

CITY OF PERRIS

MINUTES: Regular City Council Meeting
Date of Meeting: 08 January 2002
Time of Meeting: 6:00 p.m.
Place of Meeting: City Council Chamber-City Hall

1. CALL TO ORDER:

6:15 p.m. Called to Order

2. ROLL CALL:

All Present

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

Staff Members Present: City Manager Vasquez, Assistant City Manager Apodaca, City Attorney Aleshire, Community Director Gutierrez, Finance Director Rogers-Elmore, City Engineer Motlagh, Public Services Director Owens, Fire Chief Williams, Police Chief Turley, and City Clerk Rey

3. INVOCATION:

*Reverend Singleton
Holy Word Baptist Mission*

4. PLEDGE OF ALLEGIANCE:

*Councilmember Motte Led
the Pledge*

5. PRESENTATIONS:

A. Mayor Busch presented the Plaque of Appreciation to Police Chief Jeff Turley.

*Mayor Busch's
Presentation to Police
Chief Turley*

Police Chief Turley voiced appreciation for the plaque and announced that Captain Guy Kestell would be the Police Chief as of Thursday, January 10, 2002.

*Police Chief Turley's
Comments*

B. Recognition of the Public Safety Committee Members in appreciation for their dedicated service.

*Mayor Bush presented
Certificates of Recognition
to the Public Safety
Members*

Mayor Busch presented Certificates of Recognition to the Public Safety Committee Members: Mike McAleavey; Shawn Haughney; Robert Hayes; Robert Turner; Kay Migliacchio and Joseph Dapice.

Mr. McAleavey invited the public to attend the January 9, 2002 Public Safety Commission Meeting and announced the meetings were held the second Wednesday of every month.

*Mr. McAleavey's
Comments*

Mr. Hayes announced, for the public, that the Public Safety Commission addressed community safety issues, i.e.; tree branch blocking a stop sign; inoperable traffic signals. A citizen could call to report a safety issue by leaving their name; location of the problem or pictures and an invitation was extended to citizen participation in the safety effort.

*Mr. Hayes'
Announcement &
Comments*

Mayor Busch announced the Perris Historical Museum Association sponsored the Pioneer Family of the Year annually at the Fred T. Perris Day. The event would be held Saturday, January 12, 2002, beginning at 11:00 a.m. at the Perris Train Depot. This year the Alfonse and Marie Motte Family would be honored as the Pioneer Family for Year 2002.

*Mayor Busch's Perris
Pioneer Family
Announcement*

6. APPROVAL OF MINUTES:

Councilmember Rogers had a question on the December 11th minutes of the Regular City Council Meeting and requested to hold those minutes.

*Councilmember Rogers'
Query & Request*

To approve the minutes of the Special City Council Meeting held November 29, 2001 and City Council Work Session held December 11.

*Minutes for: City Council
Work Session 11/29/01;
City Council Work Session
12/11/01 & Regular City
Council 12/11/01
Approved: 5-0*

M/S/C (ROGERS/MOTTE) To approve the minutes of the Special City Council Meeting held November 29, 2001 and City Council Work Session held December 11, 2001.

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

Councilmember Rogers, questioned the request of Mayor Pro Tem Yarbrough to agendize the selection and appointments to the different Committees and Commissions. She was with the understanding that the City Clerk had stated thirty days for assignments and requested to make a motion to add the item to the agenda because of time constraints.

*Councilmember Rogers'
Comments & Query*

In response, City Clerk Rey indicated that we may have had a misunderstanding as to which timeline we were referencing.

City Clerk Rey's Response

City Attorney Aleshire responded that the Council would need to make a finding that the need to take action arose subsequent to the posting of the agenda. The real urgency would be if an appointment was made and it would not be accepted.

*City Attorney Aleshire's
Comment*

Councilmember Landers indicated that he believed an ordinance or resolution was in place that stated Council had thirty days for appointment. The appointments were to be done every year and were made by the Mayor and ratified by City Council.

*Councilmember Landers'
Comments*

City Manager Vasquez commented that he met with City Clerk Rey and Mayor to review the agenda and at that time the appointments were discussed. The appointment item was pulled because the appointments were not prepared as well as a misunderstanding of the process, and ratification of appointments. Attorney General opinion needed to be reviewed and he did not recall if there was a deadline. The appointments would be scheduled for the next Council Meeting of January 29th.

