

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

**AGENDA  
JOINT WORKSESSION 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, January 12, 2016  
5:00 P.M.  
City Council Chambers  
(corner of San Jacinto and Perris Boulevard)  
101 North "D" Street  
Perris, California**

**1. CALL TO ORDER: 5:00 P.M.**

**2. ROLL CALL:**

Burke, Rabb, Rogers, Yarbrough, Busch

**3. WORKSESSION:**

A. Medical Marijuana Dispensaries and Cultivation.

Introduced by: Clara Miramontes, Director of  
Development Services

PUBLIC COMMENT:

**4. 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  
AGENDA SUBMITTAL

**Meeting Date: January 12, 2016**

**SUBJECT:** Workshop regarding medical marijuana dispensaries and cultivation

**REQUESTED ACTION:** Direct staff to prepare a Resolution affirming that the current zoning code prohibits marijuana cultivation under principles of permissive zoning; prepare an Ordinance prohibiting marijuana cultivation, except for personal medical use; and, provide direction to staff regarding the regulation of marijuana dispensaries in the City of Perris.

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

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**BACKGROUND/DISCUSSION:**

Per direction of the City Council, this workshop will focus on medical marijuana dispensary regulation and taxation, as well as recent state laws regarding medical marijuana cultivation.

**A. State and Federal Law**

In 1996, California voters passed the Compassionate Use Act (i.e., Proposition 215) (CUA) which decriminalized medical marijuana. In 2003 the Medical Marijuana Program Act (MMPA) established a voluntary program for medical marijuana identification cards and provided state criminal immunity to certain medical marijuana activities.

The federal Controlled Substances Act of 1970 (CSA) prohibits the manufacture, distribution or possession of marijuana. In 2013 the U.S. Justice Department ordered enforcement of the CSA a low priority in states like California which regulate medical marijuana. On December 9, 2014 the U.S. Congress passed the Rohrabacher-Farr amendment, which specifically prohibits federal funds from being used to prevent states from implementing laws authorizing the use, distribution, possession or cultivation of medical marijuana. On October 19, 2015 a U.S. District Court affirmed that the Rohrabacher-Farr amendment prevents the U.S. Justice Department from prosecuting otherwise lawful state medical marijuana businesses. Despite this recent change in the federal stance regarding CSA enforcement, the CSA remains valid federal law.

**B. New California Medical Marijuana Regulation and Safety Act**

Sacramento recently passed the Medical Marijuana Regulation and Safety Act (MMRSA) to establish a statewide regulatory system for licensing and operation of cultivation, processing, transportation, testing, distribution and use of medical marijuana. (Refer to Exhibit 1 for a summary of the MMRSA.) State licenses for these activities will likely start being issued in January, 2018. The MMRSA is three bills (AB 266, AB 243 and SB 643) and over fifty pages of legislation largely amending the Business & Professions Code.

**C. Dispensary Regulation and Taxation**

In regards to medical marijuana dispensaries, a review has been conducted of multiple cities that permit and regulate dispensaries, including Palm Springs, Cathedral City, Desert Hot Springs and Santa Ana. (Refer to attached Exhibit 2). A review of revenue generated by various cities

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that tax medical marijuana has also been conducted. (Refer to attached Exhibit 3). Any taxes imposed on medical marijuana pursuant to Proposition 218 need to be approved by the voters.

Staff is requesting that the City Council provide direction to staff, with recommendations as to regulation options, as to whether the City Council would like to consider an ordinance for the permitting, regulation and taxing of medical marijuana dispensaries.

#### **D. Cultivation**

Pursuant to the MMRSA, a pressing issue for cities is preserving local control over medical marijuana cultivation. The MMRSA (as currently written) provides that if a city does not have cultivation regulations or a prohibition in place by March 1, 2016, then when the state begins issuing cultivation licenses (likely in 2018), an individual in that city does not need municipal authorization to be issued a state license to begin cultivating marijuana in that city. *While not as urgent, note that the City has until 2018 to address another preemption issue concerning mobile delivery of medical marijuana.* The City Attorney's office recommends the City Council take prompt action to avoid preemption of local control and regulation of cultivation. The simplest approach is to pass a resolution affirming the current local zoning code prohibits marijuana cultivation under the principles of permissive zoning.

In order to meet the March 1, 2016 deadline concerning cultivation, staff is recommending that the City Council direct staff to bring back a resolution to affirm that the existing zoning code prohibits marijuana cultivation at the next regularly scheduled meeting. Also before the March 1, 2016 deadline, staff is recommending that the City Council direct staff to bring back an urgency land use ordinance, to expressly ban marijuana cultivation. Staff recommends the City adopt the County's existing marijuana cultivation prohibition to synchronize enforcement with the County Sheriff's Department.

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#### **BUDGET (or FISCAL) IMPACT:**

Cost for staff preparation of this item has been budgeted in the 2015-2016 budget.

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Prepared by: Clara Miramontes, Director of Development

City Attorney: Eric Dunn  
Assistant City Manager: Ron Carr 

**Workshop Item: January 12, 2016**

Attachments: Exhibit 1 - Summary of CA Medical Marijuana Regulation and Safety Act  
Exhibit 2 - Survey of Municipal Medical Marijuana Dispensary Regulations  
Exhibit 3 - Survey of Municipal Medical Marijuana Tax Revenue

# EXHIBIT 1

## SUMMARY OF CA MEDICAL MARIJUANA REGULATION AND SAFETY ACT

(AB 243, AB 266, SB 643)

The recently passed Medical Marijuana Regulation and Safety Act (MMRSA) establishes a statewide regulatory system for the licensing and operation of cultivation, processing, transportation, testing, distribution, and use of medical marijuana. The MMRSA consists of AB 266 (Dispensaries and Overall Licensing), AB 243 (Cultivation and the Environment) and SB 643 (Physicians and Taxes).

State medical marijuana licenses will be issued on or about January 1, 2018. When that happens, all cultivation and distribution of medical marijuana will require one of seventeen different state licenses. The licenses are valid for one year and are renewed annually. A state license is not required for individual medical use and cultivation, or provision of medical marijuana by a “caregiver” to five or less “patients.”

The new laws are intended to maintain the authority of local ordinances or zoning requirements, as well as the authority of local permit or licensing agreements. Before one of the new medical marijuana state licenses will be issued, an applicant must have obtained a local license/permit for medical marijuana cultivation or distribution. Local jurisdictions effectively will have a “veto” over whether a state license can be issued. (With exceptions of failure to have cultivation regulations or prohibitions in effect by March 1, 2016 will allow state cultivation licenses to be issued in 2018 for a city even without a local permit; and, unless expressly prohibited by 2018, delivery into a city is allowed from neighboring cities).

The new regulatory regime is akin to the need to secure an alcohol license before serving alcohol - yet generally with local control over issuance of medical marijuana licenses from Sacramento. Below, please find some of the more important provisions in the three bills which comprise the MMRSA.

### **AB 266 (Dispensaries and Overall Licensing)**

- Establishes a statewide regulatory scheme, headed by the Bureau of Medical Marijuana Regulation (BMMR) within the Department of Consumer Affairs (DCA).
- Provides for dual licensing: state will issue licenses, and local governments will issue permits or licenses to operate marijuana businesses, according to local ordinances. State licenses will be issued beginning in January 2018.
- Revocation of a local license or permit will unilaterally terminate the ability of the business to operate in that jurisdiction.
- Protects local licensing practices, zoning ordinances, and local constitutional police power.
- Provides for civil penalties for unlicensed activity, and specifies that applicable criminal penalties under existing law will continue to apply.
- Specifies that patients and primary caregivers are exempt from the state licensing requirement, and provides that their information is not to be disclosed and is confidential under the California Public Records Act.
- Phases out the existing model of marijuana cooperatives and collectives one year after DCA announces that state licensing has begun.
- Caps total cultivation for a single licensee at four acres statewide, subject to local ordinances.
- DCA will issue the following categories of licenses (with 17 types of licenses): Dispensary, Distributor, Transport, and Special Dispensary Status for licensees who have maximum of 3 dispensaries. Specifies sub-categories of licensees (indoor/outdoor cultivation, etc.).

- Limits cross-licensing to holding a single state license in up to two separate license categories, as specified. Prohibits medical marijuana licensees from also holding licenses to sell alcohol.
- Unless a city explicitly prohibits deliveries by 2018, then valid delivery licenses from neighboring cities authorize medical marijuana delivery into a city without express prohibitions.
- Requires establishment of uniform health and safety standards, testing standards, and security requirements at dispensaries and during transport of the product.
- Specifies a standard for certification of testing labs, and specified minimum testing requirements.
- Prohibits testing lab operators from being licensees in any other category, and from holding a financial or ownership interest in any other category of licensed business.

#### **AB 243 (Cultivation and the Environment)**

- Places the Department of Food and Agriculture (DFA) in charge of licensing and regulation of indoor and outdoor cultivation sites. Creates a Medical Cannabis Cultivation Program within the department.
- Mandates the Department of Pesticide Regulation (DPR) to develop standards for pesticides in marijuana cultivation, and maximum tolerances for pesticides and other foreign object residue.
- Mandates the Department of Public Health (DPH) to develop standards for production and labelling of all edible medical cannabis products.
- Assigns joint responsibility to DFA, Department of Fish and Wildlife (DFW), and the State Water Resources Control Board (SWRCB) to prevent illegal water diversion associated with marijuana cultivation from adversely affecting California fish population.
- Specifies that DPR, in consultation with SWRCB, is to develop regulations for application of pesticides in all cultivation.
- Specifies various types of cultivation licenses.
- Failure of city to have cultivation regulations/prohibitions in effect by March 1, 2016 will allow state cultivation licenses to be issued in 2018 for that city even without a local cultivation permit.
- Directs the multi-agency task force headed by DFW and SWRCB to expand its existing enforcement efforts to a statewide level to reduce adverse impacts of marijuana cultivation, including environmental impacts such as illegal discharge into waterways and poisoning of marine life and habitats.

#### **SB 643 (Physicians and Taxes)**

- Directs the California Medical Board to prioritize investigation of excessive recommendations by physicians.
- Imposes fines (\$5000.00) against physicians for violating prohibition against having a financial interest in a marijuana business.
- Recommendation for cannabis without a prior examination constitutes unprofessional conduct.
- Imposes restrictions on advertising for physician recommendations.
- Places DFA in charge of cultivation regulations and licensing; requires a track and trace program.
- Codifies dual licensing (state license and local license or permit), and itemizes disqualifying felonies for state licensure.
- Places DPR in charge of pesticide regulation; DPH in charge of production and labelling of edibles.
- Upholds local power to levy fees and taxes.

## EXHIBIT 2

### SURVEY OF MUNICIPAL MEDICAL MARIJUANA DISPENSARY REGULATIONS

<b>REGULATION</b>	<b>Palm Springs</b>	<b>Cathedral City</b>	<b>Desert Hot Springs</b>	<b>Santa Ana</b>
<b>When Laws Enacted</b>	2008	2014	2014	2014
<b>Number of Legal Dispensaries</b>	6	3	3	20
<b>Issuance of Dispensary Permits</b>	City Council Ranking	Lottery	Priority Point System	Lottery
<b>Permitted Zones for Dispensaries</b>	Industrial / Limited Commercial	Limited Industrial / Limited Commercial	Commercial	Industrial
<b>Permit(s)</b>	Regulatory Permit	CUP	Regulatory Permit and CUP	Regulatory Permit
<b>Minimum Distance From Other Dispensary</b>	1,000 feet	1,000 feet	none	500 feet
<b>Current Tax Rate on Dispensaries</b>	10% gross receipts	10% gross receipts	10% gross receipts	5% gross receipts
<b>Annual Tax Revenue</b>	approx. \$1,000,000	unavailable	approx. \$200,000	approx. \$1,500,000
<b>Hours</b>	9 am – 7 pm	8 am – 10 pm	8 am - 10 pm	10am-8pm Mon-Sat; 11am-7pm Sun
<b>Cultivation Allowed by Dispensaries</b>	Yes	Yes	Yes	No
<b>Age Limit</b>	18	18	N/A	21
<b>Record Keeping</b>	Mandatory	Mandatory	Mandatory	Mandatory
<b>Security Guard Required</b>	No	No	Yes	Yes
<b>24/7 Security Cameras</b>	Yes	Yes	Yes	Yes
<b>Odor Control</b>	No	Yes	Yes	Yes
<b>City Inspections Allowed</b>	Yes	Yes	Yes	Yes

# EXHIBIT 3

## SURVEY OF MUNICIPAL MEDICAL MARIJUANA TAX REVENUE

(FY = Fiscal Year / CY = Calendar Year)

- A. **Palm Springs** - tax rate of 10% of gross receipts (up to 15% tax approved) for 6 permitted dispensaries (tax rate of 15% for unpermitted dispensaries)

2013-14 FY Actual Revenue: \$492,974

2014-15 FY Estimated Revenue: \$1,143,144

- B. **Cathedral City** - tax rate of 10% of gross receipts (up to 15% tax approved) with 3 allowed dispensaries

*Data not available – First Dispensary Just Opened October 15, 2015*

- C. **Desert Hot Springs** – tax rate of 10% of gross receipts with 3 dispensaries approved in September, 2015; actual number of operating dispensaries unknown

2015-2016 FY Estimated Revenue: \$200,000

- D. **Santa Ana** - tax rate of up to 10% of gross receipts, starts at 5%, with minimum \$2000 annually for each MMD, and with 20 allowed dispensaries

2015-2016 FY Estimated Revenue: \$1,500,000 (tax recently adopted in November 2014)

- E. **San Jose** – tax rate of 10% of gross receipts with 16 permitted dispensaries

2015-2016 FY Estimated Revenue: \$4,500,000

- F. **Oakland** – tax rate of 5% of gross receipts (and regulatory fees) with 8 permitted dispensaries

**Gross Receipts Tax Revenue**

2012 CY Actual Revenue: \$1,480,424.10

2013 CY Actual Revenue: \$2,421,721.07

2014 CY Actual Revenue: \$2,648,370.82

2015 CY Actual Revenue: data not available

**Regulatory Fees**

2012 CY Fees Collected: \$240,000

2013 CY Fees Collected: \$360,000

2014 CY Fees Collected: \$480,000

2015 CY Fees Collected: \$480,000

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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, January 12, 2016**  
**6:30 P.M.**  
**City Council Chambers**  
**(corner of San Jacinto and Perris Boulevard)**  
**101 North "D" Street**  
**Perris, California**

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

***ROLL CALL:***

Burke, Rabb, Rogers, Yarbrough, Busch

- A. Conference with Real Property Negotiators – Government Code  
Section 54956.8  
Property: APN #326-140-012  
City Negotiator: Richard Belmudez, City Manager  
Negotiating Parties: Malalai Behnawa  
Under Negotiation: Price and terms of payment
- B. Conference with Legal Counsel - Potential Litigation - Government  
Code Section 54956.9 (d)(4) - 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

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

***2. ROLL CALL:***

Burke, Rabb, Rogers, Yarbrough, Busch



**3. INVOCATION:**

Pastor James Baylark  
Good Hope Missionary Baptist Church  
22876 Mountain Ave  
Perris, CA 92570

**4. PLEDGE OF ALLEGIANCE:**

Councilman Yarbrough will lead the Pledge of Allegiance.

**5. 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.*

**6. APPROVAL OF MINUTES:**

- A. Approval of 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 Joint Powers Authority and the Perris Community Economic Development Corporation of the City of Perris held December 8, 2015.

**7. 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. Approval to adopt Resolution Numbers (next in order) regarding Annexation of DPR 07-09-0018 to Maintenance District No. 84-1, located approximately 750 feet east of Webster Avenue between Harley Knox Boulevard and Nance Street. (Owner: 60 Knox Partnership LP).

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

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

ANNEXATION OF DPR 07-09-0018 INTO MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF DPR 07-09-0018 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 07-09-0018 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 8, 2016

- B. Approval to adopt Resolution Numbers (next in order) regarding Annexation of DPR 07-09-0018 to Landscape Maintenance District No. 1 (LMD 1), location approximately 750 feet east of Webster Avenue between Harley Knox Boulevard and Nance Street (Owner: 60 Knox Partnership LP).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 116 (DPR 07-09-018) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF DPR 07-09-0018 TO BENEFIT ZONE 116,

CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT  
NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 116, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 116, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 07-09-0018 TO BENEFIT ZONE 116, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 8, 2016

- C. Approval to adopt Resolution Number (next in order) regarding Annexation of DPR 07-09-0018 to Flood Control Maintenance District No. 1, located approximately 750 feet east of Webster Avenue between Harley Knox Boulevard and Nance Street. (Owner: 60 Knox Partnership LP).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY TO ORDER ANNEXATION OF DPR 07-09-0018 TO BENEFIT ZONE 85, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 8, 2016

- D. Approval to award Contract Services Agreement to Cho Design, Inc. regarding replacement of the Nuevo Bridge crossing at Nuevo Road at the Perris Valley Channel.
- E. Approve the construction and replacement of the Triple Crown Wall.
- F. Approve Award of Contract to Avant Garde; California Consulting, and MHM & Associates Enterprises, Inc. for Grant Writing Services.

- G. Receive and File the 2014-2015 CAFR and Financial Statements.
- H. Approves Extension of Time for 15-05209 for Tentative Tract Map 32497 until October 31, 2016 for the subdivision of 12 acres into 80 residential lots for single family residential development, located on the northwest corner of Orange Avenue and Medical Center Drive. (Applicant: CHT Investment, LLC).
- I. Adopt Resolution Number (next in order) regarding religious pluralism and Islamophobia.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ON RELIGIOUS PLURALISM AND ISLAMOPHOBIA

**8. 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 Numbers (next in order) regarding Annexation of DPR 14-00099 to the City's Maintenance Districts located on the southeast corner of Hart Lane and Perris Boulevard. The project is being developed for a Les Schwab Tire Store. (Owner: SFP-E, LLC).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF DPR 14-00099 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

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 14-00099 TO BENEFIT ZONE 115, CITY OF PERRIS

LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

Introduced by: Habib Motlagh, City Engineer

PUBLIC COMMENT:

- B. Consideration to adopt Resolution Number (next in order) regarding Annexation of Parcel 1, Parcel Map 36462 to the City's Flood Control Maintenance District (FCMD 1) No. 1, located north of Rider Street between Indian Avenue and Perris Boulevard. (Owner: Duke Realty).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO BENEFIT ZONE 84, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

Introduced by: Habib Motlagh, City Engineer

PUBLIC COMMENT:

- C. Consideration to adopt Resolution Number (next in order) regarding Annexation of portions of APN 302-020-030 and 302-020-031 into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 20. (Owner: 60 Knox Partnership).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 20 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 9 NORTH

PERRIS PUBLIC SAFETY OF THE CITY OF PERRIS,  
DECLARING THE RESULTS OF A SPECIAL ELECTION  
RELATING TO ANNEXATION NO. 20 AND ORDERING  
THE ANNEXATION OF SUCH TERRITORY, THE LEVYING  
OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION  
NO. 20 AND DIRECTING THE RECORDING OF A NOTICE OF  
SPECIAL TAX LIEN

Introduced by: Jennifer Erwin, Assistant Director of Finance

PUBLIC COMMENT:

- D. Consideration to adopt Resolution Numbers (next in order) and introduce First Reading of Ordinance Number (next in order) regarding Environmental Impact Report 14-01-0017 (SCH No. 2014051034), Development Plan Review (DPR) 14-01-0015, Tentative Parcel Map 36678 (TPM) 14-01-0016, specific Plan Amendment 14-04-0001 and Street Vacation (SV) 14-04-0002, a proposal to construct a high-cube warehouse development 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 the following: a Specific Plan Amendment to change the land use designation of approximately 16 acres from General Industrial to Light Industrial, a Tentative Parcel to consolidate 55 lots into two parcels, a 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).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT 14-01-0017 (STATE CLEARINGHOUSE #2014051034) PREPARED FOR THE OPTIMUS LOGISTICS CENTER 2 PROJECT, A WAREHOUSE DEVELOPMENT PROJECT TOTALING 1,037,811 SQUARE FEET, BASED UPON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW 14-01-0015, STREET VACATION 14-04-0002 AND TENTATIVE PARCEL MAP 14-01-0016 (TPM 36678) TO FACILITATE THE

CONSTRUCTION OF TWO WAREHOUSE BUILDINGS TOTALING 1,037,811 SQUARE FEET LOCATED ON THE NORTH SIDE OF MARKHAM STREET BETWEEN PATTERSON AND WEBSTER AVENUES, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN

The First Reading of Proposed Ordinance Number (next in order) is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT 14-04-0001 TO THE PERRIS VALLEY COMMERCE CENTER (PVCC) SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION OF APPROXIMATELY 16 ACRES FROM GENERAL INDUSTRIAL (GI) TO LIGHT INDUSTRIAL (LI) TO FACILITATE THE APPROVAL OF AN INDUSTRIAL DEVELOPMENT PROJECT LOCATED ON THE NORTH SIDE OF MARKHAM STREET BETWEEN PATTERSON AND WEBSTER AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF

Introduced by: Clara Miramontes, Director of Development Services

PUBLIC COMMENT:

- E. Consideration to adopt Resolution Numbers (next in order) introduce the First Reading of Ordinance Number (next in order) regarding Environmental Impact Report (SCH# 2012111003), Development Plan Review 12-10-0005, Specific Plan Amendment 12- 10-0006, Street Vacation 13-05-0018, Tentative Parcel Map 13-05-0017 (TPM 36512) and Tentative Parcel Map 13-05-0016 (TPM 36582), Environmental Impact Report, Development Plan Review, Specific Plan Amendment, Street Vacation and two Tentative Parcel Maps for a proposed industrial development “Optimus Logistics Center I” to construct two warehouse buildings, totaling 1,455,781 square feet, located north of Ramona Expressway between the I-215 Freeway and Ramona Expressway. The Specific Plan Amendment is to amend the land use designation of approximately 68.99 acres from Commercial (C) and Business Professional Office (BPO) to Light Industrial (LI) and to amend the circulation plan for Patterson Avenue. (Applicant: Mike Naggar, Mike Naggar & Associates). (Continued from June 9, 2015)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT

(STATE CLEARINGHOUSE #2012111003) PREPARED FOR THE OPTIMUS LOGISTICS CENTER 1 PROJECT, A WAREHOUSE DEVELOPMENT PROJECT TOTALING 1,455,781 SQUARE FEET, BASED UPON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW 12-10-0005, STREET VACATION 13-05-0018, TENTATIVE PARCEL MAP 13-05-0017 (TPM 36512) AND TENTATIVE PARCEL MAP 13-05-0016 (TPM 36582) TO FACILITATE THE CONSTRUCTION OF TWO WAREHOUSE BUILDINGS TOTALING 1,455,781 SQUARE FEET LOCATED NORTH OF RAMONA EXPRESSWAY BETWEEN THE I-215 FREEWAY AND WEBSTER AVENUE, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN

The First Reading of Proposed Ordinance Number (next in order) is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT 12-10-0006 TO THE PERRIS VALLEY COMMERCE CENTER (PVCC) SPECIFIC PLAN TO REVISE THE LAND USE DESIGNATION OF APPROXIMATELY 68.99 ACRES FROM COMMERCIAL (C) AND BUSINESS PROFESSIONAL OFFICE (BPO) TO LIGHT INDUSTRIAL (LI) AND TO AMEND THE CIRCULATION PLAN TO REMOVE PATTERSON AVENUE CONNECTION TO RAMONA EXPRESSWAY TO FACILITATE THE APPROVAL OF AN INDUSTRIAL DEVELOPMENT PROJECT LOCATED NORTH OF RAMONA EXPRESSWAY BETWEEN THE I-215 FREEWAY AND WEBSTER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF

Introduced by: Clara Miramontes, Director of Development Services

PUBLIC COMMENT:



**9. 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. Overview of Economic Development Activities.**

Introduced by: Michael McDermott, Redevelopment and Economic Development Manager

**PUBLIC COMMENT:**

**B. Review of floor plans and cost estimates to construct offices and a conference room for the City Council.**

Introduced by: Darren Madkin, Deputy City Manager

**PUBLIC COMMENT:**

**C. Consideration to make appointments and changes to the Mayor Pro Tem, the various agencies and committees and City Commissions that represent the City.**

Introduced by: Mayor Daryl Busch

**PUBLIC COMMENT:**

**10. 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.*

**11. 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.*

**12. CITY MANAGER'S REPORT:**

**13. 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:** January 12, 2016  
**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 December 8, 2015 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  
Approved by: Nancy Salazar, City Clerk

**Attachments:**

- Minutes of the Regular Joint Meeting held on December 8, 2015 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.

# ***CITY OF PERRIS***

## **MINUTES:**

**Date of Meeting: December 8, 2015**

**06:30 PM**

**Place of Meeting: City Council Chambers**

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

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

**2. ROLL CALL: Burke, Rabb, Rogers Busch**

**Present: Burke, Rabb, Rogers, Busch**

**Staff Members Present: City Manager Belmudez, City Attorney Dunn, City Engineer Motlagh, Assistant City Manager Carr, Deputy City Manager Madkin, Redevelopment & Economic Development Manager McDermott, Police Captain Judge, Fire Chief Barnett, Director of Development Services Miramontes, Capital Improvement Project Manager Morales, Information Technology Manager Cervantes, Administrative Services Manager Carlos, Assistant Finance Director Erwin, Assistant Director of Public Works Hartwill, Public Information Officer Vargo, Records Clerk Haughney and City Clerk Salazar.**

**At this time Mayor Busch asked for all to observe a moment of silence in honor of the victims of the events that took place on December 2, 2015 in San Bernardino, Ca.**

**3. INVOCATION: Pastor Benjamin Briggs                      Greater Light Community Church  
3060 Barrett Avenue                      Perris, CA 92571**

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**4. PLEDGE OF ALLEGIANCE:**

**Mayor Pro Tem Burke led the Pledge of Allegiance.**

**5. DECLARATION OF ELECTION RESULTS**

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

**Adopted Resolution Number 4941.**

**Resolution Number 4941 is entitled:**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECITING THE FACTS OF THE CONSOLIDATED UDEL ELECTION (SPECIAL MUNICIPAL ELECTION) HELD IN SAID CITY ON NOVEMBER 3, 2015, DECLARING THE RESULTS THEREOF AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Rita Rogers to Approve Resolution Number 4941 as presented.

AYES: Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch

NOES:

ABSENT:

ABSTAIN:

**6. OATH OF OFFICE**

**Schyler Yarbrough administered the Oath of Office to Raul Mark Yarbrough and presented Councilman Yarbrough with his Certificate of Election.**

**Councilman Yarbrough took his seat on the dias.**

**The following Councilmember spoke:  
Yarbrough**

**The Mayor called for a recess at 6:38 p.m.**

**The Mayor reconvened the meeting at 6:54 p.m.**

**7. PRESENTATIONS/ANNOUNCEMENTS:**

**A. Presentation of Riverside County Transportation Commission Operation Lifesaver Poster Contest Winners.**

**B. Introduction of Perris Station Police Chief Captain Brandon Ford.**

**8. 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 Joint Powers Authority and the Perris Community Economic Development Corporation of the City of Perris held November 10, 2015.**

The Mayor called for a motion.

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

AYES: Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch,

**Mark Yarbrough**

NOES:

ABSENT:

ABSTAIN:

**9. CONSENT CALENDAR:****The Mayor called for Public Comment. There was no Public Comment.**

- A. Received and Filed the City's Community Facilities District Annual Report for the Fiscal Year ended June 30, 2015 pursuant to California Government Code Section 50075.
- B. Adopted Resolution Number 4936 regarding compliance with developer fee reporting requirements of Section 66006 (AB 1600) of the Government Code for the Fiscal Year ended June 30, 2015.

Resolution Number 4936 is entitled:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS,  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO REAFFIRM THE  
NECESSITY OF DEVELOPER FEES**

- C. Received and Filed Quarterly Investment Report for the Quarter Ended September 30, 2015.
- D. Approved a fee waiver request from the Dora Nelson African American Art & History Museum for use of City Facilities to hold the Dora Nelson Museum Beautification/Renovation Project sponsored by the Dora Nelson African American Art & History Museum to be held on December 27, 2015 at the Senior Center.
- E. Approved Contract of Services with MetroPointe Engineers regarding the Nuevo Interchange Improvements.
- F. Approved the Motte Town Center Maintenance Agreement for Tract 35846 located at the southwest corner of Ethanac Road and Trumble Road.
- G. Approved the closure of Orange Avenue for 60 days beginning on December 14, 2015.
- H. Approved the Cooperative Agreement with the County of Riverside for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services.
- I. Adopted Resolution Number 4937 regarding Annexation of portions of APN 302-020-030 and 302-020-031 into CFD 2001-3 (North Perris Public Safety District) - Annexation No. 20 for an industrial building for distribution purposes. (Owner: 60 Knox Partnership).

