

CITY OF PERRIS

MINUTES: Regular City Council Meeting
Date of Meeting: 09 April 2002
Time of Meeting: 6:00 p.m.
Place of Meeting: City Council Chamber-City Hall

1. CALL TO ORDER:

6:00 p.m. Called to Order

2. ROLL CALL:

*Three Council Members Present
Absent: Motte, Yarbrough*

Council Members Present: Landers, Rogers, Busch

Absent: Motte, Yarbrough

Councilmember Yarbrough arrived at 6:15 p.m.

Councilmember Yarbrough Arrived at 6:15 p.m.

Staff Members Present: City Manager Vasquez, Assistant City Manager Apodaca, City Attorney Dunn, Community Director Gutierrez, Finance Director Rogers-Elmore, City Engineer Motlagh, Public Services Director Owens, and City Clerk Rey

3. INVOCATION:

Pastor Mike Lewis Gave Invocation

4. PLEDGE OF ALLEGIANCE:

Councilmember Landers Led Pledge

5. PRESENTATIONS: None

6. APPROVAL OF MINUTES:

*Regular City Council Minutes of 03/26/02
Approved: 3-0
Absent: Motte, Yarbrough*

To approve the minutes of the Regular City Council Meeting held March 26, 2002.

M/S/C (LANDERS/ROGERS) To approve the minutes of the Regular City Council Meeting held March 26, 2002.

AYES: Busch, Rogers, Landers

ABSENT: Yarbrough, Motte

7. PUBLIC COMMENT ON CONSENT CALENDAR ITEMS ONLY:

City Attorney Dunn commented there had been discussion with KB Home regarding the Public Safety CFD and requested two items be considered: 1) deletion of Item M–Memorandum of Understanding for a development agreement; 2) a resolution to be acted upon and requested a vote to add the resolution extending the election date for the Public Safety CFD Tax Election.

M/S/C (ROGERS/LANDERS) To add the Resolution to the agenda under 10.1 New Business; delete Item M of the Consent Calendar a Memorandum of Understanding; and pull, for clarification, Item K – FY 2001-02 Mid-Year Budget Review.

AYES: Busch, Rogers, Landers

ABSENT: Yarbrough, Motte

*City Attorney Dunn's
Comments:
Consideration Two
Actions*

*Addition Resolution-
New Business; Delete
MOU; & Pull FY 2001-
02 Mid-Year Budget
Review for Clarification
Approved: 3-0
Absent: Yarbrough,
Motte*

8. CONSENT CALENDAR

K. To approve Fiscal Year 2001-2002 Mid-Year Budget Review and Amendment.

Mayor Pro Tem Rogers asked Finance Director Rogers-Elmore to present a brief synopsis of the budget as to where the City stood bottom-line overall.

Mayor Pro Tem Query

In response, Finance Director Rogers-Elmore said it appeared the City was inline of where it should be at the ninth month of the fiscal year. The General Fund was well above where it was last year and was about \$3 Million under the entire budget fiscal year. The expenditures were inline with the time period and there were major items such as the Sheriff's Department that were behind in their billing, which was typical of large agencies. There were several adjustments in the review that just formalized budget issues, which had been addressed.

*Finance Director Rogers-
Elmore's Response*

Mayor Pro Tem Rogers indicated she saw the overall impact to the fund balance was determined at \$33,000 and she just wanted to say where the fund balance was presently.

*Mayor Pro Tem Rogers'
Comments*

Finance Director Rogers-Elmore said last fiscal year the fund balance ended at \$3.2 Million, which was a good balance; on target; and fiscally sound.

*Finance Director Rogers-
Elmore's Comments*

M/S/C (ROGERS/LANDERS) To approve Fiscal Year 2001-2002 Mid-Year Budget Review and Amendment.

AYES: Busch, Rogers, Landers

ABSENT: Yarbrough, Motte

*FY 2001-02 Mid-Year
Budget Review &
Amendment
Approved: 3-0
Absent: Yarbrough,
Motte*

M. To approve the Memorandum of Understanding with KB Home regarding development agreement and specific plan amendments.

*MOU-KB Home
Removed from Consent
Calendar*

9. PUBLIC HEARINGS:

9.1 NEW PUBLIC HEARINGS:

- A. To adopt Resolution Number 2934 increasing the Fire Facility Impact Fee to fund development of new fire facilities and adopt Negative Declaration Number 2104.

***Resolution 2934 -
Increase Fire Facility
Impact Fee & Adopt
Negative Declaration
2104
Approved: 4-0
Absent: Motte***

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, INCREASING THE INFRASTRUCTURE FEE FOR FIRE SAFETY.