*City Manager Vasquez's
Comments*

M/S/C (ROGERS/YARBROUGH) To approve the minutes of the Regular City Council Meeting held December 11, 2001.

*Regular City Council
Minutes of 12/11/01
Approved: 5-0*

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

7. PUBLIC COMMENT ON CONSENT CALENDAR ITEMS ONLY:

8. CONSENT CALENDAR

A. To approve Proposal for Legal Advertising.

*RFPs for Legal
Advertising
Approved: 5-0*

B. To adopt proposed Resolution Number 2900 regarding City's participation with the Western Riverside Council of Governments on the Transportation Uniform Mitigation Fee and adopt proposed Resolution Number 2901 regarding the MSHCP/Riverside County Regional Comprehensive Project Update.

*Resolution 2900-City's
Participation with
WRCOG on TUMF
Approved: 5-0*

To adopt proposed Resolution Number 2900 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING PARTICIPATION IN THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF).

To adopt proposed Resolution Number 2901 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA REGARDING PARTICIPATION IN THE RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).

*Resolution 2901-
MSHCP/Riverside County
Regional Comprehensive
Project Update
Approved: 5-0*

C. To approve the Program Supplement 012-M, Federal-Aid Projects No. 08-5198 for the Santa Fe Depot on 4th Street, authorize the Mayor to sign the application and City Clerk to submit two signed originals and a certified minute order to the Department of Transportation for final approval.

*Santa Fe Depot Program
Supplement & Authorize
Mayor to Sign, Direct City
Clerk to Submit Two
Signed Supplements with
Certified Minute Order
Approved: 5-0*

D. To endorse and compose a personal letter of support for the establishment of a Military Charter School based on existing Resolution Number 2376, a resolution of the City Council of the City of Perris and Board of Trustees for the Perris Union High School District reaffirming their commitment to become an American 2000 Community. (Perris Union High School District).

*To Endorse/Compose
Letter of Support to
PUHS District for
Establishment of a
Military Charter School
Approved: 5-0*

- E. To adopt Resolution Number 2902 ordering Annexation of Certain Territory to Maintenance District No. 84-1 (APN 330-040-063/PUP 001-0172).

**Resolution 2902-
Annexation to
Maintenance District 84-1
(APN 330-040-063/PUP
001-0172)
Approved: 5-0**

To adopt proposed Resolution Number 2902 entitled:

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF PERRIS, STATE OF CALIFORNIA, ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO MAINTENANCE DISTRICT NO. 84-1 (ASSESSOR PARCEL NUMBER 330-040-063/PUP 001-0172).

- F. To adopt the second reading of Ordinance Number 1093 and adoption of proposed Resolution Number 2903 relating to Community Facilities District No. 93-1 (May Ranch) of the City of Perris.

**2ND Reading Ordinance
1093 & Adoption of
Resolution 2903 for CFD
93-1 (May Ranch) &
Revisions to the Resolution
Approved: 5-0**

To adopt Ordinance Number 1093 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 93-1 (MAY RANCH) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

To adopt proposed Resolution Number 2903 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 93-1 (MAY RANCH) OF THE CITY OF PERRIS AUTHORIZING AND DIRECTING THE ISSUANCE OF NOT TO EXCEED \$14,000,000 PRINCIPAL AMOUNT OF ITS 2002 SPECIAL TAX BONDS, SERIES A, THE APPROVAL OF A PURCHASE CONTRACT FOR THE PURCHASE THEREOF, AND AUTHORIZING CERTAIN OTHER OFFICIAL ACTIONS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

- G. To approve Final Tract Map 30144, Case No. 01-0121: proposal to finalize Tentative Tract Map No. 31044, a proposal to divide 14.12 acres into 92 residential lots at the southwest corner of Flame and Redlands Avenue. Applicant: Aware Development, Inc.

**Final Tract Map 30144
Case No. 01-0121
Approved: 5-0**

- H. To approve Final Tract Map 28986-1 (01-0082). Final review of Phase 1 of Final Tract Map 28986 located at the southwest corner of Goetz Road and McLaughlin Road. Applicant: Classic Pacific.

**Final Tract Map 28986-1
(Case No. 01-0082)
Approved: 5-0**

- I. Approval of Warrants.

