

CITY OF PERRIS

MINUTES: Regular City Council Meeting
Date of Meeting: 30 April 2002
Time of Meeting: 6:00 p.m.
Place of Meeting: City Council Chamber-City Hall

1. CALL TO ORDER:

6:10 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 Dunn, Community Director Gutierrez, Finance Director Rogers-Elmore, City Engineer Motlagh, Public Services Director Owens, and City Clerk Rey

3. INVOCATION:

Pastor Fred Mumford Gave Invocation

4. PLEDGE OF ALLEGIANCE:

Councilmember Motte Led the Pledge

5. PRESENTATIONS:

A. Presentation, to Eastern Municipal Water District, a Proclamation declaring The Month of May 2002 as Water Awareness Month.

Mayor Busch Presented Water Awareness Month, May 2002, Proclamation to Ms. Gibbel/EMWD

Mayor Busch presented the proclamation to Betty Gibbel, Eastern Municipal Water District representative.

Ms. Gibbel thanked the City and Council Members for the proclamation and indicated that everyone realized how critical water was and commented on the cutbacks and allocations. As growth occurred conservation became more critical and EMWD did educate people and students on water awareness.

EMWD, Ms. Gibbel's Thank-you & the Critical issue of Water

Mayor Busch announced that the City of Perris Recreation Services had planned a Cinco De Mayo Festival for May 5th. The festival would be located at 138 N. Perris Boulevard, Foss Field Park from 12:00 p.m. to 5:00 p.m. The festival included free admission, live entertainment, food, pony rides, face painting and for more information call the Perris Recreation Services at (909)943-6603.

Mayor Busch's Announcement of Cinco De Mayo Festival May 5th

6. APPROVAL OF MINUTES:

To approve the minutes for Special City Council Meeting April 3, 2002, City Council Work Session Meeting April 9, 2002 and the Regular City Council Meeting April 09, 2002.

M/S/C (ROGERS/LANDERS) To approve the minutes for Special City Council Meeting April 3, 2002.

*Meeting Minutes of
4/3/02 Special City
Council
Approved: 5-0*

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

M/S/C (ROGERS/LANDERS) To approve the minutes for Work Session Meeting April 9, 2002 and the Regular City Council Meeting April 09, 2002.

*Meeting Minutes of
4/9/02 City Council
Work Session & 4/9/02
Regular City Council
Approved: 4-0
Abstain: Motte*

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

7. PUBLIC COMMENT ON CONSENT CALENDAR ITEMS ONLY: None

8. CONSENT CALENDAR

A. To approve Extension of Time (EOT) Case No. 02-0055 for Tentative Tract Map 27383. A request to subdivide 153 acres into 317 single-family residential lots in the R-7 (7 dwelling unit per acre) Residential Zone. The project site is located at the southeast corner of Ethanac and McPherson Roads. Applicant: Roger D. Prend, Albert A. Webb Associates.

*Extension of Time 02-
0055 (Tentative Tract
Map 27383)
Approved: 5-0*

B. To adopt, for second reading, Ordinance Number 1096, Ordinance Amendment Case No. 02-0016, an ordinance amending development standards pertaining to side yard setbacks for single family residential developments.

*Ordinance Number
1096
Amending Development
Standards-Side Yard
Setbacks for Single
Family Residential
Developments
Approved: 5-0*

To adopt Ordinance Number 1096 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING CHAPTERS 19.08 (DEFINITIONS), 19.22 (RR-A ZONE), 19.25 (R-7 ZONE), 19.26 (R-14 ZONE) AND 19.28 (R-22 ZONE) OF THE ZONING ORDINANCE OF THE CITY OF PERRIS, RELATING TO SIDE YARD SETBACK DEVELOPMENT STANDARDS FOR SINGLE FAMILY RESIDENTIAL STRUCTURES (ORDINANCE AMENDMENT 02-0016).

C. To adopt, for second reading, Ordinance Number 1097, an ordinance establishing the duties of the Planning Commission.

*Ordinance Number
1097
Establishing Planning
Commission Duties
Approved: 5-0*

To adopt Ordinance Number 1097 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING THE PERRIS ZONING CODE TO DESIGNATE THE DUTIES OF THE PERRIS PLANNING COMMISSION.