Resolution Number 4937 is entitled:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS**

**ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO (ANNEXATION NO. 20)**

- J. Approved Extension of Time No. 15-05179 for Tentative Tract Map 33193, located at the southwest corner of Metz Road and De Lines Drive. (Applicant: Eugene Hamood).
- K. Approved the purchase of replacement play equipment at Copper Creek Park.
- L. Approved the RBBB Improvement Credit/Reimbursement Agreement with Stratford Ranch, LLC (IDI Gazeley) for improvements required for DPR 11-12-0004 located west of Redlands Avenue between Ramona Expressway and the northerly City limits.
- M. Approved the Final Parcel Map 36462 (FPM 14-08-0009), a final map to subdivide 96 acres into two lots for industrial warehouse development at the northwest corner of Rider Street and Indian Avenue. (Applicant: Johnny Murad, PE, QSD/P, Huitt-Zollars, Inc.

The Mayor called for a motion.

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

AYES: Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch, Mark Yarbrough

NOES:

ABSENT:

ABSTAIN:

**10. PUBLIC HEARINGS:**

- A. Consideration to adopt Resolution Number (next in order) regarding Annexation of Parcel 1, Parcel Map 36462 to the City's Flood Control Maintenance District (FCMD 1) No. 1, located north of Rider Street between Indian Avenue and Perris Boulevard. (Ownership: Duke Realty). The Proposed Resolution Number (next in order) is entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO BENEFIT ZONE 84, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

**This item was presented by Roxanne Sheperd, Shepherd and Staats. The Mayor opened the Public Hearing at 7:21 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 7:21 p.m.**

**The Mayor asked the City Clerk to open the ballot.**

**City Clerk Salazar opened the ballot.**

**Due to an issue with the ballot it was decided to move to Item 10.C. while the ballot was reviewed by the City Attorney.**

- C. Adopted Resolution Number 4940 approving the Amendment to the 2014-2019 Five-Year Consolidated Plan and the FY 2015-2016 Annual Action Plan to carryover unexpended CDBG funds from the Senior Home Repair Program and Senior Center Renovation Phase II under the FY 2015-2016 Action Plan (\$205,369.71) to the Senior Home Repair Program and (\$200,837.02) to the Senior Center Renovations Phase II under the FY 2015-2016 Annual Action Plan.

Resolution Number 4940 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING A SUBSTANTIAL AMENDMENT TO THE FIVE YEAR CONSOLIDATED PLAN (2014-2019) AND FISCAL YEAR 2015-2016 ANNUAL ACTION PLAN TO CARRY OVER \$406,206.73 IN FY 2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT GRANT FUNDS TO THE FISCAL YEAR 2015-2016 ANNUAL ACTION PLAN

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

**The Mayor opened the Public Hearing at 7:28 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 7:28 p.m.**

**The following Councilmember spoke:  
Yarbrough**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by David Starr Rabb to Approve Resolution Number 4940 as presented.

AYES: Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch, Mark Yarbrough

NOES:

ABSENT:

ABSTAIN:

- A. **THIS ITEM WAS CONTINUED UNTIL JANUARY 12, 2016-** Consideration to adopt Resolution Number (next in order) regarding Annexation of Parcel 1, Parcel Map 36462 to the City's Flood Control Maintenance District (FCMD 1) No. 1, located north of Rider Street between Indian Avenue and Perris Boulevard. (Ownership: Duke Realty).

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PARCEL 1, PARCEL**



MAP 36462 TO BENEFIT ZONE 84, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

**City Attorney Dunn noted that due to a mailing error, it was recommended that this item be continued until January 12, 2016, and to proceed with Item B.**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Rita Rogers to Approve continuance of this item until January 12, 2016.

AYES: Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch, Mark Yarbrough

NOES:

ABSENT:

ABSTAIN:

- B. Adopted Resolution Numbers 4938 and 4939 regarding Annexation of Clearwater Elementary School to the City's Maintenance Districts, located on the northwest corner of Nuevo Road and Murrieta Road. (Ownership: Perris Elementary School District).

Resolution Number 4938 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 CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 83, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

Resolution Number 4939 is entitled:

A RESOLUTION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 114, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

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

**The Mayor opened the Public Hearing at 7:34 p.m. There was no Public Comment.**

**The Mayor closed the Public Hearing at 7:34 p.m.**

**The Mayor asked City Clerk Salazar to open the ballots.**

**City Clerk Salazar opened the 2 ballots and announced that they were both marked YES.**

The Mayor called for a motion.

M/S/C: Moved by Tonya Burke, seconded by Mark Yarbrough to Approve Resolution Numbers 4938 and 4939 as presented.

AYES: Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch, Mark Yarbrough

NOES:

ABSENT:

ABSTAIN:

11. BUSINESS ITEMS:

A. Appointments made to the Planning Commission to fill three open seats on the Planning Commission.

**This item was introduced by Director of Development Services Miramontes. She noted that there were 6 applicants that have applied for 3 seats that are available. Each seat is for a 4 year term.**

**The Mayor requested that each applicant introduce themselves and indicated that each could speak for up to 3 minutes. The City Clerk called the following applicants:**

**Ruben Arras**

**Lucinda (Cindy) Espinoza**

**David Santillan**

**David Stuart (Mr. Stuart was not present but had submitted a letter that was distributed to the City Council)**

**Michael Weir**

**James Williams**

**City Attorney Dunn announced the following results of the City Council vote:**

**Councilman Yarbrough voted for Ruben Arras, David Stuart and Michael Weir**

**Councilman Rabb voted for Cindy Espinoza, David Stuart and David Santillan**

**Mayor Pro Tem Burke voted for Cindy Espinoza, David Stuart and David Santillan**

**Mayor Busch voted for Ruben Arras, David Stuart and Michael Weir**

**Councilwoman Rogers voted for Ruben Arras, David Stuart and Michael Weir**

**Based on this vote Ruben Arras, David Stuart and Michael Weir were appointed to the Perris Planning Commission for a 4 year term to expire in 2019.**

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Mark Yarbrough to Approve the appointments of Ruben Arras, David Stuart and Michael Weir to the Perris

Planning Commission for a 4 year term.

AYES: Rita Rogers, Daryl Busch, Mark Yarbrough

NOES: Tonya Burke, David Starr Rabb

ABSENT:

ABSTAIN:

12. PUBLIC COMMENT/CITIZEN PARTICIPATION:

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

**Bill Lamb**

**Ted Norton**

**Maria Marcias**

**Daryl Terrell**

**Lovella Singer**

**Raul Ruiz**

**Alfredo Aguero**

**Michael Weir**

13. COUNCIL COMMUNICATIONS:

**The following Councilmembers spoke:**

**Rabb**

**Yarbrough**

**Burke**

**Rogers**

**Busch**

14. CITY MANAGER'S REPORT: Update of the Strategic Plan

15. ADJOURNMENT:

**There being no further business the Mayor adjourned the Regular City Council Meeting at 8:35 p.m. in honor and memory of the victims and all those affected by the events of December 2, 2015 in San Bernardino, California.**

**Respectfully Submitted,**

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**Nancy Salazar, City Clerk**



CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date January 12, 2016

SUBJECT: Annexation of DPR 07-09-0018 to Maintenance District No. 84-1

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report
2. Adoption of Resolution Preliminarily Approving Engineer's Report
3. Adoption of Resolution of Intention to Annex DPR 07-09-0018 to Maintenance District No. 84-1 and setting a public hearing date of March 8, 2016

CONTACT: Habib Motlagh, City Engineer

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BACKGROUND/DISCUSSION: DPR 07-09-0018 is a 9.06-acre project located approximately 750 feet east of Webster Avenue between Harley Knox Boulevard and Nance Street. The project is under the ownership of 60 Knox Partnership LP, and, as a condition of approval, is required to annex into MD 84-1.

This district was formed to finance the annual maintenance of streetlights and traffic signals installed in conjunction with new development. Six streetlights that will be maintained under MD 84-1 benefit this project. The project also specifically benefits from traffic signals located at the intersections of Harley Knox Boulevard with Indian Avenue and Patterson Avenue.

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BUDGET (or FISCAL) IMPACT:

The maximum annual assessment is \$1,761.05, plus inflation factors not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

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Reviewed by:

Assistant City Manager 

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

- Attachments:
1. Resolution Ordering Preparation of the Engineer's Report
  2. Engineer's Report
  3. Resolution Preliminarily Approving Engineer's Report
  4. Resolution of Intention to Annex DPR 07-09-0018 to Maintenance District No. 84-1

Consent:

**RESOLUTION NUMBER**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF DPR 07-09-0018 INTO MAINTENANCE DISTRICT NUMBER 84-1**

**WHEREAS**, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation of streetlights, traffic signals and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof all within the boundaries of DPR 07-09-0018 and the incorporated boundaries of the City of Perris, California; and

**WHEREAS**, the City Council has heretofore appointed Habib Motlagh, the City Engineer for the City of Perris, as the "Engineer of Work" for Maintenance District Number 84-1 and Shepherd & Staats, Incorporated has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

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

**Section 1.** That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the streetlights, traffic signals and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California,

**Section 2.** That DPR 07-09-0018 be defined as that area to be annexed to the City of Perris Maintenance District Number 84-1.

**Section 3.** That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled "Diagram of Annexation of DPR 07-09-0018 to Maintenance District Number 84-1, City of Perris, County of Riverside, State of California."

**Section 4.** That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

**Section 5.** That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Shepherd & Staats, Incorporated, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

**Section 6.** That Habib Motlagh, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

**Section 7.** That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

**Section 8.** That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

**ADOPTED, SIGNED and APPROVED** this 12th day of January, 2016.

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

*RESOLUTION NUMBER*

*Page 3*

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January, 2016, by the following called vote:

Ayes:  
Noes:  
Absent:  
Abstain:

---

City Clerk, Nancy Salazar



**AGENCY: City of Perris**

**PROJECT: Annexation of DPR 07-09-0018  
To Maintenance District No. 84-1**

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

**REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"**

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the **STATE OF CALIFORNIA**, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2015 to June 30, 2016, for that area to be known and designated as:

**"Annexation of DPR 07-09-0018  
to Maintenance District No. 84-1"**

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

Executed this 12<sup>th</sup> day of January, 2016.

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**HABIB M. MOTLAGH, City Engineer  
CITY OF PERRIS  
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 8<sup>th</sup> day of March 2016, by adoption of Resolution No. \_\_\_\_\_ of the City Council.

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

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 12<sup>th</sup> day of January 2016.

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

## Report

**PART 1. Plans and Specifications.** Generally, the work to be performed consists of the annual energy and maintenance costs for six new streetlights. The street lights to be maintained are identified on the map prepared by Southland Engineering entitled "Street Lighting Plan, DPR 07-09-0018, 60 Knox".

The site of DPR 07-09-0018 is shown on the Diagram within Part 4. In addition to street lights, this area benefits from existing and future traffic signals. Of specific benefit are the traffic signals at the intersections of Harley Knox Boulevard with Indian Avenue and Patterson Avenue.

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

The street light improvements are owned by Southern California Edison (SCE) and, upon construction, will be as shown on the SCE Street Light Atlas Maps. The traffic signals are owned by the City of Perris and are shown on the City of Perris Traffic Signal Location Map. Said Map and Atlas are on file in the City of Perris Office of Community Development and are made a part of this report to the same extent as if said documents were attached hereto.

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

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

<u>Facility</u>	<u>Quantity</u>	<u>Annual Cost</u>	<u>Total Cost</u>
<b>Street Lights</b>			
9500 Lumen	0	\$145.68	\$00.00
22000 Lumen	6	201.00	1,206.00
<b>Traffic Signals</b>			
Harley Knox Boulevard & Indian Avenue	5.00%	8,367.55	418.38
Harley Knox Boulevard & Patterson Avenue	5.00%	8,367.55	418.38
<b>Subtotal</b>			<b>\$2,042.76</b>
<b>Incidental Costs</b>			<b>408.55</b>
<b>City Contribution for Street Lights</b>	6	-55.32	-331.92
<b>Resolution 4897 Adjustment</b>			<b>-358.34</b>
<b>Balance to Assessment</b>			<b>\$1,761.05</b>

Zero costs will be incurred by the area within this annexation for the fiscal year commencing July 1, 2015 to June 30, 2016.

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

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

The cost of the general benefit is to be contributed by the City. This cost for lights is equal to the unit cost difference between a 9,500 lumen light and a 22,000 (or greater) lumen light. A 9,500 lumen light is the standard required on a local street. Other streets require a standard greater than 9,500 lumens in order to service a capacity greater than the local traffic.

Reference is made to the FY 2015/2016 annual proceedings for Maintenance District No. 84-1, as confirmed and set forth in Resolution 4897 approved on July 14, 2015. Under these proceedings, the benefit for the annual maintenance of streetlight and traffic signals is equal to \$46.28 per Benefit Unit, or single family home. For the purposes of this report, this assessment determines the net specific street light and traffic signal benefit.

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

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

The improvements benefiting the property were required for the approval of, and as a consequence of, development of this area. The assessed acreage is the net acreage of the DPR 07-09-0018.

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

$$\begin{array}{r} \text{Assessed Acre} \\ 4.2 \text{ Benefit Units} \end{array} \quad \times \quad \frac{\$1,761.05}{9.06 \text{ AC}} \quad = \quad \$46.28 \text{ per Benefit Unit}$$

Plus inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and
- 2) the Southern California Edison rate increase(s) effective in subsequent years.

The assessment, by assessor parcel number, is as follows:

<b>Assessor Parcel Number</b>	<b>Net Acreage</b>	<b>Benefit Units</b>	<b>Estimated Annual Assessment</b>
302-020-030	4.52	18.98	\$878.58
302-020-031	<u>4.54</u>	<u>19.07</u>	<u>882.47</u>
Totals	9.06	38.05	\$1,761.05

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2015 to June 30, 2016, reference is made to the Assessment Roll included herein as Attachment No.1.

**PART 4.** **A Diagram of the Annexation.** The boundary of the area to be annexed is coincident with the boundary of DPR 07-09-0018. Said boundary is designated as "Diagram of Annexation of DPR 07-09-0018 to Maintenance District No. 84-1, City of Perris, County of Riverside, State of California." The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of annexation and benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

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

**Assessment Roll  
Annexation of DPR 07-09-0018 to  
Maintenance District No. 84-1  
City of Perris**

<b>Assessment Number</b>	<b>Assessor Parcel Number</b>	<b>Estimated Annual Assessment</b>	<b>Fiscal Year 2015/2016</b>
1	302-020-030		
1	302-020-031		
		\$1,761.05	\$00.00

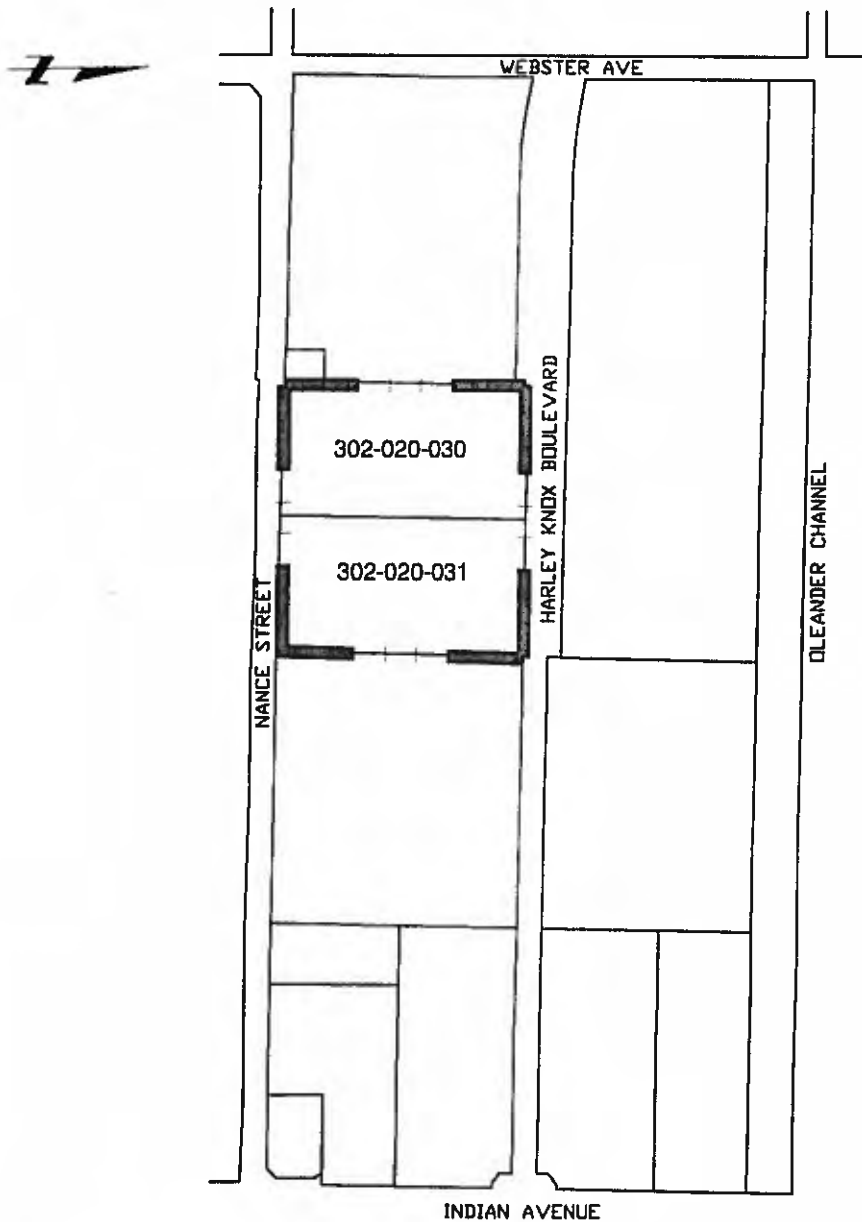
The Estimated Annual Assessment amount is subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and
- 2) the Southern California Edison rate increase(s) effective in subsequent years.



DIAGRAM OF ANNEXATION OF  
DPR 07-09-0018 TO MAINTENANCE DISTRICT NO. 84-1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**LEGEND**

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY
- 302-020-030 ASSESSOR PARCEL NUMBER

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

**CONSENT AND WAIVER TO ANNEXATION**

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "Maintenance Districts"); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer's "Report" pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer's "Report" pertaining to the annexation of the undersigned's property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

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

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit "A" attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" pertaining to such annexation.

Dated:

10/19/15

60 Knox Partnership L.P.  
a California limited partnership

By: Investment Building Group,  
a California corporation  
General Partner

By:

  
Brian Bargemann

Mailing Address :  
Investment Building Group  
5100 Campus Drive Suite 300  
Newport Beach, CA 92660

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

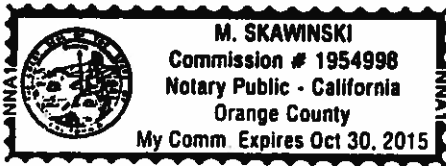
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of ORANGE )  
On 10/19/15 before me, M. SKAWINSKI, NOTARY PUBLIC,  
Date Here Insert Name and Title of the Officer  
personally appeared BRIAN BARBEMANN  
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

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

Description of Attached Document Consent and Waiver to an annexation  
Title or Type of Document: \_\_\_\_\_ Document Date: 10/19/15  
Number of Pages: 1 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

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

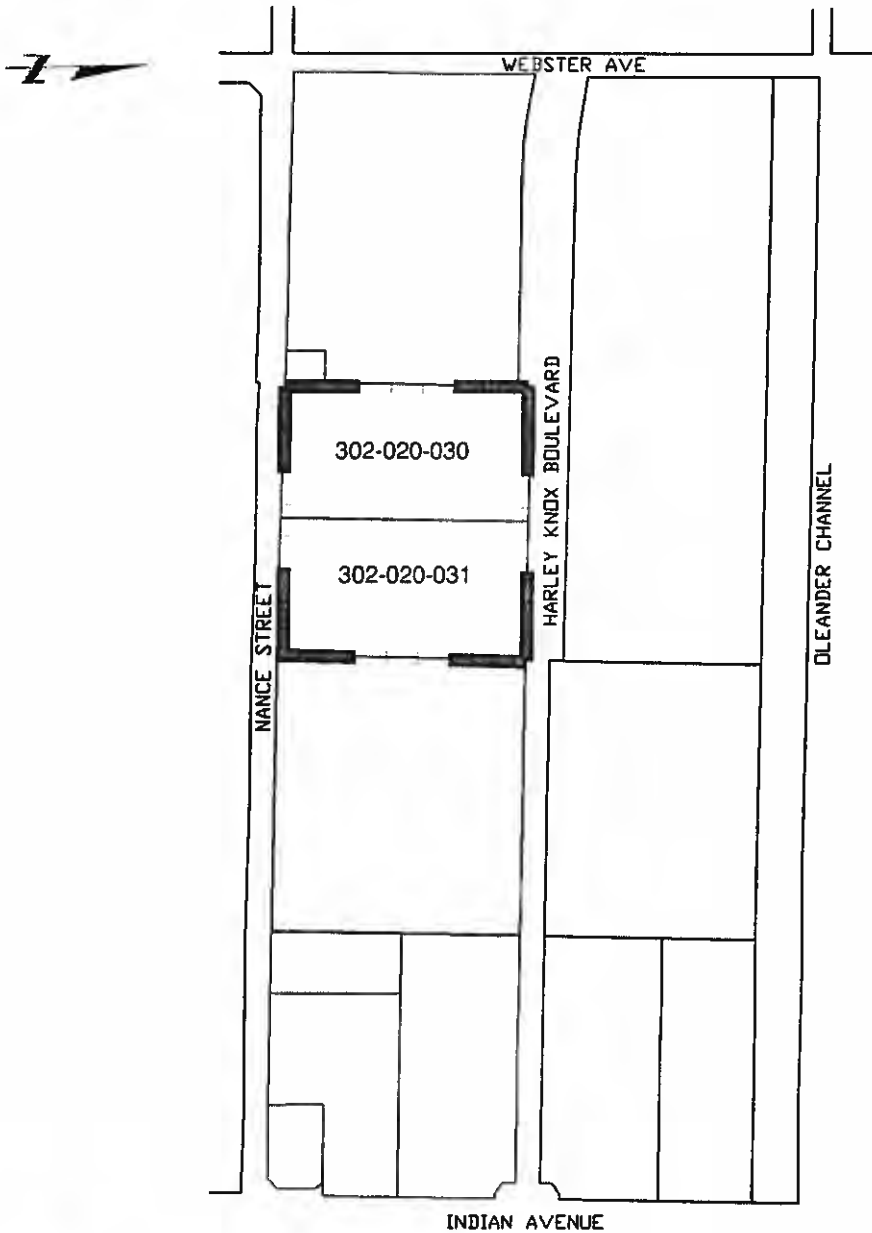
Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_





EXHIBIT "A" TO CONSENT AND WAIVER FOR  
ANNEXATION OF DPR 07-09-0018 TO  
MAINTENANCE DISTRICT NO. 84-1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**LEGEND**

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY
- 302-020-030 ASSESSOR PARCEL NUMBER

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

**RESOLUTION NUMBER**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF DPR 07-09-0018 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1**

**WHEREAS**, on the 12th day of January, 2016, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number \_\_\_\_ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

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

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

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

**Section 1.** That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

**Section 2.** That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

**Section 3.** That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

**Section 4.** That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.

**ADOPTED, SIGNED** and **APPROVED** this 12th day of January, 2016.

\_\_\_\_\_  
Mayor, Daryl R. Busch

Attest:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, Nancy Salazar, City CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January, 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Nancy Salazar

**RESOLUTION NUMBER**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 07-09-0018 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 8, 2016**

The City Council of the City of Perris, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

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

**Section 1.** Description of Work: That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to order the following work be done, to wit:

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

**Section 2.** Location of Work: The improvements to be maintained and serviced consist of the streetlights and traffic signals within said annexation.

**Section 3.** Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of DPR 07-09-0018 to Maintenance District Number 84-1" heretofore approved by the City Council of said City by Resolution No. \_\_\_\_\_, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

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

***Section 4.*** Report of Engineer: The City Council of said City by Resolution Number \_\_\_\_\_ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of DPR 07-09-0018, to Maintenance District Number 84-1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

***Section 5.*** Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the streetlights and traffic signals and appurtenant facilities is \$46.28 per Benefit Unit (single family home), plus an inflation factor not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

***Section 6.*** Time and Place of Public Hearing: Notice is hereby given that on March 8, 2016, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

**Section 7.** Landscaping and Lighting Act of 1972: All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

**Section 8.** Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published three times as required by Section 22626 and 22552 of the California Streets and Highways Code, with the first publication occurring no later than 45 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris City News is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

**Section 9.** Mailing of Notice: The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 53753 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

**Section 10.** Designation of Contact Person: That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

**Section 11.** Certification: The City Clerk shall certify to the adoption of this Resolution.

**ADOPTED, SIGNED** and **APPROVED** this 12th day of January, 2016.

\_\_\_\_\_  
Mayor, Daryl R. Busch

Attest:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January, 2016, by the following called vote:

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

\_\_\_\_\_  
City Clerk, Nancy Salazar

CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date January 12, 2016

SUBJECT: Annexation of DPR 07-09-0018 to Landscape Maintenance District No. 1 (LMD 1)

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report
2. Adoption of Resolution Preliminarily Approving Engineer's Report
3. Adoption of Resolution of Intention to Annex DPR 07-09-0018 to LMD 1 and setting a public hearing date of March 8, 2016

CONTACT: Habib Motlagh, City Engineer

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BACKGROUND/DISCUSSION: DPR 07-09-0018 is a 9.06-acre project located approximately 750 feet east of Webster Avenue between Harley Knox Boulevard and Nance Street. The project is under the ownership of 60 Knox Partnership LP.

The landscaping benefit includes maintenance of the irrigation system, landscaping, and appurtenances located within the Harley Knox Boulevard medians accommodating ingress and egress to DPR 07-09-0018; and, the Harley Knox Boulevard and Nance Street parkways bordering DPR 07-09-0018.

As a condition of approval, the project is required to annex into LMD 1. This district was formed to finance the annual maintenance of landscape improvements installed in conjunction with new development.

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BUDGET (or FISCAL) IMPACT: The current maximum annual assessment is \$16,207.51, plus inflation factors not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

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Reviewed by:

Assistant City Manager 

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

- Attachments:
1. Resolution Ordering Preparation of the Engineer's Report
  2. Engineer's Report
  3. Resolution Preliminarily Approving Engineer's Report
  4. Resolution of Intention to Annex DPR 07-09-0018 to LMD 1

Consent:



**RESOLUTION NUMBER XXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 116 (DPR 07-09-0018) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1**

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

**WHEREAS**, the City Council has heretofore appointed Habib Motlagh, the City Engineer for the City of Perris, as the "Engineer of Work" for Landscape Maintenance District Number 1 and Shepherd & Staats, Incorporated has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

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

**Section 1.** That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California.

**Section 2.** That DPR 07-09-0018 be defined as that area to be annexed to Benefit Zone 116, City of Perris Landscape Maintenance District Number 1.

**Section 3.** That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled "Diagram of Annexation of DPR 07-09-0018, to Benefit Zone 116, Landscape Maintenance District Number 1, City of Perris, County of Riverside, State of California."

**Section 4.** That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

**Section 5.** That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Shepherd & Staats, Incorporated, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

**Section 6.** That Habib Motlagh, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

**Section 7.** That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

**Section 8.** That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

**ADOPTED, SIGNED and APPROVED** this 12th day of January, 2016.

---

Mayor, Daryl R. Busch

ATTEST:

---

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of January, 2016, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

City Clerk, Nancy Salazar

**AGENCY: City of Perris**

**PROJECT: Annexation of DPR 07-09-0018  
To Benefit Zone 116, Landscape Maintenance District No. 1**

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

**REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"**

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the **STATE OF CALIFORNIA**, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2015 to June 30, 2016, for that area to be known and designated as:

**"Annexation of DPR 07-09-0018  
To Benefit Zone 116, Landscape Maintenance District No. 1"**

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

Executed this 12<sup>th</sup> day of January, 2016.

---

**HABIB M. MOTLAGH, City Engineer  
CITY OF PERRIS  
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 8<sup>th</sup> day of March 2016, by adoption of Resolution No. \_\_\_\_\_ of the City Council.

---

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

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 12<sup>th</sup> day of January 2016.

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

## Report

**PART 1. Plans and Specifications** for the improvements to be maintained and/or improved for a fiscal year are in the process of being designed for acceptance by the City of Perris. In general the landscaping, irrigation, and appurtenances to be maintained are within the public medians and parkways bordering DPR 07-09-0018. The median is located in Harley Knox Boulevard and the parkways are located along Nance Street and Harley Knox Boulevard.

Reference is made to the landscaping plans and specifications prepared by Community Works Design Group, Landscape Architecture, that are entitled, "60 Knox Industrial Building, Off-site Landscaping". For further information on the location of the improvements and the public right-of-way, reference is made to the plans and specifications prepared by Southland Engineering that are entitled "Street Improvement Plan, DPR 07-09-0018, 60 Knox".

It is noted that the maintenance of all facilities located within the inside property-line is the responsibility of the property owner.

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

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

Due to the soil, water, exposure, and pedestrian traffic, plant replacement is estimated at a 5% die-off rate at 2-feet on-center. Tree trimming is scheduled to occur every other year.

