CITY OF PERRIS

MINUTES: Regular City Council Meeting

Date of Meeting: 25 June, 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

All Present

2. ROLL CALL:

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

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

3. INVOCATION:

Reverend Capers Gave Invocation

4. PLEDGE OF ALLEGIANCE:

Councilmember Yarbrough Led the Pledge

5. PRESENTATIONS:

A. Perris Chamber of Commerce to present Council with a Rods & Rails 2002 Report and an Appreciation Award to the City for their participation.

Perris Chamber of Commerce Presentation

Mr. Alalde, Perris Chamber of Commerce, thanked the City for their participation in the Rods & Rails Festival and presented an Appreciation Award to the City. He especially thanked Maria Stewart, Michael Tanney, Jeff McMickel, Edward Gutierrez, and Ken Martin and presented a plaque to each City employee.

Perris Chamber of Commerce, Mr. Alalde's Presentation

Mr. Mullins, Rods & Rails, thanked the City for their participation and gave the Rods & Rails Festival 2002 Report.

Rods & Rails Festival, Mr. Mullins' Report

Councilmember Yarbrough commented on envisioning the event to become as big as Temecula's events and congratulated everyone who participated in the special event. Councilmember Yarbrough's Comments

6. **APPROVAL OF MINUTES:**

To approve the minutes of the Special City Council Meeting of June 4, 2002, Special City Council Meeting of June 11 and Regular City Council of June 11, 2002.

Minutes of Special City Council Meeting 6/4/02 Approved: 3-0 Abstain: Rogers, Landers

M/S/C (MOTTE/YARBROUGH) To approve the minutes of the Special City Council Meeting of June 4, 2002.

AYES: Busch, Yarbrough, Motte

NOES:

ABSTAIN: Rogers, Landers

M/S/C (YARBROUGH/ROGERS) To approve the minutes of the Regular City Council of June 11, 2002.

AYES: Yarbrough, Landers, Motte, Rogers, Busch

NOES:

Minutes of the Regular Council Meeting of 6/11/02 Approved: 5-0

7. PUBLIC COMMENT ON CONSENT CALENDAR ITEMS ONLY:

Mr. Vidal requested a Councilmember to pull Item E of the Consent Calendar in regards to the agreement with City Associates, Inc.

Item E, Agreement with City Associates, Inc. **Pulled for Clarification**

Councilmember Landers pulled Item E of the Consent Calendar.

Councilmember Landers Pulled Item E

8. **CONSENT CALENDAR**

A. To adopt for second reading, Ordinance Number 1103, Ordinance Amendment 02-0066, amending Chapter 19.50, Chapter 19.54 and Section 19.81.080A.

To adopt Ordinance Number 1103 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS. COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING CHAPTER 19.50 (DEVELOPMENT PLAN REOUIREMENTS) AND CHAPTER 19.54 (AUTHORITY AND REVIEW PROCEDURES) AND SECTION 19.81.080A (FINDINGS FOR SECOND DWELLING UNITS) OF THE PERRIS MUNICIPAL CODE.

B. To adopt for second reading, Ordinance Number 1104 authorizing the levy of special tax within Community Facilities District Number 2001-3 (North Perris Public Safety) of the City of Perris.

To adopt Ordinance Number 1104 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NUMBER 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT.

Ordinance Number 1103, Ordinance 02-0066 Amendment to Chapter 19 of the Perris Municipal Code - Authority & Review Procedures Approved: 5-0

Ordinance Number 1104, Levy Special Tax CFD 2001-3 (North Perris Public Safety) Approved: 5-0

C. To approve adoption of proposed Resolution Number 2961, amending the rubbish collection charges as permitted in Section 7.16.050 (D) of the Perris Municipal Code and rescind Resolution Number 2843.

To adopt proposed Resolution Number 2961 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING RUBBISH COLLECTION CHARGES AS PERMITTED IN SECTION 7.16.050 (D) OF THE PERRIS MUNICIPAL CODE AND RESCINDING RESOLUTION NUMBER 2843.

Resolution Number 2961, Amending Rubbish Collection Charges & Rescind Resolution Number 2843 Approved: 5-0

D. To adopt proposed Resolution Number 2962 authorizing continuing appropriations and expenditures on the basis of Budget for Fiscal Year 2001-2002.

