

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority
Date of Meeting: 27 July 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.

6:10 p.m. Called to Order

2. ROLL CALL:

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

All Council Members present.

Staff Members Present: City Manager Apodaca, City Attorney Dunn, Community Development Director Barnes, City Engineer Motlagh, Finance Manager Rose Tam, Police Chief Kestell and City Clerk Rey.

Staff Members present.

3. INVOCATION:

Pastor Russ Cullimore
Redeemer Lutheran
555 N. Perris Blvd.
Perris, CA

Pastor Russ Cullimore led the invocation.

4. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Landers led the Pledge of Allegiance

Mayor Pro Tem Landers led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

Mayor Busch indicated there were no presentations or announcements on the Agenda; however, he said he had viewed the new graphics for the Police Department and was pleased.

Mayor Busch indicated there were no presentations or announcements, but stated he was pleased with the new graphics for the Police Department.

Mayor Busch asked City Manager Apodaca and City Attorney Dunn to state the urgency items.

Mayor Busch asked City Manager Apodaca and City Attorney Dunn to state the urgency items.

City Attorney Dunn stated there were two urgency items that were not known until after the posting of the Agenda: (1) The City Engineer was working on nominating the I-215 and Highway 74 Interchange for TUMF Program funding. The item was to be considered new business. (2) Closed Session item for the City Council to conference with legal counsel on existing litigation: Code 54956.9A, City of Perris versus Stratford, an eminent domain action regarding the Evans Road Project. It was stated that a proposed settlement had been reached and trial date had been set.

City Attorney Dunn stated that there were two urgency items that were not known until after the posting of the Agenda: (1) Nomination of the I-215 and Highway 74 Interchange for TUMF Program funding. (2) Closed Session item for conference with legal counsel on existing litigation: Code 54956.9A, City of Perris v. Stratford, an eminent domain action regarding the Evans Road Project.

City Attorney Dunn called for a motion.

City Attorney Dunn called for a motion.

M/S/C: (Rogers/Yarbrough) to add both items as read by the City Attorney, due to the urgency of the matters.

Approval to add two items presented by City Attorney Dunn to the Agenda, due to urgency of the matters.

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

Approved: 5-0

6. APPROVAL OF THE MINUTES:

Approval of the minutes of the Joint City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority held July 13, 2004.

Minutes of the Joint Meeting of the City Council, RDA, PPFA and PPUA held July 13, 2004.

M/S/C: (Landers/Yarbrough) to approve the minutes of the City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utilities Authority held on July 13, 2004.

Approval of Minutes of July 13, 2004.

Approved: 5-0

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

7. CONSENT CALENDAR:

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

Mayor Busch called for comments regarding Consent Calendar items.

PUBLIC COMMENT: NONE

No Public Comment

Councilman Yarbrough asked that Item B be pulled.

Councilman Yarbrough asked that Item B be pulled.

Councilman Motte stated that he needed to abstain from items F, G, H and I.

Councilman Motte abstained from Items F, G, H and I.

Mayor Pro Tem Landers stated he needed to abstain from items F, G, H, I, J and K.

Mayor Pro Tem Landers abstained from Items F, G, H, I, J and K.

A. The Second Reading of Proposed Ordinance Number 1133 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 04-0084 TO CHANGE THE ZONING DESIGNATION ON 80 ACRES OF LAND AT THE SOUTHWEST CORNER OF METZ ROAD AND WEBSTER AVENUE FROM RR/A RURAL RESIDENTIAL/AGRICULTURAL TO 27.78 ACRES OF 4R RESIDENTIAL AND 52.22 ACRES OF R7 RESIDENTIAL, AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Proposed Ordinance Number 1133 approving Zone Change No. 04-0084 to change the zoning designation on 80 acres of land at the southwest corner of Metz Road and Webster to 27.78 acres of 4R and 52.22 acres of R7.

B. The Second Reading of Proposed Ordinance Number 1134.

Item pulled. See discussion following Item 7.N.

C. The Second Reading of Proposed Ordinance Number 1135 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 03-0365 TO CHANGE THE ZONING DESIGNATION ON 15.64 ACRES OF LAND AT THE NORTHWEST CORNER OF DELINES DRIVE AND BOWEN ROAD FROM R4 RESIDENTIAL (4 UNITS PER ACRE), TO R7 RESIDENTIAL (7 UNITS PER ACRE), AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Proposed Ordinance Number 1135 approving Zone Change No. 03-0365 to change the zoning designation on 15.64 acres of land at the northwest corner of Delines Drive and Bowen Road from R4 to R7.

D. The Second Reading of Proposed Ordinance Number 1136 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 03-0386 TO CHANGE THE ZONING DESIGNATION FOR THE EASTERLY PORTION OF A 24.36 ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF OLEANDER AND INDIAN AVENUES, APPROXIMATELY 635 FEET WEST OF PERRIS BOULEVARD FROM COMMERCIAL COMMUNITY TO LIGHT INDUSTRIAL TO FACILITATE THE APPROVAL OF A TENTATIVE PARCEL MAP (TPM 31832) AND A DEVELOPMENT PLAN REVIEW (03-0388) TO SUBDIVIDE THE PROPERTY FROM 6 PARCELS INTO 5 LOTS FOR AN INDUSTRIAL DEVELOPMENT CONSISTING OF 5 BUILDINGS TOTALING 494,218 SQUARE FEET, AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Proposed Ordinance Number 1136 approving Zone Change No. 03-0386 to change the zoning designation for the easterly portion of a 24.36 acre site located at the southeast corner of Oleander and Indian Avenues from commercial community to light industrial.

E. The Second Reading of Proposed Ordinance Number 1137 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 04-0165 TO CHANGE THE ZONING DESIGNATION OF 0.63 ACRE LOCATED AT THE SOUTHEAST CORNER OF NAVAJO ROAD AND SIOUX DRIVE FROM R7 TO R14 TO FACILITATE THE DEVELOPMENT OF A 7 UNIT TOWN HOME DEVELOPMENT PROJECT, AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Proposed Ordinance Number 1137 approving Zone Change No. 04-0165 to change the zoning designation of 0.63 acre located at the southeast corner of Navajo Road and Sioux Drive from R7 to R14 to facilitate the development of a 7-unit town home development project.

F. The Second Reading of Proposed Ordinance Number 1138 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE 04-0149 TO CHANGE THE ZONING DESIGNATION OF A 250 FOOT WIDE STRIP OF OPEN SPACE ALONG THE WEST SIDE OF GOETZ

Second Reading of Proposed Ordinance Number 1138 approving Zone Change No. 04-0149 to change the zoning

ROAD TO R7 RESIDENTIAL, AND MAKING FINDINGS IN SUPPORT THEREOF.

designation of a 250-foot-wide strip of open space along the west side of Goetz Road to R7 Residential.

- G. To adopt Proposed Resolution Numbers 3262-A through 3264 regarding the annexation of Tracts 30662 and 31564 to Maintenance District No. 84-1 (MD84-1) and setting a public hearing date of September 28, 2004.

Adoption of Proposed Resolution Numbers 3262 through 3264 regarding the Annexation of Tracts 30662 and 31564.

The Proposed Resolution Number 3262-A is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION TO MAINTENANCE DISTRICT 84-1 (TRACTS 30662 AND 31564).

Resolution Number 3262-A initiating proceedings, appointing the Engineer of Work, ordering preparation of a district map indicating the proposed boundaries of an annexation to the City of Perris Maintenance District No. 84-1, and for providing other engineering services in the matter of the annexation (Tracts 30662 and 31564).

