Oaks project. When that is complete, a similar procedure would be conducted for the Corman Leigh Communities project.

Urb Schreiner, a member of the law firm of Aleshire and Wynder and Bond Counsel for the City of Perris, explained how the combined hearings for the Amber Oaks and Corman Leigh Communities projects were to be conducted.

Mayor Busch asked the City Clerk if the proof of publication and mailing of the notices had been completed.

Mayor Busch asked if proof of publication and mailing had been completed.

City Clerk Rey responded that proof of publication and mailing are on file in the Clerk's office. They show that the notices were published and mailed in a timely manner.

City Clerk Rey responded that proof of publication and mailing are on file in the Clerk's office.

Mayor Busch called upon the Financial Advisor for his report.

Mayor Busch called for the Financial Advisor's report.

Lynn Gruber, the City's Special Tax Consultant, explained that Rod Gunn, the City's Financial Advisor, was unable to attend. She explained that after the Amber Oaks CFD was formed, bonds would be issued and a Special Tax would be levied to repay those bonds. The Special Taxes would range from \$1400 to \$1700 per parcel on an annual basis.

Lyn Gruber, Special Tax Consultant for the City, explained that after the CFD was formed, bonds would be issued and a Special Tax would be levied.

Mayor Busch inquired if there had been any written protests filed with the Clerk against the formation of the District of issuance of the bonds.

Mayor Busch inquired about written protests.

City Clerk Rey responded that the Clerk's office had received no written protests.

City Clerk Rey responded that no written protests had been received.

Mayor Busch opened the Public Hearing on CFD 2004-1 (Amber Oaks)

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment.

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Motte asked the City Manager if an assessment for interior road maintenance would be included in this project.

Councilmember Motte asked if an assessment for interior road maintenance would be included.

City Manager Apodaca responded that the City Engineer was working on this as far as assessment districts were concerned but it was not part of the CFD.

City Manager Apodaca responded that it was not part of the CFD.

Mayor Busch closed the Public Hearing and asked City Clerk Rey to present the resolutions for adoption.

Mayor Busch closed the Public Hearing.

City Clerk Rey presented Resolution Number 3200, a Resolution of the City Council of the City of Perris determining the validity of prior proceedings; establishing Community Facilities District No. 2004-1 (Amber Oaks) of the City of Perris; authorizing the levy of a special tax within Community Facilities District No. 2004-1 (Amber Oaks) of the City of Perris; establishing an appropriation limit and taking certain other actions relating to said district. Resolution Number 3201, a resolution of the City Council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2004-1 (Amber Oaks) of the City of Perris, determining the necessity to incur bonded indebtedness in an amount not to exceed \$5,000,000 within said district and calling a special election.

City Clerk Rey presented Resolution Number 3200 authorizing the levy of a special tax and Resolution Number 3201 calling a Special Election.

Mr. Schreiner explained that the amount of the bonded indebtedness should be \$4,000,000 instead of \$5,000,000.

Mr. Schreiner corrected the amount.

M/S/C: (Rogers/Motte) to adopt Resolution Number 3200, determining the validity of prior proceedings, establishing Community Facilities District 2004-1 (Amber Oaks) authorizing the levy of a special tax and establishing an appropriations limit and taking certain other actions relating to said district and Resolution Number 3201 determining the necessity to incur bonded indebtedness in an amount not to exceed \$4,000,000 within said district and calling a special election.

Adoption of Resolutions 3200 authorizing the levy of a Special Tax and Resolution Number 3201 calling a Special Election Approved: 5-0

AYES: Landers, Motte, Rogers, Yarbrough, Busch

NOES:

City Clerk Rey reported delivery and receipt of a special election ballot. It established that the measure submitted by the Special Election called by Resolution Number 3201 carried unanimously. She

City Clerk Rey reported receipt of a Special Election Ballot that established the measure in Resolution 3201 carried

presented the Resolution 3202 for adoption: Resolution Number 3202, 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. 2004-1 (Amber Oaks) 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.

unanimously. She presented Resolution 3202 declaring the results of a Special Election, the issuance of bonded indebtedness and the establishment of an appropriations limit.

Mayor Busch stated that the following documents had been circulated to members of the City Council:

Mayor Busch described the documents that had been circulated to the Council and asked if the Council had any questions.

1. Fiscal Agent Agreement between the District and Wells Fargo Bank;
2. Purchase Contract between the District and O'Connor SWS Securities;
3. Acquisition and Funding Agreement among the District, the City and the Developer;
4. Continuing Disclosure Agreement between the District and Wells Fargo Bank; and
5. Preliminary Official Statement.

The Financial Consultant, Special Tax Consultant, Underwriter, and Bond Counsel are here, along with City Staff. He asked if any Councilmember had any questions.

