



*For further information on an agenda item, please contact
the City at 101 North "D" Street, or call (951) 943-6100*

**AGENDA
JOINT MEETING OF THE CITY COUNCIL, SUCCESSOR AGENCY
TO THE REDEVELOPMENT AGENCY, PUBLIC FINANCE AUTHORITY,
PUBLIC UTILITY AUTHORITY, HOUSING AUTHORITY, PERRIS JOINT POWERS
AUTHORITY AND PERRIS COMMUNITY ECONOMIC DEVELOPMENT
CORPORATION OF THE CITY OF PERRIS**

**Tuesday, May 12, 2020
6:30 P.M.**

**City Council Chambers
(Corner of San Jacinto and Perris Boulevard)
101 North "D" Street
Perris, California**

CLOSED SESSION: 5:45 P.M.

ROLL CALL:

Rogers, Magaña, Corona, Rabb, Vargas

**A. Conference with Real Property Negotiators – Government Code
Section 54956.8**

Property: APN # 313-091-001
11 S. D Street, Perris, CA 92570
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: Albert Renteria
Under Negotiation: Price and terms of payment

**B. Conference with Legal Counsel - Potential Litigation - Government
Code Section 54956.9 (d)(4) - 1 case**

1. *CALL TO ORDER:* 6:30 P.M.

2. *ROLL CALL:*

Rogers, Magaña, Corona, Rabb, Vargas

3. **INVOCATION:**

4. **PLEDGE OF ALLEGIANCE:**

Mayor Pro Tem Rogers will lead the Pledge of Allegiance.

5. **REPORT ON CLOSED SESSION ITEMS:**

6. **PRESENTATIONS/ANNOUNCEMENTS: NO PRESENTATIONS**

At this time, the City Council may recognize citizens and organizations that have made significant contributions to the community and it may accept awards on behalf of the City.

7. **APPROVAL OF MINUTES:**

A. Consideration to approve the Minutes of the Regular Joint Meeting held on April 28, 2020 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority.

8. **CONSENT CALENDAR:**

*Consent Calendar items are normally enacted in one motion. The Mayor or City Council may remove a Consent Calendar item for separate action. **Public comment is limited to three (3) minutes.***

A. Consideration to adopt Resolution Numbers (next in order) regarding annexation of Development Plan Review (DPR) 19-0003 to Maintenance District Number 84-1.

The Proposed Resolution Numbers (next in order) are 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 DPR 19-00003 INTO MAINTENANCE DISTRICT NUMBER 84-1

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 DPR 19-00003 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

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 TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 19-00003 TO 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 ON JULY 28, 2020

- B. Consideration to adopt Resolution Numbers (next in order) regarding annexation of Development Plan Review (DPR) 19-0003 to Landscape Maintenance District Number 1.

The Proposed Resolution Numbers (next in order) are 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 LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 151 DPR 19-00003 TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

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 DPR 19-00003 TO BENEFIT ZONE 151, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

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 151, 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 151, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 19-00003 TO BENEFIT ZONE 151, 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 ON JULY 28, 2020

- C. Consideration to adopt Resolution Number (next in order) regarding annexation of Development Plan Review (DPR) 19-0003 to Flood Control Maintenance District Number 1.

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF DPR 19-00003 TO BENEFIT ZONE 116, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON JULY 28, 2020

- D. Consideration to adopt Resolution Number (next in order) regarding annexation of parcels into Community Facilities District (CFD) 2001-3 (North Perris Public Safety District) APN 294-180-017-Annexation No. 38. (Owner: IPT Perris DC III)

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 38]

- E. Consideration to adopt Resolution Number (next in order) regarding annexation of parcels into Community Facilities District (CFD) 2018-02 (Public Services District) APN 294-180-017-Annexation No. 3. (Owner: IPT Perris DC III)

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 3]

- F. Consideration to approve Contract Services Agreement with Rincon Consultants for Environmental Compliance for the Nuevo Road Bridge Reconstruction and Widening Project.

- G. Consideration to approve an Improvement Credit/Reimbursement Agreement with CPT Perris Industrial, LLC associated with the Optimus Logistics Center II Project (PM 36678).
- H. Consideration to approve a Proposed Amendment No. 1 to Asset Purchase Agreement with Liberty Utilities to Extend the Outside Closing Date to December 1, 2020
- I. Consideration to approve a one-year Extension of Time (02-05032 for Tentative Tract Map 33973, until May 27, 2021, to subdivide 153.7 acres into 384 single-family lots, located north of San Jacinto River, west of McPherson Road, south of Ethanac Road and east of Sophie Street. (Applicant: Howard Mitzman)
- J. Consideration to adopt Resolution Numbers (next in order) calling a Municipal Election to be held on November 3, 2020 and approving regulations pertaining to Candidate Statements.

The Proposed Resolution Numbers (next in order) are entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CALLING FOR, AND GIVING NOTICE OF, THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; AND, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO § 10403 OF THE CALIFORNIA ELECTIONS CODE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE ELECTORATE AND THE COSTS THEREOF FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON NOVEMBER 3, 2020.

- K. Consideration to receive and file the Investment Report-Quarter Ended March 31, 2020.
- L. Consideration to approve the Monthly Check Register for March 2020.

9. PUBLIC HEARINGS:

*The public is encouraged to express your views on any matter set for public hearing. It is our procedure to first receive the staff report, then to ask for public testimony, first from those in favor of the project followed by testimony from those in opposition to it, and if there is opposition, to allow those in favor, rebuttal testimony only as to the points brought up in opposition. To testify on the matter, you need to simply come forward to the speaker's podium at the appropriate time, give your name and address and make your statement. After a hearing is closed, you may not further speak on the matter unless requested to do so or are asked questions by the Mayor or a Member of the City Council. **Public comment is limited to three (3) minutes.***

- A. Consideration to adopt Resolution Number (next in order) approving Public Hearing Request 20-05054 to modify Engineering Conditions for the Rados Industrial Project located on the north side of Rider Street between Webster Avenue and Indian Ave. (Applicant: Kyle Ficke, Duke Realty, LP)

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING A PUBLIC HEARING REQUEST 20-05054 TO MODIFY SIX ENGINEERING CONDITIONS OF APPROVAL ASSOCIATED WITH UTILITY REQUIREMENTS AND STREET IMPROVEMENTS FOR THE RADOS INDUSTRIAL PROJECT (AKA MINOR MODIFICATION 18-05204 AND DEVELOPMENT PLAN REVIEW 07-0019) LOCATED ON THE NORTH SIDE OF RIDER STREET BETWEEN WEBSTER AVENUE AND INDIAN AVENUE
Introduced by: Planning Manager Kenneth Phung

PUBLIC COMMENT

10. BUSINESS ITEMS: (not requiring a "Public Hearing"):

*Public comment will be called for each non-hearing item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed, you may not further speak on the matter unless the Mayor or City Council requests further clarification of your statement. **Public Comment is limited to three (3) minutes.***

- A. Consideration to reallocate funds from the City of Perris Restaurant Incentive Program to the Small Business Assistance Program.

Introduced by: Assistant City Manager Clara Miramontes

PUBLIC COMMENT

- B. Consideration to adopt Resolution Number (next in order) requiring Face Coverings and Social Distancing and Authorizing the Director of Emergency Services/City Manager to Implement related Rules and Regulations pursuant to Perris Municipal Code § 2.44.060(6)(a).

The Proposed Resolution Number (next in order) is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ORDERING THAT ALL PERSONS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF PERRIS SHALL WEAR FACE COVERINGS AS PROVIDED IN THIS RESOLUTION; ORDERING THAT ALL PERSONS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF PERRIS SHALL COMPLY WITH THE SOCIAL DISTANCING REQUIREMENTS OF THIS RESOLUTION; AND AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER TO ESTABLISH RELATED RULES AND REGULATIONS PURSUANT TO PERRIS MUNICIPAL CODE § 2.44.060

Introduced by: City Attorney Eric Dunn

PUBLIC COMMENT

11. PUBLIC COMMENT/CITIZEN PARTICIPATION:

*This is the time when any member of the public may bring a matter to the attention of the Mayor and the City Council that is within the jurisdiction of the City Council. The Ralph M. Brown act limits the Mayor's, City Council's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The City Council may discuss or ask questions for clarification, if desired, at this time. **Public comment is limited to three (3) minutes.***

12. COUNCIL COMMUNICATIONS:

(Committee Reports, Agenda Items, Meeting Requests and Review etc.)

*This is an opportunity for the Mayor and City Councilmembers to report on their activities and the actions of the Committees upon which they sit, to bring a matter to the attention of the full Council and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. **NO ACTION CAN BE TAKEN AT THIS TIME.***

13. CITY MANAGER'S REPORT:

14. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Hall at (951) 943-6100. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

COVID-19 REMOTE PUBLIC COMMENT/CITIZEN PARTICIPATION

With the intent of adhering to the new community guidelines from the Center for Disease Control, the City of Perris will allow for remote public comment and participation at upcoming City Council meetings. The public will only be permitted to attend the meeting remotely in the Bob Glass Gymnasium, where six feet social distancing will be accommodated.

You may submit request for public comment on any agenda item, or on any item not on the agenda, via email to publiccomment@cityofperris.org. You may also request to have your comments read during the live meeting. There is a three-minute time limit for each person/comment. When submitting requests for public comment, please provide the information below.

- Identify the item you wish to comment on in your email's subject line.*
- Provide your full name and contact phone number in your email.*
- Public comments will be accepted prior to the meeting and up the time that the Mayor announces that public comment for that item is closed.*



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020
SUBJECT: Approval of Minutes
REQUESTED ACTION: Approve the Minutes of the Regular Joint City Council Meeting held on April 28, 2020
CONTACT: Nancy Salazar, City Clerk *NS*

BACKGROUND/DISCUSSION: None

BUDGET (or FISCAL) IMPACT: None

Prepared by: Judy L. Haughney, CMC, Assistant City Clerk *JLH*

REVIEWED BY:

City Attorney _____
Assistant City Manager _____
Finance Director *SR*

Attachments:

- Consent:
- Public Hearing:
- Business Item:
- Presentation:
- Other: Approval of Minutes

CITY OF PERRIS

MINUTES:

Date of Meeting: April 28, 2020

06:30 PM

Place of Meeting: City Council Chambers

CLOSED SESSION

ROLL CALL

Present: Rabb, Rogers, Magaña, Corona, Vargas

Staff Present: City Manager Belmudez, City Attorney Dunn and City Clerk Salazar

- A. Conference with Labor Negotiators - Government Code Section 54957.6 City Negotiator: Richard Belmudez, City Manager Employee Organization: Teamsters Local 911
- B. Conference with Real Property Negotiators ? Government Code Section 54956.8 Property: APN # 313-091-001 11 S. D Street, Perris, CA 92570 City Negotiator: Richard Belmudez, City Manager Negotiating Parties: Albert Renteria Under Negotiation: Price and terms of payment

The City Council adjourned to Closed Session at 5:45 p.m.

- 1. CALL TO ORDER: 6:30 P.M.

Mayor Vargas called the Regular City Council meeting to order at 6:30 p.m.

- 2. ROLL CALL: Rabb, Rogers, Magaña, Corona, Vargas

Present: Rabb, Rogers, Magaña, Corona, Vargas

Staff Members Present: City Manager Belmudez, City Attorney Dunn, City Engineer McKibbin, Assistant City Manager Miramontes, Assistant City Manager Carlos, Police Captain Sims, Fire Chief Barnett, Chief Information Officer Cervantes, Director of Community Services Chavez, Director of Finance Reyna, Interim Director of Administrative Services Amozgar and City Clerk Salazar.

- 3. INVOCATION:

Mayor Pro Tem Rogers gave the Invocation.

- 4. PLEDGE OF ALLEGIANCE:

Councilmember Rabb led the Pledge of Allegiance.

5. REPORT ON CLOSED SESSION ITEMS:

City Attorney Dunn reported that the City Council met in Closed Session to discuss the items listed on the agenda. He noted that an update was given, direction was given to staff, but no reportable action was taken.

6. PRESENTATIONS/ANNOUNCEMENTS:

There were no Presentations.

7. APPROVAL OF MINUTES:

- A. Approved the Minutes of the Regular Joint Meeting held on April 14, 2020 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority.**

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Marisela Magana to Approve the Minutes, as presented.

AYES: David Starr Rabb, Rita Rogers, Marisela Magana, Malcolm Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

8. CONSENT CALENDAR:

City Manager Belmudez noted that Items 8.A. and 8.B. would be pulled from the Consent Calendar and brought back at a future meeting. He also noted that Public Comment had been received for Items 8.E. and 8.F. He added that the comments received from Luz Gallegos applied to Items 8.F., 9.A. and 9.B., but it would be read during Public Comment for the Consent Calendar.

The Mayor called for Public Comment. Comments were read by staff for the following people:

Luz Gallegos-Items 8.F., 9.A. and 9.B.

Nanette Plascenia-Items 8.E. and 8.F.

- A. This item was pulled and continued until a future meeting- Consideration to approve Contract Services Agreement with Rincon Consultants for Environmental Compliance for the Nuevo Road Bridge Reconstruction and Widening Project.**
- B. This item was pulled and continued until a future meeting- Consideration to approve an Improvement Credit/Reimbursement Agreement with CPT Perris Industrial, LLC associated with the Optimus Logistics Center II Project (PM 36678).**

- C. Approved the Quitclaim Deed for Lateral B-5, Stage 2 of the Perris Valley Master Drainage Plan to Riverside County Flood Control and Water Conservation District.
- D. Approved Final Tract Map 32497 (FTM 19-05078)-A Final Tract Map to subdivide 12.15 acres into 128 residential lots and 8 lettered lots, generally located at the southwest corner of Orange Avenue and Medical Center Drive. (Applicant: Ronald Freeman, Pacific Communities)
- E. Approved Extension of Time No. 20-05012 - A one-year extension of time for Tentative Tract Map 33900 to subdivide 116 acres into 198 residential lots, generally located at the southeast corner of Ethanac Road and McPherson Road. (Applicant: Brian Hardy, Richland Communities Inc.)
- F. Adopted Resolution Number 5652 approving an Amendment to the HOME Notice of Funds Availability (NOFA) application to add a tenant based rental assistance program and authorize HOME Program Income funds for a tenant-based assistance program.

Resolution Number 5652 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO THE CITY OF PERRIS 2017-2018 HOME NOTICE OF FUNDING AVAILABILITY APPLICATION TO INCLUDE A TENANT BASED RENTAL ASSISTANCE PROGRAM

- G. Approved the Contract Services Agreement with Community Works Design Group for Professional Architectural Services to Develop the Enchanted Hills Park Project.

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Marisela Magana to Approve the Consent Calendar, as presented, with the exception of Items 8.A. and 8.B.

AYES: David Starr Rabb, Rita Rogers, Marisela Magana, Malcolm Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

9. PUBLIC HEARINGS:

- A. Adopted Resolution Number 5653 approving an amendment to the Citizen Participation Plan, a Substantial Amendment to the 2019-2024 Consolidated Plan and the 2019-2020 Annual Action Plan to include funding in the amount of \$536,986 from the CARES Act Community Development Block Grant Coronavirus (CDBG-CV) allocation.

Resolution Number 5653 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, APPROVING AN AMENDMENT TO THE CITIZEN PARTICIPATION PLAN, A SUBSTANTIAL AMENDMENT TO THE 2019-2024

CONSOLIDATED PLAN AND FY 2019-2020 ANNUAL ACTION PLAN TO INCLUDE FUNDING FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS (CDBG-CV) ALLOCATION

Grants Manager Sara Cortes de Pavon gave the presentation on this item. The Mayor opened the Public Hearing at 6:47 p.m.

Comments from the following person were read:

Nanette Plascencia

Comments by Luz Gallegos were read during Public Comment for Item 8.-Consent Calendar

The Mayor closed the Public Hearing at 6:47 p.m.

The Mayor called for a motion.

M/S/C: Moved by Marisela Magana, seconded by David Starr Rabb to Approve Resolution Number 5653, as presented.

AYES: David Starr Rabb, Rita Rogers, Marisela Magana, Malcolm Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

- B. Adopted Urgency Ordinance Number 1391 enacting Additional Emergency Protections Related to the COVID-19 Pandemic by Prohibiting Evictions during the Four Month Period after the Expiration of Urgency Ordinance No. 1390 (or Applicable Order of the Governor) and Providing a Process by which Lawfully Charged Unpaid Rent May be Paid.

Urgency Ordinance Number 1391 is entitled:

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ENACTING ADDITIONAL EMERGENCY EVICTION PROTECTIONS RELATED TO THE COVID-19 PANDEMIC BY PROHIBITING EVICTIONS DURING THE FOUR MONTH PERIOD AFTER THE EXPIRATION OF URGENCY ORDINANCE NO. 1390, OR APPLICABLE ORDER OF THE GOVERNOR, AND PROVIDING A PROCESS BY WHICH LAWFULLY CHARGED UNPAID RENT MAY BE PAID

City Attorney Dunn gave the presentation on this item. City Attorney Dunn noted that this item required a 4/5th's vote.

The following Councilmember's spoke:

Rabb

Vargas

Corona

Magaña

Rogers

The Mayor opened the Public Hearing at 6:53 p.m.

**Comments received from Luz Gallegos were read during Item 8.-
Consent Calendar and**

**Comments received from Nanette Plascencia were read during Item
9.A.**

The Mayor closed the Public Hearing at 6:53 p.m.

The Mayor called for a motion.

M/S/C: Moved by Michael Vargas, seconded by Marisela Magana to
Approve Urgency Ordinance Number 1391, extending the time from 4
months to 6 months.

AYES: Marisela Magana, Malcolm Corona, Michael Vargas

NOES: David Starr Rabb, Rita Rogers

ABSENT:

ABSTAIN:

The motion failed due to lack of a 4/5th's vote.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Approve
Urgency Ordinance Number 1391, as presented, maintaining the 4 month
time period.

AYES: David Starr Rabb, Rita Rogers, Marisela Magana, Malcolm
Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

- C. Adopted Resolution Numbers 5654 and PJPA-027 regarding financing and issuance of bonds associated with CFD No. 2007-2 (Pacific Heritage) to fund public fees for public improvements. Zone 1 of the CFD is bounded by Nuevo Road and McKimball Road. Zone 2 of the CFD is bounded by Orange Avenue and Medical Center Drive.

Resolution Number 5654 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS
ACTING FOR THE CITY AND IN ITS CAPACITY AS THE
LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO.
2007-2 (PACIFIC HERITAGE), OF THE CITY OF PERRIS,
AUTHORIZING THE ISSUANCE OF BONDED INDEBTEDNESS IN
AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED
\$4,000,000, TO FINANCE PUBLIC FACILITIES, PERMITTING THE
PURCHASE OF SUCH BONDS BY THE PERRIS JOINT POWERS

AUTHORITY, AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Resolution Number PJPA-027 is entitled:

A RESOLUTION OF THE PERRIS JOINT POWERS AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,000,000 OF ITS PERRIS JOINT POWERS AUTHORITY LOCAL AGENCY REVENUE BONDS (CFD NO. 2007-2 (PACIFIC HERITAGE)), 2020 SERIES, TO PURCHASE LOCAL OBLIGATION BONDS ISSUED BY COMMUNITY FACILITIES DISTRICT NO. 2007-2 (PACIFIC HERITAGE) OF THE CITY OF PERRIS, UPON CERTAIN TERMS AND CONDITIONS, AND APPROVING CERTAIN DOCUMENTS AND OTHER ITEMS RELATING THERETO

Councilmember Magaña recused herself, due to the fact that she lives in the subject development. She left the City Council Chambers at 7:03 p.m.

Jim Fabian, Fieldman Rolapp and Associates, gave the presentation on this item.

The Mayor opened the Public Hearing at 7:14 p.m.

Comments were read from the following person:

Nanette Plascenia

The Mayor closed the Public Hearing at 7:15 p.m.

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Rita Rogers to Approve Resolution Numbers 5654 and PJPA-027, as presented.

AYES: David Starr Rabb, Rita Rogers, Malcolm Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

- D. **Adopted Resolution Number 5655 approving the Community Development Block Grant Action Plan for FY 2020-2021.**

Resolution Number 5655 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, APPROVING THE FY 2020-2021 ACTION PLAN WITH PROPOSED FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL ENTITLEMENT PROGRAM

Grants Manager Sara Cortes de Pavon gave the presentation on this item.

The Mayor opened the Public Hearing at 7:19 p.m. There was no

Public Comment.

The Mayor closed the Public Hearing at 7:19 p.m.

The Mayor called for a motion.

M/S/C: Moved by Marisela Magana, seconded by David Starr Rabb to Approve Resolution Number 5655, as presented.

AYES: David Starr Rabb, Rita Rogers, Marisela Magana, Malcolm Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

- E. Adopted Resolution Number 5656 amending the Transportation Uniform Mitigation Fee (TUMF) applicable to all developments in the City of Perris.

Resolution Number 5656 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF PERRIS

Assistant City Manager Clara Miramontes gave the presentation on this item.

The Mayor opened the Public Hearing at 7:23 p.m. There was no Public Comment.

The Mayor closed the Public Hearing at 7:23 p.m.

The Mayor called for a motion.

M/S/C: Moved by Marisela Magana, seconded by David Starr Rabb to Approve Resolution Number 5656, as presented.

AYES: David Starr Rabb, Rita Rogers, Marisela Magana, Malcolm Corona, Michael Vargas

NOES:

ABSENT:

ABSTAIN:

10. BUSINESS ITEMS: (not requiring a "Public Hearing"):

There were no Business Items.

11. PUBLIC COMMENT/CITIZEN PARTICIPATION:

**Public Comment was received, and read, from the following person:
Nanette Plascencia**

City Manager Belmudez noted that Public Comment had been received from Guillermo Castillo, and distributed to the City Council.

12. COUNCIL COMMUNICATIONS:

The following Councilmember's spoke:

Corona

Magaña

Rogers

Vargas

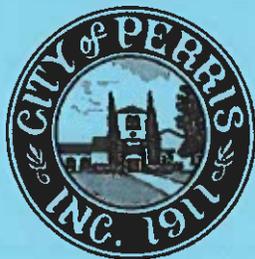
13. CITY MANAGER'S REPORT:

14. ADJOURNMENT:

There being no further business Mayor Vargas adjourned the Regular City Council meeting at 7:35 p.m.

Respectfully Submitted,

Nancy Salazar, City Clerk



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Annexation of DPR 19-00003 to Maintenance District No. 84-1

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report
2. Adoption of Resolution Preliminarily Approving Engineer's Report
3. Adoption of Resolution of Intention to Annex DPR 19-00003 and setting a public hearing date of July 28, 2020

CONTACT: Stuart McKibbin, City Engineer

BACKGROUND/DISCUSSION: DPR 19-00003 is a 251,504 sq. ft. industrial development on 25.35 acres at the northeast corner of Western Way and Nandina Avenue within Perris Valley Commerce Center (PVCC). As a condition of approval, the project is required to annex into Maintenance District No. 84-1.

Annexation of DPR 19-00003 will allow the City to finance the annual maintenance of streetlight and traffic signal improvements installed in conjunction with this property. The project specifically benefits from street lights on Western Way and Nandina Avenue, and from existing and future traffic signals.

BUDGET (or FISCAL) IMPACT: The current maximum annual assessment is \$1,477.26. Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
 Assistant City Manager _____
 Finance Director *EL*

Attachments:

- 1. Resolution Ordering Preparation of the Engineer's Report**
- 2. Engineer's Report**
- 3. Resolution Preliminarily Approving Engineer's Report**
- 4. Resolution of Intention to Annex DPR 19-00003 to Maintenance District No. 84-1**

Consent: **Public Hearing:**
Business Item:
Presentation:
Other:

RESOLUTION NUMBER XXXX

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 OF DPR 19-00003 INTO MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, the City Council of the City of Perris (the "City") has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, including the special maintenance district known and designated as MAINTENANCE DISTRICT NO. 84-1 (the "District"); and

WHEREAS, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation of streetlights, traffic signals and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof, all within the incorporated boundaries of the City of Perris, California; and

WHEREAS, the City Council has heretofore appointed Stuart McKibbin, the City Engineer for the City of Perris, as the "Engineer of Work" for Maintenance District Number 84-1 and Willdan Financial Services has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. The above recitals are true and correct, and are incorporated herein by this reference.

Section 2. That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the streetlights, traffic signals and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California,

Section 3. That DPR 19-00003 be defined as that area to be annexed to the City of Perris Maintenance District Number 84-1.

Section 4. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled "Diagram of Annexation of DPR 19-00003 to Maintenance District Number 84-1, City of Perris, County of Riverside, State of California."

Section 5. That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

Section 6. That Stuart McKibbin, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Willdan Financial Services, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

Section 7. That Stuart McKibbin, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

Section 8. That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

Section 9. That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXXX

Page 3

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number ___ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of May, 2020, by the following called vote:

Aycs:
Noes:
Absent:
Abstain:

City Clerk, Nancy Salazar

AGENCY: City of Perris

**PROJECT: Annexation of DPR 19-00003
To Maintenance District No. 84-1**

**TO: City Council
City of Perris
State of California**

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the **STATE OF CALIFORNIA**, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2020 to June 30, 2021, for that area to be known and designated as:

**"Annexation of DPR 19-00003
to Maintenance District No. 84-1"**

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefore and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 12th day of May, 2020.

**STUART MCKIBBIN, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 28th day of July, 2020, by adoption of Resolution ____ of the City Council.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 12th day of May, 2020.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

Report

PART 1. Plans and Specifications. Generally, the work to be performed consists of the annual energy and maintenance costs for six (6) new streetlights. The streetlights to be installed and maintained are shown on the plans and specifications prepared by Mammoth Electric Inc., and entitled, "Offsite Street Lighting Improvements for Black Creek Nandina Industrial, Nandina Avenue & Western Way, City of Perris, CA DPR 19-00003".

In addition to the streetlights, this area benefits from existing and future traffic signals. Of specific benefit are the traffic signals at the intersections of Harley Knox Boulevard with Western Way.

The plans and specifications for all facilities are or will be on file in the City of Perris Public Works Department and, by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements.

The streetlight improvements will be owned by the City of Perris and, upon construction will be shown on the Perris Street Light Atlas Maps. The traffic signals are owned by the City of Perris and are shown on the City of Perris Traffic Signal Location Map. Said Map and Atlas are on file in the City of Perris Office of Public Works Department and are made a part of this report to the same extent as if said documents were attached hereto.

PART 2. An Estimate of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, materials, electricity, and appurtenances. Incidental costs include engineering, legal, City Clerk, and administration expenses, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

The estimated annual cost for maintenance of the facilities is listed as follows:

Facility	Quantity	Annual Cost	Total Cost
Street Lights			
9,500 Lumen	0	\$141.00	\$00.00
High-Output LED	6	\$191.88	1,151.28
Traffic Signals			
Western Way and Harley Knox Blvd.	5%	\$7,970.53	398.53
Subtotal			\$1,549.81
Incidental Costs			\$232.73
City Contribution for Street Lights Resolution No. 5519	6	-50.88	-305.28
Balance to Assessment			\$1,477.26

PART 3. The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of the Diagram, enclosed herein as Part 4.

Street lighting and the orderly circulation of traffic directly benefits the area to be annexed to Maintenance District No. 84-1. Any share of the benefits received that does not provide a special benefit to the assessed properties is a general benefit provided by the improvements. The cost of the general benefit is not to be assessed to the properties in the district.

The cost of the general benefit is to be contributed by the City. This cost for lights is equal to the unit cost difference between a local street light and an arterial street light. A local street light is the standard required on a local street. Arterial streets require a higher output street light in order to service a capacity greater than the local traffic.

The method of assessment is based on units, with a residential dwelling or condominium equal to one benefit unit. The relationship between residential lots and non-residential development has been established at 4.2 residential lots to one assessed acre based on the general density of the City as a whole. The assessed acreage is the net acreage of the area to be annexed.

The current annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the improvements and appurtenant facilities is equal to \$46.28 per benefit unit, shown as follows:

$$\frac{1.0 \text{ Assessed Acre}}{4.2 \text{ Benefit Units}} \times \frac{\$1,477.26}{7.60 \text{ AC}} = \$46.28 \text{ per Benefit Unit}$$

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison rate percent increase projected for the upcoming fiscal year.

Reference is made to the FY 2019/2020 annual proceedings for Maintenance District No. 84-1, as confirmed and set forth in Resolution 5519 approved on June 11, 2019. Under these proceedings, the benefit for the annual maintenance of streetlight and traffic signals is equal to \$46.28 per Benefit Unit, or single family home. For the purposes of this report, this assessment determines the net specific streetlight and traffic signal benefit. The assessed acreage is the net acreage of the area to be annexed, as reduced to reflect the benefit set forth by Resolution No. 5519.

The assessment, by Parcel, is as follows:

Parcel	APN	Net Acreage	Taxable Acreage	Benefit Units	Estimated Maximum Annual Assessment
1	294-180-017	23.96	7.60	31.92	\$1,477.26

With the construction of streetlights, as a condition of approval, the developer is required by the City to provide certain standard street lighting for the area within the development; and the energy costs for the initial 18-month period. No newly annexed area or portion thereof is assessed prior to the completion of the 18-month period.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2020 to June 30, 2021, reference is made to the Assessment Roll included herein as Attachment No.1.

- PART 4.** **A Diagram of the Annexation.** The boundary of the area to be annexed is coincident with the boundary of DPR 19-00003. Said boundary is designated as "Diagram of Annexation of DPR 19-00003 to Maintenance District No. 84-1, City of Perris, County of Riverside, State of California." The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of annexation and benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.
- PART 5.** **A Consent and Waiver for Annexation** to the District has been signed by the owners of the area within the proposed annexation. Said consent and waiver is included herein as Attachment No. 3.

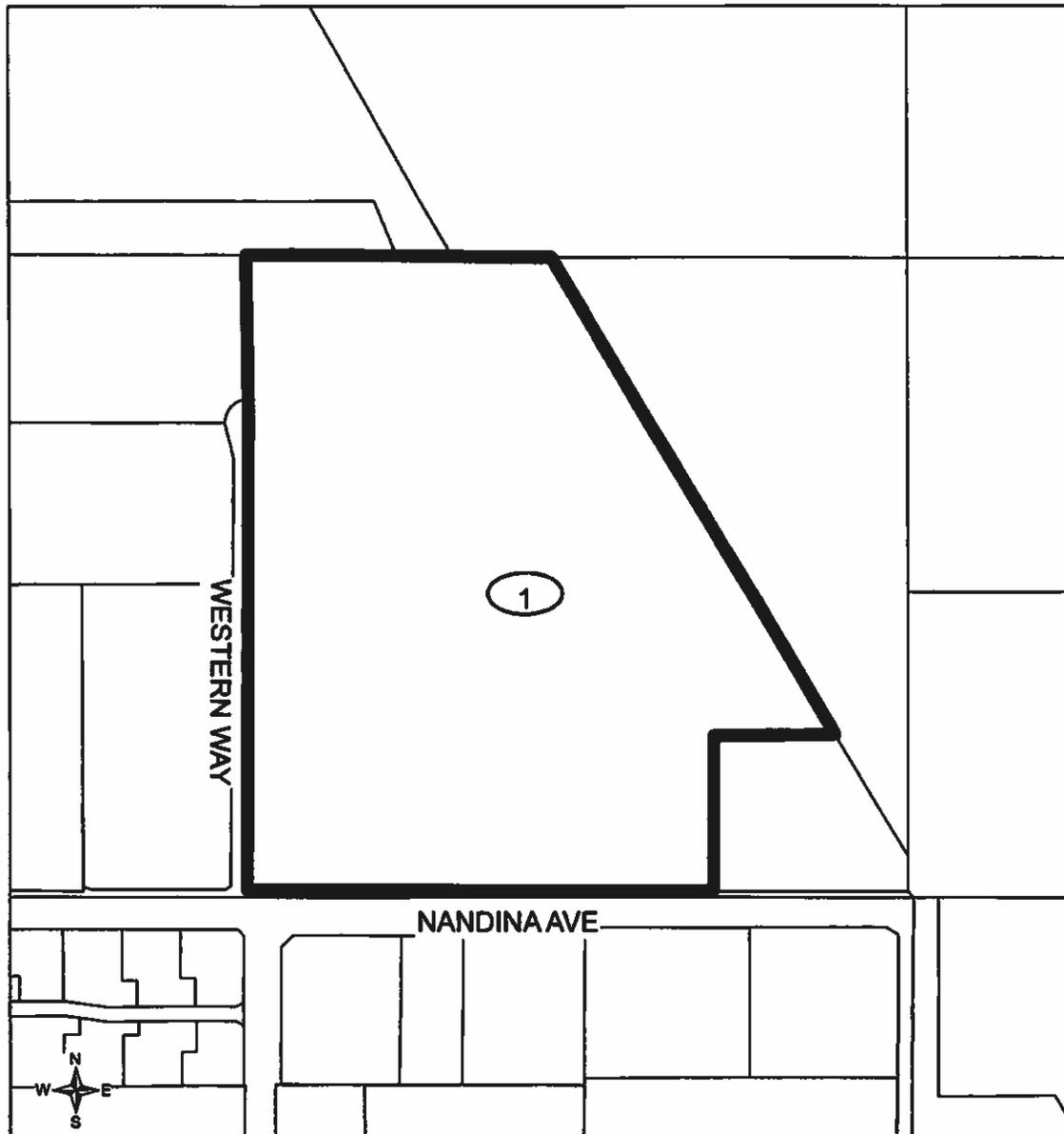
**Assessment Roll
Annexation of DPR 19-00003
To Maintenance District No. 84-1
City of Perris**

Assessment Number	Assessor Parcel Number	Estimated Annual Assessment	Fiscal Year 2020/2021
1	294-180-017	\$1,477.26	\$0.00

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison rate percent increase projected for the upcoming fiscal year.

DIAGRAM OF ANNEXATION OF DPR 19-00003 TO MAINTENANCE DISTRICT NO. 84-1

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA



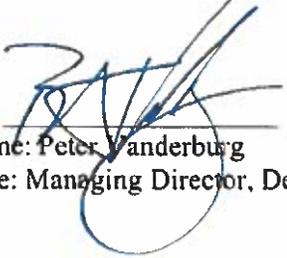
Legend
 ANNEXATION BOUNDARY
 MAP REFERENCE NUMBER

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	294-180-017



REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

IPT Perris DC III LLC, a Delaware limited liability company
By: **BTC II Holdco LLC**, a Delaware limited liability company, its sole member
By: **Build-To-Core Industrial Partnership II LP**, a Delaware limited partnership, its manager
By: **IPT BTC II GP LLC**, a Delaware limited liability company, its general partner
By: **IPT Real Estate Holdco LLC**, a Delaware limited liability company, its sole member
By: **Industrial Property Operating Partnership LP**, a Delaware limited partnership, its sole member
By: **Industrial Property Trust**, a Maryland real estate investment trust, its general partner

By: 
Name: Peter Vanderburg
Title: Managing Director, Development

Mailing Address:
4675 MacArthur Court, Suite 625
Newport Beach, Ca 92660

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On April 16, 2020 before me, Julie L. Dennis, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Peter Vanderburg
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Julie L. Dennis
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

RESOLUTION NUMBER XXXX

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 DPR 19-00003 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, the City Council of the City of Perris (the "City") has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, including the special maintenance district known and designated as MAINTENANCE DISTRICT NO. 84-1 (the "District"); and

WHEREAS, on the 12th day May, 2020, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ___ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Act in connection with the annexation of DPR 19-00003; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no portion of the report requires or should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. The above recitals are true and correct, and are incorporated herein by this reference.

Section 2. That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

Section 3. That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

Section 4. That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

Section 5. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

Attest:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, City CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of May, 2020, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXXX

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 TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 19-00003 TO 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 ON JULY 28, 2020

WHEREAS, the City Council of the City of Perris (the "City") has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, including the special maintenance district known and designated as MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "District"); and

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the City Council to order the annexation of territory to the District; and

WHEREAS, on the 12th day of May, 2020, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ___ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Act; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered the Engineer's Report and each and every part thereof, and has found that each and every part of the Engineer's Report is sufficient, and that no portion of the report requires or should be modified in any respect; and

WHEREAS, the City now desires to declare its intention to annex certain property into the District, pursuant to the Act and, more specifically, Section 22587 thereof, and to take certain other actions as required by the Act;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. Recitals. The Recitals set forth above are true and correct, and are incorporated herein by this reference.

Section 2. Description of Work: That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to annex DPR 19-00003 to the District, and to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of streetlight and traffic signal facilities as authorized by Section 22525 of the Streets and Highways Code, State of California.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

Section 3. Location of Work: The improvements to be maintained and serviced consist of the streetlights and traffic signals within said annexation.

Section 4. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of DPR 19-00003 to Maintenance District Number 84-1" heretofore approved by the City Council of said City by Resolution No. ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

Reference is hereby made to said map for a further, full, and more particular description of said assessment district, and the said map so on file shall govern for all details as to the extent of said assessment district.

Section 5. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of DPR 19-00003, to Maintenance District Number 84-1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 6. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the streetlights and traffic signals and appurtenant facilities is \$46.28 per Benefit Unit (single family home). Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison rate increase projected for the upcoming fiscal year.

Section 7. Time and Place of Public Hearing: Notice is hereby given that on July 28, 2020, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

Section 8. Landscaping and Lighting Act of 1972: All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

Section 9. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published one time as required by Section 22552 of the California Streets and Highways Code, occurring no later than 10 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris City News is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

Section 10. Mailing of Notice: The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10-point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 53753 of the Government Code and pursuant to subdivision (c) of that section, each

notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 11. Designation of Contact Person: That this City Council does hereby designate, Stuart McKibbin, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

Section 12. Certification: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

Attest:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXXX

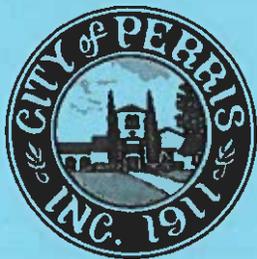
Page 5

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of May, 2020, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Annexation of DPR 19-00003 to Landscape Maintenance District No. 1 (LMD 1)

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report
2. Adoption of Resolution Preliminarily Approving Engineer's Report
3. Adoption of Resolution of Intention to Annex DPR 19-00003 and setting a public hearing date of July 28, 2020

CONTACT: Stuart McKibbin, City Engineer

BACKGROUND/DISCUSSION: DPR 19-00003 is a 251,504 sq. ft. industrial development on 25.35 acres at the northeast corner of Western Way and Nandina Avenue within Perris Valley Commerce Center (PVCC).