The Proposed Resolution Number 3263 is entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF TRACTS 30662 AND 31564 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1.

Resolution Number 3263 of preliminary approval of Engineer's Report for annexation of Tracts 30662 and 31564 to City of Perris Maintenance District No. 84-1

The Proposed Resolution Number 3264 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION OF CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF TRACTS 30662 AND 31564 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

Resolution Number 3264 declaring intention to order the annexation of City of Perris Maintenance District Number 84-1, designating said annexation as annexation of Tracts 30662 and 31564 to Maintenance District No. 84-1.

- H. To adopt Resolution Numbers 3265 through 3267 regarding the annexation of Tracts 30662 and 31654 to Landscape Maintenance District No. 1 (LMD 1) and setting a public hearing date of September 28, 2004.

Adoption of Resolution Numbers 3265 through 3267 regarding the annexation of Tracts 30662 and 31654 to Landscape Maintenance District No. 1 (LMD1) and setting a public hearing for September 28, 2004.

The Proposed Resolution Number 3265 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 53 TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 (TRACTS 30662 AND 31654).

Resolution Number 3265 initiating proceedings, appointing the Engineer of Work, ordering the preparation of a district map indicating the proposed boundaries of an annexation to the City of Perris Landscape Maintenance District No. 1, and for providing other engineering services in the matter of the annexation of Benefit Zone 53 to Landscape Maintenance District No. 1 (Tracts 30662 and 31654).

The Proposed Resolution Number 3266 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF TRACTS 30662 AND 31654 TO BENEFIT ZONE 53, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1.

Resolution Number 3266 of preliminary approval of Engineer's Report for annexation of Tracts 30662 and 31654 to Benefit Zone 53, City of Perris Landscape Maintenance District No. 1.

The Proposed Resolution Number 3267 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 53, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 53 LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF TRACTS 30662 AND 31654 TO BENEFIT ZONE 53, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

Resolution 3267 declaring intention to order the annexation to Benefit Zone 53, City of Perris Landscape Maintenance District No. 1 (Tracts 30662 and 31654).

- I. To adopt Resolution Number 3268 regarding the annexation of Tracts 30662 and 31654 to Flood Control Maintenance District No. 1 and setting a public hearing date of September 28, 2004.

Adoption of Resolution 3268 regarding the annexation of Tracts 30662 and 31654 to Flood Control Maintenance District No. 1 and setting a public hearing date of September 28, 2004.

The Proposed Resolution Number 3268 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF TRACTS 30662 AND 31654 TO BENEFIT ZONE 25 FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1.

Resolution Number 3268 declaring intention to authorize levying assessments upon certain parcels of real property, to order annexation of Tracts 30662 and 31654 to Benefit Zone 25, Flood Control Maintenance District No. 1.

J. To approve Final Tract Maps 31241 and 31421-1 (Case numbers 04-0340 and 04-0341), a proposal to subdivide approximately 53.5 acres of land into 201 lots for detached, single family residential development in the R7 zone with an average lot size of 7,857 square feet, located at the northeast corner of Perris Blvd, and Placentia Avenue. Applicant: Chris Rizzuti for Corman Leigh Communities.

Approval of Final Tract Maps 31241 and 31421-1, a proposal to subdivide approximately 53.5 acres of land into 201 lots for detached, single family residential development in the R7 zone with an average lot size of 7,857 square feet, located at the northeast corner of Perris Blvd. and Placentia Avenue. Applicant: Chris Rizzuti for Corman Leigh Communities.

K. Consideration and discussion to adopt Resolution Number 3269 and approve the Deposit and Reimbursement Agreement regarding CFD 2004-4 (Willowbrook II).

Resolution Number 3269 approving the Deposit and Reimbursement Agreement regarding CFD 2004-4 (Willowbrook II).

The Proposed Resolution Number 3269 is entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND ORDERING THE EXECUTION OF THAT CERTAIN DEPOSIT AND REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF PERRIS AND AWARE TM 30850 LLC; MAKING CERTAIN FINDINGS AND DETERMINATION IN CONNECTION THEREWITH.

Resolution Number 3269 approving and ordering the execution of Deposit and Reimbursement Agreement by and between the City of Perris and Aware TM 30850 LLC.

L. To receive and file the quarterly Investment Report for quarter ended June 30, 2004.

Quarterly Investment Report for quarter ended June 30, 2004.

M. To adopt Resolution Numbers 3270 through 3284 for Community Facilities District for Fiscal Year 2004/2005 and authorize the County of Riverside to place the Assessments on the 2004/2005 Tax Roll.

Adoption of Resolution Numbers 3270 through 3284 for Community Facilities District for Fiscal Year 2004/2005 Tax Roll.

The Proposed Resolution Number 3270 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 88-1, TRIPLE CROWN RANCH (\$8,653,203 SPECIAL TAX REFUNDING BONDS 1996 SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004-2005.

Resolution Number 3270, CFD No. 88-1, Triple Crown Ranch (\$8,653,203 special tax refunding bonds 1996 Series A), establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3271 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 88-3 (\$8,385,562 SPECIAL TAX REFUNDING BONDS 1996 SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3271, CFD No. 88-3 (\$8,385,562 special tax refunding bonds 1996 Series A) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3272 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY FOR THE COMMUNITY FACILITIES DISTRICT 90-1 (\$3,976,235 SPECIAL TAX REFUNDING BONDS 1993 SERIES A)

Resolution Number 3272, CFD 90-1 (\$3,976,235 special tax refunding bonds 1993 Series A) establishing the levy of special

ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3273 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY FOR THE COMMUNITY FACILITIES DISTRICT NO. 90-2, GREEN VALLEY (1991 SPECIAL TAX BONDS IN THE AMOUNT OF \$6,155,000) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3273, CFD No. 90-2, Green Valley (1991 special tax bonds in the amount of \$6,155,000) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3274 is entitled:

RESOLUTION OF THE CITY COUNCIL CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 91-1, PERRIS VALLEY SPECTRUM (\$8,010,000 1991 SPECIAL TAX BONDS) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3274, CFD No. 91-1, Perris Valley Spectrum (\$8,010,000 1991 special tax bonds) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3275 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 93-1R, MAY RANCH (SPECIAL TAX REFUNDING BONDS, SERIES 2002, IN THE AMOUNT OF \$8,020,000) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3275, CFD No. 93-1R, May Ranch (special tax refunding bonds, Series 2002, in the amount of \$8,020,000) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3276 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 93-2, PERRIS PLAZA (SPECIAL TAX BONDS, 1995 SERIES A, IN THE AMOUNT OF \$6,200,000) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3276, CFD No. 93-2, Perris Plaza (special tax bonds, 1995 Series A, in the amount of \$6,200,000) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3277 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2001-1, MAY FARMS, IMPROVEMENT AREA NO. 1 (\$1,500,000 DISTRICT BONDS OF THE \$12,380,000 PERRIS PUBLIC FINANCING AUTHORITY, 2003 LOCAL AGENCY REVENUE BONDS, SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3277, CFD No. 2001-1, May Farms, Improvement Area No. 1 (\$1,500,000 district bonds of the \$12,380,000 Perris Public Financing Authority, 2003 local agency revenue bonds, Series A) establishing the levy of special taxes for fiscal year 2004/2005