- D. To approve Extension of Time (EOT) Case No. P02-0025 for Tentative Tract Map 28331. A proposal to subdivide 9.55 acres into thirty (30) residential lots located east of Redlands Avenue, north of Orange Avenue. These are minimum 10,000 square foot lots within the R-4 (Residential-4 dwelling units per acre) Residential Zone. Applicant: Gabriel D. Ybarra, 1045 Main Street, Suite 102, Riverside, CA. 92506. *Extension of Time 02-0025 (Tentative Tract Map 29331) Approved: 5-0*
- E. To approve Extension of Time (EOT) Case No.'s 02-0028, 02-0027, and 02-0026 for Tentative Tract Maps No. 24649, 24650, 24652. A request to extend three tentative tract maps within the Green Valley Specific Plan (Planning Areas 4, 5, & 8) for one year each. Owner: Phyllis M. Rodeffer, represented by Webb Associates. *Extension of Time 02-0026 (Tentative Tract Maps 24649, 24650, 24652-Green Valley Specific Plan) Approved: 5-0*
- F. To approve Extension of Time (EOT) Case No. 02-0030 for Conditional Use Permit No. 00-0006. A request for a one-year extension of time for the conditional use permit granted for the operation of a landscape maintenance business in a rural residential area. The property address is 4020 Goetz Road. Owner: Michael J. Bloxton. *Extension of Time 02-0030 for Conditional Use Permit 00-0006, Operation Landscape Maintenance Business Approved: 5-0*
- G. To approve Extension of Time (EOT) Case No. 02-0054 for Tentative Tract Map 27382. A request to divide 153 acres into 393 single-family residential lots and three open space and drainage lots in the R-7 (7dwelling unit per acre) Residential Zone. The project site is located at the southwest corner of Ethanac and McPherson Roads. Applicant: Roger D. Prend, Albert A. Webb Associates. *Extension of Time 02-0054 (Tentative Tract Map 27382) Approved: 5-0*
- H. To approve Extension of Time Case Nos.: 02-0036 through 02-0053 for Tentative Tract Maps No. 24651, 24653, 24654, 24655, 24656, 24657, 24658, 24659, 24660, 24661, 24662, 24663, 24664, 24665, 24666, 24667, 24668 and 24669: Requests to extend eighteen tentative tract maps within the Green Valley Specific Plan one year each. Applicant: Perris Green Valley Associates. *Extension of Time 02-0036 – 02-0053 (18 Tract Maps at One Year Extension Each) Approved: 5-0*
- I. To adopt proposed Resolution Number 2936, a resolution authorizing the submission of the application to the California Infrastructure and Economic Development Bank for financing of Indian Hills/Enchanted Heights Water and Sewer Upgrade. *Resolution Number 2936, Authorizing Submission California Infrastructure & Economic Development Bank Financing Application for Indian Hills & Enchanted Heights Water/Sewer Upgrade Approved: 5-0*
- To adopt proposed Resolution Number 2936 entitled:
- A RESOLUTION OF THE CITY OF PERRIS, AUTHORIZING THE SUBMISSION OF THE APPLICATION TO THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK FOR FINANCING OF INDIAN HILLS/ENCHANTED HEIGHTS WATER AND SEWER UPGRADE AND APPROVING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH.
- J. To approve Contract with Thirtieth Street Architects for City Hall and former Police Building architectural preliminary services. *Thirtieth Street Architects Contract – City Hall & Former Police Building- Architectural Services Approved: 5-0*

- K. To approve sponsorship of Volunteer Disaster Response Committee. *Sponsorship Volunteer Disaster Response Committee Approved: 5-0*
- L. To approve contracts with Cozad & Associates and Glenn Lukos & Associates professional services, for Case Road Bridge Improvements, including 20% contingencies for additional work if required by resource agencies and authorize the City Manager to sign the contracts. *Professional Services Contract for Case Road Bridges Improvements Approved: 5-0*
- M. To adopt proposed Resolution Number 2937, a resolution authorizing the Beverage Container Recycling Program, "Perris Recycles", and direct staff to submit the grant request for funding to the State Department of Conservation. *Resolution Number 2937, Authorizing Beverage Container Recycling Program, Direct Staff to Submit Grant Request Approved: 5-0*
- To adopt proposed Resolution Number 2937 entitled:
- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AUTHORIZING THE IMPLEMENTATION OF A BEVERAGE CONTAINER RECYCLING PROGRAM AND SUBMITTAL FOR FUNDING FROM THE STATE DEPARTMENT OF CONSERVATION.
- N. Approval of Warrants. *Warrants Approved: 5-0*
- Councilmember Yarbrough commented that if the extension of time cases continued to come forward there might be the need for the developers to meet with City staff for completion of the projects. *Councilmember Yarbrough's Comments*
- Mayor Busch commented he had requested the City Attorney to provide the Council with a workshop as to alternatives for approval of extensions. *Mayor Busch's Comments*
- In response, City Attorney Dunn said all the extensions appeared to be approved maps. Approved maps were subject to automatic extensions and all of the extensions were in the discretionary category where they were granted an annual extension up to five additional years. The Subdivision Map Act specifically authorized the Council to conditionally approve or deny the extension; and Council had the authority to add and modify conditions. *City Attorney Dunn's Response*
- Councilmember Landers commented that all the developers paid a fee for an extension. *Councilmember Landers' Comment*
- Councilmember Motte requested the City Engineer to address Item L, Case Road Bridges professional services. *Councilmember Motte's Request*
- In response, City Engineer Motlagh said the item was for consultants' work, for environmental documents, which was necessary for the bridges and Caltrans' permit. The Case Road Bridges' pavement rehabilitation for authorization to advertise would be agendized for May 28th. Construction would commence August, 2002 and the bridges would be one/two years behind Case Road pavement rehabilitation. *City Engineer Motlagh's Address to Case Road Bridge Professional Services*

M/S/C (LANDERS/MOTTE) To approve the Consent Calendar.