Annexation of DPR 19-00003 will allow the City to finance the annual maintenance of landscape improvements to be installed adjacent to the project that benefits this property.

BUDGET (or FISCAL) IMPACT: The current maximum annual assessment is \$17,650.49. Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
 Assistant City Manager _____
 Finance Director ER

Attachments:

1. Resolution Ordering Preparation of the Engineer's Report
2. Engineer's Report
3. Resolution Preliminarily Approving Engineer's Report
4. Resolution of Intention to Annex 19-00003 to Landscape Maintenance District No. 1

Consent: x
Public Hearing:
Business Item:
Presentation:
Other:

RESOLUTION NUMBER XXXX

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 LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 151 DPR 19-00003 TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, the City Council of the City of Perris (the "City") has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, including the special maintenance district known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 (the "District"), and created BENEFIT ZONE 151 therein (hereinafter referred to as the "Benefit Zone 151"); and

WHEREAS, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof, all within the incorporated boundaries of the City of Perris, California; and

WHEREAS, the City Council has heretofore appointed Stuart McKibbin, the City Engineer for the City of Perris, as the "Engineer of Work" for Landscape Maintenance District Number 1 and Willdan Financial Services has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California.

Section 3. That DPR 19-00003 be defined as that area to be annexed to Benefit Zone 151, City of Perris Landscape Maintenance District Number 1.

Section 4. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled "Diagram of Annexation of DPR 19-00003, to Benefit Zone 151, Landscape Maintenance District Number 1, City of Perris, County of Riverside, State of California."

Section 5. That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

Section 6. That Stuart McKibbin, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Willdan Financial Services, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

Section 7. That Stuart McKibbin, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

Section 8. That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

Section 9. That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of May, 2020, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

AGENCY: City of Perris

**PROJECT: Annexation of DPR 19-00003
To Benefit Zone 151, Landscape Maintenance District No. 1**

**TO: City Council
City of Perris
State of California**

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the **STATE OF CALIFORNIA**, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2020 to June 30, 2021, for that area to be known and designated as:

**"Annexation of DPR 19-00003
To Benefit Zone 151, Landscape Maintenance District No. 1"**

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 12th day of May, 2020.

**STUART MCKIBBIN, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 28th day of July 2020, by adoption of Resolution ____ of the City Council.

**City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 12th day of May, 2020.

**City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

Report

PART 1. **Plans and Specifications** for the improvements to be maintained and/or improved for a fiscal year have been or will be designed for acceptance by the City of Perris. In general, the landscaping, irrigation, and appurtenances to be maintained are the parkways within Western Way and Nandina Avenue along the frontage of DPR 19-00003.

Reference is made to the following:

- Landscaping plans and specifications for improvements as prepared by Environs Landscape Architecture, Inc. that are entitled, "Western Way & Nandina Ave. Street Improvement Plans for LMD City of Perris, CA", and
- Plans and specifications, as prepared by Huitt-Zollars, Inc., that are entitled, "Street Improvement Plans for IPT Perris DC III, LLC, Nandina Avenue & Western Way, City of Perris, CA, DPR 19-00003."

Upon final approval, plans and specifications for the improvements are or will be on file in the City of Perris Office of Community Development and, by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto. The plans and specifications will sufficiently show and describe the general nature, location and extent of all the improvements.

PART 2. **An Estimate** of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, water, electricity, materials and plant replacement, and appurtenances. Incidental costs include annual engineering, legal, City Clerk, Finance Department, and Public Works expenses, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

Due to the soil, water, exposure, and pedestrian traffic, plant replacement in parkways is estimated at a 2% die-off rate at 2.5-feet on-center. Tree trimming is scheduled to occur every other year. Mulch is applied every three years and irrigation replacement/repairs are scheduled to occur every fifth year.

The maximum annual assessment is based on the estimated cost of maintaining the plants at maturity. The annual assessment levied will be based on the actual expenses incurred by Benefit Zone 151 (BZ 151).

The annual cost for maintenance of the public improvements is estimated as follows:

<u>Item</u>	<u>Quantity</u>	<u>Unit*</u>	<u>Unit Cost</u>	<u>Years Occurrence</u>	<u>Annual Cost</u>
Maintenance	15,221	SF	\$0.54	1	\$8,219.34
Plant Replacement	49	EA	15.75	1	771.75
Tree Trimming	55	EA	150.00	2	4,125.00
Irrigation Repairs and Replacement Fund	15,221	SF	0.06	5	182.65
Decomposed Granite	0	SF	0.50	5	0.00
Mulch	141	CY	30.00	3	<u>1,410.00</u>
Subtotal Maintenance					\$14,708.74
Incidentals					\$2,941.75
Total Costs					\$17,650.49

*** Units Legend:**

CY = Cubic Yard

EA = Each

LF = Lineal Feet

SF =Square Feet

A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections is usually distributed by the County of Riverside the following January. A 6-month tax roll reserve, based on the annual cost of all the improvements is \$8,825.25.

The property owner shall be responsible for the maintenance and upkeep of the public parkway landscaping set forth herein for a period of one year after acceptance of the improvements by the City of Perris. Benefit Zone 151, for the fiscal year commencing July 1, 2020 to June 30, 2021, will incur zero costs.

PART 3.

The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of Benefit Zone 151, as shown on the Diagram, enclosed herein as Part 4.

The area within Benefit Zone 151 specifically benefits from the maintenance of parkways along the streets that provide ingress and egress to Benefit Zone 151. DPR 19-00003 is conditioned for the improvement of certain parkways as a requirement for development.

The method of assessment is based on units, with one benefit unit assigned to the net area within Benefit Zone 151. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of all the public improvements and appurtenant facilities within Benefit Zone 151 is equal to \$17,650.49 per benefit unit.

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can

be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2020 to June 30, 2021, reference is made to the Assessment Roll included herein as Attachment No. 1.

PART 4. **A Diagram of the Annexation.** The boundary of the area to be annexed is coincident with the boundary of DPR 19-00003. Said boundary is designated as "Diagram of Annexation of DPR 19-00003 to Benefit Zone 151, Landscape Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 5. **A Consent and Waiver for Annexation** to the District has been signed by the owner of the area within the proposed annexation. Said consent and waiver are included herein as Attachment No. 3.

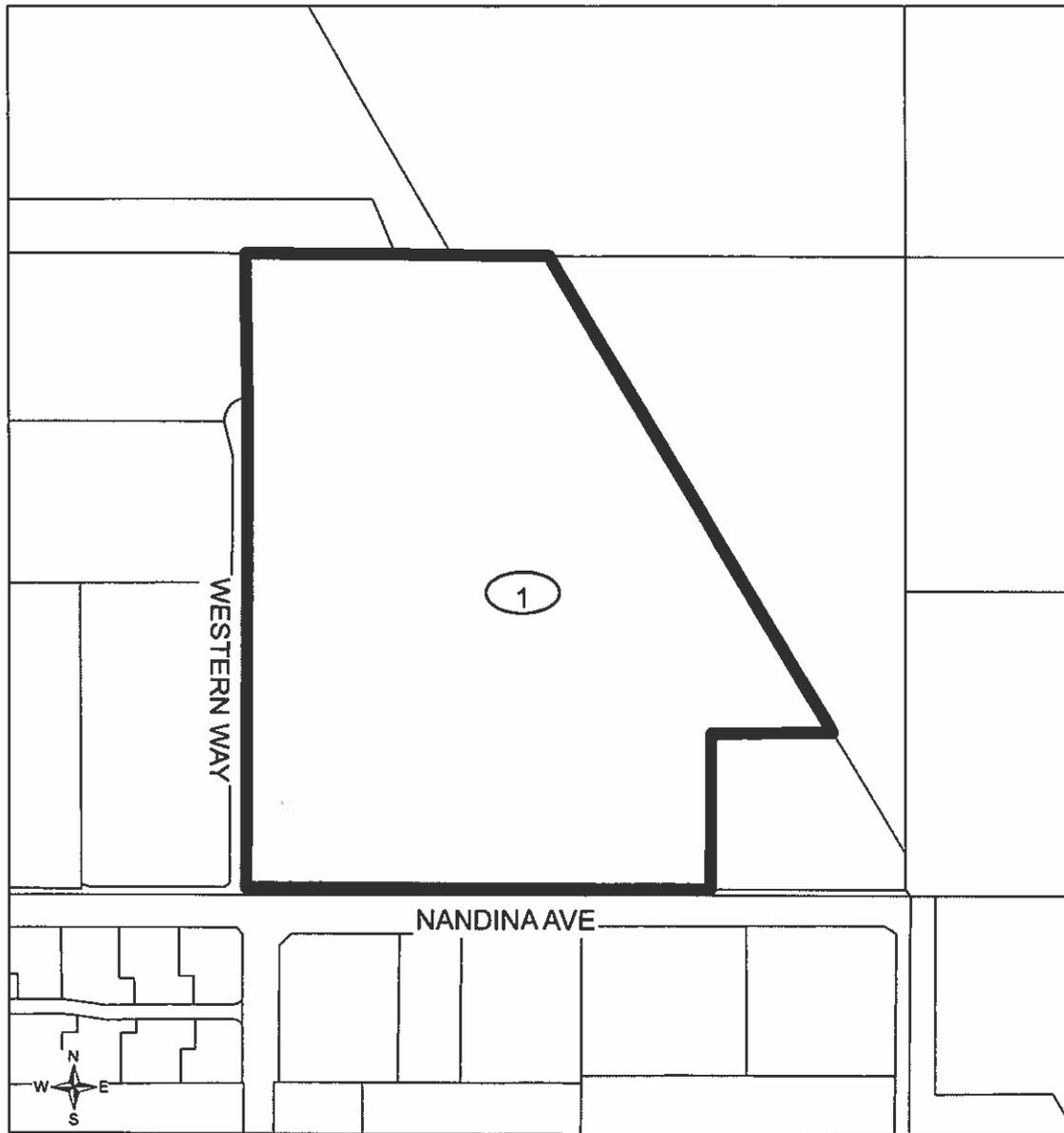
**Assessment Roll
Annexation of DPR 19-00003
To Benefit Zone 151,
Landscape Maintenance District No. 1, City of Perris**

<u>Assessment Number</u>	<u>Description</u>	<u>Assessor Parcel Numbers</u>	<u>Estimated Annual Assessment</u>	<u>Fiscal Year 2020/2021</u>
1	DPR 19-00003	294-180-017	\$17,650.49	\$0.00

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

DIAGRAM OF ANNEXATION OF DPR 19-00003 TO BENEFIT ZONE 151 LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA



Legend

-  ANNEXATION BOUNDARY
-  MAP REFERENCE NUMBER

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	294-180-017



REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

**PETITION FOR THE ANNEXATION TO A BENEFIT ASSESSMENT DISTRICT TO
FINANCE THE MAINTENANCE OF CERTAIN PUBLIC IMPROVEMENTS**

**BEFORE THE CITY COUNCIL OF THE CITY OF PERRIS,
STATE OF CALIFORNIA**

In the matter of the proposed)
Annexation to City of Perris)
Flood Control Maintenance District No. 1)

TO: The City Council of the City of Perris

We, the undersigned, hereby:

- (1) Petition you to initiate and complete all necessary proceedings under the Benefit Assessment Act of 1982, Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code for the annexation to a benefit assessment district for the maintenance of certain flood control improvements which benefit the property described on Exhibit "A" attached hereto and incorporated herein by this reference to the Maintenance District.
- (2) Certify that the proposed annexation to a benefit assessment district that will be subject to assessment for maintenance of such improvements, is that real property in the City of Perris, County of Riverside, State of California, generally described on Exhibit "A" attached hereto and incorporated herein by this reference to the Maintenance District.
- (3) Certify that we constitute the owners(s), including mortgagees or beneficiaries under any existing mortgage or subject to assessment for the proposed annexation, of the property in the proposed annexation to a benefit assessment district, as shown by the last equalized assessment roll used by the County of Riverside at the time this Petition is filed and also constitute the owner(s) of sixty percent (60%) of the area of all assessable lands within the proposed annexation to a benefit assessment district.
- (4) In order to expedite the project, agree to dedicate all necessary rights-of-way or easements as determined necessary for maintenance of the public improvements.

Dated:

4/16/20

See attached signature page

Signature

List Property Owner Name and Mailing Address

IPT Perris DC III LLC, a Delaware limited liability company

By: BTC II Holdco LLC, a Delaware limited liability company, its sole member

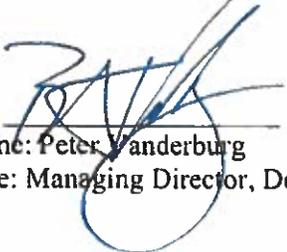
By: Build-To-Core Industrial Partnership II LP, a Delaware limited partnership, its manager

By: IPT BTC II GP LLC, a Delaware limited liability company, its general partner

By: IPT Real Estate Holdco LLC, a Delaware limited liability company, its sole member

By: Industrial Property Operating Partnership LP, a Delaware limited partnership, its sole member

By: Industrial Property Trust, a Maryland real estate investment trust, its general partner

By: 

Name: Peter Vanderburg

Title: Managing Director, Development

Mailing Address:

4675 MacArthur Court, Suite 625

Newport Beach, Ca 92660

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

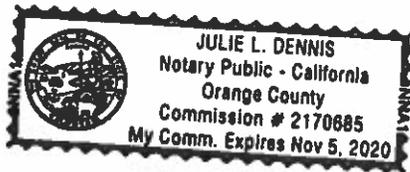
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On April 16, 2020 before me, Julie L. Dennis, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Peter Vanderburg
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Julie L. Dennis
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

RESOLUTION NUMBER XXXX

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 DPR 19-00003 TO BENEFIT ZONE 151, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, the City Council of the City of Perris (the "City") has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, including the special maintenance district known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 (the "District"), and created Benefit Zone 151 therein (hereinafter referred to as the "Benefit Zone 151"); and

WHEREAS, on the 12th day of May 2020, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number _____ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by Act in connection with the annexation of DPR 19-00003 to Benefit Zone 151; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no portion of the report requires or should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

Section 3. That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

Section 4. That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

Section 5. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of May, 2020, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXXX

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 151, 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 151, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 19-00003 TO BENEFIT ZONE 151, 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 ON JULY 28, 2020

WHEREAS, the City Council of the City of Perris (the "City") has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, including the special maintenance district known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 (the "District"), and created BENEFIT ZONE 151 therein (hereinafter referred to as the "Benefit Zone 151"); and

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the City Council to order the annexation of territory to the District; and

WHEREAS, on the 12th day of May, 2020, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ___ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Act; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered the Engineer's Report and each and every part thereof, and has found that each and every part of the Engineer's Report is sufficient, and that no portion of the report requires or should be modified in any respect; and

WHEREAS, the City now desires to declare its intention to annex certain property into Benefit Zone 151 of the District, pursuant to the Act and, more specifically, Section 22587 thereof, and to take certain other actions as required by the Act;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. Recitals. The Recitals set forth above are true and correct, and are incorporated herein by this reference.

Section 2. Description of Work: That the public interest and convenience requires, and it is the intention of the City Council of the City of Perris to annex DPR 19-00003 to Benefit Zone 151 of the District, and to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of landscaping as authorized by Section 22525 of the Streets and Highways Code, State of California.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

Section 3. Location of Work: The improvements to be maintained and serviced include the irrigation system, landscaping, and appurtenances benefiting DPR 19-00003. The landscaping, irrigation, and appurtenances to be maintained are within Western Way and Nandina Avenue along the frontage of DPR 19-00003.

Section 4. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of DPR 19-00003 to Benefit Zone 151, Landscape Maintenance District Number 1" heretofore approved by the City Council of said City by Resolution No ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

Reference is hereby made to said map for a further, full, and more particular description of said assessment district, and the said map so on file shall govern for all details as to the extent of said assessment district.

Section 5. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of DPR 19-00003 to Benefit Zone 151, Landscape Maintenance District Number 1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 6. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the public landscaping and appurtenant facilities is equal to \$17,650.49 per Benefit Unit. Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Section 7. Time and Place of Public Hearing: Notice is hereby given that on July 28, 2020, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

Section 8. Landscaping and Lighting Act of 1972: All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

Section 9. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published one time as required by 22552 of the California Streets and Highways Code, with the publication occurring no later than 10 days prior to the public hearing at which the City Council will consider levying the proposed special assessments.

The published notice will encompass one-eighth of a newspaper page. The Perris City News is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of

Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

Section 10. Mailing of Notice: The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10-point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 54953 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 11. Designation of Contact Person: That this City Council does hereby designate, Stuart McKibbin, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

Section 12. Certification: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

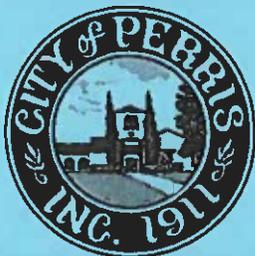
City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of May, 2020, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Annexation of DPR 19-00003 to Flood Control MD No. 1

REQUESTED ACTION: Adoption of Resolution of Intention to Annex DPR 19-00003 to Flood Control Maintenance District No. 1 and set a public hearing date of July 28, 2020.

CONTACT: Stuart McKibbin, City Engineer

BACKGROUND/DISCUSSION: DPR 19-00003 is a 251,504 sq. ft. industrial development on 25.35 acres at the northeast corner of Western Way and Nandina Avenue within Perris Valley Commerce Center (PVCC).

As a condition of approval, the project is required to annex into FCMD 1. This district provides revenue for the annual maintenance of flood control improvements installed in conjunction with new development.

The improvements to be maintained under Benefit Zone 116 include an inlet, catch basin, 18-, 24- and 30-inch reinforced concrete (RCP) storm drain pipes; and, appurtenances, all located within the public right-of-way. Improvements are to be maintained by Benefit Zone 116 on an interim basis pending the completion of certain master plan facilities.

BUDGET (or FISCAL) IMPACT: The maximum annual assessment is \$19,073.70. Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
 Assistant City Manager _____
 Finance Director ER

Attachments:

1. **Engineer's Report**
2. **Resolution of Intention to Annex DPR 19-00003 to Flood Control MD No. 1**

Consent: x

Public Hearing:

Business Item:

Presentation:

Other:

AGENCY: City of Perris

**PROJECT: Annexation of DPR 19-00003
To Benefit Zone 116, Flood Control Maintenance District No. 1**

**TO: City Council
City of Perris
State of California**

REPORT PURSUANT TO "BENEFIT ASSESSMENT ACT OF 1982"

Pursuant to the direction from the City Council of the City of Perris, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Part 1 of Division 2 of Title 5 of the Government Code of the **STATE OF CALIFORNIA**, being the "Benefit Assessment Act of 1982", as amended, commencing with Section 54703. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2020 to June 30, 2021, for that area to be known and designated as:

**"Annexation of DPR 19-00003
To Benefit Zone 116, Flood Control Maintenance District No. 1"**

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 12th day of May, 2020.

**Stuart McKibbin, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 28th day of July 2020, by adoption of Resolution ____ of the City Council.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 12th day of May, 2020.

**NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA**

Report

PART 1. **A General Description** of the flood control improvements to be maintained includes facilities that will accommodate the storm flow and protect DPR 19-00003 from inundation. These public improvements channel, contain and convey the storm flow to the Perris Storm Drain facilities.

The improvements to be maintained under Benefit Zone 116 include an inlet, catch basins, 18-, 24- and 30-inch reinforced concrete (RCP) storm drain pipes, and appurtenances, all located within the public right-of-way. Improvements are to be maintained by Benefit Zone 116 on an interim basis pending the completion of certain master plan facilities. At that time, the cost of maintaining improvements within the public right-of-way benefitting Zone 116 will be re-determined but shall be no greater than the maximum annual assessment estimated below.

Maintenance and upkeep of these storm drainage facilities includes, but is not limited to, grading, general cleanup and debris removal, inspections, stenciling, replacement and repairs. Annual photo documentation is scheduled to take place, along with silt removal as required. Depending on that year's storm drain flow and the level of debris in the flow, a system cleaning may be required after the first rain and again during or at the end of the rainy season.

It is noted that all private on-site storm drainage facilities and basins identified within the property line are to be maintained by the property owner and not the City of Perris.

PART 2. **Plans and Specifications** for the improvements to be maintained for a fiscal year have been approved by the City of Perris. The improvements are identified on the plans and specifications that are entitled:

- "Offsite Storm Drain Plans for Patterson Avenue, Nandina Avenue & Western Way, City of Perris, California DPR 19-00003" prepared by Huitt-Zollars, Inc.

The plans and specifications have been approved by both the City Engineer for the City of Perris and the Chief Engineer for the Riverside County Flood Control and Water Conservation District (RCFC&WCD) and are on file in the City of Perris Office of Public Works. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements, and by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

PART 3. **An Estimate** of the cost for the public improvements to be maintained and/or improved for a given fiscal year includes labor, equipment, materials, and appurtenances. Incidentals include annual engineering, legal, City Clerk, and finance expenses to the District, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

The maximum annual assessment is based on the estimated cost of maintaining the facilities. The estimated annual cost for maintenance of the facilities is listed below.

<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Total Annual Cost</u>
Catch Basins	2	Lump Sum	\$266.00
Inlets	1	Lump Sum	127.00
RCP Storm Drain Pipes	1	Lump Sum	15,501.75
Subtotal			\$15,894.75
Incidentals			3,178.95
Estimated BZ 116 Annual Costs			\$19,073.70

With service intervals and staggered maintenance operations, revenue requirements for maintenance will fluctuate year to year. Each year's maintenance operations will be funded by that year's assessment plus the fund balance remaining from prior year assessments.

Zero costs will be assessed to Benefit Zone 116 for the fiscal year commencing July 1, 2020 to June 30, 2021.

PART 4

The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of the Diagram, enclosed herein as Part 5.

The storm drainage facilities will accommodate the storm flow specifically impacting Benefit Zone 116. These improvements specifically benefit the area within the annexation; and, the improvements were required for the approval of, and as of consequence of, development of this area.

The method of assessment is based on units, with one benefit unit assigned to the net area within Benefit Zone 116. The current maximum annual assessment, under Benefit Zone 116, reflecting the reasonable cost of providing for the maintenance and servicing of the improvements and appurtenant facilities, is equal to \$19,073.70 per Benefit Unit.

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2020 to June 30, 2021, reference is made to the Assessment Roll included herein as Attachment No. 1.

A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections are usually distributed by the County of Riverside the following January. A 6-month tax roll reserve for the current

maintenance of the flood control facilities and incidental costs is estimated to be \$9,536.85.

PART 5. **A Diagram of the Annexation.** The boundary of the area to be annexed is coincident with DPR 19-00003. Said boundary is designated as "Diagram of Annexation of DPR 19-00003 to Benefit Zone 116, Flood Control Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 6. **A Petition for Annexation** to the District has been signed by the owner of the area within the proposed annexation. Said petition is included herein as Attachment No. 3.

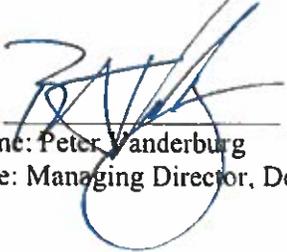
Assessment Roll

**Annexation of DPR 19-00003
To Benefit Zone 116,
Flood Control Maintenance District No. 1, City of Perris**

<u>Benefit Zone / Assessment Number</u>	<u>Description</u>	<u>Assessor Parcel Number</u>	<u>Estimated Annual Assessment</u>	<u>Fiscal Year 2020/2021</u>
116	DPR 19-00003	294-180-017	\$19,073.70	\$0.00
	Total		\$19,073.70	\$0.00

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

IPT Perris DC III LLC, a Delaware limited liability company
By: **BTC II Holdco LLC**, a Delaware limited liability company, its sole member
By: **Build-To-Core Industrial Partnership II LP**, a Delaware limited partnership, its manager
By: **IPT BTC II GP LLC**, a Delaware limited liability company, its general partner
By: **IPT Real Estate Holdco LLC**, a Delaware limited liability company, its sole member
By: **Industrial Property Operating Partnership LP**, a Delaware limited partnership, its sole member
By: **Industrial Property Trust**, a Maryland real estate investment trust, its general partner

By: 
Name: Peter Vanderburg
Title: Managing Director, Development

Mailing Address:
4675 MacArthur Court, Suite 625
Newport Beach, Ca 92660

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

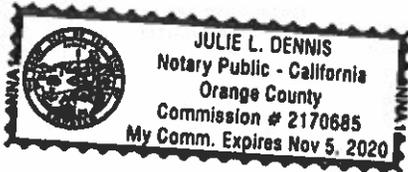
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)
On April 16, 2020 before me, Julie L. Dennis, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Peter Vanderburg
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Julie L. Dennis
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

RESOLUTION NUMBER XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF DPR 19-00003 TO BENEFIT ZONE 116, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON JULY 28, 2020

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("this City Council"), wishes to provide continued financing for necessary maintenance of certain flood control and drainage improvements within the boundaries of DPR 19-00003 through the levy of benefit assessments pursuant to the provisions of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code commonly known as the "Benefit Assessment Act of 1982", (the "Act"); and

WHEREAS, IPT Perris DC III (the "Owner") has presented signed petitions to the City Council requesting the annexation of DPR 19-00003 to a benefit assessment district to finance the maintenance of those certain drainage and flood control improvements permitted pursuant to Sections 54710 and 54710.5 of the Act (the "Improvements") which benefit properties within DPR 19-00003; and

WHEREAS, the City Council now proposes to levy benefit assessments under the provisions of the Act to insure continued financing to maintain the Improvements pursuant to the Act, all for the benefit of parcels within DPR 19-00003; and

WHEREAS, to accomplish such purposes, the City Council proposes to annex DPR 19-00003 to Benefit Zone 116, Flood Control Maintenance District No. 1.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. The public interest, convenience, and necessity require, and it is the intention of the City Council pursuant to the provisions of the Act to maintain the Improvements for the benefit of the properties within the area of benefit.

Section 2. Maintenance of the improvements will be of direct benefit to parcels within DPR 19-00003 which are hereby declared to be the properties benefited by the Improvements and to be assessed to pay the cost and expenses thereof. The area of benefit shall be all that part of the City within the boundaries shown on the map entitled "Diagram of Annexation of DPR 19-00003 to Benefit Zone 116, Flood Control Maintenance District Number 1" on file in the office of the City Clerk of the City of Perris, California.

Section 3. At least forty-five (45) days prior to the date set for the hearing on the proposed assessment, the Assessment Engineer is hereby directed to file with the City Clerk a written report (the "Engineer's Report") pursuant to the Act, Government Code Section 53753 and Article XIID of the Constitution of the State of California, containing the following:

- a. A description of the service proposed to be financed through the revenue derived from the benefit assessments.
- b. A description of each lot or parcel of property proposed to be subject to the benefit assessments. The assessor's parcel number or Tract Map number shall be a sufficient description of the parcel.
- c. The amount of the proposed assessment for each parcel.
- d. The basis and schedule of the assessments.
- e. Other such matters as the Assessment Engineer shall deem appropriate.

Section 4. On the 28th day of July, 2020, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the annexation to the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

Section 5. The City Clerk is hereby directed to publish notice of the hearing on the proposed assessment and notice of the filing of the Engineer's Report once a week for two successive weeks, with at least five days intervening between the respective publication dates, not counting such publication dates, in the Perris City News, a newspaper of general circulation within the area of benefit. The notice shall be 1/8 of a page in size and contain the following information:

- a. The amount of the assessment.
- b. The purpose of the assessment.
- c. The total estimated assessments expected to be generated annually.
- d. The method and frequency for collecting the assessment.
- e. The date, time, and location of the public hearing.
- f. The phone number and address of an individual that interested persons may contact to receive additional information about the assessment.

Section 6. The City Clerk is also hereby instructed to give additional notice of the hearing and notice of the filing of the Engineer's Report by posting a copy of this resolution in three public places within the City of Perris.

Section 7. The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments, including the Owners. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council

will consider levying the new or increased assessments and shall be at least in 10-point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section

53753 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 8. That this City Council does hereby designate, Stuart McKibbin , City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXXX

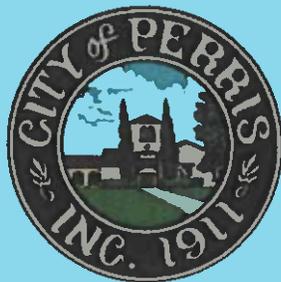
Page 4

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of May, 2020, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: May 12, 2020
SUBJECT: **Annexation of parcels into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 38**
 Project: DPR 19-00003 – 251,504 sq. ft. warehouse
 Owner(s): IPT Perris DC III
 APN: 294-180-017

REQUESTED ACTION: **Adopt a Resolution of Intention to Annex Territory to CFD 2001-3**

CONTACT: Ernie Reyna, Director of Finance *ER*

BACKGROUND/DISCUSSION:

In early 2002, the City Council formed Community Facilities District 2001-3 (North Perris Public Safety) (the “Original District”), for the purpose of paying for additional public safety and fire protection services within the area services by the Original District. On June 10, 2002, the qualified electors within the Original District approved by more than a two-thirds (2/3) vote the proposition of levying a special tax within the Original District. The Original District encompassed certain developments, including the “Villages of Avalon” and “May Farms” developments. Subsequently, several other developments were annexed to the District and adopted the special taxes to be levied therein (the “Annexations” and, together with the Original District, the “District”). Other development and commercial projects in the City will be annexed to the District in the future.

The property owners of the parcels listed on the map attached to the following Resolution has filed a petition requesting annexation to the District and waiving the notice and time periods for the election as permitted by the Mello-Roos Community Facilities Act of 1982.

This Resolution will commence the annexation process for the property described on the map attached to the resolution to the District. This resolution will set a public hearing for July 28, 2020 regarding the proposed annexation. An election will be held following the public hearing. At that time, the landowner will vote on annexing their property to the District and levying special taxes within their District. The special tax levy for Fiscal Year 2020-21 is \$357.05 for Single-Family Residential Units, \$71.41 for Multi-Family Residential Units, and \$1,428.24 per Acre for Non-Residential Parcels. For each subsequent fiscal year following Fiscal Year 2020-2021, the Maximum Special Tax may be increased by an amount not to exceed two percent (2.00%) per year.

BUDGET (or FISCAL) IMPACT:

The property owner has forwarded a deposit to initiate the annexation process and the City may recoup all costs through the levy of the special tax

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
Assistant City Manager _____
Finance Director ER

Attachments:

1. Perris CFD 2001-3 Annex 38 Resolution of Intention

Consent: x
Public Hearing:
Business Item:
Presentation:
Other:

RESOLUTION NUMBER XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 38]

WHEREAS, the City Council (the "Council") of the City of Perris, California (the "City"), on December 11, 2001, has adopted its resolution of intention (the "Resolution of Intention") stating its intention to form Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the "Act") being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, within the territory described more fully on the map entitled "Boundary Map, County of Riverside, California, Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris," a copy of which is on file with the City Clerk of the City of Perris; and

WHEREAS, on January 29, 2002, the Council adopted Resolution No. 3312 ("Resolution 2912") which established the District and called an election within the District on the proposition of levying a special tax; and

WHEREAS, on June 10, 2002, an election was held within the District at which the qualified electors approved by more than a two-thirds (2/3) vote the proposition of levying a special tax pursuant to a special tax formula (the "Rate and Method of Apportionment") as set forth in Resolution No. 3312 and attached hereto and incorporated herein as Exhibit "A", showing the tax levels in fiscal year 2005-06 and certain changes to indicate commencement of the levy the special tax; and

WHEREAS, the Council has heretofore adopted an Ordinance (the "Ordinance") which provided for the levying and collection of special taxes (the "Special Taxes") within the District, as provided in the Act and the Ordinance in accordance with the Rate and Method of Apportionment; and

WHEREAS, a petition (the "Petition") requesting the institution of proceedings for annexation to the District signed by the landowner within the proposed territory to be annexed (the "Property") as more fully described in Exhibit "B", attached hereto and incorporated herein, has been received, filed with and accepted by the City Clerk of the City of Perris; and

WHEREAS, the Council has duly considered the admissibility and necessity of instituting proceedings to annex the Property to the District under and pursuant to the terms and conditions and provisions of Article 3.5 of the Act, commencing with Government Code Section 53339; and

WHEREAS, the Council has determined to institute proceedings for the annexation of such Property to the District, and has determined to (a) set forth the boundaries of the territory which is proposed for annexation to the District, (b) state the public services to be provided in and for the Property, (c) specify the special taxes to be levied with the Property, and (d) set a date, time and place for a public hearing relating to the annexation of the Property to the District and the levy of special tax therein to pay for such public facilities.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. That the above recitals are all true and correct.

Section 2. It is the intention of the Council, acting as the legislative body of the District, to annex the Property to the District under and pursuant to the terms and provisions of the Act. The boundaries of the Property proposed for annexation to the District are more particularly described and shown on that certain map entitled "Annexation Map No. 38 to Community Facilities District No. 2001-3 (North Perris Public Safety)" that has been filed with the City Clerk of the City and a copy of which, together with a legal description of such territory, is described in Exhibit "B". The City Clerk is hereby authorized and directed to endorse the Certificate on said map evidencing the date and adoption of this resolution and is further authorized and directed to file said map with the County Recorder of the County of Riverside in accordance with the provisions of Section 3111 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution and not later than fifteen (15) days prior to the date of the public hearing as set forth in Section 5 hereof.

Section 3. It is the intention of the Council to order the financing of (1) fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; (2) police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto (collectively, the "Services"); and (3) the incidental expenses to be incurred in connection with financing the Services and forming and administering the District (the "Incidental Expenses"). The Services are public services that the City or a public agency is authorized by law to contribute revenue to or to provide. A description of the types of Services to be financed is set forth in Resolution No. 3312 and incorporated herein by reference. The Services to be financed by or on behalf of the District are necessary to meet increased demand upon the City and other public agencies as a result of development occurring within the boundaries of the Property. The Property, on a per unit basis, will share in the cost of the Services in the same proportion as units with the existing District pursuant to the Rate and Method of Apportionment.

The final nature and location of the Services will be determined upon the preparation of final plans and specifications which may show substitutes in lieu of, or modifications to, the proposed Services. Any such substitution shall not be deemed a change or modification of the Services so long as the substitution provides a service substantially similar to the Services.

Section 4. It is the intention of the City Council that, except where funds are otherwise available, a special tax sufficient to pay for the Services and the Facilities, including the repayment

of funds advanced to the District, annual administration expenses in determining, apportioning, levying and collecting such special taxes, secured by recordation of a continuing lien against all non-exempt real property within the boundaries of the Property, will be levied annually on land within the boundaries of the Property. The Rate and Method of Apportionment shall remain unchanged as a result of the proposed annexation, except that the conditions to commencement of the tax have been met. The Property will be subject to the Special Tax pursuant to the Rate and Method of Apportionment. The special tax as apportioned to each parcel within the Property is fairly apportioned as determined by the City Council and as permitted by Section 53339.3 of the Act, and the apportionment of the special tax is not on or based upon the value or ownership of real property.

Section 5. Notice is hereby given that on the 28st day of July 2020, at the hour of 6:30 p.m., or as soon thereafter as is practicable, in the chambers of the City Council of the City of Perris, 101 North "D" Street, Perris, California 92570, a public hearing will be held at which the City Council, as the legislative body of the District, shall consider the proposed annexation of the Property and all other matters as set forth in this Resolution of Intention. At the above-mentioned time and place for such public hearing, any persons interested, including all taxpayers, property owners and registered voters within the District and the Property proposed to be annexed, may appear and be heard, and such testimony for or against the proposed annexation will be heard and considered.

Section 6. Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing. If written protests against the proposed annexation are filed by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the existing District, or by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the Property proposed to be annexed, or by owners of one-half (1/2) or more of the area of land included within the existing District, or by owners of one-half (1/2) or more of the area of land proposed to be annexed to the District, the proceedings shall be abandoned as to those matters receiving a majority protest.

Section 7. If, following the public hearing described herein, the Council determines to annex the Property to the District and levy a special tax thereon, the Council shall then submit the annexation of the Property and levy of the special tax to the qualified voters of the Property. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, have been registered to vote within the territory of the Property for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters residing within the Property, with each voter having one (1) vote. Otherwise, the vote shall be a mail ballot election, consistent with Section 53327.5 of the Act, by the landowners of the Property who are owners of record at the close of the public hearing, with each landowner having one (1) vote for each acre or portion of an acre of land owned within the Property. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to that landowner.

Section 8. The City may accept advances of funds or work-in-kind from any sources, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying the cost incurred in annexing the Property to the District. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by the Council, with or without interest.

Section 9. The City Clerk is hereby directed, to the extent that such notice is required, to publish a notice (“Notice”) of the hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of the proposed District. Such Notice shall contain the text of this Resolution, state the time and place of the hearing, a statement that the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners in the proposed District as provided in Section 53324 of the Act and a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

Section 10. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED and **APPROVED** this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO
HEREBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly
adopted by the City Council of the City of Perris at a regular meeting held the 12th day of May,
2020, by the following called vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

City Clerk, Nancy Salazar

Exhibit A

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2001-3
NORTH PERRIS PUBLIC SAFETY**

SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

A. BASIS OF SPECIAL TAX LEVY

A Special Tax shall be levied on all Taxable Property in Community Facilities District No. 2001-3 ("District"), North Perris Public Safety of the City of Perris and collected each fiscal year commencing in Fiscal Year 2005/06 in an amount determined by the Council through the application of this Rate and Method of Apportionment of the Special Tax. All of the real property in the District unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

B. DEFINITIONS

Act means the Mello-Roos Community Facilities Act of 1982, as amended, Sections 53311 and following of the California Government Code.