Seeing none, he asked the City Clerk to present the next resolution for adoption.

Mayor Busch asked City Clerk Rey to present the next resolution.

City Clerk Rey presented Resolution Number 3203: a resolution of the City Council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2004-1 (Amber Oaks) of the City of Perris; authorizing the issuance of its Special Tax Revenue Bonds, 2004 Series A in an aggregate principal amount not to exceed four million dollars (\$4,000,000) approving certain documents and taking certain other actions in connection therewith.

City Clerk Rey presented Resolution Number 3203 authorizing the issuance of its Special Tax Revenue Bonds, CFD 2004-1 (Amber Oaks)

M/S/C: (Rogers/Landers) to approve Resolution Number 3202, declaring the results of a special election and Resolution Number 3203 authorizing the issuance of its Special Tax Revenue Bonds

Adoption of Resolution Numbers 3202 declaring the results of a Special Election and Resolution Number 3203 authorizing the issuance of Special Tax Revenue Bonds.

AYES: Landers, Motte, Rogers, Yarbrough, Busch

Approved: 5-0

NOES:

Mayor Busch asked the City Clerk to present the Ordinance for adoption.

Mayor Busch asked City Clerk Rey to present the Ordinance.

City Clerk Rey presented Ordinance Number 1128, an ordinance of the City Council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2004-1 (Amber Oaks) of the City of Perris authorizing the levy of a Special Tax within said district.

City Clerk Rey presented Ordinance Number 1128, authorizing the levy of a Special Tax.

M/S/C: (Rogers/Motte) to adopt Ordinance Number 1128 as read by the City Clerk.

*Adoption of Ordinance Number 1128 authorizing the levy of a Special Tax
Approved: 5-0*

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

Mayor Busch stated that this concluded matters relating to Community Facilities District No. 2004-1 and the Amber Oaks project.

Mayor Busch concluded matters relating to CFD 2004-1 (Amber Oaks)

- B. Consideration and discussion to adopt Resolution Numbers 3204, 3205, 3206 and 3207 and First Reading of Ordinance Number 1129 and approve the Fiscal Agent Agreement, the Purchase Contract, the Preliminary Official Statement and the Continuing Disclosure Agreement regarding formation of Community Facilities District No. 2004-2 of the City of Perris, the CLC Development and the issuance of bonds.
(Continued from the March 9, 2004 City Council Meeting)

Resolution Numbers 3204, 3205, 3206 and 3207 and First Reading of Ordinance Number 1129 and approval of the Fiscal Agent Agreement, the Purchase Contract, the Preliminary Official Statement and the Continuing Disclosure Agreement for CFD 2004-2 (CLC)

The Proposed Resolution Number 3204 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2004-2 (CLC) OF THE CITY OF PERRIS; AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2004-2 (CLC) OF THE CITY OF PERRIS; ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT.

Resolution Number 3204 establishing CFD No. 2004-2 (CLC) and authorizing the levy of a Special Tax.

The proposed Resolution Number 3205 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. 2004-2 (CLC) OF THE CITY OF PERRIS; DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$6,000,000 WITHIN SAID DISTRICT; AND CALLING A SPECIAL ELECTION.

Resolution Number determining the necessity to incur bonded indebtedness and calling a Special Election.

CONDUCT ELECTION:

Conduct Election

The proposed Resolution Number 3206 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. 2004-2 (CLC) 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 3206 declaring the results of a Special Election relating to the levy of a Special Tax, the issuance of bonded indebtedness and the establishment of an appropriations limit.

The proposed Resolution Number 3207 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. 2004-2 (CLC) OF THE CITY OF PERRIS; AUTHORIZING THE ISSUANCE OF ITS SPECIAL TAX REVENUE BONDS, 2004 SERIES B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000); AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

Resolution 3207 authorizing the issuance of Special Tax Revenue Bonds.

The first reading of Ordinance Number 1129 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. 2004-2 (CLC) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

Ordinance Number 1129 authorizing the levy of a Special Tax.

Introduced by: Urban Schreiner, Bond Counsel:

Mr. Schreiner explained that the procedure would be the same as for the Amber Oaks project.

Mr. Schreiner, Bond Counsel for the City, explained that the procedure would be the same as Amber Oaks.

Mayor Busch asked the City Clerk if the proof of publication and mailing of the notices had been completed.

Mayor Busch asked if proof of publication and mailing had been completed.

City Clerk Rey responded that proof of publication and mailing are on file in the Clerk's office. They show that the notices were published and mailed in a timely manner.

City Clerk Rey responded that proof of publication and mailing was on file in the Clerk's office.

Mayor Busch called upon the City's Special Tax Consultant for the Financial Advisor's Report.

Mayor Busch asked for the Financial Advisor's Report.