Warrants Approved: 5-0

City Attorney Aleshire said with respect to the resolutions, on Item F, there would need to be a minor revision concerning underwriter counsel. Therefore, the motion would include the revision to the resolution.

**City Attorney Aleshire's
Comments**

M/S/C (LANDERS/ROGERS) To approve the Consent Calendar and note the revision to the underwriter counsel for Resolution Number 2902 ordering Annexation of Certain Territory to Maintenance District No. 84-1

**Consent Calendar &
Revision to Resolution
2902 Approved: 5-0**

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

9. **PUBLIC HEARINGS:**

9.1 **NEW PUBLIC HEARINGS:**

Mayor Busch introduced Item 9.1 A proposed resolution to form Community Facilities District No. 2001-3 (North Perris Public Safety). He cited, before the public hearing was formally opened he asked if there were any property owners or interested voters within the district or territory proposed that wished to file a written protest. If so they were to file with the City Clerk at this time. For the purpose of a majority protest only written protest were to be considered. Mayor Busch seeing no protests, opened the public hearing and requested presentation by staff and consultant. After the presentation comments, questions and oral protests would be received. When all comments had been received the hearing would be closed.

*Mayor Busch's
Introduction*

Mayor Busch read the City Clerk's statement: 'The notice of the public hearing had been given and affidavit attesting to the publication was on file in the City Clerk's Office'.

- A. Consideration and discussion to adopt proposed Resolution Number (next in order) a resolution to form Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris and the Levy of a Special Tax within said District.

*To Continue Resolution
Number (next in order) to
Form CFD 2001-3 (North
Perris Public Safety) Levy
of Special Tax to City
Council Meeting January
29, 2002
Approved: 5-0*

To adopt proposed Resolution Number (next in order) entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2001-3, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2001-3, ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT.

Attorney Messinger commented this proceeding would conclude and form the Public Safety CFD discussed. However, at this time negotiation and discussions were continued with KB Home to complete their rate and method of apportionment in conjunction to proposed revisions to this rate and method. It was recommended to continue the hearing, as open, until the January 29th City Council Meeting took action. Barratt American was in support of the CFD; provided a letter, requested by the City Attorney and waived all the time periods in order to proceed promptly and expeditiously.

*Attorney Messinger's
Presentation*

City Attorney Aleshire asked Attorney Messinger what the issues were that KB Home felt would need to be resolved in order to finalize and would issues be resolved in two weeks.

*City Attorney Aleshire's
Queries*

In reply, Attorney Messinger said the arrangements with Barratt was a \$250 maximum special tax. In the event the CFD would not be necessary to fund public safety services in the north end of the City the \$250 would be available for services or facilities within the Facility CFD in the Villages of Avalon project. KB Homes was not certain the formula would work for them and requested additional time to review and discuss. The issues would be resolved in two weeks.

*Attorney Messinger's
Reply & Comments*

Attorney Messinger recommended that Council hold discussion of this matter until the conclusion of the public hearing at the meeting of January 29, 2002 at 6:00 p.m.

For the benefit of the public, City Attorney Aleshire said Council requested to develop a method of funding of a fire station and police facility at the north end of the City. The response time, at this time, was fifteen minutes. Staff worked to seek a mechanism of funding and at the December workshop a funding mechanism was recommended ½ funded through a CFD and ½ funded through some type of citywide assessment. The action, tonight, was to move forward with a portion of that recommendation, which was the CFD funding (½ of the funding). The funding mechanism was based upon the concept of a fire station, a superior apparatus, station that would benefit the entire City and the funding mechanism justified a 50% citywide contribution. The assessment level was set at a maximum of \$250 per unit and Barratt had accepted the assessment. But, this was an issue with KB Homes. The questions Council had concerns with had been addressed.

*City Attorney Aleshire's
Comments*

M/S/C (ROGERS/MOTTE) To continue proposed Resolution Number (next in order) a resolution to form Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris and the Levy of a Special Tax within said District to the January 29, 2002 City Council Meeting.