The Proposed Resolution Number 3278 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2001-1, MAY FARMS, IMPROVEMENT AREA NO. 2 (\$4,535,000 DISTRICT BONDS OF THE \$12,380,000 PERRIS PUBLIC FINANCING AUTHORITY, 2003 LOCAL AGENCY REVENUE BONDS, SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3278, CFD No. 2001-1, May Farms, Improvement Area No. 2 (\$4,535,000 district bonds of the \$12,380,000 Perris Public Financing Authority, 2003 local

agency revenue bonds, Series A) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3279 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2001-1, MAY FARMS, IMPROVEMENT AREA NO. 3 (\$6,535,000 DISTRICT BONDS OF THE \$12,380,000 PERRIS PUBLIC FINANCING AUTHORITY, 2003 LOCAL AGENCY REVENUE BONDS, SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3279, CFD No. 2001-1, May Farms, Improvement Area No. 3 (\$6,535,000 district bonds of the \$12,380,000 Perris Public Financing Authority, 2003 local agency revenue bonds, Series A) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3280 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2001-2, VILLAGES OF AVALON (SPECIAL TAX REVENUE BONDS, 2002 SERIES A, IN THE AMOUNT OF \$16,890,000) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3280, CFD No 2001-2, Villages of Avalon (special tax revenue bonds, 2002 Series A, in the amount of \$16,890,000) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3281 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2002-1 WILLOWBROOK (SPECIAL TAX REVENUE BONDS, 2003 SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3281, CFD No. 2002-1 Willowbrook (special tax revenue bonds, 2003 Series A) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3282 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2003-1, CHAPARRAL RIDGE (\$3,060,000 SPECIAL TAX REVENUE BONDS, 2003 SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3282, CFD No. 2003-1, Chaparral Ridge (\$3,060,000 special tax revenue bonds, 2003 Series A) establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3283 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2004-1, AMBER OAKS (\$2,375,000 SPECIAL TAX REVENUE BONDS, 2004 SERIES A) ESTABLISHING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

Resolution Number 3283, CFD No. 2004-1, Amber Oaks (\$2,375,000 special tax revenue bonds, 2004 Series A, establishing the levy of special taxes for fiscal year 2004/2005.

The Proposed Resolution Number 3284 is entitled:

RESOLUTION OF THE CITY OF PERRIS CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2004-2, CORMAN LEIGH COMMUNITIES (\$4,890,000 SPECIAL TAX REVENUE BONDS, 2004 SERIES B) ESTABLISHING THE LEVY OF

Resolution Number 3284, CFD No. 2004-2, Corman Leigh Communities (\$4,890,000 special tax revenue bonds, 2004 Series B) establishing the levy

SPECIAL TAXES FOR FISCAL YEAR 2004/2005.

of special taxes for fiscal year 2004/2005.

N. To approve the Memorandum of Understanding for the San Jacinto River Plan Project Permitting, between the City of Perris, the County of Riverside, the riverside Flood Control and Water Conservation District and the San Jacinto Property Owners Coalition.

Approval of MOU for San Jacinto River Plan Project Permitting.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to approve the balance of the Consent Calendar with the exception of Item B, with all of the abstentions noted.

Approval of balance of the Consent Calendar (with exception of Item B).

AYES: Yarbrough, Rogers, Busch

Approved: 5-0, Items A, C, D and E

NOES:

Approved: 3-0, Items F, G, H, I (Motte & Landers abstained)

ABSTAIN: Motte, Items F, G, H and I

Approved: 4-0, Items J, K (Landers abstained)

Landers, Items F, G, H, I, J and K

Mayor Busch opened previously pulled Item B for consideration and discussion:

Consent Calendar Item 7.B. Second Reading of Proposed Ordinance Number 1134.

The Second Reading of Proposed Ordinance Number 1134 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT NO. 03-0344 TO REVISE THE RANGE OF RESIDENTIAL LOT SIZES AND PROPERTY AREA DEVOTED TO VARIOUS LAND USES ON 221 ACRES OF LAND GENERALLY SOUTH OF MAPES ROAD, EAST OF MCPHERSON ROAD, NORTH OF ETHANAC ROAD, AND WEST OF RIVER ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF.

Second Reading of Proposed Ordinance Number 1134 approving Specific Plan Amendment No. 03-0344 to revise the range of residential lot sizes and property area devoted to various land uses on 221 acres of land generally south of Mapes Road, east of McPherson Road, north of Ethanac Road, and west of River Road.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Yarbrough wished to clarify the motion he had made regarding Proposed Ordinance Number 1134 at the July 13th Council Meeting. His motion had been intended to approve the project with the condition that the developer proceed to attempt to get the crossing through the Ethanac River Crossing, with the agreement that if there were restraints, they could use the Watson access as their primary in the event they were unavoidably delayed, and that the City would work with the developer to maintain the original distance of 500 feet, to allow room for the proposed park.

Councilmember Yarbrough clarified the motion he had made regarding Proposed Ordinance Number 1134 at July 13, 2004 Council Meeting.

Mayor Busch asked if there were any other questions or discussions on this Item.

Mayor Busch asked for questions or discussion.

City Engineer Motlagh asked Councilmember Yarbrough if his

City Engineer Motlagh had a

intention was that if the crossing was not successful in 3 years, then they could look at an alternative such as Watson to A Street, and if he intended for Engineering to evaluate the need for improvements on Watson to A Street or use their own judgment.

question regarding Councilmember Yarbrough's reference to Watson Street.

Councilmember Yarbrough stated that even though there was probably a better than 50% chance it wouldn't happen, the City should allow them to proceed. And at the same time, in the event that the crossing was not permitted or delayed, they could expand on the Watson ingress/egress. In the event it was permitted, he would allow them to scale it back. As for the 3-year time frame, it would let the other agencies know that the City intended to make this happen. That was the intention of the Motion.

Councilmember Yarbrough responded to City Engineer's question regarding Watson Street.

Mayor Pro Tem Landers asked if the City had met with the developers.

Mayor Pro Tem Landers asked if the City had met with the developers.

City Engineer Motlagh stated that he and the developer had each made 5 phone calls to the other, but had not been able to make contact yet, despite the attempts.

City Engineer Motlagh stated that numerous phone call attempts had been made.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Yarbrough/Landers) to approve Item B on the Consent Calendar, Proposed Ordinance Number 1134 as read by the Mayor, with the changes that were identified.

Approval of Item B on the Consent Calendar, Ordinance Number 1134 as read by the Mayor, with changes that were identified.

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

Approved: 5-0

City Attorney Dunn wished to make a clarification on Item N, the San Jacinto River Memorandum Of Understanding. He stated that the County had asked for non-substantive minor changes on the Agreement in the Agenda after it had been printed for the Agenda Packets. The County had requested the deletion of reference to NEPA, because the County and District would not be involved in that process. And to clarify their approval process, they said they would approve documents only if deemed appropriate. City Attorney Dunn said he would consider the MOU approved unless someone wanted to open it for reconsideration.

City Attorney Dunn made a clarification regarding Item N, the San Jacinto River MOU. He stated the County had asked for minor changes on the Agreement in the Agenda after it had been printed; in particular, deletion of the reference to NEPA.

Mayor Busch asked if a motion needed to be made. City Attorney Dunn said that was not necessary unless someone had an issue with it.

Mayor Busch asked if a motion was necessary; City Attorney Dunn said it was not.

Mayor Busch reiterated the recommendations for changes and noted that the changes had been approved.

Mayor Busch noted that the changes had been approved.

