

# **CITY OF PERRIS**

**MINUTES:** Joint City Council, Redevelopment Agency, PPFA & PPUA  
**Date of Meeting:** 27 May 2003  
**Time of Meeting:** 6:00 p.m.  
**Place of Meeting:** City Council Chamber – City of Perris

**1. CALL TO ORDER:**

The Honorable Mayor Busch called the Joint City Council, Redevelopment Agency, PPFA (Perris Public Finance Authority) and PPUA (Perris Public Utility Authority) Meeting to order.

*6:00 p.m. Called to Order*

**2. ROLL CALL:**

Council Member Present: Rogers, Yarbrough, Landers, Motte and Busch.

*Five Councilmembers Present*

Staff Member Present: Interim City Manager Apodaca, City Attorney Dunn, Finance Director Rogers-Elmore, Community Development Director Gutierrez, Public Services Director Owens, City Engineer Motlagh, Police Chief Kestell, and City Clerk Rey.

**3. INVOCATION:**

*Pastor Mike Lewis*

**4. PLEDGE OF ALLEGIANCE:**

*Councilmember Rogers Led the Pledge*

**5. PRESENTATIONS/ANNOUNCEMENTS:**

- A. Water is Life Poster Contest Winners-Perris School District 2002-2003  
Presented by Betty Gibbel

*Introduction by Betty Gibbel  
Awards presented by Mayor Busch and Ron Sullivan/Director of EMWD Board of Directors*

**6. APPROVAL OF MINUTES:**

- A. Approval of meeting minutes for Joint Meeting of the City Council, Redevelopment Agency, PPFA & PPUA of May 13, 2003.

*Meeting Minutes Joint Meeting of City Council, RDA, PPFA and PPUA of May 13, 2003*

M/S/C (Landers/Yarbrough) To approve the meeting minutes for Joint Meetings of the City Council, Redevelopment Agency, PPFA & PPUA of May 13, 2003.

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

*Approved: 5-0*

7. **CONSENT CALENDAR**

**Public Comments on Consent Calendar**

City Attorney Eric Dunn stated that Item J is the Resolution that sets the hearing for annexing Citation Homes into the Public Safety CFD. The Staff Report sets the hearing for June 24, but the Resolution sets it for July 8. July 8<sup>th</sup> is the correct date.

***City Attorney Dunn makes a comment on Item J.***

- A. To adopt proposed Resolution Numbers 3098, ordering preparation of the Engineer's Report: preliminary approval of the Engineer's Report and intention to annex Tract 30751 to Maintenance District No. 84-1 and setting a public hearing date of July 29, 2003. Applicant: Tanamera Homes

***Adoption of Resolution Number 3098, ordering preparation of Engineer's Report;***

To adopt Resolution Number 3098 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDING, 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 MATTERS OF THE ANNEXATION TO MAINTENANCE DISTRICT NUMBER 84-1 (TRACT 30751)

To adopt Resolution Number 3099 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF TRACT 30751 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

***Adoption of Resolution 3099, preliminary approval of Engineer's Report and adoption of***

To adopt Resolution Number 3100 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 THE 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 THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF TRACT 30751 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 THERTO

***Resolution Number 3100 of Intention to annex Track 30751 to Maintenance District Number 84-1 Approved: 5-0***

- B. To adopt proposed Resolution Numbers 3101, ordering preparation of the Engineer's Report: preliminary approval of the Engineer's Report and intention to annex Tract 30751 to Landscape Maintenance District

***Adoption of Resolution Number 3101, ordering preparation of the Engineer's Report; to annex Tract 30751 L.M.S. District No. 1***

No 1 and setting a public hearing date of July 29, 2003. Applicant: Tanamera Homes

To adopt Resolution Number 3101 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDING, 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 MATTERS OF THE ANNEXATION OF BENEFIT ZONE 49 TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 (TRACT S 30751)

To adopt Resolution Number 3102 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 TRECT 30751 TO BENEFIT ZONE 49, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1.

***Resolution Number 3102,  
Preliminary approval of  
the Engineer's Report***

To adopt Resolution Number 3103 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 49, 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 49, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF TRACT 30751 TO BENEFIT ZONE 49, 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 THERTO

***Resolution Number 3103,  
intention to annex Tract  
30751 to Landscape  
Maintenance District No.  
1 and setting a Public  
Hearing date of July 29,  
2003.  
Approved: 5-0***

- C. To adopt proposed Resolution Numbers 3104, a resolution of intention to annex Tract 30751 to Flood Control Maintenance District No. 1 and setting a public hearing date of July 29, 2003. Applicant: Tanamera Homes

***Adoption of Resolution  
Number 3104, intention  
to annex Tract 30751 to  
Flood Control  
Maintenance District No.  
1 and setting a Public  
Hearing date of July 29,  
2003.  
Approved: 5-0***

To adopt Resolution Number 3104, 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 TRACT 30751 TO BENEFIT ZONE 21, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982: AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

- D. To adopt proposed Resolution Number 3105 for the annexation of the Val Verde High School into Maintenance District No. 84-1. Applicant: Val Verde Unified School District.