Resolution Number 2962, Authorizing Continuing Appropriations & Expenditures Based on FY 2001-02 Budget Approved: 5-0

To adopt proposed Resolution Number 2962 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, AUTHORIZING CONTINUING APPROPRIATIONS AND EXPENDITURES ON THE BASIS OF THE FISCAL YEAR 2001-2002 BUDGET FOR FISCAL YEAR 2002-2003, UNTIL THE ADOPTION OF THE 2002-2003 BUDGET.

E. To approve an agreement with City Associates, Inc. to provide professional services in facilitating a multi-agency, multi-use sports facility in the City of Perris. Authorize the City Manager to execute the agreement with the approval of the City Attorney as to format.

City Associates, Inc. Agreement-Provide Professional Services in Facilitating a Multi-Use Sports Facility Approved: 5-0

City Manager Vasquez said the item was in regards to parks, recreation and open space, which was severely under served because of the inadequate facilities to serve the young people of the community. The City had received a \$500,000 grant from the state for remodel and expansion of the gymnasium. Activity park space was a key issue in this community; there were numerous soccer and baseball teams that overlapped because of too many people utilizing the fields. The recommendation was to develop a multi-sports complex within the City, which would encompass other agencies that required a sport facility (i.e. schools, community colleges, Economic Development Agency). All the be reviewed and coordination/creation of a Powers/Combined Authority would seek grants and federal funding for the sports complex. The proposal was to: 1) identify what each agency required and how they visualized themselves as part of the authority; 2) fund resources; 3) coordinate among the facilities to make it occur. This recommendation was to enter into an agreement with City Associates as the facilitator on an hourly basis in an amount not to exceed \$38,000 to aid in facilitate the project.

City Manager Vasquez's Presentation

Councilmember Landers explained that this proposal was previously agendized and was removed because of consultant's cost and indicated that he did not understand the process of what the company was to do; However he was in support of the multi-sports concept.

Councilmember Landers' Comments Re: Proposal

M/S/C (ROGERS/MOTTE) To approve an agreement with City Associates, Inc. to provide professional services in facilitating a multi-agency, multi-use sports facility in the City of Perris. Authorize the City Manager to execute the agreement with the approval of the City Attorney as to format.

City Associates, Inc. Agreement-Provide Professional Services in Facilitating a Multi-Use Sports Facility Approved: 5-0

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

F. To approve the Animal Control Services Agreement between the City of Perris and the City of Moreno Valley.

Animal Services Agreement Approved: 5-0

M/S/C (YARBROUGH/ROGERS) To approve the balance of the Consent Calendar as presented.

Balance of Consent Calendar Approved: 5-0

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

9. PUBLIC HEARINGS:

9.1 NEW PUBLIC HEARINGS:

Items A, B, and C of New Public Hearings was heard together and Mayor Busch cited the proposed resolutions for Maintenance District 84-1, Landscaping Maintenance District 1 and Flood Control Maintenance District 1.

Ms. Shepherd, Shepherd & Staats, commented that tonight was the public hearing required to levy of Fiscal Year 2002-2003 maintenance assessments which included Landscape Maintenance District Number 1 for public park ways and parks; Flood Control Maintenance District Number 1 for flood control facilities; and Maintenance District Number 84-1 for streetlights and traffic signals. At the close of the public hearing staff would request that City Council approve the resolutions listed on the agenda. The resolutions would confirm this year's assessments and the final action required for the levy of the assessments. Due to the conversion of traffic signals energy usage was reduced, the deficit was made up and Southern California Edison's increase last year was absorbed without increasing the assessments. Therefore, there were no increases.

Shepherd & Staats, Ms. Shepherd's Presentation

City Engineer Motlagh commented that in regards to the conversion the City made the choice not to charge the cost to the Maintenance District 84-1. Other funds/resources were utilized: 1) half of the cost was from an Edison grant; 2) the other half (\$50,000) was taken from the signal funds and other funds.

City Engineer Motlagh's Comments Re: Assessment Cost

PUBLIC COMMENT:

Mr. Vidal commented on replacement of trees, shrubbery and ground cover and water billing for landscape.

Mr. Vidal's Comment

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Yarbrough commented on the savings of the traffic signal upgrade and indicated it was important, for public safety, to improve and maintain lighting. He commented on a program to selectively reduce lighting for the north part of the City.