8. PUBLIC HEARINGS:

A. Consideration and discussion to adopt Resolution Number 3285, and

Resolution Number 3285 and

adopt First Reading of Ordinance Number 1139 approving three (3) General Plan Amendments (03-0404, 04-0127 and 04-0161), Zone Changes (03-0405, 04-0126 and 04-0162) and Tentative Tract Maps 31659, 31660 and 32041, and approving Negative Declaration Number 2154, a proposal that would convert approximately 194 acres of continuous property designated R4 Residential (10,000 square foot lot size) to R7 Residential (6,000 square foot minimum lot size). The three (3) Tentative Tract Maps would then subdivide this property into 642 lots for residential development, located at the southwest corner of Orange Avenue and Dunlap Drive. Applicant: Bob Beers and John Ford.

First Reading of Ordinance Number 1139 approving 3 General Plan Amendments (03-0405, 04-0126 and 04-0162) and Tentative Tract Maps 31659, 31660 and 32041, and approving Negative Declaration Number 2154, a proposal to convert 194 acres from R4 Residential to R7 Residential, to be subdivided into 642 lots for residential development at Orange Avenue and Dunlap Drive. Applicant: Bob Beers and John Ford.

The Proposed Resolution Number 3285 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2154); GENERAL PLAN AMENDMENT (NUMBERS 03-0404, 04-0127 AND 04-0161); TO CHANGE THE LAND USE DESIGNATIONS FROM R4 RESIDENTIAL TO R7 RESIDENTIAL; AND TENTATIVE TRACT MAPS 31659, 31660 AND 32041 TO SUBDIVIDE ROUGHLY 194 ACRES OF LAND INTO 642 RESIDENTIAL PARCELS SOUTH OF ORANGE AVENUE, EAST OF EVANS ROAD, NORTH OF SUNSET AVENUE, AND WEST OF DUNLAP DRIVE; AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3285 approving Negative Declaration (2154); General Plan Amendments (03-0404, 04-0127 and 04-0161); to change land use designations from R4 Residential to R7 Residential; and Tentative Tract Maps 31659, 31660 and 32041 to subdivide 194 acres into 642 residential parcels south of Orange Avenue, east of Evans Road, north of Sunset Avenue, and west of Dunlap Drive.

The First Reading of Ordinance Number 1139 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING A NEGATIVE DECLARATION (2154) AND ZONE CHANGE (NUMBERS 03-0405, 04-0126 AND 04-0162) TO CHANGE THE ZONE DISTRICT FROM R4 RESIDENTIAL TO R7 RESIDENTIAL ON ROUGHLY 194 ACRES OF LAND SOUTH OF ORANGE AVENUE, AND WEST OF DUNLAP DRIVE; AND MAKING FINDINGS IN SUPPORT THEREOF.

First Reading of Ordinance 1139 approving a Negative Declaration (2154) and Zone Change (03-0405, 04-0126 and 04-0162) to change Zone District from R4 Residential to R7 Residential on 194 acres of land south of Orange Avenue and west of Dunlap Drive.

Introduced by: Olivia Barnes, Community Development Director

Mayor Pro Tem Landers stated his need to abstain from this vote, due to a conflict of interests, and left the room during discussion. Mayor Busch acknowledged his request.

Mayor Pro Tem Landers stated his need to abstain from this vote.

Director Barnes explained that the applications consisted of a General Plan Amendment request, zone changes, and three tentative tract maps. The maps are located in the vicinity of Orange, Evans Road, Dunlap, and north of Nuevo Road and encompass approximately 194 acres of vacant land surrounded by vacant land and scattered residences on large lots within the County area. She said the existing General Plan on site and zoning were both R4, surrounded by R7 and R4 and varying County designations including diverse on the east. An R7 zone was requested. These three proposed projects would consist of a total of 642 units with density of approximately 3.3 units per acre, with 52 acres designated for streets, 6.7 acres for flood control purposes, and 7.39 acres for a park site. The Planning Commission recommended that the City Council adopt a

Director Barnes explained that the applications consisted of a General Plan Amendment request, zone changes, and three tentative tract maps in the vicinity of Orange, Evans, Dunlap and north of Nuevo Road, encompassing about 194 acres of vacant land. A zoning change from R4 to R7 was requested. The 3 projects would consist of a total of 642 residential units, 52 acres for

resolution approving the Initial Study and Mitigated Negative Declaration, the General Plan Amendments, the Proposed Zone Changes, and the three Tentative Tract Maps; it further recommended introducing for First Reading the Ordinance changing the zoning designation from R4 to R7 on the 194 acres generally located at Orange / Dunlap / Evans Road.

streets, 6.7 acres for flood control, and 7.39 acres for a park.

PUBLIC COMMENT: NONE

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

It was stated that the Park Subcommittee had reviewed this and believed this was a good development and that, even though the lots were smaller, the density would be acceptable.

The Park Subcommittee believed this was a good development and that the density would be acceptable.

Mayor Busch asked if there had been any sketches made of the park layout.

Mayor Busch asked if sketches had been made of the park.

Director Barnes replied that, because the proposed park was subject to development fund review, the details of the park were not identified at this time, but deferred to a later point of review.

Director Barnes said the details of the park were not identified at this time.

Mayor Busch said he understood the developers had made several attempts to purchase the out lot shown on the one map and include it in the park area, which would make it almost 10 acres.

Mayor Busch inquired about the out lot shown on the map.

Director Barnes stated that the developer was not conditioned to include that at that point. If they're able to negotiate and wish to include it in the park land, that would certainly be accepted.

Director Barnes stated that the developer was not conditioned to include it at that point.

Mayor Busch asked if that property was in the redevelopment area.

Mayor Busch asked if the property was in the redevelopment area.

Director Barnes said it was not.

Director Barnes said it was not.

Councilmember Yarbrough said he had also attended the meeting, and the fact that the average lots were more than 8,000 square feet, more than conformed to the direction the City was going. He was curious as to why the Commissioner's opinions and reasons for not supporting the project were included on the staff report, but he otherwise approved of the project.

Councilmember Yarbrough said the average lots were more than 8,000 square feet, which certainly conformed to City standards.

Mayor Busch asked how much effect this lot size reduction would have on the Draft General Plan, which called for 1,500 acres of land zoned R4 in that area.

Mayor Busch asked how the lot size reduction would affect the Draft General Plan.

Director Barnes stated that the analysis contained in the report substantiated the approval of the General Plan Amendment; therefore, once adopted, the circulation element in the Land Use Map would be amended to reflect the adjusted densities if approved by the Council.

Director Barnes said the analysis in the report substantiated the approval of the General Plan Amendment.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to adopt Resolution Number 3285 providing findings and approving Negative Declaration (2154) amending the General Plan Map and re-designating 194 acres of land from R4 Residential to R7 Residential, and the General Plan Amendments (03-0404, 04-0127 and 04-0161), also approving Tentative Tract Maps 31659, 31660 and 32041 to subdivide the entire 194-acre site into 642 lots.

Adoption of Resolution Number 3285 approving Negative Declaration (2154), amending the General Plan Map, and re-designating 194 acres of land from R4 to R7, and the General Plan Amendments (03-0404, 04-0127 and 04-0161), also approving Tentative Tract Maps 31659, 31660 and 32041 to subdivide 194 acres into 642 lots.

AYES: Busch, Rogers, Yarbrough, Motte

NOES:

ABSTAIN: Landers

*Approved: 4-0
(Landers abstained)*

M/S/C: (Rogers/Yarbrough) to introduce for the First Reading Ordinance Number 1139 to amend the City's Zoning Map by changing the zoning on 194 acres of land from R4 to R7 and the Zoning Changes for 03-0405, 04-0126 and 04-0162.

Introduction of First Reading of Ordinance Number 1139 to amend the City's Zoning Map by changing zoning on 194 acres of land from R4 to R7 and the Zoning Changes for 03-0405, 04-0126 and 04-0162.

