

*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, April 11, 2017**  
**6:30 P.M.**  
**City Council Chambers**  
**(corner of San Jacinto and Perris Boulevard)**  
**101 North "D" Street**  
**Perris, California**

***ROLL CALL:***

Rabb, Rogers, Burke, Corona, Vargas

***CLOSED SESSION: 6:00 P.M.***

- A. Conference with Labor Negotiators - Government Code Section 54957.6  
City Negotiator: Richard Belmudez, City Manager  
Employee Organization: Teamsters Local 911

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

**2. *ROLL CALL:***

Rabb, Rogers, Burke, Corona, Vargas

**3. *INVOCATION:***

Pastor Benjamin Briggs  
Greater Light Community Church  
3060 Barrett Avenue  
Perris, CA 92571

**4. PLEDGE OF ALLEGIANCE:**

Mayor Pro Tem Rabb will lead the Pledge of Allegiance.

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

**6. PRESENTATIONS/ANNOUNCEMENTS:**

*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.*

- A. Proclamation recognizing May is Mental Health Month.
- B. Proclamation for Donate Life Month.
- C. Presentation by Lori Van Arsdale, President of the Ramona Bowl Ampitheatre.
- D. Presentation by Daniel Martinez, United Veterans Corner.
- E. Proclamation for Relay for Life.

**7. APPROVAL OF MINUTES:**

- A. Approve the Minutes of the Regular Joint Meeting of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority held March 28, 2017; the Special Meeting held on March 25, 2017 and the Special Meeting held on March 31, 2017 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and 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. Adopt the Second Reading of Ordinance Number 1343 approving Plan Development Overlay (PDO) 14-00093 to apply a PDO zone over 14.5 acres zoned R-6,000 to facilitate a 111 unit planned residential development, located at the southwest corner of Orange Avenue and Dunlap Road and making findings in support thereof. (Applicant: Robert Furey, Groundwurk, Inc.)

The Second Reading of Proposed Ordinance Number 1343 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING PLAN DEVELOPMENT OVERLAY 14-00093 TO APPLY A PDO ZONE OVER 14.5 ACRES ZONED R-6,000 TO FACILITATE A 111 UNIT PLANNED RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND DUNLAP ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF

- B. Approve Final Parcel Map 36678 to consolidate lots and vacate streets to create two parcels to allow two industrial buildings totaling 1,037,811 square feet to sit on their own parcels located on the north side of Markham Street between Patterson and Webster Avenues. (Applicant: Gary Hamro, Optimus Building Corporation).
- C. Adopt Resolution Number (next in order) conditionally waiving delinquent CFD penalties and interest related to the development of a distribution center in the Perris Business Park (property north of Rider Street and west of Redlands Avenue).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, WAIVING PENALTIES AND INTEREST FOR CERTAIN PARCELS WITHIN COMMUNITY FACILITIES DISTRICT 88-3 PURSUANT TO GOVERNMENT CODE § 53340

- D. Approve the additional improvements for Ramona Expressway Bridge Rehabilitation Project.

**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) acquiring real property for the widening of Perris Boulevard.

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

AN AMENDED RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF PERRIS, CALIFORNIA, DECLARING THAT PUBLIC

INTEREST AND NECESSITY REQUIRE ACQUISITION OF THE FEE SIMPLE INTEREST IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 313-092-014

Introduced by: Eric Dunn, City Attorney

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. Presentation by Lt. Bennett, Riverside County Sheriff's Department regarding Proposition 64.

Introduced by: Brandon Ford, Police Chief

PUBLIC COMMENT:

- B. Consideration to approve the Perris High School Banner Program.

Introduced by: Richard Belmudez, City Manager

PUBLIC COMMENT:

- C. Presentation of the 5th Annual City of Perris City-Wide Health and Wellness Fair.

Introduced by: Isabel Carlos, Assistant Director of Administrative Services

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 the Building Official (951) 443-1029. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.*

**CITY COUNCIL/  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/  
PERRIS PUBLIC FINANCE AUTHORITY/  
PERRIS PUBLIC UTILITIES AUTHORITY/HOUSING  
AUTHORITY/PERRIS JOINT POWERS AUTHORITY/PERRIS  
COMMUNITY ECONOMIC DEVELOPMENT CORPORATION  
AGENDA SUBMITTAL**

TO: The Honorable Mayor and Members of the City Council  
FROM: Nancy Salazar, City Clerk *NS*  
DATE: April 11, 2017  
SUBJECT: *Approval of Minutes*

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**BACKGROUND:** None.

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**FISCAL IMPACT:** None.

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- **RECOMMENDATION:** Motion to approve the Minutes of the Regular Joint Meeting held on March 28, 2017, the Special Meeting held on March 25, 2017 and the Special Meeting held on March 31, 2017 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority.

Prepared by: Judy L. Haughney, CMC, Records Clerk *JLH*  
Approved by: Nancy Salazar, City Clerk

**Attachments:**

- Minutes of the Regular Joint Meeting held on March 28, 2017, the Special Meeting held on March 25, 2017 and the Special Meeting held on March 31, 2017 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority

**MINUTES**

**SPECIAL 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**

**Saturday March 25, 2017**

**11:00 A.M.**

**City Council Chambers**

**(corner of San Jacinto and Perris Boulevard)**

**101 North "D" Street**

**Perris, California**

**1. CALL TO ORDER: 11:00 a.m.**

**Mayor Vargas called the Special City Council meeting to order at 11:02 a.m.**

**2. ROLL CALL:**

**Councilmember's Present:** Burke, Corona, Rabb, Rogers, Vargas

**Staff Present:** City Manager Belmudez, Interim Assistant City Manager Madkin, Assistant Director of Community Services and Housing Chavez, Assistant Director of Public Works Hartwill and Administrative Assistant Martinez

**3. BUSINESS ITEM:**

**A. Tour of City of Perris Parks**

**Introduced by: Richard Belmudez, City Manager**

**4. ADJOURNMENT:**

**There being no further business the meeting was adjourned at 2:58 p.m.**

Respectfully Submitted,



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Nancy Salazar, City Clerk



## MINUTES

**SPECIAL JOINT MEETING OF THE CITY COUNCIL,  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY,  
PUBLIC FINANCE AUTHORITY, PUBLIC UTILITY  
AUTHORITY, THE HOUSING AUTHORITY AND THE PERRIS  
JOINT POWERS AUTHORITY  
OF THE CITY OF PERRIS  
Friday, March 31, 2017  
8:00 A.M.  
Big League Dreams Sports Park  
2155 Trumble Road  
Perris, California**

**1. CALL TO ORDER:**

Mayor Vargas called the Special Joint Meeting to order at 8:33 a.m.

**2. ROLL CALL:**

**Councilmember's Present:** Burke, Corona, Rabb, Rogers, Vargas

**Staff Present:** City Manager Belmudez, Interim Assistant City Manager Madkin, City Attorney Dunn, City Engineer Motlagh, Brad Brophy, Tri Lakes Consultants, Director of Development Services Miramontes, Assistant Director of Finance Erwin, Capital Improvement Project Manager Morales, Assistant Director of Public Works Hartwill, Assistant Director of Community Services & Housing Chavez, Information Technology Manager Cervantes, Assistant Director of Administrative Services Carlos, Executive Assistant Fernholz and City Clerk Salazar

**3. WORK SESSION:**

**A. Strategic Planning Session**

Mayor Vargas welcomed everyone to the meeting and introduced Vikita Poindexter, Facilitator for this session.

Mayor Vargas called for public comments. The following person spoke at Public Comment:

Gary Gosliga

Ms. Poindexter led the group in the Strategic Planning Session.

**4. ADJOURNMENT:**

Mayor Vargas adjourned the Joint Special Meeting at 2:08 p.m.

Respectfully Submitted:

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Nancy Salazar, City Clerk

## ***CITY OF PERRIS***

### MINUTES:

Date of Meeting: March 28, 2017

06:30 PM

Place of Meeting: City Council Chambers

### CLOSED SESSION

**Mayor Vargas called the Closed Session to order at 6:00 p.m.**

#### ROLL CALL

**Present: Corona, Rabb, Rogers, Burke, Vargas**

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

- A. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(4) - 1 case
- B. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(2) - 1 case
- C. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(d)(2); 1 case:
  1. Vincent Scarpino, et al. v. City of Perris, et al. Case Number RIC 1510034

**The City Council adjourned to Closed Session at 6:31 p.m.**

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

**Mayor Vargas called the Regular City Council meeting to order at 6:31 p.m.**

2. ROLL CALL: Corona, Rabb, Rogers, Burke, Vargas

Present: Corona, Rabb, Rogers, Burke, Vargas

Staff Members Present: City Manager Belmudez, City Attorney Dunn, City Engineer Motlagh, Interim Assistant City Manager Madkin, Police Captain Ford, Fire Chief Barnett, Director of Development Services Miramontes, Capital Improvement Project Manager Morales, Assistant Director of Administrative Services Carlos, Assistant Finance Director

Erwin, Assistant Director of Public Works Hartwill, Public Information Officer Vargo, Records Clerk Haughney and City Clerk Salazar.

3. INVOCATION:

**The Invocation was given by Councilmember Rita Rogers.**

4. PLEDGE OF ALLEGIANCE:

**Councilmember Corona 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:

A. Sigma Beta Xi and Life Lifters International will present Certificates of Recognition for participants in the Perris Employment Program.

7. APPROVAL OF MINUTES:

A. Approved the Minutes of the Regular Joint Meeting of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority held March 14, 2017.

The Mayor called for a motion.

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

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

NOES:

ABSENT:

ABSTAIN:

8. CONSENT CALENDAR:

**The Mayor called for Public Comment. There was no Public Comment.**

**Councilmember Rogers left the City Council Chambers at 6:40 p.m. and returned at 6:41 p.m.**

A. **Adopted the Second Reading of Ordinance Number 1342 Repealing Mandatory Water Conservation Regulations.**

The Second Reading of Ordinance Number 1342 is entitled:  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, REPEALING ORDINANCE NO. 1318 AND MUNICIPAL CODE CHAPTER 14.06 REGARDING MANDATORY WATER CONSERVATION REGULATIONS**

- B. Approved fee waiver request for use of Foss Field, the Community Room, City Front Lawn and the City Mobile Stage for a Health Fair sponsored by Riverside University Health System-Behavioral Health to be held May 13, 2017.
- C. Approved the City of Perris General Plan Housing Element, 2016 Annual Progress Report.
- D. Approved Agreement with FR/CAL REDLANDS, LLC for the development of a distribution center in the Perris Business Park and resolution of delinquent CFD penalties and interest (property north of Rider Street and west of Redlands Avenue).
- E. Adopted Resolution Number HA-009 amending the Homebuyer Assistance Program (HAP) and the Substantial Rehabilitation Loan Program (SRP) Guidelines to address the Declaration of Covenants, Conditions and Restrictions (CC&Rs), and the repayment terms and calculation formula for the First Time Homebuyers (FTHB) program.

Resolution Number HA-009 is entitled:

**A RESOLUTION OF THE GOVERNING BOARD OF THE CITY OF PERRIS HOUSING AUTHORITY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING THE HOMEBUYER ASSISTANCE PROGRAM AND THE SUBSTANTIAL REHABILITATION LOAN PROGRAM DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, AND THE REPAYMENT TERMS OF THE FIRST TIME HOMEBUYER PROGRAM**

- F. Adopted Resolution Numbers 5093 and PJPA-019 and approve Professional Services Agreement with bond finance team consultants Stradling Yocca Carlson and Rauth, P.C. for CFD 2014-1 Avelina.

Resolution Numbers 5093 and PJPA-019 are entitled:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS AND THE PERRIS JOINT POWERS AUTHORITY APPOINTING A FINANCE TEAM AND PROVIDING FOR THE EXECUTION OF CERTAIN CONSULTANT CONTRACTS IN CONNECTION THEREWITH**

- G. Adopted Resolution Number 5094 approving Vacant land Purchase Agreement between the City of Perris and The Metz Road Trust Assessor's Parcel Numbers 326-062-017; 326-071-001; 326-072-005 for the future Enchanted Hills Park project.

Resolution Number 5094 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, AUTHORIZING THE PURCHASE OF PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 326-062-017; 326-071-001; 326-072-005

- H. Adopted Resolution Number 5095 approving the receipt of grant funds or services from Southern California Association of Governments (SCAG) for a Sustainability Planning Capacity Building Grant Project awarded to the City for the Perris Green City Farm and Healthiest Cities and Counties Challenge.

Resolution Number 5095 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE RECEIPT OF GRANT FUNDS OR SERVICES FROM SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS FOR A SUSTAINABILITY PLANNING CAPACITY BUILDING PROJECT AWARDED TO THE CITY OF PERRIS FOR THE PERRIS GREEN CITY FARM AND HEALTHIEST CITIES AND COUNTIES CHALLENGE

- I. Approved Check Register for February 2017.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Malcolm Corona to Approve the Consent Calendar as presented.

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

NOES:

ABSENT:

ABSTAIN:

9. PUBLIC HEARINGS:

- A. Adopted Resolution Numbers 5096, 5097 and 5098 regarding Annexation of DPR 06-0140 to the City's Maintenance Districts. The 4.74 acre project is an industrial building bordered on the east by Western Way and is located approximately 30 feet north of Harley Knox Boulevard. (Ownership of: Investment Building Group).

Resolution Number 5096 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF DPR 06-0140 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2016-2017

Resolution Number 5097 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF DPR 06-0140 TO BENEFIT ZONE 123, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2016-2017

Resolution Number 5098 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF DPR 06-0140 TO BENEFIT ZONE 92, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2016-2017

**This item was presented by Roxanne Shepherd, Shepherd & Staats.**

**The Mayor opened the Public Hearing at 6:44 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 6:44 p.m.**

**The Mayor asked City Clerk Salazar to open the 3 ballots. The City Clerk opened the 3 ballots and reported that all 3 were marked "Yes".**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by David Starr Rabb to Approve Resolution Numbers 5096, 5097 and 5098 as presented.

