

CITY OF PERRIS

MINUTES: Regular City Council Meeting
Date of Meeting: 30 July, 2002
Time of Meeting: 6:00 p.m.
Place of Meeting: City Council Chambers-City Hall

1. CALL TO ORDER:

The Honorable Mayor Busch opened the Regular City Council Meeting at 6:00 p.m. and requested City Clerk Rey to call the roll.

6:00 p.m. Called to Order

2. ROLL CALL:

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

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

All Present

3. INVOCATION:

Ms. Fuller of Baha'i Group of Perris gave Invocation

4. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Rogers Led Pledge

5. PRESENTATIONS: None

Mayor Busch announced the Community Outreach Social on August 3rd from 11:00 a.m. to 1:00 p.m. at the Copper Creek Park, 217 Citrus Avenue, Perris. This was the third outreach program held and the City was pleased with the attendance and appreciated public attendance of the others. The Parks & Recreation Services voiced recent problems within the City and the Mayor read a statement in regards to vandalism within parks and various landscape areas. The statement indicated that the person(s) that committed the vandalism should be punished and required to pay restitution. The statement also requested the assistance from the residents to combat the vandalism problem and to report any criminal acts to the local Police Dispatch at (909) 776-1099. The joint effort would deter future vandalism and reduce the cost to all of those that pay taxes and would incur a good quality of life in the community.

Mayor Busch's Announcement Community Outreach Social Event 8/3/02 & Vandalism within the City

6. APPROVAL OF MINUTES:

To approve the minutes of the Special City Council Work Session of July 2, 2002; Regular City Council Work Session of July 9, 2002; and Regular City Council Meeting of July 9, 2002.

Approval of Special City Council Work Session 7/2/02; Regular City Council Work Session 7/9/02 & Regular City Council Meeting Minutes

M/S/C (ROGERS/YARBROUGH) To approve the minutes of the Special City Council Work Session of July 2, 2002; Regular City Council Work Session of July 9, 2002; and Regular City Council Meeting of July 9, 2002.

*Special City Council
Work Session 7/2/02;
Regular City Council
Work Session 7/9/02 &
Regular City Council
Meeting Minutes
Approved: 5-0*

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

7. ***PUBLIC COMMENT ON CONSENT CALENDAR ITEMS ONLY:*** None

8. ***CONSENT CALENDAR***

Councilmember Motte requested to pull Item F of the Consent Calendar, Consultant Services Agreement with VRPA Technologies.

*Councilmember Motte's
Request to Pull Item F.
Consultant Services
Agreement – VRPA
Technologies*

Councilmember Landers abstained from Item C of the Consent Calendar, approval of Final Parcel Map 27544-2.

*Councilmember Landers'
Abstained Vote for Item
C-Final Approval of
Parcel Map 27544-2*

A. To approve Amended Final Tract Map 22841, Case No. 02-0114. A proposal to amend recorded Final Tract Map 22841. The proposed map provides 102 numbered lots to be used for single-family residential development within the Villages of Avalon Specific Plan. Applicant: Barratt American, Inc.

*Final Tract Map 22841
Approved: 5-0*

B. To approve Final Tract Map 24111-1, Case No. 00-0082. A proposal to finalize the first phase of Tentative Tract Map 24111, 49 residential lots for single-family development. The site is located at the southeast corner of Orange Avenue and Murrieta Road. Applicant: Tanamera Homes, Inc.

*Final Tract Map 24111-1
Approved: 5-0*

C. To approve Final Parcel Map 27544-2, Case No. 00-0191. A request to obtain final approval of a parcel map, which creates 12 parcels, located in a commercial center known as Perris Plaza. Applicant: The Coudures Family Ltd. Partnership.

*Final Parcel Map 27544-
2 Approved: 4-0
Abstained: Landers*

D. To approve Final Parcel Map 30326, Case No 02-0157. A request to obtain final approval for the 5 numbered lots to be used for single-family residential development within the Villages of Avalon Specific Plan. Applicant: Barratt American, Inc.

*Final Parcel Map 30326
Approved: 5-0*

E. To approve the Case Road Rehabilitation Contract with R.J. Noble Company for the sum of \$939,380 and allow 6% contingencies, reject all other bids and authorize the City Clerk to return all other bid bonds after contract approval.

*R.J. Noble Company for
Case Road Rehabilitation
Approved: 5-0*

F. To approve Consultant Services Agreement with VRPA Technologies for the preparation of the Transportation Sub-Element of the General Plan and authorize the City Manager to execute.