Community Director Gutierrez said in 1993 the City adopted the Development Impact Fees and one was the Fire Mitigation Fee, which was charged at \$54.00 per unit. During the last ten years, due to the recession, the City did not experience the type of growth expected. Therefore, the City found that it fell very short of the ability to construct a fire station, which was needed in the north end of the City. An urgency resolution was proposed and extended twice. The extension was to ensure the impact fee study was completed and the study was to determine the adequate level of mitigation for funding of the construction of a fire station. Mr. Jewett of Muni-Financial was present to address the study. The study contained the justification according to AB 1600.

***Community Director
Gutierrez's Introduction***

Mr. Jewett, Muni-Financial, said they conducted the AB 1600 Impact Fee Study for construction of new fire facilities within the City of Perris. Mr. Jewett made a brief presentation regarding the analysis, report and findings:

***Muni-Financial Mr.
Jewett's Presentation***

- The contract with Riverside County Fire Department covered fire/emergency services and the City was responsible for providing all necessary capital facilities;
- The report updated the fee based on current facilities standards, cost, and projections of new development within the fire service area;
- The new fee would be utilized in construction of a new station, purchase of apparatus, equipment, and ladder fire truck. All proceeds would be spent for the purpose of preventing a decline in current service standards and improvements necessary to address requirements brought on by new development.
- The report summarized the department inventory of land, building square footage, vehicles and equipment as it currently existed;
- The analysis included capital land cost from station 1, 3, 9 and 59, and all those stations respond to fire/emergency medical calls to the City in some capacity;
- The costs were allocated based on the number of calls responded to, in Perris, by each station;
- The need for fire facilities was based on service population;
- The demand for fire service correlated with the distribution of residents and workers within the City's service area;
- To determine current and future service population the 2002 US Census Data and Southern California Association of Governments' Data (SCAG) were utilized;

- The impact fee was based on a system standard that represented the average per capita cost of all facilities to serve the entire service population. Per Capita cost was \$111.00 per resident; \$77.00 per worker; the standard assumed debt financing to fund construction of the new station; and allowed an even distribution of cost between the existing and new development;
- The new facility would require financing by other means other than impact fees;
- The fee was calculated by multiplying the cost per capita: \$437 single family resident; \$407 multi-family unit. Commercial, Office, Industrial properties the fee was per thousand square foot of building space: \$157 commercial; \$262 office and \$88 industrial.

Hopefully, this would give a clear summary of the methodology in the findings within the analysis.

Community Director Gutierrez recommended Council to adopt the resolution that called out the fees for development.

Community Director Gutierrez's Recommendation

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Mayor Pro Tem Rogers voiced pleasure that the impact fee study was in the final stage and that additional resources would be sought to fund the new fire facility.

Mayor Pro Tem Rogers' Comments

Councilmember Landers asked if there were any existing fees set aside for industrial and commercial other than housing. Also, when would the fee become effective.

Councilmember Landers' Query

In reply, Community Director Gutierrez indicated there were fees set aside, which was a minimal amount compared to the actual need. The fees would become effective sixty days after adoption and would take effect in June.

Community Director Gutierrez's Response

Mayor Busch said a developer indicated that the new fee on their development, at build out, would generate revenue of \$900,000.

Mayor Busch's Comment

M/S/C (LANDERS/ROGERS) To adopt Resolution Number 2934 increasing the Fire Facility Impact Fee to fund development of new fire facilities and adopt Negative Declaration Number 2104.

Resolution 2934 - Increase Fire Facility Impact Fee & Adopt Negative Declaration 2104

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

*Approved: 4-0
 Absent: Motte*

9.2 CONTINUED PUBLIC HEARINGS: None

10. NON-HEARING ITEMS:

10.1 NEW BUSINESS:

- A. Consideration and discussion to approve the contracts for Weed Abatement Services.

*Inland Empire Property Service; B&H Tractor Service for 2002 Weed Abatement Season
Approved: 4-0
Absent: Motte*

Community Director Gutierrez said last year the City transitioned from contracted services for abatement to in-house services, which did a very good job. This year's services were bided out with response from three contractors. After review of the cost comparison staff recommended to hire two contractors: 1) Inland Empire Property-primary contractor; 2) B & H Tractor Services as secondary. The contractors agreed on the terms including payment. Therefore, staff recommended Council to approve the contracts and authorize the City Manager to execute them.

Community Director Gutierrez's Introduction

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Landers commented on the lien of properties and realized notices were mailed in advance for abatement and prior to placement of a lien. He also noted that seventy-six properties had liens and that was a decrease from prior years. Also, for abatement, was a formula utilized. It did cost the City a lot of money to start the program; it looked positive money wise; understaffing was a problem; the program worked effectively; required no extra staff; and hoped the City would not loose money on the program.