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

NOES:

ABSENT:

ABSTAIN:

- B. Adopted Resolution Numbers 5099, 5100, 5101 and 5102 regarding acquisition of real property for the widening of Perris Boulevard.**

Resolution Number 5099 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DECLARING THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACQUISITION OF REAL PROPERTY INTERESTS IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 313-092-013

Resolution Number 5100 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DECLARING THAT PUBLIC

INTEREST AND NECESSITY REQUIRE ACOUSITION OF REAL PROPERTY INTERESTS IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 313-092-014

Resolution Number 5101 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DECLARING THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACOUSITION OF REAL PROPERTY INTERESTS IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 310-022-001

Resolution Number 5102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DECLARING THAT PUBLIC INTEREST AND NECESSITY REQUIRE ACOUSITION OF REAL PROPERTY INTERESTS IN A PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S PARCEL NO. 310-024-001

**This item was presented by June Ailin, Aleshire & Wynder**

**The Mayor opened the Public Hearing at 6:53 p.m. The following person spoke at Public Comment:**

**Kelly Kaus**

**The Mayor closed the Public Hearing at 6:56 p.m.**

**The following Councilmember's spoke:**

**Corona**

**Rabb**

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Malcolm Corona to Approve Resolution Number 5099 as presented.

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

NOES:

ABSENT:

ABSTAIN:

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Malcolm Corona to Approve Resolution Number 5100 as presented.

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

NOES:

ABSENT:

ABSTAIN:



The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Malcolm Corona to Approve Resolution Number 5101 as presented.

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

NOES:

ABSENT:

ABSTAIN:

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by David Starr Rabb to Approve Resolution Number 5102 as presented.

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

NOES:

ABSENT:

ABSTAIN:

- C. Adopted Resolution Numbers 5103 and PIPA-020 regarding financing and issuance of bonds associated with Improvement Area No. 1 CFD No. 2014-1 (Avelina) ("CFD") to fund public fees for public improvements. The District is generally bounded by the Orange Avenue to the north, Sunset to the south and Evans to the east.

Resolution Number 5103 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. 2014-1 (AVELINA) OF THE CITY OF PERRIS, AUTHORIZING THE ISSUANCE OF BONDED INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000 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 PIPA-020 is entitled:

A RESOLUTION OF THE PERRIS JOINT POWERS AUTHORITY AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$5,000,000 OF ITS PERRIS JOINT POWERS AUTHORITY LOCAL AGENCY REVENUE BONDS (IA1-CFD NO. 2014-1 (AVELINA)), 2017 SERIES A TO PURCHASE LOCAL OBLIGATION BONDS ISSUED BY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA) OF THE CITY OF PERRIS, ON BEHALF OF IMPROVEMENT AREA NO. 1, UPON CERTAIN TERMS AND CONDITIONS, AND

**APPROVING CERTAIN DOCUMENTS AND OTHER ITEMS  
RELATING THERETO**

**This item was presented by Anita Luck, Aleshire & Wynder**

**The Mayor opened the Public Hearing at 7:22 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 7:22 p.m.**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Rita Rogers to Approve Resolution Numbers 5103 and PJPA-020 as presented.

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

NOES:

ABSENT:

ABSTAIN:

- D. **Approved the draft Fiscal Year 2017-2018 Annual Action Plan Funding Recommendations for the Community Development Block Grant (CDBG) Program.**

**Resolution Number 5104 is entitled:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, APPROVING THE DRAFT FY 2017-2018 ACTION PLAN WITH PROPOSED FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL ENTITLEMENT PROGRAM**

**This item was presented by Grants Manager Cortes de Pavon.**

**Mayor Pro Tem Rabb left the City Council Chambers at 7:28 p.m. and returned at 7:30 p.m.**

**The Mayor opened the Public Hearing at 7:29 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 7:29 p.m.**

**The following Councilmember spoke:**

**Rabb**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Rita Rogers to Approve Resolution Number 5104 as presented.

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

NOES:

ABSENT:

ABSTAIN:

- E. Introduced the First Reading of Ordinance Number 1343 approving Plan Development Overlay (PDO) 14-00093 to apply a PDO zone over 14.5 acres zoned R-6,000 to facilitate a 111 unit planned residential development, located at the southwest corner of Orange Avenue and Dunlap Road and making findings in support thereof. (Applicant: Robert Furey, Groundwurk, Inc.)

The First Reading of Ordinance Number 1343 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING PLAN DEVELOPMENT OVERLAY 14-00093 TO APPLY A PDO ZONE OVER 14.5 ACRES ZONED R-6,000 TO FACILITATE A 111 UNIT PLANNED RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND DUNLAP ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF

**This item was presented Contract Planner Phung.**

**The following Councilmember spoke:**

**Burke**

**The Mayor opened the Public Hearing at 7:31 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 7:31 p.m.**

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Malcolm Corona to Approve the First Reading of Ordinance Number 1343 as presented.

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

NOES:

ABSENT:

ABSTAIN:

10. BUSINESS ITEMS:

- A. Discussion on SB1 and AB1 Transportation Funding Bills.

**This item was presented by City Manager Belmudez.**

**The following Councilmember's spoke:**

**Rabb**

**Corona**

**Vargas**

**Burke**

**The Mayor called for Public Comment. The following person spoke at Public Comment:**

**Deedra Corona**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Rita Rogers to Approve the item as presented.

AYES: Rita Rogers, Tonya Burke, Michael Vargas

NOES: Malcolm Corona, David Starr Rabb

ABSENT:

ABSTAIN:

- B. Approved the Purchase and Sales and No-fee License Agreements for the acquisition of Southern California Edison (SCE) Owned LS-1 Streetlights.

**This item was presented by Capital Improvement Project Manager Morales.**

**The Mayor called for Public Comment. There was no Public Comment.**

**Councilmember Rogers left the City Council Chambers at 7:54 p.m. and returned at 7:56 p.m.**

**The following Councilmember's spoke:**

**Rabb**

**Vargas**

**Rogers**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Malcolm Corona to Approve the item as presented.

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

NOES:

ABSENT:

ABSTAIN:

11. PUBLIC COMMENT/CITIZEN PARTICIPATION:

**The following person spoke at Public Comment:**

**Lisa Castilone**

12. COUNCIL COMMUNICATIONS:

**The following Councilmember's spoke:**

**Corona**

**Burke**

**Rogers**

**Rabb  
Vargas**

13. CITY MANAGER'S REPORT:

14. ADJOURNMENT:

**There being no further business the Mayor adjourned the Regular City Council meeting at 8:30 p.m.**

**Respectfully Submitted,**

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**Nancy Salazar, City Clerk**

CITY COUNCIL  
AGENDA SUBMITTAL

**Meeting Date: April 11, 2017**

**SUBJECT:** **Second Reading of Ordinance No. 1343** approving Plan Development Overlay 14-00093 to apply a PDO zone over 14.5 acres zoned R-6,000 to facilitate a 111-unit planned residential development, located at the southwest corner of Orange Avenue and Dunlap Road. **Applicant:** Robert Furey, Groundwurk Inc.

**REQUESTED ACTION:** **ADOPT Ordinance No. 1343 approving Plan Development Overlay (PDO) 14-00093**, based upon the findings and information contained in this submittal.

**CONTACT:** Clara Miramontes, Development Services Director 

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**BACKGROUND/DISCUSSION:**

On February 28, 2017, the City Council voted unanimously to adopt Mitigated Negative Declaration 2327 and approve Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038) to subdivide 14.5 acres into a 111-unit planned residential development and to apply a PDO zone located at the southwest corner of Orange Avenue and Dunlap Road. A follow-up meeting was conducted on March 28, 2017 to introduce first reading of Ordinance Number 1343 to formally apply the Plan Development Overlay zone to facilitate the development. Upon adoption, the Ordinance to change the land use will become enacted thirty days thereafter (May 11, 2017).

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**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are borne by the applicant.

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**Prepared by:** Kenneth Phung, Project Planner

**City Attorney:** N/A

**Interim Assistant City Manager:** Darren Madkin   
**Assistance Director of Finance:** Jennifer Erwin 

**Consent:** **April 11, 2017**

**Attachments:**

- Attachment 1** City Council Ordinance including land use map
- Attachment 2** City Council Submittal dated March 28, 2017
- Attachment 3** City Council Submittal dated February 28, 2017

**ORDINANCE NUMBER 1343**

**A SECOND READING OF ORDINANCE NUMBER 1343 OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING PLAN DEVELOPMENT OVERLAY (PDO) 14-00093 TO APPLY A PDO ZONE OVER 14.5 ACRES ZONED R-6,000 TO FACILITATE A 111-UNIT PLANNED RESIDENTIAL DEVELOPMENT LOCATED AT THE SOUTHWEST CORNER OF ORANGE AVENUE AND DUNLAP ROAD, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, a Plan Development Overlay (PDO) application was submitted to enable a 111-unit planned residential development Project by applying a PDO zone on 14.5 acres zoned R-6,000 located at the southwest corner of Orange Avenue and Dunlap Road; and

**WHEREAS**, the proposed Plan Development Overlay ("PDO") is consistent with the goals, policies, and implementation measures set forth in the General Plan; and

**WHEREAS**, by Resolution Number 5091, the City Council adopted Mitigated Negative Declaration 2327 for the PDO zone; and

**WHEREAS**, on December 7, 2016, the Planning Commission conducted a duly noticed public hearing on the PDO zone and at the meeting recommended approval of the PDO zone after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, on February 28, 2017, the City Council conducted a duly noticed public hearing on the project, at which time all interested persons were given full opportunity to be heard to present evidence; and

**WHEREAS**, after considering all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all project meetings and hearings, the City Council, at its February 28, 2017 meeting, approved Resolution No. 5091, which adopted Mitigated Negative Declaration 2327 and approved Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038) to subdivide 14.5 acres into a 111-unit planned residential development with common open-space amenities and to apply a PDO zone located at the southwest corner of Orange Avenue and Dunlap Road; and

**WHEREAS**, on March 28, 2017, the City Council conducted a duly noticed public hearing on this Ordinance, at which time all interested persons were given full opportunity to be heard to present evidence; and

**WHEREAS**, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record

for the above-mentioned approvals, including all oral and written evidence presented to the City during all project meetings and hearings; and

**WHEREAS**, all other legal prerequisites to the adoption of this Ordinance have occurred.

**NOW, THEREFORE**, City Council of the City of Perris hereby ordains as follows:

**Section 1.** The above recitals are all true and correct and are incorporated herein as if set forth in full.

**Section 2.** City Council Resolution No. 5091 found that although the proposed project could have a significant effect on the environment, there would not be an adverse effect by this project because revisions in the project have been made by or agreed to by the project proponent with the adopted Mitigated Negative Declaration 2327.

**Section 3.** The City Council further finds, based upon the information contained within the staff report and accompanying attachments, as well as all oral and written testimony made at the public hearing, with respect to the Project, the following regarding Plan Development Overlay 14-00093:

- A. The proposed project is well designed and will create a superior environment than could otherwise be achieved by strict application of the underlying conventional zone.
- B. The project incorporates appropriate amenities necessary to create and maintain a desirable environment for residents (e.g., clubhouse, tot-lot, splash pad, common area landscaping, enhanced architectural standards, etc.).
- C. The proposed planned development is harmonious with surrounding development and does not create internal incompatibilities do to improper design, allowed land uses, or density/intensity of development.
- D. The proposed circulation system is adequate to carry the anticipated traffic volume.
- E. The existing or proposed public infrastructure is suitable to meet the needs of the planned development, and does not create capacity issues in other areas of the community.
- F. The proposed density increase is compatible with surrounding land uses as it will maintain a detached residential product and will not adversely affect the public health, safety, welfare, comfort, or convenience.
- G. Suitable infrastructure either exists or will be concurrently constructed to serve the proposed project (i.e., streets, water, sanitary sewer, power, drainage facilities, etc.).
- H. The project is in close proximity to schools, shopping, and related residential support services.



- I. The project is well planned, exhibiting excellence in architectural, site and landscape design.
- J. The project creates a superior residential environment as evidenced by the provision of open space that is readily accessible to dwelling units.

**Section 4.** The City Council hereby adopts second reading of Ordinance Number 1343 to approve PDO 14-00093 to apply a Plan Development Overlay zone on approximately 14.5 acres zoned R-6,000 to facilitate a 111-unit planned residential development Project.

**Section 5.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Ordinance 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 Ordinance shall remain in full force and effect.

**Section 6.** The Mayor shall sign this Ordinance and the City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

***ADOPTED, SIGNED and APPROVED this \_\_\_\_ day of \_\_\_\_, 2017.***

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Mayor, Michael M. Vargas

ATTEST:

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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 1343 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the \_\_\_ day of \_\_\_\_\_ 2017, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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City Clerk, Nancy Salazar

**Attachment:** PDO Landuse Amendment

# Proposed PDO Overlay on Land Zone R-6,000



City Council: March 28, 2017  
 PDO 14-00093 & TTM 14-00091 (TTM 37038)

**ATTACHMENT - 1**

CITY COUNCIL  
AGENDA SUBMITTAL

**Meeting Date: March 28, 2017**

**SUBJECT:** **Plan Development Overlay (PDO) 14-00093 & Tentative Tract Map 14-00091 (TTM 37038)** – Proposal to subdivide 14.5 acres of vacant land into a 111-unit planned residential development with common open-space amenities and to apply a Planned Development Overlay (PDO) zone located at the southwest corner of Orange Avenue and Dunlap Road.  
**Applicant:** Robert Furey, Groundwurk Inc.