*VRPA Technologies
Consultant Services
Agreement
Approved: 5-0*

Councilmember Motte indicated that the scope addressed roadway systems and public right-of-ways and asked if a system of bikeways could be incorporated. Also, under Transit Services it indicated Park-n-Ride Facilities, and did that relate to the proposed Metro Link Station? The scope identified Placentia/Ellis Avenues as future interchanges; upgrade/extension of Perris Boulevard from 4th Street to the proposed alignment of Ellis Avenue; and asked if there was the opinion that Ethanac Road would eventually be designated as a large road/freeway that might link into Orange County. Was this the possibility in the plan?

*Councilmember Motte's
Query Re: Scope of
Services*

In response, Community Development Director Gutierrez said this did not exactly create the bike plan that was anticipated and discussed, but it did identify the right-of-ways that would be available, required, or set aside for future dedication. The consultant group would consider the potential or fact that the Metro Link would be located within the City. Ethanac Avenue was discussed as a link to Orange County. A Request for Proposal (RFP) was sent out to a limited/selected number of firms that the City knew were familiar with the area and were selected and evaluated by a panel.

*Community Development
Director Gutierrez's
Response*

Councilmember Motte asked why the number seven was selected for intersections to compute level of services, and if the City could request that the consultant design the roads to eliminate gridlock.

*Councilmember Motte's
Comment & Query Re:
Intersections for Level of
Services & Gridlock*

In answer, City Engineer Motlagh said the City had to limit the number to seven because the more analyzed, the higher the cost. The consultant planned to year 2025 for build-out, and the study would identify the ultimate right-of-way as the General Plan was revised.

*City Engineer Motlagh's
Response*

In summary, Community Development Director Gutierrez commented the studies were comprehensive, and if there were areas not addressed, Council would have the opportunity to address them.

*Community Development
Director Gutierrez's
Comment*

M/S/C (MOTTE/ROGERS) To approve Consultant Services Agreement with VRPA Technologies for the preparation of the Transportation Sub-Element of the General Plan and authorize the City Manager to execute.

*VRPA Technologies
Consultant Services
Agreement
Approved: 5-0*

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

G. To approve the adoption of the Investment Policy for Fiscal Year 2002-2003.

*Investment Policy for FY
2002-2003
Approved: 5-0*

H. To review and file Quarterly Investment Report for Period Ending June 30, 2002.

*Quarterly Investment
Report Period Ending
6/30/02 Reviewed & Filed
Approved: 5-0*

I. To adopt proposed Resolution Number 2967, a resolution establishing the Appropriations Limit for Fiscal Year 2002-2003.

*Adoption of Resolution
Number 2967,
Establishing
Appropriations Limit FY
2002-2003
Approved: 5-0*

To adopt proposed Resolution Number 2967 entitled:

A RESOLUTION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2002-2003 PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION.

- J. To adopt proposed Resolution Numbers, resolutions establishing Annual Special Tax for Fiscal Year 2002-2003 for Community Facilities Districts 88-1, 88-3, 90-1, 90-2, 91-1, 93-1R, 93-2 and 2001-1; authorize the Annual Tax Levies and their replacement on the County Tax Roll. *Adoption of Resolution Number 2968 through 2975*
Approved: 5-0
- 1) To adopt proposed Resolution Number 2968 entitled: *Adoption of Resolution Number 2968*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 88-1 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 2) To adopt proposed Resolution Number 2969 entitled: *Adoption of Resolution Number 2969*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 88-3 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 3) To adopt proposed Resolution Number 2970 entitled: *Adoption of Resolution Number 2970*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 90-1 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 4) To adopt proposed Resolution Number 2971 entitled: *Adoption of Resolution Number 2971*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 90-2 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 5) To adopt proposed Resolution Number 2972 entitled: *Adoption of Resolution Number 2972*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 91-1 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 6) To adopt proposed Resolution Number 2973 entitled: *Adoption of Resolution Number 2973*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 93-1R ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 7) To adopt proposed Resolution Number 2974 entitled: *Adoption of Resolution Number 2974*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 93-2 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.
- 8) To adopt proposed Resolution Number 2975 entitled: *Adoption of Resolution Number 2975*
- A RESOLUTION OF THE CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 2001-1 ESTABLISHING ANNUAL SPECIAL TAX FOR FISCAL YEAR 2002/2003.

K. To approve the Villages of Avalon Master Subdivision Improvement Agreement between City of Perris and Barratt American, Inc.; authorize release of certain bonds pursuant to Mr. Ochoa's letter dated June 7, 2002 subject to recordation of lien on effected properties; and issuance of new substituted bonds.

*Villages of Avalon
Master Subdivision
Improvement Agreement
(Barratt American, Inc.)
Approved: 5-0*

L. To approve the Slurry Seal Project's bid specifications and authorize the City Clerk to advertise for bids pending approval of 2002-03 Budget.

