

CITY OF PERRIS

MINUTES: City Council, Redevelopment Agency,
Perris Public Finance Authority &
Perris Public Utilities Authority
Date of Meeting: 09 December 2003
Time of Meeting: 6:00 p.m.
Place of Meeting: Senior Center – City of Perris

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.

6:07 p.m. Called to Order

2. ROLL CALL:

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

All Councilmembers present.

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

All Staff Members Present.

3. INVOCATION:

Councilmember Landers led the invocation.

Councilmember Landers led the invocation.

4. PLEDGE OF ALLEGIANCE:

Councilmember Rogers led the Pledge of Allegiance.

Councilmember Rogers led the Pledge.

5. PRESENTATIONS/ANNOUNCEMENTS: None

6. APPROVAL OF MINUTES:

- A. Approval of the meeting minutes for City Council Worksession and Joint meeting of the Regular City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utility Authority held November 25, 2003.

Approval of the meeting minutes for City Council Worksession and Joint meeting of the Regular City Council, Redevelopment Agency, Perris Public Finance Authority and Perris Public Utility Authority held November 25, 2003.

M/S/C (Rogers/Landers) to approve the minutes of the Worksession of the Joint meeting of the City Council, Redevelopment Agency, PPFA and PPUA held November 25, 2003 and the minutes of the Joint Meeting of the City Council, Redevelopment Agency, PPFA and PPUA held November 25, 2003.

*Approved: 4-0
Abstained: Motte*

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

7. CONSENT CALENDAR:

PUBLIC COMMENT:

- A. To adopt Resolution Number 3173 approving the Deposit and Reimbursement Agreement for Amber Oaks Development of YH Perris 31114 LLC.

*Adoption of Resolution Number 3173 approving the Deposit and Reimbursement Agreement for YH Perris 31114, LLC
Approved: 5-0*

The proposed Resolution Number 3173 is entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING AND ORDERING THE EXECUTION OF THAT CERTAIN DEPOSIT AND REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF PERRIS AND YH PERRIS 31114, LLC; MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH

- B. Approval of Warrants

*Approval of Warrants
Approved: 5-0*

M/S/C: (Yarbrough/Landers) To approve the Consent Calendar as presented.

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

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

8. PUBLIC HEARINGS:

- A. Consideration and discussion regarding allocation of 30th Year 2004-2005 Community Development Block Grant (CDBG) Funds.

*Adoption of allocation of 30th Year Community Development Block Grant (CDBG) Funds
Approved: 5-0*

Introduced by: Olivia Gutierrez, Community Development Director

Director Gutierrez explained that the City of Perris could reasonably expect to receive \$334,000.00 in federal CDBG funds for the 30th year 2004-2005 Program. The CDBG program was a resource designed to help cities cope with the growing problems of urban blight, economic decline, and the shortfall of affordable housing and services to low and moderate income persons. The Department of Community Development had completed a program planning process for the use of CDBG funds that included a community workshop, community questionnaires and City Council workshop. The proposed projects included three City Projects and Programs and four Non-Profit Funding requests. The City Projects and Programs submitted were the Downtown Code Enforcement Program, Downtown Alley and Sidewalk Improvements and the D Street Promenade Public Improvements. The Non-Profit Funding Requests submitted were the Youth Employability Program, Perris Valley Youth Sports Program, Perris Valley 100 Families Program and God's Helping Hand Food Distribution Program. Staff's part in the process was to make sure the programs were eligible but it was strictly Council's discretion which programs were selected. The Riverside County Economic Development Agency deadline for 30th

Director Gutierrez explained the Programs and Projects that were being submitted for approval for CDBG funding.

year CDBG applications was January 15, 2004.

PUBLIC COMMENT: NONE

No Public Comment

COUNCIL COMMENTS AND DISCUSSION:

Councilmember Motte would like to see the Downtown Alley and Sidewalk Improvements done as well as a way to maintain those improvements after they are made. The City might be able to work with RTA and RCTC on the D Street Promenade Project.

Councilmember Motte commented on the Downtown Alley and Sidewalk Improvement Project and the D Street Promenade Project.

Mayor Busch stated that the Transit Repair Facility was going to be built on Redlands Boulevard but that the money had been shifted to a transit station site included in the Metro Link Station. He agreed with Councilmember Motte that RCTC may help with improvements in the area around the station. The second site for the Metro Link was Case Road and Highway 215.