The maximum annual assessment is based on the estimated cost of maintaining the improvements at maturity. The annual assessment levied will be based on the actual annual expenses incurred by Benefit Zone 116.

A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections is usually distributed by the County of Riverside the following January. A 6-month tax roll reserve, based on the annual cost of the improvements is \$8,103.75.

The quantities and annual cost for the public improvements are listed on the next page.

The quantities and annual cost for the public improvements are estimated as follows:

<u>Item</u>	<u>Square Feet (SF)</u>		<u>Trees (Each)</u>	
	<u>Medians</u>	<u>Parkways</u>	<u>Medians</u>	<u>Parkways</u>
Harley Knox Boulevard	8,736	5,907	21	42
Nance Street	<u>0</u>	<u>2,352</u>	<u>0</u>	<u>20</u>
Totals	8,736	8,259	21	62

<u>Item</u>	<u>Quantity Assessed</u>				<u>Estimated Annual Cost</u>		
	<u>Medians</u>	<u>Parkways</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Medians</u>	<u>Parkways</u>	<u>Total</u>
Maintenance	8,736	8,259	SF	\$0.52	\$4,542.72	\$4,294.68	\$8,837.40
Plant Replacement	70	66	Each	15.75	1,102.50	1,039.50	2,142.00
Tree Trimming	11	31	Each	80.00	880.00	2,480.00	3,360.00
Mulch Application	24	23	CY	30.00	720.00	690.00	1,410.00
Irrigation Repairs	1,750	1,652	SF	0.06	<u>105.00</u>	<u>99.12</u>	<u>204.12</u>
Subtotal					\$7,350.22	\$8,603.30	\$15,953.52
Contingency					<u>735.02</u>	<u>860.33</u>	<u>1,595.35</u>
Total Maintenance					\$8,085.24	\$9,463.63	\$17,548.87
Incidentals					\$1,617.05	\$1,892.73	\$3,509.78
Subtotal					\$9,702.29	\$11,356.36	\$21,058.65
Less City Contribution					4,851.14	00.00	4,851.14
Balance to Assessment					\$4,851.15	\$11,356.36	\$16,207.51

The developer shall be responsible for the maintenance and upkeep of the public landscaping set forth herein for a period of one year after acceptance of the improvements by the City. Benefit Zone 116, for the fiscal year commencing July 1, 2015 to June 30, 2016, will incur zero costs.

**PART 3. The Assessment Roll** shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of Benefit Zone 116, as shown on the Diagram, enclosed herein as Part 4.

The area within DPR 07-09-0018 specifically benefits from the maintenance of the medians and parkways along the streets that provide ingress and egress to all parcels. The improvements benefiting the parcels were required as a condition of approval for DPR 07-09-0018.

The method of assessment is based on units, with the benefit units assigned to the net area within DPR 07-09-0018. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is equal to \$1,788.91 per net acre.

The Benefit Units assigned, and corresponding current maximum annual assessment, per assessor parcel number, are listed as follows:

<b>Assessor Parcel Number</b>	<b>Net Acreage/ Benefit Unit</b>	<b>Maximum Annual Assessment</b>
302-020-030	4.52	\$8,085.86
302-020-031	<u>4.54</u>	<u>8,121.65</u>
<b>Totals</b>	<b>9.06</b>	<b>\$16,207.51</b>

The annual assessments are subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2015 to June 30, 2016, reference is made to the Assessment Roll included herein as Attachment No. 1.

**PART 4.** **A Diagram of the Annexation.** The boundary of the area to be annexed is coincident with DPR 07-09-0018. Said boundary is designated as "Diagram of Annexation of PM 36540 to Benefit Zone 116, Landscape Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

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

**Assessment Roll  
Annexation of DPR 07-09-0018 to  
Benefit Zone 116,  
Landscape Maintenance District No. 1, City of Perris**

<b>Benefit Zone and Assessment Number</b>	<b>Assessor Parcel Number</b>	<b>Estimated Annual Assessment</b>	<b>Fiscal Year 2015/2016</b>
116	302-020-030		
116	302-020-031		
<b>Totals</b>		<b>\$16,207.51</b>	<b>\$00.00</b>

The Estimated Annual Assessment amount is subject to inflation factors not to exceed:

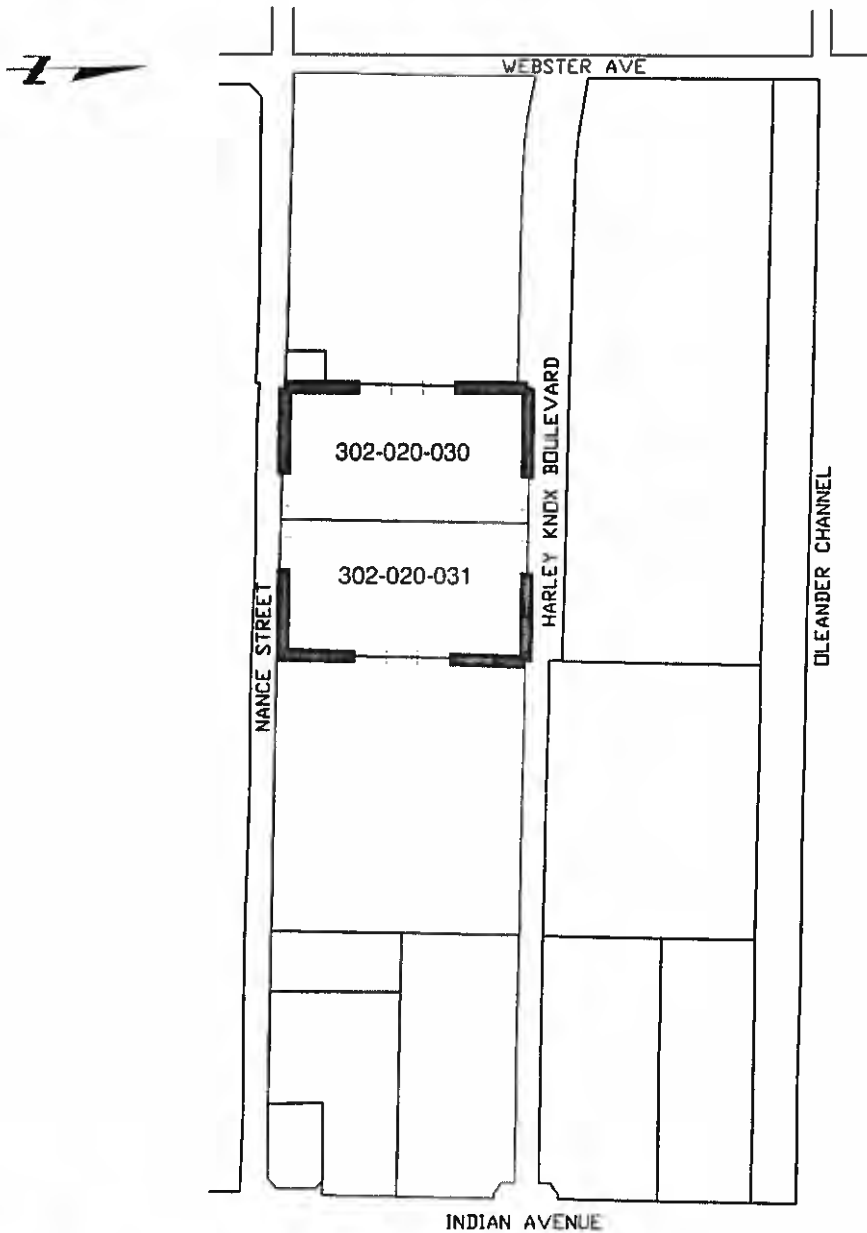
- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.






DIAGRAM OF ANNEXATION OF  
DPR 07-09-0018 TO BENEFIT ZONE 116  
LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**LEGEND**

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY
-  302-020-030 ASSESSOR PARCEL NUMBER

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

## CONSENT AND WAIVER TO ANNEXATION

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the "Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "Maintenance Districts"); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer's "Report" pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer's "Report" pertaining to the annexation of the undersigned's property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

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

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit "A" attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer's "Report" pertaining to such annexation.

Dated:

10/19/15

60 Knox Partnership L.P.  
a California limited partnership

By: Investment Building Group,  
a California corporation  
General Partner

By:   
Brian Bargemann

Mailing Address :  
Investment Building Group  
5100 Campus Drive Suite 300  
Newport Beach, CA 92660

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

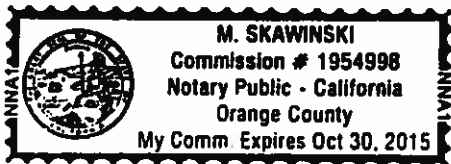
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of ORANGE )  
On 10/19/15 before me, M. SKAWINSKI, NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer  
personally appeared BRIAN BARBEMANN  
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

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

Description of Attached Document Consent and waiver to an annexation  
Title or Type of Document: \_\_\_\_\_ Document Date: 10/19/15  
Number of Pages: 1 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

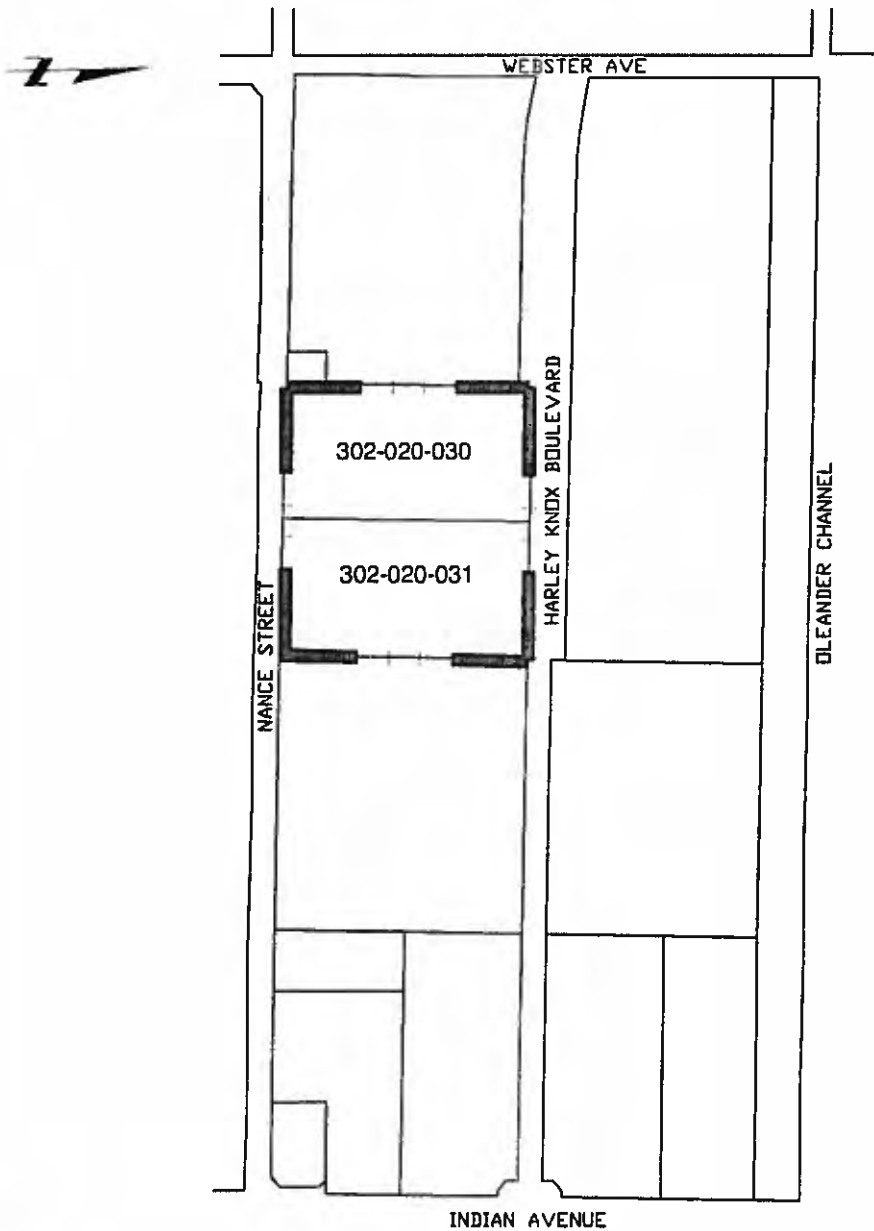
Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

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



EXHIBIT "A" TO CONSENT AND WAIVER FOR  
DPR 07-09-0018 TO BENEFIT ZONE 116  
LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**LEGEND**

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY
- 302-020-030 ASSESSOR PARCEL NUMBER

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

**RESOLUTION NUMBER XXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
PERRIS, COUNTY OF RIVERSIDE, STATE OF  
CALIFORNIA, OF PRELIMINARY APPROVAL OF  
ENGINEER'S REPORT FOR ANNEXATION OF DPR 07-09-  
0018 TO BENEFIT ZONE 116, CITY OF PERRIS  
LANDSCAPE MAINTENANCE DISTRICT NUMBER 1**

**WHEREAS**, on the 12th day of January, 2016, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number \_\_\_\_\_ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

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

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

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

**Section 1.** That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

**Section 2.** That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

**Section 3.** That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

**Section 4.** That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.

**ADOPTED, SIGNED** and **APPROVED** this 12th day of January, 2016.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of January, 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

City Clerk, Nancy Salazar

**RESOLUTION NUMBER XXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 116, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 116, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 07-09-0018 TO BENEFIT ZONE 116, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 8, 2016**

The City Council of the City of Perris, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

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

**Section 1. Description of Work:** That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of landscaping as authorized by Section 22525 of the Streets and Highways Code, State of California.

2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

**Section 2. Location of Work:** The improvements to be maintained and serviced include the irrigation system, landscaping, and appurtenances benefiting DPR 07-09-0018. The improvements, located in public rights-of-way, are located in the Harley Knox Boulevard medians accommodating ingress and egress to Benefit Zone 116; and, the Harley Knox Boulevard and Nance Street parkways bordering Benefit Zone 116.

**Section 3. Description of Assessment District:** That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of DPR 07-09-0018 to Benefit Zone 116, Landscape Maintenance District Number 1" heretofore approved by the City Council of said City by Resolution No \_\_\_\_, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

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

**Section 4. Report of Engineer:** The City Council of said City by Resolution Number \_\_\_\_ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of DPR 07-09-0018 to Benefit Zone 116, Landscape Maintenance District Number 1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

**Section 5. Collection of Assessments:** The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the public landscaping and appurtenant facilities is equal to \$1,788.91 per Benefit Unit, plus inflation factors not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.



**Section 6. Time and Place of Public Hearing:** Notice is hereby given that on March 8, 2016, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

**Section 7. Landscaping and Lighting Act of 1972:** All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

**Section 8. Publication of Resolution of Intention:** The City Clerk shall cause this Resolution of Intention to be published three times as required by Section 22626 and 22552 of the California Streets and Highways Code, with the first publication occurring no later than 45 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris Progress is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

**Section 9. Mailing of Notice:** The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 54953 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

**Section 10. Designation of Contact Person:** That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

**Section 11. Certification:** The City Clerk shall certify to the adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 12th day of January, 2016.

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Mayor, Daryl R. Busch

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 Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of January, 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

City Clerk, Nancy Salazar

CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date January 12, 2016

SUBJECT: Annexation of DPR 07-09-0018 to Flood Control MD No. 1

REQUESTED ACTION: Adoption of Resolution of Intention to Annex DPR 07-09-0018 to Flood Control Maintenance District No. 1 and set a public hearing date of March 8, 2016

CONTACT: Habib Motlagh, City Engineer

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BACKGROUND/DISCUSSION: DPR 07-09-0018 is a 9.06-acre project located approximately 750 feet east of Webster Avenue between Harley Knox Boulevard and Nance Street. The project is under the ownership of 60 Knox Partnership LP.

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

The project will benefit from the maintenance and servicing of the public flood control facilities that protect DPR 07-09-0018 from inundation. The public facilities include overflow drains into Harley Knox Boulevard and Nance Street. Future improvements include a catch basin, 18-inch lateral and a contribution towards a 72-inch reinforced concrete pipe.

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BUDGET (or FISCAL) IMPACT: The maximum annual assessment is \$3,145.36, plus inflation factors 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

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Reviewed by:

Assistant City Manager 

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

Attachments: 1. Engineer's Report  
2. Resolution of Intention to Annex DPR 07-09-0018 to Flood Control MD No. 1

Consent:

**AGENCY: City of Perris**

**PROJECT: Annexation of DPR 07-09-0018  
To Benefit Zone 85, Flood Control Maintenance District No. 1**

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

**REPORT PURSUANT TO "BENEFIT ASSESSMENT ACT OF 1982"**

Pursuant to the direction from the City Council of the City of Perris, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Part 1 of Division 2 of Title 5 of the Government Code of the **STATE OF CALIFORNIA**, being the "Benefit Assessment Act of 1982", as amended, commencing with Section 54703. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2015 to June 30, 2016, for that area to be known and designated as:

**"Annexation of DPR 07-09-0018  
To Benefit Zone 85, Flood Control Maintenance District No. 1"**

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

Executed this 12<sup>th</sup> day of January, 2016.

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**HABIB M. MOTLAGH, City Engineer  
CITY OF PERRIS  
STATE OF CALIFORNIA**

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 8<sup>th</sup> day of March 2016, by adoption of Resolution No. \_\_\_\_\_ of the City Council.

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

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 12<sup>th</sup> day of January 2016.

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

## Report

**PART 1. A General Description** of the flood control improvements includes facilities that will accommodate the storm flow and protect DPR 07-09-0018 from inundation. All improvements to be maintained will be located in public rights-of-way and easements. There are two categories of public improvements to be maintained.

The first category of improvements includes the flood control facilities to be constructed under DPR 07-09-0018. These improvements consist of approximately 20 lineal feet of 3-inch PVC pipe that directs overflow to Harley Knox Boulevard; and an under-sidewalk drain that directs overflow to Nance Street.

The second category of improvements includes flood control facilities to be constructed in the future. These improvements consist of 72-inch RCP storm drain along the frontage of the property, a catch basin and an 18-inch RCP lateral.

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

It is noted that all private on-site water quality detention basins and storm drain facilities identified on the grading plan prepared by Southland Engineering that is entitled, "Precise Grading Plan, DPR 07-09-0018, 60 Knox" are to be maintained by the property owner and not the City of Perris.

**PART 2. Plans and Specifications** for the first category of improvements to be maintained for a fiscal year were prepared by Southland Engineering and are entitled "Street Improvement Plan, DPR 07-09-0018, 60 Knox".

The plans and specifications for the second category of improvements will be prepared for construction in the future with the development of adjacent property.

The plans and specifications will be approved by both the City Engineer for the City of Perris and the Chief Engineer for the Riverside County Flood Control and Water Conservation District and will be on file in the City of Perris Office of Community Development. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements, and by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

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

The assessment levied will be based on the actual annual expenses incurred by Benefit Zone 85. With service intervals and staggered maintenance operations, revenue requirements for maintenance will fluctuate year to year. Each year's maintenance operations will be funded by that year's assessment plus the fund balance remaining from prior year assessments.

The estimated annual cost for maintenance of the facilities is listed below.

<b><u>First Improvement Category, DPR 07-09-0018 Storm Drain Facilities</u></b>	
Overflow Drains	\$218.25
Incidental Expenses	<u>43.65</u>
<b>First Improvement Category Total</b>	<b>\$261.90</b>
<b><u>Second Improvement Category, Future Storm Drain Facilities</u></b>	
Catch Basin and Storm Drain Lateral	\$272.80
50% share of 72-inch RCP	<u>2,130.08</u>
Subtotal	\$2,402.88
Incidental Expenses	<u>480.58</u>
<b>Second Improvement Category Total</b>	<b>\$2,883.46</b>
<b><u>Total Estimated Annual Improvement Costs</u></b>	<b><u>\$3,145.36</u></b>

When the improvements are accepted, the City of Perris will assume the expenses of maintaining the improvements twelve months from the acceptance date. Zero costs will be incurred for the fiscal year commencing July 1, 2015 to June 30, 2016.

**PART 4**

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

The storm drainage facilities will accommodate the storm flow specifically impacting DPR 07-09-0018. These improvements specifically benefit the area within the annexation; and, the improvements were required for the approval of, and as of consequence of, development of this area.

The method of assessment is based on units, with the benefit units assigned to the net area within DPR 07-09-0018. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is equal to \$347.17 per net acre.

The annual assessments are subject to inflation factors not to exceed:

- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

The assessment levied will be based on the actual annual expenses incurred by Benefit Zone 85. The assessment for the first category of Improvements will be levied at the time the improvements are accepted for maintenance by the City of Perris. The assessment for the first category of improvements will cease if these facilities are abandoned and no longer maintained by the City of Perris.

The assessment for the second category of improvements will be levied at the time the improvements are constructed and accepted for maintenance by the City of Perris. If the lateral directing the storm flow from Benefit Zone 85 into the 72-inch storm drain is not constructed, no assessment will be levied for the second category of improvements.

The Benefit Units assigned, and corresponding maximum annual assessment, per parcel, are listed as follows:

Assessor Parcel Number	Net Acreage/ Benefit Unit	Improvements Maintained		Maximum Annual Assessment
		First Category	Second Category	
302-020-030	4.52	\$130.66	\$1,438.55	\$1,569.21
302-020-031	<u>4.54</u>	<u>131.24</u>	<u>1,444.91</u>	<u>1,576.15</u>
Total	9.06	\$261.90	\$2,883.46	\$3,145.36

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2015 to June 30, 2016, reference is made to the Assessment Roll included herein as Attachment No. 1.

A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections are usually distributed by the County of Riverside the following January. A 6-month tax roll reserve for the current maintenance of the flood control facilities and incidental costs is estimated to be \$1,572.68.

**PART 5.** A Diagram of the Annexation. The boundary of the area to be annexed is coincident with DPR 07-09-0018. Said boundary is designated as "Diagram of Annexation of DPR 07-09-0018 to Benefit Zone 85, Flood Control Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

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

**Assessment Roll**

**Annexation of DPR 07-09-0018 to  
Benefit Zone 85,  
Flood Control Maintenance District No. 1, City of Perris**

<b>Benefit Zone and Assessment Number</b>	<b>Assessor Parcel Number</b>	<b>Estimated Annual Assessment</b>	<b>Fiscal Year 2015/2016</b>
85	302-020-030		
85	302-020-031		
<b>Totals</b>		<b>\$3,145.36</b>	<b>\$00.00</b>

The annual assessments are subject to inflation factors not to exceed:

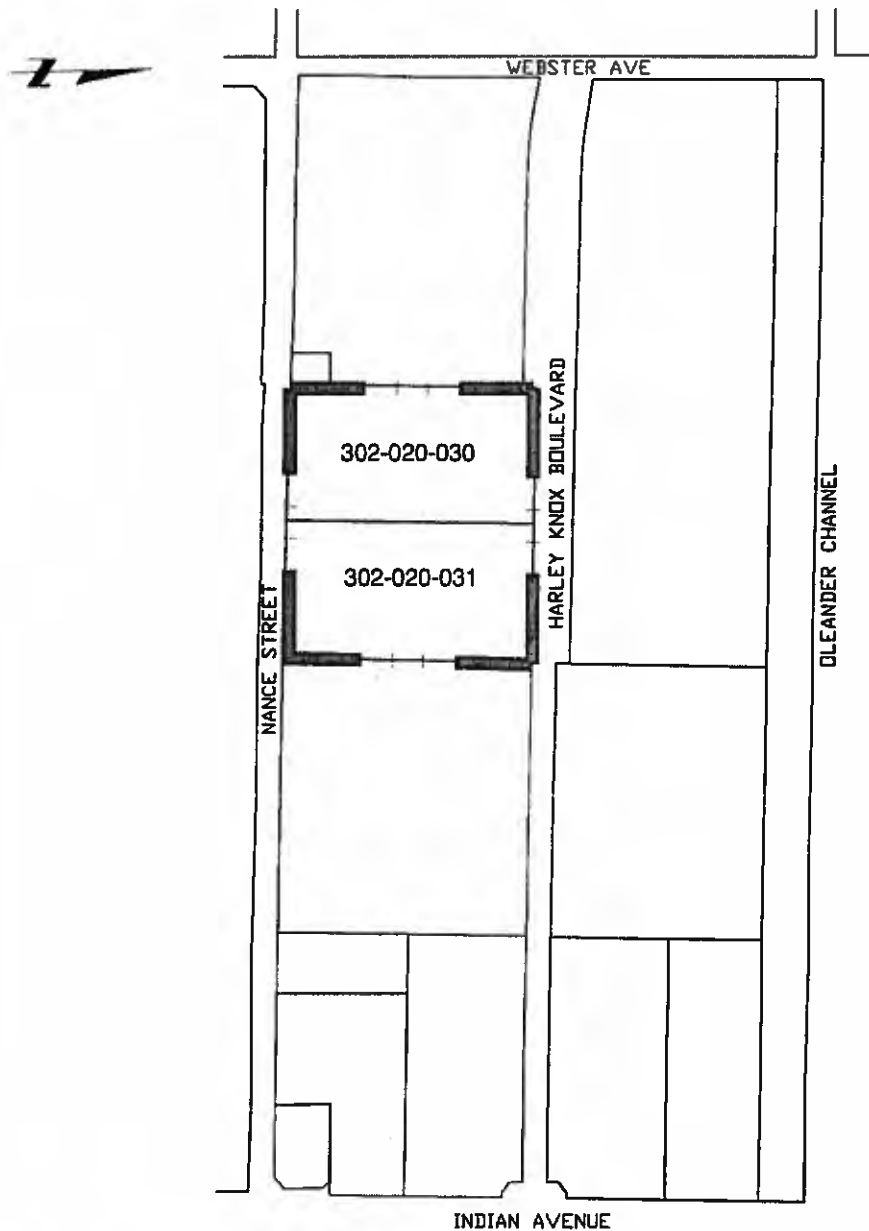
- 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
- 2) the Southern California Edison rate increase(s) effective in subsequent years, and
- 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years





DIAGRAM OF ANNEXATION OF  
DPR 07-09-0018 TO BENEFIT ZONE 85  
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**LEGEND**

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY
- 302-020-030 ASSESSOR PARCEL NUMBER

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

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

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

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

TO: The City Council of the City of Perris


We, the undersigned, hereby:

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

Dated: 10/15/15

60 Knox Partnership L.P.  
 a California limited partnership

By: Investment Building Group,  
 a California corporation  
 General Partner

By:   
 Brian Bargemann

Mailing Address :  
 Investment Building Group  
 5100 Campus Drive Suite 300  
 Newport Beach, CA 92660

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

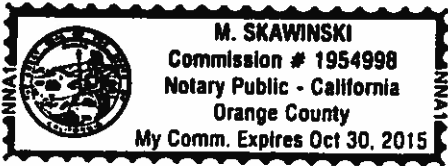
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of ORANGE )  
On 10/19/15 before me, M. SKAWINSKI, NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer  
personally appeared BRIAN BARGEMANN  
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature M. Skawinski  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

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

Description of Attached Document Petition for the Annexation to a Benefit Assessment  
Title or Type of Document: District to Finance the Maintenance of Certain Public Document Date: 10-19-15 Improvements  
Number of Pages: 1 Signer(s) Other Than Named Above: \_\_\_\_\_

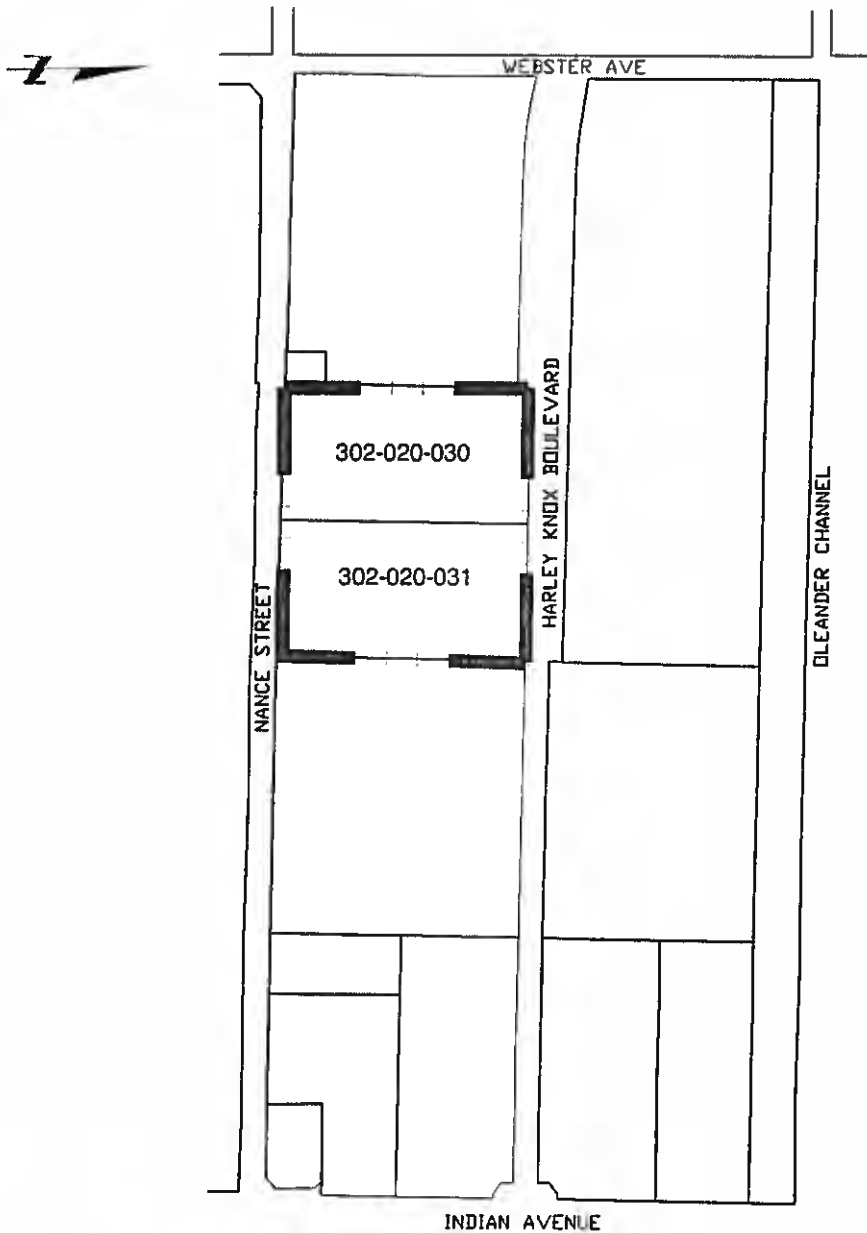
Capacity(ies) Claimed by Signer(s)  
Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

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



EXHIBIT "A" TO PETITION FOR ANNEXATION OF  
DPR 07-09-0018 TO BENEFIT ZONE 85  
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**LEGEND**

-  ANNEXATION BOUNDARY
-  PARCEL BOUNDARY
- 302-020-030      ASSESSOR PARCEL NUMBER

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

SHEET 1 OF 1

**RESOLUTION NUMBER XXX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF DPR 07-09-0018 TO BENEFIT ZONE 85, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 8, 2016**

**WHEREAS**, the City Council of the City of Perris, County of Riverside, California ("this City Council"), wishes to provide continued financing for necessary maintenance of certain flood control and drainage improvements within the boundaries of DPR 07-09-0018 through the levy of benefit assessments pursuant to the provisions of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code commonly known as the "Benefit Assessment Act of 1982", (the "Act"); and

**WHEREAS**, 60 Knox Partnership, LP, (the "Owners") have presented signed petitions to the City Council requesting the annexation of DPR 07-09-0018 to a benefit assessment district to finance the maintenance of those certain drainage and flood control improvements permitted pursuant to Sections 54710 and 54710.5 of the Act (the "Improvements") which benefit properties within DPR 07-09-0018; and

**WHEREAS**, the City Council now proposes to levy benefit assessments under the provisions of the Act to insure continued financing to maintain the Improvements pursuant to the Act, all for the benefit of parcels within DPR 07-09-0018; and

**WHEREAS**, to accomplish such purposes, the City Council proposes to annex DPR 07-09-0018 to Benefit Zone 85, Flood Control Maintenance District No. 1.