*Slurry Seal Project Bid
Specification-Authorize
City Clerk to Advertise
Approved: 5-0*

M/S/C (YARBROUGH/LANDERS) To approve the balance of the Consent Calendar.

*Balance of the Consent
Calendar
Approved:5-0*

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

Councilmember Landers abstained from Item C of the Consent Calendar, approval of Final Parcel Map 27544-2.

9. PUBLIC HEARINGS: None

9.1 NEW PUBLIC HEARINGS: None

9.2 CONTINUED PUBLIC HEARINGS: None

10. NON-HEARING ITEMS:

10.1 NEW BUSINESS:

A. Consideration and discussion to adopt proposed Resolution Number 2976 declaring the intention to grant a franchise to McCanna Ranch Water Company and set the date for the public hearing on August 27th, September 10th or September 24th.

*Adoption of Resolution
Number 2976-Declaring
Intention to Grant a
Franchise to McCanna
Ranch Water Company
for a Forty-Year Term &
Set Public Hearing for
9/10/02
Approved: 5-0*

To adopt proposed Resolution Number 2976 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DECLARING ITS INTENTION TO GRANT A FRANCHISE TO MC CANNA RANCH WATER COMPANY.

City Attorney Dunn commented that McCanna Ranch Water Company had requested a Water Franchise as an investor in Public Utility. Council held previous workshops to discuss the operation, and the franchise term was the only issue that remained. McCanna Ranch Water Company had requested a long term. All that had to be recommended at this meeting was the approval of a resolution that announced the intent to grant a franchise; set a public hearing date and the franchise would not be granted until after the hearing. After public hearing had to be held twenty days after adoption of the resolution; but not more than sixty days.

*City Attorney Dunn's
Introduction*

PUBLIC COMMENT:

Mr. Ochoa, McCanna Ranch Water Company, was available for questions.

McCanna Ranch Water Company, Mr. Ochoa's Comment

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Motte asked why the City could not charge Eastern Municipal Water District (EMWD) 2%, if the City charged McCanna Ranch Water Company 2%.

Councilmember Motte's Query Re: 2% Charge to EMWD

In response, City Attorney Dunn said Eastern Municipal Water District (EMWD) was a separate entity and had the right as a separate government agency to operate within their territory.

City Attorney Dunn's Response

City Manager Vasquez said there was an agreement with EMWD to provide services, and it was being researched for alternative avenues. Documentation would be presented to Council after completion of the research.

City Manager Vasquez's Comment Re: Research of EMWD's Agreement

Mayor Busch said it looked as if the City had settled on a forty-year term.

Mayor Busch's Comment Re: Term

M/S/C (ROGERS/YARBROUGH) to adopt proposed Resolution Number 2976 declaring the intention to grant a franchise to McCanna Ranch Water Company for the term of forty years and set the date for public hearing on September 10th.

*Adoption of Resolution Number 2976-Declaring Intention to Grant a Franchise to McCanna Ranch Water Company for a Forty-Year Term & Set Public Hearing for 9/10/02
Approved: 5-0*

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

Mayor Busch opened Non-Hearing Items B, C and D regarding annexations to maintenance districts and cited the resolutions.

Mayor Busch's Opened Items B, C, & D Annexations & Cited the Resolutions

Ms. Shepherd, Shepherd & Staats, commented that the proposal tonight was for a development known as Chaparral Ridge (312 single-family home development) located east of Goetz Road and south of Ethanac Road. She addressed the following:

Shepherd & Staats, Ms. Shepherd's Presentation

- 1) Maintenance District 84-1: There would be 56 new lights installed; a traffic signal constructed; and the cost breakdown for a single family home would be \$50.39 per year, or approximately \$4.20 a month, to provide maintenance;
- 2) Landscape Maintenance District 1 would include landscape improvements, and total assessment per single-family dwelling was \$103.96; \$8.67 per month. The developer requested the City to pull this annexation and process an agreement with the property owners to maintain what was the City's parkway. After site review and conference with the City Attorney, staff recommended to proceed with the annexation; and
- 3) Flood Control Maintenance District: Due to the extent of drainage, monthly maintenance of easements was required at the cost of \$346.89 per dwelling unit, or \$28.90 per month. The three maintenance districts added up to an annual assessment of \$501.20, at \$41.77 per month.

The action at this meeting required Council's approval of the engineer's report, preliminary approval of the report for annexation, and set the public meeting for September 10th and Public Hearing date as September 24th. It was expected that prior to the public hearing of September 24th, there would be some escrows closing. At the time escrows closed, there would be an addendum, for inclusion in the purchase contract, for full disclosures of the assessments; and proposed public meeting and hearing. As a result, some of the property owners might be present at the public meeting and hearing to oppose the assessments. On September 24th, ballots would be submitted, opened, and verbal protest taken.