Administrative Expenses means the costs incurred by the City to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the District as determined by the Finance Director.

Annual Cost(s) means for each fiscal year, the total of 1) the estimated cost of services provided through the Police & Fire Protection Program adopted by the City; 2) Administrative Expenses, and 3) any amounts needed to cure actual or projected delinquencies in Special Taxes for the current or previous fiscal year.

Annual Tax Escalation Factor means an increase in the Maximum Special Tax Rate each year following the Base Year in an amount not to exceed 2.00% annually.

Base Year means Fiscal Year ending June 30, 2006.

City means the City of Perris, California.

Council means the City Council of the City of Perris as the legislative body for the District under the Act.

RESOLUTION NUMBER XXXX

County means the County of Riverside, California.

Developed Parcel means for each fiscal year, each Parcel for which a building permit for new construction or renovations was issued prior to March 1 of the previous fiscal year.

District means the Community Facilities District No. 2001-3, ("CFD 2001-3), North Perris Public Safety of the City of Perris.

Exempt Parcel means any Parcel that is not a Residential Parcel or a Non-Residential Parcel. Exempt Parcels are exempt from the levy of Special Taxes.

Finance Director means the Finance Director for the City of Perris or his or her designee.

Fiscal Year means the period starting July 1 and ending the following June 30.

Maximum Special Tax means the greatest amount of Special Tax that can be levied against a Parcel in a given fiscal year calculated by multiplying the Maximum Annual Special Tax Rate by the relevant acres or units of the Parcel.

Maximum Special Tax Rate means the amount determined pursuant to Section D below, which will be used in calculating the Maximum Special Tax for a Parcel based on its land use classification. Each fiscal year following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Tax Escalation Factor and otherwise adjusted as provided in this Special Tax Rate and Method of Apportionment.

Maximum Special Tax Revenue means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Special Tax.

Multi-Family Residential Unit means each multi-family attached residential unit located on a Developed Parcel.

Non-Residential Acres means the acreage of a Non-Residential Parcel. The acreage assigned to such a Parcel shall be that shown on the County assessor's parcel map.

Non-Residential Parcel means a Developed Parcel for which a building permit(s) was issued for private non-residential use. Non-Residential Parcels do not include Parcels that are intended to be, (1) publicly owned or owned by a regulated public utility, or (2) assigned minimal value or is normally exempt from the levy of general *ad valorem* property taxes under California law, including homeowners association property, public utility, public streets; schools; parks; and public drainage ways, public landscaping, greenbelts, and public open space.

Parcel means a lot or parcel shown on an assessor's parcel map with an assigned assessor's parcel number located in the District based on the last equalized tax rolls of the County.

Police & Fire Protection Program means a program adopted by the Council pursuant to Section 53313 of the Act for the provision, in a defined area of benefit, of police and fire protection services that are in addition to those services that would be provided to the area of the District if the District were not in existence.

Residential Parcel means a Developed Parcel for which a building permit(s) was issued for residential use.

Single-Family Residential Unit means a Developed Parcel used for single-family detached residential development.

Special Tax(es) means any tax levy under the Act in the District.

Taxable Property means every Residential Parcel and Non-Residential Parcel.

C. DURATION OF THE SPECIAL TAX

Duration of Special Tax for Taxable Property in the District shall remain subject to the Special Tax in perpetuity.

D. ASSIGNMENT OF MAXIMUM SPECIAL TAXES

1. Classification of Parcels

Each fiscal year, using the Definitions above, each Parcel of Taxable Property is to be classified as either a Residential Parcel or Non-Residential Parcel. Each Residential Parcel is to be further classified as either a Single-Family Unit or as the number of Multi-Family Units located on such Parcel.

2. Maximum Special Tax Rates

TABLE 1
Maximum Special Tax Rate for Developed Property in
Community Facilities District No. 2001-3
Fiscal Year 2005/06

Tax Status	Base Year Maximum Special Tax Rate	Tax Levy Basis
Single Family Residential Unit	\$265.30	Per Unit
Multi-Family Residential Unit	\$53.06	Per Unit
Non-Residential Parcel	\$1,061.21	Per Acre

On July 1st of each fiscal year, commencing July 1, 2006, the Maximum Special Tax Rates shall be increased in accordance with the Annual Tax Escalation Factor.

E. SETTING THE ANNUAL SPECIAL TAX LEVY

The Special Tax levy for each Parcel of Taxable Property will be established annually as follows:

1. Compute the Annual Costs using the definitions in Section A.
2. Calculate the available special tax revenues by taxing each Parcel of Taxable Property at 100.00% of its Maximum Special Tax. If revenues are greater than the Annual Costs, reduce the tax proportionately against all Parcels until the tax levy is set at an amount sufficient to cover Annual Costs.
3. Levy on each Parcel of Taxable Property the amount calculated above. No Special Tax shall be levied on Exempt Parcels.

The City shall make every effort to correctly assign the number of taxable units and calculate the Special Tax for each Parcel. It shall be the burden of the taxpayer to correct any errors in the determination of the Parcels subject to the tax and their Special Tax assignments.

F. ADMINISTRATIVE CHANGES AND APPEALS

The Finance Director or designee has the authority to make necessary administrative adjustments to the Special Tax Rate and Method of Apportionment in order to remedy any portions of the Special Tax formula that require clarification.

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the Finance Director appealing the levy of the Special Tax. The Finance Director will then promptly review the appeal, and if necessary, meet with the applicant. If the Finance Director verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties, or any definition applicable to the District.

G. MANNER OF COLLECTION

The Special Tax will be collected in the same manner and at the same time as *ad valorem* property taxes; provided; however, the City or its designee may directly bill the Special Tax and may collect the Special Tax at a different time, such as on a monthly or other periodic basis, or in a different manner, if necessary to meet its financial obligation.

Exhibit B

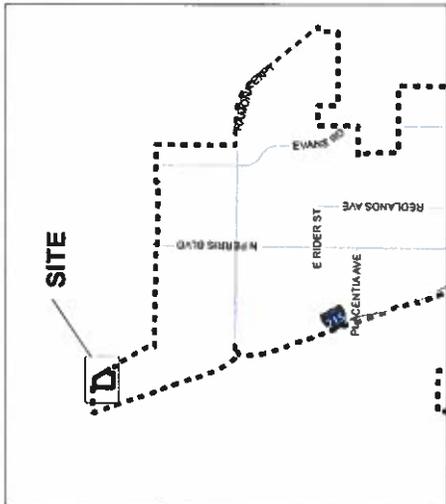
**COMMUNITY FACILITIES DISTRICT NO. 2001-3
(NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 38**

BOUNDARY MAP

[See Attached]

ANNEXATION MAP NO. 38 TO COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____, 20____.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 38 TO COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY), CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF PERRIS AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS RESOLUTION NO. _____.

CITY CLERK
CITY OF PERRIS

FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ O'CLOCK _____ IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS (AT PAGE(S) _____) IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

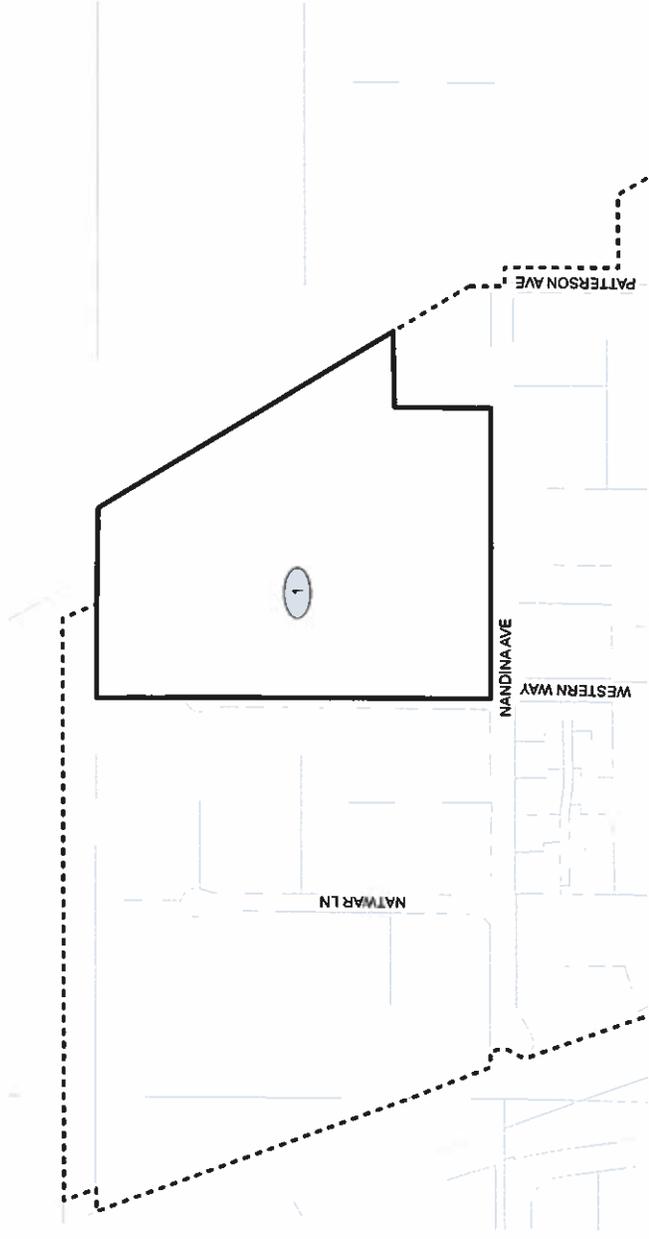
BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON DECEMBER 18, 2001, IN BOOK 50 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 48.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	294-180-017

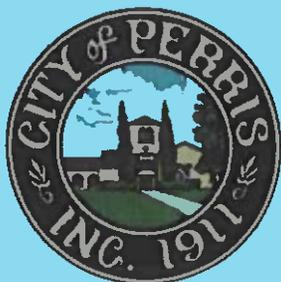


Legend

- PROPOSED ANNEXATION BOUNDARY
- MAP REFERENCE NUMBER
- CITY OF PERRIS BOUNDARY



27368 VIA INDUSTRIA, SUITE #200
TEMECULA, CA 92590
(951) 587-3500



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: May 12, 2020
SUBJECT: **Annexation of parcels into CFD 2018-02 (Public Services District) – Annexation No. 3**
 Project: DPR 19-00003 – 251,504 sq. ft. warehouse
 Owner(s): IPT Perris DC III
 APN: 294-180-017

REQUESTED ACTION: **Adopt a Resolution of Intention** to Annex Territory to CFD 2018-02

CONTACT: Ernie Reyna, Finance Director *ER*

BACKGROUND/DISCUSSION:

In 2018, the City Council formed Community Facilities District 2018-02 (Public Services District) (the “Original District”), for the purpose of funding maintenance for the Perris Valley Trail system. On November 13, 2018, the qualified electors within the Original District approved by more than a two-thirds (2/3) vote the proposition of levying a special tax within the Original District. Other industrial and commercial projects in the City are to be annexed to the District as they are developed.

The property owners of the parcels listed on the map attached to the following Resolution has filed a petition requesting annexation to the District and waiving the notice and time periods for the election as permitted by the Mello-Roos Community Facilities Act of 1982.

This Resolution will commence the annexation process for the property described on the map attached to the resolution to the District. This resolution will set a public hearing for July 28, 2020 regarding the proposed annexation. An election will be held following the public hearing. At that time, the landowner will vote on annexing their property to the District and levying special taxes within their District. The special tax levy for Fiscal Year 2020-21 is \$19.522 per 1,000 square feet of floor area for taxable developed parcels. For each subsequent fiscal year following Fiscal Year 2020-2021, the Maximum Special Tax may be increased by an amount not to exceed the greater of two percent (2.00%) or Consumer Price Index (“CPI”) per year.

BUDGET (or FISCAL) IMPACT:

The property owner has forwarded a deposit to initiate the annexation process and the City may recoup all costs through the levy of the special tax

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____

Assistant City Manager _____

Finance Director ER

Attachments:

1. Perris CFD 2018-02 Annexation No. 3 Resolution of Intention

Consent: x

Public Hearing:

Business Item:

Presentation:

Other:

RESOLUTION NUMBER XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 3]

WHEREAS, the City Council (the “Council”) of the City of Perris, California (the “City”), on September 25, 2018, adopted Resolution No. 5366 (the “Resolution of Formation”) stating its intention to form Community Facilities District No. 2018-02 (Public Services District) of the City of Perris (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the “Act”) being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, within the territory described more fully on the map entitled “Proposed Boundaries of City of Perris, Community Facilities District No. 2018-02 (Public Services District), County of Riverside, State of California” a copy of which is on file with the City Clerk of the City of Perris; and

WHEREAS, on November 13, 2018, the Council adopted Resolution No. 5402 which established the District and called an election within the District on the proposition of levying a special tax; and

WHEREAS, on November 13, 2018, an election was held within the District at which the qualified electors approved by more than a two-thirds (2/3) vote the proposition of levying a special tax pursuant to a special tax formula (the “Rate and Method of Apportionment”) as set forth in Resolution No. 5402 and attached hereto and incorporated herein as Exhibit “A”, showing the tax levels in fiscal year 2018-19 and certain changes to indicate commencement of the levy the special tax; and

WHEREAS, the Council has heretofore adopted an Ordinance (the “Ordinance”) which provided for the levying and collection of special taxes (the “Special Taxes”) within the District, as provided in the Act and the Ordinance in accordance with the Rate and Method of Apportionment; and

WHEREAS, a petition (the “Petition”) requesting the institution of proceedings for annexation to the District signed by the landowner within the proposed territory to be annexed (the “Property”) as more fully described in Exhibit “B”, attached hereto and incorporated herein, has been received, filed with and accepted by the City Clerk of the City of Perris; and

WHEREAS, the Council has duly considered the admissibility and necessity of instituting proceedings to annex the Property to the District under and pursuant to the terms and conditions and provisions of Article 3.5 of the Act, commencing with Government Code Section 53339; and

WHEREAS, the Council has determined to institute proceedings for the annexation of such Property to the District, and has determined to (a) set forth the boundaries of the territory which is proposed for annexation to the District, (b) state the public services to be provided in and for the Property, (c) specify the special taxes to be levied with the Property, and (d) set a date, time and place for a public hearing relating to the annexation of the Property to the District and the levy of special tax therein to pay for such public facilities.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1. That the above recitals are all true and correct.

Section 2. It is the intention of the Council, acting as the legislative body of the District, to annex the Property to the District under and pursuant to the terms and provisions of the Act. The boundaries of the Property proposed for annexation to the District are more particularly described and shown on that certain map entitled "Annexation Map No. 3 to Community Facilities District No. 2018-02 (Public Services District)" that has been filed with the City Clerk of the City and a copy of which, together with a legal description of such territory, is described in Exhibit "B". The City Clerk is hereby authorized and directed to endorse the Certificate on said map evidencing the date and adoption of this resolution and is further authorized and directed to file said map with the County Recorder of the County of Riverside in accordance with the provisions of Section 3111 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution and not later than fifteen (15) days prior to the date of the public hearing as set forth in Section 5 hereof.

Section 3. It is the intention of the Council to order the financing of all related administrative costs and expenses, necessary utility (water and electricity) costs, and related reserves for replacement of vehicles, equipment and facilities, including the costs incurred to determine, levy and collect the special taxes, including the compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the charges imposed by the County for the levy and collection of special taxes on the property tax rolls, preparation of required reports, and amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years, to reimburse the City or any third parties for actual costs advanced that are related to the formation of the CFD, any amounts needed for operating reserves and capital reserves, and any other costs incurred in the administration of the CFD by the City. The Services are public services that the City or a public agency is authorized by law to contribute revenue to or to provide. A description of the types of Services to be financed is set forth in Resolution No. 5402 and incorporated herein by reference. The Services to be financed by or on behalf of the District are necessary to meet increased demand upon the City and other public agencies as a result of development occurring within the boundaries of the Property. The Property, on a per unit basis, will share in the cost of the Services in the same proportion as units with the existing District pursuant to the Rate and Method of Apportionment.

The final nature and location of the Services will be determined upon the preparation of final plans and specifications which may show substitutes in lieu of, or modifications to, the

proposed Services. Any such substitution shall not be deemed a change or modification of the Services so long as the substitution provides a service substantially similar to the Services.

Section 4. It is the intention of the City Council that, except where funds are otherwise available, a special tax sufficient to pay for the Services and the Facilities, including the repayment of funds advanced to the District, annual administration expenses in determining, apportioning, levying and collecting such special taxes, secured by recordation of a continuing lien against all non-exempt real property within the boundaries of the Property, will be levied annually on land within the boundaries of the Property. The Rate and Method of Apportionment shall remain unchanged as a result of the proposed annexation, except that the conditions to commencement of the tax have been met. The Property will be subject to the Special Tax pursuant to the Rate and Method of Apportionment. The special tax as apportioned to each parcel within the Property is fairly apportioned as determined by the City Council and as permitted by Section 53339.3 of the Act, and the apportionment of the special tax is not on or based upon the value or ownership of real property.

Section 5. Notice is hereby given that on the 28th day of July 2020, at the hour of 6:30 p.m., or as soon thereafter as is practicable, in the chambers of the City Council of the City of Perris, 101 North "D" Street, Perris, California 92570, a public hearing will be held at which the City Council, as the legislative body of the District, shall consider the proposed annexation of the Property and all other matters as set forth in this Resolution of Intention. At the above-mentioned time and place for such public hearing, any persons interested, including all taxpayers, property owners and registered voters within the District and the Property proposed to be annexed, may appear and be heard, and such testimony for or against the proposed annexation will be heard and considered.

Section 6. Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing. If written protests against the proposed annexation are filed by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the existing District, or by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the Property proposed to be annexed, or by owners of one-half (1/2) or more of the area of land included within the existing District, or by owners of one-half (1/2) or more of the area of land proposed to be annexed to the District, the proceedings shall be abandoned as to those matters receiving a majority protest.

Section 7. If, following the public hearing described herein, the Council determines to annex the Property to the District and levy a special tax thereon, the Council shall then submit the annexation of the Property and levy of the special tax to the qualified voters of the Property. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, have been registered to vote within the territory of the Property for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters residing within the Property, with each voter having one (1) vote. Otherwise, the vote shall be a mail ballot election, consistent with

Section 53327.5 of the Act, by the landowners of the Property who are owners of record at the close of the public hearing, with each landowner having one (1) vote for each acre or portion of an acre of land owned within the Property. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to that landowner.

Section 8. The City may accept advances of funds or work-in-kind from any sources, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying the cost incurred in annexing the Property to the District. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by the Council, with or without interest.

Section 9. The City Clerk is hereby directed, to the extent that such notice is required, to publish a notice (“Notice”) of the hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of the proposed District. Such Notice shall contain the text of this Resolution, state the time and place of the hearing, a statement that the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners in the proposed District as provided in Section 53324 of the Act and a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

Section 10. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED and **APPROVED** this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of May, 2020, by the following called vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

City Clerk, Nancy Salazar

Exhibit A

**RATE AND METHOD OF APPORTIONMENT FOR
CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2018-02
(PUBLIC SERVICES DISTRICT)
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

A Special Tax as hereinafter defined shall be levied on all Assessor's Parcels of Taxable Property in City of Perris Community Facilities District No. 2018-02 (Public Services District), City of Perris, County of Riverside, State of California ("CFD No. 2018-02") and collected each Fiscal Year commencing in Fiscal Year 2018-19, in an amount determined by the City Council through the application of the appropriate Special Tax, as described below. All of the real property in CFD No. 2018-02, unless exempted by law or by the provisions hereof, shall be taxed for these purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2018-02: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs to the City, CFD No. 2018-02, or any designee thereof of complying with CFD No. 2018-02 or obligated persons disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs to the City, CFD No. 2018-02, or any designee thereof related to an appeal of the Special Tax; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2018-02 for any other administrative purposes of CFD No. 2018-02, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" or **"Parcel"** means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Authorized Services" means those services eligible to be funded by CFD No. 2018-02, as defined in the Resolution of Formation and authorized to be financed by CFD No. 2018-

02 pursuant to Section 53313 and Section 53313.5 of the Act. CFD No. 2018-02 shall finance Authorized Services only to the extent that they are in addition to those provided in the territory of CFD No. 2018-02 before the CFD was created and such Authorized Services may not supplant services already available within CFD No. 2018-02 when the CFD was created.

“Building Permit” means a permit issued by the City or other governmental agency for the construction of a residential or non-residential building on an Assessor’s Parcel.

“CFD Administrator” means an official of CFD No. 2018-02, or any designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“CFD No. 2018-02” means City of Perris Community Facilities District No. 2018-02 (Public Services District), City of Perris, County of Riverside, State of California.

“City” means the City of Perris, California.

“City Council” means the City Council of the City.

“Consumer Price Index” means, for each Fiscal Year, the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All items in Los Angeles-Riverside-Orange County, CA, all urban consumers, not seasonally adjusted” index (Series Id: CUURA421SA0), measured as of the month of December in the calendar year that ends in the previous Fiscal Year. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the CFD Administrator that is reasonably comparable to the Consumer Price Index.

“County” means the County of Riverside.

“Developed Property” means, for each Fiscal Year, all Assessor’s Parcels for which a Building Permit was issued after January 1, 2017 and on or before May 1 of the Fiscal Year preceding the Fiscal Year for which the Special Taxes are being levied.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Floor Area” means the total building square footage of non-residential building(s) or the non-residential portion of a building with both residential and non-residential areas located on an Assessor’s Parcel of Taxable Property, measured from outside wall to outside wall, exclusive of overhangs, porches, patios, carports, or similar spaces attached to the building but generally open on at least two (2) sides. The determination of Floor Area shall be made by reference to the Building Permit(s) issued for such Assessor’s Parcel and/or to the appropriate records kept by the City’s Building Division, as reasonably determined by the CFD Administrator.

“Industrial Zone(s)” means zoning designation identified in the Chapter 19.44 of the City’s Zoning Ordinance (as amended by the City from time to time).

“Maximum Special Tax” means, for each Fiscal Year, the maximum Special Tax, determined in accordance with Section C, below, that can be levied on any Assessor’s Parcel.

“Non-Residential Property” means any and each Assessor’s Parcel of Developed Property for which a Building Permit permitting the construction of one or more non-residential units or facilities, has been issued by the City or some other governmental agency.

“Property Owner Association Property” means, for each Fiscal Year, any Assessor’s Parcel within the boundaries of CFD No. 2018-02 that is owned by or irrevocably offered for dedication to a property owner association, including any master or sub-association, not including any such property that is located directly under a residential or non-residential structure.

“Proportionately” means that the ratio of the actual annual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Property.

“Public Property” means, for each Fiscal Year, (i) any property within the boundaries of CFD No. 2018-02 that is owned by or irrevocably offered for dedication to the Federal government, the State, the City, or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2018-02 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Rate and Method of Apportionment” or **“RMA”** means this Rate and Method of Apportionment of Special Tax.

“Resolution of Formation” means the resolution forming CFD No. 2018-02.

“Special Tax” or **“Special Taxes”** means the special tax or special taxes to be levied in each Fiscal Year on each Assessor’s Parcel of Taxable Property to fund the Special Tax Requirement.

“Special Tax Requirement” means that amount to be collected in any Fiscal Year for CFD No. 2018-02 to pay for certain costs as required to meet the needs of CFD No. 2018-02 in that Fiscal Year. The costs to be covered shall be the direct costs for (i) Authorized Services, including the establishment of reserves for future costs of Authorized Services, (ii) Administrative Expenses, and (iii) an amount to cover anticipated delinquencies for the payment of the Special Tax, based on the delinquency rate for the preceding Fiscal Year; less (iv) a credit for funds available to reduce the annual Special Tax levy, if any, as determined by the CFD Administrator. Under no circumstances shall the Special Tax Requirement include debt service payments for debt financings by CFD No. 2018-02.

“State” means the State of California.

“Taxable Property” means an Assessor’s Parcel of Non-Residential Property (i) for which a Building Permit has been issued permitting the construction of one or more land uses allowed in an Industrial Zone, and (ii) that is not exempt from the Special Tax pursuant to law or Section E below.

“Non-Taxable Property” means, for each Fiscal Year, all property not classified as Taxable Property.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, all Assessor’s Parcels within CFD No. 2018-02 shall be classified by the CFD Administrator as Taxable Property or Non-Taxable Property, and shall be subject to annual Special Taxes in accordance with this Rate and Method of Apportionment as determined by the CFD Administrator pursuant to Sections C and D below. The CFD Administrator’s allocation of property to each type of Land Use Class shall be conclusive and binding. However, only Taxable Property shall be subject to annual Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. Taxable Property

a. Maximum Special Tax

The Maximum Special Tax for Fiscal Year 2018-19 for Taxable Property is shown below in Table 1.

TABLE 1

**Maximum Special Taxes
For Fiscal Year 2018-19
Community Facilities District No. 2018-02**

Land Use Class	Land Use	Fiscal Year 2018-2019 Maximum Special Tax
1	Taxable Property	\$18.47 per Thousand Square Feet of Floor Area

b. Multiple Land Use Classes

In some instances, an Assessor's Parcel of Taxable Property may contain more than one Land Use Class. The Maximum Special Tax that can be levied on an Assessor's Parcel shall be the sum of the Maximum Special Taxes that can be levied for all Land Use Classes located on that Assessor's Parcel.

c. Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2019, the Maximum Special Tax for Taxable Property shall be increased annually by the greater of the change in the Consumer Price Index during the twelve (12) months prior to December of the previous Fiscal Year, or two percent (2.00%).

2. **Non-Taxable Property**

No Special Taxes shall be levied on Non-Taxable Property.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2018-19 and for each following Fiscal Year, the City Council shall levy the annual Special Tax Proportionately for each Assessor's Parcel of Taxable Property at up to 100% of the applicable Maximum Special Tax, until the amount of Special Taxes equals the Special Tax Requirement.

E. EXEMPTIONS

No Special Tax shall be levied on Non-Taxable Property, Property Owner Association Property, or Public Property. However, should an Assessor's Parcel no longer be classified as Non-Taxable Property, Property Owner Association Property, or Public Property, such Assessor's Parcel shall, upon each reclassification, no longer be exempt from Special Taxes.

F. APPEALS AND INTERPRETATIONS

Any landowner or resident may file a written appeal of the Special Tax on his/her property with the CFD Administrator, provided that the appellant is current in his/her payments of Special Taxes. During the pendency of an appeal, all Special Taxes previously levied must be paid on or before the payment date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination. If the CFD Administrator agrees with the appellant, the CFD Administrator shall eliminate or reduce the Special Tax on the appellant's property and/or provide a refund to the appellant. If the CFD Administrator disagrees with the appellant and the appellant is dissatisfied with the determination, the appellant then has thirty (30) days in which to appeal to the City Council

by filing a written notice of appeal with the clerk of the City, provided that the appellant is current in his/her payments of Special Taxes. The second appeal must specify the reasons for the appellant's disagreement with the CFD Administrator's determination. The CFD Administrator may charge the appellant a reasonable fee for processing the appeal.

The City may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner or resident appeals. Any decision of the City will be final and binding as to all persons.

G. MANNER OF COLLECTION

The annual Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary or otherwise advisable to meet its financial obligations for CFD No. 2018-02, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

H. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2018-02 from time to time. As each annexation is proposed, an analysis may be prepared to determine the annual cost for providing Authorized Services to such parcels. Based on this analysis, any parcels to be annexed, pursuant to California Government Code Section 53339 *et seq.* will be assigned the approximate Maximum Special Tax rates when annexed and included in Exhibit A.

I. TERM OF SPECIAL TAX

The Special Tax shall be levied in perpetuity as necessary to meet the Special Tax Requirement, unless no longer required to pay for Authorized Services as determined at the discretion of the City.

RESOLUTION NUMBER XXXX

Exhibit B

**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2018-02
(PUBLIC SERVICES DISTRICT)**

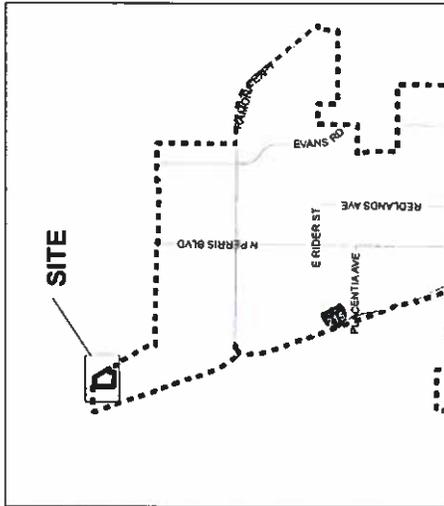
BOUNDARY MAP

[See Attached]

ANNEXATION MAP NO. 3 TO COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT)

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

VICINITY MAP



MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	294-180-017

FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____, 20____.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 3 TO COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF PERRIS AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, BY ITS RESOLUTION NO. _____.

CITY CLERK
CITY OF PERRIS

FILED THIS _____ DAY OF _____, 20____, AT THE HOUR OF _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT (PAGE(S) _____) IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON OCTOBER 25, 2018, IN BOOK 83 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 28 AS INSTRUMENT NUMBER 2018-0421948.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

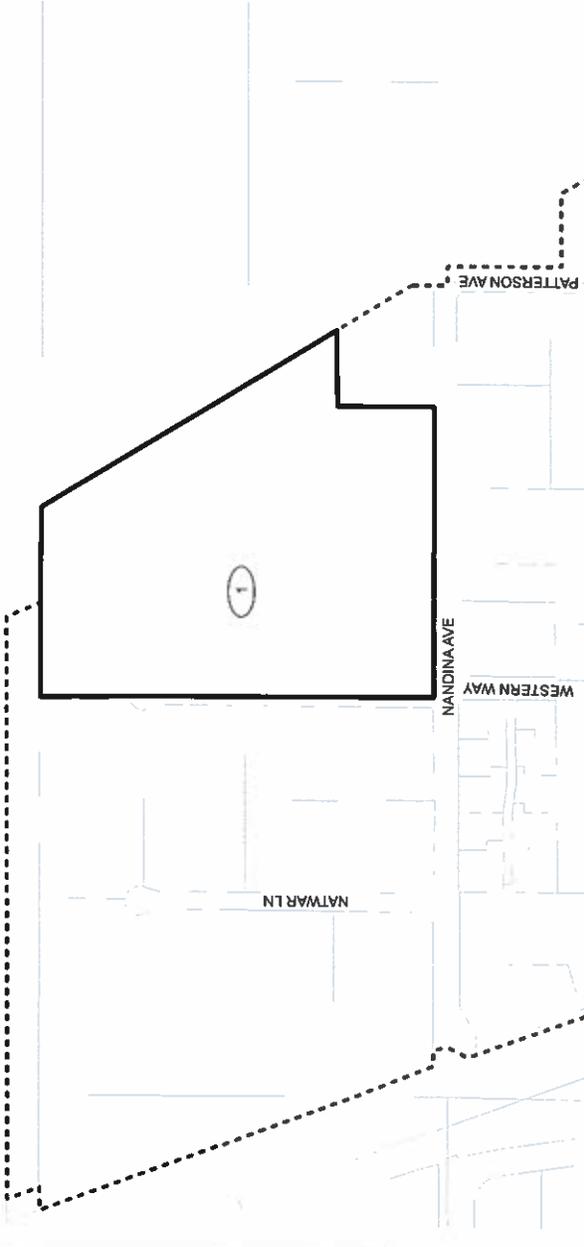
THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

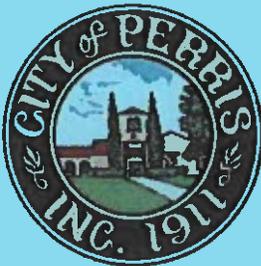
Legend

- PROPOSED ANNEXATION BOUNDARY
- MAP REFERENCE NUMBER
- CITY OF PERRIS BOUNDARY



27368 VIA INDUSTRIA, SUITE #200
TEMECULA, CA 92590
(951) 387-3500





CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Nuevo Road Bridge Reconstruction and Widening – Environmental Compliance

REQUESTED ACTIONS: Staff recommends that the City Council approve Contract Service Agreement with Rincon Consultants, Inc. and authorize City Manager to execute the agreement

CONTACT: Stuart E. McKibbin, City Engineer

BACKGROUND/DISCUSSION:

The Nuevo Road Bridge Reconstruction and Widening is under construction and requires environmental services to comply with the environmental permits from the California Department of Fish and Wildlife and the United States Fish and Wildlife Services requirements for burrowing owl construction monitoring. The City solicited a proposal from Rincon Consultants, Inc. as a sole source for the services, as Rincon Consultants, Inc. had performed all the other environmental work on this project. Rincon Consultants, Inc. has provided a proposal to perform the required burrowing owl construction monitoring services, prepare environmental reports, and to provide staff with project management and coordination support for a cost of \$66,735.00.

Staff recommends the approval of Rincon Consultants, Inc. agreement for the amount of \$66,735.00 to comply with environmental regulatory permit requirements for burrowing owl monitoring during construction. There is adequate funding available in Nuevo Road Bridge Reconstruction and Widening Project (CIP S076) for services.

BUDGET (or FISCAL) IMPACT:

Adequate funding is available in the Nuevo Road Bridge Reconstruction and Widening, (CIP S076) to cover the additional environmental monitoring during construction.

Prepared by: Grace Alvarez, Special Projects Manager

REVIEWED BY:

City Attorney _____
 Assistant City Manager _____
 Finance Director ER

Attachment: Contract Services Agreement
 CIP Sheet S076

Consent: Yes
Public Hearing:
Business Item:
Presentation:
Other:

CITY OF PERRIS

CONTRACT SERVICES AGREEMENT FOR

**NUEVO ROAD BRIDGE RECONSTRUCTION AND WIDENING –
BIOLOGICAL SERVICES IN SUPPORT OF THE BURROWING OWL PROTECTION
STRATEGY REQUIRED BY CDFW AND USFWS**

This Contract Services Agreement ("Agreement"), is made and entered into this _____ day of _____, 2020, by and between the City of Perris, a municipal corporation ("City"), and RINCON CONSULTING, INC, a California Corporation ("Consultant"). The term Consultant includes professionals performing in a consulting capacity. The parties hereto agree as follows:

1.0 SERVICES OF CONSULTANT

1.1 Scope of Services. In compliance with all terms and conditions of this Agreement, Consultant shall provide the work and services specified in the "Scope of Services" attached hereto as *Exhibit "A"* and incorporated herein by this reference. Consultant warrants that all work or services set forth in the Scope of Services will be performed in a competent, professional and satisfactory manner.

1.2 Consultant's Proposal. The Scope of Services shall include the Consultant's proposal or bid which shall be incorporated herein by this reference as though fully set forth herein. In the event of any inconsistency between the terms of such proposal and this Agreement, the terms of this Agreement shall govern.

1.3 Compliance with Law. All work and services rendered hereunder shall be provided in accordance with all ordinances, resolutions, statutes, rules, and regulations of the City and any Federal, State or local governmental agency having jurisdiction.

1.4 Licenses, Permits, Fees and Assessments. Consultant shall obtain at its sole cost and expense, such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement. Consultant shall have the sole obligation to pay for any fees, assessments, taxes, including applicable penalties and interest, which may be imposed by law and arise from or are necessary for the Consultant's performance of the services required by this Agreement; and shall indemnify, defend and hold harmless City against any claim for such fees, assessments, taxes, penalties or interest levied, assessed or imposed against City hereunder.

1.5 Familiarity with Work. By executing this Agreement, Consultant warrants that Consultant (a) has thoroughly investigated and considered the scope of services to be performed, (b) has carefully considered how the work and services should be performed, and (c) fully understands the facilities, difficulties and restrictions attending performance of the services under this Agreement.

1.6 Additional Services. City shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work. No such extra work may be undertaken unless a written order is first given by the Contract Officer to the Consultant, incorporating therein any adjustment in (i) the Contract Sum, and/or (ii) the time to perform this Agreement, which said adjustments are subject to the written approval of the Consultant. Any increase in compensation of up to five percent (5%) of the Contract Sum or \$25,000, whichever is less, may be approved by the Contract Officer. Any greater increases, taken either separately or cumulatively must be approved by the City Council. It is expressly understood by Consultant that the provisions of this Section shall not apply to services specifically set forth in the Scope of Services or reasonably contemplated therein. Consultant hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Consultant anticipates and that Consultant shall not be entitled to additional compensation therefor.

1.7 Special Requirements. Additional terms and conditions of this Agreement, if any, which are made a part hereof are set forth in the "Special Requirements" attached hereto as *Exhibit "B"* and incorporated herein by this reference. In the event of a conflict between the provisions of *Exhibit "B"* and any other provisions of this Agreement, the provisions of *Exhibit "B"* shall govern.

1.8 Environmental Laws. Consultant shall comply with all applicable environmental laws, ordinances, codes and regulations of Federal, State, and local governments. Consultant shall also comply with all applicable mandatory standards and policies relating to energy efficiency.

2.0 COMPENSATION

2.1 Contract Sum. For the services rendered pursuant to this Agreement, Consultant shall be compensated in accordance with the "Schedule of Compensation" attached hereto as *Exhibit "C"* and incorporated herein by this reference, but not exceeding the maximum contract amount of Sixty Six Thousand Seven Hundred Thirty Five dollars (\$66,735.00) ("Contract Sum"), except as provided in Section 1.6. The method of compensation may include: (i) a lump sum payment upon completion, (ii) payment in accordance with the percentage of completion of the services, (iii) payment for time and materials based upon the Consultant's rates as specified in the Schedule of Compensation, but not exceeding the Contract Sum or (iv) such other methods as may be specified in the Schedule of Compensation. Compensation may include reimbursement for actual and necessary expenditures approved by the Contract Officer in advance if specified in the Schedule of Compensation. The Contract Sum shall include the attendance of Consultant at all project meetings reasonably deemed necessary by the City.