Lynn Gruber, the City's Special Tax Consultant explained that this CLC project was located at Placentia and Perris Boulevards. The CFD will fund over \$4,000,000 in public facilities. The Special Tax would range from approximately \$1375 up to a high of \$2000 per unit. Those monies will be levied annually to repay the bonds that are issued to pay for those public facilities.

Lynn Gruber explained the project.

Mayor Busch inquired if there had been any written protests filed with the Clerk against the formation of the District or issuance of the bonds.

Mayor Busch inquired about written protests.

City Clerk Rey responded that the Clerk's office had received no written protests.

City Clerk Rey responded that no written protests had been received.

Mayor Busch opened the Public Hearing on CFD 2004-2 (CLC)

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND COMMENTS: None

No Council Questions or Comments.

Mayor Busch closed the Public Hearing and asked City Clerk Rey to present the resolutions for adoption.

Mayor Busch closed the Public Hearing.

City Clerk Rey presented Resolution Number 3204, a Resolution of the City Council of the City of Perris determining the validity of prior proceedings; establishing Community Facilities District Number 2004-2 (CLC) of the City of Perris; authorizing the levy of a Special Tax within Community Facilities District No. 2004-2 (CLC) of the City of Perris; establishing an appropriations limit; and taking certain other actions relating to said district. Resolution Number 3205, a Resolution of the City Council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2004-2 (CLC) of the City of Perris; determining the necessity to incur bonded indebtedness in an amount not to exceed \$6,000,000 within said district; and calling a special election.

City Clerk Rey presented Resolution Number 3204 authorizing the levy of a Special Tax and Resolution Number 3205 calling a Special Election.

M/S/C: (Rogers/Motte) to approve Resolution Numbers 3204 and 3205 as read by the City Clerk.

Adoption of Resolutions 3204 authorizing the levy of a Special Tax and 3205 calling a Special Election.

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

Approved: 5-0

City Clerk Rey reported delivery and receipt of special election ballot. It established that the measure submitted at the Special Election called by Resolution Number 3205 carried unanimously. She presented Resolution 3206 for adoption: Resolution Number 3206, a Resolution of the City Council of the City of Perris, acting in its capacity as the legislative body of the Community Facilities District Number 2004-2 (CLC) 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 3207, a resolution of the City Council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2004-2 (CLC) of the City of Perris, authorizing the issuance of its Special Tax Revenue Bonds, 2004 Series A in an aggregate principal amount not to exceed \$6,000,000 and approving certain other actions in connection therewith.

City Clerk Rey reported receipt of a Special Election Ballot that established the measure in Resolution 3205 carried unanimously. She presented Resolution Number 3206 declaring the results of a Special Election and Resolution Number 3207 authorizing the issuance of its Special Tax Revenue Bonds.

M/S/C: (Rogers/Motte) to approve Resolution Numbers 3206 and 3207 as read by the City Clerk.

Adoption of Resolution Number 3206 declaring the results of a Special Election and Resolution Number 3207 authorizing the Issuance of its Special Tax Revenue Bonds.

Approved: 5-0

Mayor Busch stated that the following documents had been circulated to members of the City Council:

Mayor Busch described the documents that had been circulated and asked if the Council had any questions.

1. Fiscal Agent Agreement between the District and Wells Fargo Bank;
2. Purchase Contract between the District and O'Connor SWS Securities;

3. Acquisition and Funding Agreement among the District, the City and the Developer;
4. Continuing Disclosure Agreement between the District and Wells Fargo Bank; and
5. Preliminary Official Statement.

The Financial Consultant, Special Tax Consultant, Underwriter, and Bond Counsel were there, along with City Staff. He asked if any Councilmember had any questions.

Seeing none, he asked the City Clerk to present the Ordinance for adoption.

Mayor Busch asked City Clerk Rey to present the Ordinance.

City Clerk Rey presented Ordinance Number 1129, an ordinance of the City Council of the City of Perris, acting in its capacity as the legislative body of Community Facilities District No. 2004-2 (CLC) of the City of Perris authorizing the levy of a Special Tax within said district.

City Clerk Rey presented Ordinance Number 1129, authorizing the levy of a Special Tax.

M/S/C: (Rogers/Motte) to approve Ordinance Number 1129.

*Adoption of Ordinance Number 1129 authorizing the levy of a Special Tax.
Approved: 5-0*

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

Mayor Busch stated that this concluded matters relating to Community Facilities District No. 2004-2 and the CLC project.

Mayor Busch concluded matters relating to CFD 2004-2 (CLC).

- C. Consideration and discussion to adopt Proposed Resolution Number 3208, 3209 and 3210 regarding annexation of Tract 31114 to the City's Maintenance Districts giving final approval to the Engineer's Reports, and the Levying of the 2004-2005 Assessments.