Cont'd. Shepherd & Staats, Ms. Shepherd's Presentation

PUBLIC COMMENT:

Mr. Patterson, the developer of Classic Pacific, voiced support of the annexation and maintenance of various items within the tract. They were in total agreement with the maintenance numbers at this point due to the fact that staff recently generated the numbers. They would expedite review of those numbers. In terms of Landscaping Maintenance on the frontage area, Classic Pacific suggested the homeowners maintain control of the irrigation and the four-foot strip between the curb and sidewalk. The irrigation/maintenance issue would be discussed with the City Engineer.

Classic Pacific, Mr. Patterson's Comments

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Yarbrough asked the average selling price of the homes and indicated that the project was given concessions by the City to help facilitate it. Councilmember Yarbrough voiced support of the project.

Councilmember Yarbrough's Query Re: Sell Price of Homes & Concessions

In reply, Mr. Patterson confirmed that the average price was \$200,000 and the price was going up every day. The price was due to infrastructure, etc.

Mr. Patterson's Response

Councilmember Landers voiced support of the project and commented on the homeowners' potential opposition to the assessments. He asked why the assessments had not been done prior to the sale of homes and escrow.

Councilmember Landers' Comment & Query Re: Assessments

In answer, Ms. Shepherd said they did not anticipate homes to close prior to September, and it was intended to present the assessments at that time.

Shepherd & Staats, Ms. Shepherd's Response

City Engineer Motlagh intervened and commented that this was the only project on which the City was caught off guard by the sale of the homes. Typically, Ms. Shepherd did present assessment prior to sale of homes. Also, there was difficulty in drainage and with costs. The fact was, there might be opposition to the assessments, but the City had the assurance that the developer still held the majority of the property.

City Engineer Motlagh's Comments Re: Assessments

B. Consideration and discussion to adopt proposed Resolution Number 2977 ordering preparation of the Engineer's Report; adoption of proposed Resolution Number 2978, preliminary approval of the Engineer's Report for the annexation and adoption of Resolution Number 2979, declaring the intention to annex Tracts 28986-1, 28986-2, 28986-3 and 28986-4 to Maintenance District Number 84-1, and setting a public hearing date of September 24, 2002.

Adoption of Resolution Numbers 2977; 2978 & 2979 for Annexation of Tracts 28986-1, 28986-2, 28986-3 & 28986-4 to Maintenance District 84-1 & Setting Public Hearing for September 24th
Approved: 5-0

1) To adopt proposed Resolution Number 2977 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION TO MAINTENANCE DISTRICT NUMBER 84-1 (TRACTS 28986-1, 28986-2, 28986-3 and 28986-4).

Adoption of Resolution Number 2977-Ordering Preparation of Engineer's Report for Maintenance District 84-1
Approved: 5-0

2) To adopt proposed Resolution Number 2978 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF TRACTS 28986-1, 28986-2, 28986-3 AND 28986-4 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1.

Adoption of Resolution Number 2978 - Preliminary Approval Engineer's Report for Annexation of Tracts 28986-1, 28986-2, 28986-3 & 28986-4 to Maintenance District 84-1
Approved: 5-0

3) To adopt proposed Resolution Number 2979 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF TRACTS 28986-1, 28986-2, 28986-3 AND 28986-4 MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

Adoption of Resolution Number 2979-Declaring Intention to Order Annexation of Tracts 28986-1; 28986-2; 28986-3 & 28986-4 to Maintenance District 84-1; & Setting Public Hearing for September 24th
Approved: 5-0

M/S/C (LANDERS/YARBROUGH) To adopt proposed Resolution Number 2977, ordering preparation of the Engineer's Report; adoption of proposed Resolution Number 2978, preliminary approval of the Engineer's Report for the annexation; adoption Resolution Number 2979, declaring the intention to order the annexation of Tract 28986-1, 28986-2, 28986-3 and 28986-4 to Maintenance District 84-1 and setting a public hearing date of September 24th.

Adoption of Resolution Numbers 2977; 2978 & 2979 for Annexation of Tracts 28986-1, 28986-2, 28986-3 & 28986-4 to Maintenance District 84-1; Landscape Maintenance District 1; Flood Control Maintenance District 1; & Setting Public Hearing for September 24th
Approved: 5-0

AYES: Rogers, Yarbrough, Landers, Motte, Busch

NOES:

C. Consideration and discussion to adopt proposed Resolution Number 2980 ordering preparation of the Engineer's Report; adoption of proposed Resolution Number 2981, preliminary approval of the Engineer's Report for annexation and adoption of Resolution Number 2982, declaring the intention to annex Tracts 28986-1, 28986-2, 28986-3 and 28986-4 to Landscape Maintenance District Number 1 and setting a public hearing date of September 24, 2002.