Consultant agrees that if Consultant becomes aware of any facts, circumstances, techniques, or events that may or will materially increase or decrease the cost of the work or services or, if Consultant is providing design services, the cost of the project being designed, Consultant shall promptly notify the Contract Officer of said fact, circumstance, technique or event and the estimated increased or decreased cost related thereto and, if Consultant is

providing design services, the estimated increased or decreased cost estimate for the project being designed.

2.2 Method of Payment. Unless some other method of payment is specified in the Schedule of Compensation, in any month in which Consultant wishes to receive payment, no later than the first (1st) working day of such month, Consultant shall submit to the City, in a form approved by the City's Director of Finance, an invoice for services rendered prior to the date of the invoice. Except as provided in Section 7.2, City shall pay Consultant for all expenses stated thereon which are approved by City pursuant to this Agreement generally within thirty (30) days, and no later than forty-five (45) days, from the submission of an invoice in an approved form.

2.3 Availability of Funds. It is mutually understood between the parties that this Agreement is valid and enforceable only if sufficient funds are made available by the City Council of the City for the purposes of this Agreement. The availability of funding is affected by matters outside the City's control, including other governmental entities. Accordingly, the City has the option to void the whole Agreement or to amend the Agreement to reflect unanticipated reduction in funding for any reason.

3.0 PERFORMANCE SCHEDULE

3.1 Time of Essence. Time is of the essence in the performance of this Agreement.

3.2 Schedule of Performance. Consultant shall commence the services pursuant to this Agreement upon receipt of a written notice to proceed and shall perform all services within the time period(s) established in the "Schedule of Performance" attached hereto as *Exhibit "D"*, if any, and incorporated herein by this reference. When requested by the Consultant, extensions to the time period(s) specified in the Schedule of Performance may be approved in writing by the Contract Officer but not exceeding one hundred eighty (180) days cumulatively.

3.3 Force Majeure. The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of the Consultant, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including the City, if the Consultant shall, within ten (10) days of the commencement of such delay, notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay and extend the time for performing the services for the period of the enforced delay when and if, in the judgment of the Contract Officer, such delay is justified. The Contract Officer's determination shall be final and conclusive upon the parties to this Agreement. In no event shall Consultant be entitled to recover damages against the City for any delay in the performance of this Agreement, however caused; Consultant's sole remedy being extension of the Agreement pursuant to this Section.

3.4 Term. Unless earlier terminated in accordance with Section 7.4 below, this Agreement shall continue in full force and effect until completion of the services no later than May 12, 2021.

4.0 COORDINATION OF WORK

4.1 Representative of Consultant. Christina Shushnar, Senior Project Manager/Biologist is hereby designated as being the representative of Consultant authorized to act on its behalf with respect to the work or services specified herein and to make all decisions in connection therewith.

It is expressly understood that the experience, knowledge, capability and reputation of the representative was a substantial inducement for City to enter into this Agreement. Therefore, the representative shall be responsible during the term of this Agreement for directing all activities of Consultant and devoting sufficient time to personally supervise the services hereunder. For purposes of this Agreement, the representative may not be replaced nor may his responsibilities be substantially reduced by Consultant without the express written approval of City.

4.2 Contract Officer. The City's City Manager is hereby designated as the representative of the City authorized to act in its behalf with respect to the work and services and to make all decisions in connection therewith ("Contract Officer"). It shall be the Consultant's responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the Consultant shall refer any decisions which must be made by City to the Contract Officer. The City may designate another Contract Officer by providing written notice to Consultant.

4.3 Prohibition Against Subcontracting or Assignment. The experience, knowledge, capability and reputation of Consultant, its principals and employees were a substantial inducement for the City to enter into this Agreement. Therefore, Consultant shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of the City. In addition, neither this Agreement nor any interest herein may be transferred or assigned without the prior written approval of City. Transfers restricted hereunder shall include the transfer to any person or group of persons acting in concert of more than twenty five percent (25%) of the present ownership and/or control of Consultant taking all transfers into account on a cumulative basis. A prohibited transfer or assignment shall be void. No approved transfer shall release the Consultant or any surety of Consultant of any liability hereunder without the express consent of City.

4.4 Independent Contractor. Neither the City nor any of its employees shall have any control over the manner or means by which Consultant, its agents or employees, perform the services required herein, except as otherwise set forth herein. Consultant shall perform all services required herein as an independent contractor of City and shall remain under only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of City. City shall not in any way or for any purpose become or be deemed to be a partner of Consultant in its business or otherwise or a joint venturer or a member of any joint enterprise with Consultant.

5.0 INSURANCE AND INDEMNIFICATION

5.1 Insurance. Consultant shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement including any extension thereof, the following policies of insurance:

(a) Commercial General Liability Insurance. A policy of commercial general liability insurance using Insurance Services Office "Commercial General Liability" policy form CG 00 01, with an edition date prior to 2004, or the exact equivalent. Coverage for an additional insured shall not be limited to its vicarious liability. Defense costs must be paid in addition to limits. Limits shall be no less than \$1,000,00.00 per occurrence for all covered losses and no less than \$2,000,000.00 general aggregate.

(b) Workers' Compensation Insurance. A policy of workers' compensation insurance on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than \$1,000,000 per accident for all covered losses.

(c) Automotive Insurance. A policy of comprehensive automobile liability insurance written on a per occurrence basis in an amount not less than \$1,000,000.00 per accident, combined single limit. Said policy shall include coverage for owned, non owned, leased and hired cars.

(d) Professional Liability or Error and Omissions Insurance. A policy of minimal insurance in an amount not less than \$1,000,000.00 per claim with respect to loss arising from the actions of Consultant performing professional services hereunder on behalf of the City.

All of the above policies of insurance shall be primary insurance. The general liability policy shall name the City, its officers, employees and agents ("City Parties") as additional insureds and shall waive all rights of subrogation and contribution it may have against the City and the City's Parties and their respective insurers. All of said policies of insurance shall provide that said insurance may be not cancelled without providing ten (10) days prior written notice by registered mail to the City. In the event any of said policies of insurance are cancelled or amended, Consultant shall, prior to the cancellation or amendment date, submit new evidence of insurance in conformance with this Section 4.1 to the Contract Officer. No work or services under this Agreement shall commence until Consultant has provided City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by City.

Consultant agrees that the provisions of this Section 4.1 shall not be construed as limiting in any way the extent to which Consultant may be held responsible for the payment of damages to any persons or property resulting from Consultant's activities or the activities of any person or persons for which Consultant is otherwise responsible.

The insurance required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a

financial category Class VII or better, unless such requirements are waived by the Risk Manager of the City due to unique circumstances.

In the event that the Consultant is authorized to subcontract any portion of the work or services provided pursuant to this Agreement, the contract between the Consultant and such subcontractor shall require the subcontractor to maintain the same policies of insurance that the Consultant is required to maintain pursuant to this Section 4.1.

5.2 Indemnification.

(a) Indemnity for Professional Liability. When the law establishes a professional standard of care for Consultant's services, to the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless City and the City's Parties from and against any and all losses, liabilities, damages, costs and expenses, including attorneys' fees and costs to the extent same are caused in whole or in part by any negligent or wrongful act, error or omission of Consultant, its officers, agents, employees of subcontractors (or any entity or individual for which Consultant shall bear legal liability) in the performance of professional services under this Agreement.

(b) Indemnity for Other Than Professional Liability. Other than in the performance of professional services and to the full extent permitted by law, Consultant shall indemnify, defend and hold harmless City and City's Parties from and against any liability (including liability for claims, suits, actions, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys' fees and costs, court costs, defense costs and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Consultant or by any individual or entity for which Consultant is legally liable, including but not limited to officers, agents, employees or subcontractors of Consultant.

6.0 **RECORDS AND REPORTS**

6.1 Reports. Consultant shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require.

6.2 Records. Consultant shall keep, and require subcontractors to keep, such books and records as shall be necessary to perform the services required by this Agreement and enable the Contract Officer to evaluate the performance of such services. The Contract Officer shall have full and free access to such books and records at all times during normal business hours of City, including the right to inspect, copy, audit and make records and transcripts from such records. Such records shall be maintained for a period of three (3) years following completion of the services hereunder, and the City shall have access to such records in the event any audit is required.

6.3 Ownership of Documents. All drawings, specifications, reports, records, documents and other materials prepared by Consultant, its employees, subcontractors and agents in the performance of this Agreement shall be the property of City and shall be delivered to City upon request of the Contract Officer or upon the termination of this Agreement and Consultant

shall have no claim for further employment or additional compensation as a result of the exercise by City of its full rights of ownership of such documents and materials. Consultant may retain copies of such documents for its own use and Consultant shall have an unrestricted right to use the concepts embodied therein. Any use of such completed documents by City for other projects and/or use of uncompleted documents without specific written authorization by the Consultant will be at the City's sole risk and without liability to Consultant and the City shall indemnify the Consultant for all damages resulting therefrom. All subcontractors shall provide for assignment to City of any documents or materials prepared by them, and in the event Consultant fails to secure such assignment, Consultant shall indemnify City for all damages resulting therefrom.

7.0 ENFORCEMENT OF AGREEMENT

7.1 California Law. This Agreement shall be construed and interpreted both as to validity and to performance of the parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Riverside, State of California, or any other appropriate court in such county, and Consultant agrees to submit to the personal jurisdiction of such court in the event of such action.

7.2 Retention of Funds. Consultant hereby authorizes City to deduct from any amount payable to Consultant (whether or not arising out of this Agreement) (i) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate City for any losses, costs, liabilities, or damages suffered by City, and (ii) all amounts for which City may be liable to third parties, by reason of Consultant's acts or omissions in performing or failing to perform Consultant's obligation under this Agreement. In the event that any claim is made by a third party, the amount or validity of which is disputed by Consultant, City may withhold from any payment due, without liability for interest because of such withholding, an amount sufficient to cover such claim. The failure of City to exercise such right to deduct or to withhold shall not, however, affect the obligations of the Consultant to insure, indemnify, and protect City as elsewhere provided herein.

7.3 Waiver. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

7.4 Termination Prior to Expiration of Term. Either party may terminate this Agreement at any time, with or without cause, upon thirty (30) days' written notice to the other party. Upon receipt of any notice of termination, Consultant shall immediately cease all work or services hereunder except such as may be specifically approved by the Contract Officer. Consultant shall be entitled to compensation for the reasonable value of the work product actually produced prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation

and City shall be entitled to reimbursement for any compensation paid in excess of the services rendered.

7.5 Completion of Work After Termination for Default of Consultant. If termination is due to the failure of the Consultant to fulfill its obligations under this Agreement, City may, after compliance with the provisions of Section 7.2, take over the work and prosecute the same to completion by contract or otherwise, and the Consultant shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation herein stipulated (provided that the City shall use reasonable efforts to mitigate such damages), and City may withhold any payments to the Consultant for the purpose of set-off or partial payment of the amounts owed the City as previously stated.

7.6 Attorneys' Fees. If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, shall be entitled to reasonable attorneys' fees, whether or not the matter proceeds to judgment, and to all other reasonable costs for investigating such action, taking depositions and discovery, including all other necessary costs the court allows which are incurred in such litigation.

8.0 CITY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION

8.1 Non-liability of City Officers and Employees. No officer or employee of the City shall be personally liable to the Consultant, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to the Consultant or to its successor, or for breach of any obligation of the terms of this Agreement.

8.2 Conflict of Interest; City. No officer or employee of the City shall have any financial interest in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which affects his financial interest or the financial interest of any corporation, partnership or association in which he is interested, in violation of any State statute or regulation.

8.3 Conflict of Interest; Consultant. Consultant warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement. Consultant shall comply with all conflict of interest laws and regulations including, without limitation, City's Conflict of Interest Code which is on file in the City Clerk's office. Accordingly, should the Cit Manager determine that Consultant will be performing a specialized or general service for the City and there is substantial likelihood that the Consultant's work product will be presented, either written or orally, for the purpose of influencing a governmental decision, the Consultant and its officers, agents or employees, as applicable, shall be subject to the City's Conflict of Interest Code.

8.4 Covenant Against Discrimination. Consultant covenants that, by and for itself, its executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this

Agreement. Consultant shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin or ancestry.

9.0 MISCELLANEOUS PROVISIONS

9.1 Notice. Any notice or other communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of the City, to the City Manager and to the attention of the Contract Officer, City of Perris, 101 North "D" Street, Perris, CA 92570, and in the case of the Consultant, to the person at the address designated on the execution page of this Agreement. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated at the time personally delivered or in seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

9.2 Interpretation. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

9.3 Integration; Amendment. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by an instrument in writing signed by both parties.

9.4 Severability. Should a portion of this Agreement be declared invalid or unenforceable by a judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining portions of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

9.5 Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed and entered into this Agreement as of the date first written above.

ATTEST: "CITY"
CITY OF PERRIS

By: _____
Nancy Salazar, City Clerk

By: _____
Richard Belmudez, City Manager

APPROVED AS TO FORM:
ALESHIRE & WYNDER, LLP

Eric L. Dunn, City Attorney

"CONSULTANT"
INSERT COMPANY HERE, a [insert form of company here]

By: _____
Signature

Print Name and Title

By: _____
Signature

Print Name and Title

(Corporations require two signatures; *one from each* of the following: A. Chairman of Board, President, any Vice President; *AND B.* Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, or Chief Financial Officer.)

[END OF SIGNATURES]

EXHIBIT "A"

SCOPE OF SERVICES

[Insert or Attach]



Rincon Consultants, Inc.

1980 Orange Tree Lane
Suite 105
Redlands, California 92374

909 253 0705 OFFICE AND FAX

info@rinconconsultants.com
www.rinconconsultants.com

April 29, 2020
Project Number: 16-03556

Brad Brophy
City of Perris
101 North D Street
Perris, California 92570

Subject: Proposal to Provide Biological Services in Support of the Burrowing Owl Protection Strategy Required by CDFW & USFWS for the Perris Nuevo Road Widening and Bridge Replacement Project

Dear Mr. Brophy,

Rincon Consultants, Inc. (Rincon) is pleased to submit this proposal to assist with biological services required to support the burrowing owl protection strategy required by the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS).

SCOPE OF WORK

Task 1. Burrowing Owl Construction Monitoring

Per direction from CDFW and USFWS as detailed in the Addendum to the Burrowing Owl Management Plan (Rincon 2020), a qualified biological monitor is required to be present during the following construction activities to minimize construction related impacts to burrowing owls:

- Initial ground disturbance and vegetation removal activities
- Removal of rip-rap
- Installation of the hay bale barrier
- All work within 100 feet of the occupied burrows

Based on the Contractor's construction schedule dated February 13, 2020, construction activities are scheduled to occur from February through December (11 months). Because the schedule for activities requiring biological monitoring is unknown at this time, Rincon has included scope for up to 25 days of biological monitoring to be utilized as-needed throughout construction. If additional monitoring beyond 25 days is needed, Rincon can provide additional monitoring under separate scope and cost. Please note that we require 48 hours advanced notice to assure staffing of a biological monitor. If monitoring is cancelled with less than 24 hours notice, half of the scheduled monitoring day (up to 6 hours) will be billed to account for mobilization time and other costs related to scheduling a biological monitor for work that is no longer needed.

- Includes:
 - Up to 25 days of biological monitoring
 - Up to 300 hours for Biologist (Professional 3 at \$120/hr.)
 - Up to 10 hours for Senior Biologist (Senior Professional 1 at \$150/hr.)
 - \$3,000.00 direct costs (mileage, field equipment)



- Assumptions:
 - Daily monitoring includes up to 10 hours on site and round-trip travel time (not to exceed 12 hours per day)
 - If additional monitoring time beyond that noted above is required, this can be provided under separate scope and cost.
 - Direct costs include use of Rincon vehicle and round-trip mileage to project site

Task 2. Bi-Monthly Burrowing Owl Status Reports

Per direction from CDFW and USFWS as detailed in the Addendum to the Burrowing Owl Management Plan, Rincon will prepare and submit bi-monthly status reports summarizing the observations from biological construction monitoring. Status reports will include an update of the existing conditions at the project site including observations of burrowing owls and their behavior relative to project activities. Status reports will be delivered electronically to the City of Perris, CDFW and USFWS.

- Includes:
 - Twenty-two (22) bi-monthly Burrowing Owl Status Reports detailing results of construction monitoring and status of burrowing owls (2 reports per month for 11 months)
 - Up to 44 hours Biologist (Professional 3 at \$120/hr.), 22 hours for GIS Specialist (\$100/hr.), 44 hours for Senior Biologist (Senior Professional 1 at \$150/hr.) and 11 hours for Principal (\$215/hr.)
- Assumptions:
 - Each status report is expected to be 1-2 pages in length
 - No revisions to status reports will be necessary
 - If results of status reports require changes to the Burrowing Owl Management Plan, revisions to the plan can be provided under separate scope and cost

Task 3. Project Management and Coordination

Additional project management, coordination, and administration time will be required to oversee and complete the additional tasks listed above for the additional 11-month project duration.

- Up to 44 hours Senior Biologist/Project Manager (Senior Professional 1 at \$150/hr.), 11 hours for Principal (\$215/hr.), and 11 hours for General Administration/Clerical Assistant 1 (\$75/hr.)

COST

Our estimated cost for preparation of the work program included in the scope of work is \$66,735. The table below shows a breakdown of costs by task.

Project Budget	
Burrowing Owl Construction Monitoring	\$40,500.00
Bi-Monthly Burrowing Owl Status Reports	\$16,445.00
Project Management and Coordination	\$9,790.00
TOTAL	\$66,735.00



The proposed scope of services and associated costs are fully negotiable to meet the needs of the City of Perris. Additional work, not included within our proposed work program, will be completed only upon written client authorization in accordance with our standard fee schedule. This offer for professional services will remain in effect for a period of 60 days from the date of this proposal. We appreciate the opportunity to assist the City with this project. Please contact the undersigned if you have any questions about this proposal or need additional information.

Sincerely,
RINCON CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read "Christina Shushnar". The script is fluid and cursive.

Christina Shushnar
Senior Project Manager / Biologist

A handwritten signature in black ink, appearing to read "Jared Reed". The script is cursive and somewhat stylized.

Jared Reed
Senior Biologist / Project Manager

A handwritten signature in black ink, appearing to read "Steven J. Hongola". The script is cursive and bold.

Steven J. Hongola
Principal

EXHIBIT "B"

SPECIAL REQUIREMENTS

[Insert or Attach]

N/A

EXHIBIT "C"

SCHEDULE OF COMPENSATION

Burrowing Owl construction monitoring:	\$40,500.00
Bi-Monthly Burrowing Owl status report:	\$16,445.00
Project Management and Coordination:	\$9,790.00
Total Cost:	\$66,735.00

EXHIBIT "D"

SCHEDULE OF PERFORMANCE

Per construction schedule and California Department of Fish and Wild Life Service requirements. Estimated completion May 12, 2021.

CITY OF PERRIS

Capital Improvement Program Project Details



Project Number: **S076**
 Project Title: **Nuevo Bridge Widening and Road Improvements**
 Managing Department: **City Engineer**

Project Description and/or Justification: Widening Nuevo Road from 2 to 4 lanes between Murrieta and Dunlap (within City Limits) and from Dunlap to Menifee (within County of Riverside limits). Also, widening of Nuevo Road bridge over Perris Valley Storm Drain to accommodate additional lanes.



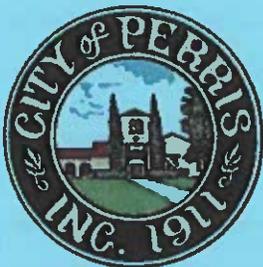
Original Budget: 4,411,149
 Budget Amendments: 9,539,615
 Total Project Costs: 1,992,105
 Available Funds: 11,958,659

Project Dates:
 Begin: FY 09/10
 Completion:

Total Budget Additions (Deletions): -

Funding Sources:	Fund	Project to Date Available	Proposed 2019/2020	Plan 2020/2021	Plan 2021/2022	Plan 2022/2023	Total
RBBB - DIF	133	4,319,194					\$ 4,319,194
Measure A	142	234,809					\$ 234,809
External Contribution-TUMF	157	3,145,592					\$ 3,145,592
Master Drainage	160	4,259,064					\$ 4,259,064
							\$ -
Total:		11,958,659	-	-	-	-	\$ 11,958,659

Budget Amendment Notes				
Date	Description / Action	Adopted Budget	Amendment	Amended Budget
2010-11	Budget Master Drainage	250,000		250,000
2011/12	Budget Master Drainage	4,161,149		4,411,149
2012/13	External Contribution-TUMF			4,660,955
2016/17	Ext Cont TUMF			5,160,955
2017/18	RBBB DIF Amendment			7,160,955
2017/18	External Contribution-TUMF			8,160,955
2017/18	Measure A xsfr from D013			8,400,764
2017/18	External Contribution-TUMF			11,450,764
2019/20	RBBB DIF Amendment			13,950,764
	Initial fund will be utilized toward planning and engineering.			13,950,764
	Future years may require loan to drainage funds with possible TUMF reimbursment.			13,950,764
		Total to be reimb by TUMF over 5 years is \$3.5 Mil. \$500K 16/17, \$500K 17/18, \$1M 18/19, \$750K 19/20, \$750K 20/21.		13,950,764
				13,950,764
				13,950,764
				13,950,764
	Total:	\$ 4,411,149	\$ 9,539,615	\$ 13,950,764



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Optimus Logistics Center II Project (PM 36678) Improvement Credit/Reimbursement Agreement

REQUESTED ACTIONS: Approve Improvement Credit/Reimbursement Agreement with CPT Perris Industrial LLC associated with the Optimus Logistics Center II Project; and authorize City Manager to execute Improvement Credit/Reimbursement Agreement with CPT Perris Industrial LLC

CONTACT: Stuart E. McKibbin, City Engineer

BACKGROUND/DISCUSSION:

As part of the conditions of approval for the Optimus Logistics Center II Project (Parcel Map 36678), the City required CPT Perris industrial LLC (Developer) to construct certain portions of the Perris Valley Master Drainage Plan (MDP) Lateral B-5, Stage 2 drainage improvements identified in the City of Perris MDP.

The City also required the Developer to pay the Area Drainage Plan (ADP) Fees which cover the Developer's fair share of the costs of drainage improvements that help mitigate the drainage impacts within the City. The Developer paid the ADP Fee Obligation in the amount of \$370,975.00, which consists of \$326,249 towards the cost of local drainage facilities and \$44,726 towards the cost of the regional Perris Valley Storm Drain facility.

Now that the Developer has constructed their portion of Lateral B-5 Stage 2 and the facility is near being accepted by Riverside County Flood Control & Water Conservation District, the developer is looking to be reimbursed the local component of the ADP fee that they paid in the amount of \$326,249. The credit/reimbursement agreement outlines the terms to reimburse the Developer their ADP fees.

BUDGET (or FISCAL) IMPACT:

There is no fiscal impact at this time.

Prepared by: Cassandra Sanchez, Assistant Principal Engineer

REVIEWED BY:

City Attorney _____
 Assistant City Manager _____
 Finance Director ER

Attachment: Credit/Reimbursement Agreement with CPT Perris Industrial LLC

Consent: Yes
Public Hearing:
Business Item:
Presentation:
Other:

**IMPROVEMENT CREDIT /REIMBURSEMENT
AGREEMENT AREA DRAINAGE FEE PROGRAM
OPTIMUS LOGISTICS CENTER II PROJECT; PARCEL MAP 36678**

This IMPROVEMENT CREDIT/REIMBURSEMENT AGREEMENT ("Agreement") is entered into this ___ th day of _____, 20___, by and between the City of Perris, a California municipal corporation ("City") and CPT Perris Industrial LLC, a Delaware limited liability company, with its principal place of business at 601 S. Figueroa Street, Suite 2150, Los Angeles, California ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties".

RECITALS

WHEREAS, Developer owns 53.56 acres of real property located within the City of Perris, California, which is more specifically described in the legal description set forth in Exhibit "A", attached hereto and incorporated herein by this reference ("Property"). The Property is depicted on the Site Map set forth in Exhibit "A-I";

WHEREAS, Developer has requested from City certain entitlements and/or permits for the construction of improvements on the Property, which are more particularly described as the Optimus Logistics Center II Project, Parcel Map 36678 ("Project");

WHEREAS, as a condition to City's approval of the Project, City has required Developer to construct, and Developer has constructed, certain portions of the Perris Valley MDP Lateral B-5, Stage 2 drainage improvements identified in the City of Perris Master Drainage Plan ("Area Drainage Plan");

WHEREAS, pursuant to Section 66483, *et seq.* of the Government Code and Chapter 18.32 of the Perris Municipal Code, the City requires Developer to pay the Area Drainage Plan Fees ("ADP Fee Obligation") which cover the Developer's fair share of the costs to construct drainage improvements that help mitigate the drainage impacts within the City, and Developer has paid the ADP Fee Obligation in the amount of \$370,975.00;

WHEREAS, such improvements are identified in the Area Drainage Plan as drainage improvements that are to be funded with the ADP Fee Obligation; and

WHEREAS, City and Developer now desire to enter into this Agreement for the following purposes: (1) to confirm that construction of the Improvements was undertaken as if such works were constructed under the direction and authority of the City; and (2) to reimburse Developer for its eligible costs of construction of the Improvements.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

TERMS

1.0 **Incorporation of Recitals.** The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 **Construction of Improvements.** Developer has constructed at its own cost, expense, and liability certain Line B-5 drainage improvements in accordance with plans and specifications prepared by or on behalf of Developer and approved by the City and the Riverside County Flood Control District ("District") (the "Improvements"). A description of the Improvements and the Developer's creditable costs incurred are more particularly described in the memorandum from the District dated February 28, 2018, attached hereto as Exhibit "B" and incorporated herein by this reference.

3.0 **ADP Fee Reimbursement Amount.** Within thirty (30) days following the acceptance of the Improvements by the District, City shall pay Developer three hundred twenty six thousand, two hundred forty nine dollars (\$326,249) ("Refund"), for the construction of the Improvements. The amount of the Refund has been determined by the City and District.

4.0 **Prevailing Wages.** Developer and any other person or entity hired to perform services on the Improvements are alerted to the requirements of California Labor Code Sections 1770, *et seq.* which would require the payment of prevailing wages were the services or any portion thereof determined to be a "public work," as defined therein. Developer shall ensure compliance with these prevailing wage requirements by any person or entity hired to perform work on the Improvements. Developer shall defend, indemnify, and hold harmless City, its officers, employees, consultants, and agents from any claim or liability, including without limitation attorneys' fees, arising from its failure or alleged failure to comply with California Labor Code Sections 1770, *et seq.* It is the intention and understanding of the City and Developer that the Refund is limited solely to Developer's improvement work on the Improvements performed by Developer as a condition of City's approval of the separate and private Project, within the meaning of California Labor Code Section 1720(c)(2) and DIR Public Works Case No. 2003-040, Sierra Business Park, City of Fontana (January 23, 2004).

5.0 **Warranty and Guarantee.** Developer hereby warrants the Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, for a period of one (1) year following completion of the work and acceptance by District ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective portion of the Improvements, in accordance with the plans and specifications. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer or its surety. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this section shall survive the expiration or termination of this Agreement up until the date that is one year after completion of the Improvements.

6.0 Administrative Costs. If Developer fails to comply with any obligation contained herein, and Developer does not cure such failure within ten (10) days following its receipt of written notice from City, then Developer shall be liable to City for all out-of-pocket administrative expenses, fees, and costs, including reasonable attorney's fees and costs, thereafter incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

7.0 Indemnification. Developer shall defend, indemnify, and hold harmless City, its elected officials, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental agency, arising out of or incident to any acts, omissions, negligence or willful misconduct of Developer, its employees, contractors, or agents in connection with the performance of this Agreement ("Claims"). This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorney's fees, and related costs or expenses, and the reimbursement of City, its elected officials, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any Claim which is caused by the negligence or willful misconduct of City as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, employees, or agents.

8.0 Limited Scope of Duties. City's and Developer's duties and obligations under this Agreement are limited to those described herein. City has no obligation with respect to the safety of any work performed at a job site. In addition, City shall not be liable for any action of Developer or its contractors relating to the construction related to the Improvements.

9.0 Miscellaneous.

9.1 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

To City of Perris
Attn: City Manager
101 North "D" Street Perris, CA 92570
Fax No. (951)943-8416

Copy to: Aleshire & Wynder, LLP
3880 Lemon Street, Suite 520
Riverside, CA 92501
Attn: Eric L. Dunn

**To: Developer: CPT PERRIS INDUSTRIAL, LLC
601 S. Figueroa Street, Suite 2150
Los Angeles, CA 90017
ATTN: Jon Carley**

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

9.2 Cooperation; Further Acts. The Parties shall fully cooperate with one another and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

9.3 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel, employees, agents, and contractors of Developer, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

9.4 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

9.5 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.

9.6 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.

9.7 No Third-Party Beneficiaries. There are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

9.8 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

9.9 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Riverside, California. Each Party waives the benefit of any provision of state or federal law providing for a

change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

9.10 Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorneys' fees and costs of suit.

9.11 Time is of the Essence. Time is of the essence in this Agreement, and the Parties agree to execute all documents and proceed with due diligence to complete all covenants and conditions.

9.12 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

9.13 Entire Agreement. This Agreement contains the entire agreement between City and Developer and supersedes any prior oral or written statements or agreements between City and Developer.

9.14 No Rights in Public. Nothing contained in this Agreement shall be deemed to create any right or rights in the general public, nor be deemed to be a gift or dedication of the Improvements or any portion of the real property on which the Improvements are located to or for the general public or for use by the general public, it being the parties intention that this Agreement shall be strictly limited to and for the purposes herein expressed.

9.15 Authority to Execute. The City Manager is authorized to execute this Agreement on behalf of the City. Similarly, Developer warrants that the person(s) executing this Agreement on its behalf is/are duly authorized to execute and deliver this Agreement on behalf of Developer. Both parties warrant that, by executing this Agreement, each party is formally bound to the provisions of this Agreement and that entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

(SIGNATURES OF PARTIES ON NEXT PAGE)

IN WITNESS WHEREOF, the Parties hereto have executed this Improvement Credit/Reimbursement Agreement as of the day and year first above written.

DEVELOPER:

CPT PERRIS INDUSTRIAL LLC,
a Delaware limited liability company

By _____

Name _____
Title: Authorized Signatory

CITY:
City of Perris, a California municipal corporation

By _____
Richard Belmudez, City Manager

ATTEST:

By _____
Nancy Salazar, City Clerk

APPROVED AS TO FORM:
Aleshire & Wynder, LLP

Eric L. Dunn, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

Exhibit A

Form No. 1068-2

ALTA Plain Language Commitment

Commitment No.: NCS-786371-B-

QNT1

Page Number: 4

SCHEDULE A

1. Commitment Date: December 04, 2017 at 7:30 A.M.
2. Policy or Policies to be Issued: Amount
(A) ALTA Owner's Policy \$To Be Determined
ALTA Standard Owner Policy
Proposed Insured:
To Be Determined
(B) ALTA Loan Policy \$To Be Determined
To Be Determined
Proposed Insured:
To Be Determined
3. (A) The estate or interest in the land described in this Commitment is:
Fee
(B) Title to said estate or interest at the date hereof is vested in:
CPT Perris Industrial, LLC, a Delaware limited liability company
4. The land referred to in this Commitment is situated in the City of Perris, County of Riverside, State of California, and is described as follows:

PARCEL 1 OF PARCEL MAP NO. 36678, AS SHOWN BY PARCEL MAP ON FILE IN BOOK 242, PAGES 64 THROUGH 68, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN: 314-161-011-2 (Portion of said land)
314-161-012-3 (Portion of said land)
314-161-013-4 (Portion of said land)
314-161-014-5 (Portion of said land)
314-161-015-6 (Portion of said land)
314-161-016-7 (Portion of said land)
314-161-017-8 (Portion of said land)
314-161-018-9 (Portion of said land)
314-161-019-0 (Portion of said land)
314-161-020-0 (Portion of said land)
314-161-021-1 (Portion of said land)
314-161-022-2 (Portion of said land)
314-161-023-3 (Portion of said land)
314-161-024-4 (Portion of said land)
314-161-025-5 (Portion of said land)
314-161-026-6 (Portion of said land)
314-161-027-7 (Portion of said land)
314-161-028-8 (Portion of said land)

314-161-029-9 (Portion of said land)
314-161-030-9 (Portion of said land)
314-161-031-0 (Portion of said land)
314-161-032-1 (Portion of said land)
314-161-033-2 (Portion of said land)
314-161-034-3 (Portion of said land)
314-161-035-4 (Portion of said land)
314-161-036-5 (Portion of said land)
314-161-037-6 (Portion of said land)
314-161-038-7 (Portion of said land)
314-161-039-8 (Portion of said land)
314-161-040-8 (Portion of said land)
314-161-041-9 (Portion of said land)
314-162-017-1 (Portion of said land)
314-162-018-2 (Portion of said land)
314-162-019-3 (Portion of said land)
314-162-020-3 (Portion of said land)
314-162-021-4 (Portion of said land)
314-162-022-5 (Portion of said land)
314-162-023-6 (Portion of said land)
314-162-024-7 (Portion of said land)
314-162-025-8 (Portion of said land)
314-162-026-9 (Portion of said land and other property)
314-162-035-7 (Portion of said land)
314-162-036-8 (Portion of said land)
314-162-037-9 (Portion of said land)
314-162-038-0 (Portion of said land)
314-162-039-1 (Portion of said land)
314-162-040-1 (Portion of said land)
314-160-002-1 (New APN not yet assessed)

"Exhibit A -1 Site Map"

8017-0713 E38
CITY MAP
SHEET 3 OF 6

**IN THE CITY OF FERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
PARCEL MAP NO. 36678**

BEING A SUBDIVISION OF LOT 4 OF WEST REVISION OF VAL VERDES TRACT, AS SHOWN BY MAP ON FILE IN BOOK 7, PAGE 45 OF MAPS AND LOTS IN TRACT 20, INCLUSIVE, IN BLOCK 2, LOTS 1 THROUGH 16, INCLUSIVE, IN BLOCK 1 OF GOLDEN VALLEY TRACT, AS SHOWN BY MAP ON FILE IN BOOK 14, PAGE 19 OF MAPS AND LOTS IN TRACT 10, INCLUSIVE, IN BLOCK 1 OF GOLDEN VALLEY TRACT, AS SHOWN BY MAP ON FILE IN BOOK 14, PAGE 19 OF MAPS AND LOTS IN TRACT 10, INCLUSIVE, IN BLOCK 1 OF GOLDEN VALLEY TRACT, WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, S14E.

DIBENS JANDA, INC.
FEBRUARY 2016

BOUNDARY CONTROL

- CONVEYANCE NOTES**
1. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 2. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 3. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 4. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

- BASEMENT NOTES SEE SHEET 6**
1. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 2. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 3. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.
 4. THE PARCEL MAP IS SUBJECT TO THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND THE RECORDS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

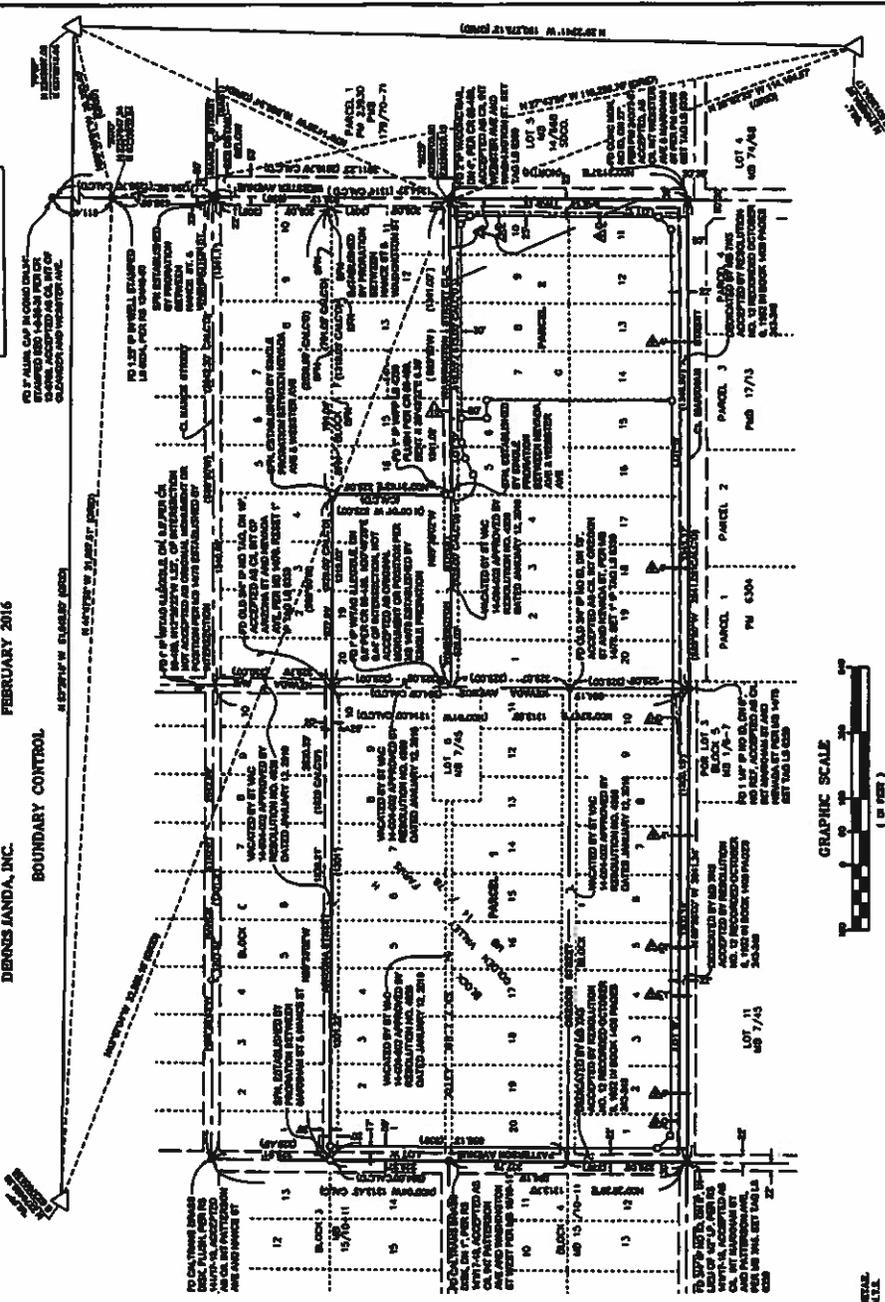


EXHIBIT "B"

DISTRICT MEMORANDUM DATED FEBRUARY 28, 2018

[On Following Pages]

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

219387

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

February 28, 2018

Mr. Habib Motlagh, City Engineer
City of Perris
101 N. D Street
Perris, CA 92570

Dear Mr. Motlagh:

Re: ADP Fee Obligation and Credit for Parcel
Map 36678
Perris Valley MDP Lateral B-5, Stage 2
Drawing No. 4-1121

This letter represents the determination of the estimated Area Drainage Plan (ADP) fee credit associated with the construction of the attached drainage facilities and Net ADP Fee Obligation for Parcel Map 36678 (PM 36678) located within the Perris Valley ADP.