***Adoption of Resolution  
Number 3105 for the  
annexation of the Val  
Verde High School into  
Maintenance District No.  
84-1.  
Approved: 5-0***

To adopt Resolution Number 3105 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO MAINTENANCE DISTRICT NO. 84-1 (VAL VERDE HIGH SCHOOL, ASSESSOR PARCEL NUMBER 317-130-007 & 023).

- E. To adopt proposed Resolution Number 3106 for the annexation of DPR 02-0143 into Maintenance District No. 84-1. This annexation will provide for the future levy of assessments under Maintenance District No. 84-1. The assessments will provide funding for the maintenance of streetlights and traffic signals that benefit the annexation area. Applicant: Turnkey Schools

*Adoption of Resolution Number 3106 for the annexation of DPR 02-0143 into Maintenance District No. 84-1.  
Approved: 5-0*

To adopt Resolution Number 3106 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO MAINTENANCE DISTRICT NO. 84-1 (DPR 02-0143 ASSESSOR PARCEL NUMBER 310-160-060).

- F. Second reading of Ordinance Number 1118, an ordinance amendment to the City's CalPERS Contract to provide Military Service Credit as Public Service for Local Miscellaneous Members

*Adoption of Ordinance Number 1118, an ordinance amendment to the City's CalPERS Contract to provide Military Service Credit as Public Service for Local Miscellaneous Members.  
Approved: 5-0*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

- G. To adopt proposed Resolution Numbers 3112 amending the rubbish collection charges (Section 7.16.050 (D) of the Perris Municipal Code) and rescinding Resolution Number 2961.

*Adoption of Resolution Number 3112 amending the rubbish collection charges (Section 7.16.050(D) of the Perris Municipal Code) and rescinding Resolution Number 2961.  
Approved: 5-0*

To adopt Resolution Number 3112 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING RUBBISH COLLECTION CHARGES (section 7.16.050 (D) OF THE PERRIS MUNICIPAL CODE AND RESCINDING RESOLUTION NUMBER 2961,

- H. To adopt proposed Resolution Numbers 3113 supporting funding of 60/91& I-215 Interchange.

*Adoption of Resolution Number 3113 supporting funding of the 60/91& I-215 Interchange.  
Approved: 5-0*

To adopt Resolution Number 3113 entitled:

A RESOLUTION SUPPORTING FUNDING OF 60/91/I215 INTERCHANGE

- I. To adopt Resolution Number 3114 to establish and participate in the March Operations Assurance Task Force to protect the future aviation operations of March Air Reserve Base.

*Adoption of Resolution 3114 to establish and participate in the March Operations Assurance Task Force to protect the future aviation operations*

To adopt Resolution Number 3114 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS TO ESTABLISH AND PARTICIPATE IN THE MARCH OPERATIONS ASSURANCE TASK FORCE TO PROTECT THE FUTURE AVIATION OPERATIONS OF MARCH AIR RESERVE BASE.

*of March Air Reserve Base.  
Approved: 5-0*

- J. To adopt Resolution Number 3115 of the City Council of the City of Perris Acting as the Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris Declaring Its Intention to Annex Certain Territory Thereto. Citation Homes

*Adoption of Resolution 3115 of the City Council of the City of Perris Acting as the Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris Declaring its intention to Annex Certain Territory thereto.  
Approved: 5-0*

To adopt Resolution Number 3115 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO

M/S/C (ROGERS/LANDERS) To approval of Consent Calendar as presented with correction noted by Dunn.

*To approve the Balance of the Consent Calendar as presented with correction noted by Dunn  
Approved: 5-0*

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

**8. PUBLIC HEARINGS:**

- A. Consideration and discussion on the annexation of Tract 30380 to the City’s maintenance districts and to adopt proposed Resolution Numbers 3107, ordering the Annexation of Tract 30380 to the City’ maintenance districts, giving final approval to the Engineer’s Reports, and the levying of the 2003-2004 assessments Applicant: Perris Partners

*Adoption of Resolution 3107, annexation of Tract 30380 to the City’s Maintenance Districts; giving final approval to the Engineer’s Reports and the levying of the 2003-2004 assessments.*

To adopt Resolution Number 3107 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 30380 TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2003-2004.

To adopt Resolution Number 3108 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 30380 TO BENEFIT ZONE 42, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2003-2004.