Resolution Numbers 3208, 3209 and 3210 annexing Tract 31114 to the City's Maintenance Districts

The Proposed Resolution Number 3208 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF TRACT 31114 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2004-2005.

Resolution Number 3208 annexation of Tract 31114 to Maintenance District No. 84-1.

The Proposed Resolution Number 3209 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF TRACT 31114 TO BENEFIT ZONE 51, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2004-2005.

Resolution Number 3209, annexation of Tract 31114 to Benefit Zone 51, Landscape Maintenance District Number 1.

The Proposed Resolution Number 3210 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF TRACT 31114 TO BENEFIT ZONE 23, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2004-2005.

Resolution Number 3210, annexation of Tract 31114 to Benefit Zone 23, Flood Control Maintenance District Number 1.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh introduced Roxanne Shepherd from Shepherd and Staats, to present the subject.

City Engineer Motlagh introduced Roxanne Shepherd from Shepherd and Staats.

Ms. Shepherd explained that this item had to do with the annexation of Tract 31114 to the City's three maintenance districts. The project was located at the northwest corner of Jarvis Street and Redlands Avenue. It was a 103 single family home development by Sunwest Enterprises. The proposed maximum annual assessment would be \$207.86 per single family home and that included all three maintenance districts. Tonight the City Council is asked to open the Public Hearing. Following the Public Comments and close of the Public Hearing, the City Clerk would be asked to open the assessment ballots. If the ballots all indicate a yes vote, the Council would be asked to adopt resolutions for each of the maintenance districts.

Roxanne Shepherd, from Shepherd and Staats, explained that there would be a Public Hearing, followed by the opening of the assessment ballots. If the ballots indicate yes, adoption of the resolutions would follow.

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

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND COMMENTS:

Mayor Pro Tem Landers inquired as to the exact location of the project.

Mayor Pro Tem Landers asked for the exact location of the project.

Mayor Busch responded that it was west of Redlands, across from the new apartments.

Mayor Busch responded.

Mayor Busch closed the Public Hearing and asked the City Clerk to open the ballots.

Mayor Busch closed the Public Hearing.

City Clerk Rey opened the ballot for annexation of Tract 31114 to Benefit Zone 51, Landscape Maintenance District Number 1 and stated that the ballot indicated yes. The ballot for annexation of Tract 31114 to Maintenance District Number 84-1 indicated yes. The ballot for annexation of Tract 31114 to Benefit Zone 23, Flood Control Maintenance District Number 1 indicated yes.

City Clerk Rey opened the ballots for all three maintenance districts. All ballots indicated yes.

City Attorney Dunn explained that it was not necessary to read the summaries of the Resolutions and that these Resolutions would annex Tract 31114 to the City's three assessment districts.

City Attorney Dunn explained that it was not necessary to read the summaries of the Resolutions.

M/S/C: (Yarbrough/Landers) to approve the Resolutions as presented.

*Adoption of Resolution Numbers 3208, 3209, and 3210 annexing Tract 31114 to the City's Maintenance Districts
Approved: 5-0*

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

D. Consideration and discussion to adopt Proposed Resolution Number 3211 approving Tentative Parcel Map No. 31743 (#P03-0299), a proposal to subdivide 10.83 gross acres into 7 industrial lots with each lot approximately 1 acre in size, located at the northeast corner of Wilson Street and Placentia Avenue, 60 feet of the property on Placentia Avenue will be dedicated to Riverside County Flood Control District for a master drainage line. Applicant: Classic Pacific

Resolution Number 3211 approving Tentative Parcel Map No. 31743 (P03-0299).

The proposed Resolution Number 3211 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 31743 FOR THE SUBDIVISION OF 10.83 GROSS ACRES INTO 7 INDUSTRIAL LOTS LOCATED AT THE NORTHEAST CORNER OF WILSON STREET AND PLACENTIA AVENUE AND MAKING FINDINGS IN SUPPORT THEREOF; CLASSIC PACIFIC

Introduced by: Olivia Gutierrez, Community Development Director

Community Development Director Gutierrez explained that this project is a proposal to subdivide 10.83 acres into 7 industrial lots. It was located on the northeast corner of Wilson Street and Placentia Avenue. The proposed subdivision would offer new opportunities for industrial development. The proposal was consistent with the existing zoning and surrounding land uses. There were some conditions that had been applied due to the drainage issues in the area. Those are described in the Conditions of Approval.

Community Development Director Gutierrez explained the project.

PUBLIC COMMENT:

Roger Prend, representing Classic Pacific, commented that this project would hopefully spurn some small industrial entrepreneurial development in the area. The land had been paying into a CFD that paid for the construction of Wilson Street improvements and sewer and water facilities located within that street. Seven lots had been proposed to bring in economic development that would be affordable to small business.