PM 36678 proposes to subdivide 53.56 acres for an industrial development (Optimus Logistics Center II) on the north side of Markham Street between Patterson Avenue and Webster Avenue.

PM 36678 proposes to construct approximately 3,025 lineal feet of Perris Valley Master Drainage Plan (MDP) Lateral B-5 to provide flood protection to the site by collecting and conveying the tributary offsite stormwater runoff from the west to the existing facility, Perris Valley MDP Line B, to the north along Oleander Avenue.

The Perris Valley Commerce Center Specific Plan (PVCCSP), approved in 2010, redirects a portion of the drainage area originally tabled to drain to Lateral B-5 in the adopted ADP to the Line F system to the south. As a result, Lateral B-5 serves a smaller drainage area and will receive a prorated fee credit.

Construction cost credit for ADP facilities (for developer administered contracts) is determined by using the estimated cost (including contingencies and engineering) published in the latest ADP (Section IV.b.1 of the Rules and Regulations). Therefore, the ADP fee credit for this project was calculated based upon the Perris Valley ADP Amendment No. 2, June 1991.

The earned ADP credit was determined to be \$408,493.46, which can be applied toward the local facilities portion of the ADP fee obligation.

The ADP fee obligation for the 53.56-acre development is \$475,345.00 (local facilities portion \$418,035.80 and Perris Valley Channel portion \$57,309.20).

Mr. Habib Motlagh - 2 -
Re: ADP Fee Obligation and Credit for Parcel
Map 36678
Perris Valley MDP Lateral B-5, Stage 2
Drawing No. 4-1121

February 28, 2018

The net Perris Valley ADP Fee obligation is summarized as follows:

ADP Fee Obligation less credit (local portion)	\$9,542.34 (\$418,035.80-\$408,493.46)
<u>ADP Fee Obligation (PVSD portion)</u>	<u>\$57,309.20</u>
Net ADP Fee Obligation	\$66,851.54

Should you have any questions, please feel free to contact me at 951.955.1214.

Very truly yours,

Deborah de Chambeau

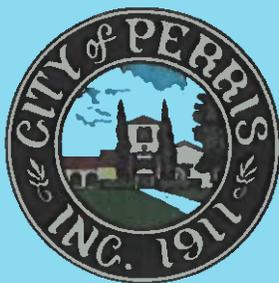
DEBORAH DE CHAMBEAU
Engineering Project Manager

Attachments:
Cost Backup
ADP Map

ec: Tom Breitzkreuz

c: Sharon Johnson (with cost backup)
Project Planning ADP fee credit book

AC:bad



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: **Proposed Amendment No. 1 to Asset Purchase Agreement with Liberty Utilities to Extend the Outside Closing Date to December 1, 2020**

REQUESTED ACTION: That the City Council approve and authorize the Mayor to execute the Amendment in a form approved by the City Attorney

CONTACT: Eric Dunn, City Attorney

BACKGROUND/DISCUSSION:

On November 7, 2017, a majority of the voters of the City of Perris approved the proposed sale of the City's water systems to Liberty Utilities ("Liberty"). The City and Liberty subsequently entered into an Asset Purchase Agreement dated December 19, 2017 (the "APA"). Because the sale requires the approval of the California Public Utilities Commission ("CPUC"), the APA included a period of time for the filing, administrative review, and eventual decision by the PUC. That outside closing date was originally estimated to be 18 months following the filing, but due to reasons beyond the control of the City or Liberty, the CPUC has not made a final decision. Those reasons include the wildfires that affected public utilities throughout the state, the administrative proceedings before the CPUC Administrative Law Judge, and now the COVID-19 pandemic.

Staff is recommending that the APA be amended to extend the outside closing date to December 1, 2020. Staff and Liberty believe that should allow enough time for the CPUC to make a final decision. The draft Amendment No. 1 is attached. If the City Council approves the terms of the Amendment, the City Attorney's office will finalize the Amendment for execution. If any substantive changes are required, the Amendment will be brought back to the City Council for further consideration.

BUDGET (or FISCAL) IMPACT: None to the City. The Amendment only extends the outside closing date of the Asset Purchase Agreement.

Prepared by: Eric Dunn, City Attorney

REVIEWED BY:

City Attorney X

Assistant City Manager _____

Finance Director SR

Attachments: Amendment No. 1 to Asset Purchase Agreement

Consent: X

Public Hearing:

Business Item:

Presentation:

Other:

AMENDMENT NO. 1

TO

ASSET PURCHASE AGREEMENT

Amendment No. 1 to Asset Purchase Agreement (this "Amendment") dated as of May 12, 2020 (the "Amendment Effective Date"), between Liberty Utilities (Park Water), a California corporation (the "Buyer"), and the City of Perris, a California municipal corporation (the "City" or the "Seller"), and together with Buyer the "Parties," and each, a "Party").

WHEREAS, the Parties entered into an Asset Purchase Agreement dated as of December 19, 2017 (the "Original Agreement"); and

WHEREAS, the Parties desire to amend the Original Agreement on the terms and subject to the conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Definitions. Capitalized terms used and not defined in this Amendment have the meanings assigned to them in the Original Agreement.

2. Amendment to the Original Agreement. As of the Amendment Effective Date, the Original Agreement is hereby amended or modified as follows:

(a) Article I ("Definitions") is amended by deleting the defined term and definition of "CPUC Filing Date".

(b) Section 9.1(b)(i) is amended by striking the words "the date that is eighteen (18) months after the CPUC Filing Date" and inserting in their place the words "December 1, 2020".

3. Limited Effect. Except as expressly provided in this Amendment, all of the terms and provisions of the Original Agreement are and will remain in full force and effect and are hereby ratified and confirmed by the Parties. Without limiting the generality of the foregoing, the amendments contained herein will not be construed as an amendment to or waiver of any other provision of the Original Agreement or of any other Transaction Document or as a waiver of or consent to any further or future action on the part of either Party that would require the waiver or consent of the other Party. On and after the Amendment Effective Date, each reference in the Original Agreement to "this Agreement," "the Agreement," "hereunder," "hereof," "herein," or words of like import, and each reference to the Original Agreement in any other agreements, documents, or instruments executed and delivered pursuant to, or in connection with, the Transaction Documents, will mean and be a reference to the Original Agreement as amended by this Amendment.

4. Representations and Warranties. Each Party hereby represents and warrants to the other Party that:

(a) It has the full right, power, and authority to enter into this Amendment and to perform its obligations hereunder and under the Original Agreement as amended by this Amendment.

(b) The execution of this Amendment by the individual whose signature is set forth at the end of this Amendment on behalf of such Party, and the delivery of this Amendment by such Party, have been duly authorized by all necessary action on the part of such Party.

(c) This Amendment has been executed and delivered by such Party and (assuming due authorization, execution, and delivery by the other Party hereto) constitutes the legal, valid, and binding obligation of such Party, enforceable against such Party in accordance with its terms.

5. Miscellaneous.

(a) This Amendment shall be governed by and construed in accordance with the internal laws of the State of California without giving effect to any choice or conflict of law provision or rule (whether of the State of California or any other jurisdiction).

(b) This Amendment may be executed in counterparts, each of which is deemed an original, but all of which constitute one and the same agreement. Delivery of an executed counterpart of this Amendment electronically or by facsimile shall be effective as delivery of an original executed counterpart of this Amendment.

[Signatures Appear on Next Page]

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 1 to Asset Purchase Agreement as of the day and year first above written.

SELLER:

CITY OF PERRIS, CALIFORNIA

By: _____
Michael M. Vargas
Mayor

ATTEST:

By: _____
Nancy Salazar
City Clerk

APPROVED AS TO FORM:

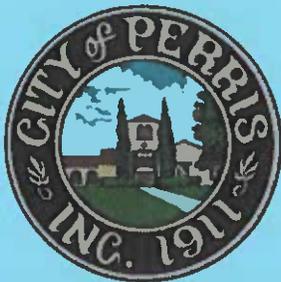
By: _____
Eric L. Dunn
City Attorney

BUYER:

LIBERTY UTILITIES (PARK WATER)
CORP.

By: _____
Gregory S. Sorensen
President

By: _____
Todd Wiley
Secretary



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: **Extension of Time No. 20-05032** – A one-year extension of time for Tentative Tract Map 33973 to subdivide 153.7 acres into 384 single-family lots, located north of San Jacinto River, west of McPherson Road, south of Ethanac Road and east of Sophie Street. **Applicant:** Howard Mitzman.

REQUESTED ACTION: **APPROVE** a one-year Extension of Time (20-05032) for Tentative Tract Map 33973, until May 27, 2021, to subdivide 153.7 acres into 384 single-family lots.

CONTACT: Kenneth Phung, Planning Manager

BACKGROUND/DISCUSSION:

On May 27, 2008, the City of Perris City Council approved Tentative Tract Map 33973 to subdivide 153.7 acres into 384 single-family lots, including a community Park and open space, subject to the enclosed Conditions of Approval. The project is located north of San Jacinto River, west of McPherson Road, south of Ethanac Road and east of Sophie Street. The applicant is now requesting the fourth of five maximum allowed extensions of time for a period of one year, extending the expiration of time to May 27, 2021.

TENTATIVE TRACT MAP EXTENSION:

Pursuant to Section 18.12.090(a) of the municipal code, the approval or conditional approval of a tentative map shall expire 24 months from the date the map was approved or conditionally approved by the City Council, which would have set an initial expiration date for the map at May 27, 2010. However, in 2010, 2011, 2013, and 2015 the City recognized and granted map extensions per State Assembly Bills 1185, 333, 208, and 116, which authorized automatic extensions of time for approved tentative maps due to the economic downturn. The bills provided an overall extension of seven years to the maps; thereby extending the expiration date for TTM 33973 to May 27, 2017. In 2017, 2018, and 2019 the applicant obtained City approval for one-year extensions, extending the expiration date to May 27, 2020. On February 24, 2020, the applicant filed the fourth of five maximum time extensions that will expire on May 27, 2021. A summary of the applicant filed EOTs, and state extensions are summarized below:

- **Original Approval Date: May 27, 2008 – May 27, 2010** – Approved by City Council; the start of initial 2-year life per subdivision map act.
- **Automatic Extension for 1 year SB 1185: May 27, 2010 – May 27, 2011**
- **Automatic Extension for 2 years AB 333: May 27, 2011– May 27, 2013**
- **Automatic Extension for 2 years AB 208: May 27, 2013– May 27, 2015**
- **Automatic Extension for 2 years AB 116: May 27, 2015– May 27, 2017**

- **First Extension: May 27, 2017 – May 27, 2018** – EOT 17-05026 was approved on March 14, 2017, by City Council
- **Second Extension: May 27, 2018 – May 27, 2019** – EOT 18-05026 was approved on May 8, 2018, by City Council
- **Third Extension: May 27, 2019 – May 27, 2020** – EOT 19-05071 was approved on May 20, 2019, by City Council
- **Fourth Extension: May 27, 2020 – May 27, 2021** – EOT 20-05032

STAFF REVIEW AND RECOMMENDATION:

The project site is undeveloped and comprised of low hills and valleys with elevations ranging from 1381-feet to 1516-feet above sea level and abuts the San Jacinto River to the south and Ethanac Road to the north. The unique topography of the site yielded parcel and street layout designs that minimized grading activities to the extent possible; as such, the tract has curvilinear streets.

Staff recommends that the City Council approve a one-year Extension of Time (20-05032) to May 27, 2021, for Tentative Tract Map 33973. If the subject Tentative Tract Map is not recorded prior to the new extension day, a new Tentative Tract Map application must be filed for separate consideration by the City Council in addition to payment of the appropriate filing fees.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item, cost of construction, and payment of impact fees are paid by the applicant.

Prepared by: Ryan Griffiths, Assistant Planner
 Reviewed by: Kenneth Phung, Planning Manager

REVIEWED BY:

City Attorney _____
 Assistant City Manager 
 Finance Director 

Attachments: 1. Conditions of Approval (Planning and Engineering)
 2. TTM 33973 exhibit

Consent: May 12, 2020

**CITY OF PERRIS
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION**

CONDITIONS OF APPROVAL

Tentative Tract Map No. 33973 (05-0485)

**Revised by Planning Commission
February 6, 2008**

PROJECT: A Tentative Tract Map for a 384 single-family residential lot subdivision on approximately 153.7 acres (2.50 dwelling units/gross acre), located north of San Jacinto River, west of McPherson Road, south of Ethanac Road, east of Sophie Street. Applicant: Portezuelo Partners, Inc.

1. **Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division at least thirty (30) days prior to the expiration of Tentative Map approval.
2. **Final Map Submittal.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer.
3. **Park Dedication.** Prior to issuance of Final Map, park plans shall be finalized to incorporate park dedication, type and timing of improvements, as determined by the City through the Administrative Development Plan Review process.
4. **City Codes.** The project shall comply with all disabled access requirements of the American with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Perris Municipal Code Titles 18 and 19, including R-6000 zoning development standards. Development of the premises, building elevations, colors and materials shall be subject to a subsequent Administrative Development Review.
5. **City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the engineering conditions of approval dated (revised) May 27, 2008.
6. **Mitigation Monitoring Program.** The proposed project shall comply with all provisions of the adopted project Mitigation Monitoring Program dated December 11, 2007.
7. **School District.** The proposed project shall adhere to the standard requirements and mitigation fees established by the appropriate school district.

Attachment 1

8. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. The applicant shall submit a fire access and fire underground plan prior to construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval shall be included on building plans. See City of Perris website, Office of the Fire Marshal for examples and relevant information for access and underground plan available at: <http://www.cityofperris.org>.
9. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
10. **Southern California Edison.** Prior to issuance of building permits, the applicant shall contact the area service planner (951 928-8323, Art Alvarado) for Southern California Edison (SCE) to complete the required forms prior to commencement of construction.
11. **Residential Use and Development Restrictions.** Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such. Placement of any construction trailer or sales office shall require separate review and approval by the City. Development of the premises, building elevations, colors and materials shall conform substantially to the approved set of plans, or as amended by these conditions. Any deviation shall require the appropriate Planning Division review and approval.
12. **Required Approvals.** Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Division that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code;
 - b. Planning Commission approval of all proposed street names; and,
 - c. Any other required approval from an outside agency.
13. **Plans and CC&Rs.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:
 - a. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
 - b. Any Covenants, Conditions, and Restrictions (CC&Rs) to the Planning Division and the City Attorney's office. Approved CC&Rs shall be recorded with the final map.
 - c. Grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The

applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for implementing project BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs.

14. **Disclosure Statements.** The developer shall record a disclosure and provide an acknowledgement of the disclosure to potential tenants/owners prior to the lease or sale of property indicating the following:
 - a. The project site is located near a dam inundation area and may be subject to flooding in an event of a dam failure.
15. **Water Resources Control Board.** Prior to issuance of Building Permits, the applicant shall submit a copy of the State Water Resources Control Board permit letter with the WDID number.
16. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.
17. **Utilities.** All utility facilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
18. **Mechanical Equipment.** All mechanical equipment, including air conditioning units, pool equipment, etc., shall be screened from the public right-of-way by a view obscuring fence, wall, or landscaping to the satisfaction of the Planning Division.
19. **Energy Conservation.** To improve local air quality, the applicant shall comply with a City adopted "green design" or "sustainable development" ordinance should such ordinance be adopted prior to final map. If such ordinance is not adopted prior to final map, the applicant is encouraged to incorporate any or all of the following energy-conservation features into the project:
 - a. Low NOx water heaters per specifications in the Air Quality Attainment Plan;
 - b. Heat transfer modules in furnaces;
 - c. Light colored water-based paint and roofing materials;
 - d. Passive solar cooling/heating; and,
 - e. Energy efficient appliances and lighting.
20. **Phasing.** Any Phasing Plan shall be reviewed and approved by the Development Services Department and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots. A phasing plan shall be submitted with the Administrative Development Plan Review application.

21. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The Developer shall complete all actions required to complete such annexation prior to the recordation of the Final Map (or issuance of a certificate of occupancy if a Final Map is not required). This condition shall apply only to districts existing at the time the Final Map is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:
 - a. Landscape Maintenance District No. 1;
 - b. Flood Control Maintenance District No. 1 (may include Streets);
 - c. Maintenance District No. 84-1 (Street Lights and Traffic Signals);
 - d. North *or* South Perris Public Safety Community Facilities District;
 - e. Ramona Mobility Group District (Transportation Improvements);
 - f. Road and Bridge Benefit District (Transportation Improvements); and
 - g. Future Fire Protection Community Facilities District
22. **Window Treatments.** All units abutting a public street, tract boundary, or a downhill slope having an elevation change in excess of 20 feet shall provide for window treatment 360 degree around the dwelling.
23. **Spark Arresters.** Spark arresters shall be provided for each unit and shall be screened by sheet metal enclosures, or other material acceptable to the City Building Official, and painted to match the main stucco building color.
24. **Tract Identification.** The developer shall provide community entry statements, including theme walls, monumentation and enhance landscaping at each entrance to the tract. Theme walls and monuments shall not occur within the public right-of-way. The design of entry statements shall be subject to the review and approval of the Planning Division.
25. **Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Planning Division.
26. **Administrative Development Plan Review.** Prior to final map, the applicant shall obtain approval of an Administrative Development Plan Review (ADPR) for the review of building architecture, unit plotting, conceptual landscape and fencing of all production units within the tract. The applicant shall also include at least one single-story product type which shall be plotted on corners and at regular intervals throughout the tract (i.e., every fourth or fifth unit). Side entry garages are encouraged and shall be incorporated as feasible and as approved through the development plan review process. Also, the majority of units in the tract (other than corner lots) shall locate the wider side yard and the curb-cut/driveway on the same side of the lot to allow for RV parking.

27. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
- a. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
 - b. Prior to the issuance of Certificate of Occupancy (including temporary occupancy), the applicant shall pay City Development Impact Fees in effect at the time of development;
 - c. Prior to the issuance of building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;
 - d. Prior to issuance of building permits, the applicant will pay the statutory school fees in effect at issuance of building permits to all appropriate school districts;
 - e. The applicant shall pay any outstanding development processing fees; and
 - f. Prior to the issuance of Certificate of Occupancy (including temporary occupancy), the developer shall pay Transportation Uniform Mitigation Fees (TUMF) in effect at the time of development.
 - g. The applicant shall comply with adopted Resolution 3403 provisions regarding payment of fees within the San Jacinto River Flood Plain in effect at the time of development.
28. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the City.
 - b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - c. Construction routes are limited to City of Perris designated truck routes.
 - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.

- f. Project applicants shall provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.
 - g. All development projects greater than 19 single-family residential units shall apply paints using either high volume low pressure (HVLP) spray equipment or by hand application.
- 29. **Final Water Quality Management Plan (WQMP).** Prior to the issuance of grading permits the owner shall submit for review and approval, along with the appropriate filing fee; a Final Water Quality Management Plan to the Department of Public Works Engineering Administration Division which substantially complies with the site design, source control and treatment control Best Management Plans proposed in the approved Preliminary Water Quality Management Plan.
- 30. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
- 31. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
- 32. **Exterior Downspouts.** Exterior downspouts are not permitted on the front or side elevations of any building, or where exposed to public view.
- 33. **Walls and Fences.** Prior to issuance of building permits, the developer shall submit and obtain approval from the Planning Division of a wall and fence plan. At a minimum, this plan shall include the following items:
 - a. A six-foot high, decorative block wall with pilasters and concrete cap design around the perimeter of the project site, end block locations and along side yards of entry drives into the tract;
 - b. The same six-foot high, decorative block wall on all side or rear property lines adjoining a public street or storm drain facility; and,
 - c. Six-foot high, vinyl fence on side and rear property lines throughout the remainder of the project.

- d. Where retaining walls are necessary for slope conditions along the right of way, a split wall system shall be utilized. If necessary, a landscape easement may be required to provide adequate planting area.

APPROVAL DATE

PROJECT PLANNER



CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-916

July 31, 2007,

Revised January 30, 2008, Revised @ Planning Commission

February 6, 2008,

Revised Condition #2 February 15, 2008

Revised Council Meeting May 27, 2008

Tract 33973

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the master plan to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

Due to existing topography, construction of the subdivision as proposed requires significant grading to create minimum usable pads. Typically grading on hill side will require contour grading to minimize impact. However due to numbers of proposed units, this technique is not feasible. The submitted pad size/building exhibit dated February 12, 2007, depicts the minimum setback area in different zone, which will necessitate construction of retaining wall. Along the significant slopes, the developer is responsible to install irrigation and provide access for the homeowners to maintain the slopes within their property.

The tentative map as submitted also exhibits several irregular Lots. The proposed grading at back of lots 24-32 requires installation of private concrete drainage facilities. In our experience, this type of facility will

become problematic as the side yard fencing over this channel will allow small pets to access adjacent lots not to mention the ongoing maintenance by homeowners. This channel shall be eliminated and replaced with underground private drainage pipe (minimum 18" size).

1. Drainage and flood control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District and the City of Perris requirements and standards. The following drainage related conditions are the requirements of this project:
 - a. Onsite drainage facilities outletting sump conditions if approved by the City Engineer shall be designed to convey the tributary 100-year storm flows. Additional emergency escape for the storm flows shall also be provided.
 - b. The property's street and onsite grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted. Minimum onsite grading shall be 0.5%. Minimum grade at curb returns shall be 0.7%.
 - c. Drainage easements shall be obtained from the affected property owners for the release of concentrated or diverted storm flows onto the adjacent property. A copy of the drainage easement shall be submitted to the City for review prior to its recordation.
 - d. All drainage facilities with the exception of nuisance drainage improvements shall be designed to convey the 100-year storm runoff. To eliminate nuisance runoff from all intersections with cross gutter, minimum 18" storm drain and catch basins along all the interior and perimeter streets with cross gutter shall be installed and connected to the proposed onsite or offsite drainage facilities.
 - e. A detailed hydrology report and hydraulic calculation shall be submitted to the City and RCFC for review and approval. The report shall address the offsite flow, accumulative onsite runoff and the impact to adjacent downstream properties. ***At discretion of City Engineer, the report and back up documents may have to be reviewed and approved by RCFC.***
 - f. All grading and drainage improvements shall comply with NPDES and Best Management Practices ***and the approved preliminary WQMP.*** Erosion control plans shall be prepared

and submitted to Water Quality Board and the City of Perris as part of the grading plans.

- g. Prior to issuance of a grading permit, the Developer shall obtain NPDES, WQMP permit and prepare SWPPP. Erosion control plans shall be prepared and submitted to the City Engineer as part of the grading plans. ~~It is unclear how the discharge of onsite storm drain from J & I Streets comply with Water Quality Standards.~~ **All onsite generated runoff must be treated prior to discharge in compliance with WQMP and Water Quality Standards.**
- h. Onsite drainage facilities shall be collected via onsite underground facilities and conveyed to San Jacinto River **or other appropriate outlets as determined by the City Engineer.** Connection to San Jacinto River shall require approval by Flood Control.
- i. The City Council has adopted Resolution ~~3304~~ **3403** requiring development within **the** San Jacinto River Flood Plain **(or future benefit area of the project described below)** to comply with certain **interim development criteria** ~~conditions~~ and payment of ~~fees~~ **"fair share costs" for construction of the San Jacinto River Plan Project ("Project").** ~~This developer shall comply with all such requirements as appropriate and approved by City Council.~~ **The City has not adopted a fee program or determined "fair share" costs to be paid by developers of projects that will benefit from the Project, or adopted other restrictions on development of affected property, other than Resolution 3403. If the City subsequently adopts a fee program, imposes a "fair share" cost or other regulations in connection with the Project (collectively or individually, the "Project Exactions") on the development of TTM 33973, the Developer shall have the right and ability to protest such action by the City pursuant to Government Code § 66022 and all other applicable law. This Engineering Condition 1i does not constitute a Project Exaction for the purpose of Government Code § 66020(h). Any Project Exaction, if adopted by the City following any protest, will be imposed by the City prior to issuance of any certificates of occupancy for residential units developed within TTM 33973.**
- j. The underground drainage easements along Lots 12, 19, and 24 if discharging street and offsite drainage shall be minimum 20' wide with turf-block and emergency escape channel. The private drainage easement along back of lots 24-32 shall be

minimum of 5' wide. The proposed 25' easement shown on Lot 32 is not accepted as proposed. The runoff generated from Street "D" shall be ~~retained~~ **collected** in underground storm drain within street right-of-way and discharged to San Jacinto River **or other appropriate outlet as determined by the City Engineer.**

- k. The proposed basin Lot "D" is located in 100-year flood plain and may not function as water quality basin during moderate to heavy rainfall. The WQMP shall address this issue. The basin shall be designed and landscaped to Planning and Public Works Department Standards. Appropriate concrete ramp to maintain the basin shall be installed. The basin shall be discharged to San Jacinto River via underground pipe.

Discharge of runoff from Lot 12 through SCE easement shall require their approval. This underground facility shall continue and extend through proposed park site to San Jacinto River **or other appropriate outlet as determined by the City Engineer.**

The underground drainage facilities located in Street I shall continue and extended to San Jacinto River **or other appropriate outlet as determined by the City Engineer.**

2. Ethanac Road from westerly property line to McPherson along the south side shall be improved with concrete curb, gutter, located ~~55'~~ **67'** south of centerline and minimum of ~~46'~~ **58'** of new pavement within 92', ½-width dedicated right-of-way including 14' wide landscape median.

Ethanac Road along the north side within the same reach shall be improved to provide for minimum of 30' of new pavement including a minimum of 150' long left turn pocket at ~~2-intersections~~ **L & McPherson Road** within dedicated right-of-way. Ethanac Road from easterly boundary to existing improvements east of San Jacinto River. Shall be improved within dedicated right-of-way with a minimum of 40' of new pavement including construction of 5 year crossing over San Jacinto River. At the option of the developer, construction of 100-year ultimate crossing with appropriate DIF/TUMF credit shall be accepted.

3. McPherson Street from Ethanac Road to ~~south boundary~~ **"I" Street** shall be improved along west side to provide for curb, gutter, located ~~28'~~ **22'** west of centerline and ~~26'~~ **20'** of new pavement within ~~29'~~ **33'**, ½-width dedicated right-of-way. McPherson Street along the east side within the same reach shall be improved with all new pavement to provide for a left turn pocket

at all intersections and one 15' wide northbound lane. The intersection of McPherson Street with Ethanac Road shall be improved to provide for left turn pocket (150' long) and one ~~east~~ right turn and one north bound lane.

4. Traffic index of 11 for Ethanac Road shall be used.
5. ~~All new improvements at the above~~ **The intersection of Ethanac and "L" Street** shall be designed and ~~installed~~ **constructed** with a concrete structural section a minimum of 100' from BCR/ECR.
6. Existing power poles within the project site or along the project boundary (under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
7. On and offsite street, drainage, water, sewer, striping, signing, signals, streetlight, grading, paving and erosion control plans along with hydrology and hydraulic reports shall be submitted to the City Engineer's office for review and approval.
8. Access shall be restricted along Ethanac Road, McPherson, and "L" Streets except as shown on the tentative map.
9. 6' wide concrete sidewalk, handicap ramps, and driveways adjacent to the site shall be installed pursuant to ADA and Riverside County standards. All driveway approaches shall be constructed per Riverside County Standards for Residential Driveway (Std. 207) and comply with the ADA requirements.
10. Streetlights shall be installed along all perimeter streets as approved by the City Engineer per Riverside County and Southern California Edison standards.
11. The proposed development is in the service area of Eastern Municipal Water District. The applicant shall provide water and sewer facilities to this development and comply with EMWD, Fire Department, and Health Department's requirements.
12. Prior to issuance of building permit for commercial/industrial projects and prior to recordation of final map for residential projects, the developer shall sign the consent and waiver forms to join the Landscaping, Onsite Street, Flood Control, Public Safety, and Lighting Districts and pay the 18-month advanced energy charges for streetlights. All storm drain facilities (except as noted above) including catch basins and pipes shall be annexed to Flood Control District. In the event, RCFC does not maintain any of the proposed offsite storm drain facilities and other offsite drainage

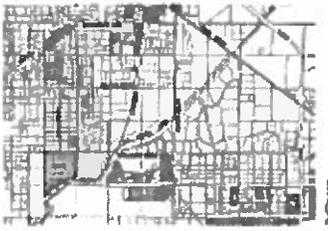
facilities proposed shall be annexed to Flood Control District for maintenance.

13. "L" Street from Ethanac Road along both sides shall be improved as shown on tentative map labeled local streets within 91' dedicated right-of-way including 21' landscaped median.
14. "E" Street shall be improved as shown on tentative map within 70' and 66' dedicated right-of-way including 10' wide landscaped median as shown on the tentative map.
15. All other interior streets shall be improved with curb/gutter located 20' on either side of centerline within 60' dedicated right-of-way.
16. Intersection of "L" Street with Ethanac road shall include minimum of one northbound, one left turn, one dedicated right turn lane.
17. To provide for secondary access, **River Road**, McPherson Avenue or "L" Street shall be extended north **including Mapes Road** and improved with minimum of 30' paved road and connected to "A" Street within dedicated right-of-way.
18. The intersections as shown on tentative map shall be coordinated with all proposed and existing intersections to east and north.
19. Phasing of improvements shall be limited to onsite improvements only. All improvements along Ethanac (on and offsite including crossing at San Jacinto River) and extension of **River Road**, McPherson or "L" Street north of the site shall be part of Phase I.

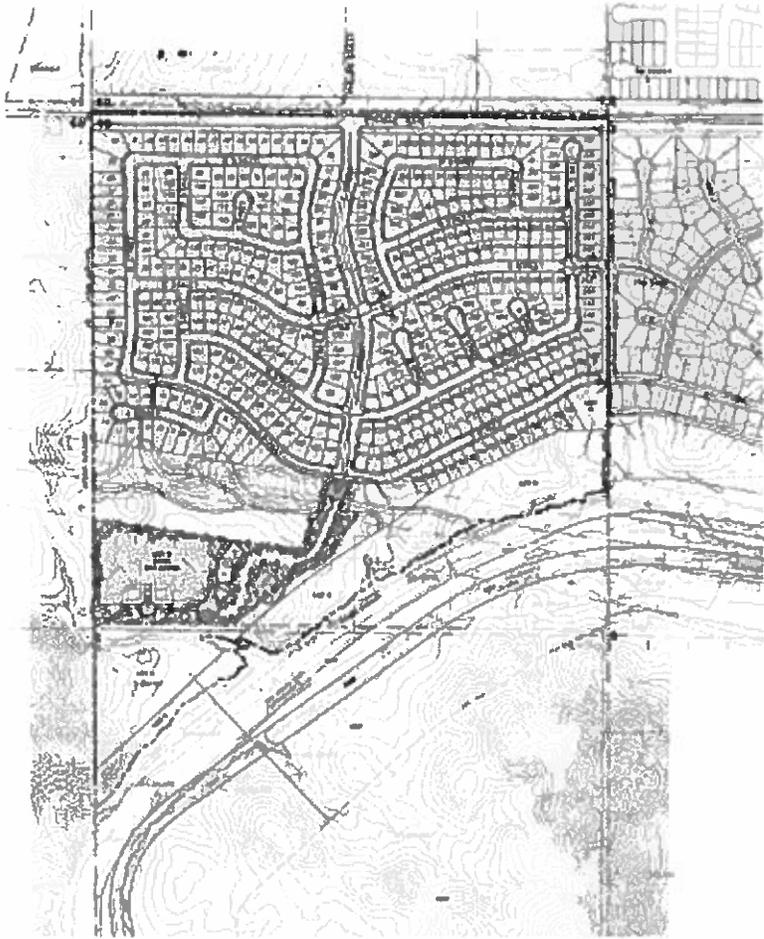
Habib Motlagh
Habib Motlagh
City Engineer

TENTATIVE TRACT MAP NO. 33973

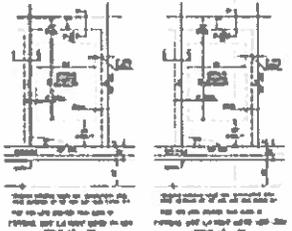
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RIVERSIDE COUNTY,
CALIFORNIA



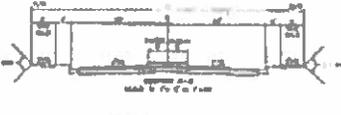
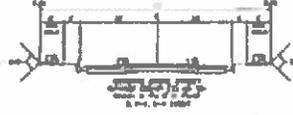
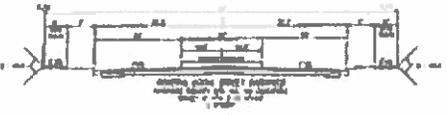
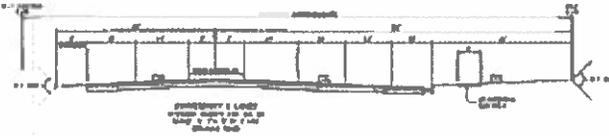
GENERAL NOTES
1. THE TRACT MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ORDERS OF THE CITY OF PERRIS, RIVERSIDE COUNTY, CALIFORNIA.
2. THE TRACT MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ORDERS OF THE CALIFORNIA STATE BOARD OF SUPERVISORS.
3. THE TRACT MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ORDERS OF THE CALIFORNIA STATE DEPARTMENT OF INDUSTRIAL RELATIONS.
4. THE TRACT MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ORDERS OF THE CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES.
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8. THE TRACT MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES, REGULATIONS AND ORDERS OF THE CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES.



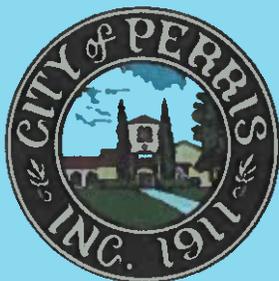
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5-04 85
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<p>CELLER CITY OF PERRIS RIVERSIDE COUNTY, CALIFORNIA</p>	<p>PERMITS, INC. CITY OF PERRIS RIVERSIDE COUNTY, CALIFORNIA</p>	<p>TENTATIVE TRACT MAP NO. 33973 CITY OF PERRIS RIVERSIDE COUNTY, CALIFORNIA</p>	<p>AMENDMENT NO. 1 DATE: 5/97 BY: [Signature]</p>
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CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: General Municipal Election Resolutions for November 3, 2020

REQUESTED ACTION: ADOPT Resolution Number (next in order) calling a Municipal Election to be held on November 3, 2020; and ADOPT Resolution Number (next in order) approving regulations pertaining to Candidate Statements.

CONTACT: Nancy Salazar, CMC, City Clerk

BACKGROUND/DISCUSSION:

In order to initiate the election process for a general municipal election to be held on Tuesday, November 3, 2020, for the election of certain Municipal Officers, two resolutions are presented for consideration by the City Council. These two resolutions are required pursuant to the provisions of law relating to elections in General Law Cities, in the State of California.

The first resolution calls and gives notice of the General Municipal Election to be held on November 3, 2020, for the election of the position of two members of the City Council and the position of Mayor, and requesting that the County Board of Supervisors consolidate the General Municipal Election with the statewide general election to be held on the same date.

In addition, in July 2018 former Governor Jerry Brown signed Assembly Bill 216, which amended Election Code § 3010, clarifying that the elections official is required to deliver to each qualified applicant an identification envelope for the return of the vote by mail ballot and would now require the identification envelope to have prepaid postage. The estimated cost of this postage has been incorporated into the adopted FY 2020/2021 budget for this election.

The second resolution adopts regulations pertaining to candidate's statements to be submitted to the electorate prepared by any candidate for a municipal election, including the costs of such materials, foreign language translations as required by state law, and provision that the candidate's statements be 200 words (the City Council may authorize an increase from 200 words to 400 words, pursuant to Election Code § 13307(a)(1), however, this would result in an additional cost to the candidate).

It is recommended that the City Council adopt Resolution Number (next in order) calling a Municipal Election to be held on November 3, 2020 and adopt resolution Number (next in order) approving regulations pertaining to Candidate Statement.

BUDGET (or FISCAL) IMPACT: The cost of the election of Municipal Officers has been estimated by the Riverside County Registrar of Voters to be \$102,000.00 to \$112, 000.00. \$110,000.00 is included in the 2020/2021 adopted budget.

Prepared by: Judy L. Haughney, Assistant City Clerk
Approved by: Saida Amozgar, Interim Director of Administrative Services



REVIEWED BY:

City Attorney _____
Assistant City Manager _____
Finance Director ER

Attachments: Resolution Calling Election
Resolution-Candidate Statements

Consent: X
Public Hearing:
Business Item:
Presentation:
Other:

RESOLUTION NUMBER (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CALLING FOR, AND GIVING NOTICE OF, THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; AND, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO § 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 3, 2020, for the election of Municipal Officers; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General election to be held on the same date and that within the City of Perris the precincts, polling places and election officers of the two elections be the same, and that the county elections department of the County of Riverside canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of the laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Perris, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four (4) years for those seats currently held by Councilwoman Rita Rogers and Councilman Malcolm Corona and for the purpose of electing the Mayor for a full term of four (4) years for the seat currently held by Mayor Michael M. Vargas.