Councilmember Landers' Queries & Comments

In response, Community Director Gutierrez indicated that liens had decreased and it was anticipated it would be less. The approach utilized obtained early communication and education process with the property owner. The formula of the cost comparison chart reflected the different type of functions that needed to occur in order to abate. The proposal was an annual contract for weed abatement and all other costs would be paid back to the City through the administrative charge. Staff did not request additional staff to implement the program.

Community Director Gutierrez's Response

Councilmember Yarbrough agreed with Councilmember Landers' comments that the effectiveness of Prevention Services was apparent. The problem was when it became political.

Councilmember Yarbrough's Comments

M/S/C (YARBROUGH/LANDERS) to approve the contracts between the City of Perris and Inland Empire Property Service as the primary contractor and B & H Tractor Service as the secondary contractor for Weed Abatement Services for the 2002 Weed Abatement Season.

*Primary-Inland Empire Property Service; Secondary-B&H Tractor Service for 2002 Weed Abatement Season
Approved: 4-0
Absent: Motte*

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

B. To adopt proposed Resolution Number 2932, a resolution of support for priority treatment of Metrolink’s Riverside Line by the Union Pacific Railroad Company.

*Resolution 2932-Support Metrolink’s Riverside Line
Approved: 4-0
Absent: Motte*

SUPPORT OF PRIORITY TREATMENT OF METROLINK’S RIVERSIDE LINE BY THE UNION PACIFIC RAILROAD COMPANY.

City Manager Vasquez commented the request from Riverside County Transportation Commission (RCTC) was to support their efforts in enforcement of the priority treatment of the Metrolink Line and their agreement with the Union Pacific Railroad. It was an important transit of alternatives for the communities and entirely funded through Measure A Funds and other MTA Funds. It had been an investment of over \$71 Million of capital improvements for Metrolink. Therefore, it was recommended to support the resolution that supported RCTC emphasis on the Metrolink as a priority treatment and could co-exist with freight traffic.

City Manager Vasquez’s Introduction

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Mayor Pro Tem Rogers commented that as viable transportation alternatives were found the additional twelve daily week-day commuter trains were viable and necessary; and voiced support of the concept and resolution.

Mayor Pro Tem Rogers’ Comments

Councilmember Yarbrough commented it was essential to support train services and voiced support of the resolution. He commented on the train service being the least subsidized form of transportation within the U.S. when every other country in the world focused on train travel.

Councilmember Yarbrough’s Comments

Mayor Busch voiced support of the resolution and commented on the freight community, Metrolink’s rights and relationship to Union Pacific Railroad.

Mayor Busch’s Comments

M/S/C (LANDERS/YARBROUGH) To adopt proposed Resolution Number 2932, a resolution of support for priority treatment of Metrolink's Riverside Line by the Union Pacific Railroad Company.

*Resolution 2932-Support
Priority Treatment
Metrolink's Riverside
Line by Union Pacific
Railroad Company
Approved: 4-0
Absent: Motte*

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

C. To adopt proposed Resolution Number 2935, a resolution extending the Public Safety Community Facilities District Election Date from April 29, 2002 to June 10, 2002.

*Resolution 2935 -
Extending Public Safety
CFD Election from April
29, 2002 to June 10, 2002
Approved: 4-0
Absent: Motte*

A RESOLUTION OF THE PERRIS CITY COUNCIL, CITY OF PERRIS, RIVERSIDE COUNTY, A RESOLUTION EXTENDING THE ELECTION DATE FROM APRIL 29, 2002 TO JUNE 10, 2002 FOR THE PUBLIC SAFETY COMMUNITY FACILITIES DISTRICT.

City Attorney Dunn indicated the Public Safety CFD had been underway for a period of time, previous hearings occurred, and a date for election was scheduled for April 29th. But, due to on going negotiation additional time was required. The resolution would extend the date to June 10th and election was for the developers/property owners within the CFD area. The results would be certified at June 11th City Council Meeting.

*City Attorney Dunn's
Introduction*

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION: None

M/S/C (ROGERS/YARBROUGH) To adopt Resolution 2935, extending the Public Safety CFD election to June 10, 2002.

*Resolution 2935-
Extending Public Safety
CFD Election from April
29, 2002 to June 10,
2002
Approved: 4-0
Absent: Motte*

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

10.2 OLD BUSINESS: None

11. PUBLIC COMMENT:

Mr. Perez, Free Indeed Fellowship Elder, commented on the need for youth functions/programs (specifically skating/skate boards) within the City.

Mr. Perez's Comments

Mayor Busch directed Mr. Perez to contact Mr. Owens, Community Services Director and voiced encouragement.