Mayor Busch explained that the City may receive help from RCTC with improvements around the Metro Link Station.

Director Gutierrez stated that Phase I would be for the RTA facility and that should be completed within two and a half years but that there had not been enough information exchanged to make any commitments.

Director Gutierrez stated that not enough information had been exchanged to make any commitments with RTA.

Councilmember Yarbrough commented on the Non-Profit Projects. He stated that there was a total request of \$129,000.00 and that there was only \$50,000.00 to work with. He thought that every one of the projects was viable but he would have liked more money directed toward God's Helping Hand Ministries. They were more experienced and had been providing their service for over thirteen years. His concern was that the non-profit organization with the most experience was getting the least amount of money.

Councilmember Yarbrough commented on the non-profit organizations.

Michael Morales, from the Planning Department, explained that the Youth Services Programs were identified by the Needs Assessment Process as the largest need in the community. The EPOCH Center Project had a need for \$60,000.00 and was asking for \$30,000.00 from CDBG Funds. Most of the money would go to fund the salaries for the counseling service. If the Center did not receive full funding they could scale back to accommodate whatever they could.

Michael Morales explained the EPOCH Center Project.

Councilmember Yarbrough had a concern that CDBG would fund a program and half-way through they would run out of money and not be able to complete the project but he understood the rationale of the EPOCH Center. He hoped that a better balance of the funds could be reached regarding God's Helping Hand Ministries.

Councilmember Yarbrough hoped for a better balance of the funds.

Mr. Morales explained that God's Helping Hand Ministries was asking for \$25,000.00 to fund the Distribution Center. That Distribution Center provided for five or six distribution centers throughout Riverside County and only about three hours per week would be spent in Perris. Essentially the City's CDBG Funds would be providing rent and utilities for all the distribution centers throughout the county.

Mr. Morales explained funding for God's Helping Hand Ministries.

Councilmember Yarbrough asked if the other cities CDBG funds would spill over into the City of Perris.

Councilmember Yarbrough asked about other cities CDBG funds.

Mr. Morales replied that under this proposal the City of Perris would not benefit from them.

Mr. Morales explained that Perris would not benefit from them.

Mayor Busch commented that there was a time element regarding RCTC. It would be eighteen months before they would start construction and the City's project would start in July 2004. He would like to continue discussions with RCTC and RTA.

Mayor Busch commented on the time element with RCTC.

M/S/C: (Landers/Rogers) to accept Staff's recommendations and to make a Council recommendation that Staff continue discussions with RCTC and RTA to help fund the D Street Improvements.

*Adoption of allocation of 30th Year 2004-2005 Community Development Block Grant (CDBG) Funds and recommendation to continue discussions with RCTC and RTA to help fund street improvements
Approved: 5-0*

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

B. Consideration and discussion regarding the annexation of Citation Homes into the Public Safety Community Facilities District; the City Council to take the following actions:

*Annexation of Citation Homes into the Public Safety Community Facilities District.
Approved: 5-0*

1. Conduct the scheduled public hearing on CFD No. 2001-3.
2. Adopt a Resolution of the City Council of the City of Perris acting in its capacity as the Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, calling a Special Election to submit to the qualified electors within Proposed Annexation No. 2 the question of annexing such territory and levying of a Special Tax within Proposed Annexation No. 2.

*Public Hearing was conducted.

Adoption of Resolution Number 3174 calling a Special Election to submit to the qualified electors within Proposed Annexation No. 2 the question of annexing such territory and levying of a Special Tax within Proposed Annexation No. 2
Approved: 5-0*

The Proposed Resolution Number 3174 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 2.

3. Conduct the Special Election relating to Annexation No. 2.
4. Adopt a Resolution of the City Council of the City of Perris, acting in its capacity as the Legislative Body of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, declaring the results of a Special Election relating to Annexation No. 2 and ordering the Annexation of such territory, the levying of a Special Tax within Annexation No. 2 and directing the recording of a Notice of Special Tax Lien.

*The Election Ballot read yes.

Adoption of Resolution Number 3175 declaring the results of the special election and ordering the annexation, the levying of a special tax and directing the recording of a Notice of Special Tax Lien.
Approved: 5-0*

The Proposed Resolution No. 3175 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS

ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN ANNEXATION NO. 2 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN.

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn explained that this was the second annexation of property into the North Perris Public Safety CFD. This annexation involves Citation Homes. The first item was to hold the public hearing.