Section 2. That pursuant to the requirements of California Elections Code section 10403, the Board of Supervisors of the County of Riverside is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 3, 2020, for the purpose of electing two (2) Members of the City Council for the full term of four (4) years for those seats currently held by Councilwoman Rita Rogers and Councilman Malcolm Corona and for the purpose of electing the Mayor for a full term of four (4) years for the seat currently held by Mayor Michael M. Vargas.

Section 3. That the ballots to be used at the Election shall be in form and content as required by law.

Section 4. That the City Clerk is authorized, instructed and directed to coordinate with the Registrar of Voters of the County of Riverside (“Registrar”) to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election; and, further that, pursuant to the consolidation request herein, the City of Perris requests the Registrar to perform, and which such officer is hereby authorized and directed to perform, the following specified services: the preparation, printing and mailing of sample ballots and polling place cards; the establishment or appointment of precincts, polling places and election officers; the furnishing of ballots, voting booths and other necessary supplies or materials for polling places; and the performance of such other election services as may be requested by the City Clerk which may be necessary in order to properly and lawfully conduct the said Election, as more specifically detailed in Exhibit A of this Resolution.

Section 5. That the Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used, and the Registrar is authorized to canvass the returns of the General Municipal Election and furnish the results of such canvassing to the City Clerk of the City of Perris, as provided by law. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

Section 6. That the City Council of the City of Perris, pursuant to California Elections Code section 320, hereby designates Nancy Salazar, City Clerk, or her designee, as the City of Perris Elections Official for purposes of this election and its related process.

Section 7. That the Board of Supervisors of the County of Riverside is requested to issue instructions to the Registrar to take any and all steps necessary for the holding of the consolidated election.

Section 8. The City of Perris recognizes that additional costs will be incurred by the County of Riverside by reason of this consolidation, and agrees to reimburse the County of Riverside for services rendered, upon presentation of a properly detailed invoice to the City Clerk of the City of Perris.

Section 9. That the polls for said Election shall be opened at seven o’clock a.m. (7:00 a.m.) of the day of said Election and shall remain open continuously from said time until eight o’clock p.m. (8:00 p.m.) of the same day, when said polls shall be closed, pursuant to California Elections Code section 10242, except as provided in California Elections Code section 14401.

Section 10. That in all particulars not recited in this Resolution, said Election shall be held and conducted as provided by law for holding municipal elections in said City and that pursuant to California Elections Code sections 10403 and 10418, the City Council of the City of Perris hereby acknowledges that the consolidated election shall be held and conducted in

the manner prescribed in California Elections Code section 10418 and in accordance with the provisions of law regulating the statewide election.

Section 11. That the City Clerk of the City of Perris is hereby directed to file a certified copy of this Resolution with the Registrar of Voters of the County of Riverside.

Section 12. That the notice of time and place of holding said Election is hereby given and the City Clerk is authorized, instructed and directed to give such further or additional notice of said Election, in time, form and manner as required by law.

Section 13. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City of Perris; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of the City of Perris, in the minutes of the meeting at which same is passed and adopted.

ADOPTED, SIGNED and APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number (next in order) was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 12th day of May, 2020, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

EXHIBIT A

Detailed list of services to be provided by the Riverside County Registrar of Voters:

- 1) Prepare all up-to-date election process forms.**
- 2) Provide signature verification services for all nomination papers.**
- 3) Prepare sample ballot materials including candidate statements and translations for review by the City Clerk, prior to distribution.**
- 4) Distribute sample ballots to all qualified City of Perris registered voters.**
- 5) Establish polling places for voting precincts.**
- 6) Provide voting equipment, ballot boxes, ballots, and all other necessary supplies and paraphernalia, for each established polling place.**
- 7) Select, train and issue payment to poll workers and alternate poll workers as required by law for each polling place established. The City shall have the opportunity to review the final list of poll workers assigned to serve in City precincts.**
- 8) Provide training for "Range Inspectors" hired by the County to provide technical support on Election Days.**
- 9) Provide an alphabetical listing of each voter in the City, including their appropriate polling place location, on CD if available.**
- 10) Provide the necessary voter registration lists for all polling locations.**
- 11) Publish and post required notices regarding polling places and poll workers.**
- 12) Provide the County tabulation equipment and the qualified and trained County personnel to operate the same.**
- 13) Provide County personnel for security during the ballot counting and tabulation process.**
- 14) Provide sufficient personnel to deliver, process, count and tabulate the ballots on the night of the general municipal election.**
- 15) Distribute and process all vote by mail ballots.**
- 16) Distribute and process all provisional ballots.**
- 17) Prepare and deliver the election returns of the votes cast at the general municipal election to the Perris City Clerk, to enable the City Clerk to canvass the returns and declare the results.**
- 18) Provide voting precinct maps for use by the City Clerk's Office and City poll workers, in assisting voters to determine their precinct polling locations.**
- 19) Provide itemized written Invoice prior to December 31, 2020.**

RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE ELECTORATE AND THE COSTS THEREOF FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON NOVEMBER 3, 2020.

WHEREAS, the City Council called and gave notice of a General Municipal Election to be held on Tuesday, November 3, 2020;

WHEREAS, California Elections Code section 13307 provides that the governing body of any local agency adopt regulations pertaining to materials to be submitted to the electorate prepared by any candidate for a municipal election, including costs thereof;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. General Provisions. That pursuant to California Elections Code section 13307, each candidate for elective office to be voted for in the General Municipal Election to be held in the City of Perris on November 3, 2020, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The form, contents, and distribution of this statement shall comply with California Elections Code sections 13307 – 13312. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate herself or himself. Such statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. Such statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed and may be withdrawn until 5:00 p.m. of the next working day after the close of the nomination period.

Section 2. Foreign Language Policy.

A. Pursuant to the Federal Voting Rights Act, candidate's statements will be translated into all languages required by law for the City of Perris in the County of Riverside, California.

B. The County will mail separate sample ballots and candidate statements in those languages required by law for the City of Perris to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates statements in the required languages available at all polling places, on the County's website, and in the City Election Official's office.

Section 3. Payment.

A. Translations. The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language as specified in (A) and (B) of Section 2 above pursuant to Federal and/or State law.

B. Printing. The candidate shall be required to pay the cost of printing the candidate's statement in the voter's pamphlet in all required languages pursuant to Federal and State law. The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statement filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the City his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. The estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate. The City Clerk shall bill each candidate for any cost in excess of the deposit and shall refund any unused portion of any deposit.

Section 4. Miscellaneous.

A. All translations shall be provided by professionally-certified translators.

B. Pursuant to California Elections Code sections 13307(a)(3) and 13307(b)(1) the statement of each candidate shall be printed in type of uniform size, darkness, and with uniform spacing.

C. The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

Section 5. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

Section 6. That no candidate will be permitted to include additional materials in the sample ballot package.

Section 7. That all previous resolutions establishing council policy on candidate's statements are repealed.

Section 8. That this resolution shall apply only to the election to be held on Tuesday, November 3, 2020, and shall then be repealed.

Section 9. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make

a minute of passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

ADOPTED, SIGNED AND APPROVED this 12th day of May, 2020.

Mayor, Michael M. Vargas

ATTEST:

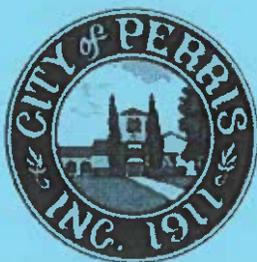
City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number xxxx was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 12th day of May, 2020, and that it was so adopted by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Investment Report – Quarter Ended March 31, 2020

REQUESTED ACTION: Receive and File Quarterly Investment Report for the Quarter Ended March 31, 2020

CONTACT: Ernie Reyna, Director of Finance *ER*

BACKGROUND/DISCUSSION:

The California Government Code establishes requirements for Treasurer's Investment Reports and investment practices. Section 53646 of the Code states that the City's Treasurer shall render a quarterly report to the City Manager and City Council.

The earnings for the third quarter of 2019-20, as presented in this report, are \$2,967,962.93.

The City continues to employ an investment strategy of maximizing yield while maintaining security of the City's invested funds as specified in the investment policy adopted by the Council.

BUDGET (or FISCAL) IMPACT: Interest income earned for the third quarter of Fiscal Year 2019-2020 as reported is \$2,967,962.93. The projected interest income for the General Fund is \$449,681.61.

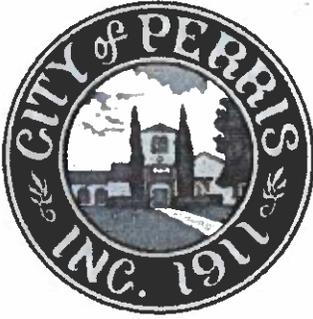
Prepared by: Adrienne Morales, Accountant II

REVIEWED BY: Ernie Reyna, Director of Finance

City Attorney _____
 Assistant City Manager _____
 Finance Director *ER*

Attachments: Memorandum, Quarterly Investment Report

Consent:
 Public Hearing:
 Business Item:
 Presentation:
 Other:



CITY OF PERRIS
DEPARTMENT OF FINANCE
101 North 'D' Street, Perris, CA 92570-2200
TEL: 951-943-4610 FAX: 951-943-5065

Memorandum

TO: Honorable Mayor and Members of the Perris City Council
FROM: Adrienne Morales, Accountant II
PREPARED BY: Adrienne Morales, Accountant II
APPROVED BY: Ernie Reyna, Director of Finance
DATE: May 12, 2020
SUBJECT: Quarterly Investment Report as of March 31, 2020

I hereby certify that this quarterly investment report (see attached Exhibit A) accurately reflects all investments and is in compliance with the City's Investment Policy (see Compliance Table Exhibit B). Sufficient investment liquidity and anticipated revenues are available to meet budgeted expenditures for the next six months.

Approved by:


Ernie Reyna, Director of Finance


Date

EXHIBIT A

City of Perris
Quarterly Investment Report
January 1, 2020 - March 31, 2020

Current Quarter Ending March 31, 2020

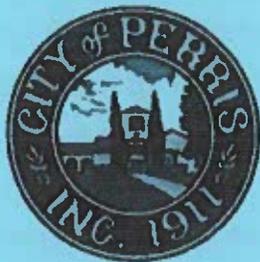
Type of Investment	Institution	Maturity Date	Deposit Amount *	Interest Received
Pooled	Citizens Business Bank (Premiere Money Market)	Liquid	708,212.90	2,301.25
Pooled	Citizens Business Bank (Investment)	Liquid	66,066,331.78	662,091.83
Pooled	Local Agency Investment Fund (LAIF)	Liquid	31,401,453.96	158,038.10
Pooled	U.S. Bank (Investment)	Liquid	-	-
Pooled	Chandler Asset Management	Liquid	83,580,230.94	2,147,071.15
Total Interest Earning for Period Ending Mar. 31, 2020:				\$ 2,969,502.33

* Average Quarterly Cash Balance per Investment Account

CITY OF PERRIS
Projected Cash Balances & Projected Interest Income as of March 31, 2020
Fiscal Year 2019 - 2020

FUND #	FUND NAME	Projected Balances as of 3/31/2020	Projected Interest Income for quarter ending 3/31/2020
001	GENERAL FUND*	29,954,711.82	449,681.61
106	RAILWAY DEPOT RESTORATION	133,394.46	2,002.52
109	AQMD - AIR QUALITY MANAGEMENT	149,700.71	2,247.31
112	TRAFFIC SAFETY	1,397,227.73	20,975.25
115	OFFICE OF TRAFFIC SAFETY	326,894.80	4,907.36
121	STREET LIGHTING - PROPERTY TAX	2,385,014.21	35,803.95
124	STREET LIGHTING - MD 84-1	836,311.22	12,554.75
127	LANDSCAPE MAINTENANCE DISTRICT 1	5,245,224.12	78,741.56
130	FLOOD CONTROL MAINTENANCE DISTRICT	10,638,883.51	159,711.45
133	ROAD & BRIDGE BENEFIT DISTRICT	78,761,656.53	1,182,373.88
136	GAS TAX	7,303,814.55	109,645.23
140	RMRA GRANT	1,005,333.22	15,092.11
142	MEASURE A	5,755,380.53	86,400.06
157	CITY PROJECTS - EXTERNAL CONTRIBUTIONS	9,430,645.18	141,573.31
160	STORM DRAIN DEVELOPER FEES	14,473,212.25	217,272.58
163	DEVELOPMENT FEES	19,227,361.19	288,642.10
165	COMM ECONOMIC DEV CORP	3,065,101.00	46,013.45
170	HUD - NSP3 - FEDERAL	96,312.36	1,445.85
171	HCD - HOME - FEDERAL	101,204.53	1,519.29
180	HOUSING AUTHORITY	1,573,095.59	23,615.39
204	CFD 90-2 GREEN VALLEY	23,009.06	345.41
226	CFD 2006-3 ALDER	406,638.56	6,104.48
228	CFD 2006-2 MONUMENT PARK	82,835.45	1,243.53
237	CFD 88-1 (NEW)	276,028.36	4,143.75
238	CFD 88-3 (NEW)	107,902.85	1,619.84
239	CFD 90-1 (NEW)	123,360.01	1,851.89
241	CFD 2002-1R WILLOWBROOK	85,565.71	1,284.52
242	CFD 2001-1 #1R MAY FARMS	19,870.03	298.29
243	CFD 2001-1 #2R MAY FARMS	63,017.23	946.02
244	CFD 2001-1 #3R MAY FARMS	89,705.56	1,346.66
245	CFD 2001-2R VIL OF AVALON	433,385.62	6,506.01
246	CFD 2006-1R MERITAGE	32,330.79	485.35
247	CFD 2014-1 AVELINA	28,021.30	420.66
248	CFD 2004-3R MONUMENT RANCH	101,827.58	1,528.64
249	CFD 2004-2R CLC	2,141.97	32.16
251	CFD 2001-1 #7R MAY FARMS	1,959.29	29.41
254	CFD 2005-2R HARMONY GROVE	11,628.36	174.57
255	CFD 2004-3R MONUMENT RANCH IA2	18,364.21	275.68
256	CFD 2014-2 SPECTRUM	1,821.91	27.35
257	CFD 2005-1R PERRIS VALLEY VISTAS #3	50,111.09	752.27

258	CFD 2005-4R STRATFORD RANCH	81,630.85	1,225.45
259	CFD 2005-4 IA2 STRATFORD STEEPLCHASE	48,779.31	732.28
265	CFD 2001-1 MAY FARMS #4R	185,297.73	2,781.70
266	CFD 2001-1 MAY FARMS #5R	105,117.19	1,578.02
267	CFD 2005-1 #4R CENTEX	37,675.80	565.59
268	CFD 93-1RR MAY RANCH	103,499.84	1,553.74
269	CFD 2004-5R AMBER OAKS II	19,634.51	294.75
271	AD 86-1 93 SERIES A	54,183.90	813.41
272	CFD 2014-1 AVELINA IA-2	35,915.66	539.17
273	CFD 2014-1 AVELINA IA 3	41,800.82	627.52
274	CFD 2018-2 PUBLIC SERVICE DIST TRLS	3,343.93	50.20
412	PFA 2007 SERIES A & B	37,847.44	568.17
418	PFA 2009B (1994 PROJECT LOAN)	490.29	7.36
419	PFA 2009C (C & N PRJ LOAN)	50.42	0.76
421	PFA REFUNDING-SERIES A	58,338.50	875.78
422	PFA REFUNDING-SERIES B	4,891.29	73.43
431	JPA 2013 SERIES A	52,341.54	785.75
511	SEWER FUND - CITY	495,787.93	7,442.79
521	SOLID WASTE FUND - CITY	885,048.02	13,286.38
750	CAPITAL PROJECT AREA/SUCCESSOR	235,945.72	3,542.03
751	DEBT SERVICE FUNDS/SUCCESSOR	1,397,753.80	20,983.15
Total:		197,705,378.94	2,967,962.93



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: May 12, 2020
SUBJECT: Check Register for March 2020
REQUESTED ACTION: Approve the City's Monthly Check Register for March 2020
CONTACT: Ernie Reyna, Director of Finance *ER*

BACKGROUND/DISCUSSION:

The check register for the month of March 2020 is presented for City Council approval.

BUDGET (or FISCAL) IMPACT:

None.

Prepared by: Stephen Ajobiewe, Finance Manager

REVIEWED BY:

Assistant City Manager

Director of Finance *ER*

Attachment: Check Register – March 31, 2020

Consent Item: X

**CITY OF PERRIS
CHECK REGISTER
March 31, 2020**

CK NUMBER	DATE ISSUED	VENDOR	DESCRIPTION	AMOUNT
140102	03/02/2020	CORPORATE PAYMENT SYSTEMS	BUSINESS EXPENSES/FUEL 12/12-2/07/2020	\$ 945.08
140103	03/04/2020	ADVANCE REFRIGERATION & ICE SYSTEMS	PUBLIC WORKS YARD: ICE MACHINE MAINT.	736.03
140104	03/04/2020	CREATIVE PRINTING	SNOW DAY/BUSINESS CARDS/WATER BILLS	840.24
140105	03/04/2020	HOME DEPOT CREDIT SERVICES	I.T. OFFICE/CITY HALL/REC EVENTS/MORGAN PARK/CS DEPT	4,670.83
140106	03/04/2020	INTERWEST CONSULTING GROUP, INC.	COPPER CREEK COMMUNITY ENGAGEMENT	1,560.00
140107	03/04/2020	LA GARE CAFE	T-NOW MEETING	171.29
140108	03/04/2020	HECTOR LEDESMA	REIMBURSEMENT: TRAINING REGISTRATION	175.00
140109	03/04/2020	GG PUB INC.	2ND READING OF ORDINANCE# 1388	84.79
140110	03/04/2020	LAURA SOSA	FITNESS INSTRUCTOR FEB 2020	1,400.00
140111	03/05/2020	ADAME LANDSCAPE, INC.	LMD 1 2016-17 12/01-12/31/2019	10,069.86
140112	03/05/2020	AMAZON CAPITAL SERVICES	COFFEE MACHINE/CLASSROOM SUPPLIES/MONITOR/OFF SUPPLIES	1,182.16
140113	03/05/2020	ANDERSON ELECTRIC	CITY HALL & TREE LIGHTING DECORATIONS/REPAIRS	10,684.00
140114	03/05/2020	COUNTY OF RIVERSIDE	ANIMAL SHELTER SERVICES 12/01-12/31/2019	11,337.08
140115	03/05/2020	APPLEONE EMPLOYMENT SERVICES	TEMP STAFF SERVICES	667.88
140116	03/05/2020	ATWORK FRANCHISE, INC.	TEMP STAFF SERVICES	846.30
140117	03/05/2020	AYERS DISTRIBUTING	PLASTIC EGGS: TOY/CANDY FILLED	556.00
140118	03/05/2020	B&S BUILDERS UNITED, LLC	EMERGENCY SERVICE: FIRE STATION #101	1,385.00
140119	03/05/2020	VOID	VOID	0.00
140120	03/05/2020	BARRY KAY ENTERPRISES, INC	SOCCER UNIFORMS: PEE WEE & MIGHTY MITES	234.95
140121	03/05/2020	BNC CONSTRUCTION, INC.	ROTARY PARK RESTROOM 1/01-2/12/2020	36,821.00
140122	03/05/2020	CALBO	EDUCATION WEEK : REGISTRATION	645.00
140123	03/05/2020	SABRINA CHAVEZ	VISION REIMBURSEMENT & CPRP STUDY GUIDE	673.18
140124	03/05/2020	CINTAS	FIRST AID KIT SUPPLIES	140.08
140125	03/05/2020	CORPORATE PAYMENT SYSTEMS	OSHA TRAININGS/COUNCIL CHAIR/GARDEN MAINT.	2,218.35
140126	03/05/2020	CORPORATE PAYMENT SYSTEMS	OFFICE FURNITURE/HIKE EVENT/HOTEL EXP FOR CONFERENCE	3,595.22
140127	03/05/2020	CORPORATE PAYMENT SYSTEMS	CARPET/OFFICE FURNITURE/SHADOW DAY	4,497.43
140128	03/05/2020	CORPORATE PAYMENT SYSTEMS	OFFICE FURNITURE/ERC EVENT/LCC CONFERENCE	5,643.54
140129	03/05/2020	CORPORATE PAYMENT SYSTEMS	PUB WORKS OFFICE FURNITURE/OFFICE SUPPLIES/JOB POSTING	6,087.10
140130	03/05/2020	CPRS	MEMBERSHIP DUES	145.00
140131	03/05/2020	CR&R	TRASH FEES COLLECTED FOR JAN 2020	396,598.95
140132	03/05/2020	DAN'S FEED AND SEED INC.	PROPANE	76.00
140133	03/05/2020	DIVERSIFIED DISTRIBUTION	SYNTHETIC OILS	408.15
140134	03/05/2020	EASTERN MUNICIPAL WATER DISTRICT	1/13-2/11/2020	3,822.98
140135	03/05/2020	EWING	PARKS: IRRIGATION PARTS SUPPLIES	1,510.84
140136	03/05/2020	FAIR HOUSING COUNCIL OF RIVERSIDE COUNTY	SPONSORSHIP: COPPER HOUSING CONFERENCE, APRIL 2020	300.00
140137	03/05/2020	FEDERAL EXPRESS CORP	1/24-1/28/2020	176.36
140138	03/05/2020	GB LANDSCAPE DESIGN	MILTZ PARK 1/27/2020	1,462.79
140139	03/05/2020	GONZALES, JOSE	CLOSED WATER ACCOUNT REFUND	800.00
140140	03/05/2020	GREER'S CONTRACTING & CONCRETE, INC	PARKS RESTROOM PROJECT 8/27-1/24/2020	24,717.18
140141	03/05/2020	HAULAWAY	20 FT CONTAINER RENT METZ PARK	332.68
140142	03/05/2020	HAULAWAY STORAGE CONTAINERS, INC	20 FT CONTAINER RENT METZ PARK	82.60
140143	03/05/2020	HILLCREST CONTRACTING, INC.	NUEVO RD WIDENING	219,181.15
140144	03/05/2020	HIRSCH & ASSOCIATES INC	MORGAN PARK PHASE II 12/01-1/02/2020	1,045.51
140145	03/05/2020	STATE OF CALIFORNIA	MONITORING OF HOME INVESTMENT PARTNERSHIP PROGRAM	29,328.00
140146	03/05/2020	IMPERIAL SPRINKLER SUPPLY	PARKS: IRRIGATION PARTS SUPPLIES	1,497.88
140147	03/05/2020	INLAND DESERT SECURITY & COMMUNICATIONS	PW ANSWERING SERVICES 3/01-3/31/20	416.67
140148	03/05/2020	iWorQ Systems, Inc.	PUB WORKS: CITIZEN ENGAGEMENT SOFTWARE	3,000.00
140149	03/05/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	609.17
140150	03/05/2020	JOSÉ A. ESTRADA DESIGN CONSULTANTS	PERRIS BLVD PARKWAY & MEDIAN	2,500.00
140151	03/05/2020	KEY CODE MEDIA, INC.	I.T. STUDIO EQUIPMENT	93,260.94
140152	03/05/2020	CAMEL FINANCIAL, INC	TUTORING SERVICES 1/06-2/03/20	1,440.00
140153	03/05/2020	LEAGUE OF CALIFORNIA CITIES	CONFERENCE: CITY MANAGER 2/05/20	75.00
140154	03/05/2020	LOWES BUSINESS ACCT/SYNCB	GRAFFITI ABATEMENT SUPPLIES	864.47
140155	03/05/2020	MANPOWER TEMP SERVICES, INC	TEMP STAFF SERVICES	1,979.82
140156	03/05/2020	KENNETH MATTHEWS	SPORTS REFEREE 5 GAMES	115.00
140157	03/05/2020	JONATHAN MOON	SPORTS REFEREE 3 GAMES	46.00
140158	03/05/2020	LEMUEL NEAL	SPORTS REFEREE 5 GAMES	125.00
140159	03/05/2020	NineSeven LLC	PROF SERVICES: SKILLS TRAINING CENTER AUG 2019	5,217.39
140160	03/05/2020	OFFICETEAM	TEMP STAFF SERVICES	895.04
140161	03/05/2020	PAR WEST TURF SERVICES, INC.	UNIVERSAL CONTROL REMOTE SYSTEM	1,939.50
140162	03/05/2020	PERDUE & RUSSELL REAL ESTATE	GOETZ RD IMPROVEMENT PROJECT	3,750.00
140163	03/05/2020	RICO P. PEREIRA	SPORTS REFEREE 5 GAMES	115.00
140164	03/05/2020	PERRIS CAR WASH	CITY VEHICLE MAINTENANCE	51.97
140165	03/05/2020	ARCENIO RAMIREZ	REIMBURSEMENT: PARKS & REC LUNCH MEETINGS	121.59
140166	03/05/2020	RCTC	ANNUAL LICENSE FEE 3/07-3/06/2021	1.00
140167	03/05/2020	RIGHTWAY	PORTABLE TOILET SERVICES	821.91
140168	03/05/2020	RIVERSIDE COUNTY SHERIFF'S DEPT	COUNCIL MEETINGS/SART EXAMS/EXPLORER MEETINGS/HOLIDAY	8,632.46
140169	03/05/2020	ROTARY CLUB OF PERRIS	QTRLY DUES JAN-MAR 2020	278.50
140170	03/05/2020	ROW TRAFFIC SAFETY, INC	REVISED INVOICE FOR SALES TAX	14.10
140171	03/05/2020	SC FUELS	FUEL- 2/03/2020	113.62
140172	03/05/2020	SCE	1/23-2/21/2020	76.99
140173	03/05/2020	STERCYCLE, INC.	SHREDDING SERVICES 1/02-1/29/20	404.65
140174	03/05/2020	SS MINI STORAGE	CITY CLERK STORAGE RENT MAR-AUG20	984.50
140175	03/05/2020	STATE OF CALIFORNIA	SMI FEES 2ND QTR FY 19-20	5,882.21
140176	03/05/2020	STEVE LEMON AIR CONDITIONING	A/C MAINTENANCE	3,214.00
140177	03/05/2020	COUNTY OF RIVERSIDE	ETHANAC RD/ EL TORO RD CORRIDORS	176,256.93
140178	03/05/2020	TRANSPORT GRAPHICS	CITY LOGO DECALS FOR VEHICLES	89.55
140179	03/05/2020	U. S. POSTAL SERVICE	REPLENISH POSTAGE FOR UTILITIES BILLING	4,000.00
140180	03/05/2020	UNIFIRST CORPORATION	UNIFORM/MAT SERVICES	668.78
140181	03/05/2020	VERIZON WIRELESS	1/11-2/10/2020	111.48

CITY OF PERRIS
CHECK REGISTER
March 31, 2020

CK NUMBER	DATE ISSUED	VENDOR	DESCRIPTION	AMOUNT
140182	03/05/2020	WALTERS WHOLESALE ELECTRIC CO	SUPPLIES FOR FACILITY MAINTENANCE	199.62
140183	03/05/2020	WESTERN EXTERMINATOR COMPANY	PEST CONTROL SERVICES, JAN 2020	1,549.47
140184	03/05/2020	RALPH WILLEY	SPORTS REFEREE 5 GAMES	115.00
140185	03/05/2020	XEROX FINANCIAL SERVICES	LEASE: S/EW 4HX552276 1/03-3/02/20	243.36
140186	03/10/2020	EMERALD FAMILY HOLDINGS, LLC	PROPERTY AQC SETTLEMENT GOETZ/MAPES	307.05
140187	03/10/2020	RUBY FAMILY HOLDINGS, LLC	PROPERTY AQC SETTLEMENT GOETZ/MAPES	1,192.95
140188	03/11/2020	ALESHIRE & WYNDER, LLP	LEGAL SERVICES 1/01-1/31/2020	54,992.63
140189	03/11/2020	AMERICAN FORENSIC NURSES LLC	BLOOD DRAWS	635.00
140190	03/11/2020	BILL & DAVE'S LDCS MAINTENANCE	"F" STREET FIRE STATION & MAGNOLIA TREE	7,990.00
140191	03/11/2020	CAMERON WELDING SUPPLY	PACKAGED GASES FOR WELDING	57.88
140192	03/11/2020	CREATIVE PRINTING	VOLUNTEER DINNER INVITATIONS/LABELS	286.89
140193	03/11/2020	FLOWATER, INC.	DRINKING WATER DISPENSERS	773.94
140194	03/11/2020	HOME DEPOT CREDIT SERVICES	CS DEPT OFFICE/SENIOR CENTER/PARKS	2,111.78
140195	03/11/2020	INTERWEST CONSULTING GROUP, INC.	GOETZ RD WIDENING/MISC ENCROACHMENT PERMITS/SEWER REPAIR	61,154.70
140196	03/11/2020	LA GARE CAFE	CENSUS MEETING/SPECIAL COUNCIL MEETING	498.75
140197	03/11/2020	LIFE LIFTERS INTERNATIONAL	CALVIP GRANT TRAINING DEC 2019	2,500.00
140198	03/11/2020	LYONS SECURITY SERVICE INC.	SECURITY OFFICER AND EVENING PATROL AT CITY HALL	13,271.75
140199	03/11/2020	GG PUB INC.	PUBLIC NOTICE : LANDSCAPE	1,243.12
140200	03/11/2020	TEAMSTERS LOCAL 911	UNION DUES, FEB 2020	3,192.00
140201	03/11/2020	WATER EDUCATION SERVICES, INC	BACKFLOW PROGRAM, FEB 2020	4,000.00
140202	03/11/2020	WEST COAST ARBORISTS, INC	TREE STUMP REMOVAL	9,179.30
140203	03/13/2020	ACCOUNTING PRINCIPALS, INC.	TEMP STAFF SERVICES	726.95
140204	03/13/2020	ACTION SURVEYS	MAPPING FOR GOETZ RD WIDENING	1,109.00
140205	03/13/2020	ADAME LANDSCAPE, INC.	LMD 1-2016-17 DEC - JAN 20 & BENEFIT ZONES, OCT 2019	62,461.71
140206	03/13/2020	ADLERHORST INTERNATIONAL LLC	ON-SITE TRAINING JAN 2020	175.00
140207	03/13/2020	AMAZON CAPITAL SERVICES	SENIOR OFFICE/RIBBON CUTTING STUDIO GRAND OPENING	106.23
140208	03/13/2020	ANDERSON ELECTRIC	PARKING LOT EXPANSION/PATRIOT PARK	2,820.00
140209	03/13/2020	MARIA ARREGUIN	MILEAGE REIMBURSEMENT	278.88
140210	03/13/2020	ATWORK FRANCHISE, INC.	TEMP STAFF SERVICES	1,201.20
140211	03/13/2020	BUDLONG & ASSOCIATES, INC.	"D" STREET CONSTRUCTION OBSERVATION	16,500.00
140212	03/13/2020	CALIFORNIA ANIMAL WELFARE ASSOCIATION	ACC FULL CONF. MEMBERSHIP DUES	325.00
140213	03/13/2020	CALIFORNIA VETERINARY SPECIALISTS	EMERGENCY EUTHANASIA	670.00
140214	03/13/2020	ISABEL CARLOS	EMPLOYEE APPRECIATION/BIKE EVENT	315.39
140215	03/13/2020	CINTAS	FIRST AID KIT SUPPLIES	17.86
140216	03/13/2020	COMMUNITY WORKS DESIGN GROUP	GOETZ PARK PHASE II, JAN 2020	6,736.64
140217	03/13/2020	CONSERVE LANDCARE LLC	PERRIS BLVD PARKWAY & MEDIAN	9,642.50
140218	03/13/2020	CRIME SCENE STERI-CLEAN, LLC	1800 E. JARVIS ST	750.00
140219	03/13/2020	DAN'S FEED AND SEED INC.	PROPANE/CLIMATE RAIN SUIT/ANIMAL CONTROL SUPPLIES	254.95
140220	03/13/2020	DIVERSIFIED DISTRIBUTION	DEKA 5140RMF BATTERIES	215.97
140221	03/13/2020	DUNN-EDWARDS CORPORATION	PAINT & PRIMER: STREETS MAINT & FLUORESCENT MARKING	975.31
140222	03/13/2020	EAGLE ROAD SERVICE & TIRE	NEW TIRES	3,709.39
140223	03/13/2020	EASTERN MUNICIPAL WATER DISTRICT	1/26-2/24/2020	11,324.79
140224	03/13/2020	EASTERN MUNICIPAL WATER DISTRICT	1/27-2/25/2020	151,619.18
140225	03/13/2020	ENTENMANN-ROVIN COMPANY	SERVICE AWARDS LAPEL PIN	185.47
140226	03/13/2020	EVERETT SMITH DESIGNS	CONCEPTUAL DRAWINGS & PLANS: CITY HALL	1,000.00
140227	03/13/2020	EWING	TURF MARK BLUE DYE	334.60
140228	03/13/2020	FAIR HOUSING COUNCIL OF RIVERSIDE COUNTY	CDBG SERVICES, JAN 2020	2,919.62
140229	03/13/2020	FAMILY SERVICE ASSOC/MOBILE FRESH	CDBG SERVICES, JAN 2020	2,157.30
140230	03/13/2020	FEDERAL EXPRESS CORP	SHIPPING 11/22-2/25/2020	563.79
140231	03/13/2020	FRONTIER	FIRE STATION/ANIMAL CTRL FEB-MAR 2020	591.35
140232	03/13/2020	GALLARDOS TRANSMISSION	TOW SERVICES TO CITY YARD	150.00
140233	03/13/2020	THE GAS COMPANY	12/26-1/26/2020	3,011.61
140234	03/13/2020	GORM, INC.	GRAY ROLL LINERS	361.21
140235	03/13/2020	GRAINGER	METAL DOOR/TOILET REPLACEMENT	3,417.09
140236	03/13/2020	GREER'S CONTRACTING & CONCRETE, INC	PARKS RESTROOM PROJECT RETENTION PAYMENT	34,742.09
140237	03/13/2020	GUARANTEED JANITORIAL SERVICE	JANUARY 2020	12,184.40
140238	03/13/2020	HERNANDEZ LANDSCAPE CO, INC	LMD/WEED ABATEMENT FOR PARKS & BENEFIT ZONES, NOV-DEC19	37,284.70
140239	03/13/2020	HINDERLITER DeLLAMAS & ASSOCIATES	SALES TAX AUDIT SERVICES, CANNABIS MANAGEMENT PROGRAM	21,009.26
140240	03/13/2020	IB REPROGRAPHICS	COPIES OF PROJECT PLANS	115.72
140241	03/13/2020	ICC, INC	MEMBERSHIP DUES	240.00
140242	03/13/2020	VISUAL EDGE, INC.	VARIOUS PRINTERS CONTRACT JAN 2020	3,880.72
140243	03/13/2020	IMPERIAL SPRINKLER SUPPLY	IRRIGATION SUPPLIES	782.14
140244	03/13/2020	INLAND DESERT SECURITY & COMMUNICATIONS	ANSWERING SERVICES 3/01-3/31/20	491.00
140245	03/13/2020	INLAND LIGHTING SUPPLIES	CESAR E CHAVEZ LIBRARY	193.95
140246	03/13/2020	INTERPRETERS UNLIMITED	SHERIFF DEPT 1/16/20	28.00
140247	03/13/2020	INTERPRETERS UNLIMITED	SHERIFF DEPT 12/17/19	30.00
140248	03/13/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	361.94
140249	03/13/2020	JOHNSON CONTROLS FIRE PROTECTION	ANNUAL SERVICE AGREEMENT: BOB GLASS GYM	3,926.00
140250	03/13/2020	JOHNSON EQUIPMENT CO.	TRUCK#06-722 SUPPLIES	1,933.25
140251	03/13/2020	LAWN TECH	PARKS MAINT EQUIPMENT: BLOWER/CHAINSAW REPAIR/PARTS	2,544.15
140252	03/13/2020	LIEBERT CASSIDY WHITMORE	WORKSHOP 3/12/20 TRAINING FEES	175.00
140253	03/13/2020	LOR GEOTECHNICAL GROUP INC	GOETZ PARK	435.00
140254	03/13/2020	LSA ASSOCIATES, INC	PLACENTIA AVE WIDENING PROJECT, THRU JAN 31, 2020	13,840.47
140255	03/13/2020	MANPOWER TEMP SERVICES, INC	TEMP STAFF SERVICES	56,030.62
140256	03/13/2020	MILLSTEN ENTERPRISES, INC.	GOETZ PARK PHASE II, FEB, 2020	189,985.75
140257	03/13/2020	NAPA AUTO PARTS	TRAILER COUPLER	32.31
140258	03/13/2020	OFFICETEAM	TEMP STAFF SERVICES	2,013.84
140259	03/13/2020	DAVID OSORIO	MARIACHI INSTRUCTOR FEB 2020	62.50
140260	03/13/2020	SALVADOR OSORIO	MARIACHI INSTRUCTOR FEB 2020	62.50
140261	03/13/2020	PAR WEST TURF SERVICES, INC.	IRRIGATION REPAIR PARTS	965.66