**REQUESTED ACTION:** **Introduce the First Reading of Ordinance No. (Next in order)** approving Plan Development Overlay 14-00093 to apply a PDO zone over 14.5 acres zoned R-6,000 to facilitate a 111-unit planned residential development, located at the southwest corner of Orange Avenue and Dunlap Road, and making findings in support thereof.

**CONTACT:** Clara Miramontes, Development Services Director

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**BACKGROUND/DISCUSSION:**

On February 28, 2017, the City Council voted unanimously to approve Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038) to subdivide 14.5 acres into a 111-unit planned residential development with common open-space amenities, located at the southwest corner of Orange Avenue and Dunlap Road. However, an ordinance is required for the PDO zone which was not included in the last meeting. In order to apply an overlay zone (PDO) to any project, an ordinance must be adopted since it is a change of zone. The City Council is being asked to conduct the first reading of Ordinance No. (next in order) to formally apply the PDO zone to this project. There are no changes to the project and all project plans remain the same as presented to the City Council on February 28, 2017.

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**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are borne by the applicant.

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**Prepared by:** Kenneth Phung, Project Planner  
**City Attorney:** N/A  
**Interim Assistant City Manager:** Darren Madkin  
**Assistant Director of Finance:** Jennifer Erwin  
**Public Hearing:** March 28, 2017

**Attachments:**

**Attachment 1** City Council Ordinance Approving PDO and Land Use Exhibit  
**Attachment 2** Plans  
**Attachment 3** City Council Staff Report dated February 28, 2017  
**Attachment 4** Planning Commission Staff Report dated December 7, 2016

Initial Study/MND and Associated Studies on File with the Planning Department and available on line at <http://www.cityofperris.org/city-hall/departments/development/planning.html>

**ATTACHMENT - 2**

CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date: February 28, 2017

**SUBJECT:** **Plan Development Overlay (PDO) 14-00093 & Tentative Tract Map 14-00091 (TTM 37038)** – Proposal to subdivide 14.5 acres of vacant land into a 111-unit planned residential development with common open-space amenities and to apply a Planned Development Overlay (PDO) Zone located at the southwest corner of Orange Avenue and Dunlap Road. **Applicant:** Robert Furey, Groundwurk Inc.

**REQUESTED ACTION:** **Approve Resolution No. Next in Order** recommending that the City Council review and adopt the Mitigated Negative Declaration 2327, and approve planned Plan Development Overlay (PDO) 14-00093 and Tentative Tract Map 14-00091 (TTM 37038), based on the findings and subject to the Conditions of Approval.

**CONTACT:** Clara Miramontes, Development Services Director

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**BACKGROUND/DISCUSSION:**

On December 7, 2016, the Planning Commission unanimously recommended approval of the Citrus Court project, subject to the following conditions: (1) provide additional architectural treatment to the second floor rear elevations for the Craftsman and Spanish Architecture model; (2) eliminate two lots in order to increase the recreational club house to 2,000 sf. and enlarge the outdoor recreational area; and (3) consider a seven-foot-tall perimeter wall height along Dunlap Drive for further screening of the tent farming operation across the street. Given the number of units proposed, the Planning Commission expressed concern that the recreational amenities were not adequate and required a larger clubhouse and common outdoor area. The applicant had no objection and agreed to these conditions at the Planning Commission meeting. The applicant has updated the site plan to reflect the reduced number of lots along with enlarging the open space recreation area and to provide a 2,000 sf. single-story clubhouse. The reduction of 2 lots has eliminated the need for a Zone Change and General Plan Amendment from R-6,000 to MFR-14, as originally proposed. The proposed 111-unit development complies with the density requirements under the Planned Development Overlay Zone (PDO). As such, the application of a PDO zone is required, which includes a 10% density bonus and design flexibility incentives based on the merits of the project design and architecture.

The project proposes a non-traditional site layout consisting of a residential cluster development. A residential cluster development is a form of land development where structures are grouped together on a site, thus saving the remaining land area for common open space and recreation uses. This development proposes typical clusters of 6 or 8 single-family detached lots with common open-space amenities consisting of BBQ areas, a clubhouse, shade structures, intermittent passive turf areas with benches linked by pedestrian pathways, game courts, a splash pad and a tot-lot. Additionally, the shared interior motor courts for garages eliminate the need for garages to front the main loop road, thus providing room for a landscaped street scene, with street parking on one side of the street. The street parking is broken up by tree planters to enhance the street scene. Also, there will be four different architectural styles for the homes. Each style will have three variations, which will provide diversification in architectural design.

The project will have three access points to the site. The main access will be off of Dunlap Drive, which will have enhanced signage and landscaping and a drive aisle to allow vehicle stacking to enter the development. There is an emergency access on Orange Avenue and a secondary access on Lemon Avenue. An Initial Study was prepared for the project in accordance with the California Environmental Quality Act and a Mitigated Negative Declaration has been prepared. Notices were sent to affected agencies and property owners within 300 feet off the site and no comments in opposition were received. The Pechanga tribe submitted a letter to the Planning Commission requesting that the Pechanga tribe serve as the official designated monitoring tribe for the project. Per the City's policies and agreements with local tribes, a single tribe cannot be given sole oversight and it is up to the developer to choose either Pechanga or Soboba, or both, to conduct cultural monitoring. The project was reviewed by the Airport Land Use Commission and a finding of consistency was determined. Staff is recommending that the City Council approve this project.

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**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are borne by the applicant.

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**Prepared by:** Kenneth Phung, Project Planner

**City Attorney:** N/A

**Interim Assistant City Manager:** Darren Madkin  
**Assistance Director of Finance:** Jennifer Erwin

**Public Hearing:** February 28, 2017

**Attachments:**

- Attachment 1** City Council Resolution Approving PDO and TTM (*includes Planning, Engineering & Public Works*)
- Attachment 2** Updated Plans
- Attachment 3** Planning Commission Staff Report Package dated December 7, 2016
- Attachment 4** Pechanga letter dated December 6, 2016

Initial Study/MND and Associated Studies on File with the Planning Department and available on line at <http://www.cityofperris.org/city-hall/departments/development/planning.html>

**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date: April 11, 2017**

**SUBJECT:** **Final Parcel Map 36678** to consolidate lots and vacate streets to create two parcels to allow two industrial buildings totaling 1,037,811 square feet to sit on their own parcels located on the north side of Markham Street between Patterson and Webster Avenues. **Applicant:** Gary Hamro, Optimus Building Corporation

**REQUESTED ACTION:** **Approve Final Parcel Map 36678**

**CONTACT:** Clara Miramontes, Director of Development Services 

**BACKGROUND/DISCUSSION:**

On January 12, 2016 the City Council approved Final Parcel Map 36678 to consolidate lots and vacate streets to create two parcels to allow two industrial buildings totaling 1,037,811 square feet to sit on their own parcels located on the north side of Markham Street between Patterson and Webster Avenues. The Final Map has been reviewed by the City Engineer's office and is consistent with the Tentative Parcel Map approved by the City Council on January 12, 2016.

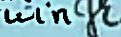
The City Engineer has indicated that the recordation of the Final Parcel Map is for financing purposes only therefore no improvements other than right-of-way dedication and monumentation are scheduled at this time. The monuments have been set by the surveyor and all appropriate Final Map fees have been paid. The applicant has complied with all pertinent Conditions of Approval of Parcel Map 36678 to approve the Final Parcel Map.

**BUDGET (or FISCAL) IMPACT:** Cost for processing of these applications has already been paid for by the applicant.

**Prepared by:** Kenneth Phung, Project Planner

**City Attorney:** Eric Dunn

**Interim Assistant City Manager:** Darren Madkin 

**Assistant Director of Finance:** Jennifer Erwin 

**Attachments:**

1. Conditions of Approval (Planning, Engineering, Public Works & Building)
2. Final Parcel Map 36678

**Consent:** **April 11, 2017**

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

**FINAL CONDITIONS OF APPROVAL**

**Environmental Impact Report 14-01-0017 (SCH No. 2014051034)  
Development Plan Review 14-01-0015  
Specific Plan Amendment 14-04-0001  
Tentative Parcel Map 36678 (14-01-0016)  
Street Vacation 14-04-0002**

**City Council: January 12, 2016**

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**Project: Optimus Logistics Center 2.** Proposal to construct a high-cube warehouse development in two phases consisting of two buildings totaling 1,037,811 square feet on 48.38 acres of land located on the north side of Markham Street between Patterson and Webster Avenues. The request will require a Specific Plan Amendment to change the land use designation of approximately 16 acres from General Industrial to Light Industrial, along with a Tentative Parcel to consolidate 55 lots into two parcels, Street Vacation to abandon unimproved streets within the site and Development Plan Review for the site plan review and building elevations. **Applicant:** Mike Naggar, Mike Naggar & Associates

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**GENERAL CONDITIONS:**

1. **Environmental Impact Report Mitigation Monitoring Program.** The project shall fully comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP) of the certified Environmental Impact Report (SCH #2014051034). The Mitigation Monitoring and Reporting Program (MMRP) Checklist is attached to reduce potential impacts to aesthetics, air quality, biological resources, cultural resources, geology, greenhouse gases, hazards, hydrology and water quality, noise and traffic. The MMRP shall be implemented in accordance with the timeline, reporting and monitoring intervals listed.
2. **Specific Plan Compliance.** The project shall conform to the General Industrial (GI) and Light Industrial (LI) zone standards of the Perris Valley Commerce Center Specific Plan (PVCCSP).
3. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
4. **Phasing.** Any changes to the phasing plan shall be reviewed and approved by the Development Services Department and the City Engineer.
5. **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.
6. **Conformance to Approved Plans.** Development of the project site, building elevations,

**ATTACHMENT - 1**



and conceptual landscaping shall conform substantially to the set of plans approved by the Planning Commission on November 18, 2015, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.

7. **Approval Period for Development Plan Review 14-01-0015.** In accordance with P.M.C. Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of Planning Commission approval. Within three years, the applicant shall demonstrate the beginning of substantial construction as contemplated by this approval, which shall thereafter be diligently pursued to completion, or substantial utilization. A maximum of three (3) one-year extensions may be requested. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Development Plan Review.
8. **Approval Period for Tentative Parcel Maps 36678 (TPM 14-01-0016).** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the Planning Commission approval, unless an automatic extension is granted by the State of California. 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 an extension shall be submitted to the Planning Division at least thirty (30) days prior to the initial (and subsequent extensions) expiration of Tentative Parcel Map approval.
9. **Building Official/Fire Marshal.** The project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Fire Marshal, and a fire access and fire underground plan shall be submitted for approval prior to submittal of construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (as applicable) shall be shown on the final set of construction plans.
10. **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).
11. **City Engineer.** The project shall adhere to the requirements of the City Engineer as indicated in the attached Engineering Conditions of Approval dated **November 10, 2015**. On and off-site improvement plans shall be submitted for review and approval by the City Engineer.
12. **Public Works/Special District.** The project shall adhere to the requirements of the Public Works/Special District Division as indicated in the attached Conditions of Approval dated **February 19, 2014**.
13. **Indemnification.** 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 concerning Environmental Impact Report 14-01-0017 (State Clearinghouse # 2014051034); Development Plan Review 14-01-0015 (DPR), Specific Plan Amendment 14-04-0001 (SPA), Street Vacation 14-04-0002 (ST VAC) and Tentative Parcel Map 36678/#14-01-0016 (TPM). The City shall promptly notify the applicant of any claim, action, or proceeding for which indemnification is sought, and shall further cooperate fully in the defense of the action.

14. **Southern California Edison (SCE).** The developer/owner shall contact the Southern California Edison for Savings by Design information (909 357-6509) and the SCE area service planner (951 928-8323) to explore energy conservation benefit options and to complete the required forms prior to commencement of construction. No grading permits shall be issued until a letter from SCE is received by the City Engineer indicating electrical service will be placed underground.
15. **Waste Hauling and Disposal.** The project shall use only the City-approved waste hauler for all construction and other waste disposal.
16. **Property Maintenance.** The project shall comply with the Perris Municipal Code Chapter 7.42 regarding Property Maintenance. The site shall be maintained graffiti-free state at all times. Any graffiti located on the site shall be removed within 48 hours.
17. **On-site & Off-site Utilities.** All utilities 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. **Roof Parapets.** The height of the roof parapet shall fully screen any roof-mounted equipment. All vent pipes and similar devices shall be painted to match the building.
19. **Downspouts.** Exterior downspouts are not permitted on building elevations facing the public right of way. Interior downspouts are required for these elevations.
20. **Fish and Game Fee.** Within three (3) days of City Council approval, the applicant shall submit a check to the City Planning Division, payable to "Riverside County Clerk-Recorder", in the amount of \$3,120.00 for payment of State Fish and Game fees and the County documentary handling fee. In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.
21. **Signage.** The project approval does not include signage. All monument signage is required to include the Perris Valley Commerce Center logo (per PVCCSP Chapter 4.2.5). Any proposed wall or monument sign will require a sign application and shall be reviewed and approved by the Planning Division prior of building permit issuance.
22. **Preliminary Water Quality Management Plan (PWQMP).** A Preliminary WQMP was prepared for the proposed project site. All PWQMPs were determined to be in substantial compliance, in concept, with the Riverside County WQMP Manual requirements. Additional Engineering Department review is required to determine if the proposed

retention basin is adequately sized to meet the minimum 100 year storm event volumes. The following two conditions apply:

- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
  - b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a Final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the Retention Basin. The Public Work Department shall review and approve the Final WQMP text, plans and details.
23. **Construction Practices.** To reduce potential traffic, noise, and air quality impacts, the mitigation measures listed in the EIR Mitigation Monitoring and Reporting Plan (MMRP) shall be listed and included with the "General Notes" on the construction drawings, and implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP.
24. ~~**City Approved Waste Hauling.** The developer shall use only the City approved waste hauler for all construction and other waste disposal.~~
25. **Employee Amenity Area.** The applicant shall provide the following amenities per the plans dated November 18, 2015: 1) An outdoor shade-covered break area with overhead shade trellis at the main office entrance for each facility; 2) An outdoor basketball half-court for each facility; 4) An indoor lunch and break room totaling approximately 3,500 square feet for Building 1 and 1,500 square feet for Building 2.
26. **Trash Enclosures.** Trash enclosures are required to be screened with landscaping and a trellis cover.
27. **Green Building.** The project shall be constructed to demonstrate that it can qualify for Bronze LEED Building status prior to issuance of occupancy permits.