*Consent Calendar
Approved: 5-0*

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

9. PUBLIC HEARINGS:

9.1 NEW PUBLIC HEARINGS:

A. Consideration and discussion to approve proposed Zone Change 01-0179, General Plan Amendment 02-0072, Tentative Tract Map 30380 (01-0180 and adopt Draft Mitigated Negative Declaration 2106. The proposal is a request to rescind the New Horizon Specific Plan; change the zoning designation to R-7 (APNs 303-160-005, 303-160-006, 303-200-001, 303-170-018, 303-210-005, 303-170-008, 303-170-010, 303-210-002); change the General Plan Land Use Designation for two parcels (APNs 303-170-008, 303-170-010) from R-22 to R-7; amend the General Plan Land Use Map. Tentative Tract Map 30380 (Case No. 01-0180), a request to subdivide a 30-acre parcel (APN 303-200-001) into 142 lots for single-family residential development. The project is located north of Rider Street, south of Morgan Street, and the Metropolitan Water District easement bisects the site from west to east. Applicant: Citation Homes.

*Proposed ZC 01-0179,
GPA 02-0072, TT Map
30380 & Draft
Mitigated Negative
Declaration 2106
Continued to May 14,
2002
Approved: 5-0*

Community Director Gutierrez requested continuance of the multiple application to May 14th public hearing.

*Community Director
Gutierrez's Request for
Continuance*

City Attorney Dunn recommended to open the public hearing, allow public comment, and continue the public hearing.

PUBLIC COMMENT: None

M/S/C (ROGERS/MOTTE) To continue proposed Zone Change 01-0179, General Plan Amendment 02-0072, Tentative Tract Map 30380 (01-0180) and adopt Draft Mitigated Negative Declaration 2106 to May 14th.

*Proposed ZC 01-0179,
GPA 02-0072, TT Map
30380 & Draft
Mitigated Negative
Declaration 2106
Continued to May 14,
2002
Approved: 5-0*

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

B. Consideration and discussion to introduce proposed Ordinance Number 1098 to approve Annexation Pre-Zone 02-0006; and adopt proposed Resolution Number 2938 to adopt General Plan Amendment No. 02-0005; and approve Development Plan Review 02-0004, a Variance 02-0073 and adopt Mitigated Negative Declaration 2105. A request to annex a portion of the project area from the County of Riverside into the City of Perris and amend the General Plan Land Use Map (ZC 02-0006 and GPA No. 02-0005); and a request to construct a U-Haul mini-storage facility with truck/equipment rental and RV storage and

*Introduction Ordinance
Number 1098
(approving Annexation
Pre-Zone 02-0006);
Adopt Resolution 2938
(to adopt GPA 02-0005);
DPR 02-0004; Zone
Variance 02-0073; &
Adoption Negative
Declaration 2105
Approved: 5-0*

to vary from the minimum front yard, building setback.
Applicant: U-Haul Company of California.

To adopt proposed Ordinance Number 1098 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING TITLE 19 OF THE PERRIS MUNICIPAL CODE APPROVING ANNEXATION PRE-ZONE 02-0006 FOR A 7.87 ACRE PARCEL LOCATED WEST OF THE I-215 FREEWAY, EAST OF WEST FRONTAGE ROAD, SOUTH OF ORANGE AVENUE AND NORTH OF NUEVO ROAD.

To adopt proposed Resolution Number 2938 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING NEGATIVE DECLARATION NUMBER 2105 AND APPROVING GENERAL PLAN AMENDMENT NO. 02-0005 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM COMMERCIAL NEIGHBORHOOD (CN) TO LIGHT INDUSTRIAL (LI) FOR AN 7.87 ACRE PARCEL OF LAND LOCATED WEST OF THE I-215 FREEWAY, EAST OF W. FRONTAGE ROAD, SOUTH OF ORANGE AVENUE AND NORTH OF NUEVO ROAD AND MAKING FINDINGS IN SUPPORT THEREOF.

Contract Planner Mr. Miller commented that U-Haul initiated the proposal and commented on the following:

Contract Planner Mr. Miller's Introduction

- The site, which was partially within the City Limits;
- Portion of the application proposed annexation of the property located within the County. There were two parcels owned by Caltrans that would also be annexed;
- Once approved an application would be filed with Riverside County's Local Agency Formation Commission (LAFCO) to annex the properties into the City;
- Square footage of the proposed building was 72,725 square feet (storage, retail moving center);
- Applicant requested a reduction of the required front setback along the Frontage Road.

Staff recommended to revise Conditions Number 32 to read 'The roof material shall be comprised of standing seamed metal' and recommended approval of the Negative Declaration 2105, Annexation Pre-Zone 02-0006; General Plan Amendment No. 02-0005; Development Plan Review 02-0004, and Variance 02-0073.

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Mayor Pro Tem Rogers asked if the applicant had concurred with the revision to Condition Number 32, roofing material. It was confirmed that the applicant had concurred with the revision.