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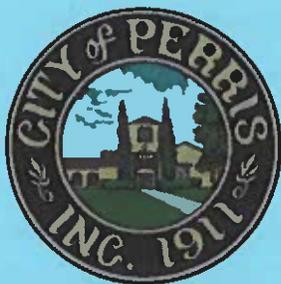
CK NUMBER	DATE ISSUED	VENDOR	DESCRIPTION	AMOUNT
140262	03/13/2020	JOHN PARKER	VISION REIMBURSEMENT	170.00
140263	03/13/2020	PERRIS ANIMAL HOSPITAL	EMERGENCY VET SERVICES	334.40
140264	03/13/2020	PERRIS VALLEY CHAMBER OF COMMERCE	RENEWAL MAR - FEB 2021	5,000.00
140265	03/13/2020	PITNEY BOWES GLOBAL FINANCIAL	MAILER SOFTWARE 12/20-3/19/2020	898.77
140266	03/13/2020	QUIROZ TACOS	VALENTINE'S DAY - SENIOR CENTER LUNCHEON	1,200.00
140267	03/13/2020	RICHMOND AMERICAN HOMES	PERMIT REIMBURSEMENT	23,357.88
140268	03/13/2020	RIGHTWAY	PORTABLE TOILET SERVICES	404.33
140269	03/13/2020	RIVERSIDE COUNTY SHERIFF'S DEPT	CONTRACT LAW ENFORCEMENT 12/05-1/01/2020	1,246,674.34
140270	03/13/2020	SC FUELS	FUEL CARDS FEB 20 & PUMP #9 PERRIS	6,255.87
140271	03/13/2020	SCE	18 MONTH STREET LIGHT BILL	56,268.35
140272	03/13/2020	SPARKLETTES	BOTTLED WATER SERVICES	77.91
140273	03/13/2020	STATE OF CALIFORNIA	BLOOD ALCOHOL ANALYSIS	315.00
140274	03/13/2020	SWANK MOTION PICTURES, INC	MOVIES IN THE PARK 7/02-8/13/20	2,260.00
140275	03/13/2020	SYNTECH	INSTALL/CONFIGURE/IMPLEMENT FIREWALL/WIRELESS NETWORK	1,944.43
140276	03/13/2020	COUNTY OF RIVERSIDE	TRAFFIC SIGNAL MAINTENANCE & SLF COSTS NOV-DEC 2019	44,658.31
140277	03/13/2020	U. S. DIARY	DEPARTMENT PLANNERS	210.53
140278	03/13/2020	UNITED WAY OF THE INLAND VALLEY	LANDFILL AFTER HOURS SPONSORSHIP	2,500.00
140279	03/13/2020	WALTERS WHOLESALE ELECTRIC CO	FINANCE CHARGES, PAST DUE INV	7.07
140280	03/13/2020	WINZER CORPORATION	STREET MAINTENANCE SUPPLIES	636.77
140281	03/13/2020	METROPOLITAN WATER DISTRICT	MORGAN PARK APPLICATION FOR REAL PROPERTY	500.00
140282	03/18/2020	BILL & DAVE'S LDSC MAINTENANCE	LMD 1 - 2016-17-02 JAN 2020 & B223 TURF, ORANGE AVE	18,217.76
140283	03/18/2020	CREATIVE PRINTING	PROGRAMS FOR SHERIFF DEPT/PUBLIC HEALTH CARDS	81.48
140284	03/18/2020	DENNIS GRUBB & ASSOCIATES	PLAN CHECK SERVICES	17,590.00
140285	03/18/2020	FLOWATER, INC.	DRINKING WATER DISPENSER	154.78
140286	03/18/2020	INTERWEST CONSULTING GROUP, INC.	TR 36989 GREEN VALLEY/CAR WASH/PERRIS CIR INDUSTRIAL/BLD INSPECTDR	138,525.75
140287	03/18/2020	LA GARE CAFE	HEALTH FAIR COMMITTEE MTG/GROW PERRIS PARTNERSHIP MTG	537.79
140288	03/18/2020	LALALAND PRINTING, INC.	30 APRONS WITH PTV LOGO	452.55
140289	03/18/2020	LEILANI CONSTRUCTION INC.	METZ PARK : ASPHALT FOR DRAINAGE SYSTEM	7,000.00
140290	03/18/2020	PACIFIC CODE COMPLIANCE	INTERIM BUILDIGN OFFICIAL, FEB 2020 & HOUSE PROJECT	12,380.00
140291	03/18/2020	GG PUB INC.	ANNEXATION/NUevo BRIDGE/MORGAN PARK PHASE II	713.99
140292	03/18/2020	RK ENGINEERING GROUP INC	REDLANDS & JARVIS	1,800.00
140293	03/18/2020	LAURA SOSA	FITNESS INSTRUCTOR FEB 2020	1,605.10
140294	03/18/2020	TEAMSTERS LOCAL 911	UNION DUES, MARCH 2020	3,241.00
140295	03/18/2020	USK TAE KWON DO	INSTRUCTOR 1/24-2/18/20	1,682.94
140296	03/20/2020	ADAME LANDSCAPE, INC.	LMD 1-2016-17 NOVEMBER 2019	21,151.64
140297	03/20/2020	ADLERHORST INTERNATIONAL LLC	ON-SITE TRAINING NOVEMBER 2019	175.00
140298	03/20/2020	AMAZON CAPITAL SERVICES	PARKS OFFICE SUPPLIES/IT SUPPLIES	983.11
140299	03/20/2020	ANDERSON CHEVROLET	WHEELS, SENSORS	509.40
140300	03/20/2020	ANDERSON ELECTRIC	MAINT- COUNCIL CHAMBERS	502.00
140301	03/20/2020	ANGELA'S GLASS & MIRROR	CESAR E CHAVEZ LIBRARY, INSTALLED SOLAR REFLECTIVE	657.83
140302	03/20/2020	ANIMAL CARE EQUIPMENT & SVCS	VARIOUS ANIMAL CONTROL SUPPLIES	260.00
140303	03/20/2020	BRITNEY SÉGEDY	BROWN MULCH (WOOD CHIPS)	549.53
140304	03/20/2020	APPLEONE EMPLOYMENT SERVICES	TEMP STAFF SERVICES	2,184.00
140305	03/20/2020	AUTO ZONE COMMERCIAL	BRAKE PADS/ROTORs/TAIL LIGHT ASSEMBLY/OIL FILTER/OXYGEN SENSOR	636.70
140306	03/20/2020	AZTEC TECHNOLOGY CORP.	2 20FT STORAGE CONTAINERS	6,431.60
140307	03/20/2020	BARNES CONSTRUCTION, INC.	PAINTING OF "STOP" LEGENDS AND BARS	7,000.00
140308	03/20/2020	CHARLES BASTYR	I.T. VIDEO STUDIO	25,784.00
140309	03/20/2020	BAY ALARM COMPANY	PERRIS BANK/CS/CODE ENF/5R CTR/600 E MORGAN ST	952.70
140310	03/20/2020	BIO-TOX LABORATORIES	BLOOD ALCOHOL ANALYSIS	3,928.00
140311	03/20/2020	BMW MOTORCYCLES OF RIVERSIDE	SIDI ARMADA/2015 BMW BIKE SERVICE	4,669.30
140312	03/20/2020	DEREK BROWN	DANCE INSTRUCTOR 1/22-2/10/20	970.38
140313	03/20/2020	CALIFORNIA STEEPLEJACK	VETERAN GARDEN STREET FLAGPOLE	1,447.91
140314	03/20/2020	CAMPOS MATERIALS	CLASS II BASE DELIVERED	1,218.00
140315	03/20/2020	CATHY OWENS	KAJIUKENBO INSTRUCTOR 1/22-2/19/20	880.60
140316	03/20/2020	CDW GOVERNMENT	PUBLIC HEALTH LICENSING SOFTWARE	970.07
140317	03/20/2020	CINTAS	FACILITY SUPPLIES, VARIOUS CITY OFFICES	5,654.10
140318	03/20/2020	CMS COMMUNICATIONS, INC.	PHONES FOR COMMUNITY SERVICES	722.38
140319	03/20/2020	CODE 5 GROUP, LLC	4G LTE SEALED CASE TRACKER	462.00
140320	03/20/2020	CORPORATE PAYMENT SYSTEMS	CONVENTION/BUSINESS EXPENSES/STAFF MEETING	286.44
140321	03/20/2020	CORPORATE PAYMENT SYSTEMS	BUSINESS EXPENSES	67.05
140322	03/20/2020	CORPORATE PAYMENT SYSTEMS	BUSINESS EXPENSES/FUEL 2/10-3/09/20	231.40
140323	03/20/2020	CORPORATE PAYMENT SYSTEMS	FLIGHT/CATERING/OFFICE SUPPLIES	1,658.11
140324	03/20/2020	CORPORATE PAYMENT SYSTEMS	CONFERENCE/COBG LABOR TRAINING/YAC	2,847.22
140325	03/20/2020	CORPORATE PAYMENT SYSTEMS	GARDEN & CAL FRESH CONF TRAVEL EXP/BREAKFAST W/ BUNNY	2,886.16
140326	03/20/2020	CPRS	MEMBERSHIP DUES	150.00
140327	03/20/2020	CPRS, DISTRICT 11	CPRS AWARDS BANQUET TICKET	140.00
140328	03/20/2020	DAN'S FEED AND SEED INC.	RAKE, HANDYMAN GLOVES, JUITE STAPLES	68.94
140329	03/20/2020	DELL MARKETING LP	(2) COMPUTERS PURCHASED	2,671.24
140330	03/20/2020	COUNTY OF RIVERSIDE	PATRIOT PARK FACILITY PERMIT	534.00
140331	03/20/2020	DEPT OF TRANSPORTATION	I-215 & HARLEY KNOX BLVD	12,942.39
140332	03/20/2020	DIVERSIFIED DISTRIBUTION	CARLUBE, ASSORTED FUSE SET, BATTERY, MOTOR OIL	443.36
140333	03/20/2020	EASTERN MUNICIPAL WATER DISTRICT	O BRENNAN AVE 2/09-3/02/20	142.62
140334	03/20/2020	EWING	PARKS IRRIGATION REPAIR PARTS	3,015.37
140335	03/20/2020	FAIR HOUSING COUNCIL OF RIVERSIDE COUNTY	LANDLORD/TENANT HOUSING SERVICES, FEB 2020	2,552.12
140336	03/20/2020	FIRST SECURITY FINANCE, INC.	SOLAR PANEL LOAN 3/01-4/01/20	2,563.82
140337	03/20/2020	MARYLIN FLORES	MILEAGE REIMBURSEMENT	17.14
140338	03/20/2020	FRONTIER	940-4036 2/16-3/1/2020	261.91
140339	03/20/2020	THE GAS COMPANY	1/27-2/24/2020	1,457.63
140340	03/20/2020	GAVILAN SPRINGS NURSERY	CENTER MEDIAN WOOD CHIPS	42.00
140341	03/20/2020	GLOBAL EQUIPMENT COMPANY, INC.	(12) SLATTED METAL TRASH CANS	5,278.28

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140342	03/20/2020	FORTINO GUZMAN	VISION REIMBURSEMENT	431.20
140343	03/20/2020	HORTICULTURAL PEST MANAGEMENT	FEBRUARY 2020 SERVICES	1,443.00
140344	03/20/2020	HOUSTON & HARRIS PCS, INC.	METZ SEWER REPLACEMENT	6,295.75
140345	03/20/2020	VISUAL EDGE, INC.	XEROX LEASE S/ER 3UA290965 PUB WORKS	281.42
140346	03/20/2020	INTERNATIONAL CODE COUNCIL	CAL ADMIN/BUILDING/PLUMBING/ELECTRICAL	3,798.83
140347	03/20/2020	IRON MOUNTAIN	STORAGE JAN- FEB 2020	1,095.86
140348	03/20/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	312.19
140349	03/20/2020	J&R CONCRETE PRODUCTS, INC.	MONUMENT PARK	37.87
140350	03/20/2020	JOHNSON CONTROLS FIRE PROTECTION	MONITORING SERVICE: BOB GLASS GYM	569.29
140351	03/20/2020	JOSE A. ESTRADA DESIGN CONSULTANTS	PERRIS BLVD PARKWAY & MEDIAN	2,000.00
140352	03/20/2020	KIMBALL MIDWEST	Mounting Paste, Auto Grips, Blade	178.92
140353	03/20/2020	KIMBERLY KIRNER	CALVIP GRANT EVALUATION SERVICES, FEB 2020	1,875.00
140354	03/20/2020	LANGUAGE NETWORK, INC.	COUNCIL MEETINGS 2/11-2/25/2020	900.00
140355	03/20/2020	LAWN TECH	AIR FILTERS FOR FIELD EQUIPMENT	109.79
140356	03/20/2020	SOUTH COAST LIGHTING & DESIGN	ANCHOR BOLTS FOR FACILITIES MAINTENANCE	552.50
140357	03/20/2020	MAC TOOLS DISTRIBUTOR	SHOP TOOL, RATCHET	184.86
140358	03/20/2020	GIOVANNI MARTINEZ	MILEAGE REIMBURSEMENT	28.69
140359	03/20/2020	MIKE'S CUSTOM FLOORING, INC.	CITY HALL FLOORING/FURNITURE MOVING/DEMO	9,845.30
140360	03/20/2020	MOORE FENCE COMPANY	IRRIGATION SUPPLIES	51.33
140361	03/20/2020	MUNICIPAL CODE CORPORATION	MUNICODE SUPPORT FEES	1,075.00
140362	03/20/2020	NATIONAL DRIVE	TEAMSTERS DRIVE: DEC 2019 -FEB 2020	36.00
140363	03/20/2020	OFFICETEAM	TEMP STAFF SERVICES	2,004.88
140364	03/20/2020	P&P UNIFORMS RIV	CODE ENFORCEMENT DEPT: PLEXUS VESTS	1,723.98
140365	03/20/2020	ARMANDO PANCHI	MILEAGE REIMBURSEMENT	173.71
140366	03/20/2020	RACHEL PINEDO	VISION REIMBURSEMENT	650.00
140367	03/20/2020	PREFERRED BENEFIT INSURANCE	DELTA DENTAL JAN-FEB 2020	13,037.20
140368	03/20/2020	PURCHASE POWER	REPLENISH POSTAGE METER	4,007.00
140369	03/20/2020	RELIANCE FOUNDRY CO. LTD	BOLLARDS FOR CHRISTIAN TEMPLE SCHOOL	7,505.25
140370	03/20/2020	REMAX TIME REALTY- ELIHA BABER	WATER DEPOSIT REFUND	44.47
140371	03/20/2020	RIGHTWAY	PORTABLE TOILET SERVICES	241.07
140372	03/20/2020	RIVERSIDE TRANSIT AGENCY	BUS PASSES: YOUTH/SENIOR/DISABLED	3,562.50
140373	03/20/2020	RCIT	SHERIFF: RADIO SERVICES 1/01-1/31/20	1,283.38
140374	03/20/2020	ROTARY CLUB OF PERRIS	QTRLY DUES SHERIFF JAN-MAR 2020	278.50
140375	03/20/2020	ROW TRAFFIC SAFETY, INC	BIKE LANE SIGNS	177.79
140376	03/20/2020	SAFETY-KLEEN CORPORATION	PAINT AREA SERVICED	1,005.43
140377	03/20/2020	SC FUELS	FUEL PURCHASE	162.53
140378	03/20/2020	SC FUELS	FUEL CARDS FEB 2020	4,276.51
140379	03/20/2020	SCE	2/04-3/05/2020	137.05
140380	03/20/2020	SCE	1/27-2/26/2020	1,549.61
140381	03/20/2020	SCSBOA	JUDGE BAND ADMIN: CHRISTMAS PARADE 2019	1,400.00
140382	03/20/2020	SOCIAL WORK ACTION GROUP	HOMELESS SERVICES JAN - FEB 2020	76,647.49
140383	03/20/2020	SPARKLETT'S	BOTTLED WATER SERVICES	14.01
140384	03/20/2020	SS MINI STORAGE	HR DEPT: RENT APR-SEPT 2020	522.50
140385	03/20/2020	STATER BROS MARKETS	SUPPLIES FOR PARKS/TEEN CENTER/SR CENTER HOLIDAY EVENTS	790.92
140386	03/20/2020	STEVE LEMON AIR CONDITIONING	MONTHLY A/C MAINTENANCE	3,282.00
140387	03/20/2020	SUNSTATE EQUIPMENT CO	EQUIPMENT RENTAL LOADER-GRADING TRACTOR	1,277.91
140388	03/20/2020	SUNSTATE EQUIPMENT CO	EQUIPMENT RENTAL LOADER-GRADING TRACTOR	507.84
140389	03/20/2020	SYNTECH	MONTHLY BACKUP SUPPORT , FEB 2020	2,674.00
140390	03/20/2020	SPECTRUM BUSINESS	INTERNET SERVICES: 400 S D ST 2/20-3/19/20	74.98
140391	03/20/2020	COUNTY OF RIVERSIDE	TRAFFIC SIGNAL: MARKHAM ST & WEBSTER	326.46
140392	03/20/2020	TRUE LEAF MARKET	SATEL COMMUNITY GARDEN SEEDS	46.83
140393	03/20/2020	UNIFIRST CORPORATION	CITY HALL MATT CLEANING SERVICES	21.06
140394	03/20/2020	UNITED WAY OF THE INLAND VALLEY	PAYROLL DEDUCTION: DEC-FEB 2020	203.00
140395	03/20/2020	VAL VERDE GRAPHICS	CHRISTMAS PARADE	1,230.00
140396	03/20/2020	VOYAGER FLEET	FUEL CARDS, CLOSING 2/24/20	601.02
140397	03/20/2020	WEST TOW, INC	1997 HONDA	260.00
140398	03/20/2020	KB HOMES	OVERCHARGE OF DRAINAGE FEES	71,116.53
140399	03/27/2020	BARNES CONSTRUCTION, INC.	BENEFIT ZONES: WROUGHT IRON	6,895.00
140400	03/27/2020	BILL & DAVE'S LDSC MAINTENANCE	MAY RANCH PHASE II	23,000.00
140401	03/27/2020	CREATIVE PRINTING	CAL FRESH & ENVELOPES FOR FINANCE DEPT	241.80
140402	03/27/2020	DIAMOND ENVIRONMENTAL SERVICES	VET'S DAY PARADE	190.00
140403	03/27/2020	FLOWATER, INC.	DRINKING WATER DISPENSER	154.78
140404	03/27/2020	LIFE LIFTERS INTERNATIONAL	CDBG SERVICES, FEB 2020	505.00
140405	03/27/2020	ACTION SURVEYS	"D" STREET RENOVATIONS	4,160.00
140406	03/27/2020	ADLERHORST INTERNATIONAL LLC	MONTHLY ON-SITE TRAINING	175.00
140407	03/27/2020	AIR EXCHANGE, INC	FIRE STATION 333 PLACENTIA AVE	1,408.37
140408	03/27/2020	ALBERT A. WEBB ASSOCIATES	PERRIS VALLEY STORM DRAIN TRAIL	15,999.55
140409	03/27/2020	AMERICAN EAGLE TROPHIES	VARIOUS NAMEPLATES	216.13
140410	03/27/2020	ANDERSON ELECTRIC	REPAIRS/MAINT AT VARIOUS CITY PARKS & CITY HALL	7,177.00
140411	03/27/2020	AUTO ZONE COMMERCIAL	AUTO SUPPLIES	155.15
140412	03/27/2020	BLADES GROUP, LLC	ROCK ASPHALT	4,464.00
140413	03/27/2020	CHARTER COMMUNICATIONS	OFFICE 365 SUBSCRIPTION JAN 2020	2,437.10
140414	03/27/2020	CINTAS	1ST AID KIT SUPPLIES	410.15
140415	03/27/2020	VICTOR COLE	REFEREE 4 GAMES	92.00
140416	03/27/2020	CONSERVE LANDCARE LLC	PERRIS BLVD PARKWAY & MEDIAN	45,837.50
140417	03/27/2020	CPRS DISTRICT 9	(2) REGISTRATIONS FEB 11, 2020	30.00
140418	03/27/2020	DAN'S FEED AND SEED INC	GENERAL MATERIALS FOR PUBLIC WORKS	901.44
140419	03/27/2020	DELL MARKETING LP	SEVERAL DESK COMPUTERS	5,553.39
140420	03/27/2020	EASTERN MUNICIPAL WATER DISTRICT	NUEVO BRIDGE DEPOSIT	28,000.00
140421	03/27/2020	EMPLOYMENT SCREENING SERVICES	BACKGROUND CHECK	8.00

CITY OF PERRIS
CHECK REGISTER
March 31, 2020

CK NUMBER	DATE ISSUED	VENDOR	DESCRIPTION	AMOUNT
140422	03/27/2020	KARINA ESPINOZA	REIMBURSE COOKING SUPPLIES FOR PTV	7.00
140423	03/27/2020	EVERETT SMITH DESIGNS	ROTARY PARK: FINAL DESIGN	1,000.00
140424	03/27/2020	EWING	IRRIGATION SUPPLIES	99.57
140425	03/27/2020	GORM, INC.	FACILITY SUPPLIES	938.93
140426	03/27/2020	GOSCH - FORD	FIRE TRUCK: CHECK ENGINE	2,601.24
140427	03/27/2020	GRANCUS, INC.	WEBSITE DESIGN & IMPLEMENTATION	5,990.00
140428	03/27/2020	GREENPLAY, LLC	PARKS & REC MASTER PLAN	1,927.50
140429	03/27/2020	HELIX ENVIRONMENTAL PLANNING,	ENCHANTED HILLS & SAN JACINTO TRAIL PROJECT	19,880.00
140430	03/27/2020	HONEYWELL GLOBAL FINANCE	KWH PRODUCTION, JAN 2020	9,275.82
140431	03/27/2020	VISUAL EDGE, INC.	XEROX CS DEPT (2) 2/01-2/29/20	278.34
140432	03/27/2020	INLAND LIGHTING SUPPLIES	REPAIRS: VARIOUS LOCATIONS	552.11
140433	03/27/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	19.07
140434	03/27/2020	JIM ROGERS' LOCK & KEY	INFO TECH OFFICE	84.50
140435	03/27/2020	JLC ENGINEERING & CONSULTING,	NUЕVO RD WIDENING	4,930.00
140436	03/27/2020	JOSE A. ESTRADA DESIGN CONSULTANTS	PERRIS BLVD PARKWAY & MEDIAN	1,000.00
140437	03/27/2020	LAWN TECH	PARKS EQUIPMENT MAINTENANCE	544.72
140438	03/27/2020	LOGOTECH, INC.	PROMOTIONAL ITEMS: BOTTLE WATER	447.20
140439	03/27/2020	LDR GEOTECHNICAL GROUP INC	CITYWIDE STREET IMPROVEMENTS & NUEVO RD WIDENING	4,905.80
140440	03/27/2020	LOVE 4 LIFE ASSOCIATION	CDBG EXPENSES, JAN 2020	1,775.97
140441	03/27/2020	LOWES BUSINESS ACCT/SYNCR	STORAGE SUPPLIES FOR PARKS	163.37
140442	03/27/2020	MANPOWER TEMP SERVICES, INC	TEMP STAFF SERVICES	11,879.72
140443	03/27/2020	MICHAEL BAKER INTERNATIONAL, INC.	GRANT APPLICATION FEB 2020 & RIVER TRAIL SJ PROJECT	5,276.25
140444	03/27/2020	JONATHAN MOON	REFEREE 4 GAMES	92.00
140445	03/27/2020	MUSIC & ARTS	INSTRUMENT LEASE	511.66
140446	03/27/2020	NAPA AUTO PARTS	STEERING, 2017 FORD F250	46.32
140447	03/27/2020	LEMUEL NEAL	REFEREE 1/11-3/14/20	336.00
140448	03/27/2020	OFFICE OF THE STATE TREASURER	PROPERTY ACQUISITION: GOETZ RD (B)	95,100.00
140449	03/27/2020	PERDUE & RUSSELL REAL ESTATE	GOETZ RD APPRAISAL REPORT	10,000.00
140450	03/27/2020	PINEDA GENERAL CONSTRUCTION	REPLACED DAMAGED FENCING	2,995.00
140451	03/27/2020	PLUMB LINE SURVEYING, INC	CIVIC CENTER IMPROVEMENTS & PW CITY YARD DRAINAGE	5,500.00
140452	03/27/2020	RIGHTWAY	PORTABLE TOILET SERVICES	213.64
140453	03/27/2020	SCE	4112 WEBSTER AVE	10.99
140454	03/27/2020	SCE	PERRIS BLVD/RAMONA EXPRESSWAY	34.26
140455	03/27/2020	SCE	TRAFFIC SIGNAL 2/11-3/12	97.80
140456	03/27/2020	SCE	SAN JACINTO AVE	462.42
140457	03/27/2020	SCE	1/24-2/24/2020	4,226.27
140458	03/27/2020	SCE	1/27-2/26/2020	21,258.63
140459	03/27/2020	SCE	18 MONTH STREET LIGHT BILL	56,341.70
140460	03/27/2020	SITEDNE LANDSCAPE SUPPLY, LLC	WEATHERTRAK CONTROLLER	1,847.86
140461	03/27/2020	STANLEY CONVERGENT SECURITY, INC	MONITORING SERVICE	369.42
140462	03/27/2020	STATER BROS MARKETS	PARKS CLEAN UP DAY EVENT	42.80
140463	03/27/2020	STEVE LEMON AIR CONDITIONING	A/C MAINTENANCE	320.00
140464	03/27/2020	SULLIVAN, WORKMAN & DEE	PROPERTY ACQUISITION: REDLANDS BLVD	4,072.00
140465	03/27/2020	SYNTECH	VMWARE SPHERE ESSENTIALS KIT	5,770.00
140466	03/27/2020	TRAILER FACTORY OUTLETS	DUMP TRAILER	9,225.66
140467	03/27/2020	TS WORLDWIDE, LLC	PROFESSIONAL SERVICES: HOTEL STUDY	3,000.00
140468	03/27/2020	UNIFIRST CORPORATION	MATT CLEANING SERVICES	1,445.68
140469	03/27/2020	VANCE CORPORATION	CITYWIDE STREET IMPROVEMENTS	497,447.24
140470	03/27/2020	RALPH WILLEY	REFEREE 4 GAMES	92.00
140471	03/27/2020	BRANDI WILLIAMS	REFEREE 3 GAMES	69.00
140472	03/27/2020	WINZER CORPORATION	EQUIPMENT PARTS	1,172.18
140473	03/27/2020	MICHAEL ZABALA	ICC HS TECHNICAL TRAINING PROGRAM, FEB 2020	1,584.00
140474	03/27/2020	AAMES LOCK & SAFE, CO.	DEPOSIT (50%) INSTALL ELECTRIC HARDWARE	7,417.94
140475	03/31/2020	BILL & DAVE'S LANDSCAPE MAINTENANCE	LMD DEC-JAN 2020	33,437.07
TOTAL REGISTER				\$ 4,834,443.52



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

- MEETING DATE:** May 12, 2020
- SUBJECT:** **Public Hearing Request 20-05054** – A proposal to modify six Engineering Conditions of Approval associated with utility requirements and street improvements for the Rados Industrial project (aka Minor Modification 18-05204 and Development Plan Review 07-0119) located on the north side of Rider Street between Webster Avenue and Indian Avenue. **Applicant:** Kyle Ficke, Duke Realty, LP.
- REQUESTED ACTION:** **ADOPT Resolution No. (next in order)** approving Public Hearing Request 20-05054 to modify Engineering Conditions for the Rados Industrial Project located on the north side of Rider Street between Webster Avenue and Indian Avenue.
- CONTACT:** Kenneth Phung, Planning Manager 

BACKGROUND/DISCUSSION:

The applicant, Duke Realty, LP., is requesting the City Council consider modifying six (6) Engineering Conditions of Approval (Engineering COAs # 6, 17, 18, 20, 23 and 30) associated with utility requirements and street improvements for the Rados Industrial Project (*aka Minor Modification 18-05204 and Development Plan Review 07-0119*) located on the north side of Rider Street between Webster Avenue and Indian Avenue. The Rados Industrial project was approved by the City Council on July 12, 2011, for a 1,191,053 SF industrial building on 59 acres within the Light Industrial zone of the Perris Valley Commerce Center (PVCC) Specific Plan. Subsequently, on September 25, 2018, the Planning Department approved a Minor Modification (18-05204) to upgrade the architecture and modify the site layout so that there would be a separation between the auto parking lot and the truck circulation aisles for improved on-site circulation.

The purpose of the proposal is to minimize the number of existing utility poles that will need to be underground, in line with the utility poles that were allowed to remain in place for the industrial project on Rider Street just east of the site. This is accomplished by narrowing the median from 14-feet to 10-feet and by expanding the parkway width to include a bicycle lane parallel to the sidewalk, instead of the bicycle lane adjacent to the travel lanes. The adjustment will still maintain all the traffic lanes pursuant to the Circulation Element. In exchange for keeping the power poles in place instead of underground, the applicant is offering to pay a \$1,050,000 in-lieu fee for the City's discretion to use for community-based related programs or projects, which is reflected in the Engineering Conditions of Approval.

In addition, language has been added to clarify further roadway segments that will be upgraded with concrete to withstand truck traffic and turn lanes that will need to be constructed. The revised engineering conditions are identified below with strike-out for deletion and bold for revisions.

Engineering Conditions Revision

6. Existing power poles within the project site or along the project boundary (~~under 65kv~~), if any shall be removed and cables undergrounded.. All other utility poles, if any, shall be remove and utilities undergrounded. **remain in-place. As an alternative, developer/property owner has proposed to pay the City an in-lieu fee in the amount of \$1,050,000 that can be used by the City for community recreational amenities. The fee is due prior to issuance of building permit.**

17. "Rider Street from Frontage Road to the intersection of Indian Avenue within 94' full width dedicated right-of-way shall be improved with minimum of ~~66' of paving along both sides, curb/gutter located 35' on either side of centerline and sidewalk along the north side 26' of paving north of the street centerline.~~ Existing pavement along north side shall be removed and replaced, existing pavement along south side shall be **rehabilitated by grind and 0.15' AC overly grind/over by 0.15'.** The existing curb and gutter along south side shall remain in place and **be incorporated into the** ~~with~~ new improvements.

The improvements shall be in substantial conformance with Exhibit "A" – Modified Rider Street Section and Striping.

18. "Webster Avenue from Rider Street to northerly right-of-way of MWD shall be improved with minimum of ~~66'~~ **60'** new paving, curb/gutter and sidewalk located ~~35'~~ **32'** on either side of centerline within 94 full width dedicated right-of-way. Street widths and sections shall align with existing Webster Avenue north of MWD."

20. "Construction of ~~14'~~ **10'** landscaped median along Indian, ~~and Rider and Webster Avenue~~ shall be required adjacent to the site except for transition at existing and proposed driveways and intersections. The landscaped median along Indian Avenue shall be installed from Rider to Morgan Street **as shown on Exhibit "A" – Modified Rider Street Section and Striping.** Nuisance underground drainage pipe and connection to on and/or offsite drainage facility will be required."

23. The intersections of ~~Rider Avenue Street~~ with Webster Avenue, ~~Rider Avenue Street~~ with Indian Avenue, Harley Knox Blvd. with Patterson Avenue, and all **truck** driveways on ~~Rider Avenue Street~~, Webster Avenue and Indian Avenue shall be improved with concrete pavement sections to withstand the truck traffic.

30. Intersection of Rider with Indian Avenue shall be improved to accommodate one left turn lane, 2 through lanes, and one dedicated right turn lane (~~all legs and directions on north, east, east, and west legs~~). The intersection of Rider with Frontage Road shall be improved to provide for a left turn, a dedicated right lane, one north, one south, and 2 east bound lanes.

RECOMMENDATION:

Staff is recommending that the City Council approve the amendments to the Engineering Condition of Approval No. 6, 17, 18, 20, 23 and 30. The City Council was the approving body for this project, and is, therefore, the authoritative body for the revision of these conditions. An Environmental Impact Report (State Clearinghouse No. 2008111080) was adopted for the Rados Industrial project. The amendment of Conditions does not trigger changes to the previously adopted EIR; as such, no further CEQA action is required for the proposed Modification.

BUDGET (or FISCAL) IMPACT: Cost for processing this application is paid by the applicant.

Prepared by: Nathan G. Perez, Senior Planner
REVIEWED BY: Kenneth Phung, Planning Manager

City Attorney _____
Assistant City Manager 
Finance Director 

Attachments:

1. City Council Resolution (next in order)
2. Revised Eng Conditions of Approval (includes striping plan exhibit)
3. Duke Realty Letter dated 4-14-20
4. Approved Plans

Consent:
Public Hearing: **X**
Business Item:
Other:

RESOLUTION NO (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING A PUBLIC HEARING REQUEST 20-05054 TO MODIFY SIX ENGINEERING CONDITIONS OF APPROVAL ASSOCIATED WITH UTILITY REQUIREMENTS AND STREET IMPROVEMENTS FOR THE RADOS INDUSTRIAL PROJECT (AKA MINOR MODIFICATION 18-05204 AND DEVELOPMENT PLAN REVIEW 07-0119) LOCATED ON THE NORTH SIDE OF RIDER STREET BETWEEN WEBSTER AVENUE AND INDIAN AVENUE

WHEREAS, the applicant Duke Realty, LP., submitted a Public Hearing Request 20-05054 for a proposal to modify six (6) Engineering Conditions of Approval (Attachment "A") for the *Rados Industrial* project (aka Minor Modification 18-05204 and Development Plan Review 07-0119) associated with utility requirements and street improvements for the *Rados Industrial* project to facilitate the construction of a 1,191,053 SF industrial building on 59 acres located within the LI zone of the Perris Valley Commerce Center (PVCC) Specific Plan; and

WHEREAS, the City of Perris Planning Commission on September 15, 2010, recommended that the City Council certify the *Rados Industrial* project Environmental Impact Report (State Clearinghouse No. 2008111080) and approve Development Plan Review (DPR) 07-0119 for construction of a 1,191,080 sq. ft. industrial warehouse building on approximately 59 acres located at the northwest corner of Webster Avenue and Rider Street; and

WHEREAS, the City of Perris City Council on July 12, 2011 certified the *Rados Industrial* project Environmental Impact Report (State Clearinghouse No. 2008111080) and approved Development Plan Review (DPR) 07-0119 for construction of a 1,191,080 sq. ft. industrial warehouse building on approximately 59 acres located at the northwest corner of Webster Avenue and Rider Street; and

WHEREAS, the City of Perris Development Services Department on September 25, 2018, approved Minor Modification (18-05204) to Development Plan Review 07-0119 to upgrade the architecture and modify the site layout so that there would be a separation between the auto parking lot and the truck circulation aisles for improved on-site circulation; and

WHEREAS, a duly noticed public hearing was held on May 12, 2020, by the City Council, at which time all interested persons were given full opportunity to be heard and to present evidence in regards to amending six engineering conditions of approval (# 6, 17, 18, 20, 23 and 30) for the purpose of minimizing the number of existing utility poles that will need to be underground, in line with the utility poles that were allowed to remain in place for the industrial project on Rider Street just east of the site; and

WHEREAS, at the duly noticed public hearing on May 12, 2020, the City Council considered all written and oral evidence and testimony, including but not limited to testimony from members of the public and written and oral reports by City staff; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The above recitals are all true and correct and incorporated herein.

Section 2. The City Council has reviewed and considered the environmental information discussed in the staff report and accompanying attachments prior to taking action on the application, and finds that the amendment of Conditions does not trigger changes to the previously adopted EIR, as such, no further CEQA action is required for the proposed Modification.

Section 3. The City Council hereby adopts the Amended Conditions pursuant to this revised approval. Said amended Conditions do not affect any findings made in the Initial Approval, which Initial Approval is incorporated herein by reference, all of which findings remain in full force and effect.

Section 4. The City Council hereby adjusts the Initial Approvals of the City Council in accordance with the changes reflected in this Resolution.

Section 5. The City Clerk declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 12th day of May 2020.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

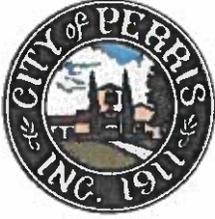
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, **Nancy Salazar**, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number ____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on _____, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

Attachment: Amended Engineering Conditions of Approval and Street Exhibit



CITY OF PERRIS

STUART E. MCKIBBIN, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-983

February 6, 2009, Revised February 9, 2009, Revised October 5, 2009,

Revised September 14, 2010, Revised October 13, 2010,

Revised September 24, 2018, **Revised April 15, 2020**

MM 18-05204 (DPR 07-0119) – Rados

MM 20-05054 (DPR 07-0119) - Rados

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.
2. The project's grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements shall be obtained from effected property owners or if within this site, shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.
3. The incremental increase in runoff between developed and undeveloped state (100-year) and the nuisance runoff shall be retained within onsite private detention basin(s) and discharged to adequate outlet as approved by City and pursuant to Riverside County Flood Control standards.
4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.
5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all on and offsite landscaping with exception of median improvements which

will be included in landscape maintenance. The proposed offsite streetlights and portions of existing and new signals (Harley Knox Blvd. intersections with Indian and Patterson and the new signal at Rider and Indian and at Webster Intersection with Morgan shall be maintained by City and cost paid for by the proposed owners through annexation to lighting and landscaping districts. In the event RCFC does not maintain the proposed offsite drainage facilities, it shall be annexed to Flood Control District for maintenance.

6. Existing power poles within the project site or along the project boundary ~~(under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded, remain in place. As an alternative, the developer/property owner has proposed to pay an in-lieu fee in the amount of \$1,050,000 that can be used by the City for community recreation amenities or as approved by City Council. The fee is due upon entitlement approval and expiration of the applicable statute of limitations for CEQA based challenges for this Project.~~
7. Streetlights shall be installed along Rider Street, Webster Avenue and Indian Avenue as approved by City Engineer per City of Perris standards. The lights shall be LS3, LED and plans shall be prepared by registered Electrical Engineer.
8. This project is located within EMWD's water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.
9. The applicant shall submit to City Engineer the following for his review:
 - a. Street Improvement Plans
 - b. Signing, Striping, and Signal Plans
 - c. Onsite Grading Plans, SWPPP, and Erosion Control Plan
 - d. Water and Sewer Plans
 - e. Drainage Plans, Hydrology and Hydraulic Reports
 - f. Streetlight Plan
 - g. Final WQMP

The project's design shall be in compliance with EMWD, Riverside County Flood Control and Riverside County Standards and coordinated with approved plans for adjacent developments.

10. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.
11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans. Catch basins shall be installed at all intersections and driveways to eliminate nuisance runoff.
12. 6' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards. All driveway approaches

shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.