*Adoption of Resolution Numbers 2980; 2981 & 2982 for Annexation of Tracts 28986-1, 28986-2, 28986-3 & 28986-4 & Setting Public Hearing for September 24th
Approved: 5-0*

1) To adopt proposed Resolution Number 2980 entitled:

*Adoption of Resolution Number 2980 - Ordering Preparation Engineer Report for Landscape Maintenance District 1
Approved: 5-0*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPING MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 36 TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 (TRACTS 28986-1, 28986-2, 28986-3, AND 28986-4)

2) To adopt proposed Resolution Number 2981 entitled:

*Adoption Resolution Number 298 - Preliminary Approval Engineer's Report; Annexation of Tracts 28986-1; 2986-2; 28986-3 & 28986-4 to Landscape Maintenance District 1
Approved: 5-0*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF TRACTS 28986-1, 28986-2, 28986-3, AND 28986-4 TO BENEFIT ZONE 36, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1.

3) To adopt proposed Resolution Number 2982 entitled:

*Adoption of Resolution Number 2982 - Declaring Intention to Order Annexation of Tracts 28986-1; 28986-2; 28986-3 & 28986-4 to Landscape Maintenance District 1 & Setting Public Hearing for September 24th
Approved: 5-0*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 36, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 36, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF TRACTS 28986-1, 28986-2, 28986-3, AND 28986-4 TO BENEFIT ZONE 36, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO.

M/S/C (ROGERS/YARBROUGH) To adopt proposed Resolution Number 2980, ordering preparation of the Engineer's Report; adoption of proposed Resolution Number 2981, preliminary approval of the Engineer's Report for the annexation; adoption Resolution Number 2982, declaring the intention to order the annexation of Tract 28986-1, 28986-2, 28986-3 and 28986-4 to Landscape Maintenance District 1, and setting a public hearing date of September 24th.

Adoption of Resolution Numbers 2980; 2981 & 2982 for Annexation of Tracts 28986-1, 28986-2, 28986-3 & 28986-4 & Setting Public Hearing for September 24th

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

Approved: 5-0

D. Consideration and discussion to adopt proposed Resolution Number 2983, a resolution of intention to annex Tracts 28986-1, 28986-2, 28986-3, and 28986-4 to Flood Control Maintenance District Number 1 and setting a public hearing date of September 24, 2002.

*Adoption of Resolution Number 2983 - Declaring Intention to Order Annexation of Tracts 28986-1; 28986-2; 28986-3 & 28986-4 to Flood Control Maintenance District 1 & Setting Public Hearing for September 24th
Approved: 5-0*

To adopt proposed Resolution Number 2983 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENT UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF TRACTS 28986-1, 28986-2, 28986-3 AND 28986-4 TO BENEFIT ZONE 15, 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 proposed Resolution Number 2983, declaring the intention to order the annexation of Tract 28986-1, 28986-2, 28986-3 and 28986-4 to Flood Control Maintenance District 1 and setting a public hearing date of September 24th.

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

E. To adopt proposed Resolution Number 2984, adopting the City Annual Budget and Appropriating Revenue for the Fiscal Year 2002-2003.

*Adoption of Resolution Number 2984 - Adopting City Annual Budget & Appropriating Revenue for FY 2002-2003
Approved: 3-2
Noes: Busch, Motte*

To adopt proposed Resolution Number 2984 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE CITY ANNUAL BUDGET AND APPROPRIATING REVENUE FOR THE 2002/2003 FISCAL YEAR.

City Manager Vasquez presented the proposed 2002-2003 Base Line Budget for the year and commented a decision package was included, which contained a number of expanded services and programs that were necessary for Council's consideration. The budget proposed to spend \$12.7 million in General Fund Expenditures with revenues of \$12.2 million and utilize \$500,000 from the Fund Balance, which left a Fund Balance of approximately \$1.8 million. The \$1.8 million was 15% of the current proposed budget and was a very healthy contingency fund. Staff recommended approval of the proposed budget and was available to answer any questions Council might have.

City Manager Vasquez's Introduction

PUBLIC COMMENT:

Mr. Vidal commented on the City Clerk's increase; elected position; utilized money to hire assistant; and no reflection of the Deputy City Clerk or assistant position within the budget.

Mr. Vidal's Comments

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Motte supported the budget as presented, but would not vote for it because of the City Clerk's request, and voiced concern with ethics in regards to Council.

*Councilmember Motte's
Comments Re:
Opposition to City Clerk's
Request for Increased
Compensation*

Mayor Pro Tem Rogers asked the Finance Director if there was a line item for the City Clerk's increased compensation and if it would be held in reserve. If the budget was approved as presented, there would be no reflection as to how the Council would deal with that item at a later date.