*To Continue Resolution
Number (next in order) to
Form CFD 2001-3 (North
Perris Public Safety; Levy
of Special Tax to City
Council Meeting January
29, 2002*

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

Mayor Busch moved forward to 9.1 B and indicated 9.1 C, 9.1 D, 9.1 E, and 9.1 F could be heard simultaneously. The Mayor read the statement: This was the time and place for a public hearing for the Community Facilities District 2001-2 (Villages of Avalon) of the City of Perris relating to formation of the CFD; authorization to levy special tax on property within the district; issuance of bonded indebtedness; and establishment of appropriations limit. Before the public hearing was opened, Mayor Busch asked if there were any property owners or registered voters within the district or the territory proposed to be annexed that wished to file a written protest. If there were, they may file with the City Clerk at this time. For the purpose of majority protest, only written protests were to be considered. The hearing was officially opened. The Mayor called for presentation by staff and consultant regarding the formation of

*Mayor Busch's
Introduction to Opening of
the Public Hearing on 9.1
B, C, D, E & F*

the district. After the presentation Council would receive comments, questions, and oral protests from interested persons. After all comments had been received the hearing would be closed.

Con't. Mayor Busch's Introduction to Opening of the Public Hearing on 9.1 B, C, D, E & F

Mayor Busch read the City Clerk's statement: 'The notice of the public hearing had been given and affidavit attesting to the publication was on file in the City Clerk's Office'.

Attorney Messinger said the items before the Council would complete the process to form the CFD for the Villages of Avalon Project; authorizing the issuance of refunding bonds; refunding the existing debt; provide financing for the completion of those facilities; involved the adoption of a formation resolution; calling an election; and announcement of the results by the City Clerk. Attorney Messinger recommended Council to adopt the concluding resolutions and ordinance. If there were any questions in regards to the process or project, Attorney Messinger would be available, as well as Mr. Weatherbee, Underwriter; Mr. Gunn and Ms. Gruber.

Attorney Messinger's Presentation

City Attorney Aleshire asked if there was a letter from Barratt American which indicated their support of the public safety CFD.

City Attorney Aleshire's Query

In reply, Attorney Messinger indicated a letter was received from Barratt agreeing to all the terms discussed and a waiver time period was also received.

Attorney Messinger's Reply

Mayor Busch called for other staff comments or presentation. There being none the Mayor called for public comment. There being no public comment, the Mayor called for oral protest. There being no oral protests, the Mayor called for City Council comments and questions.

Mayor Busch's Request for other Presentations; Public Comment; Oral Protests

Councilmember Motte asked if the \$250 was the amount to be paid per home, for fire, to this district.

Councilmember Motte's Query

In response, Attorney Messinger said he did not have the amount assessed for this district and the \$250 was for the public safety district. There was a maximum ratio between 1.5 to 1.75 to be levied on each property as their percentage of their assessed valuation.

Attorney Messinger's Response & Comment

Councilmember Rogers was pleased to see this process move forward and thanked Barratt for their confidence shown to the City as far as the commitment to the public safety.

Councilmember Rogers' Comments

Mayor Pro Tem Yarbrough commented on Barratt's web site link to the City's web page and asked for Barratt's web address. Barratt's Web Address: www.barrattamerican.com. Mayor Pro Tem voiced appreciation of Barratt's indulgence and patience.

Mayor Pro Tem Yarbrough's Comments

Mayor Busch closed the public hearing and cited each of the resolutions.

*Mayor Busch Closed
Public Hearing*

- B. Consideration and discussion to adopt proposed Resolution Number 2904 a resolution determining the validity of prior proceedings, establishing Community Facilities District No. 2001-2, authorizing the levy of a special tax within Community Facilities District No. 2001-2 (Villages of Avalon), establishing an appropriations limit; and taking certain other actions relating to said district.

*Resolution 2904 Formation
CFD 2001-2 (Village of
Avalon); Authorization to
Levy Special Tax; issuance
of Bonded Indebtedness;
Establishment of
Appropriations Limit
Approved: 5-0*

To adopt proposed Resolution Number 2904 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2001-2, ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT.

- C. Consideration and discussion to adopt proposed Resolution Number 2905 a resolution determining the necessity to Incur Bonded Indebtedness in the amount of not to exceed \$30,000,000 within proposed Community Facilities District No. 2001-2 (Villages of Avalon) and calling a special election.

*Resolution 2905-Incur
Bonded Indebtedness
\$50,000,000 Within CFD
2001-2 (Villages of Avalon)
& Calling a Special
Election
Approved: 5-0*

To adopt proposed Resolution Number 2905 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$30,000,000 WITHIN SAID DISTRICT AND CALLING A SPECIAL ELECTION.