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

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

**Section 2.** Maintenance of the improvements will be of direct benefit to parcels within DPR 07-09-0018 which are hereby declared to be the properties benefited by the Improvements and to be assessed to pay the cost and expenses thereof. The area of benefit shall be all that part of the City within the boundaries shown on the map entitled "Diagram of Annexation of DPR 07-09-0018 to Benefit Zone 85, Flood Control Maintenance District Number 1" on file in the office of the City Clerk of the City of Perris, California.

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

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

**Section 4.** On the 8<sup>th</sup> day of March, 2016, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the annexation to the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

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

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

The notice shall be published at least forty-five (45) days prior to the public hearing.

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

**Section 7.** Said notice shall be posted and first published at least forty-five (45) days before the date set for the public hearing.

**Section 8.** The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments, including the Owners. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 53753 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

**Section 9.** That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

**ADOPTED, SIGNED and APPROVED** this 12th day of January, 2016.

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Mayor, Daryl R. Busch

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 Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 12th day of January, 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

City Clerk, Nancy Salazar




CITY COUNCIL  
AGENDA SUBMITTAL

**Meeting Date: January 12, 2016**

**SUBJECT:** Nuevo Bridge – Consultant Contract

**REQUESTED ACTION:** Award Engineering Contract to Cho Design, Inc. and Authorize City Manager to Sign

**CONTACT:** Habib Motlagh,  City Engineer

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**BACKGROUND/DISCUSSION:** The existing bridge crossing at Nuevo Road at the Perris Valley Channel requires replacement to meet the current and future growth. The City had obtained services of Cho Design Associates, Inc. to prepare a preliminary bridge type selection report analyzing different alternatives for selection of bridge type and its associated costs. The report was completed on July 7, 2015 and has evaluated alternatives and recommended the most appropriate structural type for this project. The report has identified the most suitable structural type, span configuration and material for this bridge replacement taking into considerations the economy, horizontal & vertical geometry, hydrology, local standards, structural integrity, maintenance requirements, construction techniques, utility requirements, and bridge aesthetics. Mr. Wilbert Cho worked closely with staff and the drainage consultant to complete the initial task.

Staff subsequently requested proposals from qualified firms to provide final design services to prepare the Nuevo Road Bridge Replacement and Widening Construction Plans. The request for proposals was released on September 23, 2015, and closed on October 19, 2015. A total of 4 proposals were received from qualified consulting firms. Each of the firms was well qualified for the project and provided very competitive proposals. Proposals were received from the following four firms:

Cho Design Associates, Inc.	\$146,200
Athalva Consulting Eng. Services	\$469,240
CNS Engineers	\$211,104
NVS	\$271,598

After review and evaluation of the qualifications and experience of each firm, Cho Design Associates, Inc. was determined to be qualified for this project. Staff is familiar with their work and recommend their services. They will continue work with Cascade Engineering responsible for hydrology/hydraulic analysis of the bridge. A formal contract will be prepared for approval by City Manager subject to Council approval of staff recommendation.


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**BUDGET (or FISCAL) IMPACT:** This project is identified in current CIP with funding sources from drainage and TUMF sources.

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Reviewed by:

City Attorney

Assistant City Manager 

Attachments:

Consent: Yes

Public Hearing:

Business Item:


Other:

CITY COUNCIL  
AGENDA SUBMITTAL

**Meeting Date: January 12, 2016**

**SUBJECT:** Triple Crown Community Wall

**REQUESTED ACTION:** Authorize Staff to Proceed with Construction of Triple Crown Wall

**CONTACT:** Habib Motlagh,  City Engineer

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**BACKGROUND/DISCUSSION:** At October 27, 2015 meeting, the Council directed staff to present alternatives to proceed with construction and replacement of the Triple Crown Wall. At that meeting, staff reported that the traditional bid advertisement resulted in no bid submittals due to a variety of reasons including bonding and insurance requirements.

It is recommended the City Council authorize the City Manager to work with 2 or more local contractors qualified to construct the wall as designed, and are able to comply with the minimum bonds and insurance requirements. The construction will be done in phases with initial phase from Perris Boulevard to Kingman Street at an estimated cost of \$300K..

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**BUDGET (or FISCAL) IMPACT:** The CIP F-034 identifies \$1.3 Million funding for this project, 50% from Community Development Corporation and 50% from Reserve funds.

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Reviewed by:  
City Attorney  
Assistant City Manager 

**Attachments:** Staff Report Dated October 27, 2015

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

**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date: October 27, 2015**

**SUBJECT: Triple Crown Community Wall**

**REQUESTED ACTION: Adopt the Plans and Specifications, Award the Contract and Reject All Other Bids**

**CONTACT: Habib Motlagh, City Engineer**

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**BACKGROUND/DISCUSSION:** This project is included in the current adopted CIP and have been identified by City Council as one of their priority projects. The specifications requires installation of a minimum 6' high wall adjacent to the project boundaries along Perris Boulevard and Orange Avenue.

The bid date is scheduled for October 26, 2015 and the bid results will be verbally presented to the Council for consideration.

Providing qualified contractor(s) submit bid(s) and adequate funding is available, the Council may consider the low bid and direct staff to verify the Contractor's bid submittal and experience for similar projects and authorize the Mayor to sign the contract.

In the event the bids are over the available budget or no bid is received, staff requests the Council to authorize City Manager to negotiate a contract with qualified contractor to implement all or part of the project.

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**BUDGET (or FISCAL) IMPACT:** The project is identified in CIP F-34 and paid for the City's reserve account (50%) and the Community Economic Development Corporation (50%). The available budget to date is estimated at \$1.1 Million

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**Reviewed by:**

City Attorney  
Assistant City Manager

**Attachments: None**

Consent:  
Public Hearing:  
Business Item: Yes  
Other:

**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date: January 12, 2016**

**SUBJECT:** Award of Contract to Avant Garde; California Consulting, and MHM & Associates Enterprises, Inc. for Grant Writing Services

**REQUESTED ACTION:** That the City Council award a contract Avant Garde; California Consulting, and MHM & Associates Enterprises, Inc. for grant writing services on an as-needed basis.

**CONTACT:** Darren Madkin, Deputy City Manager 

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**BACKGROUND/DISCUSSION:**

At the July 14, 2015, City Council meeting, staff received direction from the City Council to request proposals for the services of a grant writing firm to pursue federal, state, and other grant sources for the City. The request for proposals was released through Activebidder on October 28, 2015, and closed on November 18, 2015. A total of 6 proposals were received and all of the firms that responded were well qualified for the project and provided very competitive proposals. The firms that responded to the RFP are listed alphabetically below:

1. Avant Garde
2. Blais & Associates, Inc.
3. California Consulting, LLC
4. MHM and Associates, Inc.
5. The Ferguson Group
6. Townsend Public Affairs

After a thorough review and evaluation of the qualifications and experience of each firm, including panel interviews, three firms were determined to be the most qualified for this project. The three firms are Avant Garde, California Consulting, and MHM & Associates. A sample copy of the contract services agreement is attached with this report. Since the grant writing services will be rendered as needed, there is no contract fee amount included in the contract. The process for engaging the services of one of the three firms will be competitive. Based on grant opportunities that become available, City staff will request a grant-specific fee proposal from all three of the firms. Each of the firms responses will be evaluated by staff and a winning firm will be selected to prepare the specified grant.

The scope of services under the contract primarily consists of:

- Upon request research and/or prepare grant applications on behalf of the City, including the preparation of a budget, coordinate preparation of exhibits such as concept plans, and compile demographic data and any other necessary items for submission of grant applications.
- Upon request provide the City with a summary of potential funding opportunities relevant to the needs of the City.

**Award of Contract to Avant Garde; California Consulting, and MHM & Associates Enterprises, Inc. for Grant Writing Services**

January 12, 2016

Page 2 of 2

The Fiscal Year 2015-2016 and 2016-2017 Internal Services budgets include funding for this program. It is recommended that the City Council award a one year contract to Avant Garde; California Consulting, and MHM & Associates Enterprises, Inc. for grant writing services on an as-needed basis; with an option for an additional two years at the discretion of the City.

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**BUDGET (or FISCAL) IMPACT:** The adopted Fiscal Year 2015-2016 and 2016-2017 Internal Services budget includes \$44,000 in each year for grant writing services.

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Reviewed by:

Assistant City Manager 

Attachments: Grant Writer RFP Report  
Sample Contract Services Agreement for grant writing services

Consent:  X  
Public Hearing:  
Business Item:  
Other:

## Request for Proposals for Grant Writing Services

Post Date: 10/28/2015 09:43 PDT

Due Date: 11/18/2015 before 17:00 PST

Estimated Value: N/A

## Registered Bidders / 6 total

#	Name	Company	Address	City	State	Phone
1	Beckley, LUVINA	MHM and Associates	2001 E. Financial Way 104	Glendora	CA	951-682-4646
2	Smith III, John	The Ferguson Group	1130 Connecticut Avenue NW 300	washington	DC	202-331-8500
3	Blais, Neil	Blais & Associates, Inc.	7545 Irvine Center Drive 200	Irvine	CA	(949) 589-6338
4	Calleros, Lissette	Avant Garde Inc	3670 W. Temple Ave. Suite 278	Pomona	CA	909-979-6587
5	Samuelian, Houry	California Consulting, LLC	2491 Alluvial Ave. 609	Clovis	CA	5592440801
6	Griego, Jill	Townsend Public Affairs	1401 Dove Street Suite 330	Newport Beach	California	949-399-9050

**CITY OF PERRIS**  
**CONTRACT SERVICES AGREEMENT FOR**  
**GRANT WRITING SERVICES**

This Contract Services Agreement ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the City of Perris, a municipal corporation ("City"), and \_\_\_\_\_, a [INSERT TYPE OF ENTITY, e.g., California corporation] ("Consultant").

NOW, THEREFORE, the parties hereto agree as follows:

**1.0 SERVICES OF CONSULTANT**

1.1 Scope of Services. In compliance with all of the terms and conditions of this Agreement, Consultant shall perform the work or services set forth in the "Scope of Services" attached hereto as *Exhibit "A"* and incorporated herein by reference. Consultant warrants that all work or services set forth in the Scope of Services will be performed in a competent, professional and satisfactory manner. Additional terms and conditions of this Agreement, if any, which are made a part hereof are set forth in the "Special Requirements" attached hereto as *Exhibit "B"* and incorporated herein by this reference. In the event of a conflict between the provisions of *Exhibit "B"* and any other provisions of this Agreement, the provisions of *Exhibit "B"* shall govern.

1.2 Compliance With Law. All work and services rendered hereunder shall be provided in accordance with all ordinances, resolutions, statutes, rules and regulations of the City and any federal, state or local governmental agency of competent jurisdiction.

1.3 Licenses, Permits, Fees and Assessments. Consultant shall obtain, at its sole cost and expense, such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement.

**2.0 COMPENSATION**

2.1 Contract Sum. For the services rendered pursuant to this Agreement, Consultant shall be compensated in accordance with the "Schedule of Compensation" attached hereto as *Exhibit "C"* and incorporated herein by this reference.

3.0 Method of Payment. Provided that Consultant is not in default under the terms of this Agreement, Consultant shall be paid upon receipt of an invoice, in a form approved by the City Manager, describing the services performed.

## COORDINATION OF WORK

3.1 Representative of Consultant. \_\_\_\_\_ is hereby designated as being the representative of Consultant authorized to act on its behalf with respect to the work or services specified herein and make all decisions in connection therewith.

3.2 Contract Officer. The City's City Manager is hereby designated as being the representative the City authorized to act in its behalf with respect to the work and services specified herein and make all decisions in connection therewith ("Contract Officer"). The City may designate another Contract Officer by providing written notice to Consultant.

3.3 Prohibition Against Subcontracting or Assignment. Consultant shall not contract with any entity to perform in whole or in part the work or services required hereunder without the express written approval of the City. Neither this Agreement nor any interest herein may be assigned or transferred, voluntarily or by operation of law, without the prior written approval of City. Any such prohibited assignment or transfer shall be void.

3.4 Independent Contractor. Neither the City nor any of its employees shall have any control over the manner, mode or means by which Consultant, its agents or employees, perform the services required herein, except as otherwise set forth on *Exhibit "A"*. Consultant shall perform all services required herein as an independent contractor of City and shall remain under only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of City.

## 4.0 INSURANCE AND INDEMNIFICATION

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

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

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

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



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

All of the above policies of insurance shall be primary insurance. The general liability policy shall name the City, its officers, employees and agents ("City Parties") as additional insureds and shall waive all rights of subrogation and contribution it may have against the City and the City's Parties and their respective insurers. All of said policies of insurance shall provide that said insurance may be not cancelled without providing thirty (30) days prior written notice by registered mail to the City. In the event any of said policies of insurance are cancelled or amended, Consultant shall, prior to the cancellation or amendment date, submit new evidence of insurance in conformance with this Section 4.1 to the Contract Officer. No work or services under this Agreement shall commence until Consultant has provided City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by City.

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

The insurance required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the Risk Manager of the City due to unique circumstances.

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

#### 4.2 **Indemnification.**

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

(b) **Indemnity for Other Than Professional Liability.** Other than in the performance of professional services and to the full extent permitted by law, Consultant shall indemnify, defend and hold harmless City and City's Parties from and against any liability

(including liability for claims, suits, actions, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys' fees and costs, court costs, defense costs and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Consultant or by any individual or entity for which Consultant is legally liable, including but not limited to officers, agents, employees or subcontractors of Consultant.

## **5.0 TERM**

5.1 Term. Unless earlier terminated in accordance with Section 5.2 below, this Agreement shall continue in full force and effect for a period of twelve (12) months until completion of the services no later than January 2017. At the discretion of the City of Perris, this agreement may be renewed up to an additional two (2) years.

5.2 Termination Prior to Expiration of Term. Either party may terminate this Agreement at any time, with or without cause, upon thirty (30) days' written notice to the other party. Upon receipt of the notice of termination, the Consultant shall immediately cease all work or services hereunder except as may be specifically approved by the Contract Officer. In the event of termination by the City, Consultant shall be entitled to compensation for all services rendered prior to the effectiveness of the notice of termination and for such additional services specifically authorized by the Contract Officer and City shall be entitled to reimbursement for any compensation paid in excess of the services rendered.

## **6.0 MISCELLANEOUS**

6.1 Covenant Against Discrimination. Consultant covenants that, by and for itself, its heirs, executors, assigns and all persons claiming under or through it, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin or ancestry.

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

6.3 Conflict of Interest. No officer or employee of the City shall have any financial interest in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which affects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any state statute or regulation. The Consultant warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement. When requested by the Contract Officer, prior to the City's execution of this Agreement, Consultant shall provide the City with an executed statement of economic interest.

6.4 Notice. Any notice or other communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first class mail, in the case of the City, to the City Manager and to the attention of the Contract Officer, City of Perris, 101 North "D" Street, Perris, CA 92570, and in the case of the Consultant, to the person at the address designated on the execution page of this Agreement.

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

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

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

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

6.9 Attorneys' Fees. If either party to this Agreement is required to initiate, defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, shall be entitled to reasonable attorneys' fees, whether or not the matter proceeds to judgment.

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

[SIGNATURES ON NEXT PAGE]

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

ATTEST:

"CITY"  
CITY OF PERRIS

By: \_\_\_\_\_  
Nancy Salazar, City Clerk

By: \_\_\_\_\_  
Richard Belmudez, City Manager

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

\_\_\_\_\_  
Eric L. Dunn, City Attorney

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

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name and Title

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

[END OF SIGNATURES]

**EXHIBIT "A"**

**SCOPE OF SERVICES**

The Consultant will be responsible for providing the following services to the City of Perris:

- a.) Research grant opportunities that are identified by the City.
- b.) Prepare grant applications on behalf of the City, including the preparation of a budget, coordinate preparation of exhibits such as concept plans, and compile demographic data and any other necessary items for submission of grant applications.
- c.) Upon request provide the City with a summary of potential funding opportunities relevant to the needs of the City.

**EXHIBIT "B"**

**SPECIAL REQUIREMENTS**

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## **EXHIBIT "C"**

### **SCHEDULE OF COMPENSATION**

Based upon grant opportunities that become available, the City will request a grant-specific fee proposal from the Consultant(s) working under a contract services agreement with the City. The Consultant(s) responses will be evaluated by the City and a Consultant will be selected to prepare the specified grant. The fee proposal from Consultant shall include all anticipated expenses to be incurred by Consultant in the performance of the required grant writing service. The City's evaluation will consider the Consultants familiarity with the specified grant application, the approach to completing the application, and the fee to complete the project.

After a thorough review of the fee proposals from the Consultant(s), the City will notify the selected Consultant of the award of the grant writing assignment, issue a City Purchase Order for an amount not to exceed the submitted fee proposal which will serve as the notice to proceed, and establish a kick-off date. City agrees to compensate Consultant for grant writing services detailed in Exhibit "A". Consultant shall be paid within thirty (30) days after City's receipt and approval of an invoice submitted by Consultant. Such invoice shall be in a form approved by the City Manager and shall include details as to the number of hours worked and the services performed. Consultant shall be paid for actual hours utilized on the project.

**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date: January 12, 2016**

**SUBJECT:** 2014-2015 CAFR and Financial Statements

**REQUESTED ACTION:** Receive and File the City's Comprehensive Annual Financial Report, Public Utility Authority, Public Financing Authority, Joint Powers Authority, and Housing Authority Financial Statements for 2014-15

**CONTACT:** Jennifer Erwin, Assistant Director of Finance

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**BACKGROUND/DISCUSSION:**

The purpose of this report is to present the City's Comprehensive Annual Financial Report (CAFR) and annual financial statements for the Council's approval. Each year the City of Perris is required to have an audit of its financial statements. The scope of this audit includes the City itself, the Public Utility Authority, the Public Financing Authority, the Joint Powers Authority, and the Housing Authority. The period under review spans the previous fiscal year which, in this case, represents July 1, 2014 through June 30, 2015. The audit was conducted by the firm of Teaman, Ramirez, & Smith, Inc. (TRS), an independent CPA firm appointed by, and reporting directly to, the City Council. The purpose of the Audit is to provide a professional opinion with regards to the accuracy of the City's stated financial position and results of operations.

After conducting the audit, TRS has issued the opinion that the City's, the Public Utility Authority, the Public Financing Authority, the Joint Powers Authority, and the Housing Authority's financial statements:

*Present fairly, in all material respects, the financial position of the City of Perris, the Public Utility Authority, the Public Financing Authority, and the Housing Authority as of June 30, 2015, and the results of their operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.*

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**BUDGET (or FISCAL) IMPACT:** No direct fiscal impact.

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Reviewed by: Ron Carr, Assistant City Manager RC

Attachments Provided Under Separate Cover:

1. City CAFR and Financial Statements for the Public Utility Authority, Public Financing Authority, Joint Powers Authority, and Housing Authority for the year ended June 30, 2015
2. SAS-114 Conclusion Letter
3. Report on Appropriations Limit

Consent Item: X



CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date: January 12, 2016

**SUBJECT:** Extension of Time No. 15-05209 for Tentative Tract Map 32497— lots located on the northwest corner of Orange Avenue and Medical Center Drive. Applicant: CHT Investment, LLC

**REQUESTED ACTION:** **APPROVE** a one (1) year Extension of Time (EOT 15-05209) for Tentative Tract Map 32497, until October 31, 2016, for the subdivision of 12 acres into 80 residential lots for single family residential development.

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

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**BACKGROUND/DISCUSSION:**

Tentative Tract Map 32497 (TTM 05-0457) was approved by City Council on October 31, 2006 subject to the enclosed Conditions of Approval. The tentative tract map is located on the northwest corner of Orange Avenue and Medical Center Drive and is for the subdivision of 12 acres into 80 single family residential lots. The applicant is requesting the City Council to approve their first request for an extension of time.


Due to market conditions, the applicant requests an extension of time, as permitted by the Subdivision Map Act. If approved, Tentative Tract Map 32497 will expire October 31, 2016. If the subject map is not recorded prior to that date, a new extension request must be filed and approved by the City Council.

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**FISCAL IMPACT:** Cost for processing of these applications have already been paid for by the applicant.

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**Prepared by:** Ilene Lundfelt, Associate Planner

**City Attorney:** N/A  
**Assistant City Manager:** Ron Carr 

**ATTACHMENTS:** Conditions of Approval for 32497 and Tract Map Exhibits

**Consent:** January 12, 2016

**Public Hearing:**

**Business Item:**

**Workshop:**

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

**CITY COUNCIL  
CONDITIONS OF APPROVAL**

*(Revised at Planning Commission September 20, 2006)*

**Zone Change 05-456**

**Tentative Tract Map 32497(05-0457)**

**Development Plan Review 06-0274**

**October 31, 2006**

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**PROJECT:** Zone Change, Tentative Tract Map 32497, and Development Plan Review to change the zoning designation from MFR-14 to MFR-14/Planned Development Overlay and revise the Tentative Tract Map to subdivide 12.15 gross acres into 131 residential lots and 3 lettered lots (Lot A for common open space, streets and private drives, Lots B for the detention basin, and Lot C for common open space and monument wall/landscaping), and construct 131 single family detached units and recreation facility within a gated community maintained by a Home Owners Association. Applicant: Classic Pacific

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1. **Approval Period.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for extension shall be submitted to the Planning Division at least thirty (30) days prior to the expiration of Tentative Map approval.
2. **Approved Plans.** This approval is granted to change the zoning designation from MFR-14 to MFR-14/Planned Development Overlay, revise Tentative Tract Map 32497 to subdivide 12.15 gross acres into 131 residential lots and 3 lettered lots (Lot A for common open space, streets and private drives, Lots B for the detention basin, and Lot C for common open space and monument wall/landscaping), and Development Plan Review that includes site plan, plotting, building architecture, colors, and materials, except as may be modified by the conditions of approval contained herein. Any deviation shall require the appropriate Planning Division review and approval.
3. **Final Map Submittal.** A final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer. The Final Map shall be substantially as shown on the approved (revised) Tentative Tract Map, and consisting of one sheet, except as may be modified by the conditions of approval contained herein.
4. **Failure to Utilize Planned Development Overlay District Permit.** Any planned development overlay district permit granted by the City Council as provided in Chapter 19.59 of the City of Perris Municipal Code shall be conditioned upon the privilege granted being utilized within the approval period specified for the applicable subdivision map. In the event that that the approved project does not include a subdivision of land,

said approval shall be valid for a period of 24 months. Failure to implement the approved project within the time limits specified herein will automatically void said project, unless an extension of time has been granted by the City Council.

5. **Cancellation of a Planned Development Overlay District Permit.** Any previously approved Planned Development overlay district may be repealed by the same procedure as the district was originally adopted. Cancellation of a Planned Development overlay district shall be approved by Ordinance and shall similarly nullify all related approvals including, but not limited to, General Plan Amendments, Tentative Tract Maps, Parcel Maps, Conditional Use Permits and/or Development Plan Reviews, which were approved concurrent with the Planned Development overlay district.
6. **City Codes.** The project shall comply with all local requirements of the City of Perris Municipal Code Titles 18 and 19. Any deviation shall require the appropriate Planning Division review and approval.
7. **City Engineer.** The proposed project shall adhere to the requirements of the City Engineer as indicated in the in the Conditions of Approval dated ~~September 15, 2004~~ **October 5, 2006.**
8. **School District.** The proposed project shall adhere to the standard requirements and mitigation fees established by the Val Verde Unified School District.
9. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval shall be included on building plans.
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). Disabled parking spaces shall be *provided for access to common facilities (Lot A) in conformance* ~~designated in the parking area (3spaces) adjacent to the gazebo, and shall be designed to comply~~ with ADA requirements.
11. **Southern California Edison.** Prior to issuance of building permits, the applicant shall contact the area service planner (951 928-8323, Art Alvarado) for Southern California Edison (SCE) to complete the required forms prior to commencement of construction.
12. **Residential Use and Development Restrictions.** Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such. Placement of any construction trailer or sales office shall require separate review and approval by the City. Any deviation shall require the appropriate Planning Division review and approval.

13. **Compatibility with March Air Reserve Base (March ARB).** The project is located in March ARB Airport Influence Zone II and shall, therefore, comply with the following measures:

- A. The project shall provide an executed aviation easement to the March Joint Powers Authority as a condition of project approval. Aviation easement forms are available on the March Joint Powers Website, [www.marchjpa.com](http://www.marchjpa.com). Instructions for the submittal of an executed easement are available on the website.
- B. Any model home complex used in conjunction with the sale of homes shall prominently identify the location of the March Air Reserve Base/March Inland Port Airport on an aerial photo clearly visible to prospective buyers within the model home complex sales office. The model home complex shall also display a "Notice of Airport in Vicinity" disclosure in an area clearly visible and in a manner that is clearly legible to prospective buyers.

*NOTICE OF AIRPORT IN VICINTIY*

*"This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyance, if any are associated with the property before you complete your purchase and determine whether they are acceptable to you".*

- C. Buyers shall also be provided the "Notice of Airport in Vicinity" disclosure at the time of closing for the purchase of a home or residential lot.
- D. **Upgraded Sound Insulation.** The applicant shall offer an optional sound insulation package (e.g., upgraded doors, windows, insulation, baffles, etc.) for homebuyers who have considered potential noise impacts from March ARB and future traffic, and wish to purchase additional sound attenuation materials. The upgraded sound insulation package is voluntary and any costs shall be borne by the purchaser. Each optional measure shall be in addition to any sound mitigation measures otherwise required to meet City of Perris standards for residential land use.
- E. **Prohibited Uses:**
  - 1. 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 take off 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.
  - 2. 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.

3. Any use which would generate excessive smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation in the area.
  4. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  5. Any obstruction of the Federal Aviation Regulations, Part 77 Conical Surface.
14. **Disclosure Statements – Dam Inundation Area.** The developer shall record a disclosure on each unit and provide a disclosure to the purchaser of each unit indicating that the project is within a dam inundation area and is subject to flooding in the event of a dam failure. The developer shall provide an acknowledgement of the disclosure by each purchaser to the City, and disclosure shall be included on the Final Map prior to recordation.
15. **Required Approvals.** Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:
- a. Verification from the Planning Division that all pertinent conditions of approval have been met, , as mandated by the Perris Municipal Code;
  - b. Planning Commission approval of all proposed street names; and,
  - c. Any other required approval from an outside agency.
16. **Plans and CC&Rs.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:
- a. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
  - b. Any Covenants, Conditions, and Restrictions (CC&Rs) to the Planning Division and the City Attorney's office. Approved CC&Rs shall be recorded with the final map.
  - c. Grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for implementing project BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs.

