

# CITY OF PERRIS

*MINUTES:* Special City Council Work Session  
*Date of Meeting:* 21 February, 2003  
*Time of Meeting:* 5:30 p.m.  
*Place of Meeting:* City Council Chambers-City Hall

**1. CALL TO ORDER:**

The Honorable Mayor Busch opened the Work Session at 5:30 p.m. and requested City Clerk Rey to call the roll.

**2. ROLL CALL:**

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

Staff Members Present: Interim City Manager Apodaca, City Attorney Dunn, Community Director Gutierrez, City Engineer Motlagh, and City Clerk Rey.

**3. PUBLIC COMMENT:**

Pastor Marvin Brown offered Barratt American his support on their projects.

**4. WORK SESSION:**

A. Discussion on the proposed Development Agreement with Barratt American for the Villages of Avalon Development.

Community Development Director Gutierrez reviewed the key point regarding Barratt American for the Villages of Avalon Development:

1. \$1 million for Rider Street including (Evans to Perris) bridge
2. ½ Bradley east side
3. ½ Morgan across from KB Development
4. Evans Road extend to Ramona Expressway
5. Accelerate storm drain along Rider Street
6. Provide funds (CFD) to complete portion of Rider in front of new school, by June 2003.
7. Relocate power poles along Rider
8. Relieve Transportation Uniform Mitigation Fee (TUMF) only

*5:30 p.m. Called to Order*

*Five Councilmembers present*

*Pastor Marvin Brown offers support on projects*

*Discussion on the proposed Development Agreement with Barratt American*

*Community Development Director Gutierrez reviewed key points regarding Villages of Avalon Project*

- Exclude TUMF fees
- No other fees exempted

*Community Development  
Director Gutierrez review  
continued*

9. Term:

Barratt requested: 15 year  
Staff recommends: 5-7 years

City Engineer Motlagh informed the City Council that the only difference from the handout from a previous work session was the \$250,000 reimbursement for the Ramona Expressway Landscaping.

*City Engineer Motlagh  
explains difference*

Eric Dunn, City Attorney reported that most of the issues regarding the development agreement had been worked out. Mr. Dunn added that if the TUMF fees are adopted they would not receive a credit of \$1 million dollars for Rider Street. In addition, he stated the Multi-Species Habitat Conservation Plan fees were not part of the development agreement as recommended by staff.

*Eric Dunn, City Attorney  
reports most issues have  
been negotiated*

Mr. Mike Armstrong, Barratt American, addressed the City Council regarding the \$1 million dollar credit. The current development agreement was expensive. The big distinction between TUMF and no TUMF basis is on the TUMF basis, Barratt American is asking for a \$1 million dollar credit but staff has suggested that any reduction in your capital facilities fee as a result of the TUMF, would not be beneficial to Barratt. He added that there was a difference of \$500,000. We are agreeing to front \$1 million dollars to build Rider Street and to accelerate the improvements on Rider Street from Ramona Expressway to Bradley, to include a fairly substantial amount of storm drain down Rider Street. Our calculations is that it adds almost \$600,000 additional cost to the project. Mr. Armstrong stressed all Barratt American wanted was to be fair.

*Mike Armstrong, Barratt  
American addresses City  
Council regarding the one  
million dollar credit*

Lou Ochoa reminded the Council that Barratt American had been in the area for five years with major investment in the community. He felt that Barratt American had made a commitment to the City of Perris and asked for the Council's support.

*Lou Ochoa speaks on behalf  
of Barratt American*

Councilmember Landers said he would support the development agreement.

*Councilmember Landers  
voiced support of the  
development agreement*

Mayor Busch said he would support the agreement and would like to see it move forward.

*Mayor Busch supports  
agreement*

Ron Rous, attorney for Barratt American addressed the Multi-Species Habitat Conservation Plan fees and the concerns the company had with

*Ron Rous, attorney for  
Barratt American addresses  
the Multi-Species Habitat  
Conservation Plan*

the future fee. Mr. Rous stated there were no threatened or listed species that the Multi-Species Habitat Conservation Plan is intended to protect on the property.

*Ron Rous, attorney for  
Barratt American continued*

Community Development Director Gutierrez informed the City Council that the Multi-Species Habitat Conservation Plan Fees was a county plan and the City would be working on acquiring land that would directly impact the ability to work on the storm drain and San Jacinto corridor for the channelization to allow for drainage in the area. She identified areas that would be affected on a visual, that are considered habitat conservation area within the plan, everything else outside would be funding the acquisition for that area.

*Community Development  
Director Gutierrez  
discusses MSHCP fees*

B. Discussion on the proposed Development Agreement with Sunwest Enterprises for Downtown Residential Development.

*Discussion on the proposed  
Development Agreement  
with Sunwest Enterprises  
for Downtown Residential  
Development*

Community Development Director Gutierrez discussed the proposed development agreement with Sunwest Enterprises. The organization had asked to be exempt from the TUMF fees. Two subdivisions located at the North end corner of Redlands and Jarvis for 103 homes and the other located north of Ellis and west of Perris Boulevard 130 homes. Ms. Gutierrez added that the developer was willing to work with the City on development of the downtown area and would increase property values downtown. This would include a 4/5 acre downtown park.