#### **PRIOR TO THE ISSUANCE OF GRADING PERMITS:**

28. **Precise Grading Plans.** Precise grading plans shall be submitted to the City for review and approval. Grading plans shall be consistent with approved development plans.
29. **Traffic Control Plan.** A Traffic Control Plan shall be submitted for approval to the City Engineer.
30. **Construction Staging Areas.** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction staging areas are located at least 446-feet away from any residential properties in accordance with Section 4 of the MMRP. In addition, any temporary night time lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.

31. **Final Water Quality Management Plan (FWQMP).** **Final Water Quality Management Plan (FWQMP).** To mitigate impacts related to pollutant loading to receiving waters and/or increased erosion/siltation resulting from the long-term operation of the project, the applicant shall develop, receive approval from the City, and implement a FWQMP. The FWQMP shall contain measures that will effectively treat all pollutants of concern and hydrologic conditions of concern, consistent with the Preliminary WQMP and developed in compliance with the MS4 permit. The FWQMP shall specifically identify pollution prevention, source control, treatment control measures, and other Best Management Practices (BMPs) that shall be used on site to control predictable pollutant runoff to reduce impacts to water quality to the maximum extent practicable. The FWQMP shall substantially comply with site design, source control and treatment control BMPs proposed in the approved Preliminary Water Quality Management Plan (PWQMP).

**TENTATIVE PARCEL MAP 36678 (TPM 14-01-0016) - FINAL MAP RECORDATION**

32. **Application.** The Final Map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval, concurrently with the application to the City Engineer. The Final Map application shall include all necessary road dedications, appropriate easements and street vacations.
33. **Map Recordation.** Prior to recordation of the Final Map, the developer shall obtain the following clearances, approvals or actions:
- a. Verification from the Planning Division that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code.
  - b. The landowner shall convey an avigation easement to the March Inland Port Airport Authority. Contact the March Joint Powers Authority at (951) 656-7000).
  - c. Any other required approval from an outside agency.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

34. **Final Parcel Map Submittal.** Prior to the issuance of the first building permit, the Tentative Parcel Map shall be submitted for Final Map approval and be recorded with the County of Riverside, with proof of recording provided to the City Planning Division and Engineering Division. The Final Map shall conform substantially to the project identified in the EIR.
35. **Landscaping Plans.** Prior to issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval accompanied by the appropriate filing fee. The plans shall be prepared by a California-registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The following treatments, consistent with the conceptual landscape plan or as conditioned herein, are required:
- a. **Project Boundary.** Mature 36" box trees shall be planted along Markham Street

and Webster Avenue. A mixture of 36' box trees and 24" box trees shall be planted along Paterson Avenue. Street trees shall be planted a maximum of 30-feet on-center. Where tubular steel fencing is used, solid landscape screening is required in addition to mature trees.

- b. **Water Quality Basins and Large Swales.** Tiered landscaping with mature trees (24" to 36" box) shall be planted in these areas, including berms.
  - c. **Accent Landscaping.** Large trees (24" to 36" box) shall be included in the landscape design at all driveway entrances to the project site
  - d. **Parking Areas.** A minimum of 30 percent of trees shall be 36 inch box or larger. Also, a minimum of one 24-inch box tree per 6 parking stalls shall be provided.
  - e. **Landscape Berms.** Screen walls along Patterson Avenue, Markham Street and Webster Avenue frontage shall include a minimum 6-foot high 2:1 sloped landscape berm to visually reduce the screen wall height to eight feet or less.
  - f. **Enhanced Pavement.** Decorative pavement treatments (accent colors, textures, and patterns) should be used for driveway entrances and pedestrian pathways.
  - g. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.
  - h. **Water Conservation.** Rain sensing override devices and soil moisture sensors shall be required on all irrigation systems. Landscaping shall comply with Zoning Code Chapter 19.70 ([www.cityofperris.org](http://www.cityofperris.org)) for mandated water conservation.
  - i. **Maintenance.** Required landscaping shall be maintained in a viable growth condition.
  - j. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after installation of all landscaping and irrigation system is completely operational. Before calling for a final inspection, the City's "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner. The project planner shall sign off the "Certificate of Compliance" to signify code compliance and acceptance.
36. **Revised Site Plan.** The Phase I site plan shall be revised to remove the two driveways on the northerly property line abutting Washington Street. The area between the property line and parking lot shall be landscaped and a wrought iron fence with pilasters every 50-feet shall be installed along the northerly property line along Washington Street and connecting to the adjacent fencing.
37. **Screen Walls and Fencing.** Decorative screen walls shall screen views into the truck courts from the public right-of-way (Patterson Avenue, Markham Street and Webster Avenue) and adjacent uses. Plans and details for the screen walls shall be included in the landscape plan check submittal package for review and approval by the Planning Division. The following shall apply:
- a. **Phase 1 Fencing on Washington Street Frontage.** Phase 1 shall include tubular steel fencing with pilaster columns every 50-feet along the easterly property line fronting Washington Street.
  - b. **Decorative Screen Walls.** Decorative screen walls used to conceal the truck loading along Patterson Avenue, Markham Street and Webster Avenue shall be 14 feet in

- height with landscaped berm, incorporating pilasters every 100 linear feet and include a decorative cap, subject to the review and approval of the Planning Division.
- c. **Interior Walls.** An 8-foot tall wall shall be provided along the northerly and easterly interior property lines of the Parcel 1.
  - d. **Fencing For Detention Basin.** The detention basin will be screened by a 5-foot high wrought iron fence with pilaster columns spaced 50-feet apart.
  - e. **Gates.** Any tubular steel gates in public view shall have high quality view-obscuring material, subject to Planning review and approval.
  - f. **Graffiti.** All walls shall be treated with a graffiti-resistant coat.
  - g. **Knox boxes** are required for all gates, and shall be approved by the Fire Marshal and issued by the Building Division.
38. **Site Lighting Plan.** A site lighting plan shall be approved that complies with the City's Outdoor Lighting Regulations and Mount Palomar Observatory's Dark Sky Ordinance. The lighting plan shall include photometrics, fixture details and light standard elevations. High efficiency fixtures with full-cut off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. At least one foot-candle of light shall be provided in all parking lot and pedestrian areas for safety and security.
39. **March Air Reserve Base.** As required by the Perris Valley Commerce Center Specific Plan, the following measures shall be implemented to address the project's location within Airport Influence Area I:
- a. Prior to issuance of building permits, the landowner shall have conveyed an aviation easement to the March Inland Port Airport Authority.
  - b. Any outdoor lighting installed shall be shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
  - c. The following uses shall be prohibited:
    - i) Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
    - ii) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
    - iii) Any use which would generate excessive smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers contain putrescible wastes, construction and demolition debris facilities, fly ash disposal and incinerators.)
    - iv) Any use that would generate electrical interference that may be

detrimental to the operation of aircraft and/or aircraft instrumentation.

- d. A "Notice of Airport in the Vicinity" shall be provided to all potential purchasers and tenants.
- e. Any new retention basins shall be designed so as to provide for a maximum 48 hour detention period following the conclusion of a rainfall event.
- f. A minimum of 45 days prior to submittal of an application for a building permit for the project, the project applicant shall consult with the City of Perris Planning Division to determine whether any implementing project-related vertical structures or construction equipment would encroach into the 100-to-1 imaginary surface surrounding the MARB. If so, the implementing development project applicant shall file a FAA Form 7460-1, Notice of Proposed Construction or Alteration.

~~40. **March Air Reserve Base.** As required by the Perris Valley Commerce Center Specific Plan, the following measures shall be implemented to address the project's location within Airport Influence Area II:~~

41. **Construction Plans.** All Planning Division, Public Works/Special District Department and Engineering Department Conditions of Approval, proposed employee amenities, LEED requirements that are included with the EIR Mitigation Monitoring and Reporting Plan, and the Mitigation Monitoring Plan itself shall be reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Each Condition shall be annotated on the construction plans for ease of reference (i.e., sheet and detail numbers).

42. **Fees.** The developer shall pay the following fees according to the timeline noted:

Prior to the issuance of building permits, the applicant shall pay:

- a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
- b. Multiple Species Habitat Conservation Plan fees currently in effect;
- c. Current statutory school fees to all appropriate school districts;
- d. Any outstanding liens and development processing fees owed to the City;

Prior to issuance of the Certificate of Occupancy, the applicant shall pay:

- e. Appropriate City Development Impact Fees in effect at the time of development; and
- f. Appropriate Transportation Uniform Mitigation Fees (TUMF) in effect at the time of development, or
- g. ~~Appropriate Road and Bridge Benefit District fees.~~

43. **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 issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project 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;
- c. Maintenance District No. 84-1;
- d. North Perris Road and Bridge Benefit District; and
- e. Future Fire Protection Community Facilities District.
- f. North Perris Community Facilities Assessment District;

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

44. **Bicycle Lanes.** Appropriate Striping for Class II Bicycle Lanes shall be provided on Webster Avenue, Markham Street and Patterson Avenue according to the Trails Master Plan subject to the approval of the Planning Division and the City Engineer's office.
45. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning Staff shall verify that all Conditions of Approval have been met.
46. **Occupancy Clearance.** The applicant shall have all required paving, parking, screen walls, colors and materials (per approved elevation plans), site lighting, landscaping and automatic irrigation installed and in good condition.





# CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

## CONDITIONS OF APPROVAL

P8-1237

February 18, 2015, Revised October 20, 2015,  
Revised November 10, 2015,

**Revised Planning Commission November 18, 2015**

PM 36678 – Optimus Logistics Center II, Phases 1 & 2

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 for Phase I 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 stage (100-year) and the nuisance runoff shall be retained within onsite private detention basins and drained to Lateral "B-5" as approved by City and Riverside County Flood Control.

**DEPARTMENT OF ENGINEERING**  
170 WILKERSON AVE., SUITE D, PERRIS, CA 92570-2200  
TEL.: (951) 943-6504 - FAX: (951) 943-8416

**ATTACHMENT - 1**

The project shall also comply with conditions stated in RCFC letter dated February 18, 2015 and extend Lateral B-5 and connect to Line "B".

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 streetlights and portions of existing and new signal at Harley Knox Blvd. with Patterson shall be maintained by City and partial cost paid for by the property 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.
7. Streetlights shall be installed along perimeter streets adjacent to this site as approved by City Engineer per Riverside County and Southern California Edison standards. Additional streetlights shall be installed along Patterson Avenue from northerly property line to Harley Knox Boulevard as determined by City 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 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.
12. 6' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. 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 along Webster Avenue and Markham Street and extended northerly along Patterson Avenue to existing low point and connection to existing Line "B" Channel pursuant to RCFC letter dated February 18, 2015. 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. Catch basins and minimum 18" laterals shall be installed at all existing intersections adjacent to the site and all new driveways proposed by this project to eliminate nuisance runoff from cross gutters.
14. All onsite drainage runoff shall be collected via onsite underground facilities and conveyed to proposed 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.
16. Markham Street from Patterson Avenue to Webster Avenue along north side shall be improved with minimum of 30' of new paving, curb/gutter and sidewalk located 32' north of centerline within 47' half width dedicated right-of-way. Markham Street along the same reach on the south side shall be improved to provide for minimum of 20' of paving (existing pavement if determined to be adequate shall be grind/overlay).
17. Webster Avenue from northerly project boundary to Harley Knox Blvd. shall be improved to provide for minimum of 42' of new paving (3 lanes) within dedicated right-of-way. The intersection of Webster and Harley Knox shall be improved to provide for safe left and right turn lanes.

Webster Avenue adjacent to this site along the west side shall be improved with minimum of 30' new pavement and curb/gutter located 32' within 47' ½-width dedicated right-of-way. Webster

along east side within this reach shall be improved with minimum of 12' new pavement including construction of right and left turn lanes @ Markham Street.

Improvements to Webster Avenue is required prior to occupancy permit for Phase II.

18. Washington Street from Webster to the end of cul-de-sac shall be improved with curb/gutter located 20' on either side of centerline and minimum of 36' new paving within 60' dedicated right-of-way (Phase II).
19. Patterson Avenue from Markham Street to northerly boundary along east side shall be improved with curb, gutter located 28' east of centerline and 26' of new pavement within 39' half-width dedicated right-of-way. Patterson Avenue along same reach on the west side shall be improved with minimum of 15' new pavement or as determined by City Engineer. Patterson Avenue from northerly project boundary to Harley Knox Boulevard shall be improved to provide for minimum of 42' new pavement. The intersection of Patterson Avenue and Harley Knox Boulevard shall be improved to comply with traffic report's recommendation.
20. Traffic index of ~~10-5~~ shall be used for any work on Patterson, and 9.0 for Webster Avenue and Markham Street.
21. The intersections of Webster with Markham shall be improved with concrete section to withstand the truck traffic.
22. 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.
23. 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

**DEPARTMENT OF ENGINEERING**

170 WILKERSON AVE., SUITE D, PERRIS, CA 92570-2200  
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program as adopted by the City. Other sources of reimbursement 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.