Mayor Busch's Direction

12. CITY COUNCIL COMMENTS:

Mayor Pro Tem Rogers announced the results of the Planning Commissioner selections: Duane Hammond, Jim Finney, Dick Novison, Paul Mitchell, Terry Streich, and the alternatives were: Judy Haughney and Henry Martin.

*Mayor Pro Tem Rogers'
Announcement of
Planning Commissioners
Selected*

Community Director Gutierrez said Planning Commissioners would be sworn in at a future date; within the next thirty to forty days there would be training on the Brown Act, Conflict of Interest, adoption of By-Laws, and continued training in land use matters, California Environmental Quality Act, Subdivision Map Act, arrange a tour of development and the commission would be able to act on cases by July 1st.

*Community Director
Gutierrez's Comments on
Planning Commissioners
Training*

Councilmember Landers requested Councilmember Yarbrough to comment on the Community Outreach Program Meeting and congratulated him on the concept.

*Councilmember Landers'
Request & Comment*

Councilmember Yarbrough thanked staff who coordinated the meeting and everyone who attended the first Community Outreach Program Meeting held in Enchanted Heights area. There were over 120 people that attended and the next meeting was scheduled for June. Personal invitations will be extended to those within the 'A' Street/Nan Sanders Neighborhood. If there were people who had a service to provide for the community to please contact Maria Stewart.

*Councilmember
Yarbrough's Comments*

Mayor Busch commented that at the last meeting he asked Mr. Owens about the progress on Rotary Park and he indicated the backstops were in the process of installation. He drove past the park to check out the status of the backstops and the fields were occupied, which was a pleasure to see.

*Mayor Busch's
Comments*

13. CITY COUNCIL COMMITTEE REPORTS:

Councilmember Landers reported his attendance to the March Joint Powers Meeting and said they were close to selection of the Executive Director for March Air Reserve Base.

*Councilmember Landers'
Committee Report*

Mayor Pro Tem Rogers reported that the Department of Community Action found a way to fund the generators (\$75,000) discussed by Mr. Denny. Also, funds were available for energy assistance; a energy workshop was held at the Perris Senior Center today to assist the public; and they were offering grant workshops to be held in the near future to help those who were interested in operation of a non-profit corporation.

*Mayor Pro Tem Rogers'
Committee Report*

14. CITY MANAGER'S REPORT:

City Manager Vasquez commended the Community Outreach Program Meeting. The meeting gave staff an opportunity to meet with the residents on an informal basis to solve neighborhood issues. The residents were pleased with the Sheriff's Department efforts in patrolling their area. He thanked staff and Mr. Yarbrough's concept of the program. City Manager Vasquez emphasized on the Finance Director's report regarding the Mid-Year Budget. Revenue was slightly up and it was hoped to develop next year's budget, present to Council, and provide a balance budget to the City.

*City Manager Vasquez's
Report*

15. AGENDA ITEMS/MEETING REQUESTS AND REVIEW:

Councilmember Landers requested to review the nuisance ordinance.

*Councilmember
Landers' Agenda
Request*

Councilmember Yarbrough apologized for being late and asked staff to review or schedule a workshop regarding the Consent Calendar where there were several requests for extension of times on projects. It may be necessary to direct staff to move some of the projects ahead by incentives or some form of encouragement.

*Councilmember
Yarbrough's Agenda
Request*

Mayor Busch said there was a planned workshop with Police Chief Kestell regarding police efforts and asked if the workshop was to take place.

*Mayor Busch's Request
for Status of Workshop*

In reply, City Manager Vasquez said the workshop was scheduled for presentation prior to the next City Council Meeting.

Community Director Gutierrez commented on the request for discussion on subdivisions, which was one of the items included in the General Plan discussion. Therefore, Council may anticipate to discuss, at the General Plan Workshop, which would take place on April 30th.

*Community Director
Gutierrez's Comment*

Mayor Busch called the Redevelopment Agency Meeting to order.

Mayor Busch adjourned, in memory of Mr. Paul Kinder, to Closed Session at 6:50 p.m.

*6:50 p.m. Closed
Session Called to Order*

16. CLOSED SESSION:

*City Council &
Redevelopment Agency*

A. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9 (b) – Two Cases

*No Reportable Action
Taken*

City Attorney Dunn reported direction was given and no reportable action was taken in regards to Item 16 A of the Closed Session regarding two cases, Anticipated Litigation.

*City Attorney Dunn's
Closed Session Report*

17. ADJOURNMENT: By unanimous consent the Regular City Council Meeting was adjourned at 8:38 p.m.

*8:38 p.m. Regular City
Council Meeting
Adjourned*

Respectfully Submitted,

Margaret Rey, City Clerk