*Mayor Pro Tem Rogers'
Query Re: Money in
Reserve*

In reply, Finance Director Rogers-Elmore confirmed that to approve the budget would simply set side funds, and should Council decide at a later date to process the increase, the funds would be reallocated.

*Finance Director Rogers-
Elmore's Response*

City Attorney Dunn indicated that State Law allowed City Council to establish the compensation of the Elected City Clerk or Treasurer by ordinance or resolution. There was an existing resolution that was adopted in 1998. To increase compensation would require subsequent action at an agenda meeting and adoption of a resolution rescinding the prior resolution.

*City Attorney Dunn's
Comment Re: Action for
Requested Compensation*

Mayor Busch asked the City Attorney if allocation of the money within the budget made an obligation for this salary.

*Mayor Busch's Query
Re: Allocation creating
Obligation to the Request*

In response, City Attorney Dunn confirmed that the funds would be set aside and would not actually be committed to any one thing.

*City Attorney Dunn's
Response*

Councilmember Landers read a letter addressed to the Mayor and Council in support of the Clerk's salary increase, written by resident Joanne Evans, which addressed the issue of the City Clerk. Councilmember Landers gave a history of the previous City Clerk and the City's financial situation and commented on fairness and equitability for everyone. He indicated that the salaries had been raised to obtain qualified people. He presented a salary survey of local neighboring cities, and a compensation schedule that ranged from \$60,000 to 95,000, plus benefits, paid to their City Clerks. The City Clerk in Perris worked 50± hours, and over the past five years saved the City \$405,000. The point was, if a raise was going to be given to all the employees, then give consideration of a raise where it was well deserved; and he requested approval of the City Clerk's compensation.

*Councilmember Landers'
Comments & Cited Ms.
Evans' Letter*

Councilmember Yarbrough concurred with Councilmember Landers' comments and indicated there was not an issue of ethics or conflict of interest. The Clerk, since her election, never had the appropriate, technical or confidential staff that was required. She had been functioning as a department head and staff to get the job done. After five years and a savings of over \$400,000, it was time for compensation and restoration of the management function in order to allow that

*Councilmember
Yarbrough's Comments
Re: City Clerk's
Compensation Request*

department to operate more efficiently. The study identified the difficulty in recruiting qualified employees, the loss of labor competitiveness, and understaffing of City Clerk's office. The Clerk's office was a very important area within the City's government.

Mayor Pro Tem Rogers commented the study was part of the labor negotiations for regular employees, and Mrs. Rey took it upon herself to put together a number of data in regards to salary comparison of appointed and elected City Clerks based on population, etc. Until such time as an assistant was hired, Mayor Pro Tem would support a reasonable salary increase at the Assistant City Clerk position. The Assistant City Clerk had been budgeted for the last two-three years and this meeting was not to address the ordinance, which would be a later agenda item. Mayor Pro Tem had no problem in approving the budget as presented and voiced pleasure with the \$1.8 million Fund Balance.

Mayor Pro Tem Rogers' Comments Re: City Clerk's Compensation Request

Mayor Busch commented that the request was not a budgeted item and the Clerk had an increase, since elected, from \$378± a month to \$800 monthly, plus stipend and car allowance. The salary survey presented to the Council consisted of qualified, Certified City Clerks and Mrs. Rey is not a Certified City Clerk. Those on the list of comparable Clerks, for the most part, were not elected, and most were Certified, which means they met all the qualification requirements. If Mrs. Rey applied to those cities for employment, she would not qualify, because she was not a Certified City Clerk. If the City went out to recruit, Mrs. Rey would not qualify to be employed in our city either. Mayor Busch said the Clerk's staff did the majority of the work; Margaret had responsibilities, did her job and put in hours. He voiced opposition to support of the budget that contained the requested salary increase.

Mayor Busch's Comments Re: City Clerk's Compensation Request; not a Budget Item; City Clerk Elected

Councilmember Landers asked the City Clerk if she was certified.

Councilmember Landers' Query Re: City Clerk Certified

In response, City Clerk Rey indicated that she was not certified as yet. She just qualified to apply for certification and the information would be reviewed. If there were anything lacking she would be advised and would take any additional classes necessary to finish the certification.

City Clerk Rey's Response

Mayor Pro Tem Rogers asked again, by approving the budget as presented, would they just set aside the funds, with the ordinance being considered as another agenda item. City Attorney Dunn confirmed that Mayor Pro Tem was correct in her statement.