Mayor Pro Tem Rogers' Query RE: Revision Condition Number 32 – Roofing Material

Councilmember Motte asked if Condition Number 18, seventy-two hours graffiti issue, was a standard condition; and could it be lowered to twenty-four hours.

Councilmember Motte's Query RE: Condition Number 18- Seventy-Two Hour Graffiti

In reply, Mr. Miller confirmed the graffiti issue was a standard condition and the seventy-two hours was to process a notice.

*Contract Planner
Miller's Response*

Mayor Busch asked if an application had been filed with Riverside County's Local Agency Formation Commission (LAFCO) and if groundwork had been completed.

*Mayor Busch's Query
RE: Filing Application
with LAFCO*

In response, Mr. Miller said an application would be filed after adoption of the environmental documentation and meetings were held with LAFCO.

*Contract Planner, Mr.
Miller's Response*

M/S/C (LANDERS/MOTTE) To adopt Negative Declaration 2105.

*Adoption of Negative
Declaration 2105
Approved: 5-0*

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

M/S/C (LANDERS/MOTTE) To adopt Resolution Number 2938 to adopt the General Plan Amendment 02-0005 amending the General Plan Land Use Designation from Commercial Neighborhood to Light Industrial and amend the Land Use Map.

*Adoption Resolution
Number 2938 adopting
GPA 02-0005
Approved: 5-0*

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

City Attorney Dunn cited the ordinance summary title.

*City Attorney Dunn
Cited Ordinance 1098*

M/S/C (LANDERS/MOTTE) To adopt Ordinance Number 1098 to approve Annexation Pre-Zone 02-0006.

*Ordinance Number
1098 Approving
Annexation Pre-Zone
02-0006
Approved: 5-0*

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

M/S/C (LANDERS/MOTTE) To approve Development Plan Review 02-0004 and Zone Variance 02-0073 subject to the recommended Conditions of Approval.

*Development Plan
Review 02-0004; Zone
Variance 02-0073
Subject to COA
Approved: 5-0*

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

C. Consideration and discussion to approve proposed Second Unit Permit (SUP) No. P02-0024. A proposal to (1) convert a detached two car garage into a second dwelling unit and construct a new two car garage attached to the second dwelling unit, and (2) convert a two car garage attached to the primary residence into a family room and study. The property is 0.94 acres (40,893 sq. ft) in size and located at 4193 N. Webster Avenue. Applicant: Jorge Luis R. Garibay.

*Second Unit Permit 02-
0024 Approved Subject
to the COA
Approved: 5-0*

Community Director Gutierrez introduced the proposal, gave location of the site and indicated the project met all development standards required. The project was exempt from environmental review and staff recommended approval of the second unit permit.

*Community Director
Gutierrez's Introduction*

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION: None

M/S/C (ROGERS/LANDERS) To approve Second Unit Permit 02-0024 based upon the information and findings contained within the Staff Report and subject to the Conditions of Approval.

*Second Unit Permit 02-0024 Approved Subject to the COA
Approved: 5-0*

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

D. Consideration and discussion to approve proposed Development Plan Review No. P02-0031 and adopt Draft Negative Declaration 2107. A proposal to construct a 54,282 square foot warehouse, office, and training building (life skills, training and work program (Exceed) for mentally challenged persons). The proposed project is located at 2050 Trumble Road. Applicant: Randy Wages.

*Adoption Negative
Declaration 2107;
Development Plan
Review 02-0031; &
Reduction of Parking
Space
Approved: 4-0
Abstain: Motte*

For the record Councilmember Motte abstained from vote on the proposal.

*Councilmember Motte
Abstained*

Contract Planner Mr. Miller introduced the proposal; gave the project location; and type of building design. He indicated that Exceed was an existing entity within the City and proposed to construct a larger facility that would include administrative offices, warehouse, and a care education and development facility. The applicant requested a minor adjustment for parking and had provided justification to support the adjustment. Vehicles provided by Exceed bused the people who utilized the facility. Therefore, the parking demand was much lower than normal. Staff recommended adoption of the negative declaration, approval of the parking adjustment, and approval of Development Plan Review 02-0031.

*Contract Planner, Mr.
Miller's Introduction*

PUBLIC COMMENT:

Mr. Kroencke, 170 Wilkerson Avenue, Board of Director Member of Exceed and Chairman of the Facilities Committee, indicated they were pleased with the proposal and introduced Mr. Hara, Project Architect and Mr. Nicholson, RP Wages, who was the contractor/developer for the property owner. Mr. Kroencke thanked Planning Staff for a job well-done and voiced concurrence with staff's recommendations.

*Exceed Board of
Director Member, Mr.
Kroencke's Comments*

CITY COUNCIL COMMENTS AND DISCUSSION:

Mayor Pro Tem Rogers was impressed with the design and the tilt up concrete building and was familiar with Exceed. Exceed provided and offered alternative job skills for people who were disabled or handicapped. She voiced support of the proposal.