AYES: Busch, Rogers, Yarbrough, Motte

NOES:

ABSTAIN: Landers

*Approved: 4-0
(Landers abstained)*

Mayor Pro Tem Landers rejoined the Council.

Mayor Pro Tem Landers rejoined the Council.

- B. Consideration and discussion to adopt Resolution Number 3286 approving amended Final Map Number 22835 (P04-0077), a proposal to adjust the lot lines and to provide a through street where a former cul-de-sac exists at the middle of the tract located at the northeast corner of Avalon Parkway and the MWD Linear Park. Applicant: Barratt American, Inc.

Resolution Number 3286 approving amended Final Map Number 22835 (P04-0077), a proposal to adjust lot lines to provide a through street where a former cul-de-sac exists, at the northeast corner of Avalon Parkway and the MWD Linear Park. Applicant: Barratt American, Inc.

The Proposed Resolution Number 3286 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING AMENDED FINAL MAP 22835 TO ADJUST THE LOT LINES AND TO PROVIDE A THROUGH STREET WHERE A CUL-DE-SAC EXISTS AT THE MIDDLE OF THE TRACT LOCATED AT THE NORTHEAST CORNER OF AVALON PARKWAY AND THE MWD LINEAR PARK, AND MAKING FINDINGS IN SUPPORT THEREOF; BARRATT AMERICAN INCORPORATED.

Resolution Number 3286 approving Amended Final Map 22835 to adjust lot lines and provide a through street where a cul-de-sac exists at the middle of the tract at northeast corner of Avalon Parkway and the MWD Linear Park.

Introduced by: Olivia Barnes, Community Development Director

Director Barnes explained that this was an Amended Map within the Barratt American Specific Plan for a project located at the northeast corner of Avalon Parkway and the MWD Linear Park. She said the current zoning designation was R14 and the Specific Plan was R3600 in terms of the lot

Director Barnes explained that this was an Amended Map within the Barratt American Specific Plan for a project at the northeast corner of Avalon

parcels contained within the Map. Director Barnes explained that the previously approved Map had had some design issues that would be enhanced or resolved through the amendment of the Tract Map and would eliminate the problem in 9 particular properties at that one particular bare yard, so in the future residents would have a better neighborhood environment. Planning Commission recommended approval of Resolution Number 3286 amending Final Map 22835.

Parkway and the MWD Linear Park. Design issues would be enhanced or resolved through the amendment of the Tract Map, providing a better neighborhood environment.

PUBLIC COMMENT: NONE

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION: NONE

No Council Questions and Discussion.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Motte) to adopt Resolution Number 3286 approving Amendment to Final Map 22835 (P04-0077) to adjust the lot lines and provide a through street where a former cul-de-sac exists, based on the findings contained in the staff report and subject to the conditions of approval.

Adoption of Resolution Number 3286 approving Amendment to Final Map 22835 (P04-00477) to adjust lot lines and provide a through street at the point of an existing cul-de-sac.

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

Approved: 5-0

- C. Consideration and discussion to adopt Resolution Number 3287 to approve the Mitigated Negative Declaration (2152), introduce the First Reading of Ordinance Number 1140, to amend General Plan (04-0039), Zone Change (04-0040), and Tentative Tract Map 31651 (TTM 04-0041), a proposal to convert 12.5 acres of vacant land designated as R4 to R7 to facilitate a proposed subdivision of the land into 57 lots for single family residential development located southeast of the southeast corner of Nuevo Road and Wilson Avenue. Applicant: John Reichel for Young Homes LLC.

Resolution Number 3287 to approve Mitigated Negative Declaration (2152), introduce First Reading of Ordinance Number 1140, to amend General Plan (04-0039), Zone Change (04-0040), and Tentative Tract Map 31651 (TTM 04-0041), a proposal to convert 12.5 acres of vacant land designated R4 to R7 to facilitate a proposed subdivision of the land into 57 lots for single family residential development southeast of the southeast corner of Nuevo Road and Wilson Avenue. Applicant: John Reichel for Young Homes LLC.

The Proposed Resolution Number 3287 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING MITIGATED NEGATIVE DECLARATION (2152); GENERAL PLAN AMENDMENT NO. 04-0039 TO CHANGE THE LAND USE DESIGNATION FROM R4 RESIDENTIAL (4 UNITS PER ACRE) TO R7 (7 UNITS PER ACRE) ON 12.55 ACRES LOCATED APPROXIMATELY 300 FEET EAST AND SOUTH OF THE SOUTH EAST CORNER OF NUEVO ROAD AND WILSON AVENUE; AND TENTATIVE TRACT MAP 31651 (04-0041) TO SUBDIVIDE THE ENTIRE 12.55 ACRE SITE INTO 57 RESIDENTIAL PARCELS, AND MAKING FINDINGS IN SUPPORT THEREOF.

Resolution Number 3287 approving Mitigated Negative Declaration (2152); General Plan Amendment No. 04-0039 to change the land use designation from R4 Residential to R7 Residential on 12.55 acres approximately 300 feet east and south of the southeast corner of Nuevo Road and Wilson Avenue; and Tentative Tract Map 31651 (04-

0041) to subdivide the site into 57 residential parcels.

The Proposed Ordinance Number 1140 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 04-0040 TO CHANGE THE ZONING DESIGNATION ON 12.55 ACRES OF LAND LOCATED APPROXIMATELY 300 FEET EAST AND SOUTH OF THE SOUTHEAST CORNER OF NUEVO ROAD AND WILSON AVENUE FROM R4 RESIDENTIAL (4 UNITS PER ACRE) TO R7 RESIDENTIAL (7 UNITS PER ACRE), AND MAKING FINDINGS IN SUPPORT THEREOF.

Proposed Ordinance Number 1140 approving Zone Change No. 04-0040 to change the zoning designation on 12.55 acres of land approximately 300 feet east and south of the southeast corner of Nuevo Road and Wilson Avenue from R4 Residential to R7 Residential.

Introduced by: Olivia Barnes, Community Development Director

Director Barnes explained that this was a General Plan Amendment to allow the designation, currently R4, to be changed to R7 prior to going forward with the proposed subdivision. True location of the property is just south of Nuevo Road and east of Wilson, but not right on the corner. She said the project site was vacant, with surrounding development to the west of Wilson being basically R4 density development that had existed for a period of time, with some R7 developments on somewhat larger parcels to the east of the project. She stated the existing General Plan was R4, and the Tentative Tract Map as proposed would have two accesses from Wilson, that four lots fronted Wilson (the density is at 4.5), and that the minimum lot size within the subdivision was 6,000. She added that there had been some issues dealing with noise that would impact the lots adjacent to Nuevo Road. An acoustical study was done that indicated the typical attenuation measures such as construction of a block wall. Final mitigations, those which pertain to construction practices that attenuate noise, would be determined by a final study. The Planning Commission recommended adoption of Resolution Number 3287 adopting Mitigated Negative Declaration (2152) and approved General Plan Amendment No. 04-0039 and Zone Change No. 04-0040, amending the General Plan and Zone from R4 to R7 and approving Tentative Tract Map 31651 subject to the conditions of approval and findings contained within the staff report; it further recommended introducing for First Reading an Ordinance changing the designation from R4 to R7.

Director Barnes explained this was a General Plan Amendment to allow vacant land south of Nuevo Road and east of Wilson to be changed from R4 to R7 and approving Tentative Tract Map 31651 and introducing for First Reading an Ordinance changing designation from R4 to R7.