City Attorney Dunn explained the first item was to hold a public hearing.

Mayor Busch opened the public hearing and asked for public comment.

Mayor Busch opened the public hearing.

PUBLIC COMMENT: None

No public comment.

Mayor Busch closed the public hearing.

Mayor Busch closed the public hearing.

City Attorney Dunn stated that the next item was to adopt a resolution calling a special election that had already been done by mail ballot. The qualified electors in this case were the developers since they still owned 100% of the property. He stated that after the resolution was adopted, the City Clerk was to open the ballot.

City Attorney Dunn explained the process of the special election.

M/S/C (Rogers/Motte) to adopt the Resolution as written.

*Adoption of Resolution Number 3174 calling a special election to submit to the qualified electors within Proposed Annexation No. 2 the question of annexing such territory and levying of a special tax within proposed annexation No. 2
Approved: 5-0*

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

City Clerk Rey opened and read the election ballot. The election ballot indicated yes.

City Clerk Rey opened and read the Election Ballot which indicated yes.

City Attorney Dunn explained that when the next resolution was adopted Citation Homes would be a part of the Public Safety CFD.

City Attorney Dunn explained that the next resolution would make Citation Homes part of the Public Safety CFD.

M/S/C (Yarbrough/Landers) to adopt the resolution declaring the results of a Special Election relating to Annexation No. 2 and ordering the Annexation of such territory, the levying of a Special Tax within Annexation No. 2 and directing the recording of a Notice of Special Tax Lien.

*Adoption of Resolution Number 3175 declaring the results of the special election and ordering the annexation, the levying of a special tax and directing the recording of a Notice of Special Tax Lien.
Approved: 5-0*

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

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

- A. Consideration and discussion regarding canceling the December 30, 2003 City Council Meeting. *Cancellation of the December 30, 2003 City Council Meeting.*

*Approved: 4-1
Noes: Yarbrough*

Introduced by: Hector Apodaca, City Manager

City Manager Apodaca requested the Council to give consideration to cancel the December 30th meeting for the New Year’s holiday.

City Manager Apodaca requested the Council to give consideration to cancel the December 30th meeting.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Landers stated that traditionally the last meeting in December had always been cancelled.

Councilmember Lander’s referenced tradition.

Councilmember Yarbrough reminded Council of the number of missed meetings during the summer, and would prefer to have the regularly scheduled meeting of December 30th.

Councilmember Yarbrough was opposed.

Four Councilmembers supported the cancellation.

Four Councilmembers supported the cancellation.

M/S/C (Motte/Rogers) to approve canceling the December 30, 2003 City Council Meeting

*Approval to cancel the December 30, 2003 City Council Meeting.
Approved: 4-1
Noes: Yarbrough*

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

- B. To award the bid for the “D” Street Improvement Project to Los Angeles Engineering, Inc. for the sum of \$1,255,926.80 and reject all other bids. *Bid for the “D” Street Improvement Project awarded to Los Angeles Engineering.*

Approved: 5-0

Introduced by: Habib Motlagh, City Engineer

City Engineer Motlagh commented that this project had gone out to bid several times before and that both times Staff was unable to make the recommendation to award the bid. The first time the bids were higher than expected and the second time there was some paperwork discrepancies. These bids were opened by the City Clerk on October 22, 2003 and Los Angeles Engineering was the low bidder. He introduced Tim White, the design project architect to describe the project.

City Engineer Motlagh introduced Tim White, the design project architect, to describe the project.

Mr. White explained that the paving project would encompass the I-215 to 3rd Street. The landscape and paving improvements from 1st

Mr. White explained the project.

Street to 3rd Street would include new pavers in a stylized railroad pattern with palm and canopy shade trees and new street lights.

City Engineer Motlagh stated that the base bid for the project included all the landscaping and lighting between 3rd Street and San Jacinto and the median in front of City Hall. This median would restrict entry into City Hall from D Street and would resolve some of the crosswalk issues between City Hall and the Senior Center. The Traffic Engineer was in support of this change. The bid did not include the parking lot mentioned earlier.

City Engineer Motlagh explained the base bid.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Rogers asked if the roundabouts would still be phased in.

Councilmember Rogers questioned the roundabouts.

City Engineer Motlagh stated that more discussion was needed in order to determine if the roundabouts would serve the purpose for which they were intended.