Roger Prend, representing Classic Pacific, explained that this project would bring in economic development that would be affordable to small business.

COUNCIL QUESTIONS AND COMMENTS:

Mayor Busch asked if there was any possibility of Spec Buildings being built to encourage small business.

Mayor Busch asked about Spec buildings.

Mr. Prend responded that it was the intent of Classic Pacific to bring a Development Plan including two Spec Buildings on the larger lots.

Mr. Prend responded that the Development Plan would include two Spec Buildings.

Mayor Busch clarified that it was the intent of the Developer to build on the land.

Mayor Busch clarified that it was the intent of the Developer to build on the land.

M/S/C: (Landers/Yarbrough) to adopt Resolution Number 3211 approving Tentative Parcel Map number 31743 based on the Planning Commission's recommendation and the findings contained in the staff report and subject to the conditions of approval.

*Adoption of Resolution Number 3211 approving Tentative Parcel Map Number 31743.
Approved: 5-0*

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

- E. Consideration and discussion to adopt Resolution Number 3212 approving Negative Declaration Number 2136 and Tentative Tract Map No. 31178 (03-0305), a proposal to subdivide 34.6 acres into 147 single family residential lots, located at the northwest corner of Evans Road and Rider Street. Applicant: Citation Homes

Resolution Number 3212 approving Negative Declaration Number 2136 and Tentative Tract Map No. 31178.

The proposed Resolution Number 3212 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION 2136; TENTATIVE TRACT MAP 31178 (03-0305) TO SUBDIVIDE 34.6 ACRES OF LAND AT THE NORTHEAST CORNER OF RIDER STREET AND EVANS ROAD INTO 147 RESIDENTIAL LOTS, AND 4 LETTERED LOTS USED FOR LANDSCAPING EASEMENTS AND MAKING FINDINGS IN SUPPORT THEREOF

Introduced by: Olivia Gutierrez, Community Development Director

Community Development Director Gutierrez explained that the proposed subdivision was located within the New Horizons Specific Plan. They were proposing to subdivide 34.6 acres into 147 single family units and this was consistent with the New Horizons Specific Plan and the surrounding area development.

Community Development Director Gutierrez explained the project.

City Engineer Habib Motlagh commented that Council should note Engineering Conditions Number 21 and 22. During negotiations with KB Homes, Barratt and the School District, the City received funds from these developments to pay for offsite construction of Rider Street. Citation had agreed to pay \$1000 per unit on top of the other fees required. The new condition that this project would join the new CFD for offsite street maintenance is also added to this project.

City Engineer Motlagh commented that Council should note Engineering Conditions Numbers 21 and 22.

PUBLIC COMMENT: None

No Public Comment.

COUNCIL COMMENTS AND QUESTIONS: None

No Council Comments or Questions.

M/S/C: (Rogers/Landers) to approve Resolution 3212 approving Negative Declaration 2136 and Tentative Tract Map 31178.

Adoption of Resolution Number 3212 approving Negative Declaration 2136 and Tentative Tract Map 31178.

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

Approved: 5-0

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

- A. Consideration and discussion to adopt plans and specifications and authorize staff to proceed with advertisement for bid regarding the Bob Glass Gymnasium Renovation Project.

Advertisement for bid regarding the Bob Glass Gymnasium Renovation Project.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh explained that this project had been before the Council approximately a year ago. The bids came in higher than anticipated at that time. Council had rejected both bids and directed staff to work on a plan for a more defined project and bring it within the budget. The current project did that. The estimated cost of this project was \$4.3 million which was still above the anticipated revenue. The available funds, including grants, came to slightly more than \$1 million. If we go with the estimate, we are about three to four thousand dollars below the expected revenue. He had met with Interim Finance Director Fructuoso and agreed that if the Council did authorize this project, by the time the bids were received, the City would be in Budget Hearings and could modify the revenue portion of the project. He explained that Mr. Albert, the architect was present to answer any questions.

City Engineer Motlagh explained the project.

Steve Albert described the renovation plans for the Bob Glass Gymnasium and explained that the emphasis on the project was on the structural and handicap upgrades. They had hoped to increase the flexibility and the utility of the facility by getting as many functions as possible to support the grant applications.

Steve Albert explained that the emphasis on the project was on the structural and handicap upgrades.

PUBLIC COMMENT: None

No Public Comment.

COUNCIL QUESTIONS AND DISCUSSION:

Mayor Busch asked if the restrooms in the recreation room would decrease the size of the existing space.

Mayor Busch asked about the decrease in the size of the recreation room.

Mr. Albert responded that it would decrease the size of the recreation room but provides required restrooms for people using the gymnasium.