17. **Home Owners Association (HOA).** Prior to final map recordation, the applicant shall incorporate the following standard provisions in the CC&Rs:
  - a. Home Owners Association shall be responsible for the maintenance of recreation facilities, drainage easements, drainage facilities, all onsite landscaping, streets, and utility systems;
  - b. Any modifications or additions of any building structures onsite shall require appropriate City review and approval;
  - c. All marketing and sales literature, leasing information for this development shall clearly state that this project is complete as built and that no further expansions to building structures are permitted without appropriate City approval.
  - d. The Home Owners Association shall be responsible for replacing any special pavers or textured/colored concrete that is removed to repair, replace or maintain any underground utilities located within private streets, driveways, or easement areas.
18. **Water Resources Control Board.** Prior to issuance of Building Permits, the applicant shall submit a copy of the State Water Resources Control Board permit letter with the WDID number.
19. **Graffiti.** Graffiti located on site shall be removed within 72 hours. The site shall be maintained in a graffiti-free state at all times.
20. **Utilities.** All utility facilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
21. **Mechanical Equipment.** All mechanical equipment, including air conditioning units, pool equipment, etc., shall be screened from the public right-of-way by a view obscuring fence, wall, or landscaping to the satisfaction of the Planning Division.
22. **Window Treatments.** All units abutting a public street, tract boundary, or a downhill slope having an elevation change in excess of 20 feet shall provide for window treatment 360 degree around the dwelling.
23. **Spark Arresters.** Spark arresters shall be provided for each unit and shall be screened by sheet metal enclosures, or other material acceptable to the City Building Official, and painted to match the main stucco building color.
24. **Energy Conservation.** To improve local air quality, the applicant is encouraged to incorporate any or all of the following energy-conservation features into the project:
  - Low NO<sub>x</sub> water heaters per specifications in the Air Quality Attainment Plan;
  - Heat transfer modules in furnaces;
  - Light colored water-based paint and roofing materials;
  - Passive solar cooling/heating; and,
  - Energy efficient appliances and lighting.

25. **Tract Identification.** Decorative project theme walls shall be installed at project entries and at Medical Center Drive and Orange Avenue intersection (Lot C), as shown on the site plan. Theme walls shall not be installed within the public right-of-way, and shall be set back a minimum of 5 feet from the property line. The design of entry statements shall be subject to the review and approval of the Planning Division.
26. **Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of light bulbs, and shall be reviewed and approved by the Planning Division.
27. **Phasing.** Any Phasing Plan shall be reviewed and approved by the Community Development Department and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots. A phasing plan shall be submitted with the Administrative Development Plan Review application.
28. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The Developer shall complete all actions required to complete such annexation prior to the issuance of a certificate of occupancy. This condition shall apply only to districts existing at the time the proposed project is approved. Such districts may include but are not limited to the following:
  - a. Landscape Maintenance District No. 1;
  - b. Flood Control Maintenance District No. 1 (may include Streets);
  - c. Maintenance District No. 84-1 (Street Lights and Traffic Signals);
  - d. North Perris Public Safety Community Facilities District (Police and Fire);
  - e. Ramona Mobility Group District (Transportation Improvements); and
  - f. Road and Bridge Benefit District (Transportation Improvements).
29. **Landscaping.** Three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered landscape architect. The location, number, genus, species, and container size of the plants shall be shown. Hydro-seed is not permitted. Protection shall be provided for existing landscaped areas, including trees, and be shown on the plans. Irrigation plans shall show connections to existing irrigation system for new landscape areas. Landscape and irrigation plans shall be consistent with Section 19.70 of the Perris Municipal Code. The landscaping and irrigation plans shall include:
  - a. Streetscape landscaping for Orange Avenue, Medical Center Drive, private drives and streets
  - b. Typical front yard landscaping for production units with street tree treatments.
  - c. Front and rear yard landscaping for model home units.
  - d. Full landscaping for detention basin (Lot B).
  - e. Enhanced landscape materials for project entries and theme wall (Lot C)
  - f. Ornamental landscaping and decorative surface pavement for project entries,

- pedestrian linkages, and paseos  
g. Decorative landscape and trellis entry treatment for paseos.

30. **Landscape Inspections.** The project applicant shall be aware and inform the on-site project or construction manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City's landscape inspector to signify approval at the following stages of landscape installation:
- a. At installation of irrigation equipment, when the trenches are still open;
  - b. After soil preparation, when plant materials are positioned and ready to plant; and,
  - c. At final inspection, when all plant materials are installed and the irrigation system is fully operational.
31. **Walls and Fences.** A wall and fencing plan shall be submitted for review and approval to the Planning Division. The plan shall include a site plan, elevations, and construction details for all proposed fencing and walls. The wall and fencing plan shall be included with the landscape plan check application submittal. Wall and fencing required on site consists of:
- a. Six-foot high, decorative block wall (split face or slump stone) *shall be* installed along the perimeter of the project site, *with the exception of view fencing along Orange Avenue (northern property line), as shown on the conceptual fencing plan..* Stone veneer pilasters with rolled stone cap shall be installed at all block ends and meeting points.
  - b. Decorative theme walls shall be installed at project entries designated on Orange Avenue and Medical Center Drive and Lot C. Theme walls shall be installed 5 feet from property line and not within the public right-of-way.
  - c. Six-foot high, white, U.V. protected vinyl fencing shall be installed on all interior side property lines.
  - d. Walls and fencing atop retaining walls that extend along differences in grade behind the right of way shall require an additional landscape setback area equal to 1 foot in width for every 1 foot in height in excess of a 6 foot wall height as measured from the natural grade. The additional landscape setback shall be measured from the property line, and be provided in addition to the right of way landscaping area. This additional landscape area may or may not incorporate a split wall design, and shall extend the full length of the street frontage.
32. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
- a. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
  - b. Prior to the issuance of building permits, the applicant shall pay City Development Impact and TUMF Fees in effect at the time of development;
  - c. Prior to the issuance of building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;



- d. Prior to issuance of building permits, the applicant will pay the statutory school fees in effect at issuance of building permits to all appropriate school districts;
  - e. The applicant shall pay any outstanding development processing fees.
33. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.
  - b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
  - c. Construction routes are limited to City of Perris designated truck routes.
  - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
  - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.
  - f. Project applicants shall provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.
34. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

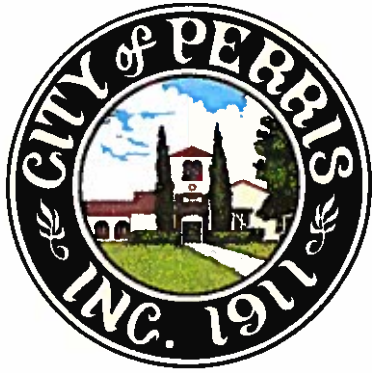
35. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal
36. **Property Liens.** The applicant shall pay all liens owed to the city prior to the issuance of building permits.
37. **Street Improvement Plan.** Two copies of street improvement plans shall be concurrently submitted to the Planning Division for reference purposes.
38. **Right-of-Way Improvements.** The applicant shall have all right-of-way improvements and associated landscaping, street lighting and irrigation installed and in good working order. All right-of-way improvements shall be installed prior to the issuance of building permits.
39. **Mail Box Security.** The applicant shall install multi-unit mail boxes with high security type features designed to resist mail theft and prevent break-in damage. The multi-unit mail boxes shall be approved by the United States Postal Office and supporting documentation of the high security type mail boxes used for the proposed development shall be submitted to the Planning Division prior to final occupancy of Phase I.
- ~~40. **Preliminary Water Quality Management Plan (WQMP).** Prior to advertising and scheduling of Zone Change 05-0456, Tentative Tract Map 32497 (05-0457), and Development Plan Review 06-0274 for City Council Approval, the developer shall first submit for review and approval, to the Community Development Department, a preliminary Water Quality Management Plan (WQMP) for City approval. The preliminary WQMP shall include site design, source control, and treatment control best management practices, and shall be prepared by registered civil engineer. (Revised by Staff).~~
41. **Final Water Quality Management Plan (WQMP).** Prior to the issuance of grading permits the owner shall submit for review and approval, along with the appropriate filing fee; a Final Water Quality Management Plan to the Department of Public Works Engineering Administration Division which substantially complies with the site design, source control and treatment control Best Management Plans proposed in the approved Preliminary Water Quality Management Plan.

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APPROVAL DATE

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PROJECT PLANNER



# CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

## *CONDITIONS OF APPROVAL*

*P8-731*

*September 15, 2004*

*TTM 32497 - Private Subdivision*

*With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the land divider provide the following street improvements and/or road dedications in accordance with the City of Perris Municipal Code Title 18. It is understood that the Site Plan correctly shows all existing easements, traveled ways 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. All*

*questions regarding the true meaning of the conditions shall be referred to the City Engineers' office.*

*1. Drainage and flood control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District and the City of Perris requirements and standards. The following drainage related conditions are the requirements of this project:*

*a. Onsite drainage facilities located outside of road right-of-way (if required) shall be constructed within dedicated drainage easements.*

*b. Drainage facilities outletting sump conditions shall be designed to convey the tributary 100-year storm flows. Additional emergency escape shall also be provided.*

*c. The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted.*

d. *Drainage easements shall be obtained from the affected property owners for the release of concentrated or diverted storm flows, if any, onto the adjacent property. A copy of the drainage easements shall be submitted to the City for review prior to its recordation.*

e. *All drainage facilities with exception of nuisance drainage improvements as indicated below shall be designed to convey the 100-year storm runoff. Minimum 18" storm drain and catch basins to eliminate nuisance runoff from cross gutters shall be installed and connected to proposed storm drain facilities in addition to those shown on tentative map at the following locations:*

- *Catch basin and pipe at the intersection of:*

1. *"A" Street and Orange Avenue.*

2. *"B" Street and Medical Center Drive.*

3. *"E" Street and "B" Street at upstream end of proposed cross gutters.*

4. *"A" Street and "F" Street at upstream end of proposed cross gutters.*

5. *Orange Avenue and Medical Center Drive.*

f. *A detailed hydrology report and hydraulic calculation shall be submitted to the City for review and approval. The report shall address the offsite flow, accumulative onsite runoff and the impact to adjacent downstream properties.*

g. *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.*

h. *Storm drain plan shall be submitted to the Riverside County Flood Control for review and approval prior to connection to the existing storm drain facility along Medical Center Drive and Orange Avenue.*

i. *All onsite storm drain facilities are private.*

2. *Sufficient right-of-way along Orange Avenue shall be dedicated to provide for a 50', half-width dedicated right-of-way. Orange Avenue from west tract boundary up to east tract boundary shall be improved to provide*

*for new 36' wide paving, curb, gutter and sidewalk located 38' on the south side of centerline.*

- 3. Sufficient right-of-way along Medical Center Drive shall be dedicated to provide for 66' dedicated right-of-way from the intersection of Orange Avenue to the intersection of Flame Avenue. Medical Center Drive within this reach shall be improved with 40 wide new paving and curb and gutter located 22' on either side of centerline. Medical Center Drive from the intersection of Flame Avenue up to the southerly tract boundary shall have sufficient right-of-way to provide for 33', half width dedicated right-of-way. Medical Center Drive from the intersection of Flame Avenue to the existing development on the south shall be improved to provide minimum 20' new paving, curb, gutter and sidewalk located at 22' on the west side of centerline and 0-15' grind and overlay on the east side of the centerline within the same reach.*
- 4. All interior streets are private and shall be improved with concrete curb, gutter, and paving located 18' from either side of centerline located within the proposed right-of-way.*
- 5. Street lights shall be installed along all interior streets, Orange Avenue, and Medical Center Drive as approved*

*by the City Engineer per Riverside County and Southern California Edison standards.*

- 6. 6' wide concrete sidewalk shall be installed throughout this project.*
- 7. The proposed development is in the service area of Eastern Municipal Water District for sewer and water. The applicant shall provide water and sewer facilities to this development and comply with City, EMWD, Fire Department, and Health Department's requirements.*
- 8. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the landscaping (offsite), flood control (offsite and non master planned facilities) and lighting districts. The developer shall maintain the landscaping for a period of one-year after acceptance of these improvements and pay the 18-month advanced energy charges for street lights.*

*All onsite storm drain facilities including catch basins, and pipes shall be maintained by residents of this subdivision.*

- 9. Existing power poles fronting this site (if any) shall be undergrounded.*



10. *On and off-site street, drainage, water, sewer, striping, signing, street lighting, grading, and erosion control plans along with hydrology and hydraulic reports shall be submitted to City Engineer's office for review and approval.*
11. *Access shall be restricted along Orange Avenue and Medical Center Drive as shown on the tentative map and so noted on the final map.*
12. *Additional street improvements shall be provided along existing paved area if disturbed due to construction of utilities as directed by the City Engineer.*
13. *Prior to issuance of any permit or recordation of the map, a warrant study shall be prepared to determine the need and timing for signal at the intersection of Orange Avenue and Medical Center Drive. If the signal is warranted, the City shall reimburse the developer up to \$100,000 for the cost of the signal utilizing the projects street portion of the Cap Fee.*
14. *Prior to approval of improvements, an encroachment permit from Riverside County Flood Control and other governing agencies (if necessary) shall be obtained for any work within their right-of-way.*

15. *This development shall be required to purchase and incorporate the not a part parcel at intersection of Orange Avenue and Medical Center Drive and use this and lot 81 as entry monuments as driveways close to Orange Avenue will create potential safety hazard.*
16. *Installation of raised median on Orange to prohibit left turn movements to and from "A" Street will be required as determined by City.*
17. *The City Council is concerned about the speeding along Medical Center Drive. Traffic calming devices and improvements such as raised median and other improvements shall be implemented along this road as determined by the City Engineer.*

Habib Motlagh

*Habib Motlagh*

*City Engineer*



CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date: January 12, 2016

**SUBJECT:** To uphold the American principles of religious freedom and pluralism by opposing islamophobia and renouncing random acts of violence against Muslim Americans.

**REQUESTED ACTION:** **ADOPT Resolution No. (next in order)** – Policies, based on the information and findings contained in the staff report.

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

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**BACKGROUND/DISCUSSION:**

At the December 9, 2015 meeting, the City Council directed staff to prepare a resolution declaring support for Muslim communities and affirming the religious pluralism of the United States. The resolution reaffirms that the City of Perris does not tolerate anti-Muslim hate speech and violent acts committed against those who are Muslim or perceived as being Muslim, their places of worship, businesses, school, and community centers.

On December 2, 2016 there was an attack at the San Bernardino County Department of Public Health. Since this event the City of Perris recognizes that there has been a rise in anti-Muslim sentiments in the Southern California region. The City Council is proposing a resolution to uphold the American principles of religious freedom and pluralism by opposing islamophobia and renouncing random acts of violence against Muslim Americans.


Staff is recommending that the City Council approve the attached resolution to support and sponsor any legislation which would oppose islamophobia and renouncing random acts of violence against Muslim Americans.

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**BUDGET (or FISCAL) IMPACT:** Cost for staff preparation of this item has been budgets in the 2015-2016 budget.

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**Prepared by:** Ilene Lundfelt, Associate Planner

**City Attorney:** N/A  
**Assistant City Manager:** Ron Carr   
**Public Hearing:** January 12, 2016

**Attachment:** 1. City Council Resolution

**Consent:** January 12, 2016

**Public Hearing:**  
**Business Item:**  
**Workshop:**

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
PERRIS ON RELIGIOUS PLUARALISM AND  
ISLAMOPHOBIA**

**WHEREAS**, any official position of the City of Perris with respect to legislation, rule, regulations or policies prosed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

**WHEREAS**, the City of Perris facilitates access to local government by empowering communities with the knowledge and skills to participate effectively. Perris is comprised of diverse population that are easily overlooked without proper attention; and

**WHEREAS**, the concept of religious pluralism is used to describe the significance of interfaith dialogue between members of different religious groups with the goal of minimizing conflicts between the different groups; and

**WHEREAS**, The City of Perris City Council initiated drafting the religious pluralism to establish goals and polices to guide the City efforts to promote commitment to pluralism and to the free exercise of religion are the cornerstone of American values that have helped produce ethnically and religiously diverse and vibrant cities; and

**WHEREAS**, the rise in anti-Muslim sentiment, commonly called Islamophobia has contributed to opposition to the lawful construction and expansion of religious centers across the United States; and

**WHEREAS**, mosques across America have been the targets of vandalism, arson and other hateful acts in the post years. In additions, hate crimes and incidents have increased tremendously in the Southern California region after the December 2, 2016 attack on the San Bernardino County Department of Health; and

**WHEREAS**, the City of Perris has a history of opposing various degrees of discrimination and supporting the rights to religious liberty and equal protections and recognizing that when those rights are threatened for some they are weakened for all; and

**WHEREAS**, Prior to taking actions, 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 Resolution have occurred.

*RESOLUTION NUMBER XX*

***THEREFORE, BE IT RESOLVED*** with the concurrence of the City Council that by the adoption of this Resolution, The City of Perris hereby supports and sponsorship of any legislation which would oppose islamophobia and renouncing random acts of violence against Muslim Americans.

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

***Section 1.*** The above recitals are all true and correct.

***Section 2.*** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

***Section 3.*** The Mayor shall sign this Resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

***ADOPTED, SIGNED, and APPROVED*** this 12<sup>th</sup> day of January 2016.

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Daryl R Busch, Mayor

ATTEST:

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Nancy Salazar, City Clerk

*RESOLUTION NUMBER XX*

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE   ) §  
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 thereof held on the 12<sup>th</sup> day of January 2016, and that it was so adopted by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Nancy Salazar, City  
Clerk

CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date January 12, 2016

SUBJECT: Annexation of DPR 14-00099 to the City's Maintenance Districts

REQUESTED ACTION:

Open and Close of Public Hearing, Open 2 Ballots and Adoption of 2 Resolutions Ordering the Annexation of DPR 14-00099 to the City's Maintenance Districts, Giving Final Approval to the Engineer's Reports, and the Levying of the 2015-2016 Assessments

CONTACT: Habib Motlagh, City Engineer

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BACKGROUND/DISCUSSION: DPR 14-00099 is a 2.23-acre project located on the southeast corner of Hart Lane and Perris Boulevard. The project is being developed for a Les Schwab Tire Store and is under the ownership of SFP-E, LLC.

On November 10, 2015, resolutions were approved stating the City Council's intention to annex this project into the City's maintenance districts and set a Public Hearing for January 12, 2016.

---

BUDGET (or FISCAL) IMPACT: The proposed annual maximum assessments are subject to Standard Inflation Factors for labor, energy and water. The current annual assessments, by district, are as follows:

<u>Maintenance District</u>	<u>Annual Assessment</u>
Maintenance District No. 84-1	\$ 433.46
Landscape Maintenance District 1 (medians)	1,708.17
Landscape Maintenance District 1 (parkways)	<u>3,860.27</u>
Total Annual Assessment	\$6,001.90

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Reviewed by:

Assistant City Manager DL

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

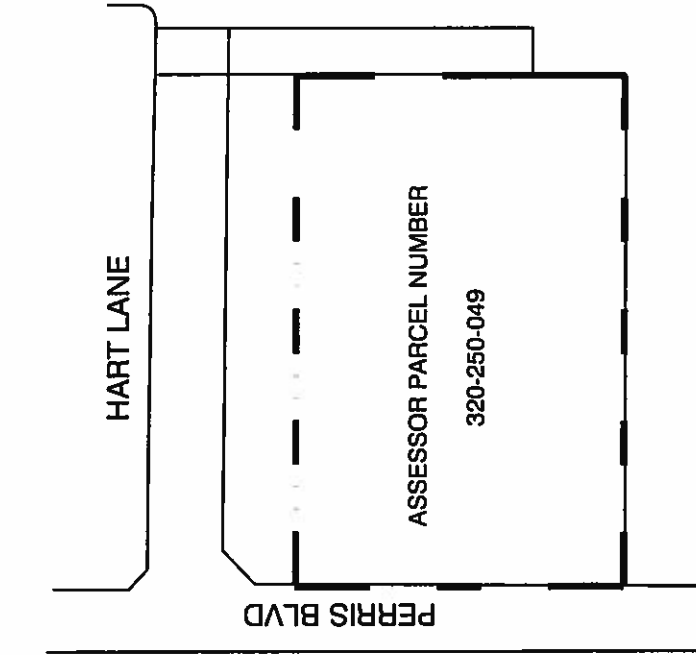
Attachments:

1. Location Map
2. Resolution Ordering the Annexation of DPR 14-00099 to MD 84-1, Giving Final Approval to the Engineer's Report, and the Levying of the 2015-2016 Assessments.
3. Resolution Ordering the Annexation of DPR 14-00099 to LMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2015-2016 Assessments.

Public Hearing:



**ANNEXATION OF DPR 14-00099 TO CITY OF PERRIS  
 MAINTENANCE DISTRICT NO. 84-1 AND LANDSCAPE MAINTENANCE DISTRICT NO. 1**



2.23 Acres

MD 84-1

1 Street Light

Contribution of 5% towards traffic signal at the intersection of Perris Boulevard and Nuevo Road.

LMD 1

Perris Boulevard medians and parkways along the west boundary.

**VICINITY MAP**

NOT TO SCALE

Facility	Annual Assessment
Street Lights and Traffic Signals	\$ 433.46
Landscaped Medians	1,708.17
Landscaped Parkways	3,860.27
<b>Total Annual Assessments</b>	<b>\$ 6,001.90</b>

- Standard Inflation Factors (SIF)
- 1) "Common Labor, Construction Cost Index", ENR
  - 2) Southern California Edison rate increases
  - 3) Eastern Municipal Water District rate increases
- MD 84-1 Assessments include SIF 1 and 2  
 LMD 1 Assessments include SIF 1, 2, and 3

**RESOLUTION NUMBER**

***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 14-00099 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016***

**WHEREAS**, the City Council of the City of Perris, County of Riverside, California ("the City Council") did on the 10th day of November 2015, adopt its Resolution of Intention Number 4930 to order the therein described work in connection with the annexation and assessment procedures in the City of Perris Maintenance District Number 84-1 (the "District"), which Resolution of Intention Number 4930 was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Resolution of Intention on file in the office of the City Clerk; and

**WHEREAS**, after the adoption thereof, notice of the adoption of the Resolution of Intention, a Notice of Public Hearing and an Assessment Ballot were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention Number 4930, according to the names and addresses of such owners as the same appears on the last equalized assessment roll for taxes of the County of Riverside or more recent information available to the City of Perris, which said documents were duly mailed in the time, form, and manner as required by law, as appears from the Affidavit of Mailing on file in the office of the City Clerk; and

**WHEREAS**, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in this proceedings and concerning the necessity for the contemplated work and the benefits to be derived therefrom and said City Council having now acquired jurisdiction to order the proposed maintenance work; and

**WHEREAS**, said City Council has determined that a majority protest does not exist.

***NOW, THEREFORE, BE IT RESOLVED, ADOPTED, SIGNED and APPROVED*** by the City Council of the City of Perris, California, as follows:

***Section 1.*** That the public interest and convenience requires the annexation to the district and levying assessments for maintenance, and said City Council hereby orders that the work, as set forth and described in said Resolution of Intention Number 4930, be done and made.

**Section 2.** Be it further resolved that:

- A. The Riverside County assigned fund number for the Maintenance District No. 84-1 and the annexation thereto, is 68-2651.
- B. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 53750 et seq. of the State of California Government Code.
- C. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 22500 et seq. of the State of California Streets and Highways Code Code.
- D. The assessments are levied without regard to the property value.
- E. The purpose of the assessments is to provide for the energy and maintenance of streetlights and traffic signals that will benefit the parcels being assessed.

**Section 3.** That the report filed by the Engineer is hereby finally approved;

and

**Section 4.** That pursuant to Sections 22640 and 22641 of the Code, the City Clerk shall file a certified copy of the diagram and assessment with the Riverside County Auditor-Controller not later than the third Monday in August.

**Section 5.** Be it finally resolved that the method of assessment in the Engineer's Report is hereby approved and the assessments for Fiscal Year 2015-2016 are hereby levied.

**ADOPTED, SIGNED and APPROVED** this 12th day of January 2016.

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Mayor, Daryl R. Busch

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 Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January 2016, by the following called vote:

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

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City Clerk, Nancy Salazar

**RESOLUTION NUMBER**

***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 14-00099 TO BENEFIT ZONE 115, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016***

**WHEREAS**, the City Council of the City of Perris, County of Riverside, California ("the City Council") did on the 10th day of November 2015, adopt its Resolution of Intention Number 4933 to order the therein described work in connection with the annexation and assessment procedures in the City of Perris Landscape Maintenance District Number 1 (the "District"), which Resolution of Intention Number 4933 was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Resolution of Intention on file in the office of the City Clerk; and

**WHEREAS**, after the adoption thereof, notice of the adoption of the Resolution of Intention, a Notice of Public Hearing and an Assessment Ballot were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention Number 4933, according to the names and addresses of such owners as the same appears on the last equalized assessment roll for taxes of the County of Riverside or more recent information available to the City of Perris, which said documents were duly mailed in the time, form, and manner as required by law, as appears from the Affidavit of Mailing on file in the office of the City Clerk; and

**WHEREAS**, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in this proceedings and concerning the necessity for the contemplated work and the benefits to be derived therefrom and said City Council having now acquired jurisdiction to order the proposed maintenance work; and

**WHEREAS**, said City Council has determined that a majority protest does not exist.

***NOW, THEREFORE, BE IT RESOLVED, ADOPTED, SIGNED and APPROVED*** by the City Council of the City of Perris, California, as follows:

***Section 1.*** That the public interest and convenience requires the annexation to the district and levying assessments for maintenance, and said City Council hereby orders that the work, as set forth and described in said Resolution of Intention Number 4933, be done and made.

**Section 2.** Be it further resolved that:

- A. The Riverside County assigned fund number for the Landscape Maintenance District No. 1 and the annexation thereto, is 68-2652.
- B. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 53750 et seq. of the State of California Government Code.
- C. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 22500 et seq. of the State of California Streets and Highways Code Code.
- D. The assessments are levied without regard to the property value.
- E. The purpose of the assessments is to provide landscape maintenance on those lands that will benefit the parcels being assessed.

**Section 3.** That the report filed by the Engineer is hereby finally approved;  
and

**Section 4.** That pursuant to Sections 22640 and 22641 of the Code, the City Clerk shall file a certified copy of the diagram and assessment with the Riverside County Auditor-Controller not later than the third Monday in August.

**Section 5.** Be it finally resolved that the method of assessment in the Engineer's Report is hereby approved and the assessments for Fiscal Year 2015-2016 are hereby levied.

**ADOPTED, SIGNED and APPROVED** this 12th day of January 2016.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Nancy Salazar

*RESOLUTION NUMBER*

*Page 3*

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

I, , Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January 2016, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

City Clerk, Nancy Salazar

CITY COUNCIL  
AGENDA SUBMITTAL

Meeting Date January 12, 2016

SUBJECT: Annexation of Parcel 1, Parcel Map 36462 to the City's Flood Control Maintenance District (FCMD 1) No. 1

REQUESTED ACTION:

Open and Close of Public Hearing, Open 1 Ballot and Adoption of Resolution Ordering the Annexation of Parcel 1, Parcel Map 36462 to the City's FCMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2015-2016 Assessments

CONTACT: Habib Motlagh, City Engineer

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BACKGROUND/DISCUSSION: Parcel 1, Parcel Map 36462 is a 59.02-acre project located north of Rider Street between Indian Avenue and Perris Boulevard. The project is under the ownership of Duke Realty.

On October 13, 2015, a resolution was approved stating the City Council's intention to re-annex this project into the City's Flood Control Maintenance District No. 1 and set a Public Hearing for December 8, 2015. On December 8, 2015, the Public Hearing was continued to January 12, 2016.

On May 12, 2015, Parcel 1, Parcel Map 36462 was annexed into the City's Maintenance District No. 84-1 and Landscaping Maintenance District No. 1.

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BUDGET (or FISCAL) IMPACT: The proposed annual maximum assessment is subject to Standard Inflation Factors for labor, energy and water. The current annual assessment is \$32,743.00.