Councilmember Yarbrough's Comments Re: Traffic Signal Upgrade Savings & Lighting

Mayor Busch supported a program to selectively reduce lighting.

Mayor Busch's Comment

A. Consideration and discussion to adopt proposed Resolution Number 2963 confirming the assessments under Maintenance District 84-1 for Fiscal Year 2002-2003. Adoption of Resolution Number 2963 Confirming Assessments for Maintenance District 84-1 – FY 2002-03 Approved: 5-0

To adopt proposed Resolution Number 2963 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE CONTINUED OPERATION OF THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, CONFIRMING THE ASSESSMENT AND DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS FOR FISCAL YEAR 2002-2003.

M/S/C (ROGERS/YARBROUGH) To adopt proposed Resolution Number 2963 confirming the assessments under Maintenance District Number 84-1 for Fiscal Year 2002-2003.

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

B. Consideration and discussion to adopt proposed Resolution Number 2964 confirming the assessments under Landscape Maintenance District Number 1 for Fiscal Year 2002-2003.

To adopt proposed Resolution Number 2964 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE CONTINUED OPERATION OF THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, CONFIRMING THE ASSESSMENT AND DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS FOR FISCAL YEAR 2002-2003.

M/S/C (ROGERS/YARBROUGH) to adopt proposed Resolution Number 2964 confirming the assessments under Landscape Maintenance District Number 1 for Fiscal Year 2002-2003.

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

Adoption of Resolution Number 2964 Confirming Assessments for Landscape Maintenance District 1- FY 2002-03 Approved: 5-0 C. Consideration and discussion to adopt proposed Resolution Number 2965 confirming the assessments under Flood Control Maintenance District Number 1 for Fiscal Year 2002-2003.

To adopt proposed Resolution Number 2965 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE CONTINUED OPERATION OF THE CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, CONFIRMING THE ASSESSMENT AND DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS FOR FISCAL YEAR 2002-2003.

M/S/C (ROGERS/YARBOUGH) to adopt proposed Resolution Number 2963 confirming the assessments under Flood Control Maintenance District Number 1 for Fiscal Year 2002-2003.

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

9.2 **CONTINUED PUBLIC HEARINGS:**

A. Consideration and discussion to approve Revised Tentative Tract 29994 (Case No. 02-0080): Tentative Tract 30490 (Case Number 02-0078); and Tentative Tract 30518 (Case No. 02-0079). A proposal to create three Tentative Tract Maps for development in the May Ranch Specific Plan, including Planning Areas 10, 11, 12, 13, 14, 20 and 21. Applicant: KB Home Coastal, Inc. (Continued from June 11, 2002, City Council Meeting).

Mr. Miller, Project Planner, said on May 28 the three tentative tracts were originally presented to Council along with the Second Amendment to the May Ranch Specific Plan. There were issues that the developer and staff continued to resolve. The presentation included:

- The proposal was to revise the lots to 72,000 square feet in the eastern half of the property (Tract Map 29994 revised);
- In the west half of the EMWD property twenty-four lots remained at 20,000 square
- South of the EMWD property (Tract Maps 30490 and 30518) were proposed for 5,000 and 4,500 square foot lots which were consistent with the original specific plan:
- Two major changes that affected the area were: 1) elimination of May Ranch Parkway; 2) relocation of the parks to be consolidated with the existing park;
- 732 lots were proposed for all three tracts;
- The development agreement made provisions for EMWD's property for alternatives if the City and developer were not successful in negotiated an agreement with EMWD;
- A negative declaration was approved on May 28 and addressed the modifications that related to the three tract maps.

In summary, staff recommended approval of the three tract maps subject to the conditions presented in the staff report.

Adoption of Resolution Number 2965 Confirming Assessments for Flood Control Maintenance District 1- FY 2002-03 Approved: 5-0

Revised Tentative Tract Maps 29994, 30490 and 30518 Approved: 5-0

Project Planner, Mr. Miller's Presentation

PUBLIC COMMENT:

Mr. Johnson, KB Home, voiced agreement with the conditions and appreciated staff's time.

KB Home, Mr. Johnson's Comment Re: Agreed with Conditions

Mr. Vidal requested Council to deny approval of the tentative tract maps because there was not sufficient fire protection services.