Attorney Messinger indicated the Rate and Method of Apportionment and a revised list (Exhibit B) were distributed to Council. In Exhibit B, of the facilities, services were added in conjunction with the agreements with Barratt on how their CFD would interact with the proposed Public Safety CFD. In addition, Attorney Messinger requested the motion to include the amendment to increase the total bonded indebtedness authorization to \$50,000,000. There were a number of areas within the resolution that would be revised and would be provided to the City Clerk upon the adoption.

*Attorney Messinger's
Presentation*

Mayor Busch asked City Clerk Rey to open the ballots and announce the results of the election.

Mayor Busch's Comments

M/S/C (ROGERS/YARBROUGH) To adopt proposed Resolution Number 2904 a resolution determining the validity of prior proceedings, establishing Community Facilities District No. 2001-2, authorizing the levy of a special tax within Community Facilities District No. 2001-2, establishing an appropriations limit; and taking certain other actions relating to said district.

*Resolution 2904 Formation CFD 2001-2 (Village of Avalon); Authorization to Levy Special Tax; issuance of Bonded Indebtedness; Establishment of Appropriations Limit
Approved: 5-0*

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

M/S/C (ROGERS/YARBROUGH) To adopt proposed Resolution Number 2905 a resolution determining the necessity to Incur Bonded Indebtedness within proposed Community Facilities District No. 2001-2 (Villages of Avalon), call a special election and with the amendment to increase from \$30,000,000 to \$50,000,000.

*Resolution 2905-Incur Bonded Indebtedness not to exceed \$50,000,000
Approved: 5-0*

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

City Clerk Rey announced an official ballot was received for CFD 2001-2 (Villages of Avalon) with the mark YES, which represented 263 votes.

City Clerk Rey Cited Election Results

Attorney Messinger pointed out that 9.1 D, E and F could be made in one motion and noted that within the three documents that reflected \$30,000,000 would be amended to the \$50,000,000 cap.

Attorney Messinger's Comments

Mayor Busch cited the resolutions and ordinance.

D. Consideration and discussion to adopt proposed Resolution Number 2906 a resolution acting as legislative body, declaring results of a special election relating to the levy of special tax and issuance of bonded indebtedness and the establishment of appropriations limits for Community Facilities District 2001-2 (Villages of Avalon) of the City of Perris

*Resolution 2906-Declaring Results of Special Election; Levy of Special Tax; Issuance of Bonded Indebtedness; Appropriation Limit Established for CFD 2001-2 (Villages of Avalon)
Approved: 5-0*

To adopt proposed Resolution Number 2906 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT.

M/S/C (ROGERS/YARBROUGH) To adopt Resolution 2096 a resolution acting as legislative body, declaring results of a special election results.

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

E. Consideration and discussion to introduce for first reading proposed Ordinance Number 1094 a resolution acting as capacity of the legislative body for Community Facilities District No. 2001-2 (Villages of Avalon) of the City of Perris authorizing the levy of a special tax within said district.

*First Reading of Ordinance 1094- Authorizing Levy of Special Tax within CFD 2001-2 (Villages of Avalon)
Approved: 5-0*

To introduce first reading of proposed Ordinance Number 1094 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

M/S/C (ROGERS/YARBROUGH) To introduce proposed Ordinance Number 1094 authorizing the levy of a special tax within CFD 2001-2 (Villages of Avalon).

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

F. Consideration and discussion to adopt proposed Resolution Number 2907 a resolution of the city council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2001-2 (Villages of Avalon) of the City of Perris authorizing the issuance of its special tax bonds, series 2001 in an aggregate principal amount not to exceed thirty million dollars (\$30,000,000) and approving certain documents and taking certain other actions in connection therewith.

*Resolution 2907- Authorizing Issuance of Special Tax Bonds in the Amount not to exceed \$50,000,000 & Approving Certain Documents & Taking Certain other Action in Connection with CFD 2001-2 (Villages of Avalon)
Approved: 5-0*

To adopt proposed Resolution Number 2907 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-2 (VILLAGES OF AVALON) OF THE CITY OF PERRIS AUTHORIZING THE ISSUANCE OF ITS SPECIAL TAX BONDS, SERIES 2001 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THIRTY MILLION DOLLARS (\$30,000,000) AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

M/S/C (ROGERS/YARBROUGH) To adopt Resolution Number 2907 a resolution authorizing issuance of special tax bonds, Series 2001 in an aggregate principal amount not to exceed \$50,000,000 and approving certain documents and taking certain other actions.