Mayor Pro Tem Rogers' Query Re: Approval of Budget & Set-Aside Funds

M/S/C (ROGERS/YARBROUGH) To adopt proposed Resolution Number 2984, adopting the City Annual Budget and Appropriating Revenue for the Fiscal Year 2002-2003 as presented.

Adoption of Resolution Number 2984-adopting City Annual Budget & Appropriating Revenue for FY 2002-2003 Approved: 3-2 Noes: Busch, Motte

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

- F. To adopt proposed Resolution Number 2985 to approve and implement Classification and Compensation Plan and related Salary Schedules and Amendments.

Adoption of Resolution Number 2985 - Implementation of the Classification & Compensation Plan

To adopt proposed Resolution Number 2985 entitled:

A RESOLUTION OF THE COUNCIL OF THE CITY OF PERRIS APPROVING IMPLEMENTATION OF THE CLASSIFICATION AND COMPENSATION PLAN CONDUCTED BY PERSONNEL CONCEPTS, INC. FOR CITY EMPLOYEES, APPROVING THE INCLUSION OF THE COST TO IMPLEMENT INTO THE FISCAL YEAR 2002/2003 BUDGET, AND AUTHORIZING THE CITY MANAGER TO EXECUTE RELATED AMENDMENTS AND ACTIONS TO IMPLEMENT AND TO MANAGE THE ONGOING IMPLEMENTATION OF THE PLAN.

Assistant City Manager Apodaca commented that Personnel Concepts, Inc. prepared the Classification and Compensation Plan for City employees. The benchmark positions within the City employees organization were paid below the median and the City would no longer be competitive in attracting new labor. The plan was designed to integrate into the existing City services, competitiveness within the current labor market and promote consistency and internal equity. Therefore, it was the recommendation for Council to adopt the resolution and implement the Compensation Plan.

Assistant City Manager Apodaca's Introduction

PUBLIC COMMENT:

Mr. Vidal commented on 1) an increase of the budget from last year of \$102,400; 2) the plan included all employees from the part-time to the City Manager; and 3) step increases. Mr. Vidal asked if an employee who was here for five years would automatically be placed at Level C or D.

Mr. Vidal's Comments

Assistant City Manager Apodaca informed Mr. Vidal that the City Manager's salary was not included within the study. In response to the Level Increase, Assistant City Manager Apodaca said an employee was not automatically placed; they would be placed into the step under the new salary structure that would provide a minimal 5% increase.

Assistant City Manager Apodaca's Response

CITY COUNCIL COMMENTS AND DISCUSSION:

Councilmember Landers asked the amount paid to the consultants for the survey, and if the City had processed a Request for Proposal (RFP). He thought it had cost about \$28,000, and that there were several consultants utilized to complete the study.

Councilmember Landers' Query Re: Survey Dollar Amount

In response, Finance Director Rogers-Elmore commented that the City had not received a final bill, but the cost was about \$10,000.

Finance Director Rogers-Elmore's Response

Councilmember Landers commented that the attempted survey was not utilized, and asked the amount of the City Manager's and Assistant City Manager's salaries. He said the compensation requested totaled \$102,000, but yet the City was to be frugal, and there were two studies.

Councilmember Landers' Comment & Query Re: Salaries of City Manager & Assistant City Manager

In reply, Assistant City Manager Apodaca said the study was utilized as an information item.

*Assistant City Manager
Apodaca's Response*

In answer, Finance Director Rogers-Elmore indicated that the salary contract of the City Manager was \$102,000 and was not included within the compensation study. The salary of the Assistant City Manager was in the \$90,000 range. The raise increase of \$102,000 represented the incremental value to approximately 50% and 40% in the General Fund, Enterprise and Special Revenue Funds.

*Finance Director Rogers-
Elmore's Response*

In addition, Assistant City Manager Apodaca said the increase would place the City's employees within the 50% median and currently the employees were paid 15% below market. If they were paid according to the salary structure that was proposed, it would take 3.5 years to reach that 50% median.

*Assistant City Manager
Apodaca's Comments
Re: Salary Increase*

Councilmember Yarbrough commented that the Budget and Compensation Study tied in and there needed to be adjustments made. There were two studies. The City had attempted to achieve a 50% median and the City Clerk's compensation plan presented was a low median. The study would create labor competitiveness; some employees may receive a large increase; some would cap out, and it established a threshold for the City. If he were to support this, he would be totally contradictory to the mission to establish a level playing field and competitiveness across the board.

*Councilmember
Yarbrough's Comments
Re: Adjustments to the
Budget & Compensation
Study*

Councilmember Motte commented that the City Clerk, as elected, was not a qualified City Clerk and ran under the auspices of the stipend and to oversee the department. The proposed Classification and Compensation Study was proper and the City Clerk's compensation plan was not.