Mr. Vidal's Comment

In response, Mr. Johnson indicated that at the last Council meeting a Fire Community Facilities District was approved and the major structure of that was a fee for all new home developments. The fee structure included both capital facilities and an on-going \$250 annual operating expense. If this proposal were not approved then the fees would not be paid.

KB Home, Mr. Johnson's Response

Mr. Vidal said the CFD monies would be utilized, but to staff a new fire station the monies would not be sufficient. He commented on implementation of a Public Safety Tax and commented that no new homes should be built in the northern portion of the City.

Mr. Vidal's Rebuttal

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Landers agreed with no new homes built unless provisions were made for public safety (fire and police protection).

Councilmember Landers' Comments Re: Public Safety

City Manager Vasquez said the City was in the process of approving the Public Safety Community Facilities District that would provide an on-going revenue stream for police /staffing services. At this point cost for construction of a facility and the \$500,000 would be available. Other agreements would contribute towards public safety and part of the City's budget would include an agreement with Moreno Valley Fire Department to provide interim response time (under five minutes) to the May Ranch area. There were a number of capital costs directed towards public safety and an on-going revenue stream to maintain and operate a facility. Every project reviewed would be conditioned to participate in the Public Safety Community Facilities District.

City Manager Vasquez's Comments Re: Public Safety

Councilmember Landers asked if McCanna Ranch was contributing to the public safety. It was confirmed that McCanna Ranch did contribute. Councilmember Landers' Questioned McCanna Ranch Contribution

Mayor Pro Tem Rogers voiced pleasure that the issues had been resolved and commended the developer(s) for participating and payment of adequate fees for the Public Safety CFD.

Mayor Pro Tem Rogers' Comment Re: Resolved Issues & Public Safety CFD

Councilmember Yarbrough also commended the developers on their participation of the Public Safety CFD; and said it was important the linear park existed/extended through the three projects. He asked if Barratt was in agreement with EMWD's property.

Councilmember Yarbrough's Comment Re: Public Safety CFD Participation In response, Mr. Miller said Barratt owned the fee title to the land and EMWD had an easement over the Barratt property. Eastern Municipal Water District owned the fee title to the land within the KB Home area. There was the possibility that within five to ten years EMWD would replace the aqueduct line(s) and they had expressed concerns that the area remain parkland. The specific plan called out for the area to be improved although the development agreement did provide for alternatives. If the alternatives were to be followed then staff would obtain approval of any alternatives from Council.

Project Planner, Mr. Miller's Response

Mayor Busch pointed out that the money for the Public Safety CFD was based on construction and cash on request.

Mayor Busch's Comment Re: Public Safety CFD Monies

M/S/C (LANDERS/MOTTE) to approve Revised Tentative Tract 29994 (Case No. 02-0080); Tentative Tract 30490 (Case Number 02-0078); and Tentative Tract 30518 (Case No. 02-0079).

Revised Tentative Tract Maps 29994, 30490 and 30518 Approved: 5-0

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

10. **NON-HEARING ITEMS:**

10.1 NEW BUSINESS: None

10.2 **OLD BUSINESS:**

A. Consideration and discussion to adopt Resolution (next in order) rescinding the refinancing of the Perris Public Financing Authority Tax Allocation Revenue Bonds relating to the Central and North Redevelopment Project Area. (Continued from June 11, 2002, City Council Meeting).

Direct Bond Counsel to Proceed with Issuance of Bonds, Series A, B and Series C as Previously Directed by City Council Approved: 3-2 Noes: Rogers, Motte

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS RESCINDING THE REFINANCING OF CERTAIN OBLIGATIONS OF THE PERRIS PUBLIC FINANCING AUTHORITY IN CONNECTION WITH THE ISSUANCE OF PERRIS PUBLIC FINANCING AUTHORITY TAX ALLOCATION REVENUE BONDS.

City Manager Vasquez indicated that there were concerns in regards to issuance of bonds, the process and purpose and after meeting with the financial team many of the concerns were answered. The refinancing was to reduce the annual debt of the Redevelopment Agency and to secure due debt in profits. There were three series of bonds, A, B and C. Series A and B were directed to reduce debt (lower interest rate not pulling money from the refinancing) and extension of the term; Series C was designed to draw new money, which would amount to \$2.7 million and would be utilized in that project area. The Series C was unique in that Council would decide whether they wished to proceed with additional bond debt, to fund project within the Central Project Area or forego the process.