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Reviewed by:

Assistant City Manager Re

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

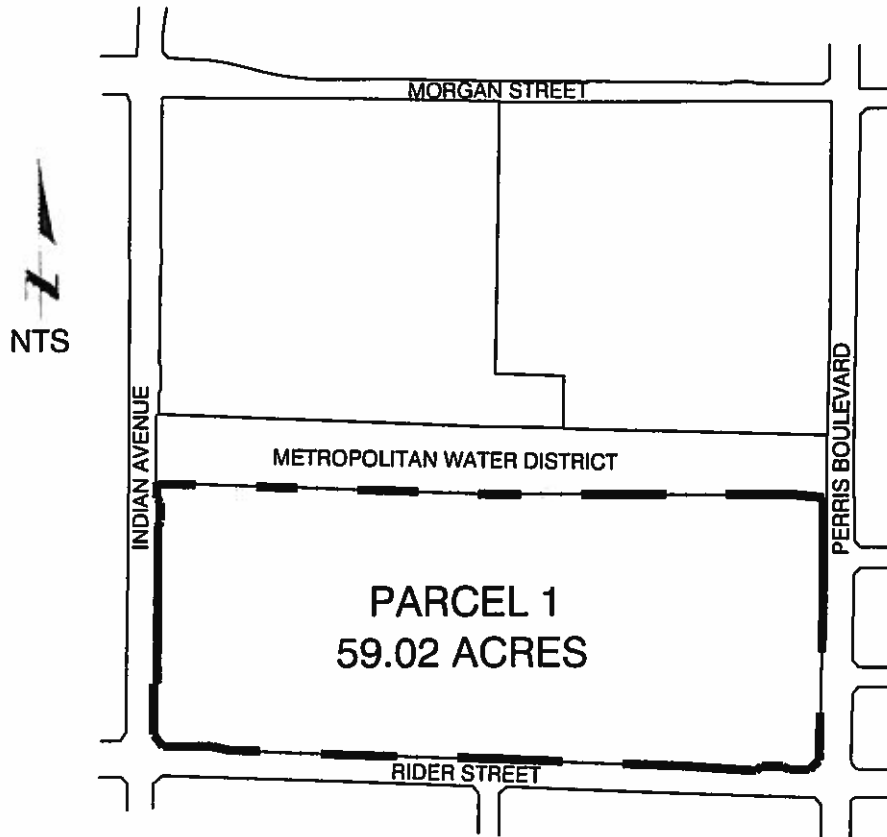
Attachments:

1. Location Map
2. Resolution Ordering the Annexation of Parcel 1, Parcel Map 36462 to FCMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2015-2016 Assessments.

Public Hearing:



ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO CITY OF PERRIS  
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1



**FCMD 1**

Flood control facilities that channel, contain, and convey storm flow to Perris Valley Storm Drain Channel, including catch basins, 8" PVC, 18" and 24" reinforced concrete pipe and 1,800 lineal feet of reinforced concrete box culvert.

Annual Assessment of \$32,743 including Standard Inflation Factors, including:

- 1) "Common Labor, Construction Cost Index", ENR
- 2) Southern California Edison rate increases
- 3) Eastern Municipal Water District rate increases

**RESOLUTION NUMBER**

***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 PARCEL 1, PARCEL  
MAP 36462 TO BENEFIT ZONE 84, CITY OF PERRIS FLOOD CONTROL  
MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF  
THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR  
FISCAL YEAR 2015-2016***

**WHEREAS**, the City Council of the City of Perris, County of Riverside, California ("the City Council") did on the 13th day of October 2015, adopt its Resolution of Intention Number 4920 to order the therein described work in connection with the annexation and assessment procedures in the City of Perris Flood Control Maintenance District Number 1 (the "District"), and which a Notice of Public Hearing was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Notice on file in the office of the City Clerk; and

**WHEREAS**, after the adoption of Resolution Number 4920, said Resolution was duly posted in the time, form and manner as required by law, shown by the Affidavit of Posting on file in the office of the City Clerk; and

**WHEREAS**, after the adoption thereof, notice of the adoption of the Resolution of Intention, a Notice of Public Hearing and an Assessment Ballot were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention Number 4920, according to the names and addresses of such owners as the same appears on the last equalized assessment roll for taxes of the County of Riverside or more recent information available to the City of Perris, which said documents were duly mailed in the time, form, and manner as required by law, as appears from the Affidavit of Mailing on file in the office of the City Clerk; and

**WHEREAS**, the hearing scheduled for December 8, 2015 was continued to January 12, 2016 pursuant to Government Code Section 54955.1, and on January 12, 2016 the hearing was duly opened and held by this City Council at the time and place for the hearing; and

**WHEREAS**, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in this proceedings and concerning the necessity for the contemplated work and the benefits to be derived therefrom and said City Council having now acquired jurisdiction to order the proposed maintenance work; and

**WHEREAS**, said City Council has determined that a majority protest does not exist.

**NOW, THEREFORE, BE IT RESOLVED, ADOPTED, SIGNED and APPROVED** by the City Council of the City of Perris, California, as follows:

**Section 1.** That the public interest and convenience requires the annexation to the district and levying assessments for maintenance, and said City Council hereby orders that the work, as set forth and described in said Resolution of Intention Number 4920, be done and made.

**Section 2.** Be it further resolved that:

- A. The Riverside County assigned fund number for the Flood Control Maintenance District No. 1 and the annexation thereto, is 68-2657.
- B. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 53750 et seq. of the State of California Government Code.
- C. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 22500 et seq. of the State of California Streets and Highways Code Code.
- D. The assessments are levied without regard to the property value.
- E. The purpose of the assessments is to provide flood control facility maintenance on those lands that will benefit the parcels being assessed.

**Section 3.** That the report filed by the Engineer is hereby finally approved;  
and

**Section 4.** Be it finally resolved that the method of assessment in the Engineer's Report is hereby approved and the assessments for Fiscal Year 2015-2016 are hereby levied.

**ADOPTED, SIGNED and APPROVED** this 12th day of January 2016.

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Mayor, Daryl R. Busch

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 Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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City Clerk, Nancy Salazar

**CITY COUNCIL**  
**AGENDA SUBMITTAL**

**Meeting Date: January 12, 2016**

**SUBJECT:** **Annexation of portions of APN 302-020-030 and 302-020-031 into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 20**  
**Owner: 60 Knox Partnership**

**REQUESTED ACTION:**

- 1.) Open a public hearing on Annexation No. 20 to CFD 2001-3 and determine if there are any protests to the Annexation.
- 2.) Adopt a Resolution of the City Council of the City of Perris, acting as the Legislative Body, of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Calling a Special Election, to submit to Qualified Electors, within Proposed Annexation No. 20 the question of annexing such territory and levying of a Special Tax within the area of Proposed Annexation No. 20.
- 3.) Conduct the Special Election relating to Annexation No. 20.
- 4.) Adopt a Resolution of the City Council of the City of Perris, acting as the Legislative Body of the Community Facilities Districts No. 2001-3 (North Perris Public Safety) of the City of Perris, Declaring the results of the Special Election relating to Annexation No. 20, and Ordering the Annexation of such territory, and directing the Recording of a Notice of Special Tax Lien.

**CONTACT:** Jennifer Erwin, Assistant Director of Finance

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**BACKGROUND/DISCUSSION:**

At its meeting on December 8, 2015, the City Council of the City of Perris (the "City Council"), acting as Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) (the "District"), adopted Resolution No. 4937 ("Resolution of Intention"), Declaring its Intention to Annex Certain Territory to the District and setting the date of the public hearing to January 12, 2016 as the date for conducting the hearing in connection with the annexation of territory to the District. These actions were taken, as required by law, pursuant to a petition submitted to the property owner of the territory proposed for annexation to the District. The Owner, pursuant to the petition submitted concurrently with the Resolution of Intention, submitted a waiver concurrently herewith, waiving certain time periods and noticing requirements required by the Mello-Roos Community Facilities Act of 1982 ("the Act") and the Elections Code of the State of California.

The holding of the Public Hearing and adopting of the resolutions submitted with this report and the conduct of this election will complete the annexation of territory to the District. The property owner has waived notice and the time period for conducting the election pursuant to the Act. The Clerk has not received any written protests prior to the hearing.

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**BUDGET / FISCAL IMPACT:**

The Annexation of territory into the District increases the tax base to fund the public safety services to be provided to the residents and businesses within the District. The levy of the Special Tax will begin in the fiscal year for which a building permit was issued prior to March 1<sup>st</sup> of the previous fiscal year.

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Prepared by: Daniel Louie, Willdan Financial Services

City Attorney:

Asst. City Manager: *Re*

**Public Hearing: January 12, 2016**

**Resolution No. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 20 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 20**

***WHEREAS***, the City Council (the "Council") of the City of Perris, California (the "City"), acting in its capacity as the legislative body (the "Legislative Body") of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris (the "District"), on December 8, 2015, has heretofore adopted its Resolution No. 4937 (the "Resolution of Intention") stating its intention to annex certain territory (the "Property") as described therein to the District pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the "Act") being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, and specifically Article 3.5 thereof, and calling a public hearing on the question of the proposed annexation of the Property to the District, including the levying of a special tax on the Property and all other matters as set forth in the Resolution of Intention; and

***WHEREAS***, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory proposed for annexation to the District, stating the public services to be provided in and for the Property and a plan setting forth sharing of such services provided in common with the existing District, and specifying the special taxes to be levied within the Property and any alteration in the Rate and Method of Apportionment (as defined therein and incorporated herein by this reference) is on file with the City Clerk of the City; and

***WHEREAS***, the Resolution of Intention set January 12, 2016 as the date of the public hearing and to consider the question of the proposed annexation of the Property to the District, including the levying of a special tax on the Property and all other matters set forth in the Resolution of Intention and this Council held said public hearing as required by law; and

***WHEREAS***, notice of the public hearing was duly given as required by Section 53339.4 of the Act or has been duly waived by the property owner; and

***WHEREAS***, the public hearing was held on January 12, 2016; and

***WHEREAS***, at said hearing all persons not exempt from the special tax desiring to be heard on all matters pertaining to the annexation of the Property to the District, the levy of the special tax on the Property, and all other matters as set forth in the Resolution of Intention were heard and a full and fair hearing was held; and

**WHEREAS**, at the public hearing evidence was presented to the Legislative Body on the matters before it, and the Legislative Body at the conclusion of the hearing is fully advised as to all matters relating to the proposed annexation of the Property to the District, including the levy of the special tax on the Property; and

**WHEREAS**, it has now been determined that written protests have not been received by registered voters and/or property owners representing more than one-half (1/2) of the area of land proposed to be annexed to the District or within the original District; and

**WHEREAS**, there were not at least twelve (12) registered voters residing within the territory proposed to be annexed to the District during each of the ninety (90) days preceding the closing of the January 12, 2016 public hearing; and

**WHEREAS**, on the basis of the foregoing, the Legislative Body has determined at this time to proceed with the annexation of the Property to the District, and to call an election therein to authorize such annexation, including the levy of the special tax therein (as such tax is more particularly described in the Resolution of Intention) to pay for the public services proposed to be financed by the District;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Perris, acting in its capacity as the Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, California, as follows:

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

**Section 2.** Written protests against the annexation of the Property to the District, or against the furnishing of specified services or the levying of a specified special tax within the District, have not been filed by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the boundaries of the proposed annexation, nor by owners representing one-half (1/2) or more of the area of land proposed to be annexed to the District. All protests and objections, if any, are hereby overruled.

**Section 3.** The Legislative Body does declare the annexation of the Property to the existing District, to be known and designated as "Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 20." The Legislative Body hereby finds and determines that all prior proceedings taken with respect to the annexation of the Property to the District were valid and in conformity with the requirements of law, including the Act. This finding is made in accordance with the provisions of Section 53325.1 of the Act.

**Section 4.** The boundaries and parcels of land to be annexed and in which the public services are to be provided and on which the special taxes will be levied in order to pay the costs and expenses for said public services are generally described as all that territory proposed to be annexed to the existing District as said property is shown



on a map as previously approved by the Legislative Body, said map designated "Annexation Map No. 20 to Community Facilities District No. 2001-3, (North Perris Public Safety)," a copy of which is on file in the office of the City Clerk and shall remain open for public inspection. The map of the proposed boundaries of Annexation No. 20 to the District has been recorded in the Office of the County Recorder of Riverside County, California in Book 79, Page 20 of the Book of Maps of Assessments and Community Facilities Districts (Document Number 2015-0556132).

**Section 5.** The Council finds that the Services, generally described as fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto, as set forth in Exhibit "B" hereto are necessary to meet the increased demand put upon the City as a result of the development within Annexation No. 20.

**Section 6.** Except where funds are otherwise available, a special tax is hereby authorized, subject to the approval of the landowners as the eligible electors of the District, to levy annually in accordance with procedures contained in the Act, a special tax within the District, secured by recordation of a continuing lien against all nonexempt real property in the District, sufficient to pay for the Services and Incidental Expenses. The rate and method of apportionment and manner of collection of the special tax within the District is described in detail in Exhibit "A" attached hereto and incorporated herein by this reference. Exhibit "A" allows each landowner within the District to estimate the maximum amount that may be levied against each parcel.

**Section 7.** The Rate and Method of Apportionment of the special tax is based on the expected demand that each parcel of real property within the District will place on the Services, on the cost of making the Services available to each parcel within the Property, and on other factors. The Council hereby determines the rate and method of apportionment of the special tax set forth in Exhibit "A" to be reasonable. The special tax is apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act and such special tax is not based upon the value or ownership of real property. In the event that a portion of the property within Community Facilities District No. 2001-3 shall become for any reason exempt, wholly or partially, from the levy of the special tax specified on Exhibit "A," the Council shall, on behalf of Community Facilities District No. 2001-3, cause the levy to be increased, subject to the limitation of the maximum special tax for a parcel as set forth in Exhibit "A," to the extent necessary upon the remaining property within the District which is not delinquent or exempt in order to yield the special tax revenues required for the purposes described herein. The obligation to pay special taxes may be prepaid as set forth in Exhibit "A." Upon recordation of a notice of special tax lien pursuant to Streets and Highways Code Section 3114.5, continuing lien to secure each levy of the special tax will attach to all nonexempt parcels within the Property and the lien shall continue in force and effect until the special tax obligation is permanently satisfied and the lien canceled in accordance with the law or until collection of the special tax by the Legislative Body ceases.

**Section 8.** Pursuant to Section 53325.7 and 53326 of the Act, a special election is hereby called on behalf of the District on the proposition of levying the special tax on the territory within Annexation No. 19 to the District and establishing an appropriations limit therein. The proposition relating to the District authorizing the levy of the special tax on the Property and establishing an appropriations limit shall be substantially in the form attached hereto as Exhibit "C."

**Section 9.** The special election for the District on the proposition of authorizing the levy of the special tax on the Property and establishing an appropriations limit shall be held on January 12, 2016.

**Section 10.** It is hereby found that there were not at least twelve (12) registered voters that resided within the territory of the proposed Annexation No. 20 during each of the ninety (90) days preceding the closing of the January 12, 2016 public hearing regarding the levy of the special tax on the territory within Annexation No. 20 and establishing an appropriations limit therein and, pursuant to Section 53326 of the Act, the ballots for the special election shall be distributed by personal service, or by mail, with return postage prepaid, by the Election Official, to the landowners of record within the District as of the close of the public hearing. Each landowner shall have one (1) vote for each acre or portion thereof that he or she owns within the District, as provided in Section 53326 of the Act and may return the ballot by mail or in person to the Election Official not later than 6:30 p.m. on January 12, 2016, or 6:30 p.m. on another election day mutually agreed to by the Election Official and the landowners. In accordance with Section 53326(d) of the Act, the election shall be closed and the results certified by the Election Official as soon as all qualified electors have voted.

**Section 11.** If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing such appropriations limit are cast in favor of levying such special tax within the District as determined by the Legislative Body after the canvass of the returns of such election, the Legislative Body may levy such special tax within the District under the Act in the amount and for the purposes as specified in this Resolution. Such special tax may be levied only at the rate and may be apportioned only in the manner specified in this Resolution, subject to the Act, except that the special tax may be levied at a rate lower than that specified herein and the maximum annual tax rate may be lowered. Such special tax may be levied so long as it is needed to pay for the financing of the services.

**Section 12.** If special taxes of the District are levied against any parcel used for private residential purposes, (i) the maximum special tax rate shall not be increased over time except that it may be increased by an amount not to exceed two percent (2.00%) per year to the extent permitted in the rate and method of apportionment; (ii) such tax shall be levied in perpetuity, as further described in Exhibit "A" hereto; and (iii) under no circumstances will such special tax be increased more than ten percent (10%) as a consequence of delinquency or default by the owner of any other parcels within the District by more than ten percent.

**Section 13.** In the event that a portion of the property in the District shall become for any reason exempt, wholly or partially, from the levy of the special tax specified in Exhibit "A" the Council shall, on behalf of the District, increase the levy to the extent necessary upon the remaining property within the District which is not delinquent or exempt in order to yield the required payments, subject to the maximum tax.

**Section 14.** The Council finds that there is not an ad valorem property tax currently being levied on property within the proposed District for the exclusive purpose of financing the provision of the same services to the territory of the District as provided by the Services.

**Section 15.** An appropriations limit for the District is hereby established as an amount equal to all the proceeds of the special tax collected annually and as defined by Article XIII B of the California Constitution, as adjusted for changes in the cost of living and changes in population.

**Section 16.** The Elections Official shall cause to be published once in a newspaper of general circulation the text of Proposition A, along with a description of the election proceedings. The publication shall also state that only the qualified electors in the District may vote on the proposition and that the canvass of the election will take place in the office of the City Clerk following the close of the election. Pursuant to the petition and request, the publication of such notice has been waived by the property owner.

**Section 17.** The District shall constitute a single election pursuant for the purpose of holding said election. Following the close of the election, the election shall be canvassed at the office of the City Clerk, 101 North "D" Street, Perris, California 92570.

**Section 18.** The Office of the City Manager, 101 North "D" Street, Perris, California 92570, (909) 943-6100, or its designee, is designated to be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and for estimating future special tax levies pursuant to Section 53340.2 of the Government Code.

**Section 19.** Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Legislative Body hereby establishes the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 6 above:

- A. Such Special Tax with respect to the District shall be levied for the specific purposes set forth in and Section 5 hereof and Proposition A referred to herein.

- B. The proceeds of the levy of such Special Tax shall be applied only to the specific purposes set forth in Section 5 hereof and Proposition A referred to herein.
- C. The District shall establish an account or accounts into which the proceeds of such Special Tax shall be deposited.
- D. The City Manager or Finance Director, or his or her designee, acting for and on behalf of the District, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

**Section 20.** The City Clerk is directed to certify and attest to this Resolution, and to take any and all necessary acts to call, hold, canvass and certify an election or elections on the levy of the special tax, and the establishment of the appropriation limit.

**Section 21.** This Resolution shall take effect immediately upon its adoption.

**ADOPTED, SIGNED and APPROVED** this 12th day of January 12, 2016.

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of January 12, 2016, by the following called vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
City Clerk, Nancy Salazar

## Exhibit A

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

#### SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

##### A. BASIS OF SPECIAL TAX LEVY

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

##### B. DEFINITIONS

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

**Administrative Expenses** means the costs incurred by the City to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer CFD No. 2001-3 as determined by the Finance Director.

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

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

**Base Year** means Fiscal Year ending June 30, 2006.

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

**City** means the City of Perris, California.

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**Council** means the City Council of the City of Perris as the legislative body for CFD No. 2001-3 under the Act.

**County** means the County of Riverside, California.

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

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

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

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

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

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

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

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

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

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

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

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utility, public streets; schools; parks; and public drainage ways, public landscaping, greenbelts, and public open space.

**Parcel** means a lot or parcel shown on an assessor's parcel map with an assigned assessor's parcel number located in CFD No. 2001-3 based on the last equalized tax rolls of the County.

**Police & Fire Protection Program** means a program adopted by the Council pursuant to Section 53313 of the Act for the provision, in a defined area of benefit, of police and fire protection services that are in addition to those services that would be provided to the area of CFD No. 2001-3 if CFD No. 2001-3 were not in existence.

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

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

**Special Tax(es)** means any tax levy under the Act in CFD No. 2001-3.

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

**Zone A** means property designated as Zone A.

**C. DURATION OF THE SPECIAL TAX**

Duration of Special Tax for Taxable Property in CFD No. 2001-3 shall remain subject to the Special Tax in perpetuity.

**D. ASSIGNMENT OF MAXIMUM SPECIAL TAXES**

**1. Classification of Parcels**

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



**2. Maximum Special Tax Rates**

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

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

Each Fiscal Year following the Base Year of FY 2005/06, the Maximum Special Tax Rates shall be increase in accordance with the Annual Tax Escalation Factor.

**E. SETTING THE ANNUAL SPECIAL TAX LEVY**

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

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

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

**F. ADMINISTRATIVE CHANGES AND APPEALS**

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

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

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Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties, or any definition applicable to CFD No. 2001-3.

**G. MANNER OF COLLECTION**

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

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## **Exhibit B**

### **COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, ANNEXATION NO. 20**

#### **TYPES OF SERVICES TO BE FINANCED**

Fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto.

**Exhibit C**

**OFFICIAL BALLOT**

**TO BE OPENED ONLY BY THE CANVASSING BOARD**

**COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)  
OF THE CITY OF PERRIS, ANNEXATION NO. 20**

**SPECIAL TAX AND APPROPRIATIONS LIMIT ELECTION**

**January 12, 2016**

To vote, mark a cross (+) or (X) in the voting square after the word "YES" or after the word "NO." The voter should then sign the ballot. All distinguishing marks otherwise made are forbidden and will void the ballot.

This ballot is provided to **60 KNOX PARTNERSHIP** as owner or authorized representative of such sole owner of 1.268 acres of the land within Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 19 (the "Property") and represents **10** of the votes required for annexation.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570 and obtain another.

**PROPOSITION A:** Shall the Property be annexed and shall a Special Tax be levied within Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 20 to pay for the provision of fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; and police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto, as authorized in the Resolution calling election adopted on January 12, 2016 and the Resolution of Intention referred to therein; and shall an appropriations limit be established for Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 20 pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population, where said Maximum Special Tax Rate for Fiscal Year 2015-2016 is \$323.40 per Single-Family Residential Unit, \$64.68 per Multi-Family Residential Unit and \$1,293.60 per acre for Non-residential Parcels and is subject to an Annual Tax Escalation Factor not to exceed 2.00% annually?

YES

NO

Number of votes: **10**

Property Owner: **60 KNOX PARTNERSHIP**

By: \_\_\_\_\_

Resolution No. \_\_\_\_\_

**Resolution No. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 20 AND ORDERING THE ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION NO. 20 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN**

The City Council (the "Council") of the City of Perris, California (the "City"), acting in its capacity as the legislative body (the "Legislative Body") of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris (the "District"), does hereby resolve as follows:

**WHEREAS**, the Legislative Body called and duly held an election in the District pursuant to Resolution No. \_\_\_\_\_ adopted on January 12, 2016 for the purpose of presenting to the qualified electors within the certain territory proposed to be annexed to the District known and designated as "Annexation No. 20" (the "Property"), a proposition for the levy of a special tax and the establishment of an appropriations limit ("Proposition A") in accordance with the method set forth in Exhibit "A" to Resolution No. 4937 adopted on December 8, 2015 (the "Resolution of Intention"); and

**WHEREAS**, the landowners of record within the Property as of the close of the public hearing held on January 12, 2016 unanimously consented to a waiver of the time limits for setting the election and a waiver of any written analysis, arguments or rebuttals as set forth in California Government Code sections 53326 and 53327. Such waivers are set forth in written certificates executed by the landowners which are on file with the City Clerk as election official (the "Election Official") concurring therein; and

**WHEREAS**, pursuant to the terms of the Resolution Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the "Act"), the special election was held on January 12, 2016; and

**WHEREAS**, there has been presented to this Legislative Body a Certificate of the Election Official as to the Results of the Canvass of the Election Returns (the "Certificate of the Election Official"), a copy of which is attached hereto as Exhibit "A;"

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Perris, acting in its capacity as the Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, California, as follows:

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

**Section 2.** The canvass of the votes cast in the Property to be annexed to the District at the special election held on January 12, 2016, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

**Section 3.** Proposition A presented to the qualified electors of the Property for receipt by the Election Official on January 12, 2016, has received a unanimous vote of the qualified electors voting at said election, and Proposition A has carried. The Legislative Body is hereby authorized to take the necessary steps to levy the special tax authorized by Proposition A on the Property.

**Section 4.** The City Clerk is hereby directed to enter the title of this Resolution on the minutes of the Legislative Body and to indicate the official declaration of the result of such special election.

**Section 5.** The Legislative Body hereby determines that the Property is added to and part of the existing District with full legal effect, and hereby authorizes the levy of a special tax at the Rate and Method of Apportionment set forth in Exhibit A to the Resolution of Intention. The whole of the territory within the Property shall be subject to the special tax consistent with the provisions of the Act.

**Section 6.** Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Legislative Body hereby establishes the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 3 above:

- A. Such Special Tax with respect to the District shall be levied for the specific purposes set forth in Proposition A and Section 3 hereof.
- B. The proceeds of the levy of such Special Tax with respect to each Improvement Area shall be applied only to the specific purposes set forth in Section 3 hereof and Proposition A referred to therein.
- C. The District shall establish an account or accounts into which the proceeds of such Special Tax with respect to each Improvement Area shall be deposited.
- D. The City Manager, Assistant City Manager and Finance Director, or his or her designee, acting for and on behalf of the District, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

**Section 7.** The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Riverside a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

**Section 8.** This Resolution shall take effect immediately upon its adoption.

**Section 9.** The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**ADOPTED, SIGNED and APPROVED** this 12<sup>th</sup> day of January, 2016.

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12<sup>th</sup> day of January, 2015, by the following called vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
City Clerk, Nancy Salazar

**Exhibit A**

**COMMUNITY FACILITIES DISTRICT NO. 2001-3  
(NORTH PERRIS PUBLIC SAFETY)  
OF THE CITY OF PERRIS, ANNEXATION NO. 20**

**CERTIFICATE OF THE ELECTION OFFICIAL  
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

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

I, NANCY SALAZAR, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on January 12, 2016, held in

**COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)  
OF THE CITY OF PERRIS, ANNEXATION NO. 20**

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots case within the Property to be annexed to the District for the Proposition, and the totals of the respective columns and the totals as shown for the Proposition are full, true and correct.

WITNESS my hand and Official Seal this 12<sup>th</sup> day of January, 2016.

CITY OF PERRIS, CALIFORNIA, acting as the  
LEGISLATIVE BODY OF THE COMMUNITY  
FACILITIES DISTRICT NO. 2001-3 (NORTH  
PERRIS PUBLIC SAFETY) OF THE CITY OF  
PERRIS

By: \_\_\_\_\_

City Clerk, Nancy Salazar



Resolution No. \_\_\_\_\_

**COMMUNITY FACILITIES DISTRICT NO. 2001-3  
(NORTH PERRIS PUBLIC SAFETY)  
OF THE CITY OF PERRIS, ANNEXATION NO. 20**

**STATEMENT OF ALL VOTES CAST  
SPECIAL TAX ELECTION**

	<u>Qualified Landowner Votes</u>	<u>Total Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 20, Special Election, January 12, 2016	10	_____	_____	_____

**PROPOSITION A SUBMITTED TO VOTE OF VOTERS:** Shall the Property be annexed and shall a Special Tax be levied within Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 20 to pay for the provision of fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; and police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto, as authorized in the Resolution calling the election adopted January 12, 2016 and the Resolution of Intention referred to therein; and shall an appropriations limit be established for Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 20 pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population?

**CITY COUNCIL  
AGENDA SUBMITTAL**


**Meeting Date: January 12, 2016**

**SUBJECT:** **Environmental Impact Report 14-01-0017 (SCH NO. 2014051034), Development Plan Review (DPR) 14-01-0015, Tentative Parcel Map 36678 (TPM) 14-01-0016, Specific Plan Amendment 14-04-0001 and Street Vacation (SV) 14-04-0002** – Proposal to construct a high-cube warehouse development 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 the following: a Specific Plan Amendment to change the land use designation of approximately 16 acres from General Industrial to Light Industrial, a Tentative Parcel to consolidate 55 lots into two parcels, a 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

**REQUESTED ACTION:** **ADOPT Resolution No. (next in order)** to certify the Environmental Impact Report based on the findings in the Statement of Facts and Findings and Statement of Overriding Considerations regarding significant environmental impacts resulting from the Project.

**ADOPT Resolution No. (next in order)** to approve the Development Plan Review (DPR) 14-01-0015, Tentative Parcel Map 36678 (TPM) 14-01-0016 and Street Vacation (SV) 14-04-0002, subject to Conditions of Approval.

**Introduce First Reading of Ordinance No. (next in order)** approving Specific Plan Amendment to change the land use designation of approximately 16 acres from General Industrial to Light Industrial, subject to the information contained in the staff report and making findings in support thereof.

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

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**BACKGROUND/DISCUSSION:**

On November 18, 2015, the Planning Commission voted unanimously to approve the "Optimus Logistics Center 2" project to construct a high-cube warehouse development 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 project consists of several applications: The EIR is to assess the environmental impacts associated with the project. The Specific Plan Amendment is to change the land use designation of approximately 16 acres from General Industrial to Light Industrial. The Tentative Parcel Map is to consolidate 55 lots into two parcels. The Street Vacation is to abandon unimproved streets within the site. The Development Plan Review is for the site plan review and building elevations.