City Engineer Motlagh stated that more discussion was needed on the subject.

Councilmember Motte commented that he would like to see the City commit resources to maintain the improvements until businesses start to come in.

Councilmember Motte would like to ensure the improvements would be maintained.

Councilmember Yarbrough had questioned the landscaping on the center median.

Councilmember Yarbrough questioned the center median landscaping.

City Engineer Motlagh replied that no median landscaping had been designed as of yet since that was not part of this project. This project would install water lines, provide conduits for electricity and the curbing.

City Engineer Motlagh replied that it was not part of this project.

Councilmember Yarbrough asked how much money the City had to start the project and what the timeline was once the bid was approved.

Councilmember Yarbrough asked about money and the timeline for the project.

City Engineer Motlagh responded that at the last Council meeting, the Council had allocated \$1.4 M for this project. Pre-construction on the project should start the first of the year and construction should begin in late January or early February. It had a five month or 150 day completion date. Landscaping should start three months after that.

City Engineer Motlagh responded.

Mayor Busch hoped for a commitment from RTA or RCTC on the parking lot and explained that Community Development Director Gutierrez was in contact with them.

Mayor Busch hoped for a commitment from RTA or RCTC.

M/S/C (Landers/Rogers) Award the bid for the "D" Street Improvement Project to Los Angeles Engineering, Inc. for the sum of \$1,255,926.80 and reject all other bids and continue to work with RTA and RCTC for funding on the parking lot.

Bid for the "D" Street Improvement Project awarded to Los Angeles Engineering, Inc., reject all other bids and continue to work with RTA and RCTC.

AYES: Rogers, Yarbrough, Landers, Motte, Busch

Approved: 5-0

NOES:

C. Consideration and discussion to amend Chapters 18.12 and 19.54 of

Amend Chapters 18.12 and 19.54

the Perris Municipal Code to Clarify the Procedures for the review of Subdivision Maps by the Planning Commission and City Council and introduce Ordinance No. 1125 entitled:

*of the Perris Municipal Code to clarify procedures for the review of subdivision maps by the Planning Commission and City Council and introduction of Ordinance Number 1125
Approved: 5-0*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING CHAPTERS 18.12 AND 19.54 OF THE PERRIS MUNICIPAL CODE REGARDING THE PROCEDURES FOR REVIEWING SUBDIVISION MAPS

Introduced by: Eric Dunn, City Attorney

City Attorney Dunn explained that the amendment made the City Council the agency with the final approval authority over tentative tract maps. It would not exclude the Planning Commission but would have them act as an advisory body to the Council. This action amends two sections of the Code; one dealing with subdivision map acts and the other with zoning codes. This ordinance will have a second reading in January and will not take effect until thirty days after that. Before the ordinance took effect, one or two maps were scheduled for Planning Commission review. The Council may want those maps automatically appealed pending the effectiveness of the ordinance.

City Attorney Dunn explained the amendment and the ordinance.

PUBLIC COMMENT: None

No Public Comment

COUNCIL QUESTIONS AND DISCUSSION:

Councilmember Landers asked if there were any shortcuts to the time element of the ordinance.

Councilmember Landers asked about shortcuts to the time element.

City Attorney Dunn replied that there was not a shortcut to the time element but that Council could automatically set in place an appeal to have these maps go to the City Council for final approval pending the effectiveness of the ordinance.

City Attorney Dunn explained that Council could set an automatic appeal in place until the ordinance became effective.

Councilmember Landers had confidence in the Planning Commission but had reservations with their approving Tract Maps without the Council's review.

Councilmember Landers had reservations with the Planning Commission approving Tract Maps.

Mayor Busch agreed that it was the Council's obligation to review these maps and he recommended that the Council approve the item and also that the maps automatically be presented to the Council before the ordinance took effect.

Mayor Busch agreed that it was Council's obligation and that the automatic appeal be set in place.

Councilmember Yarbrough asked if there were any time sensitive items coming forward.

Councilmember Yarbrough referenced time sensitive items.

Community Development Director Gutierrez did not think that any items would be impacted by the time line and thought that it was good to know this new procedure up front in order to advise the Commission Members and Applicants of the new process.

Director Gutierrez did not think any items would be impacted.

Councilmember Rogers asked if an applicant could appeal an action by the Planing Commission to the City Council.

Councilmember Rogers asked if applicants could appeal actions

City Attorney Dunn said that as it exists today they would be able to and that it is an option to the applicant and to the City Council.