24. New traffic signals if warranted shall be installed at intersection of Markham Street with Webster & Patterson Avenue.
25. Driveways shall be installed per Riverside County Standard No. 207A.
26. Minimum of one RTA stop and City/RTA standard shelter shall be provided along Markham or Webster as determined by the City Engineer and RTA.
27. Prior to issuance of any permit, final map shall be recorded, and bonds posted. Existing road dedications in conflict with the proposed project shall be vacated subject to utility clearance.
28. Truck access to this site shall be limited to and from I-215 interchange from Harley Knox Boulevard, Webster Avenue, and Patterson Avenue.
29. Street improvement plans shall include a class II/III bike lane in accordance with the Perris Trails Master Plan, subject to the approval of the City Engineer.
30. Prior to issuance of occupancy permit, the applicant shall pay the City \$500,000 for their contribution towards implementation of interim and ultimate improvements to I-215/Ramona Expressway, Placentia/I-215 interchange, and other improvements. This one time contribution is above and beyond RBBB and other City fees and is not reimbursable.
31. The improvements @ I-215 and Harley Knox Blvd. shall be in compliance with RBF Traffic Report dated **April 2, 2015** ~~October 30, 2015~~. Payment of RBBB fees prior to issuance of Building Permit shall satisfy this condition.

*Habib Motlagh*

Habib Motlagh  
City Engineer



# CITY OF PERRIS

## PUBLIC WORKS DEPARTMENT

Engineering Administration

NPDES

Special Districts (Lighting, Landscape, Flood Control)

# MEMORANDUM

**Date:** February 19, 2014

**To:** Kenneth Phung

**From:** Michael Morales, CIP Manager 

**Subject:** DPR 14-01-0015, TPM 14-01-0016, & EIR 14-01-0017-SRC Comments-Draft Proposal to construct and industrial complex consisting of two buildings totaling 1 million square feet located within the Perris Valley Commerce Center (PVCC) Specific Plan. North of Markham Street between Patterson Avenue and Webster Avenue.

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The application for the proposed submittal noted above has been deemed incomplete. Prior to further review, please inform the applicant to submit the following additional materials:

1. A conceptual plan has not been submitted. Applicant shall submit a separate Conceptual Landscape Plan for review and approval at this time for any perimeter hardscape and landscape, parkways, and street medians located with the City right-of-way. This Conceptual landscape plan shall be titled "LMD Conceptual Off-site Landscape Plan DPR 14-01-0015," and shall be mutually exclusive of any private property, on-site landscaping. Elements of this Conceptual Landscape Plan shall include but not be limited to:
  - Limits of right-of-way areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District
  - Limits of landscape easement areas, defined by concrete mow curb fully dimensioned, that are to be annexed into the Landscape Maintenance District
  - Location of separate water and electrical utility meters intended to serve landscape maintenance district areas exclusively
  - A planting palette and hardscape plan intended to meet the design intent of the Specific Plan or Landscape Guidelines in effect for the area; or if no such guidelines exist the design intent of neighboring development, as determined by the Engineering Administration and Special Districts Division
  - A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers, a wi-fi central control irrigation controller (Calsense or equal), and Sentry Guard Cable Guard and Union Guard.
  - Any Monument signage at prominent locations within maintenance district areas shall be pre-cast concrete, with no individual affixed metal letters. The monument signage shall be submitted for review and approval by the Special Districts Division, and compliment the design elements of the City of Perris Community Marker/Identification Program.

ATTACHMENT - 1

(Conceptual Landscape Plan Requirements Continued)

- Include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain
  - The landscape architect is to coordinate with EMWD to verify if the site will be served with recycled water. Indicate type of water on Conceptual Landscape Plan, and provide additional irrigation components as needed.
2. Each District is required to be metered separately. Show locations of water and electrical meter for landscape district. Show location of water and electrical meter for flood control district. Show location of electrical meter for Traffic signal and street lighting, on respective plans. Coordinate location of meters on conceptual landscape and civil engineering plan. Electrical meter pedestals are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections.
  3. The off-site irrigation controller, electrical meter, and water meter are to be located within the right of way (preferably within the off-site landscape area). All point of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Backflow preventers are to be screened on all sides with (5) gallon plant material.
  4. Applicant shall submit a Preliminary WQMP Plan, prior to approval detailing the on-site and off-site Flood Control Facilities, LID and Treatment Control Best Management Practices. The PWQMP shall include
    - Limits of right-of-way areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Flood Control or Landscape Maintenance District
    - Location of separate water and electrical utility meters intended to serve flood control landscape maintenance district areas exclusively
    - A planting palette and hardscape plan for access ramps and other hardscape improvements intended to meet the guidelines of water quality and maintenance concerns as determined by the Engineering Administration and Special Districts Division
    - Conceptual details for treatment control facilities that meet the Riverside County WQMP Design Guidelines shall be included. These guidelines, as well as guidelines for flood control facilities may be supplemented by additional requirements by the Special Districts Department to reduce long term maintenance costs and longevity of improvements. At a minimum concrete check dams shall be used for multi-stage detention basin and infiltration basin facilities separating forebay from second stage treatment area. Concrete v-ditch shall be used for nuisance flows connecting inlet to outlet structures. Connector pipe screens shall be included in catch basin to reduce sediment and trash loading within storm pipe.
  5. Prior to final map approval Applicant shall submit final civil engineering and traffic signal Plans to City Engineer for review. Plans shall incorporate Special District design criteria including LED Safety Lighting, back-up battery systems, traffic detection camera system, and cabinet lighting complete with decorative street name signage.
  6. Assessment Districts. Prior to final map recordation, the developer shall annex into the following maintenance

7. and assessment district, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer:
  - a. Flood Control Maintenance District
  - b. Landscape Maintenance District
  - c. Lighting District 84-1

Prior to Permit issuance developer shall deposit \$5,250 per district, \$15,750 total due. Payment is to be made to the City of Perris, and the check delivered to the City Engineer's Office.

1. Document, for each district, indicating intent and understanding of annexation, to be notarized by property owner(s)
  - Consent and Waiver for Maintenance District No. 84-1
  - Consent and Waiver for Landscape Maintenance District No. 1
  - Petition for Flood Control Maintenance District No. 1

Original notarized document(s) to be sent to:

Roxanne Shepherd  
Shepherd & Staats Incorporated  
2370 Edgehill Road  
Vista, CA 92084  
(760) 639-0124

Upon receipt of deposit and Consent and Waiver Forms, the developer shall work with City to meet the following milestones for annexations as follows:

1. City prepares the Engineer's Reports which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.
  2. Reports are reviewed and approved by the property owner. The assessment ballots will be based on these Reports.
  3. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.
  4. The assessment ballots are sent to the property owner and are opened by the City Clerk at the close of the Public Hearing. With a "YES" vote by the property owner the City Council can move forward with the Resolution that Confirms the Annexation. Property owner attendance at this Public Hearing is not required.
  5. Confirmation by the City Council completes the annexation process and the condition of approval has been met.
8. Additional comments may follow based on submittal of additional materials noted above



**DEVELOPMENT PLAN REVIEW 14-01-0015,**  
**TPM 14-01-0016 & EIR 14-01-0017**

**BUILDING & FIRE COMMENTS**

- 
1. Must Comply with the Latest Adopted Version of the California Fire Code 2013 Edition
  2. Must comply with the adopted Building and Fire Codes for proper exiting of the building.
  3. Must Have Proper Fire Access to the Building facility WHILE THE BUILDING IS UNDER CONSTRUCTION AND PRIOR TO HAVING ANY LUMBER DROPPED OFF ON SITE.
  4. Must Comply with the Latest Adopted Version of the California Building Code 2013 Edition
  5. Must Comply with the Latest Adopted Version of the California Electrical Code 2013 Edition
  6. Must Comply with the Latest Adopted Version of the California Mechanical Code 2013 Edition
  7. Must Comply with the Latest Adopted Version of the California Plumbing Code 2013 Edition
  8. Must Comply with the State of California Title 24 Energy Regulations
  9. Must Comply with the State of California Title 24 Access Regulations.
  10. Insure that the proper Fire Sprinklers are designed and installed in accordance with the specific use of the building and in accordance with the adopted codes.

---

David J. Martinez/Interim Building & Fire Official

Date: 12-23-14

**ATTACHMENT - 1**



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

BEING A SUBDIVISION OF LOT 6 OF PERUY RE-SUBDIVISION OF VAL VERDE TRACT, AS SHOWN BY MAP ON FILE IN BOOK 7, PAGES 43 OF MAPS AND LOTS 17 THROUGH 20, INCLUSIVE, IN BLOCK F, LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK G, LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK H AND LOTS 1 THROUGH 10, INCLUSIVE IN BLOCK I OF GOLDEN VALLEY FARMS, AS SHOWN BY MAP ON FILE IN BOOK 14 PAGE 78 OF MAPS RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, LYING WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, S.B.M.

DENNIS JANDA, INC. FEBRUARY 2016

**NOTARY ACKNOWLEDGEMENT**

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 \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
BEFORE ME )  
ON \_\_\_\_\_ )  
PERSONALLY APPEARED )  
\_\_\_\_\_ ) A NOTARY PUBLIC,  
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/IT/THEY EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO  
ME THAT HE/SHE/IT/THEY EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO  
ME THAT HE/SHE/IT/THEY EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO  
ME THAT HE/SHE/IT/THEY EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO  
UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA  
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_ MY COMMISSION NUMBER \_\_\_\_\_

MY PRINCIPAL PLACE OF BUSINESS IS IN \_\_\_\_\_ COUNTY.

**NOTARY ACKNOWLEDGEMENT**

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 \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
BEFORE ME )  
ON \_\_\_\_\_ )  
PERSONALLY APPEARED )  
\_\_\_\_\_ ) A NOTARY PUBLIC,  
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  
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I CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA  
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_ MY COMMISSION NUMBER \_\_\_\_\_

MY PRINCIPAL PLACE OF BUSINESS IS IN \_\_\_\_\_ COUNTY.

**NOTARY ACKNOWLEDGEMENT**

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 \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
BEFORE ME )  
ON \_\_\_\_\_ )  
PERSONALLY APPEARED )  
\_\_\_\_\_ ) A NOTARY PUBLIC,  
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/IT/THEY EXECUTED THE INSTRUMENT AND ACKNOWLEDGED TO  
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UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.  
I CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA  
THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND

SIGNATURE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_ MY COMMISSION NUMBER \_\_\_\_\_

MY PRINCIPAL PLACE OF BUSINESS IS IN \_\_\_\_\_ COUNTY.

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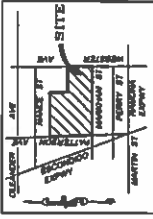
WITNESS MY HAND

SIGNATURE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_ MY COMMISSION NUMBER \_\_\_\_\_

MY PRINCIPAL PLACE OF BUSINESS IS IN \_\_\_\_\_ COUNTY.



IN THE CITY PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
**PARCEL MAP NO. 36678**  
 BEING A SUBDIVISION OF LOT 6 OF FEBRY RE-SUBDIVISION OF VAL VERDE TRACT, AS SHOWN BY MAP ON FILE IN BOOK 7, PAGE 45 OF MAPS AND LOTS 17 THROUGH 20, INCLUSIVE, IN BLOCK F, LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK G, LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK H AND LOTS 1 THROUGH 10, INCLUSIVE, IN BLOCK I OF GOLDEN VALLEY FARMS, AS SHOWN BY MAP ON FILE IN BOOK 14 PAGE 78 OF MAPS RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, LYING WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, S.B.M.

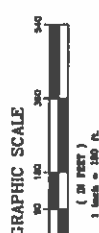
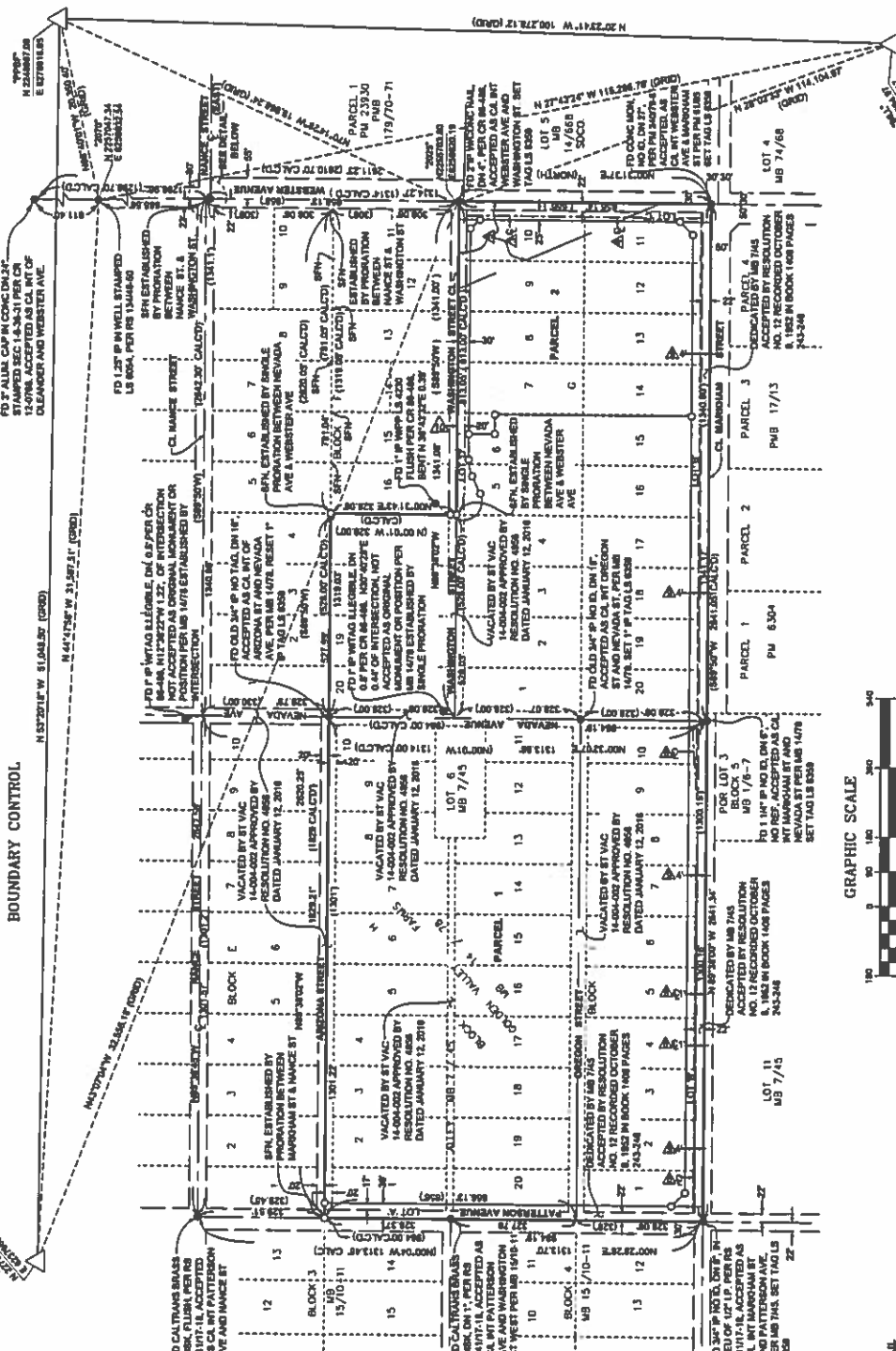
FEBRUARY 2016

DENNIS JANDA, INC.