The proposed two warehouse buildings will sit adjacent to each other on separate lots, but will have separate access and circulation within each lot. The larger industrial building totaling 912,338 square feet fronts Patterson Avenue, Markham Street, and Washington Street. There will be two access points on Patterson Avenue and one access point on Markham Street. The smaller industrial building totaling 125,473 square feet fronts Markham Street, Webster Avenue, and Washington Street. There will be two access points on Markham Street and two on Washington Street. The easterly access point on Markham Street will be limited to right-in and right-out as it is too close to the intersection of Webster Avenue.

A comment letter was received by Johnson & Sedlack, Attorney at Law, just hours before the Planning Commission meeting on November 18, 2015. Due to the late reception of the letter, no formal written response was made at the meeting. However, the City's third party consultant was able to conduct a cursory review of the letter and determined that the comments did not identify any substantial new information requiring recirculation of the EIR or additional environmental review under State CEQA Guidelines. A response letter has been prepared by the applicant's environmental consultant to officially respond to the letter, which supports the conclusion made at the Planning Commission meeting. The response letter is included in this report package as Attachment 6.

As such, per the Planning Commission's recommendation, staff is recommending that the City Council certify the EIR, adopt the Statement of Overriding Consideration, and approve this project, as proposed by the applicant, including the attached conditions of approval and Mitigation Monitoring and Reporting Plan. The Planning Commission made the following amendments to the Planning conditions of approval: 1) deletion of condition No. 24 as it is already referenced in Condition No. 15; 2) deletion of Condition No. 40 as it is already noted in Condition No.39; and 3) deletion of Condition No. 42.g as it is already addressed in Engineering Condition No. 31. The Planning Commission also amended Engineering Condition No. 31 to reference the correct date of the Traffic Study report. These changes do not affect the contents of the EIR and do not require significant changes to the overall project.

An Environmental Impact Report was prepared and available for public review and comment during the state-mandated 45-day public review period from July 29, 2015 through September 11, 2015. Responses to comments were sent to the agencies and organizations that provided comments. None of the comments resulted in the recirculation of the EIR. The EIR identified operational air quality impact, cumulative air quality impact and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge for which mitigation measures are not available to reduce the impacts to below levels of significance. For these potentially significant, non-mitigatable environmental impacts, the City Council will need to adopt a Statement of Overriding Considerations prior to approving the proposed project. Detailed project information is provided in the attached staff report and conditions of approval.

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

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

**City Attorney:** N/A  
**Assistant City Manager:** Ron Carr *RC*

**Public Hearing:** January 12, 2016

<b>Attachments:</b>	<b>Attachment 1</b>	City Council Resolution Certifying the EIR ( <i>Mitigation Monitoring &amp; Reporting Program and Statement of Facts and Findings and Statement of Overriding Consideration see Attachment 4</i> )
	<b>Attachment 2</b>	City Council Resolution Approving the DPR, TPMs and Street Vacation ( <i>includes Planning, Engineering &amp; Public Works Conditions of Approval</i> )
	<b>Attachment 3</b>	City Council Ordinance for SPA ( <i>SPA Landuse Amendment &amp; SPA Circulation Amendment Exhibits</i> )
	<b>Attachment 4</b>	Mitigation Monitoring & Reporting Program and Statement of Facts and Findings and Statement of Overriding Consideration
	<b>Attachment 5</b>	Johnson & Sedlack letter dated November 18, 2015
	<b>Attachment 6</b>	Response Letter to Johnson & Sedlack
	<b>Attachment 7</b>	Planning Commission Staff Report Package dated November 18, 2015

EIR available to review @ <http://www.cityofperris.org/departments/development/planning.html>

**RESOLUTION No. \_\_\_\_ (next in order)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT 14-01-0017 (STATE CLEARINGHOUSE #2014051034) PREPARED FOR THE OPTIMUS LOGISTICS CENTER 2 PROJECT, A WAREHOUSE DEVELOPMENT PROJECT TOTALING 1,037,811 SQUARE FEET, BASED UPON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, the Optimus Logistics Center 2 ("Project") proposes to construct two warehouse buildings, totaling 1,037,811 square feet with associated parking and other site improvements, and on and off-site infrastructure improvements on 48.38 acres located on the north side of Markham Street between Patterson and Webster Avenues; and

**WHEREAS**, during the course of review of the Project it was deemed an Environmental Impact Report (EIR/*State Clearinghouse #2014051034*) was required to assess environmental impacts associated with the project; and

**WHEREAS**, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

**WHEREAS**, the City, as lead agency, determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

**WHEREAS**, on June 4, 2014 the Planning Commission conducted a duly noticed scoping hearing on the project to hear from both public agencies and the public on the potential environmental impacts, site planning and building architecture; and

**WHEREAS**, between July 29, 2015 and September 11, 2015, the Draft Environmental Impact Report (*Draft EIR*) was made available for public review and comment during a state-mandated 45-day public review period; and

**WHEREAS**, on November 4, 2015, the Final EIR was distributed to those agencies and persons that commented in writing on the Draft EIR; and

**WHEREAS**, on November 18, 2015, the Planning Commission conducted a duly noticed public hearing on the project and at the meeting recommended certification of the EIR to the City Council after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impact, the Environmental Impact Report 14-01-0017 (*State Clearinghouse #2014051034*),

Development Plan Review 14-01-0015, Specific Plan Amendment 14-04-0001, Street Vacation 14-04-0002, Tentative Parcel Map 14-01-0016 (TPM 36678); and

**WHEREAS**, on January 12, 2016, the City Council conducted a duly noticed public hearing on the project and at the meeting certified the EIR after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impact, the Environmental Impact Report 14-01-0017 (*State Clearinghouse #2014051034*), Development Plan Review 14-01-0015, Specific Plan Amendment 14-04-0001, Street Vacation 14-04-0002, Tentative Parcel Map 14-01-0016 (TPM 36678); and

**WHEREAS**, all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

**WHEREAS**, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

**WHEREAS**, all of the proposed findings and conclusions recommended by this Resolution are based upon the oral and written evidence presented to the City Council as a whole and not based solely on the information provided in this Resolution; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be less than significant and to not require mitigation are described in the Statement of Facts and Findings and Statement of Overriding Considerations are attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures identified in the Final EIR and set forth therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds cannot be mitigated to a level of less than significance despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the potential for growth inducing impacts described in the Draft EIR which the City Council finds to be less than significant are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, irreversible environmental impacts as a result of the project's operational air quality impact, cumulative air quality impact and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge are identified in the Draft EIR, which the City Council approves for the reasons described in Section 7 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Attachment 4 and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the Mitigation Monitoring and Reporting Program to address project level and cumulative environmental impacts identified in the Draft EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures are set forth therein and described in Section 4.0 of the Final EIR and incorporated herein by reference as if set forth in full; and

**WHEREAS**, alternatives to the Project that might eliminate or reduce significant environmental impacts of the project are set forth therein and described in Section 5.4 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; 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, including the Final EIR and all oral and written evidence presented to the City during all Project meetings and hearings; and

**WHEREAS**, the City Council's certification of the Final EIR reflects its independent judgment and analysis; and

**WHEREAS**, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

**WHEREAS**, the Environmental Impact Report 14-01-0017 (*Clearinghouse #2014051034*) was prepared in accordance with Sections 21000 through 21177 of the California Public Resources Code and Sections 15000 through 15387 of the California Code of Regulations (*CEQA Guidelines*); and

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

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

**Section 2.** The majority of potentially significant environmental impacts of the Project identified in the Final EIR have been determined to be less than significant or mitigated to a level of less than significance.

**Section 3.** Certain impacts associated with operational air quality impact, cumulative air quality impact and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge identified in the Final EIR have been determined to be significant and unavoidable. The specific impacts are set forth in the Statement of Facts and Findings and Statement of Overriding Considerations (see Attachment 4). Based on specific economic, social, technical and/or other considerations, the City Council finds those effects acceptable with adoption of the Statement of Facts and Findings and Statement of Overriding Considerations.

**Section 4.** The City Council finds that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and certifies the Final EIR as complete and adequate.

**Section 5.** The City Council hereby adopts the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Attachment 4 and incorporated herein by reference as if set forth in full.

**Section 6.** The City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Attachment 4 and incorporated herein by reference as if set forth in full.

**Section 7.** Based on the above findings, the City Council hereby certifies the Final EIR for the Project EIR 14-01-0017 (SCH# 2014051034).

**Section 8.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

**Section 9.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED this 12<sup>th</sup> day of January, 2016.***

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12<sup>th</sup> day of January 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

City Clerk, Nancy Salazar

**Attachments:** Mitigation Monitoring and Reporting Plan (see Attachment 4)  
Statement of Facts and Findings and Statement of  
Overriding Consideration (see Attachment 4)



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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW 14-01-0015, STREET VACATION 14-04-0002 AND TENTATIVE PARCEL MAP 14-01-0016 (TPM 36678) TO FACILITATE THE CONSTRUCTION OF TWO WAREHOUSE BUILDINGS TOTALING 1,037,811 SQUARE FEET LOCATED ON THE NORTH SIDE OF MARKHAM STREET BETWEEN PATTERSON AND WEBSTER AVENUES, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.**

**WHEREAS**, the Optimus Logistics Center 2 ("Project") proposes to construct two warehouse buildings, totaling 1,037,811 square feet with associated parking and other site improvements, and on and off-site infrastructure improvements on 48.38 acres located on the north side of Markham Street between Patterson and Webster Avenues; and

**WHEREAS**, a Development Plan Review application (DPR 14-01-0015) was submitted for consideration of architectural design and site layout; and

**WHEREAS**, Tentative Parcel Map 36678 (TPM 14-01-0016) was submitted to allow the two industrial buildings to sit on their own parcels; and

**WHEREAS**, a Street Vacation (ST VAC 14-04-0002) application was submitted to abandon unimproved streets within the site; and

**WHEREAS**, the proposed Development Plan Review 14-01-0015, Tentative Parcel Map 36678 (TPM 14-01-0016) and Street Vacation 14-04-0002 (collectively, the "Project") are considered a "project" as defined by the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, the City Council has certified the Environmental Impact Report (EIR 14-01-0017/State Clearinghouse #2014051034) for the Project; and

**WHEREAS**, on November 18, 2015, the Planning Commission conducted a duly noticed public hearing on the Project and at the meeting recommended approval of the Project after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, on January 12, 2016, 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**, 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 Resolution have occurred.

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

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

**Section 2.** City Council Resolution No. \_\_\_ found that all the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated, and certified the EIR.

**Section 3.** The City Council further finds, based upon the information contained within the staff report and accompanying attachments, as well as any written or oral testimony presented at the public hearing, with respect to the Optimus Logistics Center 2, the following regarding Tentative Parcel Map 36678, Street Vacation 14-04-0002 and Development Plan Review 14-01-0015:

TPM 36678 and Street Vacation 14-04-0002 Findings:

- (a) Tentative Parcel Map 36678 is consistent with the Specific Plan land use designation of Light Industrial, General Industrial all other applicable General Plan policies, as amended; and
- (b) Tentative Parcel Map 36678 is consistent with the Specific Plan land use designation of Light Industrial and General Industrial and all other applicable Zoning Code standards, as amended; and
- (c) Tentative Parcel Map 36678 is in compliance with the Subdivision Map Act; and
- (d) The site is physically suitable to restructure lot lines and vacate streets to facilitate the industrial development; and
- (e) The design of Tentative Parcel Map 36678 and the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, other than as addressed by the adopted Statement of Overriding Considerations of Environmental Impact; and
- (f) The design of Tentative Parcel Maps 36678 and the type of improvements are unlikely to cause serious public health problems; and

(g) The design of Tentative Parcel Maps 36678 and the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of property within the proposed subdivision; and

(h) The discharge of waste from implementation of Tentative Parcel Map 36678 will not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the California Water Code.

Development Plan Review Findings:

(a) Development Plan Review 14-01-0015, is consistent with the Specific Plan land use designation (Light Industrial and General Industrial) and other applicable General Plan policies, including the location, size, design, and intensity of the development and related improvements; and

(b) Development Plan Review 14-01-0015, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Zoning designation of Light Industrial, General Industrial and all other applicable Zoning Code standards, as amended; and

(c) All requirements of the California Environmental Quality Act have been met; and

(d) The site is physically suitable for the location, size, design, density, and intensity of the plotting and architectural design for the type of industrial development; and

(e) Development Plan Review 14-01-0015, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Sustainable Community Element of the General Plan, in that the Project supports the City's commitment to protect the environment, improve quality of life, and promote sustainable development by incorporating certain measures into the design, construction, and maintenance of the buildings and overall project development.

(f) The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of light industrial development proposed with Development Plan Review 14-01-0015; and

(g) Development Plan Review 14-01-0015 and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

(h) The architecture of Development Plan Review 14-01-0015 is compatible with community standards and protects the character of other City industrial developments; and

(i) The landscaping plan of Development Plan Review ensures visual relief and provides an attractive environment for the public's enjoyment; and

(j) The safeguards necessary to protect the public health, safety and general welfare have been required for Development Plan Review 14-01-0015.

**Section 4.** The City Council hereby approves Tentative Parcel Map 36678 (TPM 14-01-0016), Street Vacation 14-04-0002 and Development Plan Review 14-01-0015 for the Optimus Logistics Center 2 Project, based on the information and findings presented in the staff report and supporting exhibits, as well as all written and oral testimony presented at the public hearing, and subject to the attached Conditions of Approval.

**Section 5.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

**Section 7.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED this 12<sup>th</sup> day of January, 2016.***

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12<sup>th</sup> day of January 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Nancy Salazar

**Attachments:**            Conditions of Approval (*Planning, Engineering & Public Works*)

**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 2**

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 avigation 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 2**

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 RBD 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  
TEL.: (951) 943-6504 - FAX: (951) 943-8416

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.

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 within 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 2**

**(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

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT 14-04-0001 TO THE PERRIS VALLEY COMMERCE CENTER (PVCC) SPECIFIC PLAN TO CHANGE THE LANDUSE DESIGNATION OF APPROXIMATELY 16 ACRES FROM GENERAL INDUSTRIAL (GI) TO LIGHT INDUSTRIAL (LI) TO FACILITATE THE APPROVAL OF AN INDUSTRIAL DEVELOPMENT PROJECT LOCATED ON THE NORTH SIDE OF MARKHAM STREET BETWEEN PATTERSON AND WEBSTER AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, a Specific Plan Amendment application was submitted to enable an industrial development known as the Optimus Logistics Center 2 project by changing the land use designation of approximately 16 acres from General Industrial (GI) to Light Industrial (LI); and

**WHEREAS**, the proposed Specific Plan Amendment ("SPA") is consistent with the goals, policies, and implementation measures set forth in the General Plan; and

**WHEREAS**, by Resolution Number \_\_\_\_, the City Council certified the Environmental Impact Report (EIR 14-01-0017/State Clearinghouse #2014051034) for the SPA; and

**WHEREAS**, on November 18, 2015, the Planning Commission conducted a duly noticed public hearing on the SPA and at the meeting recommended approval of the SPA after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, on January 12, 2016, 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**, 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. \_\_ found that all the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated, and certified the EIR.

**Section 4.** 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 Optimus Logistics Center 2, the following regarding Specific Plan Amendment 14-04-0001:

(a) The proposed Specific Plan Amendment will not result in a significant adverse effect on the environment and will not affect public health, safety, and welfare.

(b) The Specific Plan Amendment is consistent with and will contribute to achieving the goals and objectives established by the General Plan and Perris Valley Commerce Center Specific Plan to provide a diversity of commercial and industrial development that create jobs that will benefit the residents of Perris.

(c) The Specific Plan Amendment seeks to change the land use designation of approximately 16 acres from "General Industrial" to "Light Industrial" for Parcel 1 of the project so that it can be completely zoned Light Industrial. Because two-thirds (2/3) of Parcel 1 is already zoned Light Industrial and only one-third (1/3) is General Industrial, changing the Parcel to completely Light Industrial is minor, as they permit similar land uses and will allow continuity with surrounding land uses to the west, north and south of the site which is zoned LI.

**Section 4.** The City Council hereby approves Specific Plan Amendment 14-04-0001 to change approximately 16 acres from General Industrial (GI) to Light Industrial (LI) to enable the Optimus Logistics Center 2 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 \_\_\_\_, 2016.**

\_\_\_\_\_  
Mayor, Daryl R. Busch

**ATTEST:**

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Nancy Salazar

**Attachment: SPA Landuse Amendment**

Existing Land Use



**LEGEND:**

- Business Office
- Commercial
- Residential
- Detention Basin
- Light Industrial
- General Industrial

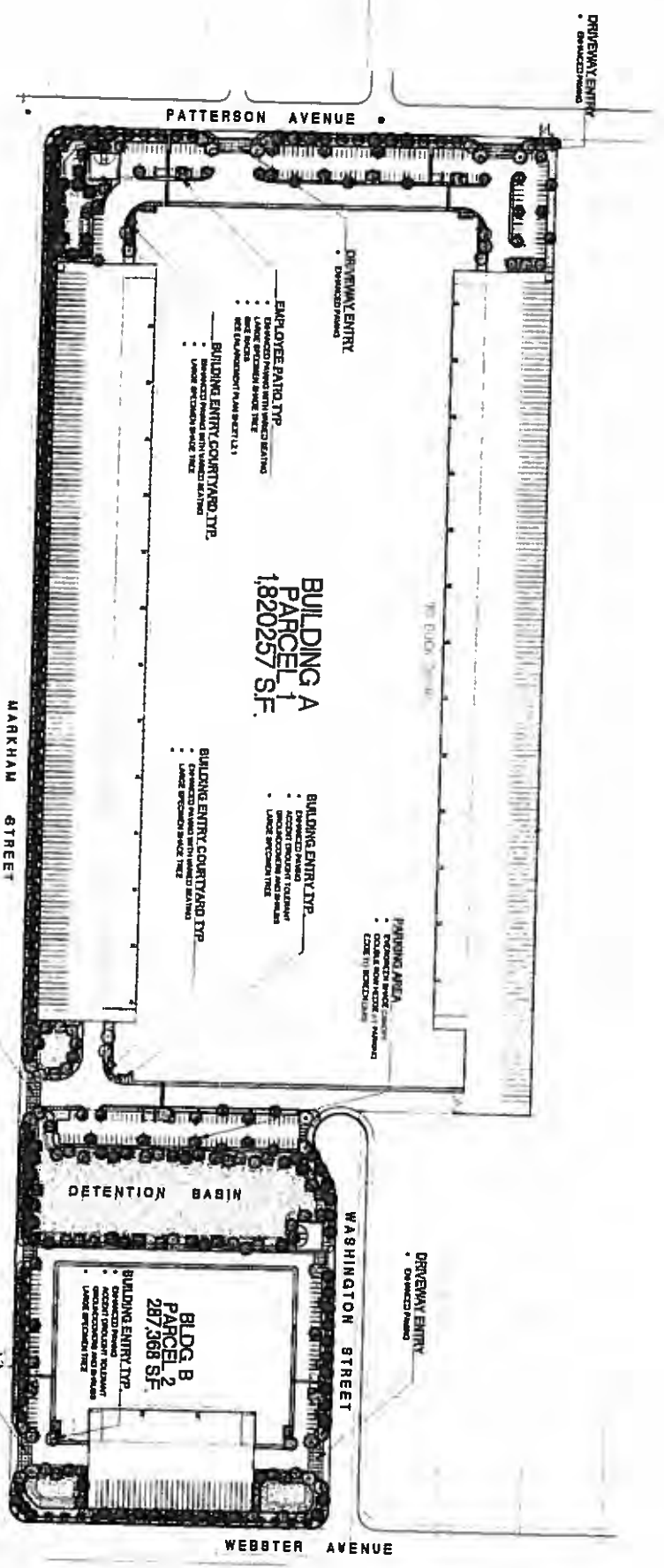
Proposed Land Use



Approximately 16 acres modified from General Industrial to Light Industrial







### PROPOSED PLANT PALETTE

NO.	SYMBOL	DESCRIPTION	QUANTITY	UNIT
1	(Symbol)	Plant Name	100	EA
2	(Symbol)	Plant Name	50	EA
3	(Symbol)	Plant Name	20	EA
4	(Symbol)	Plant Name	10	EA
5	(Symbol)	Plant Name	5	EA
6	(Symbol)	Plant Name	3	EA
7	(Symbol)	Plant Name	2	EA
8	(Symbol)	Plant Name	1	EA
9	(Symbol)	Plant Name	1	EA
10	(Symbol)	Plant Name	1	EA
11	(Symbol)	Plant Name	1	EA
12	(Symbol)	Plant Name	1	EA
13	(Symbol)	Plant Name	1	EA
14	(Symbol)	Plant Name	1	EA
15	(Symbol)	Plant Name	1	EA
16	(Symbol)	Plant Name	1	EA
17	(Symbol)	Plant Name	1	EA
18	(Symbol)	Plant Name	1	EA
19	(Symbol)	Plant Name	1	EA
20	(Symbol)	Plant Name	1	EA

### PROPOSED PLANT PALETTE (Continued)

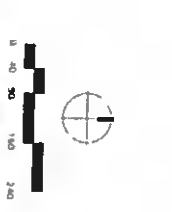
NO.	SYMBOL	DESCRIPTION	QUANTITY	UNIT
21	(Symbol)	Plant Name	1	EA
22	(Symbol)	Plant Name	1	EA
23	(Symbol)	Plant Name	1	EA
24	(Symbol)	Plant Name	1	EA
25	(Symbol)	Plant Name	1	EA
26	(Symbol)	Plant Name	1	EA
27	(Symbol)	Plant Name	1	EA
28	(Symbol)	Plant Name	1	EA
29	(Symbol)	Plant Name	1	EA
30	(Symbol)	Plant Name	1	EA

### PROPOSED PLANT PALETTE (Continued)

NO.	SYMBOL	DESCRIPTION	QUANTITY	UNIT
31	(Symbol)	Plant Name	1	EA
32	(Symbol)	Plant Name	1	EA
33	(Symbol)	Plant Name	1	EA
34	(Symbol)	Plant Name	1	EA
35	(Symbol)	Plant Name	1	EA
36	(Symbol)	Plant Name	1	EA
37	(Symbol)	Plant Name	1	EA
38	(Symbol)	Plant Name	1	EA
39	(Symbol)	Plant Name	1	EA
40	(Symbol)	Plant Name	1	EA

### PROPOSED PLANT PALETTE (Continued)

NO.	SYMBOL	DESCRIPTION	QUANTITY	UNIT
41	(Symbol)	Plant Name	1	EA
42	(Symbol)	Plant Name	1	EA
43	(Symbol)	Plant Name	1	EA
44	(Symbol)	Plant Name	1	EA
45	(Symbol)	Plant Name	1	EA
46	(Symbol)	Plant Name	1	EA
47	(Symbol)	Plant Name	1	EA
48	(Symbol)	Plant Name	1	EA
49	(Symbol)	Plant Name	1	EA
50	(Symbol)	Plant Name	1	EA



MARKHAM & PATTERSON  
PERRIS, CALIFORNIA

OPTIMUS LOGISTIC CENTER 2 - CONCEPTUAL LANDSCAPE PLAN



North Elevation



West Elevation



South Elevation



East Elevation



Enlarged View of West Elevation



Enlarged View of South Elevation



Job No 1324100

# Optimus Logistics Center II

Perris, California

COLORED ELEVATIONS - BUILDING A

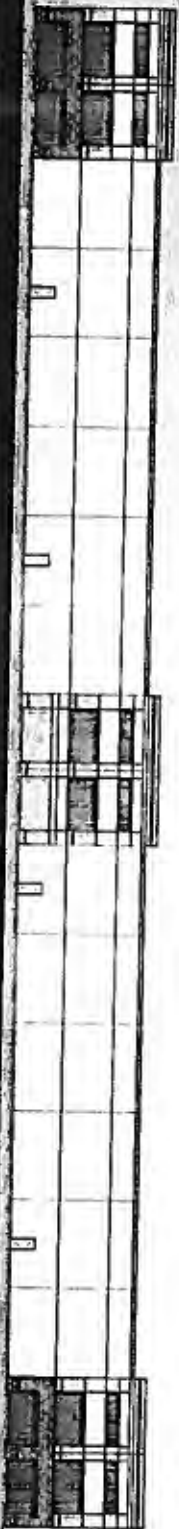
OPTIMUS  
BUILDING CORP.

11.06.2015

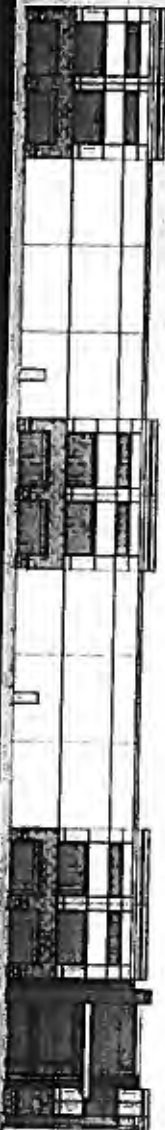
North Elevation



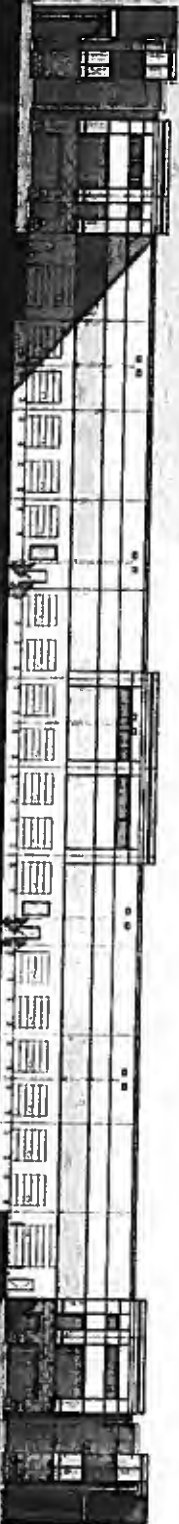
West Elevation



South Elevation



East Elevation



# Optimus Logistics Center II

Perris, California

OPTIMUS  
BUILDING CORP.