*Community Development  
Director Gutierrez  
discusses the proposed  
development agreement with  
Sunwest Enterprises*

John Reichel, Sunwest Enterprise addressed the development agreement. Mr. Reichel briefed the Council on the project as follows:

*John Reichel, Sunwest  
Enterprise addresses the  
agreement*

- 1) \$700,000 for development of a park in the downtown area
- 2) Development of single family detached vs. apartments
- 3) Developer who is willing to work with the City on downtown issues
- 4) Repopulates the downtown
- 5) Increase property values in downtown
- 6) Performance schedule to develop park when development of units in the downtown is initiated or as coordinated with staff

Hector Apodaca, Interim City Manager commented that with all the development areas taking place the City would be under the obligation of the Redevelopment Agency to develop 15% of the units for affordable housing. Mr. Apodaca added that he did not know if the funding provided by the project would be sufficient to

*Interim City Manager,  
Hector Apodaca comments  
on Redevelopment Agency's  
obligation to develop 15% of  
units for affordable housing*

develop a park, but the proposed land would obligate the City to develop a park within a given time. If consideration is given to the two conditions, Mr. Apodaca stated staff would be in support.

*Interim City Manager continued*

Councilmember Landers expressed his concern with the size of the lots, however he expressed appreciation for the developers willingness to work with the City.

*Councilmember Landers expressed his concerns with the size of lots*

John Reichel responded by saying that the lots on Jarvis were 4,600 ft. wide not 3,500 feet and in another area on Ellis Street the lot size had not been determined. Mr. Reichel added that the homes in this area would be lower in price.

*John Reichel responds to Councilmembers concerns*

Mayor Pro Tem Motte added he was in agreement with Councilmember Landers in regard to the size of the lots.

*Mayor Pro Tem Motte in agreement with Councilmember Landers in regard to lot sizes*

Interim City Manager, Hector Apodaca pointed out that the intention is for the park to be placed on City and RDA owned properties around the eighth and tenth block area.

*Interim City Manager, Hector Apodaca points out that the intention is for the park to be placed on City and RDA owned properties*

Pastor Marvin Brown expressed his concerns on affordable homes.

*Pastor Brown expresses concerns*

C. Discussion on the proposed Development Agreement with Classic Pacific for implementation of a residential development.

*Discussion on the proposed Development Agreement with Classic Pacific for implementation of a residential development*

Community Development Director Gutierrez reviewed key points and discussion was held regarding the project. The following key points were reviewed:

*Director of Community Development Gutierrez reviewed key points and discussion was held*

Developer Benefits: Terms

- 1) Vest existing approvals with existing land use regulations, and existing exactions (all developer impact fees, including drainage fees
- 2) Extend tract map for term of Agreement (10 years)
- 3) Owner agrees to pay \$3,000 per unit fee to be used during term of agreement (10 years) solely for acquisition or construction of a public golf course within property controlled by the owner
- 4) Owner agrees to pay \$500 per unit fee to be used for park facilities in the downtown area
- 5) TUMF Impact:  $\$451/\$6,650 = \$2,999,150$

City Benefits:

*City Benefits 1) \$1,353,000 for park and 2) \$500 per unit/\$225,500 for park*

- 1) \$1,353,000 for park to be built anywhere in the City with first consideration given to development of a park in the Classic Pacific Development.
- 2) \$500 per unit/\$225,500 for park funds to be used for a new park in the downtown area

Staff Recommendations included the following:

*Staff recommendations reviewed*

- 1) Delete language that would cause City to participate in financing of golf course it is not feasible for City to participate.
- 2) Self-financing method for the developer for golf course and implies City agreement to accept as a public course. It should also be noted that significant portions of the proposed golf course are within areas designated for conservation by the Multi-Species Habitat Conservation Plan or are within Southern California Edison rights-of-way.
- 3) No waiver of Multi-Species Habitat Conservation Plan fees
- 4) Decision on development of golf course within five years
- 5) Funds will be used for park development when it is determined that golf course is feasible or within five years whichever occurs first
- 6) Under conditional approval of project the developer is required to pay \$1 million dollars towards improvement on Ethanac Road from their project to Goetz Road to I-215, which will combine from the money we are getting from the County \$650,000 and the monies we are receiving from the project.

After considerable discussion regarding the development agreements the City Council moved to adjourn the Work Session.

*After considerable discussion regarding the development agreements the City Council moved to adjourn the Work Session*

5. **ADJOURNMENT:** By unanimous consent the City Council Work Session was adjourned at 8:10 p.m.

*8:10 p.m. City Council Work Session Adjourned*

Respectfully Submitted,

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Margaret Rey, City Clerk