Mr. Albert responded.

City Engineer Motlagh explained that there would be a new Community Room at the other end of the building.

City Engineer Motlagh stated that there would be a new Community Room.

Councilmember Motte commented that the restrooms were required to be bigger in new buildings.

Councilmember Motte stated that new buildings were required to have bigger restrooms.

Mr. Albert explained that in an existing building, the restrooms were not required to be as large as they would need to be in a new building. The size of the restrooms was negotiated with the building department to a reasonable amount.

Mr. Albert stated that the size of the restrooms was negotiated with the building department.

Mayor Pro Tem Landers thought that the room would be made up in

Mayor Pro Tem Landers thought

the new Community Room and that the gymnasium should receive the upgrades.

the gymnasium should receive the upgrades.

Councilmember Motte commented that there would be sound material, new lighting and air conditioning in the project.

Councilmember Motte stated there would be sound material, lighting and air conditioning.

Mayor Busch asked if there were any funds available for the state mandated items.

Mayor Busch asked about funds for the State mandated items.

Mr. Albert responded that the State gave mandates without helping the Cities pay for them. The State expects the City to spend 20% of each dollar on code required upgrades, which are handicapped accessibility but they don't give you that 20%. For example, if the City gets a grant for \$1 million, the State expects them to spend 20% on upgrades.

Mr. Albert responded that Cities must spend 20% of each dollar for code required upgrades but the State does not give them that 20%.

Councilmember Motte believed that quite a bit of the money was grant money.

Councilmember Motte believed that a lot of the money on the project was grant money.

Mayor Pro Tem Landers thought that there would be a lot more participation with the children in the City with these upgrades.

Mayor Pro Tem Landers thought more children would participate after the new upgrades.

Councilmember Motte thought that a storage area under the bleachers could be done in a later phase.

Councilmember Motte thought that a storage area under the bleachers could be done later.

Mr. Albert responded that the possibilities were there to take advantage of those functions.

Mr. Albert responded that the possibilities were there.

Mayor Busch asked if the old restrooms would be renovated.

Mayor Busch asked about renovation of the old restrooms.

Mr. Albert explained that the restrooms in that part of the building would be removed and made ready for future development. It could be used as storage now.

Mr. Albert replied that the restrooms in that part of the building would be removed.

Councilmember Rogers asked what the timeline was for the project and where the wheelchair lifts would be.

Councilmember Rogers asked about the timeline for the project and where the wheelchair lifts would be.

City Engineer Motlagh explained that his office was in the process of receiving the building department approval on the document and preparing the specs. He anticipated starting the advertisement late April or May for opening bids and awarding the contract in June. Construction would start in July and there was a three-month construction period.

City Engineer Motlagh replied that construction should start in July and required a three month construction period.

Mr. Albert responded that a wheelchair lift would be at the corner of the bleachers, and one at the edge of the stage. Those are the two that are mandated.

Mr. Albert stated that a wheelchair lift would be at the corner of the bleachers and one at the edge of the stage.

Councilmember Yarbrough asked if this was considered Phase I of the original plan discussed.

Councilmember Yarbrough asked if this was Phase 1 of the original plan.

Mr. Albert responded that there were concept plans that showed a Phase II of new construction.

Mr. Albert responded that concept plans showed a Phase II.

Councilmember Yarbrough thought that the cost could triple for new construction if a Phase II was being considered.

Councilmember Yarbrough thought that the cost could triple for new construction.

Councilmember Motte thought that it had been decided that Phase I would be a finished product. Phase II would be an option in the future.

Councilmember Motte thought that Phase II would be an option in the future.

M/S/C: (Landers/Motte) to adopt plans and specifications and authorize staff to proceed with advertisement for bid regarding the Bob Glass Gymnasium Renovation Project.

Adoption of Plans and specifications and authorization to proceed with advertisement for bids regarding the Bob Glass Gymnasium.

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

Approved: 5-0

- B. Consideration and discussion to adopt plans and specifications and authorize staff to proceed with advertisement for bid regarding the Ethanac Road Reconstruction project.

Advertisement for bid regarding the Ethanac Road Reconstruction project.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh explained that this project had been reviewed by Council in the past. A Cooperative Agreement with the City of Perris and Riverside County to equally fund the construction of Ethanac Road had been adopted. If these plans were approved, advertisement for bids would begin and construction would start in June or July and the road would open in the summer.

City Engineer Motlagh explained that if the plans were approved, construction could begin in June or July and the road would open in the summer.

PUBLIC COMMENT: None

No Public Comment.

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Yarbrough asked if there would be a pathway for bicycles and pedestrians in this project.

Councilmember Yarbrough asked about a pathway for bicycles and pedestrians.

City Engineer Motlagh responded that that was not included in this project but that would be included in the second phase.