BOUNDARY CONTROL

- SURVEY NOTES**
1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, COORD. ZONE 14, BASED LOCALLY ON CONTROL STATION 1111, "MSP", AND 1112, "MSP", LOCATED NEAR THE INTERSECTION OF MAIN ST AND HIGHWAY 91. ALL BEARINGS SHOWN ON THIS MAP ARE QUOTED BEARINGS AND DISTANCES FROM REFERENCE MAPS OR SURVEYS. UNLESS OTHERWISE NOTED, ALL DISTANCES SHOWN ARE UNADJUSTED DISTANCES. ALL SPECIFIED OTHERWISE. UNADJUSTED DISTANCES MAY BE OBTAINED BY APPLYING THE CORRECTION FACTOR OF 1.0000000000 TO THE DISTANCES WITH COORDINATES OF 4328975.71, E. 528885.17, USING AN ELEVATION OF 1418.44 FEET.
  2. 0 DENOTES FOUND MONUMENT AS NOTED
  3. 0 DENOTES SET P.M. IS 6000 FEET AT ALL LOT CORNERS AND AT ALL 1/4 SECTION CORNERS, AND ANGLE POINTS IN SUBDIVISION BOUNDARY.
  4. SPN+ SEARCHED FOUND NOTHING
  5. CALCD = CALCULATED
  6. ( ) DENOTES RECORDED DATA PER GOLDEN VALLEY FARMS PER MB 1478, UNLESS OTHERWISE NOTED
  7. CROSS AREA - 62.89 ACRES +/-

EASEMENT NOTES SEE SHEET 5



CONVERTED ANGLES AT  
 2022 = 072224  
 N.T.S.

SPN ESTABLISHED BY PROMOTION BETWEEN MARHAM ST & WASHINGTON ST  
 JANDA, INC. STREET (60700270W 11.8W)  
 FD 347 P.M. WTAG ALLEGRE, DN. 0.2  
 (60700270E 11.8W)  
 MARHAM ST  
 - PER PM 2407491  
 STREET (EAST)  
 N.T.S.

DETAIL  
 N.T.S.

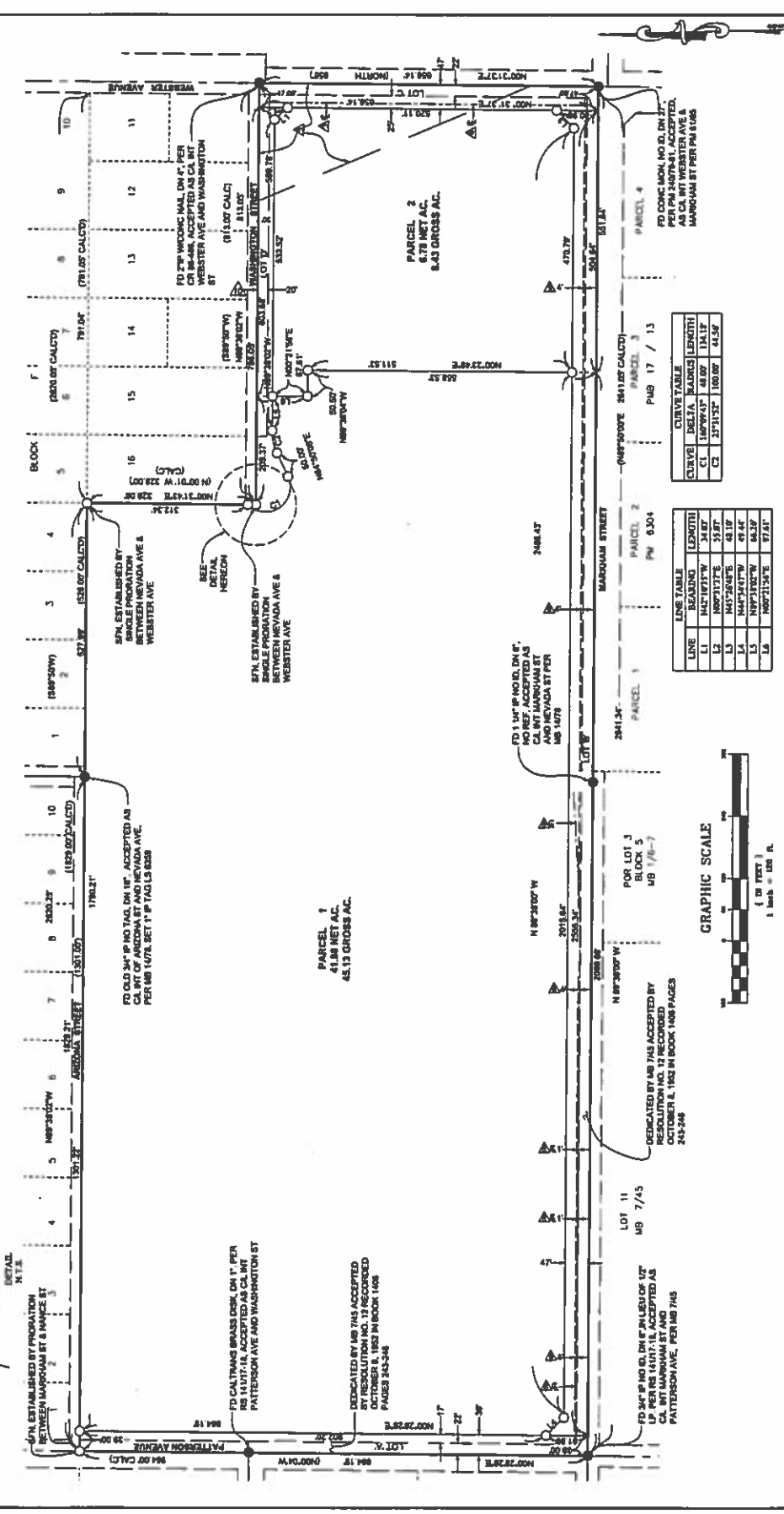
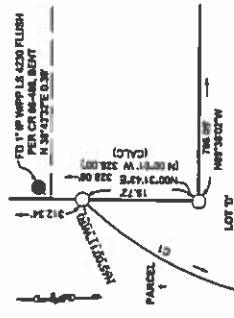
# IN THE CITY PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA PARCEL MAP NO. 36678

BEING A SUBDIVISION OF LOT 6 OF PEKAY RE-SUBDIVISION OF VAL VERDE TRACT, AS SHOWN BY MAP ON FILE IN BOOK 7, PAGE 45 OF MAPS AND LOTS 17 THROUGH 20, INCLUSIVE, IN BLOCK F, LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK G, LOTS 1 THROUGH 20, INCLUSIVE, IN BLOCK H AND LOTS 1 THROUGH 10, INCLUSIVE IN BLOCK I OF GOLDEN VALLEY FARMS, AS SHOWN BY MAP ON FILE IN BOOK 14 PAGE 78 OF MAPS RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA, LYING WITHIN SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 WEST, S.B.M.

DENNIS JANDA, INC.

FEBRUARY 2016

BASIS OF BEARINGS SEE SHEET 3  
SURVEYOR'S NOTE SEE SHEET 3  
EASEMENT NOTES SEE SHEET 5



LINE	BEARING	LENGTH
L1	N 89° 30' 00" W	51.87'
L2	N 89° 31' 17" E	53.87'
L3	N 85° 24' 47" E	43.19'
L4	N 85° 24' 47" W	49.44'
L5	N 89° 31' 00" W	64.39'
L6	N 89° 31' 50" E	57.61'

CURVE	DELTA	RADIUS	LENGTH
C1	180° 00' 00"	48.00'	114.11'
C2	279° 13' 37"	100.00'	41.56'

GRAPHIC SCALE  
1 inch = 100 ft.

FOR LOT 11, UG 7/45  
DEDICATED BY UG 7/45 AS ACCEPTED BY RESOLUTION NO. 12 RECORDED OCTOBER 8, 1952 IN BOOK 1408 PAGES 243-246

FOR LOT 11, UG 7/45  
FOR LOT 11, UG 7/45  
FOR LOT 11, UG 7/45

FOR LOT 11, UG 7/45  
FOR LOT 11, UG 7/45  
FOR LOT 11, UG 7/45

FOR LOT 11, UG 7/45  
FOR LOT 11, UG 7/45  
FOR LOT 11, UG 7/45

FOR LOT 11, UG 7/45  
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FOR LOT 11, UG 7/45

# IN THE CITY PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA PARCEL MAP NO. 36678

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FEBRUARY, 2016

DENNIS IANDA, INC.

BASIS OF BEARINGS SEE SHEET 3  
SURVEYOR'S NOTE SEE SHEET 3

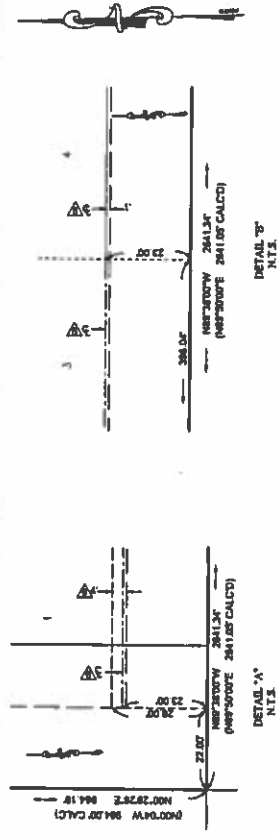
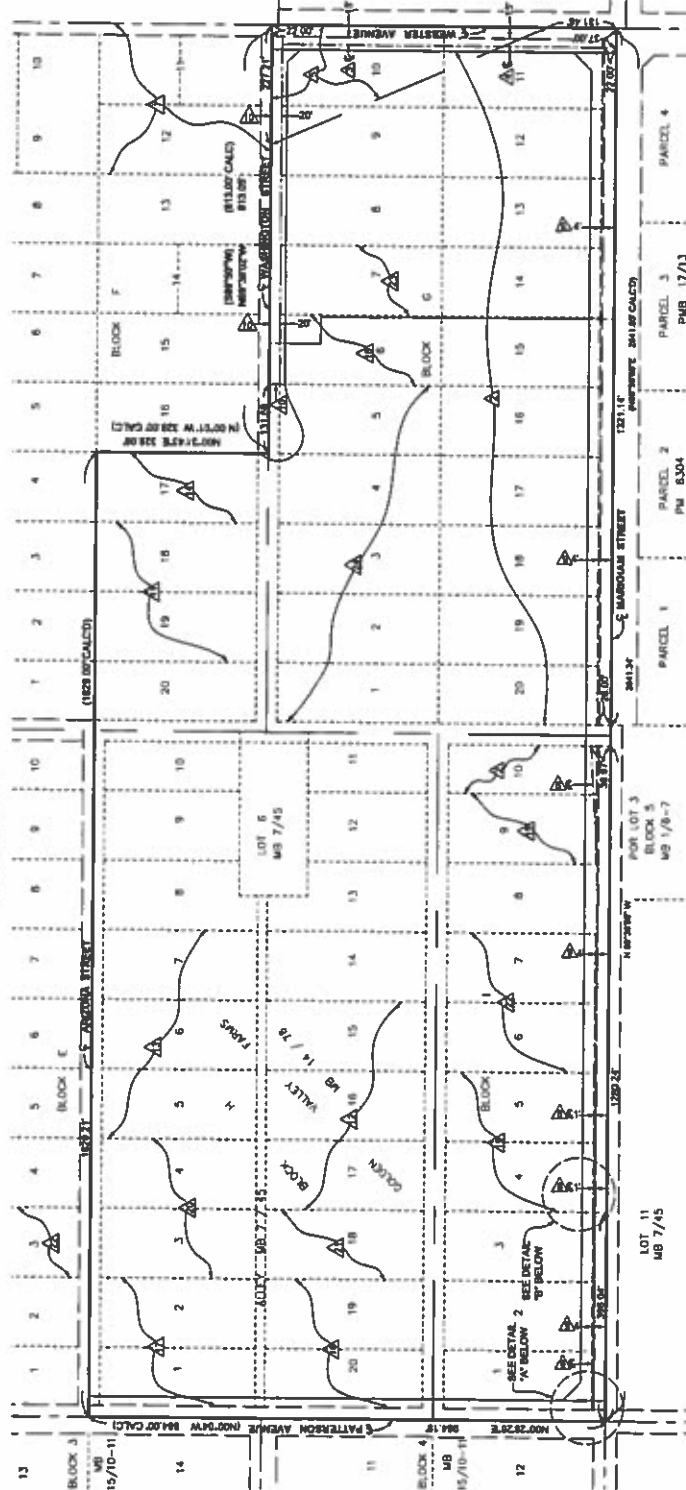
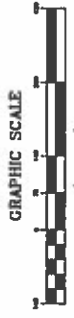
## EASEMENT SHEET