PUBLIC COMMENT:

Public Comment

Developer John Reichel stated that this was the fourth project his company would have before the City Council. He believed this project would greatly help to clean up the debris and the truck parking in that area. His company had agreed to complete the paving, finish the streets and put in a sidewalk so that the street would have a finished look. He said the houses would range from 2,000 to 3,000 square feet, and would be major upgrades from what the developer had done on Jarvis and Redlands. He added that the prices would range from \$360,000 to over \$400,000.

Developer John Reichel said this project would greatly help to clean up the debris and truck parking in that area. Developer said he would complete the streets and put in a sidewalk. Houses will range from 2,000 to 3,000 square feet and from \$360,000 to \$400,000.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Councilmember Yarbrough directed a question to Mr. Reichel regarding possible impact on the schools that are already at capacity. He asked if Mr. Reichel just intended to pay mitigation fees on the project, or if there was any opportunity to work with the school district regarding a school or any joint ventures with them.

Councilmember Yarbrough directed a question to Mr. Reichel regarding impact on the schools in the area.

Developer Reichel said he had spoken to Mr. Garner at the school district, but that facts in the letter from the district were now very obsolete. It stated that there were no elementary schools identified. In fact, there were three sites identified, two of which would impact this particular area for the Palms Elementary School. He said a school site had been fully funded for an elementary school at the southwest corner of Alpine and "A" Streets, to be called the Railway Elementary School. He felt that would take pressure off of the school district in which the development was located. Additionally, he stated that the southwest corner of Mildred and Murrieta was in escrow, and plans had been approved by the State for that elementary school. He said the district had asked the developers to identify school sites, but whenever they had asked to join in, the district had said it wasn't necessary. Mr. Reichel did not believe that by the time this project came on board there would be an excessive demand on that district.

Mr. Reichel said the information in the letter from the school district was obsolete. There were now three new school sites identified, so he felt there should not be an excessive demand on that district by the time the project was completed. He added that the district had not accepted the developer's offer to identify sites.

Councilmember Yarbrough commented that it was unfortunate that the school districts and developers couldn't work together to help solve the busing problems by building schools in neighborhoods where students could walk to school. He expressed his appreciation for Mr. Reichel's approach and said he looked forward to supporting the project.

Councilmember Yarbrough commented that it was unfortunate that the schools and developers could not work together to bring in new schools and help solve the busing problem.

Mayor Busch added that there was a new superintendent at that school district, so it might be advantageous for Mr. Reichel to renew his contacts with them and renew his offers.

Mayor Busch told Mr. Reichel that it might be advantageous for him to contact the new superintendent at the district.

Mr. Reichel said he would do that.

Mr. Reichel said he would do that.

Mayor Busch asked if anyone knew if there were plans for the vacant corner lot yet.

Mayor Busch asked if there were plans for the corner lot.

Director Barnes said she was not aware of any.

Director Barnes was not aware of any.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Landers/Yarbrough) to adopt proposed Resolution Number 3287 approving Mitigated Negative Declaration (2152); to introduce the First Reading of Proposed Ordinance Number 1140; to amend General Plan No. 04-0039; Zone Change No. 04-0040; and Tentative Tract Map 31651 (04-0041), a proposal to convert 12.55 acres of vacant land designated as R4 to R7 to facilitate the proposed subdivision of the land into 57 lots for single family residential developments.

Adoption of Resolution Number 3287 approving Mitigated Negative Declaration (2152); to introduce the First Reading of Proposed Ordinance Number 1140; to amend General Plan No. 04-0039; Zone Change No. 04-0040, and Tentative Tract Map 31651, a proposal to convert 12.55 acres designated as R4 to R7 to facilitate the proposed subdivision of the land into 57 lots for single family residential developments. Approved: 5-0

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

- D. Consideration and discussion to adopt Resolution Number 3288 calling a Special Election regarding the Public Safety Tax Measure.

Resolution Number 3288 calling a Special Election regarding the Public Safety Tax Measure.

The Proposed Resolution Number 3288 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS CALLING A SPECIAL TAX ELECTION TO BE HELD ON NOVEMBER 2, 2004, TO CONSIDER A PROPOSED ORDINANCE ADOPTING A SPECIAL TAX TO FUND POLICE AND FIRE SERVICES, AND CONSOLIDATING THE SPECIAL ELECTION WITH THE GENERAL ELECTIONS TO BE HELD ON NOVEMBER 2, 2004.

Proposed Resolution Number 3288 calling a Special Tax Election to be held on November 2, 2004, to consider a proposed Ordinance adopting a special tax to fund police and fire services.

The Proposed Ordinance Number 1141, entitled as follows, was Exhibit A under Resolution 3288:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ENACTING A SPECIAL TAX FOR POLICE AND FIRE PROTECTION SERVICES.

Proposed Ordinance Number 1141 enacting a special tax for police and fire protection services.

Introduced by: Eric Dunn, City Attorney

City Attorney Eric Dunn explained that the City of Perris contracted with Riverside County for police services and the California Department of Forestry for fire services. He said there was only one fire station currently in the City, on San Jacinto Avenue, and it was considered to be the busiest station in the entire Riverside County. He said that in 2001 the Council realized this was a growing concern and decided that they could fund the construction of a new fire station in the north part of town, but did not have the ongoing funds to maintain it. So a new Communities Facilities District was formed in north Perris with two of the major developers, Barratt American and KB Home, prior to the current construction boom. A per-unit tax was imposed within the boundaries of that district that would fund the ongoing operation of that fire station. However, funds raised within a district can only be spent within that district, and obviously if a new fire station were to be built, it would operate outside those district boundaries. Developers negotiated a provision that would require the City, by January 1, 2005, to adopt their own public safety program through a city-wide tax or general fund expenditures. The City agreed that at some point it would put a city-wide measure on the ballot to see if it could be passed, and that would offset the taxes paid by the residents in that CFD area. This year, the City's tax consultant did a study to determine the overall tax amounts that would be necessary to fund the operation of the new fire station. The City then did a survey of a number of residents and determined that the full amount to fully fund the fire station would not achieve a two-thirds vote necessary to pass. What was being addressed was a public safety parcel tax, a special tax restricted for use only for law enforcement and fire protection services. But it would be able to be spent throughout the City, and not just in one district. So the Council directed to come back with the proposed item, but to cut the proposed tax rate in half. That survey showed it at about 68%, just above what is necessary for a special tax to pass. He explained that the proposed Resolution called for a Special Election, consolidated with the County's General Election in November, along with an ordinance specifying what the taxes would be. The tax would be restricted purely for use for police and fire protection services, to be used in conjunction with the CFD to fully support the North Perris Fire Station. City Attorney Dunn said the City Council had recently authorized the construction of that station. He further noted that there was an August 6th deadline to Call the Election and publish Notice of the Election, which is why it was on the current Agenda, and a deadline of August 17th to file arguments for and against the tax.

City Attorney Dunn explained to the public that the City of Perris contracts with Riverside County for police services and the California Department of Forestry for fire services. He emphasized the tremendous need for more safety protection services in the city, as there is only one fire station presently, the busiest in the County. He pointed out that the City has a deadline of January 1, 2005, to provide its own public safety program, and has approved construction of the North Perris Fire Station. This proposed tax, restricted solely for the use of police and fire protection services, would be used in conjunction with the existing CDF in North Perris to fully support the new station, which would also provide coverage to the entire city.

Mayor Busch opened the Public Hearing.

Mayor Busch opened the Public Hearing.

PUBLIC COMMENT: NONE

No Public Comment

Mayor Busch declared the Public Hearing closed.

Mayor Busch closed the Public Hearing.