*Resolution Number 3108, ordering the work in connection with annexation of Tract 30380 to benefit zone 42, City of Perris Landscape Maintenance District Number 1, giving final approval of the Engineer’s report and levying the assessment for fiscal year 2003-2004*

To adopt Resolution Number 3109 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 30380 TO BENEFIT ZONE 14, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2003-2004.

Introduced by: City Engineer Motlagh

Roxanne Shepherd from Shepherd and Staats, explained the assessments for each of the maintenance districts: The assessment for Maintenance District 84-1, street lighting and maintenance will be \$51.26 per year; for Landscape Maintenance District No. 1, the assessment will be 283.32, up from the original amount of \$216.34 to provide for park benefit. For the Flood Control Maintenance District Number 1, the assessment will be \$103.02 for a total of \$437.60 per year, per household. These include cost of living escalators consisting of three standard inflation factors: (1) Common labor construction cost index, (2) Southern California Edison rate increases, (3) Eastern Municipal Water District rate increases, and whatever is necessary to keep a six month tax roll reserve.

Opening of assessment ballots must be done before the vote on adoption of the Resolutions. City Clerk Rey opened the ballots.

City of Perris annexation of Tract 30380 to Benefit Zone 14, Flood Control Maintenance District No. 1 and the assessment ballot reads YES.

City of Perris annexation of Tract 30380 Maintenance District No. 84-1 and the assessment ballot reads YES.

City of Perris annexation of Tract 30380 to Benefit Zone 42 Landscape Maintenance District No. 1; This is a revised assessment ballot. And the revision indicates YES.

M/S/C (Rogers/Motte) To approve the annexation of Tract 30380 to the City's maintenance districts and to adopt proposed Resolution Numbers 3107, ordering the Annexation of Tract 30380 to the City's maintenance districts, giving final approval to the Engineer's Reports, and the levying of the 2003-2004 assessments. Resolution Number 3108, ordering the work in connection with annexation of Tract 30380 to benefit zone 42, City of Perris Landscape Maintenance District Number 1, giving final approval of the Engineer's report and levying the assessment for fiscal year 2003-2004. Resolution Number 3109 ordering the work in connection with annexation to benefit zone

***Resolution Number 3109 ordering the work in connection with annexation to benefit zone 14, Flood Control Maintenance District No. 1 and giving final approval of the Engineer's report, and levying the assessment for fiscal year 2003-2004..***  
***Approved: 5-0***

***Roxanne Shepherd makes a presentation on the assessments cost of living escalators and standard inflation factors for each of the Maintenance Districts.***

***Mayor requests City Clerk Rey to open ballots. Ballots opened by the Clerk and read for each district and benefit zone indicating "yes"***

14, Flood Control Maintenance District No. 1 and giving final approval of the Engineer's report, and levying the assessment for fiscal year 2003-2004.

*Annexation approved  
5-0*

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

To approve Final Tract Map 30380-1 (Final Tract Map No. 03-0018) (Citation Homes) based upon the findings contained within this document, the accompanying exhibits and subject to the conditions of approval (not part of the public hearing).

City Attorney Dunn states that this was placed here because technically it needed to follow the annexation into the Maintenance Districts but it is not part of the Public Hearing. If it complies with all the conditions of the tentative map it is ready for approval.

*City Attorney Dunn's  
statement*

Director Olivia Gutierrez comments that the City Engineer and Planning Staff have reviewed the case and have assured that all conditions have been complied and the map is ready for recordation so we recommend that you approve the final tract map.

*Director Gutierrez  
comments on the tract  
map, recommends  
approval of final Tract  
Map.*

M/S/C: (Landers/Yarbrough) Approve Final Tract Map 30380-1 (Final Tract Map No. 03-0018) (Citation Homes) based upon the findings contained within this document, the accompanying exhibits and subject to the conditions of approval (not part of the public hearing).

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

- B. Consideration and discussion to adopt Resolution 3116 approving Street Vacation No. 02-0123 to vacate Ruby Drive, between Jarvis and Dale Streets. Applicant: Payne Development

*Adoption of Resolution  
3116 approving Street  
Vacation No. 02-0123 to  
vacate Ruby Drive,  
between Jarvis and Dale  
Streets.  
Approved: 5-0*

To adopt proposed resolution Number 3116 entitled:

A RESOLUTION OF THE CITY OF PERRIS, RIVERSIDE COUNTY, STATE OF CALIFORNIA, ORDERING THE VACATION OF RUBY DRIVE, BETWEEN JARVIS AND DALE STREETS: CITY OF PERRIS

Director Gutierrez stated that this Street Vacation would vacate the west half of Ruby Drive and the land would revert back to the owner. There are no in place utility facilities that would be affected by the vacation of this street, therefore staff would recommend that you adopt the Resolution as proposed.