### EASEMENT NOTES

- 1. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED OCTOBER 27, 1915 IN BOOK 434, PAGE 341, OF DEEDS OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 2. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JUNE 15, 1927 IN BOOK 117, PAGE 882 (IF OFFICIAL RECORDS, (BLANKET IN NATURE))
- 3. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JANUARY 1, 1943 AS BOOK 94, PAGE 128 OF OFFICIAL RECORDS, (WITH UNDERLAY)
- 4. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JANUARY 1, 1943 AS BOOK 94, PAGE 237 OF OFFICIAL RECORDS, (WITH UNDERLAY)
- 5. AN EASEMENT FOR ANCHORAGE APPROACH ZONE AND INCIDENTAL PURPOSES, IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION, AS SHOWN ON MAP 15/10-11, PAGE 228 OF OFFICIAL RECORDS.
- 6. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED MAY 2, 1988 AS BOOK 100, PAGE 287 OF OFFICIAL RECORDS, (WITH UNDERLAY)
- 7. AN EASEMENT FOR ANCHORAGE APPROACH ZONE AND INCIDENTAL PURPOSES, IN FAVOR OF THE UNITED STATES OF AMERICA, RECORDED MAY 7, 1988 AS BOOK 100, PAGE 288 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 8. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF CALIFORNIA ELECTRIC POWER COMPANY, A CORPORATION, RECORDED OCTOBER 15, 1988 AS BOOK 188, PAGE 810 OF OFFICIAL RECORDS, (WITH UNDERLAY)
- 9. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF CALIFORNIA WATER AND TELEPHONE COMPANY, A CORPORATION, RECORDED APRIL 11, 1988 AS BOOK 188, PAGE 811 OF OFFICIAL RECORDS, (WITH UNDERLAY)
- 10. AN EASEMENT FOR ROAD AND PIPELINE PURPOSES IN FAVOR OF THE GOLDEN VALLEY WATER DISTRICT, RECORDED APRIL 11, 1979 AS BOOK 188, PAGE 812 OF OFFICIAL RECORDS, (WITH UNDERLAY)
- 11. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED OCTOBER 15, 1988 IN BOOK 187, PAGE 87 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 12. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED FEBRUARY 21, 1931 IN BOOK 18, PAGE 803 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 13. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED SEPTEMBER 25, 1931 IN BOOK 48, PAGE 83 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 14. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED MAY 14, 1932, AS BOOK 154, PAGE 211 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 15. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED OCTOBER 15, 1988 IN BOOK 188, PAGE 810 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 16. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED OCTOBER 15, 1988 IN BOOK 188, PAGE 811 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 17. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JUNE 15, 1927 IN BOOK 117, PAGE 882 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 18. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JANUARY 1, 1943 IN BOOK 94, PAGE 128 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 19. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JANUARY 1, 1943 IN BOOK 94, PAGE 237 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 20. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED APRIL 27, 1931 IN BOOK 18, PAGE 803 OF OFFICIAL RECORDS, (BLANKET IN NATURE)

### EASEMENT NOTES CONTINUED

- 21. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED NOVEMBER 24, 1938, IN BOOK 284, PAGE 178 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 22. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JANUARY 1, 1943, IN BOOK 284, PAGE 284 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 23. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED JANUARY 1, 1943, IN BOOK 284, PAGE 285 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 24. AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE GOLDEN VALLEY DEVELOPMENT CO., INC., A CORPORATION RECORDED APRIL 27, 1931, IN BOOK 284, PAGE 273 OF OFFICIAL RECORDS, (BLANKET IN NATURE)
- 25. ALL OF OFFICIAL RECORDS, (BLANKET IN NATURE)



CITY COUNCIL  
AGENDA SUBMITTAL

**Meeting Date: April 11, 2017**

**SUBJECT:** Resolution conditionally waiving delinquent CFD penalties and interest related to the development of a distribution center in the Perris Business Park (property north of Rider Street and west of Redlands Avenue).

**REQUESTED ACTION:** That the City Council approve Resolution No. (next in order) that was previously approved in 2006 conditionally waiving the penalties and interest on the delinquent CFD taxes.

**CONTACT:** Eric Dunn, City Attorney

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**BACKGROUND/DISCUSSION:**

In 1988 the City established a community facilities district ("CFD") and issued bonds to finance various public improvements for the Perris Business Park, north of Rider Street and west of Redlands Avenue. The Business Park was never fully developed and at times accumulated significant CFD tax delinquencies due to non-payment by different owners. In 2006 the Alere Property Group, LLC ("Alere") acquired a portion of the Business Park that was encumbered by delinquent CFD taxes and related penalties and interest. Alere proposed to build an approximately 650,000 square foot warehouse distribution center on the site (the "Project").

In 2006 the City Council approved an agreement outlining the parameters of the Project development and the resolution of the CFD tax delinquencies (the "Waiver Agreement"). Essentially, the Waiver Agreement provided that the City would waive approximately \$1.3 million of interest and penalties that accrued on delinquent CFD taxes prior to Alere's acquisition of the property. The waiver was conditioned upon the completion of the Project within three years, subject to reasonable delays in the entitlement and permitting process that were beyond the developer's control. The waiver applied only to the penalties and interest, and not to the outstanding delinquent principal. In 2006 the City Council adopted a resolution for the conditional waiver of the penalties and interest. The outstanding principal amount was paid to the City, and all CFD tax payments have since been kept current.

On March 28, 2017, the City Council approved an amended and restated Waiver Agreement with the current property owner, FR/CAL Redlands LLC (the "Developer"). The amended and restated Waiver Agreement provides for the adoption of a resolution setting forth the conditions for the waiver of the penalties and interest. The attached resolution makes the findings and determinations required by the Mello-Roos Act. The resolution contains a mechanism whereby the Developer must certify in writing that the Project is complete and that the developer has timely paid all ongoing CFD taxes in order to make the waiver effective.

---

**BUDGET (or FISCAL) IMPACT:**

Adoption of the resolution will have no adverse financial impact on the City. According to the latest Annual District Administration Report for Fiscal Year 2016/2017 for CFD 88-3, the district is in good health with only minor delinquencies (not caused by the Developer).

---

Reviewed by:

City Attorney   X  

Assistant City Manager   DM  

Assistant Finance Director   JF  

Attachments: Resolution Conditionally Waiving Delinquent CFD Penalties and Interest

Consent: X

Public Hearing:

Business Item:

Other:



RESOLUTION NUMBER \_\_\_\_\_

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, WAIVING PENALTIES AND INTEREST FOR CERTAIN PARCELS WITHIN COMMUNITY FACILITIES DISTRICT 88-3 PURSUANT TO GOVERNMENT CODE § 53340***

*WHEREAS*, an “Amended and Restated Agreement For The Development Of A Distribution Center In The Perris Business Park And Resolution Of Delinquent CFD Penalties And Interest” (hereinafter, the “**Agreement**”) has been prepared by and between the CITY OF PERRIS, a municipal corporation (hereinafter, the “**City**”) and FR/CAL REDLANDS, LLC, a Delaware limited liability company (hereinafter, with its permitted successors and assigns, the “**Developer**”) (together referred to as the “**Parties**”).

*WHEREAS*, under the Agreement, the Developer is proposing to build an approximately 643,273 square foot industrial warehouse distribution center (the “**Project**”) on the “**Property**,” which is legally described on Exhibit A attached to the Agreement, in exchange for the City agreeing to waive all penalties and interest in the amount of One Million Three Hundred Seven Thousand One Hundred Sixty-Two and 66/100 Dollars (\$1,307,162.66) for the Property that accrued on the delinquent “**CFD Taxes**” (as defined in the Agreement) through no fault of the Developer (the “**Penalties and Interest**”).

*WHEREAS*, Government Code §53340, subdivision (f), authorizes the City to waive the delinquency penalties and redemption penalties, including the Penalties and Interest for the Property, pursuant to the findings made by the City Council below.

***NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:***

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The City Council finds that each of the conditions under Government Code § 53340, subdivision (f), are met as follows:
  - A. The waiver provided for herein and in the Agreement will be applied only to present delinquencies, and shall not be applied to penalties and interest that accrue on special taxes that become delinquent subsequent to the date of this Resolution, if any;
  - B. All past and currently due special taxes and costs are paid in full as of the date of this Resolution;
  - C. The current owner of the Property that is receiving the waiver did not cause the delinquencies; and

D. The waiver provided for herein and in the Agreement is in the best interest of the bondholders in that it will facilitate the development of the Property, thus providing greater security for future special taxes.

3. Notwithstanding the adoption of this Resolution, the waiver of the Penalties and Interest shall not take effect until and unless each of the “**Waiver Conditions**”, as defined and as set forth in Section 2.2 of the Agreement, have been satisfied.

4. Upon completion of the Project, Developer shall give written notice to City that the Waiver Conditions have been satisfied. The notice shall be sent to the City Manager and shall be in the form of the letter attached to the Agreement as Exhibit D. Upon City’s verification that the Waiver Conditions have been satisfied, the City Manager shall countersign the notice, direct City’s Finance Director and special tax consultant to implement the waiver of the Penalties and Interest and take any and all other actions as may be necessary to effect the waiver contemplated by this Agreement. Such waiver shall be irrevocable.

5. The Agreement and the waiver of the Penalties and Interest provided for therein are hereby re-approved and re-authorized.

*ADOPTED, SIGNED and APPROVED* this 11<sup>th</sup> day of April, 2017

---

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, do hereby certify that the foregoing Resolution Number \_\_\_\_\_ was duly adopted by the City Council of the City of Perris at a regular meeting of said City Council on the 11<sup>th</sup> day of April, 2017, and that it was so adopted by the following vote:

AYES:            COUNCIL MEMBERS:  
NOES:            COUNCIL MEMBERS:  
ABSENT:         COUNCIL MEMBERS:  
ABSTAIN:        COUNCIL MEMBERS:

(SEAL)

Nancy Salazar, City Clerk

---

CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date: April 11, 2017

**SUBJECT:** Miscellaneous Bridge Rehabilitation Project – Additional Improvements

**REQUESTED ACTION:** Approve the Additional Improvements for Ramona Expressway Bridge. Improvements to be Performed by Awarded Contractor, West Coast Structures, Inc.

**CONTACT:** Habib Motlagh, City Engineer

---

**BACKGROUND:**

At the January 31, 2017 City Council meeting, the Miscellaneous Bridge Rehabilitation Project was awarded to West Coast Structures, Inc. for the amount of \$103,074.

All work per original plans is complete and within allocated budget, however there still remains two safety issues that need to be fixed at Ramona Expressway Bridge. The guardrail at the southwest corner of the bridge was recently damaged by a car accident after the award of contract and requires replacement. Also due to rains and other issues, major cracks exposing rebar need to be sealed. The Contractor has provided the following cost estimates to complete the work:

- \$12,362.44 to replace damaged guardrail.
- \$28,903.20 to repair major cracks exposed on Ramona Expressway Bridge Deck.

If approved, Contractor will complete work by early May. Staff recommends Council to authorize West Coast Structures, Inc. to perform additional improvements and increase the total contract amount by \$41,265.64 with no additional budget allocation.

Human Resources will find out if there is a police report for the guard rail accident. If responsible party's information and insurance is available, Human Resources will subrogate a claim against the insurance company for guardrail repair.

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**BUDGET (or FISCAL) IMPACT:** Adopted Capital Improvements Program (CIP) Sheet S-092 identifies adequate funds to complete the project.

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Reviewed by:

City Attorney \_\_\_\_\_

Interim Assistant City Manager 

Assistant Finance Director 

Attachments – CIP Sheet S-092  
Guardrail Pictures

Consent: X

Public Hearing:

Business Item:

# CITY OF PERRIS

## Capital Improvement Program Project Details

Project Number: S092  
 Project Title: Miscellaneous Bridge Repair  
 Managing Department: City Engineer



**Project Description and/or Justification:** Repair and improve various roadway bridges within the City per Caltrans requirements.



Original Budget: 300,000  
 Budget Amendments: -  
 Total Project Costs: 6,415  
 Available Funds: 293,585

Project Dates:  
 Begin: FY 13/14  
 Completion:

Total Proposed Budget Additions (Deletions):

Funding Sources:	Fund	Project-to Date Available	Proposed 2016/2017	Plan 2017/2018	Plan 2018/2019	Plan 2019/2020	Total
Gas Tax	136	293,585					\$ 293,585
							\$ -
							\$ -
Total:		293,585	-	-	-	-	\$ 293,585

### Budget Amendment Notes

Date	Description / Action	Adopted Budget	Amendment	Amended Budget
2014/15	Gas Tax Budget Amendment	300,000		300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
				300,000
Total:		\$ 300,000	\$ -	\$ 300,000

As of 12/31/2016

S-92



CITY COUNCIL  
AGENDA SUBMITTAL

**Meeting Date: April 11, 2017**

**SUBJECT: Consider Adoption of Amended Resolution of Necessity to Acquire Real Property for the Widening of Perris Boulevard**

**REQUESTED ACTION:** (1) That the City Council hold a public hearing on the proposed Amended Resolution of Necessity and (2) adopt the Amended Resolution of Necessity authorizing the commencement of eminent domain actions to acquire the fee simple in a portion of APN 313-092-014 ("Interest")

**CONTACT:** Eric L. Dunn, City Attorney

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**BACKGROUND/DISCUSSION:**

On March 28, 2017, the City Council held a hearing on the adoption of a Resolution of Necessity to commence eminent domain proceedings to acquire a fee simple interest ("Fee Simple Interest") and a temporary construction easement in portions of APN 313-092-014 ("Property"), owned by a Mr. Kelly Kaus, for the widening of Perris Boulevard between Interstate 215 and 4<sup>th</sup> Street ("Project").