City Manager Vasquez's Presentation

PUBLIC COMMENT:

Mr. Vidal commented that this item should be heard at the Redevelopment Agency Meeting.

Mr. Vidal's Comment

CITY COUNCIL COMMENTS AND DISCUSSION:

Mayor Pro Tem Rogers commented that she understood to receive the \$2.7 Million the City would extend the debt out an additional fourteen years. That would be an approximation of \$800,000 per year and there would be \$12 Million in additional fees the City would pay and that was a major concern. This proposal should have been planned for earmarking the money. There was \$1.8 Million in housing funds available and \$1.2 Million in the 1987 and 1994 Project Areas that could be allocated. A year ago the City went out for the bonds due to the major health and safety issues with the sewer system which was necessary. But, she did not see the fiscal prudence in extending the debt for \$12 Million to raise \$2.7 Million when the City actually had \$1.8 and \$1.2 Million available.

Mayor Pro Tem Rogers' Comment Re: Refinancing

In response, Mr. Gunn, Gunn & Associates, said Bonds, Series A and B's sole purpose was to refund the existing debt with no new money. The annual debt service would be lowered by \$370,000, the City was currently paying \$1,014,000 annually and the re-debt service would be about \$644,000 annually. With the insurance, Triple A rating, and the term extended there would be a net present value savings at a lower interest rate. In regards to Series C, a new money issue, was to raise new money for projects. The utilization of those monies had not been reviewed properly by Council or priorities set by projects. It was agreed to place the monies with trustees in escrow until such time Council came up with a list of priorities.

Gunn & Associates, Mr. Gunn's Response

Mayor Busch asked how long would the term be extended on Series A and B.

Mayor Busch's Query Re: Series A & B Extended Term

In response, Mr. Gunn said the existing issues mature in year 2017-2020 and would be extended to year 2031 (fourteen years).

> Mayor Pro Tem Rogers' Comment Re: \$2.7 Million & Additional Debt Incurred

In regards to the component of Series C, Mayor Pro Tem Rogers said it would be the \$2.7 Million and would incur additional debt for fourteen years. It would cost the City \$12 Million to achieve \$2.7 Million. Mayor Pro Tem Rogers felt Series C was not fiscally prudent to achieve and by extending Series A and B another fourteen years would not incur anymore out of pocket cost. In the project area that had the \$1.4 Million debt figures reflect that the Agency had \$1.2 Million in property held by that project area and was neither currently up for sale nor on the tax rolls. If we took that property and placed it on the tax rolls or sold it then the City would eliminate a great portion of that debt. In response, Mr. Gunn said the City would actually extend the new debt for thirty years. Besides the annual reduction there was a present value savings, extension of debt, and interest paid over the additional fourteen years the City would still have a present value savings.

Gunn & Associates, Mr. Gunn's Response

Councilmember Landers commented that in 1992 the City had Series A and B refinanced and the debt balance was \$7.6 Million. He asked if there was another debt of \$4.6 Million. In regards to Series C it would not be fiscally prudent to refinance at this time. He voiced support of refinancing Series A and B, but not Series C.

Councilmember Landers' Comments Re: Series A & **B** Refinance

Mr. Gunn confirmed that Series A and B was refinanced in 1992 and the two issues to refinance were issued in 1992. Series C was a policy decision not a financial decision.

> Councilmember Yarbrough's Comments Re: Refinancing of Bonds Discussed One Year Ago

Councilmember Yarbrough commented that over a year ago Council had a meeting to discuss this issue and a number of options were discussed. Council knew there would be cost and debt when they requested Bond Counsel to look into refinancing of the bonds. \$370,000 was a substantial savings and Council agreed they would be proactive and to retain money to work with.

> City Attorney Dunn's Comments Re: Restricted Use of Monies

City Attorney Dunn said in the past the City set up three project areas and those monies were restricted for use within those areas. The \$1.8 Million that existed in the Downtown Fund was part of the 20% set aside funds that were restricted for assisting low and moderate-income housing. There was zero monies in the Downtown Redevelopment Project Fund that the City had available to do any economic development. The point of the new monies was the availability for it being directed to economic purposes and was not supported by the 20% set aside fund.