13. Construction of Master Planned Underground Drainage Facilities (Laterals H-5) along Rider Street as shown on adopted master plan to Perris Valley Channel will be required. Prior to start of design of these facilities, the applicant's engineer shall meet with Flood control to understand to design criteria established by Flood Control for such facilities. All such improvement plans and drainage reports shall be reviewed and approved by RCFC and City of Perris. Installation of catch basins and connection to Master Planned Facilities at the intersection of all new driveways and all existing and proposed intersections along Rider Street, Indian Avenue, and Webster Street shall be required and to eliminate nuisance runoff from cross-gutters. In the event construction of Lateral "H-5" and downstream underground facility is not feasible at the time of development of this project, construction of adequately sized underground facilities and extension easterly along Rider to Perris Valley Channel will be required. In this event, the applicant shall secure Flood Control's approval for diversion.
14. All onsite drainage runoff shall be collected via onsite underground facilities and connected to onsite basin(s) and conveyed to master planned facilities.
15. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities. This project shall join the City of Perris RBBB.
16. Prior to issuance of occupancy permits, the applicant shall pay the City \$500,000 for their contribution towards implementation of interim and ultimate improvements to I-215/Ramona Expressway interchange and Harley Knox Blvd. interchange and other improvements. This one time contribution is above and beyond TUMF, DIF, RBBB and other City fees and is not reimbursable.
17. Rider Street from Frontage Road to the intersection of Indian Avenue within 94' full width dedicated right-of-way shall be improved with minimum of ~~66'~~ **60'** of paving along both sides, curb/gutter located ~~35'~~ **32'** on either side of centerline and sidewalk along the north side **26'** of paving north of the street centerline. Existing pavement along north side shall be removed and replaced, existing pavement along south side shall be **rehabilitated by grind and 0.15' AC overlay** ~~grind/over by 0.15'~~. The existing curb and gutter along south side shall remain in place and ~~be incorporated into the with~~ new improvements.

The improvements shall be in substantial conformance with Exhibit "A" – Modified Rider Street Section and Striping.
18. Webster Avenue from Rider Street to northerly right-of-way of MWD shall be improved with minimum of ~~66'~~ **60'** new paving, curb/gutter and sidewalk located ~~35'~~ **32'** on either side of centerline within 94' full width dedicated right-of-way.

Existing pavement along Webster from MWD's northerly right-of-way to Morgan Street may require 0.15' grind/overlay as determined by City.

19. Indian Avenue along the both sides from Rider Street to northerly right-of-way of MWD shall be improved with minimum of 66' new paving, curb/gutter located 35' on either side of centerline within 94' full width dedicated right-of-way. Indian Avenue along the east side of MWD's northerly right-of-way to Morgan Street shall be improved with minimum of 33' of new pavement, curb/gutter located 35' from centerline within 47' half-width dedicated right-of-way.

Existing pavement along Indian Avenue from MWD's northerly right-of-way to Morgan Street may require 0.15' grind/overlay as determined by City.

20. Construction of ~~44'~~ **10'** landscaped median along Indian *and* Rider ~~and Webster Avenue~~ shall be required adjacent to the site except for transition at *existing and proposed* driveways and intersections. The landscaped median along Indian Avenue shall be installed from Rider to Morgan Street *as shown on Exhibit "A" – Modified Rider Street Section and Striping*. Nuisance underground drainage pipe and connection to on and/or offsite drainage facility will be required.
21. Harley Knox Blvd. from Indian Avenue to I-215 shall be fully improved along both sides including curb/gutter to general plan standards within 128' dedicated right-of-way. The intersection of Harley Knox Blvd. with Indian and Patterson Avenue shall be improved by general plan standards (all legs and directions) with 2 left turn pockets all legs and directions, minimum 2 through lanes and one dedicated right turn.
22. Traffic index of 10.5 shall be used for any work on Rider, Indian, and Harley Knox Blvd. and 9.0 for Webster Avenue.
23. The intersections of Rider ~~Avenue~~ **Street** with Webster Avenue, Rider ~~Avenue~~ **Street** with Indian Avenue Harley Knox Blvd. with Patterson Avenue, and all *truck* driveways on Rider ~~Avenue~~ **Street**, Webster Avenue and Indian Avenue shall be improved with concrete pavement sections to withstand the truck traffic.
24. Right-of-way acquisition. All right-of-way property area necessary for construction of the street and traffic improvements including any utility and construction easements, not under Applicant's ownership shall be acquired by the Applicant, at Applicant's sole cost. If Applicant is unsuccessful in negotiating any right-of-way acquisition with third party owners after a 30 day period, then City shall conduct the necessary analysis to determine in its sole discretion whether to attempt to acquire the right-of-way by exercise of its power of eminent domain; provided, however, that nothing herein shall be deemed a prejudgment or commitment with respect to condemnation.
25. Reimbursement of costs. Applicant and City shall cooperate to ensure that Applicant receives, to the greatest extent practicable, reimbursement for all of Applicant's eligible costs of constructing all of the street and traffic improvements. Reimbursement agreement or some similar agreement between Applicant and the City and/or establishment of a RBBB community facilities district or other assessment district that will fund the costs of such construction. Notwithstanding the forgoing, City shall have no obligation to

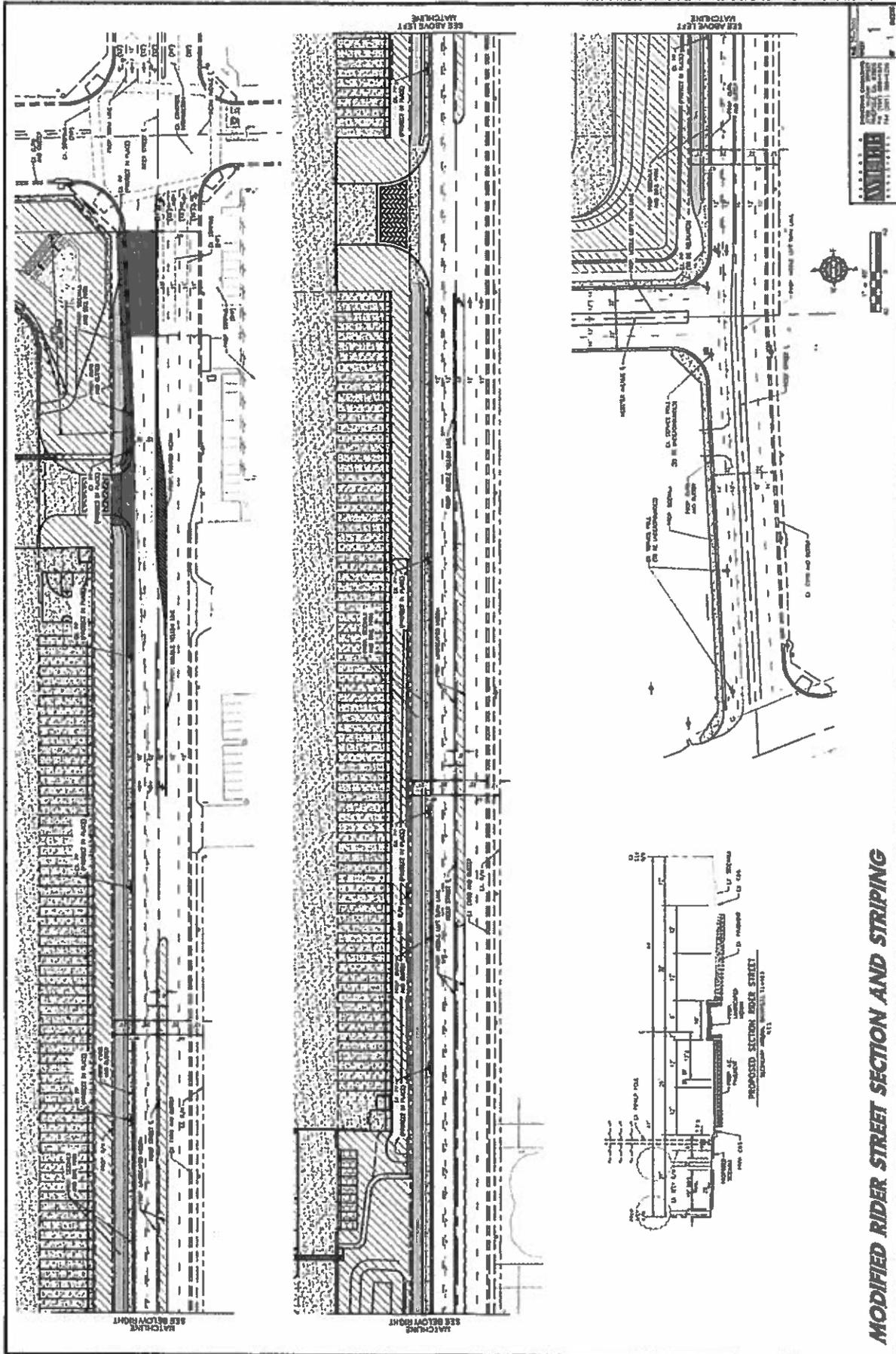
reimburse or credit Applicant from any source of City funding other than under the local Development Impact Fee program as adopted by the City. Other sources of reimbursement may include the Transportation Uniform Mitigation Fee (TUMF) program, future developers who benefit from the improvements constructed by the Applicant, and/or participants in a community facilities or assessment district created to fund such improvements and other improvements in the vicinity of Applicant's project.

26. New traffic signals shall be installed at intersection of Indian with Rider and Morgan Street and Webster Avenue with Morgan Street. The existing signals at intersection of Harley Knox Blvd. with Indian and Patterson Avenue shall be upgraded to accommodate the requested improvements.
27. This project is located within the RBBB District and shall complete the improvements as conditioned and receive the appropriate credit per RBBB study and ordinance.
28. Driveways shall be installed per Riverside County Standard No. 207A. 3 driveways shall be constructed on Rider Street, the most easterly driveway shall be right in and out only. One driveway each for Webster Avenue and Indian Avenue shall be provided.
29. Minimum of one RTA stop shall be provided along perimeter streets as determined by the City Engineer and RTA.
30. Intersection of Rider with Indian Avenue shall be improved to accommodate one left turn lane, 2 through lanes, and one dedicated right turn lane (~~all legs and directions~~ **on north, east and west legs**). The intersection of Rider with Frontage Road shall be improved to provide for a left turn, a dedicated right lane, one north, one south, and 2 east bound lanes.
31. Lot merger and/or final maps if required shall be filed and recorded prior to issuance of any permit.
32. ***There shall be a 150-foot centerline-to-centerline separation between this project's proposed driveway on Indian Avenue and the existing driveway across the roadway to the north. The existing raised landscaped median on Indian Avenue shall be modified to accommodate left-in/left-out truck movements at the proposed driveway; the length of the left-in pocket shall be determined by a Traffic Engineer, as approved by the City Engineer.***



Stuart E. McKibbin
City Engineer

Exhibit "A"



MODIFIED RIDER STREET SECTION AND STRIPING



200 Spectrum Center Drive, Suite 1600
Irvine, CA 92618
949.797.7000
dukerealty.com

April 14, 2020

Nathan Perez
City of Perris
135 N. D Street
Perris, CA 92570

Re: 728 West Rider Street Conditions of Approval

Dear Nathan:

The primary purpose of the proposed modifications to the Conditions of Approval for 728 W. Rider Street is to provide the City with funding for higher priority improvements, rather than requiring power line work that has little or no benefit to City residents. We propose a fee of \$1,050,000 in lieu of relocating or undergrounding the power lines on Indian Avenue and Rider Street. In addition to the proposed changes related to power lines, the modifications also include some minor changes to make the Conditions of Approval consistent with adjacent streets and City requirements for other recently completed projects. The proposed changes consist of the following items:

- Engineering Condition 6, Underground Power Poles- This proposed modification is to indicate that the existing power poles can remain in place. For Indian Avenue, the property immediately north of the site has power lines that extend ½ mile north of the site. Because this property is surrounded by other industrial uses that will contain power poles for the foreseeable future, there is little benefit to removing these power poles.
- Engineering Condition 17, Rider Street- The North side of Rider Street currently has power poles that contain both distribution and transmission lines. Because the transmission lines are above 65KV, the north side of Rider Street will have power poles under the current Conditions of Approval. Since the North Side of Rider will have power poles, we are proposing to modify the street section to allow the power poles to remain in their current location. The revised street section also improves the safety of the bike lane; because it is separated from car and truck traffic (rather than on the shoulder of the road). Eliminating the need to relocate these power poles will also reduce the risk of a prolonged construction period on Rider Street.
- Engineering Condition 18, Webster Street- This minor change to the dimensions of Webster Street is to make it consistent with the width of the street where it ties into the existing road north of the site.
- Engineering Condition 20, Median Width- This modifies the width of the landscaped median from 14' to 10' allows the power poles to stay in their current location as outlined above for Engineering Condition 17.
- Engineering Condition 23, Concrete Driveway- This proposed modification to this condition is to clarify that the concrete intersection is only required at truck driveways, which is consistent with other recent City projects.
- Engineering Condition 30, Rider Street and Indian Intersection- This condition was corrected to indicate the correct number of lanes for the south leg of the intersection of Indian Avenue and Rider Street (this portion of Rider is previously improved).

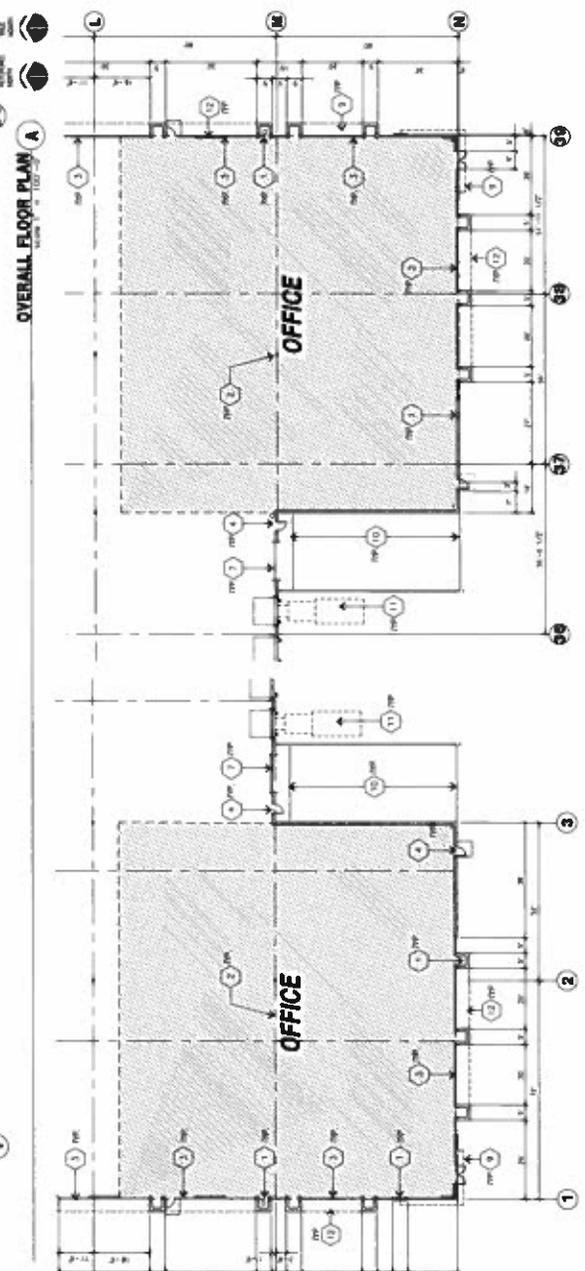
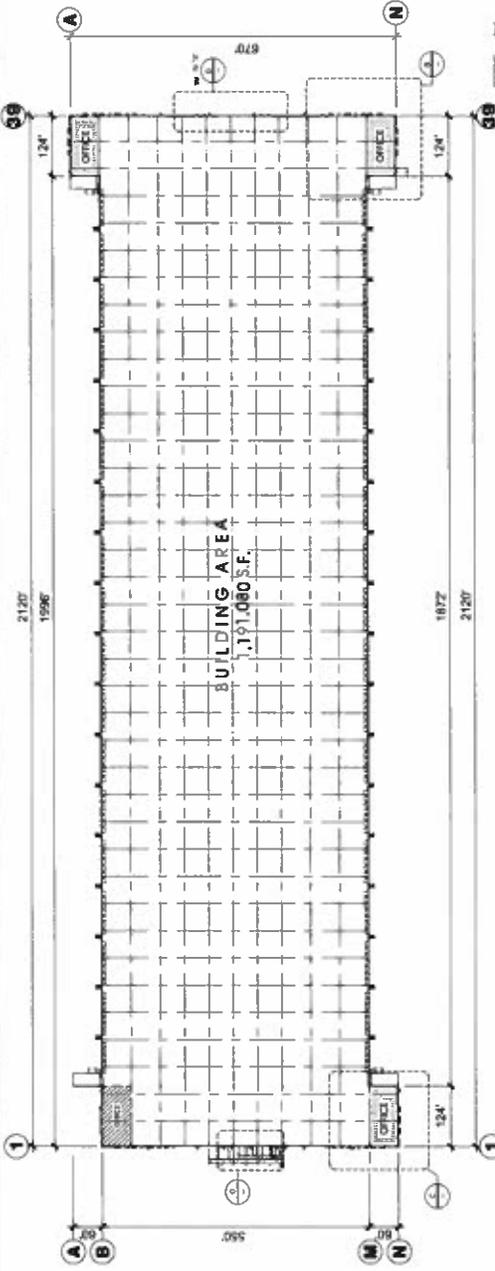
We believe these proposed changes provide considerable benefit to both the City and Duke Realty. Please contact me with any questions.

Regards,

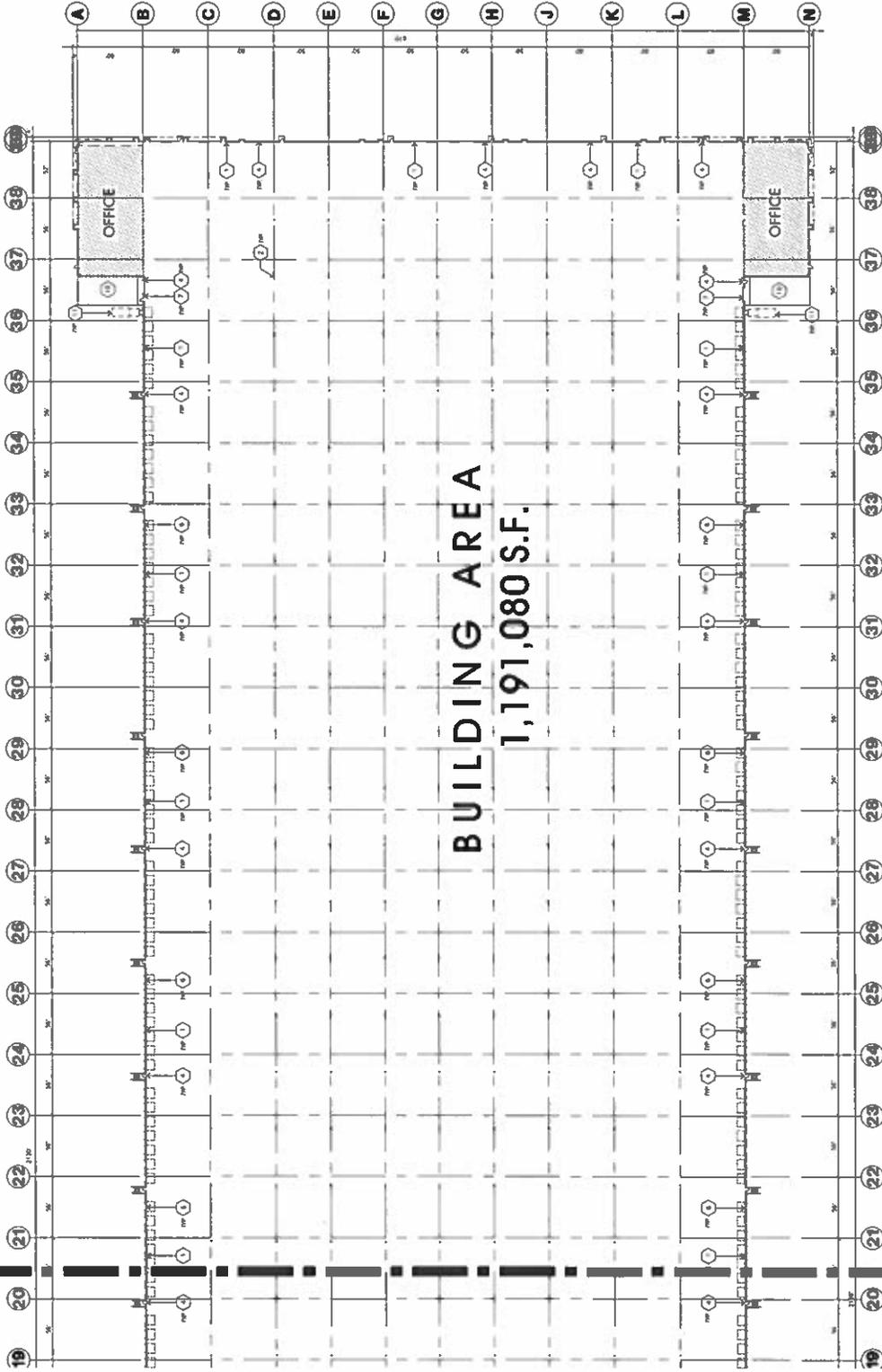
DUKE REALTY CORPORATION

Robert W. Close
Preconstruction Director

Attachment 3



- KEYNOTES - FLOOR PLAN**
- 1 CONCRETE TIE-UP ANGLE: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 2 REINFORCING BARS: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 3 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 4 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 5 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 6 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 7 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 8 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 9 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 10 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 11 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
- GENERAL NOTES - FLOOR PLAN**
- 1 ALL REVISIONS TO BE MADE BY THE ARCHITECT. REVISIONS TO BE MADE BY THE ARCHITECT SHALL BE INDICATED BY A REVISION NUMBER AND DATE.
 - 2 PERMITS AND REGULATIONS: ALL PERMITS AND REGULATIONS SHALL BE OBTAINED BY THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATIONS.
 - 3 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
 - 4 FLOOR SLAB: SEE "F" DIMENSIONS FOR PROVISIONS AND TIE-UP REQUIREMENTS. SEE "F" DIMENSIONS FOR SIZE.
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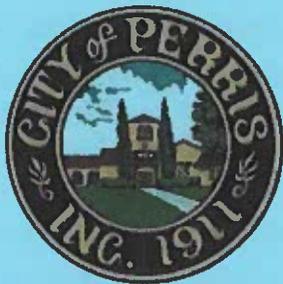
ENLARGED FLOOR PLAN A
SCALE: 1/8" = 1'-0"

GENERAL NOTES - FLOOR PLAN

- A. THIS BUILDING IS DESIGNED FOR WIND RESISTANCE WITH THE ACCESS AND EGRESS SYSTEMS AND MECHANICAL SYSTEMS.
- B. FIVE HOSE LOCATIONS SHALL BE PROVIDED FOR FIRE EXTINGUISHMENT.
- C. SEE "C" DIMS FOR THE BUILDING FLOOR SLAB SURFACES.
- D. FLOOR SLAB SHALL BE BUILT WITH "ISA" MESH OR APPROVED EQUAL.
- E. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.
- F. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.
- G. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.
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- I. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.
- J. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.
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- M. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.
- N. ALL REINFORCING BARS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.

KEYNOTES - FLOOR PLAN

1. CONCRETE FLOOR PANEL, SEE "C" DIMENSIONS FOR THICKNESS AND REINFORCING.
2. REINFORCING STEEL COLUMN, SEE "C" DIMENSIONS FOR SIZE AND LOCATION.
3. REINFORCING STEEL COLUMN, SEE "C" DIMENSIONS FOR SIZE AND LOCATION.
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36. REINFORCING STEEL COLUMN, SEE "C" DIMENSIONS FOR SIZE AND LOCATION.
37. REINFORCING STEEL COLUMN, SEE "C" DIMENSIONS FOR SIZE AND LOCATION.
38. REINFORCING STEEL COLUMN, SEE "C" DIMENSIONS FOR SIZE AND LOCATION.



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: Consideration to reallocate funds from the City of Perris Restaurant Incentive Program to the Small Business Assistance Program

REQUESTED ACTION: Authorize the reallocation of \$300,000 from the City of Perris Restaurant Incentive Program to the Small Business Assistance Program

CONTACT: Clara Miramontes, Assistant City Manager

BACKGROUND/DISCUSSION:

On July 11, 2017, City Council approved the creation of the City of Perris Restaurant Franchise Incentive and Restaurant Broker Incentive programs, as part of the City's Business Attraction efforts. The incentive programs have a total current balance of \$300,732.14, and the City has yet to receive any formal application submittals to date.

Additionally, in light of the COVID-19 pandemic, and the effects of subsequent "Stay at Home" orders on the businesses, the United States Small Business Administration (SBA) passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020. The Act contained available financial assistance to help small businesses through these challenging times. The Paycheck Protection Program (PPP) and Economic Injury Disaster Loan (EIDL) program under the CARES Act exhausted the initial allocation within a few weeks, and a subsequent reauthorization of funds was approved on April 23, 2020. Those additional funds are expected to be exhausted quickly as well.

The City of Perris Economic Development Division is proposing a local Small Business Assistance program, in the form of loans, utilizing the funds currently allocated to the Restaurant Incentive Programs. This would effectively convert the Business Attraction program into a Business Retention program for the City's existing small businesses.

Program Description and Loan Terms:

- Set loan amounts at \$10,000
- Loans will be 100% forgivable, provided the business remains at the location and in good standing with the City of Perris for at least two years following the disbursement of funds
 - 50%, or \$5,000, to be forgiven one year following loan issuance, and the remaining 50%, or \$5,000, to be forgiven two years following loan issuance

- Should the business move locations or exit from the City of Perris during the two-year period, the loan repayment will be due to the City at a 1% fixed interest rate, with a two-year repayment term
- Loans will be issued on a first come, first served basis until the funding cap is reached

Program Criteria:

- Business Location in City Limits
- Active Business License for a minimum period of one year prior to applying for funds
- Financial Statements (i.e. Bank Statements, Profit and Loss Statements, etc.) proving that the business has been affected by COVID-19
- Signed waiver stating that the business has not applied for nor been awarded SBA CARES Act funds

Staff recommends that City Council approve the City of Perris Small Business Assistance Program, which entails subsequent authorization to utilize the current balance of the Restaurant Incentive Programs for the Small Business Assistance Program.

BUDGET (or FISCAL) IMPACT: No impact the General Fund 20-21 Fiscal Year. Funds in the amount of \$300,000 are already budgeted under the Economic Development Corporation Budget.

Prepared by: Michele Ogawa, Interim Manager of Economic Development and Housing

REVIEWED BY:

City Attorney _____

Assistant City Manager 

Finance Director 

Attachments: None.

Consent:

Public Hearing:

Business Item: May 12, 2020

Presentation:

Other:



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: May 12, 2020

SUBJECT: **Consideration of Resolution requiring Face Coverings and Social Distancing, and Authorizing the Director of Emergency Services/City Manager to Implement related Rules And Regulations pursuant to Perris Municipal Code § 2.44.060(6)(a).**

REQUESTED ACTION: That the City Council approve the Resolution requiring Face Coverings and Social Distancing, and Authorizing the Director of Emergency Services/City Manager to Implement related Rules And Regulations pursuant to Perris Municipal Code § 2.44.060(6)(a).

CONTACT: Eric Dunn, City Attorney

BACKGROUND/DISCUSSION:

On March 4, 2020, Governor Gavin Newsom declared a State of Emergency due to the COVID-19 pandemic. On March 31, 2020, the City Council ratified the Director of Emergency Services/City Manager's declaration of local emergency due to the COVID-19 pandemic. Since then, the State and Riverside County Health Official have issued various orders relating to face coverings and social distancing. In particular, on April 29, 2020, the Riverside County Health Official issued its latest order relating to face coverings and social distancing. As the COVID-19 pandemic has progressed, the State and County have begun considering relaxing rules and regulations adopted and ordered to fight the COVID-19 pandemic; however, the relaxation of such rules and regulations are not targeted towards the City of Perris. Thus, it is necessary for the City of Perris to adopt rules and regulations that are targeted towards the City of Perris' needs.

If adopted, the proposed resolution will require individuals, including Essential Workers, to wear face coverings or masks such as scarves (dense fabric, without holes), bandanas, neck gaiter, or other fabric face coverings. However, all persons, including Essential Workers, are discouraged from using Personal Protective Equipment ("PPE"), such as N95 masks, for non-medical reasons. The resolution would also provide situations in which face coverings would not be necessary, such as when a person is within their home. Further, the proposed resolution would also impose social distancing requirements of at least 6 feet. This proposed resolution would also allow the Director of Emergency Services/City Manager to establish administrative rules and regulations subject to later confirmation by the City Council pursuant to Section 2.44.060(6)(a) of the Perris Municipal Code.

If adopted, this proposed resolution will be effective immediately and will terminate when the City's local emergency, as provided in City Council Resolution No. 5644, is terminated.

BUDGET (or FISCAL) IMPACT: None.

Prepared by: Robert Khuu, Assistant City Attorney

REVIEWED BY:

City Attorney _____
Assistant City Manager _____
Finance Director _____

Attachments: Resolution requiring Face Coverings and Social Distancing, and Authorizing the Director of Emergency Services/City Manager to Implement related Rules And Regulations pursuant to Perris Municipal Code § 2.44.060(6)(a).

Consent:
Public Hearing:
Business Item: X
Presentation:
Other:

RESOLUTION NO. (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ORDERING THAT ALL PERSONS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF PERRIS SHALL WEAR FACE COVERINGS AS PROVIDED IN THIS RESOLUTION; ORDERING THAT ALL PERSONS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF PERRIS SHALL COMPLY WITH THE SOCIAL DISTANCING REQUIREMENTS OF THIS RESOLUTION; AND AUTHORIZING THE DIRECTOR OF EMERGENCY SERVICES/CITY MANAGER TO ESTABLISH RELATED RULES AND REGULATIONS PURSUANT TO PERRIS MUNICIPAL CODE § 2.44.060.

WHEREAS, in December, 2019, an outbreak of respiratory illness due to a novel coronavirus (COVID-19) was first identified in Wuhan City, Hubei Province, China; and

WHEREAS, the Center for Disease Control and Prevention ("CDC") considers COVID-19 to be a very serious public health threat with outcomes ranging from very mild (including some with no reported symptoms) to severe, including illness resulting in death; and

WHEREAS, according to the CDC, there is no vaccine to prevent COVID-19 and there is no specific antiviral treatment recommended for COVID-19 at this time; and

WHEREAS, on January 30, 2020, the World Health Organization declared a Public Health Emergency of International Concern over the global spread of COVID-19; and

WHEREAS, on January 31, 2020, Health and Human Services declared a Public Health Emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, the California Department of Public Health ("CDPH") has activated its Medical and Health Coordination Center, and the Office of Emergency Services recently activated the State Operations Center to provide support and guide actions to preserve public health; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency for the State of California, which also waived the 60-day requirement that the City renew its declaration of local emergency under Government Code § 8630; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a "pandemic"; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 regarding COVID-19; and

WHEREAS, on March 13, 2020, President Trump declared a National State of Emergency in response to increased spread of COVID-19; and

WHEREAS, on March 14, 2020, Governor Newsom issued Executive Order N-25-20 which ordered that “[a]ll residents are to heed any orders and guidance of state and local public health officials, including, but not limited to, the imposition of social distancing measures, to control the spread of COVID-19”; and

WHEREAS, on March 16, 2020, the Health Officer of the County of Riverside issued an order cancelling all gatherings with an expected attendance of greater than 10 due to COVID-19; and

WHEREAS, on March 16, 2020, Governor Newsom issued Executive Order N-28-20 regarding COVID-19; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 requiring all Californians to shelter in place in response to COVID-19; and

WHEREAS, on March 31, 2020, by its Resolution No. 5644 the City Council ratified the Director of Emergency Services’ declaration of local emergency; and

WHEREAS, on April 20, 2020, the Health Officer of the County of Riverside issued amended orders requiring the wearing of face coverings and social distancing; and

WHEREAS, on April 29, 2020, the Health Officer of the County of Riverside issued an amended orders requiring the wearing of face coverings and imposition of social distancing requirements; and

WHEREAS, in addition to the above, the Governor, the State Public Health Officer, the Riverside County Health Officer, the Riverside County Board of Supervisors, and other public health officials have promulgated and issued, and will reasonably continue to promulgate and issue, various orders, rules and regulations concerning COVID-19 that are applicable within the jurisdiction of the City of Perris (“Orders”), pursuant to State and County law, including, but not limited to, the California Emergency Services Act (Gov. Code §§ 8550 et seq.) and the California Public Health & Safety Code §§ 101029, 120155, 120275, 120295; and

WHEREAS, as of May 6, 2020, there are over 1,000,000 confirmed cases of COVID-19 in the United States and over 68,000 deaths due to COVID-19 in the United States; and

WHEREAS, as of May 6, 2020, there are over 4,000 confirmed cases of COVID-19 in Riverside County and over 180 deaths; and

WHEREAS, heightened levels of public health and safety planning and preparedness have been necessitated in preparation for and response to confirmed cases of COVID-19 in the County of Riverside, and rapid response not lending itself to otherwise applicable notice and approval timelines has been and will be necessary to respond to the rapidly evolving COVID-19 pandemic and to mitigate against the spread of COVID-19 and its resulting public health and safety impacts; and

WHEREAS, in the absence of such actions, County wide health services may become overwhelmed and unable to keep up with medical demand for care and availability of hospital or care facility capacity; and

WHEREAS, the health, safety and welfare of the City of Perris ("City") residents, businesses, visitors and staff are of utmost importance to the City; and

WHEREAS, Government Code § 8634 provides in part: "During a local emergency the governing body of a political subdivision, or officials designated thereby, may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within the designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice"; and

WHEREAS, this Resolution is adopted pursuant to the authority provided in Government Code § 8634 and Chapter 2.44 of the Perris Municipal Code; and

WHEREAS, after consideration of all facts reasonably available, the City Council determines to adopt this Resolution for the purpose of expressly requiring the use of face coverings by persons within the geographic boundaries of the City, expressly requiring compliance with social distancing requirements within the geographic boundaries of the City as provided in this Resolution, and authorizing the Director of Emergency Services/City Manager to establish related rules and regulations pursuant to Perris Municipal Code § 2.44.060.

NOW, THEREFORE, THE PERRIS CITY COUNCIL HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. Recitals.

The Recitals set forth above are incorporated herein by this reference. The Recitals referenced herein are adopted as though set forth fully herein as findings in support of this Resolution.

SECTION 2. Face Coverings.

a. Upon entering, and until leaving, the geographic boundaries of the City of Perris or upon leaving, and until return to, their domicile or place of residence within such boundaries, all persons, including Essential Workers shall wear face coverings, such as scarves (dense fabric, without holes), bandanas, neck gaiter, or other fabric face coverings. All persons, including Essential Workers, are discouraged from using Personal Protective Equipment ("PPE"), such as N95 masks, for non-medical reasons. All face coverings shall, at the minimum, cover the nose and mouth of a wearer such that inhalation and exhalation occurs through the face covering.

For the purposes of this Resolution, "Essential Workers" shall mean those workers employed in businesses needed to maintain continuity of operations of sectors designated in the document available at: <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf> as updated by the State Public Health Officer.

b. Face coverings must be worn in public settings, such as:

- (1) Waiting in line to go inside a store.
- (2) Shopping at a store.
- (3) Picking up food at a restaurant.
- (4) On public transportation (or waiting for it).
- (5) In a taxi or rideshare vehicle.
- (6) Seeking healthcare.
- (7) Going into facilities allowed to stay open.
- (8) Working as an Essential Worker that interacts with the public.
- (9) Children 2 years and older should be encouraged to wear a mask when around others closer than 6 feet and be supervised by an adult.
- (10) Governmental facilities, such as Perris City Hall.

c. Face coverings are NOT required to be worn by persons who are:

- (1) At their domicile or place of residence.
- (2) In a car alone or with members of their own household.
- (3) Children under the age of 2 years old due to the risk of suffocation.
- (4) Engaging in exercise activities, such as walking, hiking, bicycling or running. However, such persons must comply with social distancing during these activities, including maintaining at least 6 feet of distance from other people. People should also have a face covering readily accessible.
- (5) Persons with a health condition whose medical doctor has advised against wearing a face covering and can provide documentation.

d. Businesses must:

- (1) Require their employees, contractors, owners, and volunteers to wear a face covering at the workplace and when performing work off-site.

(2) Inform customers about the need to wear a face covering, including posting signs and advising those in line or in the store.

(3) Take reasonable steps to keep people who are not wearing a face covering from entering their business.

(4) Refuse service to anyone not wearing a face covering.

SECTION 3. Social Distancing.

Upon entering, and until leaving, the geographic boundaries of the City of Perris or upon leaving, and until return to, their domicile or place of residence within such boundaries, all persons are required to engage in “social distancing” by maintaining at least six-foot separation from all persons except for household members and medical providers with the appropriate PPE. All businesses that are open shall comply with this social distancing requirement in addition to any applicable guidelines published by the CDC and CDPH.

SECTION 4. Administrative Rules & Regulations.

Pursuant to Section 2.44.060(6)(a) of the Perris Municipal Code, the Director of Emergency Services/City Manager is authorized to make and issue rules and regulations on matters reasonably related to this Resolution, provided that such rules and regulations must be later confirmed at the earliest practicable time by the City Council.

SECTION 5. Enforcement.

This Resolution shall be enforced pursuant to Section 2.44.100 of the Perris Municipal Code.

SECTION 6. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the application of any other section, subsection, sentence, clause, phrase, or portion of this Resolution, and to this end the invalid or unconstitutional section, subsection, sentence, clause, phrase of this ordinance are declared to be severable. The Perris City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 7. Effective Date.

This Resolution shall take effect immediately upon its adoption.

SECTION 8. Termination.

This Resolution shall terminate upon the termination of local emergency as ratified by the City Council in its Resolution No. 5644.

SECTION 9. Certification.

The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED and ADOPTED on this 12th day of May, 2020.

Michael M. Vargas, Mayor

Attest:

Nancy Salazar, City Clerk

State of California)
County of Riverside) ss
City of Perris)

I, Nancy Salazar, City Clerk of the City of Perris hereby certify that the above Resolution No. _____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on May 12, 2020.

Nancy Salazar, City Clerk