Mayor Pro Tem Rogers' Comments

Councilmember Yarbrough said Exceed's product was retraining and placed people back into the community. He congratulated Exceed and Valley Resource Center for providing use of individuals.

Councilmember Yarbrough's Comments

Councilmember Landers voiced support of programs such as Exceed and congratulated Mr. Kroencke in his involvement.

Councilmember Landers' Comments

Mayor Busch also complimented Exceed and Mr. Kroencke.

Mayor Busch's Comment

M/S/C (ROGERS/YARBROUGH) To adopt Negative Declaration 2107.

*Adoption of Negative Declaration 2107
Approved: 4-0
Abstain: Motte*

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

M/S/C (ROGERS/YARBROUGH) To approve the minor adjustment to reduction of parking spaces required by 25% as stated in the report.

*Minor Adjustment of Parking Space Reduction
Approved: 4-0
Abstain: Motte*

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

M/S/C (ROGERS/YARBROUGH) To approve Development Plan Review 02-0031.

*Development Plan Review 02-0031
Approved: 4-0
Abstain: Motte*

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

E. Consideration and discussion to approve proposed Conditional Use Permit 02-0083. A proposal to establish an auto service facility on a .96 acre parcel in the Light Industrial (LI) Zone of the Downtown Specific Plan. Towing services are also proposed, with interior and some exterior storage. All buildings are existing and are located at 871 Park Avenue. Applicant: Swedish Speed.

*Conditional Use Permit 02-0083 Subject COA; & Categorically Exempt from CEQA
Approved: 4-0
Abstain: Yarbrough*

For the record, Councilmember Yarbrough abstained from vote and stepped down from the deus.

Councilmember Yarbrough Abstained

Community Director Gutierrez said Swedish Speed currently operated a business in the northern end of the City and desired to relocate. The site contained existing buildings that would accommodate the operation. The proposal was consistent with the Downtown Specific Plan and contained the appropriate zoning. The proposal had been conditioned to meet all

Community Director Gutierrez's Introduction

parking requirements; existing chain link fence was to be screened through landscaping; and was exempt from California Environmental Quality Act (CEQA). Therefore, staff recommended approval of the conditional use permit.

Con't. Community Director Gutierrez's Introduction

PUBLIC COMMENT:

Mr. Yarbrough, owner of Swedish Speed and Ernie's Towing, gave the history of the business and said the proposal would allow expansion of operation. He thanked staff and looked forward to relocate the upscale business to the Downtown Area and indicated that the majority of the tow storage would be contained within the building.

Applicant, Mr. Yarbrough's Comments

CITY COUNCIL COMMENTS AND DISCUSSION:

Mayor Pro Tem Rogers commented that the proposal increased the business in square footage compared to the previous facility and the volume of business would increase. Therefore, could it be projected that more sales tax dollars would be generated for the City.

Mayor Pro Tem Rogers' Comment & Query on Increase of Sales Tax

In response, Mr. Yarbrough confirmed sales tax dollars would increase and Vintage Restoration had been added to the business. It was anticipated to double staff.

Applicant, Mr. Yarbrough's Response

Councilmember Motte said it made a nice addition to the Downtown.

Councilmember Motte's Comment

Councilmember Landers complimented Mr. Yarbrough on his proposal and voiced approval.

Councilmember Landers' Comments

Mayor Busch welcomed Mr. Yarbrough's business to the Downtown Area.

Mayor Busch's Comment

M/S/C (LANDERS/ROGERS) To approve Conditional Use Permit 02-0083 based on information provided within the Staff Report, plans, exhibits; and subject to the Conditions of Approval.

Conditional Use Permit 02-0083 Subject to COA Approved: 4-0 Abstain: Yarbrough

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

M/S/C (LANDERS/ROGERS) To find the project was categorically exempt from California Environmental Quality Act (CEQA).

Conditional Use Permit 02-0083 – Categorically Exempt from CEQA Approved: 4-0 Abstain: Yarbrough

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

Mayor Busch requested to address Items F, G and H together, which were in regards to annexation of Tract Maps 29654, 29993 and 2994 to maintenance districts.

Mayor Busch's Request to Merge Items F, G & H (Annexation Tract Maps 29654, 29993 & 29994)

- F. Consideration and discussion on the annexation of Tracts 29654, 29993 and 29994 to Maintenance District Number 84-1. *No Action Required*
- G. Consideration and discussion on the annexation of Tracts 29654, 29993 and 29994 to Flood Control Maintenance District Number 1. *No Action Required*
- H. Consideration and discussion on the annexation of Tracts 29654, 29993, and 29994 to Landscape Maintenance District Number 1. *No Action Required*

Ms. Shepherd, Shepherd & Staats, Inc., indicated the annexation area was also known as Phase II of KB Development in May Ranch. On March 12th Council preliminary approved the Engineer's Report and set today as the public meeting for the annexation of the three tracts. Council required no action and this meeting provided the public forum to address the proposed annexation. After tonight the next step would be the public hearing on May 14, 2002. At the close of that public hearing and if Council proceeded with annexation staff would request approval of amendments to the Engineer's Report. One revision would apply to all three districts: revision of the fiscal year referred in the report from 2001-02 to 2002-03. The revision to the Flood Control Maintenance District 1 would be the revenue stream to come from the district as opposed to a homeowners association.