COUNCIL QUESTIONS AND DISCUSSION:

Council Questions/Discussion

Mayor Pro Tem Landers brought up the subject of how to market this measure.

Mayor Pro Tem Landers asked about marketing the measure.

City Attorney Dunn stated that a single residential unit would be taxed at \$49 per year, but said that marketing would be a difficult issue because State law restricts cities from spending public funds to defeat or support a measure. He said the City could provide informational materials, and citizen groups or public agency labor unions might be for or against this measure, but the City could not use public funds for that.

City Attorney Dunn responded that marketing would be a difficult issue because State law restricts cities from spending public funds to support a measure. However, informational material could be provided to the public.

Mayor Pro Tem Landers thought it would help to gain support for the measure if the citizens were made aware of what the Police Department was doing and the fact that Perris had only one fire station, and that the addition of another station would greatly help to cover the area. It was pointed out that, rather than imposing the tax on the people, the election would give the people a choice. Public safety and protection being probably the area for which the City receives the most criticism, the expanded service would certainly benefit the community.

Mayor Pro Tem Landers thought the public should be made aware of the current situation and the fact that the addition of a new fire station would greatly benefit the safety of the city as a whole.

Chief Kestell added that the City could certainly provide informational materials as to the facts: "Here's what will happen if you have this, and here's what will happen if you don't," along with the amounts required to fund it.

Chief Kestell said the City could provide informational materials presenting the facts.

Mayor Pro Tem Landers pointed out that there were some bond issues for the schools on the same ballot, and he wouldn't want one to take away from the other.

Mayor Pro Tem Landers expressed concerns about one ballot measure taking away from the other.

Mayor Busch, speaking on behalf of the Council, said he would like to make a formal request that the City meet with the Riverside County law enforcement agencies

Mayor Busch said he would like the City to meet with Riverside County law enforcement agencies.

Chief Kestell suggested that it should probably be taken to a higher authority as well.

Chief Kestell suggested taking it to a higher authority as well.

City Attorney Dunn offered that the initial estimation to operate the North Perris Fire Station was around \$1.2 million a year. The proposed tax would raise about \$580,000 a year. The North Perris Public Safety CFD would fund another part of it, and the City might have to fund another part of it, but it would allow the City to get closer to having a fully operational station in that area.

City Attorney Dunn said the annual tax would cover almost half of the annual operational costs for the new fire station. The CFD would fund another part, and the City would possibly have to fund part, but the City would be getting closer to having a full fire service in that area.

Mayor Busch emphasized that the City was not asking the public to finance it 100% - only partially.

Mayor Busch emphasized that the City was only asking the public to fund a portion.

City Attorney Dunn said the Council had felt it would be too heavy a tax on the people to fully fund it. The idea had been to cut the proposed tax in half in order to get more residents' support.

City Attorney Dunn said the proposed tax had been cut in half to get more residents' support.

Councilmember Rogers commented that the Council had explored all possible options on this matter, and that for many years people had asked them to build a fire station at the north end. So now that they had made that commitment as a Council, they were just asking people to help them support the overall operational cost necessary for fire prevention throughout the entire city, as that station would support the entire city as well. She said she believed this was a reasonable parcel tax.

Councilmember Rogers said the Council had explored all options. They had approved construction of a new fire station at the public's request, and now they were just asking the public to help support the operational costs.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to pass Resolution Number 3288 calling a Special Tax Election to be held on November 2, 2004, to consider Proposed Ordinance Number 1141 adopting a special tax to fund police and fire services, and consolidating the Special Election with the General Elections to be held on November 2, 2004. (Proposed Ordinance Number 1141 was Exhibit A under Resolution Number 3288.)

Adoption of Resolution Number 3288 calling a Special Tax Election to be held on November 2, 2004, to consider Proposed Ordinance Number 1141 adopting a special tax to fund police and fire services.

Approved: 5-0

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

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

Urgency Item: To adopt Resolution Number 3289 declaring the Reconstruction of the I-215/Highway 74 Interchange to be the City's highest priority regional arterial transportation project under the Transportation Uniform Mitigation Fee (TUMF) Program.

Urgency Item: Resolution Number 3289 declaring the reconstruction of the I-215/Highway 74 Inter-change to be the City's highest priority regional arterial transportation project under the Transportation Uniform Mitigation Fee (TUMF) Program.

The Proposed Resolution Number 3289 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DECLARING THE RECONSTRUCTION OF THE I-215/HIGHWAY 74 INTERCHANGE TO BE THE CITY'S HIGHEST PRIORITY REGIONAL ARTERIAL TRANSPORTATION PROJECT UNDER THE TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM.

Resolution Number 3289 declaring the reconstruction of the I-215/Highway 74 Interchange to be the City's highest priority regional transportation project under TUMF Program.

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh thanked the Council for adding this urgent item to the Agenda. He explained that 3-4 weeks earlier, the City had been requested by RCTC to submit their projects to be considered for TUMF funding. It had been determined that \$400 million of

City Engineer Motlagh explained the urgency of supporting the City's

TUMF money would go to RCTC to implement regional projects. Mr. Motlagh said RCTC had identified 9 preferred projects in the County. Many agencies, including City of Perris, had requested funding for additional projects. He said RCTC had received \$230 million funding requests and had only about \$15 million capital at that time, but there was a proposal on the table that could possibly fund all of the projects. He said the City's project was the reconstruction of the I-215 & 4th Street Interchange, which was in desperate need of upgrading. An ongoing Roundabout project on the west end, mostly funded by state and federal dollars, might only help for 3-5, maybe 10, years on the west end, but would do nothing on the east end at the interchange. He said developers were interested in developing the east end, which would further necessitate improvements to the interchange. He stated that it had become very imperative for the Council to consider this project as their top priority in the City as far as regional improvements, and support the application to RCTC. This Resolution basically would do that. It would also direct staff to put the Roundabout project on hold for the time being, and the City would endeavor to use the funding from that project towards the Interchange project. The City's request from RCTC was to fund us just under \$2 million for environmental, preliminary design and final design. The next request in 2 or 3 years would be the construction. City Engineer Motlagh said TUMF has designated \$20 million toward this project, but that would probably be towards the end years unless the developer would step up and do the project and get reimbursed. He said the City was making this a priority, and hopefully with the help of the development community and other grants, the project could be built.

application to RCTC for TUMF funding for this much-needed Interchange Reconstruction project.

Mayor Busch asked for comments.

Mayor Busch asked for comments.

City Attorney Dunn said that the best way for the Council to express its support would be to adopt a Resolution. A couple of the more important items in the Resolution were in the findings supporting application for the program funds and committing to at least \$300,000 of local matching funds (Measure 8 funds), and the other was specific direction to look for other revenue sources, state and federal grants, and to suspend work on the Roundabout pending RCTC's review of this application.

City Attorney Dunn said the best way for the Council to express support would be to adopt a Resolution.

Mayor Busch asked if Highway 74 and the overpass were an original Measure 8 project.

Mayor Busch asked if Highway 74 and the overpass were an original Measure 8 project.

City Engineer Motlagh said they were.

City Engineer Motlagh said they were.

Mayor Busch suggested that could be used as an additional leverage.

Mayor Busch thought that could be additional leverage.

City Engineer Motlagh said that was in his application. He believed the current manager of RCTC wanted to implement projects, but he did need the support of all the agencies. He said the City of Perris was going to try to use every source available to do what was needed.

City Engineer Motlagh said that was included in his application; the City needed to use every source available.

Councilmember Motte asked how much the Interchange would cost.