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

Attorney Messinger indicated Council had formed CFD 2001-2 (Villages of Avalon) and authorized bond issuance and construction of facilities could begin.

*Attorney Messinger's
Comments*

Mayor Busch opened the public hearing for Items G and H; cited the resolutions and asked if there were any comments in regards to the items. There being none, the public hearing was continued.

*Mayor Busch's
Introduction*

Attorney Messinger requested to continue Items G and H as an opened public hearing.

*Attorney Messinger's
Request*

G. Consideration and discussion to adopt proposed Resolution Number (next in order) a resolution to form Community Facilities District No. 2001-1(May Farms) of the City of Perris and the Levy of a Special Tax within said District.

*Continue Proposed
Resolution-Formation of
CFD 2001-1 (May
Farms); Levy of Special
Tax to 1/29/02 City
Council Meeting
Continuance
Approved: 5-0*

To adopt proposed Resolution Number (next in order) entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2001-1, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 2001-1, ESTABLISHING AN APPROPRIATIONS LIMIT; AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT.

M/S/C (ROGERS/MOTTE) To continue adoption of proposed Resolution Number (next in order) a resolution to form Community Facilities District No. 2001-1(May Farms) of the City of Perris and the Levy of a Special Tax within said District.

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

H. Consideration and discussion to adopt proposed Resolution Number (next in order) a resolution to Incur Bonded Indebtedness in the amount of not to exceed \$98,000,000 within proposed Community Facilities District No. 2001-1 (May Farms) of the City of Perris.

*Continue Proposed
Resolution-Incur Bonded
Indebtedness of
\$98,000,000 to 1/29/02
City Council Meeting
Continuance
Approved: 5-0*

To adopt proposed Resolution Number (next in order) entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-1 (MAY FARMS) OF THE CITY OF PERRIS DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$98,000,000 WITHIN SAID DISTRICT AND CALL A SPECIAL ELECTION.

M/S/C (ROGERS/MOTTE) To continue adoption proposed Resolution Number (next in order) a resolution to form Community Facilities District No. 2001-1(May Farms) of the City of Perris and the Levy of a Special Tax within said District.

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

9.2 CONTINUED PUBLIC HEARINGS: None

10. NON-HEARING ITEMS:

10.1 NEW BUSINESS:

- A. Consideration and discussion to receive and file the Perris Police Department Annual Report for Fiscal Year 2000-2001.

Police Department's Annual Report for FY 2000-2001 Received & Filed-Approved: 5-0

Upon introduction of the annual report, Police Chief Turley indicated the report covered Fiscal Year 2000-01 and reflected the overall level of activity for the Perris Police Department during that time period. The City of Perris contracted with Riverside County Sheriff's Department for law enforcement services and the contract became affective April 11, 1996.

Police Chief Turley's Presentation

The presentation included information for the Fiscal Year 2000-01:

- Level of Services: cuts/decrease in the level of service had been restored.
- Page three, of the report, reflected the level of service currently provided.
- Positions funded through grants or school district.
- Perris Station serviced areas outside the City limits (120 square miles/135,000 population) and was staffed by 143 authorized positions. About 40% of the workload involved the City of Perris proper.
- Response time: information was listed in the report with average response time at less than six minutes for a priority one or emergency call. The response was consistent with what had occurred in the last six years.
- Crime levels: report included detailed statistics. 50% drop in homicides; total persons criminal activity was up 16%; total property crime activity was down 1%; significant increase in auto theft.
- 30,686 calls for service were handled; a 10% increase and consistent with the increase recorded in population during that period.

Councilmember Motte commented on the decrease in traffic collision during 2001 and asked if the increased traffic inspection had an effect.

Councilmember Motte's Comment & Query

In response, Police Chief Turley said the stepped up traffic enforcement and motor officers had an impact. The department tracked accident information for intervention. The department applied for an additional grant that would provide two additional motorcycle officers.