*Shepherd & Staats, Inc.,
Ms. Shepherd's
Introduction
Public Hearing
Scheduled for May 14,
2002 at 6:00 p.m.*

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION: None

NO ACTION REQUIRED FOR ITEMS F, G AND H

- I. Consideration and discussion to waive further reading and introduce Ordinance Number 1099, an ordinance granting a franchise to Southern California Gas Company.

*Adoption Ordinance
Number 1099, Granting
Franchise to Southern
California Gas
Company
Approved: 5-0*

To introduce Ordinance Number 1099 entitled:

AN ORDINANCE OF THE CITY OF PERRIS GRANTING TO SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE PIPES AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING GAS FOR ANY AND ALL PURPOSES UNDER, ALONG, ACROSS OR UPON THE PUBLIC STREET, WAYS, ALLEYS AND PLACES, AS THE SAME NOW OR MAY HEREAFTER EXIST, WITHIN SAID MUNICIPALITY.

City Manager Vasquez indicated that on March 12th an ordinance was introduced declaring the City's intent to grant a franchise agreement to Southern California Gas Company. The ordinance tonight was for second reading and the proposed agreement was a forty-year term with re-opens every ten years in accordance with negotiations on the agreement. State Law established franchise fees and the previous fee would be paid to the City. Therefore, staff recommended approval of the franchise agreement.

*City Manager Vasquez's
Introduction*

PUBLIC COMMENT:

Mr. Ziemer, Public Affairs Manager for Southern California Gas Company, 527 North San Jacinto, Hemet, 92543, thanked Council for the consideration to adopt the franchise.

Southern California Gas Company, Mr. Ziemer's Comments

CITY COUNCIL COMMENTS AND DISCUSSION: None

M/S/C (ROGERS/LANDERS) To adopt Ordinance Number 1099 as read by the Mayor (waive further reading).

*Adoption Ordinance Number 1099, Granting Franchise to Southern California Gas Company
Approved: 5-0*

AYES: Motte, Rogers, Yarbrough, Landers, Busch

NOES:

9.2 CONTINUED PUBLIC HEARINGS:

Mayor Busch cited the resolutions for Items A and B regarding Community Facilities District 2001-1 (May Farms).

Mayor Busch Cited Items A & B's Resolution Title-CFD 2001-1 (May Farms)

City Attorney Dunn said there was ongoing discussions in regards to the facility and because the issues were complex it was recommended to reopen the hearing, take testimony and continue the hearing to May 28th. In making the motion to continue the hearing Council was to make a finding that there was complex issues related to the formation which required additional time to consider.

City Attorney Dunn's Introduction & Instruction to Reopen Hearing; Take Testimony; & Continue Hearing to May 28, 2002

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION: None

A. Consideration and discussion to adopt proposed Resolution Number (next in order), a resolution to determine the validity of prior proceedings, establishing Community Facilities District Number 2001-1 (May Farms), authorizing the levy of a special tax, establish an appropriations limit. (Continued from January 29, 2002 City Council Meeting).

*Resolution Number (next in order) to Establish CFD 2001-1 (May Farms) Continued to May 28, 2002 City Council Meeting
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 (MAY FARMS), 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 (MOTTE/LANDERS) To find that complex issues required additional time to consider Resolution Number (next in order) to establish CFD 2001-1 (May Farms) and continue the hearing to May 28, 2002.

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

Resolution Number (next in order) to Establish CFD 2001-1 (May Farms) Continued to May 28, 2002 City Council Meeting Continuance Approved: 5-0

B. 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). (Continued from January 29, 2002 City Council Meeting).

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.

Resolution Number (next in order) to Incur Bonded Indebtedness of \$98,000,000 within CFD 2001-1 (May Farms) Continued to May 28, 2002 City Council Meeting Continuance Approved: 5-0

M/S/C (MOTTE/LANDERS) To find that complex issues required additional time to consider Resolution Number (next in order) to Incur Bonded Indebtedness within CFD 2001-1 (May Farms) and continue the hearing to May 28, 2002.

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

Resolution Number (next in order) to Incur Bonded Indebtedness of \$98,000,000 within CFD 2001-1 (May Farms) Continued to May 28, 2002 City Council Meeting Continuance Approved: 5-0

10. NON-HEARING ITEMS:

10.1 NEW BUSINESS:

A. Consideration and discussion to adopt plans and specifications for Orange/Indian Avenues Street Widening and Sidewalk Improvement Project and authorize City Clerk to proceed with bid advertisement.