City Engineer Motlagh replied that would be included in the second phase.

Councilmember Motte asked when the second phase would begin and if there would only be two lanes in the first phase.

Councilmember Motte asked when the second phase would begin.

City Engineer Motlagh responded that the second phase was dependent on when the County would get their funds and that there would be two lanes in the first phase.

City Engineer Motlagh responded.

Mayor Pro Tem Landers asked if this connected with Classic Pacific's subdivision.

Mayor Pro Tem Landers asked if this connected with Classic Pacific' subdivision.

City Engineer Motlagh responded that Ethanac went right by the subdivision and connected to the freeway. Classic Pacific was conditioned to build Ethanac Road in front of their project and were paying for City's share of the project.

City Engineer Motlagh responded that it did.

M/S/C: (Yarbrough/Landers) to authorize staff to adopt the plans and specs and have them proceed with advertisement for bids regarding the Ethanac Road Project reconstruction.

Adoption of Plans and specifications and authorization to proceed with advertisement for bids regarding the Ethanac Road project.

AYES: Landers, Motte, Rogers, Yarbrough, Busch

Approved: 5-0

NOES:

- C. Consideration and discussion to approve the architect proposal submitted by STK Architects and authorize the Mayor to sign the agreement for architectural services regarding the Fire Station.

To approve the architect proposal submitted by STK Architects and authorize the Mayor to sign the Agreement regarding the Fire Station.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh explained that this project had been identified in the Capital list of projects for the last two years. The site selected for the new Fire Station was at Paragon Park, off Placentia Avenue just west of Redlands. STK Architects was familiar with state requirements for fire stations. A contract had been negotiated to use an existing plan, modified to meet the needs of the City. The cost for their services would be about \$150,000 and the cost of the fire station was estimated to be between \$2.3 and \$2.5 million. The architect was present for any questions.

City Engineer Motlagh explained that a contract had been negotiated with STK Architects to use an existing plan.

Tony Finaldi, from STK Architects, showed a map and prototype of the proposed fire station.

Tony Finaldi, from STK Architects, showed a prototype of the fire station.

City Engineer Motlagh commented that if this contract is approved, advertisement would begin in July and the new station would be completed the next July (2005). This action would authorize the contract with the Architect.

City Engineer Motlagh stated that this action would authorize the contract with the Architect.

PUBLIC COMMENT: None

No Public Comment.

COUNCIL QUESTIONS AND DISCUSSION:

Mayor Busch asked if this was like the fire station built on Lasselle.

Mayor Busch asked if this was like the fire station on Lasselle.

Mr. Finaldi responded that it had similarities to the one on Lasselle but was a less expensive model.

Mr. Finaldi responded that there were similarities.

Councilmember Yarbrough asked about the acreage and the construction material. He felt that the cost for this project was high.

Councilmember Yarbrough felt the cost for the project was high.

City Engineer Motlagh responded that there was a little over an acre.

City Engineer Motlagh responded that there was a little over an acre.

Mr. Finaldi responded that the building was a panelized metal building system. County of Riverside Fire Department was using this system exclusively and it was felt that there would be substantial cost savings because of the time-savings using this system.

Mr. Finaldi stated that the building was a panelized metal building system which would be cost-saving.

Mayor Busch asked if the building on Lasselle was this type of building.

Mayor Busch asked if the building on Lasselle was this type of building.

Mr. Finaldi responded that that building was a wood-frame building with some metal structure. He commented that someone would not be able to tell the difference in the buildings.

Mr. Finaldi responded that the building on Lasselle was a wood-frame building.

Councilmember Rogers asked if the realignment on Placentia was near this project.

Councilmember Rogers asked about the realignment on Placentia.

City Engineer Motlagh replied that the realignment was approximately a quarter mile north of the site.

City Engineer Motlagh replied that the realignment was approximately a quarter mile north of the site.

Mayor Pro Tem Landers was in favor of the new fire station but thought that the price was too high for both the architect services and the building.

Mayor Pro Tem Landers thought the price was too high for both the architect services and the building.

City Engineer Motlagh responded that the City does not have control over the contractor's prices.

City Engineer Motlagh responded that the City can not control contractor's prices.

Mr. Finaldi explained that the charge for basic architect services was 6 ½ % of the construction budget.

Mr. Finaldi explained that the charge for basic services was 6 ½% of the construction budget.

- D. M/S/C: (Motte/Rogers) adopt the architect proposal submitted by STK Architects and authorize the Mayor to sign the agreement for architectural services regarding the Fire Station and to have a sub-committee, composed of Councilmembers Landers and Yarbrough, review the plans.

Adoption of the architect proposal submitted by STK Architects and authorize the Mayor to sign the agreement and to have a sub-committee review the plans.