During the hearing on March 28, 2017, Mr. Kaus raised concerns he had regarding the City's acquisition of the temporary construction easement in his Property for the Project. At the request of Mr. Kaus, the City Engineer reviewed the matter and concluded construction of the Project can be accomplished without the temporary construction easement.

Therefore, staff recommends the City Council adopt an amended Resolution of Necessity indicating the City is no longer seeking to acquire the temporary construction easement in the Property, but only seeking to acquire the Fee Simple Interest in the Property.

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**BUDGET (or FISCAL) IMPACT:**

The cost of acquisition of right of way and construction of the Project will be funded with TUMF and local transportation funds.

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Reviewed by:

City Attorney   X  

Assistant City Manager  \_\_\_\_\_

Assistant Finance Director  \_\_\_\_\_

**Attachments:**

**A. Amended Resolution of Necessity for APN 313-092-014**

Consent:

Public Hearing: X

Business Item:

**RESOLUTION NO. \_\_\_\_\_**

**AN AMENDED RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF PERRIS, CALIFORNIA, DECLARING  
THAT PUBLIC INTEREST AND NECESSITY REQUIRE  
ACQUISITION OF THE FEE SIMPLE INTEREST IN A  
PORTION OF THE PROPERTY KNOWN AS ASSESSOR'S  
PARCEL NO. 313-092-014**

**WHEREAS**, for the public purposes set forth herein, the City of Perris, California is authorized to acquire property through the exercise of eminent domain pursuant to Section 19 of Article 1 of the California Constitution, Section 1240.010 through 1240.050 of the California Code of Civil Procedure, and Sections 37350, 37350.5, 37353, and 40404 of the California Government Code; and

**WHEREAS**, the “Project” for the purposes of this acquisition consists of the Perris Boulevard Road Project, which generally consists of the widening of the Perris Boulevard Arterial between Interstate 215 and 4<sup>th</sup> Street (referred to herein as the “Project”); and

**WHEREAS**, in order to carry out and make effective the principal purpose of the Project, it is necessary for the City of Perris to acquire the fee simple interest (“Fee Simple Interest”) in a portion of certain privately-owned real property located at 164 and 180 East 2<sup>nd</sup> Street, in the City of Perris, County of Riverside, California, Assessor’s Parcel No. 313-092-014; and

**WHEREAS**, the portion of the property in which the City seeks to acquire the Fee Simple Interest is described in Exhibit “A” which is attached hereto and incorporated by this reference, and depicted on the diagram attached hereto as Exhibit “B” which is incorporated by this reference (hereinafter the “Property”); and

**WHEREAS**, on or about July 6, 2015, the City made a written offer to acquire interests in the Property; and

**WHEREAS**, since the July 6, 2015 offer, the City has determined it is necessary to acquire a larger portion of the Property than was stated in the original offer; and



**WHEREAS**, on or about January 23, 2017 the City made a revised written offer to acquire the Fee Simple Interest and a temporary construction easement at an amount that was not less than the appraised fair market value in compliance with Government Code Section 7267.2(a), and the owner of the Property has not accepted said offer or otherwise conveyed the Fee Simple Interest or temporary construction easement to the City as of the date of this amended Resolution; and

**WHEREAS**, on March 13, 2017 a Notice of Intent to Adopt a Resolution of Necessity for Acquisition of the Fee Simple Interest and temporary construction easement in certain real property identified as Assessor's Parcel No. 313-092-014 was mailed to all persons whose names appear on the last equalized County Assessment Roll as having an ownership interest in the Property, and to the address appearing on said Roll, which Notice of Hearing advised said persons of their right to be heard on the matters referred to therein on the date and at the time and place stated therein; and

**WHEREAS**, the hearing set out in said Notice of Hearing was held on March 28, 2017, at the time and place stated therein, and all interested parties were given an opportunity to be heard on the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in a manner which is most compatible with the greatest public good and the least private injury;
- (c) Whether the Fee Simple Interest and temporary construction easement proposed to be acquired are necessary for the Project;
- (d) Whether an offer meeting the requirements of Government Code Section 7267.2 has been made to the owner or owners of record;
- (e) Whether all other prerequisites for the exercise of eminent domain to acquire the Fee Simple Interest and temporary construction easement have been met; and

**WHEREAS**, at the March 28, 2017 hearing, the owner of the Property, Mr. Kelly Kaus, raised concerns he had regarding the acquisition of the temporary construction easement; and

**WHEREAS**, at the request of Mr. Kaus, the City Engineer reviewed the matter and has determined construction of the Project can be accomplished without the temporary construction easement; and

**WHEREAS**, the City now desires to adopt this amended Resolution to indicate the City is no longer seeking to acquire the temporary construction easement in the Property, but only seeking to acquire the Fee Simple Interest in the Property; and

**WHEREAS**, after further communications between the City and Mr. Kaus, Mr. Kaus agreed to waive the requirement of Code of Civil Procedure Section 1245.235 that 15 days prior written notice of the hearing on this amended Resolution be given and any defense to the City's right to take based on the absence of a written notice of hearing on this amended Resolution; and

**WHEREAS**, the hearing on this amended Resolution was held on April 11, 2017, and all interested parties were given an opportunity to be heard on the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in a manner which is most compatible with the greatest public good and the least private injury;
- (c) Whether the Fee Simple Interest proposed to be acquired is necessary for the Project;
- (d) Whether an offer meeting the requirements of Government Code Section 7267.2 has been made to the owner or owners of record;
- (e) Whether all other prerequisites for the exercise of eminent domain to acquire the Fee Simple Interest have been met; and

**WHEREAS**, the City Council, as a result of such hearing, has determined that the public health, safety, and welfare require the City to acquire the Fee Simple Interest in the Property for the stated purposes; and

**WHEREAS**, the Planning Division has determined the Project for which the Fee Simple Interest is being acquired is exempt from the California Environmental Quality Act pursuant to the Notice of Exemption filed with the Riverside County Clerk on November 3, 2016; and

**NOW THEREFORE, BE IT RESOLVED**, that the City Council hereby does find, determine, and declare based upon evidence presented to it as follows:

Section 1. The staff reports presented regarding this matter at the March 28 and April 11, 2017 hearings are incorporated herein by this reference. The facts referenced in this amended Resolution and the staff reports, and specifically the recitals above, are found to be true and are incorporated herein by this reference. The findings made by the City Council herein are supported by substantial evidence contained in the record of this proceeding.

Section 2. The Fee Simple Interest to be acquired is located within the City of Perris, County of Riverside, State of California, Assessor's Parcel No. 313-092-014, as more specifically described above and in Exhibit "A" and depicted in Exhibit "B".

Section 3. The public interest, convenience, and necessity require the Project to accommodate growth and development as anticipated in the Land Use Element. Perris Boulevard starts from 11<sup>th</sup> Street in the City of Perris and extends to the northern portion of the City of Moreno Valley. Currently, Perris Boulevard consists of four lanes from Placentia Avenue to 300 feet north of Ramona Expressway and two lanes from 300 feet north of Ramona Expressway to the City Limits. The Project will expand Perris Boulevard to three lanes in each direction per the General Plan. The Project will improve traffic safety and emergency vehicle response times.

Section 4. The Project is planned in the manner which will be the most compatible with the greatest public good and the least private injury. Perris Boulevard is part of the City's General Plan and Circulation Element. Acquiring the portion of the Property that would be required for completion of the ultimate right-of-way as shown in the Circulation Element of the City's General Plan will allow the owner of the Property to use or further develop the remainder of the Property without risk that another permanent taking would be required in the future if Perris Boulevard is expanded to its ultimate width. Thus, acquiring the portion of APN 313-092-014 necessary for construction of the ultimate right-of-way will result in less private injury than a more limited taking. Widening the existing roadway is the only practical means of achieving the necessary traffic capacity. Re-routing Perris Boulevard would be cost

prohibitive and have a greater impact on private property owners because more private property would need to be acquired than is necessary for widening the existing roadway.

Section 5. The acquisition of the Fee Simple Interest in the Property is necessary for the Project because without the Fee Simple Interest, the Project cannot be constructed. The Fee Simple Interest is part of the ultimate width of Perris Boulevard. Acquisition of the Fee Simple Interest for public right-of-way is expressly authorized by Section 19 of Article 1 of the California Constitution, California Code of Civil Procedure Sections 1240.010 through 1240.050 and Government Code Sections 37350, 37350.5, 37353, and 40404.

Section 6. The offer required by Government Code Section 7267.2 has been made to the owner of record of the Property, by way of letter dated January 23, 2017, and the City has pursued negotiations thereafter, and negotiations with the owner of the Fee Simple Interest in the Property have not been successful.

Section 7. The City hereby declares its intent to acquire the Fee Simple Interest in a portion of the Property described in Exhibit "A" in the City's name, in accordance with the provisions of the law of the State of California and finds that all conditions, statutory requirements and prerequisites to the exercise of eminent domain to acquire the Fee Simple Interest described herein and the Project have been complied with by the City.

Section 8. The law firm of Aleshire & Wynder, LLP, is hereby authorized and directed to prepare, institute, and prosecute in the name of the City such proceedings, in the Court having proper jurisdiction thereof, as may be necessary for the acquisition of the Fee Simple Interest in a portion of the Property in accordance with the provisions of the California Eminent Domain Law and the Constitution of California. Said counsel are also authorized and directed to obtain any necessary order of the Court granting the City the right of immediate possession and occupancy of the Property.

**PASSED, APPROVED and ADOPTED** at a regular meeting of the City Council of the City of Perris this 11<sup>th</sup> day of April 2017.

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MICHAEL M. VARGAS  
MAYOR OF THE CITY OF PERRIS

ATTEST:

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NANCY SALAZAR  
CITY CLERK

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 Resolution No. \_\_\_\_\_ was adopted by the City Council of the City of Perris at a regular meeting held on the 11<sup>th</sup> day of April, 2017, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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NANCY SALAZAR  
CITY CLERK

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**EXHIBIT "B"**  
**LEGAL DESCRIPTION PLAT**



# Verbal Presentation

CITY COUNCIL / SUCCESSOR AGENCY  
AGENDA SUBMITTAL  
Meeting Date: April 11, 2017

SUBJECT: Perris High School College Banner Program

REQUESTED ACTION: Assess the feasibility of sponsoring the Perris High School College Banner Program

CONTACT: Michael McDermott, Interim Deputy City Manager

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**BACKGROUND/DISCUSSION:**

Perris High School has proposed and requested City funding for a new program, posting banners on City light poles to display college-bound graduating seniors along Perris Boulevard. The purpose of the program is to both recognize the accomplishments of these students, and also to encourage other students in the City to pursue a higher education.

City Staff has put together the following cost estimates for the program (based on 100 participating students, 2 students per banner, totaling 50 banners):

Hardware:	\$3,250
Banner:	\$4,150
<u>Installation/Removal:</u>	<u>\$1,120</u>
TOTAL:	<u>\$8,520</u>

These estimates include those for the mounts required in order to hang the banners on the light poles, designing and printing of the banners, and labor required to install the banner mounts, as well as to install and remove the banners. The proposed banners will be installed during the month of April or May, after college acceptance letters are issued and before high school graduation.

The program will be administered by Perris High School, and participation will be free of charge to the students. Once the banner order is in place, the student will be awarded a certificate from the Mayor on behalf of the City of Perris, honoring their accomplishment. After it is taken down, the banner will hang for an additional year in the Perris High School Gymnasium, then be given to the student.

**BUDGET (or FISCAL) IMPACT:** \$8,520, or portion thereof, charge to the General Fund or CEDC budget

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Prepared By:

Michele Ogawa, Management Analyst

Reviewed by:

Interim Assistant City Manager *DM*

Interim Deputy City Manager

Assistant, Director of Finance *JK*

Attachments: Perris High School Request Letter



# Perris High School

175 E. Nuevo Road, Perris, California 92571 • (951) 657-2171

03/28/2017

To Whom It May Concern, this letter is to express the need for the recognition in our community of all college bound seniors from Perris High School. We in Perris High School's counseling department wish to initiate an on-going program that displays our wonderful college bound seniors' pictures and the logos and names of their colleges of choice after graduation. We hope to be able to emulate the process used by the city for honoring our wonderful military retirees. This will be something the students, parents and community would cherish and always have fond memories of. We propose printing and hanging the banners using the same companies that print and hang the military ones. We are asking for a donation from the city of Perris to cover the cost of the project and we are also asking for permission to hang the banners in the area from Nuevo road to the Super Walmart going North on Perris Boulevard. We feel that this program will help us to encourage our students to strive for college acceptance in order to have their banner posted in our "Isle of Fame". We look to repeat the same process every April after most acceptance letters have been received by the students and federal student aid applications have been completed. This project will help create a new sense of pride in education, our school and in our community. After a year of flying the banners we would then collect them and make them available for the students to pick up and keep as a token of our appreciation for all of their hard work in school.

Other cities have initiated this type of program for their students and I can only imagine how much pride the parents, students and community have felt to see these banners celebrating their accomplishments. Our city has made great strides towards development and growth, we want the pride in our school and community to grow to with it. It is an honor to be able to bring forth a jewel of such value and offer it to our children who are our future. It is very true in this community that these students who graduate and attend college or go into the working field return and stay loyal to the alma mater of Perris High School. We know that with the help of our great and growing city we can make strides towards greatness in education by using inspirational tools like this program. As a parent, a school employee and alumni, I want to express my deepest gratitude for the consideration of this program by our city. The children are the future of our community and their success is our success.

Sincerely

Richard Sweeney

Guidance Technician-PHS

# Verbal Presentation