Adoption of Plans & Specification for Orange/Indian Avenues Improvement & Authorize City Clerk to Proceed with Bid Advertisement Approved: 5-0

City Engineer Motlagh's introduction included:

- The City had worked with Val Verde School District in the attempt for them to proceed with their sewer main installation project on Indian Avenue;
- Construction would commence on June 10th and complete June 22nd;
- That time line should give the City's contractor time to proceed with the improvements on Orange Avenue to Indian Avenue;

City Engineer Motlagh's Introduction

- Sidewalk improvements would continue on the west side of Indian Avenue from Orange Avenue to Val Verde Elementary School;
- Part of the proposal was to widen Indian Avenue across from the school and additional pavement rehabilitation north and south of the school site to Placentia Avenue;
- There was a \$300,000 budget as of this calendar year and an additional \$50,000 would be requested in the upcoming budget;
- Construction commencement date was June 17th and hope to complete by August 16th;
- If the contractor went beyond August 16th there was a \$1,000 liquidated damages, per day, that could be assessed.

*Con't. City Engineer
Motlagh's Introduction*

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Yarbrough voiced appreciation of the engineer working with the school district to coordinate the sewer project with the City's improvement project.

*Councilmember
Yarbrough's Comments*

M/S/C (YARBROUGH/LANDERS) To adopt the plans and specifications as outlined in the Staff Report and authorize the City Clerk to proceed with the bid advertisement.

*Adoption of Plans &
Specification for
Orange/Indian Avenues
Improvements &
Authorize City Clerk to
Proceed with Bid
Advertisement
Approved: 5-0*

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

- B. Consideration and discussion to approve Street Naming Case No. 02-0065 to assign the new street names of Willowbrook Lane and Brookside Lane to facilitate the future development of Tract Map 24111.

*Street Naming Case 02-
0065 - assign new street
names of Willowbrook
Lane & Brookside Lane
(TM 24111)
Approved: 5-0*

Community Director Gutierrez indicated Council was responsible for taking final action for the streets proposed. The street names were reviewed to assure they were not duplicated, not inconsistent, and the theme coordinated with the established and surrounding developments. Therefore, staff recommended approval of Street Naming Case 02-0065 to assign the new street names of Willowbrook Lane and Brookside Lane to facilitate the future development of Tract Map 24111.

*Community Director
Gutierrez's Introduction*

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION: None

M/S/C (ROGERS /MOTTE) To approve Street Naming Case No. 02-0065 to assign the new street names of Willowbrook Lane and Brookside Lane to facilitate the future development of Tract Map 24111.

*Street Naming Case 02-
0065 - assign new street
names of Willowbrook
Land & Brookside Lane
(TM 24111)
Approved: 5-0*

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

10.2 OLD BUSINESS:

Mayor Busch requested to address Items A through E together and cited each resolution.

Mayor Busch Cited Resolutions of Items A through E

Ms. Shepherd, Shepherd & Staats, Inc., said on March 12th the annual process for the levy of assessments were instituted. Tonight's action would preliminary approve the Engineer's Report and set the public meeting and hearing for the month of June. There were no increased assessments proposed for this year.

Shepherd & Staats, Inc., Ms. Shepherd's Introduction

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION: None

- A. Consideration and discussion to adopt proposed Resolution Number 2939, a resolution approving Engineer's Report, Fiscal Year 2002-2003, for Landscape Maintenance District Number 1.

*Resolution Number 2939, Approving Engineer's Report FY 2002-2003, Landscape Maintenance District Number 1
Approved: 5-0*

To adopt proposed Resolution Number 2939 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ENGINEER'S REPORT FOR LEVY OF ANNUAL ASSESSMENTS FOR FISCAL YEAR 2002-2003 FOR CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1.

- B. Consideration and discussion to adopt proposed Resolution Number 2940, a resolution declaring intention to levy and collect assessment for Fiscal Year 2002-2003 in City of Perris Landscape Maintenance District Number 1.

*Adoption Resolution Number 2940, Declaring Intention to Levy & Collect Assessments FY 2002-03 Landscape Maintenance District 1
Approved: 5-0*

To adopt proposed Resolution Number 2940 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2002-2003 FOR CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

- C. Consideration and discussion to adopt proposed Resolution Number 2941, a resolution approving Engineer's Report, Fiscal Year 2002-2003, for Maintenance District Number 84-1.

*Resolution Number 2941, Approving Engineer's Report FY 2002-2003, Maintenance District Number 84-1
Approved: 5-0*

To adopt proposed Resolution Number 2941 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ENGINEER'S REPORT FOR LEVY OF ANNUAL ASSESSMENTS FOR FISCAL YEAR 2002-2003 FOR CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1.

- D. Consideration and discussion to adopt proposed Resolution Number 2942, a resolution declaring intention to levy and collect assessment for Fiscal Year 2002-2003 in City of Perris Maintenance District Number 84-1.

Adoption Resolution Number 2942, Declaring Intention to Levy & Collect Assessments FY 2002-03 Maintenance District 84-1 Approved: 5-0

To adopt proposed Resolution Number 2942 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2002-2003 FOR CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

- E. Consideration and discussion to adopt proposed Resolution Number 2943, a resolution declaring intention to levy and collect assessment for Fiscal Year 2002-2003 in City of Perris Flood Control Maintenance District Number 1.