Councilmember Motte asked how much the Interchange would cost.

City Engineer Motlagh said it would cost \$14-15 million. He also said he had included in his application that we had a builder willing to participate in construction and possibly pay for construction and get reimbursed.

City Engineer Motlagh said it would cost \$14-15 million.

Mayor Busch said one of the builders in the east end was present to speak in

Mayor Busch said a builder was

support of this project.

present to speak in support of the project.

Walt Mitchell of Lewis Retail Centers came forward and said they had put all their efforts into moving this project through the process, and with all of their efforts, and the consultant and the City backing this, they thought they could be successful with the project. He said the company was spending a significant amount of time, resources and money to market this project and move forward, and they were in the process of soil surveys and biological reports at the time.

Walt Mitchell of Lewis Retail Centers said they were putting a great deal of effort into making this project go forward.

Mayor Busch thanked Mr. Mitchell for coming.

Mayor Busch thanked Mr. Mitchell for coming.

Mayor Busch said he would like to have a motion that the Council not only approve the Resolution, but that they send a letter to Supervisor Marion Ashley requesting his support and backing on this item, along with a copy of the Resolution.

Mayor Busch requested a motion that the Council not only approve the Resolution, but also send a letter and copy of the Resolution to Supervisor Marion Ashley, requesting his support and backing.

Mayor Pro Tem Landers recalled that at the time he was first elected to Council in 1995, they had marched on Highway 74, which had been featured in *Reader's Digest* as one of the 10 most dangerous highways. At that time RCTC had pledged money to improve Highway 74. He said they were doing it gradually from Lake Elsinore to Perris, but they would get to a certain point and almost stop. Mr. Landers said that for the time being, he would rather see the Interchange done than the Roundabout. He warned that the City needed to be careful about the funds it might lose, but also needed to look at what was really the current priority and be sure Perris would get its fair share of the available funds.

Mayor Pro Tem Landers said he would rather see the Interchange done than the Roundabout for the time being.

Mayor Busch called for a motion.

Mayor Busch called for a motion.

M/S/C: (Rogers/Yarbrough) to adopt Resolution Number 3289 of the City Council of the City of Perris declaring the reconstruction of the I-215/Highway 74 Interchange to be the City's highest priority regional arterial transportation project under the Transportation Uniform Mitigation Fee program, with the recommendation that the letter goes forth as stated by the Mayor.

Adoption of Resolution Number 3289 declaring the reconstruction of the I-215/Highway 74 Interchange to be the City's highest priority regional arterial transportation project under the Transportation Uniform Mitigation Fee (TUMF) Program, with recommendation that the letter goes forth as stated by the Mayor.

AYES: Busch, Rogers, Yarbrough, Motte, Landers

NOES:

Approved: 5-0

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

A. Dave Stuart, Operations Manager for the Perris Valley Chamber of Commerce, announced the following community events:

Dave Stuart, Perris Valley Chamber of Commerce, announced future community events.

- Thursday, July 29, 6:00 p.m. – Concert in the Park at Foss Field Park.
- Tuesday, August 3, 7:30 a.m. – Wake Up Perris Breakfast at Valle Verde High School, sponsored by Kleinfelder.
- Wednesday, August 11, 5:30 p.m. – Chamber Mixer hosted by Town & Country Towing.
- Saturday, August 28, 11:00 a.m. – 4:00 p.m. – Multicultural Celebration at Foss Field Park.
- Tuesday, September 7, 7:30 a.m. – Wake Up Perris Breakfast at the Moore-Jones Funeral Home.
- Wednesday, September 8, 5:30 p.m. – Grand Opening & Open House at Realty Executives.
- Thursday, September 16, 5:30 p.m. – Combined Chamber Mixer at Eastern Municipal Water District.

B. Robert Turner, Emergency Services Coordinator, announced that his contract would end on August 12th. He thanked the City for the opportunity to serve, wished the City well, and said he would be available in the future should the need arise.

Robert Turner, Emergency Services Coordinator for the City, announced that his contract would end on August 12th and thanked the City for the opportunity to serve.

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

Councilmember Yarbrough commented that he felt that, with the Memorandum of Understanding regarding the San Jacinto River Corridor the Council had just approved, it was also important that the Council adopt a Resolution, signed by the Mayor and the Council, and forward it to our Congressional Representatives to solicit their help with this.

Councilmember Yarbrough proposed sending a copy of the San Jacinto River MOU to Congressional Representatives to solicit their help with it.

Councilmember Rogers reported that she, Councilmember Yarbrough, City Manager Apodaca and Assistant City Manager Madkin had met with the Sundance Corporation on July 26th regarding the non-profit. She said Sundance was the company that had worked with the City of Riverside, Riverside County, and the City of Banning, and by the time the Council came back from vacation, they should have several different proposals to the Council on the non-profit concept.

Councilmember Rogers reported a meeting had been held with Sundance Corporation regarding the non-profit concept. She said they should have several proposals in time for the next Council Meeting.

12. CITY MANAGER’S REPORT:

City Manager Apodaca announced that the RCTC would be hosting a Community Workshop on the proposed Metrolink station running through Perris. The meeting would be held on Saturday, August 7th, at the City of Perris Senior Citizens Center from 10:00 a.m. to 12:00 Noon. Those wishing to comment on the “Riverside County Line” were invited to be there. He also said that the City Engineer had an update on the signal light at Rider and Ramona Expressway.

City Manager Apodaca announced that RCTC would host a community workshop at the Senior Citizens Center on August 7th on the proposed Metrolink station running through Perris.

City Engineer Motlagh said that at the last meeting he had reported that Mr. Ochoa of KB Home had been asked to commit to having the signal light at Rider and Ramona Expressway in operation before school started on August

City Engineer Motlagh gave an update on the signal light at Rider and the Ramona Expressway.

16th. He said Mr. Ochoa had been working with the County to get permit for the installation. Mr. Motlagh had learned the day of the Council Meeting that there were some changes by the County. He said he had made contact with County staff just before 5:00 p.m., and that the County had indicated they were willing to work with the City provided some additional improvements were made. He said it now looked more promising that the signal would be up by August 16th. Mr. Motlagh said he would keep Council updated.

13. CLOSED SESSION:

Council entered Closed Session at 7:25 p.m. and reconvened Open Session at 8:55 p.m. to report on Closed Session matters.

The City Council entered Closed Session at 7:25 p.m. Open Session reconvened at 8:55 p.m.

A. Public Employee Performance Evaluation. Government Code Section 54957.

1. City Manager

City Attorney Dunn reported the evaluation was discussed but no reportable action was taken.

2. City Attorney

City Attorney Dunn reported the evaluation was discussed but no reportable action was taken.

B. Conference with Real Property Negotiators – Government Code Section 54956.8 regarding APN 313-271-007.

City Attorney Dunn reported direction was given to City's negotiators on the price and terms of payment, but no reportable action was taken.

C. Urgency Item: Existing litigation pursuant to Government Code Section 54956.9(a), an Evans Road eminent domain action named City v. Stratford.

City Attorney Dunn reported City Council approved the terms of a settlement and authorized the City Manager to execute a settlement agreement which would be made public when fully executed. The essential terms of the settlement included a payment of \$65,000 for the Evans Road right-of-way and dismissal of the lawsuit. This amount included the \$46,000 the City previously placed on deposit when the action was filed, plus approximately \$7,000 of interest earned on the deposit.

14. ADJOURNMENT:

**9:00 p.m. Joint City Council,
RDA, PPFA & PPUA Meeting
Adjourned.**

By unanimous consent, the Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Margaret Rey, City Clerk