*Olivia Gutierrez, Director  
of Planning and  
Community Development  
gives recommendations*

M/S/C (Landers/Motte) to adopt Resolution 3116 approving Street Vacation No. 02-0123 to vacate Ruby Drive, between Jarvis and Dale Streets.

- C. Consideration and discussion of street Vacation No. 03-0124 to vacate a portion of Old Nevada Avenue.

*Approval to continue this item until a later date  
Approved: 5-0*

Olivia Gutierrez states that this is also a Resolution for a Street Vacation however due to some unresolved issues, staff would recommend that you continue the street vacation so that there would be sufficient time to have these issues resolved between the Val Verde School District, Caltrans, and the City of Perris.

M/S/C (Landers/Motte) to continue until a later date consideration and discussion of street Vacation No. 03-0124 to vacate a portion of Old Nevada Avenue.

- D. Consideration and discussion to adopt Ordinance Amendment 02-0034-Proposed Zoning Ordinance Amendment creating a new Chapter in the Zoning Code (19.85) to regulate Wireless Telecommunication Facilities (WTF'S)

*Adoption of Ordinance Number 1119 approving Ordinance Amendment 02-0034 to amend the Zoning Ordinance, adding Chapter 19.85 to the Zone Code provide standards for the regulations of wireless telecommunications facilities.  
Approved: 5-0*

To adopt Ordinance Number 1119 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ORDINANCE AMENDMENT 02-0034 TO AMEND THE ZONING ORDINANCE, ADDING CHAPTER 19.85 TO THE ZONE CODE PROVIDE STANDARDS FOR THE REGULATIONS OF WIRELESS TELECOMMUNICATIONS FACILITIES

This item will be presented by Nelson Miller, Project Planner. Mr. Miller states that previously the City has not had regulations regarding the wireless telecommunication facilities, they've been generally covered under the city's ordinance relating to antenna towers. Mr. Willaby explained that if a wireless telecommunication facility is a STELF facility, which means that it is disguised, and it meets the height requirements of the zone, it could be done through an administrative permit rather than a conditional use permit. There was a provision written into the ordinance requiring that the facility provider enter into a maintenance and facility removal agreement so that we could be assured that it would not only be maintained but that when it was no longer needed it would be removed. The ordinary STELF facilities that you see are modeled like a palm or pine tree and some provide for multiple providers. The Planning Commission has recommended approval of the ordinance as presented.

*Olivia Gutierrez introduces Nelson Miller, Project Planner*

*Approved: 5-0*

M/S/C: (Yarbrough/Landers) to adopt Ordinance Amendment



02-0034- Proposed Zoning Ordinance Amendment creating a new Chapter in the Zoning Code (19.85) to regulate Wireless Telecommunication Facilities (WTF'S)

AYES: Rogers, Yarbrough, Landers, Motte, Busch

NOES:

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

- A. To adopt Resolution Number 3110 calling and giving notice of the holding of a general municipal election, to be held on Tuesday, 4 November 2003. For the election of certain officers of the City as required by the provisions of the laws of the State of California relating to general law Cities. Requesting the Registrar of Voters of the County of Riverside to render specified services and Resolution Number 3111 pursuant to the required laws of the State of California for the purpose of adopting regulations for candidates for elective office. Costs incurred thereof and in conformance with Resolution Number 3004 equitable compensation shall be rendered for specific duties outlined in the election code.

*City Clerk Rey presents the Council with Resolution No. 3110, calling and giving notice of holding a General Municipal Election to be held Tuesday, November 4, 2003.*

To adopt Resolution Number 3110 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, 4 NOVEMBER, 2003 FOR TH ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES, AND REQUESTING THE REGISTRAR OF VOTERS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES.

To adopt Resolution Number 3111 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AND THE COSTS THEREOF FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON 4 NOVEMBER 2003.

City Clerk Rey states that under the provisions of laws relating to general law cities in the State of California, the City Clerk is responsible to call for the election and request the Registrar of Voters to perform specific selective services which may be necessary in order to properly and lawfully conduct the said election. Resolution 3110 is calling and giving notice of the holding of a General Municipal Election to be held on Tuesday November 4, 2003 for the election of certain officers of the city as required by

*City Clerk Rey makes the presentation*

the Provisions of the laws of the state of California relating to

general law cities and requesting the Registrar of Voters of the county of Riverside to render specific services. Resolution 3111 is adopting resolutions for candidates for elective offices, pertaining to material submitted to the electorate and the cost thereof for the general municipal election to be held in said city on November 4, 2003. She cited Resolution 3004 which is a resolution authorizing the City Council to set an hourly rate of compensation for specific duties performed by the City Clerk in conformance with the Election Code and Ordinance 1045, page 2, section 7, which reads “performs certain duties related to elections as set forth in the California Elections Code that are delegated to the City Clerk specifically” These duties and responsibilities are over and above the statutory requirements that the Clerk performs on a day to day basis. Both Ordinance 1045 and Resolution 3004 are conforming. She stated that in an inquiry with the elected City Clerk, who sits on the Board of Directors of the League of California cities, the estimate dollar amount to work at the Election, is \$50.00 per hour. Asked if there were any questions.