*Councilmember Motte's
Comments Re: City Clerk
Elected Position*

Mayor Pro Tem Rogers commented that the study was part of the labor and negotiations where the City was to assess the employees and place them into the labor marketplace. Mayor Pro Tem voiced support of the study and felt that it was necessary to attract qualified people; that it was a valuable tool for management and for Council to support the employees and to place them into a competitive wage.

*Mayor Pro Tem Rogers'
Comments Re: Study –
Labor Negotiations*

Mayor Busch commented the Council selected the cities for the study and voiced support of the study. The study was legitimate information that could be based on negotiations with the union and employees, and would be beneficial to everyone.

*Mayor Busch's Comment
Re: Classification &
Compensation Study*

M/S/C (ROGERS/MOTTE) To adopt proposed Resolution Number 2985 to approve and implement Classification and Compensation Plan and related Salary Schedules and Amendments.

*Adoption of Resolution
Number 2985-
Implementation of the
Classification &
Compensation Plan*

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

10.2 OLD BUSINESS: None

11. PUBLIC COMMENT:

Mr. West, Boxing Coach and personal trainer for Anthony Villarreal, presented Anthony's Gold Medal he won at the 2002 Junior Olympics Championship; and presented a letter from Colorado Springs Olympic Training Camp, which requested his biography. Mr. West was present to request financial support for Anthony's trip to Chicago's National Tournament and Kansas City's tournament.

Mr. West's Comments

Mayor Busch directed Mr. West to contact Public Services Director Owens for his review and process of the financial request.

*Mayor Busch's Comment
Re: Directed to Public
Services Director Owens*

Mr. Lyons commented on Indian Hill/Enchanted Heights street improvement project. He complained about the speeding traffic at the corner where the proposed elementary school was to be located.

Mr. Lyons' Comment

Ms. Smith, new liaison for the South Coast Air Quality Management District (AQMD), commented that she was available for questions or concerns regarding the agency's rules or programs. Ms. Smith highlighted a few programs that AQMD implemented to improve their interactions with local government. She included business cards and an information packet.

*South Coast Air Quality
Management District,
Ms. Smith*

Mrs. Haughney implored fellow citizens to call the police when they witness vandalism. She extended a thank you, from her family, to those people who stopped to aid her son, who was in an automobile accident on Ramona Expressway. She also extended her thank you to the paramedics, Deputies, and Fire Department.

*Mrs. Haughney's
Comments*

Mr. Vidal commented on the hazardous/dangerous school crosswalk and sign, located on Nuevo Road at the Perris High School and suggested painting the crosswalk with fluorescent paint and relocating the sign.

Mr. Vidal's Comments

12. CITY COUNCIL COMMENTS: None

13. CITY COUNCIL COMMITTEE REPORTS:

Mayor Pro Tem Rogers reported her attendance at the July 18th Community Action, which focused on the energy crisis and energy assistance (phone number 955-4500). They were in the process of setting up a separate non-profit entity to continue the Lean Fellow Fund, which was a fund to aid small non-profit or small business owners to start their corporation. In addition, she attended the League of California Cities Conference in Monterey last week. The keynote speaker was Deputy Mayor Tony Coles from New York City, who addressed the delegation with the actual events of September 11th and how cities had to be prepared for emergency and homeland security. Additional funds and benefit information was available and information would be forthcoming.

*Mayor Pro Tem Rogers'
Report*

Mayor Busch also attended the League of California Cities meeting, where there were numerous workshops for redevelopment, parks and leadership, which were very useful. Interaction with other cities aided in receiving information on projects. There were 499 cities within the State of California and 400 of those cities had a representative(s) at the conference.

Mayor Busch's Report

Councilmember Landers indicated he was unable to attend the conference due to his attendance of the 101st Airborne Infantry Reunion in Reno and Sacramento, where the Landers family were the honored guests.

Councilmember Landers' Report

14. CITY MANAGER'S REPORT:

City Manager Vasquez also attended the League of California Cities Conference, which was useful, practical, and gave him the opportunity to speak with other Councils and City Managers. It was a benefit to share ideas and experiences and receive ideas on how to approach problems, solutions and strategies. He thanked Council for approving the budget and the Compensation Study. The study was a practical and functional tool that was required to attract and keep qualified people. The study was not designed to just award money on an annual basis. The step increase was based on performance.

City Manager Vasquez's Report

15. AGENDA ITEMS/MEETING REQUESTS AND REVIEW: None

16. CLOSED SESSION: None

17. ADJOURNMENT: By unanimous consent the Regular City Council Meeting was adjourned at 7:55 p.m.

7:55 p.m. Regular City Council Meeting Adjourned

Respectfully Submitted,

Margaret Rey, City Clerk