> Gunn & Associates, Mr. Gunn's Comments Re: Series C

In regards to Series C, Mr. Gunn said the alternative would be to issue the bond, place the monies in the bank, restrict the monies and hold work sessions on how to utilize the monies.

> Mayor Pro Tem Rogers' Suggestion Re: Balances of Housing Funds

Mayor Pro Tem Rogers suggested that the Finance Director give the amount of money available in each of the housing funds for each project areas.

> City Attorney Dunn's Comments

Finance Director Rogers-Elmore did not have the information available.

City Attorney Dunn said previously a resolution was adopted by Council to proceed with the refinancing of Series A, B and C. At the last meeting, by minute order, refinancing was ordered to cease while the review took place. If it were Council's direction to proceed then a motion would be required to continue with the refinancing as previously directed by Council.

M/S/C (YARBROUGH/LANDERS) To direct staff to direct Bond Counsel, as previously directed by Council, to issue the Bonds for Series C, and proceed on Series A and B.

AYES: Busch, Yarbrough, Landers

NOES: Rogers, Motte

B. Consideration and discussion to approve March Joint Powers Utilities Authority Agreement between the Cities of Riverside, Moreno Valley and Perris. (Continued from June 11, 2002, City Council Meeting).

City Attorney Dunn commented the March Joint Powers Authority (JPA) proposed to create a Joint Powers Utilities Authority to provide utility services to the March Air Reserve Base. The question was on how to set up a Joint Powers Authority so that the Cities of Riverside, Moreno Valley and Perris would participate. attorneys from the various Cities addressed two issues: 1) once the JPA was formed a service agreement would be negotiated with an electric utility provider. During discussion Riverside wanted to add language into the agreement that would require the Cities to be obligated for any financial short fall that may occur if a utility user defaulted in a payment. Moreno Valley and Perris proposed language to set up a procedural mechanism so that Cities could veto any budget shortfall imposed upon the Cities. As a compromise language was revised so to develop a plan for covering any shortfall. Therefore, it was recommended to create the Joint Powers Authority which would not put a financial obligation upon the City.

Mr. Rizzo said the agreement did not have any financial obligations and the business plan would take a considerable amount of time to work out all the details. Negotiations could not proceed with any utility provider until the agreement was finalized.

PUBLIC COMMENT: None

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Landers asked Mr. Rizzo how important was the proposal and Council could not approve what was presented. I understand that Perris could be holding the bag financially if it did not work.

In response, Mr. Rizzo said the City Attorney would approve the agreement in final form. There were no financial commitments within the agreement and it allowed negotiations to proceed with Riverside for power to the west side of the base. There was an obligation to cut off the power with the United States Air Force by September 30. Negotiations need to proceed with Riverside and Southern California Edison for electrical power.

Direct Bond Counsel to Proceed with Issuance of Bonds, Series A, B and Series C as Previously Directed by City Council Approved: 3-2 Noes: Rogers, Motte

March Joint Powers Utilities Authority Agreement Approved: 5-0

City Attorney Dunn's Presentation

March Joint Powers Authority, Mr. Rizzo's Comments Re: Agreement

Councilmember Landers' Query Re: Current Contract Submittal

March Joint Powers Authority, Mr. Rizzo's Response M/S/C (MOTTE/YARBROUGH) To approve March Joint Powers Utilities Authority Agreement between the Cities of Riverside, Moreno Valley and Perris subject to the revision by legal counsel.

March Joint Powers Utilities Authority Agreement Approved: 5-0

Yarbrough, Landers, Motte, Rogers, Busch AYES:

NOES:

11. **PUBLIC COMMENT:**

Ms. Gibbel, Eastern Municipal Water District, commented that it was brought to EMWD's attention that Perris' Water Department had not fulfilled the requirement of the Consumer Confidence Report/Water Quality. The City received enough reports to hand out to their customers.