Mayor Busch requested additional Staff input and Public Comments, called for Council’s and questions and discussions.

*Mayor Busch’s response*

Councilwoman Rogers asks for clarification of the two Resolutions, 3110 and 3111, and asks about Resolution 3004. Asking for three items?

*Councilwoman Rogers asks for clarification*

Councilman Landers asked, when the Resolution approved by the Council.

*Councilman Landers’ question regarding the Resolution*

City Clerk Rey responded September 10, 2002

*City Clerk Rey’s response*

Mayor Busch states that he was a little confused (directed towards City Attorney Dunn) regarding Resolutions 3110 and 3111 and asked that the City Attorney Dunn clarify; sees the recommendation as to adopt 3110 and 3111 and that Resolution 3004 is not being considered for adoption at this time, “is that correct?”

*Mayor Busch’s response*

City Attorney Dunn: “That’s correct.” states that there are two resolutions. One that requests the county Registrar to run the election, then there’s another one sets out regulations for candidates and those are two typical routine things that are adopted a certain distance before an election. The Resolution 3004 is a separate item.

*City Attorney’s clarification of the three items (Resolutions)*

Councilman Landers wanted to know where that third item was (question directed to City Attorney Dunn)

*Councilman Landers’ question*

City Attorney Dunn stated that it was in the text of the second recommendation, at the end.

*City Attorney Dunn's response*

Councilman Landers stated, "so then by approving or disapproving Resolution 3111, what are we doing?"

*Councilman Landers' understanding of the Resolution 3111*

City Attorney Dunn responded, that the Resolution only sets out the rules for the candidates statements basically says that the candidates have to pay for their statements, but it doesn't change the compensation .....3004 actually requires that Council, if you decide, to grant some compensation; you need to set an hourly rate, and that's not in 3110 or 3111, they have to be acted upon separately.

*City Attorney Dunn's clarification of 3110, 3111 and 3004*

Councilman Landers responded by stating that that was what he had thought, "there are three separate items to act upon, correct?"

*Councilman Landers' understanding of the Resolutions*

City Attorney Dunn responded, "correct."

Councilman Landers said, although we have a Resolution passed; 3004 for compensation for the City Clerk.

*Councilman Landers' understanding of Resolution 3004*

City Attorney Dunn, 3004 is the actual, general City Clerk Compensation Resolution; the latest version that was adopted in September that sets out the stipend benefits and it did provide for temporary compensation during that time period. It provided for expenses, and it includes language regarding additional compensation, which may be granted by the Council at an hourly rate, to be set by the Council for election work. That was in previous Compensation Resolutions date unknown.

*City Attorney Dunn's definition of 3004*

Mayor Busch had a question addressed to the City Clerk to identify what would be considered additional duties from previous elections that would require additional pay.

*Mayor Busch's question to City Clerk Rey regarding additional duties*

City Clerk Rey presented Council an 18 point that are itemized list that are not a matter of statutory responsibility.

*City Clerk Rey provided an 18 point list specific to election duties.*

Mayor Busch disagrees that the City Clerk should be compensated for running the election. Mayor Busch stated that the election had always been handled by the City Clerk, done in the normal election process, and stated that he did not know if it would be a reasonable request (compensation), no additional fees; the elections are basically run by the County. (paying \$30,000.00, electronically). No justification for compensation for these items.

*Mayor Busch's response and disagrees with approval of compensation*

Councilman Yarbrough stated that he understood what the Mayor is saying, but the bottom line was ("correct me if I am wrong"), the reason being that you just don't want to compensate this City Clerk... period. We should be consistent in carrying out our

*Councilman Yarbrough states his position and wants to move on with a motion.*

Resolutions. Resolution 3004 is a resolution that was already approved. He recommends that they approve the two resolutions and Resolution 3004 to get the election in motion. There is a Resolution as part of what is done, signed by Mayor Busch himself, signed last year. The dollar amount for compensation was referenced by the League of California Cities, elected City Clerk who sits on the Board of Directors. Question: “just because someone does not ask for it in the past, does not necessarily make it a penalty or that they should be penalized for not asking for it. It comes down to a token amount. It’s something we already have in place, it has the Mayor’s signature on it, why now are we saying no... not we but he”. Councilman Yarbrough stressed the importance of consistency. A question was directed to the City Attorney, as to if the Election Resolution was not passed before the Council, 3111, some of these laws ties in to each other, and triggers one and the other. If this was a brand new item or an addition to the books, it might be a matter of consideration; but, unless there is some big change, even if this was a new Mayor, but Mayor Busch has already adopted, signed and approved. “It seems so straight forward”.