Police Chief Turley's Response

Councilmember Rogers thanked Police Chief Turley for the outstanding job; for always being accessible to the citizens and, community groups and Council. She wished him the best of luck in his new position.

Councilmember Rogers' Comments

Councilmember Landers said Police Chief Turley had been a great part of the community; instrumental in forming the Citizens Patrol; Public Safety Commission; and voiced appreciation of all the work he had done.

Councilmember Landers' Comments

PUBLIC COMMENT: None

COUNCIL MEMBERS COMMENTS AND DISCUSSION:

Councilmember Motte commented on the financial aspects of the report and wondered why the estimate was presented at \$5.6 million, for Fiscal Year 2001-02, when the actual cost was \$4.6 million.

Councilmember Motte's Query

In response, Police Chief Turley said the first number reflected the estimate for 2001-02 which was \$5.1 million and actual, for FY 2000-01 was \$4.6 million.

Police Chief Turley's Response

Mayor Busch congratulated Police Chief Turley for a job well done and voiced his appreciation.

Mayor Busch's Comments

M/S/C (LANDERS/ROGERS) To receive and file the Perris Police Department Annual Report for Fiscal Year 2000-2001.

*Receive & File Perris Police Department Annual Report for FY 2000-01
Approved: 5-0*

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

B. Consideration and discussion to adopt proposed Resolution Number 2908 relating to the increase of the Infrastructure Fee for Fire Safety.

*Resolution 2908-Increase of Infrastructure Fee for Fire Safety
Approved: 5-0*

To adopt proposed Resolution Number 2908 entitled:

AN URGENCY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, INCREASING THE INFRASTRUCTURE FEE FOR FIRE SAFETY PENDING COMPLETION OF AN IMPACT STUDY.

Community Director Gutierrez said the resolution was an urgency item to be adopted tonight and would become affective in 30 days. Currently, the City of Perris assessed the Infrastructure Fee at \$4,958 per unit (single-family detached development) and divided into several components: CFD, Library, Police, Parks and Fire. The total fees attributed to Fire Protection was \$54 per unit and had been in affect since 1991. The low produced a deficit and as development occurred there was a greater need for fire protection. Considering there was a deficiency, shortage of equipment, facilities, and personnel resources to provide fire services, staff recommended to consider an urgency

Community Director Gutierrez's Presentation

resolution to increase the fee to \$454 per unit. A study would be conducted which would allow for the clear nexus of the amount assessed for both a per unit basis and other. Community Director Gutierrez invited the City Attorney to add to her presentation and recommended adoption of the urgency resolution.

*Con't. Community
Director Gutierrez's
Presentation*

City Attorney Aleshire's presentation included incorporation of the Fire Safety Services Report presented at the work session. He indicated there was a detailed study pending and the amount presented was a number that had been used with the development community. It was actually reasonable compared to surrounding cities. In the study a more detailed analysis would determine the level of fee. At this point, as an urgency measure, it would begin the process. The funding can be spent on capital improvements and equipment. The need for the north end fire station had been addressed, but there were other equipment needs throughout the City the money would be available for.

*City Attorney Aleshire's
Presentation*

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Landers asked Community Director Gutierrez to define Fire Safety. He said, did not the Council just approve quite a bit of monies for the fire station and public safety for the north end.

*Councilmember Landers'
Query*

In answer, Community Director Gutierrez said Fire Safety, for the purposes of how it was assessed through the Fee Study, monies would be collected to mitigate the impact of needed fire services. Those fire services could be capital monies for construction of a fire station, or the purchase of the equipment and was not for on-going maintenance and operations. To address Councilmember Landers' comment regarding public safety, Community Director Gutierrez asked if he was speaking of the CFDs approved earlier. In addressing the need for fire safety, in the City of Perris, the Public Safety CFD was a mechanism to fund operations on an on-going basis. This resolution speaks to mitigation of the impact to the public safety and identifying an amount that would be adequate mitigation.

*Community Director
Gutierrez's Response*

Councilmember Landers asked if the fee was to be increased from \$54 to \$454 per unit and how would that be justified. He asked if there was a formula used.

*Councilmember Landers'
Query*

In reply, Community Director Gutierrez said the increase would be justified on the need and would be justified in being comparable to other cities assessed. The current fees provided by the Fire Department and Fire Chief could provide input on how they arrived at that amount. The \$54 was inadequate.