Eastern Municipal Water District, Ms. Gibbel's Comment

Ms. Foster, California Country Tract resident, said the City was obligated to maintain the Landscaping Maintenance District and for the last ten months she had tried to get the Public Works Department to utilize the money taken through the property taxes. In August of 2001 Sycamore trees were dying, ground cover had died and there were contiguous areas where grass had died. Mr. Ortega, of Public Works, was informed of the situation and he took weeks to address the issue and was the most unprofessional person she had ever communicated with. Public Works never checked the sprinkler system before the water was turned on or after. The water gushed from the sprinklers and she informed Public Works. Ms. Foster waited several days for Public Works to return and she finally replaced the pop-up sprinklers. The maintenance people for the sprinkler system plugged up the line and never replaced the uprights and now there was an area that was never watered. In the last ten months the sprinklers had not been on for more than a month. She read the following questions she wanted Council to answer:

Ms. Foster's Comments

- Where had the money gone from the assessments fees;
- Is the City replacing the vegetation that died;
- Municipal Code required residents to maintain front yard landscaping and yet the City was breaking its own laws by not maintaining boulevard landscaping;
- When will City and Public Works be accountable for their responsibilities.

Ms. Foster requested someone with responsibility and accountability to call her to provide answers.

Doctor Marvin Brown, First Baptist Church of Perris, 210 East 5th Street, commented on the City's positive move towards recreation for the youth and hoped the City would address the area at Highway 74 and 4th Street where it was dangerous and congested.

Doctor Brown's **Comments**

Mr. Vidal commented that Moreno Valley Fire Station had an eight-minute response time to the new KB Home project. He commented on Public Safety Community Facilities District money would raise \$300,000 to \$325,000 annually and \$700,000 was required to operate a fire station; and Grand Jury Report was to place the new Sheriff's Station on the six acres behind the existing Police Station. He suggested utilizing the area for a park.

Mr. Vidal's Comments

Mr. Schroeder commented on public safety and adequate law enforcement.

Mr. Schroeder's Comment

12. CITY COUNCIL COMMENTS:

Mayor Pro Tem Rogers said Councilmember Landers and she attended the Community Action Planning Retreat in Palm Springs and reiterated, to the public, that Community Action Committee had voted for a new name and logo in order for the public to take advantage of the programs. The new name was the Community Action Partnership and the telephone number in Riverside was (909) 955-4900. In addition to energy assistance they had funds available through the Community Investment Corporation at \$25,000 for business loans for a first time business plan; and a two for one matching dollars for low-income to match a \$2,000 savings plan.

Mayor Pro Tem Rogers'
Comments

Councilmember Landers commended Olivia Gutierrez for her professionalism.

Councilmember Landers' Comment

Councilmember Yarbrough commented on Riverside County Conservation Agency approved budget and the allocation of monies for priorities. In regards to Public Safety the City budgeted half of the budget to Police Protection. To make a difference in the City would to solve problems within and become involved. An example was the Volunteer Citizens Patrol that patrolled thirty-two square miles, which provided over 3,000 volunteer hours per year.

Councilmember Yarbrough's Comments

Mayor Busch commented on the land located near the Train Depot was owned by Riverside County Transportation Commission (RCTC) and that was where the future Metro-Link Station would be located. He commented on a meeting regarding dedication of tracks up to the museum for a Trolley Service. On Saturday, June 22 Congressman Issas threw the first pitch of the Storm's game and he was receptive to the needs within the City of Perris.

Mayor Busch's Comments

13. CITY COUNCIL COMMITTEE REPORTS: None

14. CITY MANAGER'S REPORT:

City Manager Vasquez reported, if Council was available, that there was to be a Budget WorkShop on Tuesday, July 2, at 3:00 p.m. On Thursday, June 27, at 7:00 p.m., the first Concert was to be held in the park. In response to concerns regarding a City employee being responsive to complaint process, City Manager Vasquez said it would be looked into. Generally, the employees of the City were found to be dedicated to the job and community. In the near future there would be a City wide recognition event.

City Manager Vasquez's Report

15. AGENDA ITEMS/MEETING REQUESTS AND REVIEW: None

16. CLOSED SESSION:

A. Public Employee Discipline Pursuant to Government Code Section 54957.

No Reportable Action

to Closed Session

Taken

8:10 p.m. Council Retired

City Attorney Dunn reported that Council met in Closed Session on Item 16.A to discuss a Public Employee Discipline item, direction was given to staff and no reportable action taken.

City Attorney Dunn's Closed Session Report

17. *ADJOURNMENT:* By unanimous consent the Regular City Council Meeting was adjourned at 8:45 p.m.

8:45 p.m. Regular City Council Adjourned

Respectfully Submitted,

Margaret Rey, City Clerk