*Councilman Yarbrough wants consistency*

Mayor Busch stated that is was very straight forward and he voted “no” on it and that he had to sign it because he is Mayor. Mayor Busch also said that he was not against this City Clerk, as far as he knows that any City Clerk in the past and this City Clerk as far as he knows, has charged fees for doing normal duties as a City Clerk, which included the items that the City Clerk has pointed out. The rate of \$50 an hour, Mayor Busch had a problem with., \$50 an hour, as he understood, was if you had a professional registrar coming in for doing a certified election and not the going rate just to do something that the City Clerk has done in the past.

*Mayor Busch’s response*

Councilman Yarbrough said that he understood and “we” had this discussion before. The City Clerk is carrying all of her city credentials, makes her certified and that this would be the first election that “we” have gone through. Question (to the City Clerk, rhetorically speaking): “if something has changed, why would she make the request?” Councilman Yarbrough stated that he could not imagine why she would submit this if everything was not above board or more the going rate. The request was not unreasonable and his recommendation was to Council was to approve the two Resolutions and 3004 to get this in motion.

*Councilman Yarbrough’s recommendation*

Mayor Busch asks if there were any questions.

Councilwoman Rogers stated that Resolution 3004 was based upon a change in temporary compensation because there had been a vacancy in the City Clerk’s office for probably eight or nine months. It was a very unusual situation and the City Clerk was

*Councilwoman Rogers comments on Resolution 3004 and her summation of the City Clerk’s responsibilities.*

doing additional responsibilities at that time. That was a temporary compensation that ceased when a Deputy City Clerk was hired. The Resolution was done for that purpose and that purpose only. At this

point she said she believes that we will be hiring a Deputy City Clerk that can perform the functions of the election. She thinks that it is a normal procedure of the City Clerks Office to disburse the papers for the candidates that apply. It's a mandatory part of the City Clerk's job and I'm sure the City Clerk will continue to do the role of her responsibilities. I don't think it's that time consuming to hand out the papers and the county does the whole election process and the City Clerk forwards the materials to be filed with the County of Riverside.

Councilwoman Rogers stated that she understood that there was a process in the works for hiring another Clerk to handle the election, Deputy City Clerk was to be hired temporarily, as of yet City Clerk had not set an hourly rate, to perform the functions on the 18 items described by City Clerk Rey.

*Councilwoman Rogers comment on the deadline for this position of Deputy City Clerk*

Interim City Manager Apodaca stated that the position was being re-posted because apparently there were no eligible candidates. The deadline for applicants had past and that position is being re-posted because there were no eligible candidate

*Interim City Manager Apodaca explained the hiring process for the Deputy City Clerk's position: No eligible applicants*

Councilwoman Rogers stated that actual nomination period would not be until the 2<sup>nd</sup> or 3<sup>rd</sup> week in July or at least by the 1<sup>st</sup> of August, hopefully have adequate staff that could handle the responsibilities of that department.

*Councilwoman Rogers continue with timeline for the position to be filled.*

Councilmember Landers asked the question, "what if we don't have this position filled by that time?"

*Councilmember Landers asks a question*

Councilwoman Rogers said that she thought that it was normal procedures for the City Clerk's office to hand out nomination papers for the candidates that apply (a mandatory role of the City Clerk's position). Any City Clerk in the past has done it and she was sure that this City Clerk will continue to do the role of her responsibilities of the City Clerk's office and hand out the nomination papers. She thought that there were only nine or ten people that apply each election and she thought that it was not that time consuming, the county does the entire election process, and she forwards the papers to be filed with the County of Riverside.

*Councilwoman Rogers comment on the process and responsibility of the City Clerk's office.*

Councilman Landers referred to the items that Councilwoman Rogers described, were not the duties of the City Clerk, i.e., to take the papers and to stay until midnight. His reference to a Latino woman, with degrees and certifications, working for

*Councilman Landers' "Do the right thing"*

\$800 per month, working 200 hours a month, because she is dedicated. Councilman Landers said that no matter who was sitting at that desk, “we need to do the right thing, all the hours that she works for \$800 a month, other City Clerks who are elected have minimum hours. They come in and sign items and go home. Margaret does not. She is very dedicated, she’s here all day, everyday,. Right now she has no staff.” Councilman Landers recalled a City Clerk that was here before City Clerk Rey. She had a staff of 5, and a salary of \$80,000.00 a year , with a city population of about 26,000. Today we have a city of almost 40,000 people, and no staff. Councilman Landers’ plea to do the right thing. The City Clerk would come in to sign her documents and go home, she would not have to stay, then Mr. Apodaca would run the office.