*Community Director
Gutierrez's Response*

Fire Chief Williams indicated the figures were utilized by the surrounding communities of the County.

Fire Chief Williams' Comment

Community Director Gutierrez said KB Homes, for development agreement approved by City Council, agreed to pay the \$454 per unit.

Community Director Gutierrez's Comment

Councilmember Motte asked if commercial and industrial fees were low.

Councilmember Motte's Query

Community Director Gutierrez said the City was low when it came to fire safety. This resolution gave a period of ninety days to accomplish a study. The adoption of the resolution would identify the new fees that would be what was assessed in the future. The new fee would include commercial, industrial and multi-family units.

Community Director Gutierrez's Response

Mayor Pro Tem Yarbrough asked how much of the existing fees needed to be increased and could be completed in stages. Those fees would need to be identified and presented to Council.

Mayor Pro Tem Yarbrough's Comments

City Manager Vasquez said the concept of the fee increase should be pursued; conduct a citywide fee study; and a study should be performed periodically. The reason this fee seemed extreme was because it was out of line and was not reviewed for a long period of time. The City was severely impacted by not charging these fees because the City was not collecting enough or saving to put back into the fire services. Therefore, this item was an urgency measure. Staff would return with a citywide fee analysis.

City Manager Vasquez's Comments

Councilmember Rogers asked if this was a temporary measure in order to receive the results of the impact study and was there a time frame for the results of the study.

Councilmember Rogers' Queries

In reply, Community Director Gutierrez said the time frame would be a short period; and the urgency resolution would be effective in thirty days with the possibility of extension. Therefore, there could be a ninety day period to review a scope of services for the study and should begin immediately. The study could reflect a fee less than \$454; or be higher and Council would make a decision.

Community Director Gutierrez's Response

M/S/C (YARBROUGH/MOTTE) to adopt Resolution Number 2908 relating to the increase of the Infrastructure Fee for Fire Safety.

*Resolution 2908-Increase of Infrastructure Fee for Fire Safety
Approved: 5-0*

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

10.2 OLD BUSINESS: None

11. PUBLIC COMMENT:

Mr. Vidal commented on his request to distribute the agenda in Spanish; and voiced support to appoint Councilmember Landers to the March Joint Powers Authority.

Mr. Vidal's Comments

Mr. Lyons commented on the City's requests for funds, fees, and the lack of equipment.

Mr. Lyons' Comments

12. CITY COUNCIL COMMENTS: None

13. CITY COUNCIL COMMITTEE REPORTS:

Councilmember Landers reported his and Councilmember Motte's attendance, as members, attendance of the Park/Recreation Committee Meeting with Public Services Director Owens and Walter Carter III on Monday, January 7, 2002. The meeting went well and there were many plans/upgrades discussed in regards to parks.

Councilmember Landers' Report

Councilmember Rogers reported the attendance, of Mayor Busch, City Clerk Rey, City Manager Vasquez, Assistant City Manager Apodaca and herself, to the League of City Meetings in Palm Desert. There was an excellent report on the Gas Tax (Proposition 42). The City would retain vehicle collection fees.

Councilmember Rogers' Report

14. CITY MANAGER'S REPORT:

City Manager Vasquez recognized Police Chief Turley for the excellent job he had done for the City. The City Manager personally felt Police Chief Turley had been the ultimate professional in policing, very responsive, gone beyond policing, and contributed countless hours in community service to the City and city departments. He wished Chief Turley well in his new assignment and looked forward to working with the new Police Chief Guy Kestell.

City Manager Vasquez's Report

15. AGENDA ITEMS/MEETING REQUESTS AND REVIEW: None

Councilmember Landers requested a cost estimate for the agenda to be prepared in Spanish.

Councilmember Landers' Request

Mayor Pro Tem Yarbrough requested to present the concept of a Community Outreach Program which would conjoin with the Citizen's Patrol and Neighborhood Watch. The details would be forwarded in a report.

Mayor Pro Tem Yarbrough's Request

16. CLOSED SESSION: None

17. ADJOURNMENT: By unanimous consent the Regular City Council Meeting was adjourned at 7:45 p.m.

7:45 p.m. Regular City Council Meeting Adjourned.

Respectfully Submitted,

Margaret Rey, City Clerk