Adoption Resolution Number 2943, Declaring Intention to Levy & Collect Assessments FY 2002-03 Flood Control Maintenance District 1 Approved: 5-0

To adopt proposed Resolution Number 2943 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2002-2003 FOR CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

- M/S/C (ROGERS/YARBROUGH) To adopt Resolution 2939, approving Engineer's Report FY 2002-03 and Resolution 2940, declaring intention to levy and collect assessments FY 2002-03, for Landscape Maintenance District 1; Resolution 2941, approving Engineer's Report FY 2002-03 and Resolution 2942, declaring intention to levy and collect assessments FY 2002-03, for Maintenance District 84-1; and Resolution 2943, declaring intention to levy and collect assessments FY 2002-03, for Flood Control Maintenance District 1.

Adoption of : Resolution Numbers 2939 & 2940 for Landscape Maintenance District 1; Resolution Numbers 2941 & 2942 for Maintenance District 84-1; & Resolution Number 2943 for Flood Control Maintenance District 1 Approved: 5-0

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

11. **PUBLIC COMMENT:** None

12. **CITY COUNCIL COMMENTS:** None

Mayor Pro Tem Rogers reported her attendance to the I-215 Corridor Policy Committee which was held April 18th. The committee dealt with jobs, housing, economic development along the I-215 Corridor and would meet quarterly. There were concerns on adequate housing needs and within the next ten years and it was anticipated that 1.5 million people would move into the County as well as additional 500,000 new jobs. At the next Council Meeting, May 14th, Mayor Pro Tem Rogers and City Manager Vasquez intend to be out of town to lobby the Governor to restore \$1.6 million for maternal child health care programs.

Mayor Pro Tem Rogers' Report on I-215 Corridor Policy Committee & Lobby Governor May 14th

Councilmember Landers reported Councilmember Yarbrough, City Engineer Motlagh and he, met with EMWD which resulted in an understanding of partnership between both parties. On May 1st Councilmember Landers and Mayor Busch had a Joint Powers Authority Meeting where the selection of an Executive Director would be made. Councilmember Landers gave his condolence to the family of Mr. Gerald Garner, Perris Hospital's CEO/General Manager, who passed away on Sunday morning and requested Council to adjourn in honor of the late Mr. Garner.

Councilmember Landers' Report of Meetings & Condolence to the Garner Family

Councilmember Yarbrough thanked staff and the Orange Empire Railway Museum for the successful Rods and Rails Festival.

Councilmember Yarbrough's Comments on Rods & Rail Festival

Mayor Busch voiced pleasure in the presentation of a proclamation to the March of Dimes, of which Mayor Pro Tem Rogers was Chairperson. There were over 1,200 participants in the event, including City Manager Vasquez. Councilmember Landers and City Clerk Rey also attended the event. On April 29th the grand opening, for Amtrak, was held in Riverside. The Perris Senior Center requested action on a matter of concern and that request would be sent forth to Council for discussion and action in the near future.

Mayor Busch's Report on the March of Dimes Event; Amtrak

13. CITY COUNCIL COMMITTEE REPORTS: None

14. CITY MANAGER'S REPORT:

City Manager Vasquez reported on the successful Community Clean-up Day in the Downtown Area and on that day CR & R offered, at no cost, the opportunity for all residents to take trash to the waste disposal station. Also, the City Newsletter was in process and would be distributed, to residents, by the end of May. A call was received from the Ross Company's corporate office to inform the City of their announcement, to all their employees, of the move to the Perris Warehouse and the incentive offered to move to Perris. About 1,000 jobs were created as a result of the new warehouse facility.

City Manager Vasquez's Report: Clean-up Day, CR & R Free Waste Disposal Entrance; Ross Company

Mayor Pro Tem Rogers informed Council that the Los Angeles Times Business Section did a press release in regards to the Ross Company's move to Perris.

Mayor Pro Tem Rogers' Comment: Ross Co. Press Release in LA Times

15. AGENDA ITEMS/MEETING REQUESTS AND REVIEW:

Councilmember Landers requested to agendize the consideration of a pay increase for Margaret Rey, City Clerk.

Councilmember Landers' Request

City Manager Vasquez indicated that the matter would be considered at the draft budget review and a report brought back to City Council.

City Manager Vasquez's Comments: City Clerk's Pay Increase

Mayor Busch cited the Closed Session item and called the Redevelopment Agency Meeting to order.

7:40 p.m. RDA Meeting Called to Order

16. CLOSED SESSION:

7:43 p.m. Adjourned to Closed Session

- A. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9 (a)
Claim for Vance Corporation

No Reportable Action Taken

Mayor Busch called the City Council Meeting back to order and requested City Attorney Dunn to report on the Closed Session.

Meeting Called Back to Order

City Attorney Dunn reported discussion was held and direction was given, but no reportable action taken.

City Attorney Dunn's Closed Session Report

17. ADJOURNMENT: By unanimous consent the Regular City Council Meeting was adjourned at 8:30 p.m.

8:30 p.m. Regular City Council Meeting Adjourned

Respectfully Submitted,

Margaret Rey, City Clerk