Approved: 5-0

AYES: Landers, Motte, Rogers, Yarbrough, Busch

NOES:

City Attorney Dunn announced that there was an item that needed to be added to the Agenda before the Public Comments. Southern California Edison had submitted documents to Engineering prior to the meeting but after the Agenda was posted, stating that they had prior rights to the right-of-way of the power poles and lines and that the City would have to pay the costs of having them moved and installation of the traffic signal at Diana and San Jacinto. To add this item to the Agenda, there would need to be a four-fifths vote, recognizing that the issue arose after the Agenda was posted and that there is a need to take immediate action.

City Attorney Dunn announced that an item needed to be added to the Agenda regarding the right-of-way of the power poles and lines between the City and Southern California Edison.

M/S/C (Landers/Rogers) to add this item to the Agenda.

*Addition of this item to the Agenda
Approved: 5-0*

City Engineer Motlagh explained that the signal at Diana Street and San Jacinto had been part of the ongoing construction of Diana Street and San Jacinto improvements. The City had been negotiating with Edison for the last year and a half and it had been agreed that the poles would be relocated at no cost to the City because the City had prior rights. Friday afternoon he received a call that changed everything. Edison now stated that they had the right-of-way and that the City would have to pay \$38,000 to relocate the poles. This not only changed the whole picture but also raised the issue of cooperation with the City and Edison. He was asking if the Council would pay for the relocation, under protest, and if it was found that the City did have the right-of-way, it would be able to recover those funds. This item if approved would give the City Manager the authority to reimburse the \$38,000. There were funds available in the project fund. He did not feel that the City should have to pay for this, but he had not had time to properly review the documents and to make matter worse, the City had several other projects with Edison.

City Engineer Motlagh explained that Edison claimed the right-of-way and that the City would have to pay \$38,000 for relocation of power poles and lines. He suggested paying for the relocation, under protest.

Councilmember Rogers asked if Mr. Motlagh had spoken to the Regional Government Affairs Manager, Mr. Thomas and suggested that he be contacted.

Councilmember Rogers suggested contacting the Regional Government Affairs Manager, Mr. Thomas.

City Manager Apodaca supported the City Engineer's motion suggested that the City Attorney's office provide wording making a record of the previous understanding that the City had with Edison.

City Manager Apodaca supported the City Engineer's motion.

Mayor Busch suggested that the Council write a letter to Edison explaining that the City was disappointed with the service received by them.

Mayor Busch suggested that Council write a letter to Edison.

City Attorney Dunn explained that even though this was not a public hearing, the public needed to be given the chance to speak.

City Attorney Dunn explained that the public needed to be given a chance to speak on the matter.

PUBLIC COMMENT: None

No Public Comment

M/S/C: (Landers/Rogers) to pay the invoice under duress and to wait until Councilmember Rogers talked to the Regional Government Affairs Manager and authorize the payment of the \$38,000 with the condition that if the City had the prior rights, Edison would reimburse the City.

*Authorize payment of the invoice under duress after Councilmember Rogers talked to the Regional Government Affairs Manager.
Approved: 5-0*

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

Dave Stuart, Operations Manager for the Perris Valley Chamber of Commerce, announced Chamber events.

Dave Stuart announced Chamber of Commerce events.

Brian Vidal, a citizen of Perris, commented that the City's newsletter should include a directory of the City's businesses. He had a problem with the City's street sweeping system and thought that "no parking" signs should be put up for street sweeping days. He also believed that there should be a better system for shopping carts to be picked up from neighborhoods.

Brian Vidal, a citizen of Perris, commented on the City's newsletter, street sweeping system and shopping carts left in neighborhoods.

11. CITY COMMUNICATIONS: (Committee Reports, Agenda Items, Meeting Requests and Review, etc.

Mayor Pro Tem Landers announced that the Relay for Life would be held at Perris High School on April 3rd and 4th.

Mayor Pro Tem Landers announced the Relay for Life event.

12. CITY MANAGERS REPORT:

City Manager Apodaca announced that there would be a General Plan Update Workshop on April 6th and a workshop on the Water Rate Study on April 13th. He also commented on the Capital Improvement Projects that were currently underway, including the 'D' Street improvements.

City Manager Apodaca announced the General Plan and Water Rate Study workshops and commented on the Capital Improvement Projects in the City.

13. CLOSED SESSION:

Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9(a) – One Case

Council entered Closed Session at 8:00 p.m. City Attorney Dunn reported that direction was given to Staff but no reportable action was taken.

Closed Session began at 8:00 p.m.. City Attorney Dunn reported that direction was given to Staff but no reportable action was taken.

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, RDA, PPFA & PPUA Adjourned

Respectfully Submitted,

Margaret Rey, City Clerk