Councilman Motte stated that if City Clerk Rey has to do these duties, then she should be compensated. If the position is not filled then she should be paid, but indicated that a cap should be in place. At that point Councilman Motte felt that at present this was a bit premature to decide now, especially if a Deputy City Clerk was to be hired.

*Councilman Motte’s response*

Mayor Busch stated that as an elected person, City Clerk Rey knew what the salary was when she took the position and there was no promises that there would be any additional compensation whether there were further degrees or anything else. The City Clerk has done the jobs in the past and the compensation was set a long time ago when she was elected. It isn’t like she’s new to it, this is her second term. She receives the same compensation that we do including the car allowance and as an elected official she knew what the salary was and the hours she puts in comes with the job. He stated that he was being fair, therefore wanted to make a motion that Council approve Resolution 3110 and 3111

*Mayor Busch’s Requests a motion to approve Resolution 3110 and 3111*

M/S/C (BUSCH/MOTTE) to approve Resolution 3110 and 3111

*Vote: 3-2 YES*

M/S/C (YARBROUGH/LANDERS) to approve Resolution 3110 and 3111 to include the compensation

*Motion to approve Resolution 3110 and 3111 to include Compensation  
Vote: 3-2 NO*

City Attorney Dunn clarifies the process of the substitute motion that Councilman Yarbrough made. 3004 was already adopted and signed by the Mayor. The process would be to second the motion to add to the original amended 3004, in the event that a qualified Deputy City Clerk is hired, to set an hourly rate, once found. The vote would be to add to the original amended 3111, for compensation to be paid through November 4, 2003, unless a Deputy Clerk’s was hired.

*City Attorney Dunn’s clarification of the Substitute Motion and the Amended Res.3004*

- B. Consideration/Discussions approved contract service Agreement for City Engineering Service and Supplement Agreement for Engineering Fee Bank Account and authorize the Interim City Manager to execute both Agreements.

Councilwoman Rogers explains that this item is to formalize the arrangement that exist between Habib Motlagh, the Principal Engineer of Tri Lake Consultants and the City of Perris. Mr. Motlagh has been the City's Engineer since 1988. This item is actually formalizing, establishing a social service, establishing a compensation schedule. It also provides for accountability for the City of Perris. There is no fiscal impact, just formalizing.

*Councilwoman Rogers addresses the Council.*

PUBLIC COMMENT:

COUNCIL QUESTIONS & DISCUSSIONS:

Councilman Yarbrough asked: Where is this coming from, did someone decide that this was needed?

*Councilman Yarbrough's comment.*

Interim City Manager Apodaca replied by saying that #1, it is always good practice to have an updated Contract. And #2, it's a question that was raised in the past by the County Grand Jury and this was part of the process of addressing some of the concerns that were pointed out.

*Interim City Manager's reply*

Councilman Motte commented that he was pretty impressed with the grants that were obtained, \$6M, over 4 years - 1999-2003.

Councilman Motte impressed

Councilman Landers commends City Engineer Habib Motlagh, he is very knowledgeable as far as the water and sewage and Public Works and all facets of the City. He felt that City Engineer Motlagh might have saved the City from bankruptcy, many years ago, when he took over as Interim City Engineer. Taking all into account, Councilman Landers thinks this is why Council should approve this Agreement.

*Councilman Landers's make a motion to Approve the City Engineering Services Agreement.*

Councilwoman Rogers second, Councilman Landers motion to approve the Engineering Service Agreement

*Councilwoman Rogers second the Motion*

*Approved 5-0*

M/S/C (Rogers/Landers)

- C. Consideration/Discussion to award the bid for the "D" Street Improvement Project, the lowest responsible bidder and reject all other bids received of in the alternative, reject all bids and authorize staff to re-advertise

City Attorney Dunn comments and reminds the Mayor that this

*City Attorney Dunn's recommendation*

item was a subject for the closed session discussion.  
Recommend adjourning to close session prior to the staff report.

Mayor Busch delayed item. CLOSED

**10. PUBLIC COMMENT/CITIZEN PARTICIPATION:**

*Public comment will be called for each non-hearing item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed, you may further speak on the matter unless the Mayor or City Council requests further clarification of your statement. Public comment is limited to three (3) minutes.*

Kenny McCallister made a comment on the installation of Speed Bumps, a four way street sign on the corner of Avocado and Medical Center Dr. and possibly a sidewalk on the west side of the street. He has gathered 43 names and telephone number from residents who are in favor of this.