*by the Planning Commission.
City Attorney Dunn answered that they could as it exists today.*

M/S/C (Landers/Yarbrough) to amend Chapters 18.12 and 19.54 of the Perris Municipal Code to clarify the procedures for the review of Subdivision Maps by the Planning Commission and City Council and introduce Ordinance No. 1125 and to request that any tract maps considered by the Planning Commission prior to the effective date of the ordinance be forwarded to the City Council.

*Amendment of Chapters 18.12 and 19.54 of the Perris Municipal Code, introduction of Ordinance Number 1125, and an automatic appeal set in place until the ordinance becomes effective.
Approved: 5-0*

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

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

John Lyons, a resident of Perris, commented on the Food Strike and thought that it was a credit to the community that they had honored the picket lines.

John Lyons commented on the Food Strike.

Ron Jurgensen, Boardmember of the Perris Valley Resource Center, announced that the 3rd Annual Christmas in Perris would be this Saturday, December 13th from 1:00 until 10:00 p.m.

Ron Jurgensen, Boardmember of the Perris Valley Resource Center, announced the 3rd Annual Christmas in Perris.

Willie Buchanon, Vice President of Signs of Support, would like Council to revisit the proposal made several months ago to have sponsors advertise their companies and their support for the children of the community on City owned vehicles.

Willie Buchanon, Vice President of Signs of Support, would like the Council to revisit his company's proposal.

Dave Stuart, Operations Manager for Perris Valley Chamber of Commerce, announced upcoming Chamber Events and thanked all the sponsors for their donations for the Holiday Parade to be held on December 13th.

Dave Stuart, Perris Valley Chamber of Commerce, announced Chamber Events.

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

Councilmember Rogers announced the Department of Community Action would hold their annual meeting with the Board of Supervisors on December 15 and that same afternoon she and Chief Kestell would meet with the Police Chief from Redlands regarding the Parolee Program. She and Mayor Busch had attended a luncheon hosted by Congressman Calvert with Senator Feinstein as the guest speaker.

Councilmember Rogers announced the Annual Meeting of the Department of Community Development, the meeting with the Redlands Police Chief regarding the Parolee Program and a luncheon hosted by Congressman Calvert.

Councilmember Yarbrough requested a time-line on when to expect to see the items he asked to be agendized.

Councilmember Yarbrough requested a time-line on when to expect to see the items he asked to be agendized.

Councilmember Landers requested to have a Goal-Setting Worksession at the beginning of the new year.

Councilmember Landers requested to have a Goal-Setting

Worksession at the beginning of the new year.

Mayor Busch announced that after the luncheon hosted by Congressman Calvert, the Mayors of the Cities met with Senator Feinstein. She explained how to apply for funds from Washington D.C. and distributed a list of projects that had been approved in this area.

Mayor Busch announced that the Mayors of the Cities had met with Senator Feinstein.

12. CITY MANAGERS REPORT:

City Manager Apodaca announced that after the parade on December 13th there would be a food and toy give-away from 1:00 to 6:00 p.m at Foss Field Park. Also that same day the Pop Warner Football Award Banquet would be held from 5:00 to 7:30 p.m. at the Bob Glass Gym and a Breakfast with Santa would be held on December 20th from 9:00 to 11:30 a.m. also at the Bob Glass Gym.

City Manager Apodaca announced upcoming events.

By February or March a City-Wide Marketing Program proposal would be brought to the Council and also a Public Safety City-Wide Parcel Tax workshop would be held. The City-Wide Parcel Tax was a condition for the City to be able to collect the \$250.00 per parcel for the five developments being annexed to the North Perris Public Safety CFD. In January there would be a Public Safety and Public Facility Bond to look into for the construction of a fire department and purchase of a site for a future police station and the continuation of the rehabilitation of the Council Chambers.

The theme for the Christmas Parade this year was “Christmas in Perris”. There will be an award ceremony at Perris High School and a carnival in downtown Perris after the parade.

13. CLOSED SESSION: None

No Closed Session.

14. ADJOURNMENT:

By unanimous consent the Joint City Council, Redevelopment Agency, PPFA and PPUA Meeting was adjourned at 7:40 p.m.

7:40 p.m. Joint City Council, RDA, PPFA & PPUA Adjourned

Respectfully Submitted,

Margaret Rey, City Clerk