*Mr. McCallister  
comments*

*Mayor Busch responded*

Mayor Busch referred the item to the City Engineer and requested he report back to the Council with suggestions and recommendations.

*Ms. Anaya's comment*

Cynthia Anaya, a resident of the Medical Dive community voiced concern initially in 1997. She stated that signs were put up, indicating 25MPH.

*Mayor Busch responded*

Mayor Busch responded by saying that he was sure that some changes have been made since she first came to the City Engineer.

*Jose Mesa makes a  
request to Agendize  
Mexican ID Cards*

Mr. Jose Mesa wanted to make a motion to make a proposal accepting Mexican ID Cards that are given out by the Mexican Council. Mr. Mesa would like to know how he could get Carlos Cabrales on the Agenda for the next Council Meeting.

*Mayor Busch's response*

Mayor Busch suggested that Mr. Cabrales contacts the City Manager with a presentation regarding the Mexican ID Cards

Councilman Landers wanted to thank the City of Perris for their participation in the Relay for Life for the Cancer Society, over \$67,000.00 was raised.

*Councilman Landers  
thanks participants in the  
Relay for Life on behalf  
of the Cancer Society*

ADJOURN TO CLOSED SESSION

*Council adjourns to  
closed session at 7:35PM*

**11. COUNCIL COMMUNICATIONS:**



***This is an oral presentation of City Council matters and actions of the Committees upon which City representatives sit. This is the time when the Mayor and City Council may bring a matter to the attention of the full body. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the Agenda. NO ACTION CAN BE TAKEN AT THIS TIME***

**12. COUNCIL COMMITTEE REPORTS:**

Department of Community Action will be meeting on June 16, 2003 with the ***Board of Supervisors, to give an update on poverty in Riverside County, and in District #5 the Supervisory District, the total population living in poverty is over 25% and the total youth living in poverty is 29%.***

***Councilwoman Roger reports poverty rate in Riverside County***

Perris Day at Angel's Stadium was well represented by Council. Heidi Riallo Perris High School junior, sung the National Anthem and later was asked to return.

***Mayor Busch has comments on Perris Day at Angel Stadium***

**13. CITY MANAGER'S REPORT:**

Update on the Governor's Budget: May 14<sup>th</sup> was the release of the Revised Budget. The concern was on the funding for the Local Critical Services' 90-day Gap between the trigger on the VLF being pulled and when monies actually start coming in to the State caused by the pulling of that trigger. Registration rates will increase in approximately 90 days, after the measure passes. There will still be those 90 days where there will be no income. The question, will the cities get that back fill from the State during that 90 day gap?

***Interim City Manager Mr. Apodaca gives Governor's Update on Budget***

Redevelopment: The Senate has rejected the Governor's proposal to continuously continue rating their RDA Budgets, the Senate for this year has OK'd his \$250M rate on redevelopment funds. For this year there will probably be a redevelopment hit, but not necessarily the case that it will continue to happen after this year. The picture is looking better for the future.

***Redevelopment***

Update on Rider Street:

Met with County Transportation Director and KB discussing Rider Street and the impact to the county, they have a portion of Rider on their territory. Working towards a goal of August 16, 2003 to have the road open and have it available for residents. There was a problem with the exporting of material dirt from there to Citation for a couple of weeks, there was about another 100,000 yards of additional dirt needed to be exported, KB need

***Rider Street Project reviewed by Mr***

some as well as Citation. The City Police Department will be on

hand for safety rules and regulations. Because of the sewage project, portions of Rider are closed, trying to find an alternative route for them. Traffic will be congested.

**14. AGENDA ITEMS/MEETING REQUESTS AND REVIEW:**

Councilmember Yarbrough had three items to agendize. Agendize who will coordinate the Emergency Response Center, breaking for the three Council Meetings and request copies of all the travel budget for Council , for the last two years. Councilman Yarbrough stated that he would like to review the Annual Budget for consideration to make sure on one is over.

*Councilman Yarbrough had three items to Agendize*

**15. CLOSED SESSION:**

City Attorney Dunn discloses that the closed session requires a brief announcement of the facts and circumstances that justifies the Closed Session.

*City Attorney Dunn gives a brief announcement regarding the Closed Session*

Item 9C – the Staff was prepared to award the Bid of the D Street Project to the second lowest bidder, the lowest bidder submitted a written protest to Council and the City Attorney stating that the City awarded the contract to LA Engineering, and if not they would take appropriate legal action.

**16. ADJOURNMENT**

By unanimous consent, the Regular City Council, Redevelopment, Perris Public Finance Authority and Perris Public Utility Authority adjourn at 8:20pm

*Adjourned at 8:20pm*

*Respectfully Submitted,*

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*Margaret Rey, City Clerk*