ARCHITECTS

Job No 13241.00

COLORED ELEVATIONS - BUILDING B

11.06.2015



Job No 13241.00

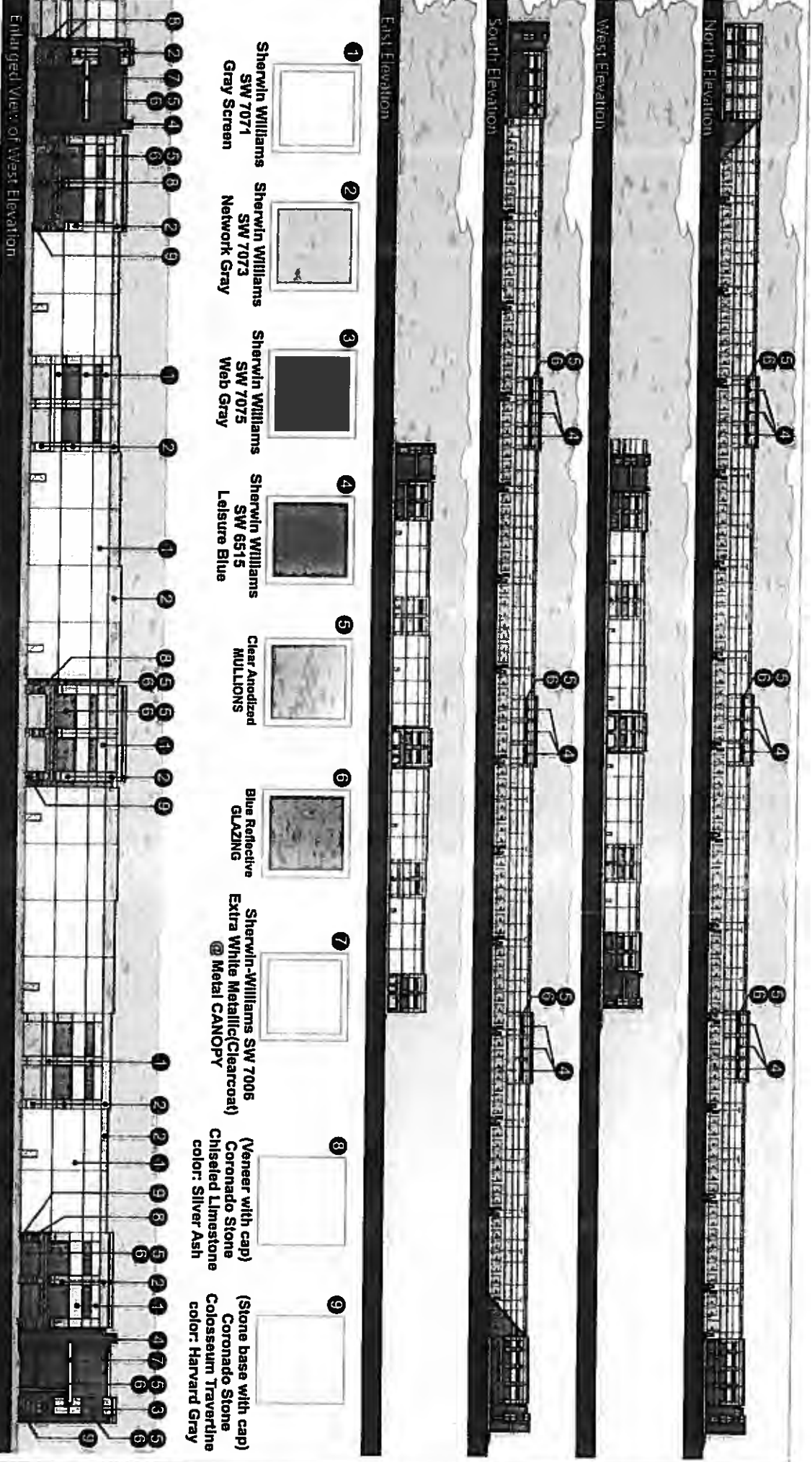
# Optimus Logistics Center II

Perris, California

# OPTIMUS BUILDING CORP.

COLORED ELEVATIONS & MATERIAL BOARD - BUILDING A (TYPICAL)

11.06.2015



North Elevation

West Elevation

South Elevation

East Elevation

Enlarged View of West Elevation

**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date: January 12, 2016**

**SUBJECT:**                   **Environmental Impact Report (SCH# 2012111003), Development Plan Review 12-10-0005, Specific Plan Amendment 12-10-0006, Street Vacation 13-05-0018, Tentative Parcel Map 13-05-0017 (TPM 36512) and Tentative Parcel Map 13-05-0016 (TPM 36582) – Environmental Impact Report, Development Plan Review, Specific Plan Amendment, Street Vacation and two Tentative Parcel Maps for a proposed industrial development “Optimus Logistics Center I” to construct two warehouse buildings, totaling 1,455,781 square feet, located north of Ramona Expressway between the I-215 Freeway and Ramona Expressway. The Specific Plan Amendment is to amend the land use designation of approximately 68.99 acres from Commercial (C) and Business Professional Office (BPO) to Light Industrial (LI) and to amend the circulation plan for Patterson Avenue. Applicant: Mike Naggar, Mike Naggar & Associates (*Continued from June 9, 2015*)**

**REQUESTED ACTION:**   **ADOPT Resolution No. (next in order) to certify the Environmental Impact Report based on the findings in the Statement of Facts and Findings and Statement of Overriding Considerations regarding significant environmental impacts resulting from the Project.**

**ADOPT Resolution No. (next in order) to approve the Development Plan Review 12-10-0005, Street Vacation 13-05-0018 and two Tentative Parcel Maps TPM 36512 (13-05-0017) and TPM 36582 (13-05-0016), subject to Conditions of Approval.**

**Introduce First Reading of Ordinance No. (next in order) approving Specific Plan Amendment 12-10-0006 to revise the land use designation of approximately 68.99 acres from Commercial (C) and Business Professional Office (BPO) to Light Industrial (LI) and to amend the circulation plan for Patterson Avenue, subject to the information contained in the staff report and making findings in support thereof.**

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

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**BACKGROUND/DISCUSSION:**

On June 9, 2015, the City Council voted 4-0 (*1 seat vacant*) to continue the “Optimus Logistics Center I” (aka OLC 1) project off-calendar after an initial motion to approve the project failed by a 2-2 vote. The project is back for City Council consideration at the request of the applicant and has been re-noticed. On May 6, 2015, the Planning Commission voted 4-2 recommending to the City Council approval of an industrial development “Optimus Logistics Center I” proposing to construct two industrial buildings, totaling 1,455,781 square feet. Staff’s recommendation at the Planning Commission meeting was to adopt an alternate site layout (Alternative 2), which would eliminate one building and retain additional commercial zoning adjacent to the I-215 FWY/Patterson Avenue. The City Engineer had also recommended Alternative 2 so that Patterson Avenue would not be terminated at the project entry in order to retain a frontage road from Harley Knox Avenue to Ramona Expressway.

The project involves several applications, including an Environmental Impact Report (EIR), Development Plan Review (DPR), Specific Plan Amendment (SPA), Street Vacation (SV) and two Tentative Parcel Maps. The EIR is to assess environmental impacts associated with the project. The Specific Plan Amendments are to amend the land use designation of approximately 68.99 acres from Commercial (C) and Business Professional Office (BPO) to Light Industrial (LI) and to amend the circulation plan to remove the Patterson Avenue connection to Ramona Expressway. A detailed discussion of the project is provided in the June 6, 2015 City Council Submittal Report and the May 6, 2015 Planning Commission Package Report.



The EIR was made available for public review during a 45-day public review period from November 26, 2014 through January 12, 2015. Responses to comments were sent to all of the commenting agencies. None of the comments resulted in the recirculation of the EIR. A letter expressing environmental concerns was received on June 8, 2015 from Sedlack and Johnson. The letter was distributed and addressed at the June 9, 2016 City Council meeting. No new impacts or recirculation of the EIR resulted from the letter. The EIR identified air quality, greenhouse gas emissions and traffic impacts for which mitigation measures are not available to reduce the impacts to below levels of significance. For these potentially significant, non-mitigatable environmental impacts, the City Council will need to adopt a Statement of Overriding Considerations prior to approving the proposed project.

Per the Planning Commission's recommendation, the City Council is being asked to certify the EIR, adopt the Statement of Overriding Consideration, and approve this project, as proposed by the applicant, including the attached conditions of approval and Mitigation Monitoring and Reporting Plan.

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

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

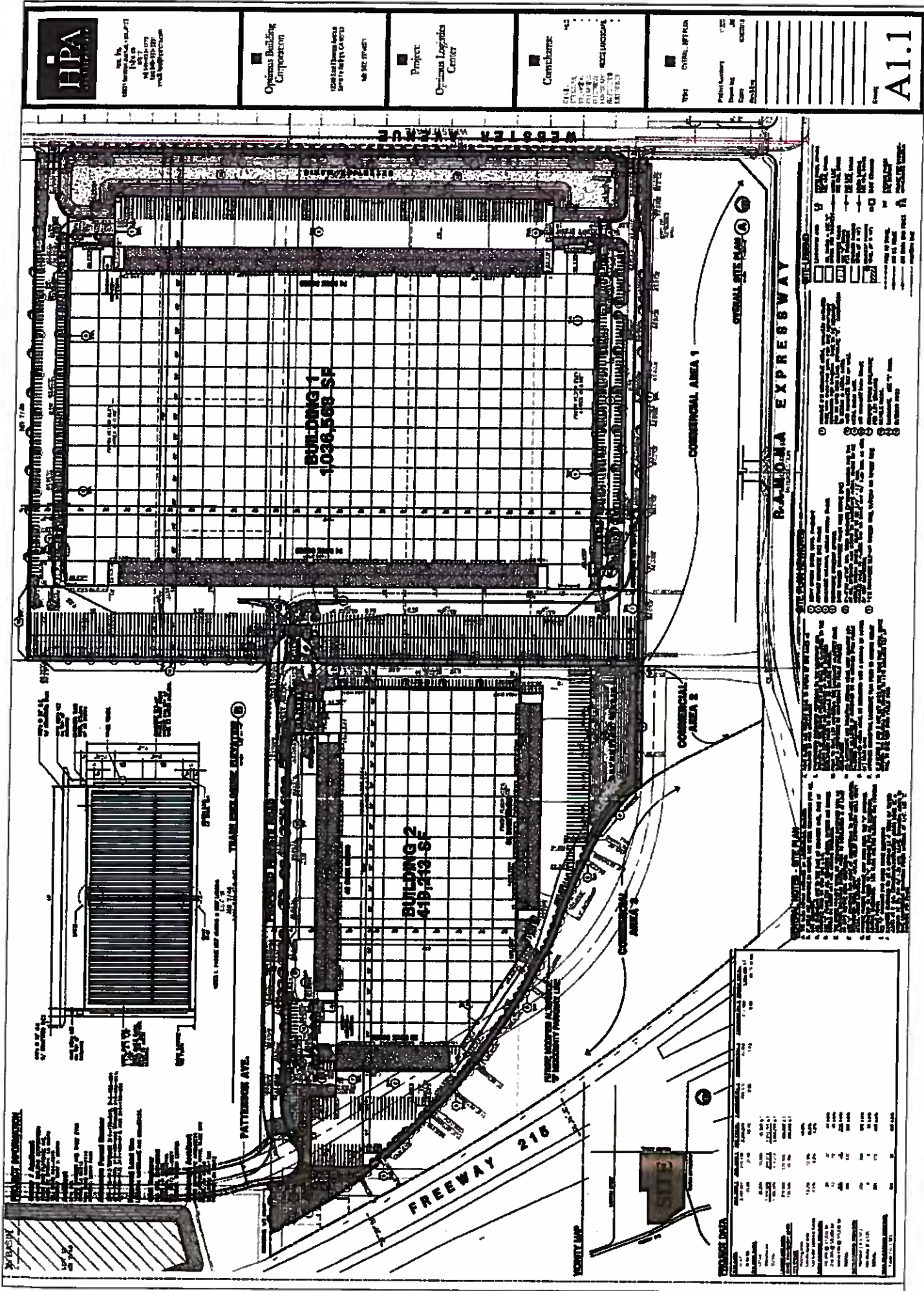
**City Attorney:** N/A  
**Assistant City Manager:** Ron Carr 

**Public Hearing:** January 12, 2016

**Attachments:**

- |                     |  |
|---------------------|--|
| <b>Attachment 1</b> | Applicant proposed Site Plans and Elevations & Alternative 2 Site Plan   |
| <b>Attachment 2</b> | City Council Resolution Certifying the EIR ( <i>Mitigation Monitoring &amp; Reporting Program and Statement of Facts and Findings and Statement of Overriding Consideration see Attachment 5</i> ) |
| <b>Attachment 3</b> | City Council Resolution Approving the DPR, TPMs and Street Vacation ( <i>includes Planning, Engineering &amp; Public Works Conditions of Approval</i> )  |
| <b>Attachment 4</b> | City Council Ordinance for SPA ( <i>SPA Landuse Amendment &amp; SPA Circulation Amendment Exhibits</i> )   |
| <b>Attachment 5</b> | Mitigation Monitoring & Reporting Program and Statement of Facts and Findings and Statement of Overriding Consideration  |
| <b>Attachment 6</b> | City Council Staff Report Package dated June 6, 2015   |
| <b>Attachment 7</b> | Planning Commission Staff Report Package dated May 6, 2015   |
| <b>Attachment 8</b> | Letter from Johnson and Sedlack dated June 8, 2015   |

EIR available to review @  
<http://www.cityofperris.org/departments/development/planning.html>



**ATTACHMENT 1 – Optimus Logistics Center 1**

**Applicant Proposed Site Plan & Elevations**



HIP A  
 HUMAN INTEGRITY PARTNERSHIP  
 1000 Westwood Blvd., Suite 100  
 Westwood, CA 90024  
 Tel: 310.206.2500  
 Fax: 310.206.2501  
 www.hipa.org

**Organics Building  
 Component**

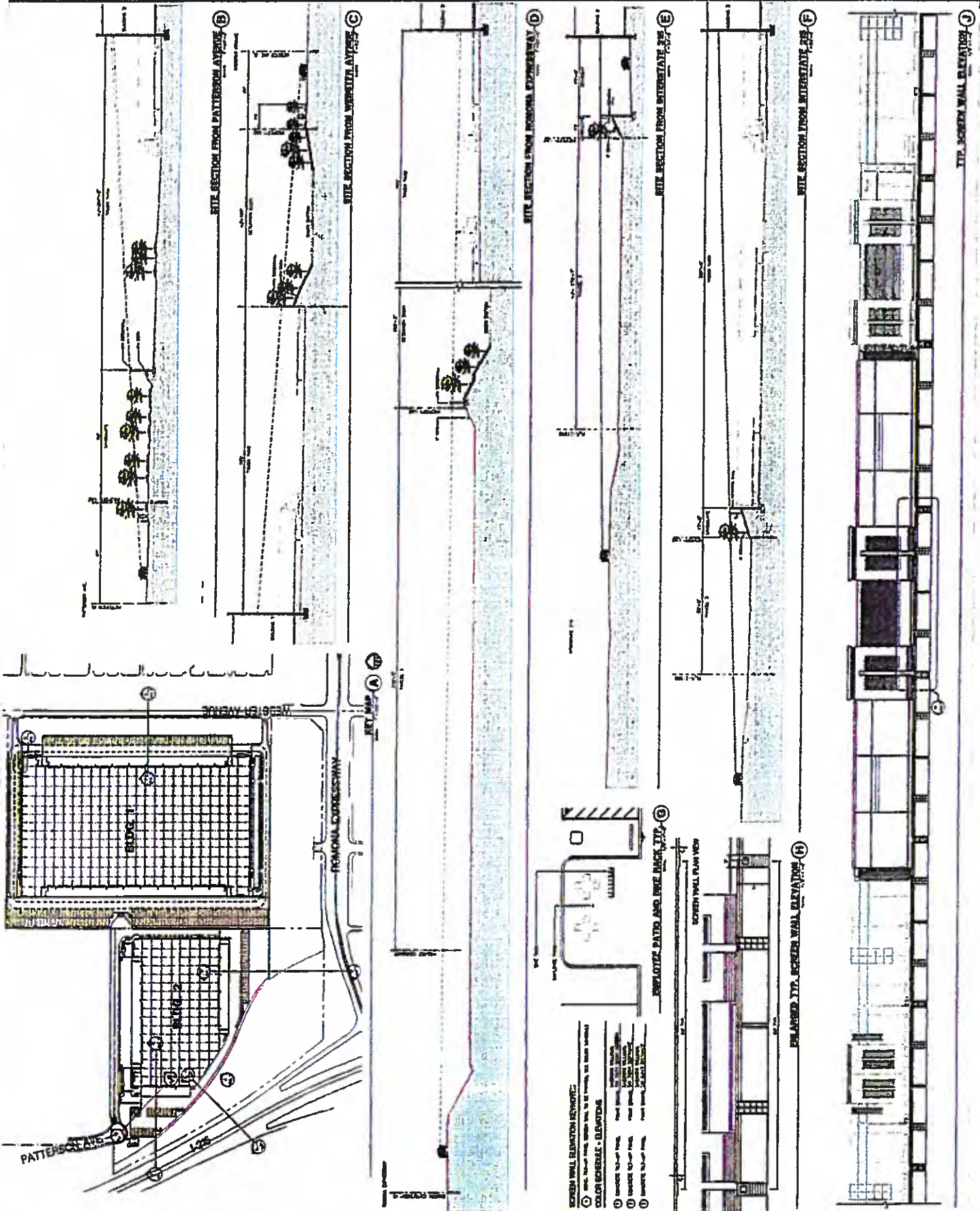
The Organics Building  
 1000 Westwood Blvd.  
 Westwood, CA 90024

**Project:**  
 Organics Logistics  
 Center

**Consultants:**  
 HOK  
 HOK ARCHITECTS  
 HOK ENGINEERS

DATE	04.11.08		
PROJECT	Organics Logistics Center		
DRAWING NO.	04.11.08.001		
SCALE	AS SHOWN		
DESCRIPTION			
REVISIONS			
NO.	DATE	BY	DESCRIPTION

**A4.1**



**SCREEN WALL ELEVATION KEYNOTE:**

- ① WALL TOP: 10'-0" FINISH
- ② WALL BOTTOM: 10'-0" FINISH
- ③ WALL THICKNESS: 12" CONCRETE
- ④ WALL FINISH: CONCRETE
- ⑤ WALL COLOR: CONCRETE

**COLOR SCHEDULE - SCREEN WALL:**

- ① WALL TOP: 10'-0" FINISH
- ② WALL BOTTOM: 10'-0" FINISH
- ③ WALL THICKNESS: 12" CONCRETE
- ④ WALL FINISH: CONCRETE
- ⑤ WALL COLOR: CONCRETE



**Building 1 North Elevation**



**Building 1 West Elevation**



**Building 1 South Elevation - Ramona Expressway**



**Building 1 East Elevation - Webster Avenue**



**Enlarged View of Building 1 East Elevation - Webster Avenue**



**Enlarged View of Building 1 South Elevation - Ramona Expressway**



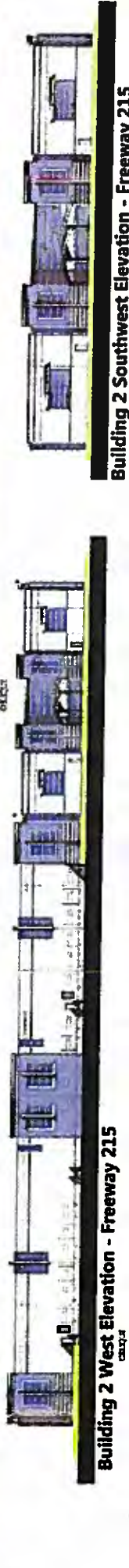
# Optimus Logistics Center

Perris, California

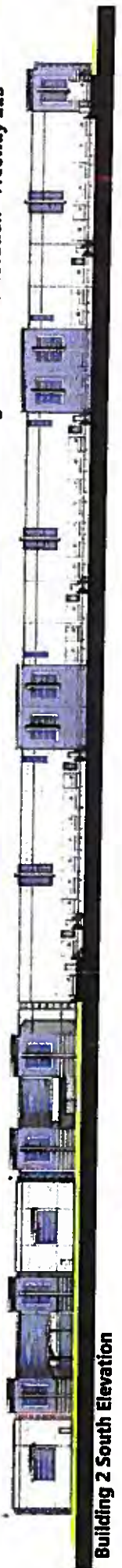
**OPTIMUS  
BUILDING CORP.**



**Building 2 North Elevation - Proposed Private Road**



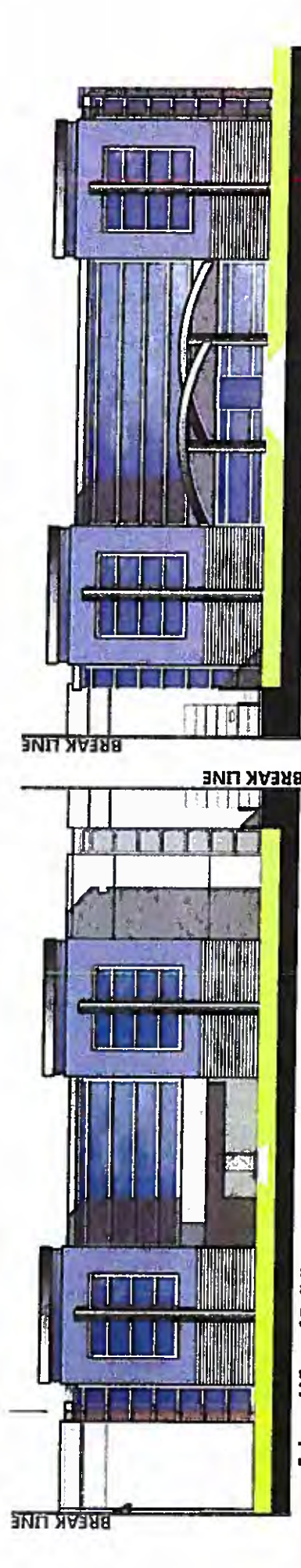
**Building 2 West Elevation - Freeway 215**



**Building 2 Southwest Elevation - Freeway 215**



**Building 2 East Elevation**



**Enlarged View of Building 2 South Elevation**



**Enlarged View of Building 2 North Elevation office entry area**



# Optimus Logistics Center

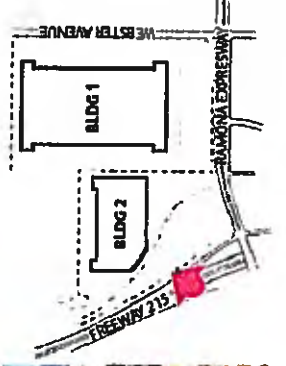
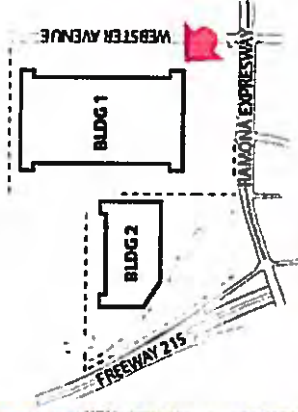
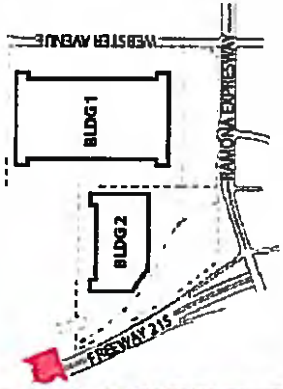
Perris, California

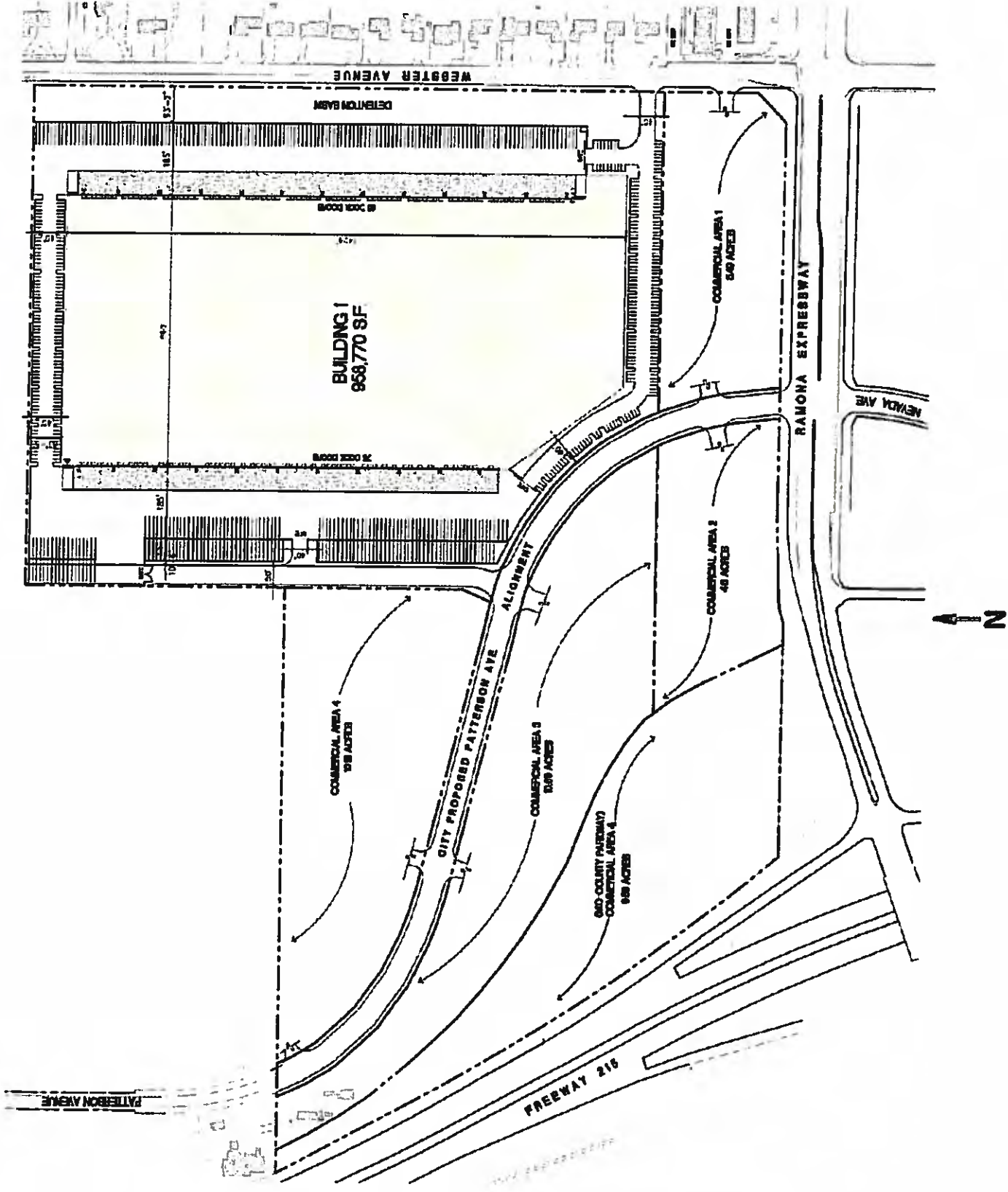
OPTIMUS  
BUILDING CORP.

Colored Elevations - BUILDING 2 - Per City Comments

Project No. 11227

07.11.2014





**ATTACHMENT 1 – Optimus Logistics Center I      Alternative 2 Site Plan (City Preferred)**

**RESOLUTION No. \_\_\_\_ (next in order)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE #2012111003) PREPARED FOR THE OPTIMUS LOGISTICS CENTER I PROJECT, A WAREHOUSE DEVELOPMENT PROJECT TOTALING 1,455,781 SQUARE FEET, BASED UPON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, the Optimus Logistics Center I (“Project”) proposes to construct two warehouse buildings, totaling 1,455,781 square feet with associated parking and other site improvements, and on and off-site infrastructure improvements on 68.99 acres located north of Ramona Expressway between the I-215 Freeway and Ramona Expressway; and

**WHEREAS**, during the course of review of the Project it was deemed an Environmental Impact Report (EIR/*State Clearinghouse #2012111003*) was required to assess environmental impacts associated with the project; and

**WHEREAS**, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

**WHEREAS**, the City, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

**WHEREAS**, two scoping meetings were previously conducted for the proposed project on December 5, 2012 and July 17, 2013 by the Planning Commission to hear from both public agencies and the public on the potential environmental impacts, site planning and building architecture; and

**WHEREAS**, between November 26, 2014 and January 12, 2015, the Draft Environmental Impact Report (*Draft EIR*) was made available for public review and comment during a state-mandated 45-day public review period; and

**WHEREAS**, on April 24, 2015, the Final EIR was distributed to those agencies and persons that commented in writing on the Draft EIR; and

**WHEREAS**, on May 6, 2015, the Planning Commission conducted a duly noticed public hearing on the project and at the meeting recommended certification of the EIR by a 4-2 vote (*one vote unavailable due to vacated position*) to the City Council after considering public testimony and materials in the staff report and accompanying documents for the Statement of



Overriding Consideration of Environmental Impact, the Environmental Impact Report (*State Clearinghouse #2012111003*), Development Plan Review 12-10-0005, Specific Plan Amendment 12-10-0006, Street Vacation 13-05-0018, Tentative Parcel Map 36512/#13-05-0017 and Tentative Parcel Map 36582/#13-05-0016; and

**WHEREAS**, on June 9, 2015, the City Council conducted a duly noticed public hearing on the project and after the hearing was closed, voted 4-0 to continue the project after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impact, the Environmental Impact Report (*State Clearinghouse #2012111003*), Development Plan Review 12-10-0005, Specific Plan Amendment 12-10-0006, Street Vacation 13-05-0018, Tentative Parcel Map 36512/#13-05-0017 and Tentative Parcel Map 36582/#13-05-0016; and

**WHEREAS**, at the time of the hearing on June 9, 2015, one position on the City Council was vacant. A new Councilmember was elected to fill that vacancy and was sworn into office on December 8, 2015. The new Councilmember has reviewed all of the written materials, public testimony, and discussion from the hearing on June 9, 2015; and

**WHEREAS**, on January 12, 2016, the City Council conducted a duly noticed public hearing on the project and at the meeting certified the EIR after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impact, the Environmental Impact Report (*State Clearinghouse #2012111003*), Development Plan Review 12-10-0005, Specific Plan Amendment 12-10-0006, Street Vacation 13-05-0018, Tentative Parcel Map 36512/#13-05-0017 and Tentative Parcel Map 36582/#13-05-0016; and

**WHEREAS**, all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

**WHEREAS**, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

**WHEREAS**, all of the proposed findings and conclusions recommended by this Resolution are based upon the oral and written evidence presented to the City Council as a whole and not based solely on the information provided in this Resolution; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be less than significant and to not require mitigation are described in the Statement of Facts and Findings and Statement of Overriding Considerations are attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures identified in the Final EIR and set forth

therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds cannot be mitigated to a level of less than significance despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the potential for growth inducing impacts described in the Draft EIR which the City Council finds to be less than significant are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

**WHEREAS**, irreversible environmental impacts as a result of the project's impacts air quality (long-term air pollutant emission impacts), greenhouse gas emissions and traffic and circulation (intersections outside Perris and freeway mainline segments) are identified in the Draft EIR, which the City Council approves for the reasons described in Section 7 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Attachment 5 and incorporated herein by reference as if set forth in full; and

**WHEREAS**, the Mitigation Monitoring and Reporting Program to address project level and cumulative environmental impacts identified in the Draft EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures are set forth therein and described in Section 4.0 of the Final EIR attached hereto as Attachment 5 and incorporated herein by reference as if set forth in full; and

**WHEREAS**, alternatives to the Project that might eliminate or reduce significant environmental impacts of the project are set forth therein and described in Section 5.4 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; 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, including the Final EIR and all oral and written evidence presented to the City during all Project meetings and hearings; and

**WHEREAS**, the City Council's certification of the Final EIR reflects its independent judgment and analysis; and

**WHEREAS**, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

**WHEREAS**, the Environmental Impact Report (*Clearinghouse #2012111003*) was prepared in accordance with Sections 21000 through 21177 of the California Public Resources Code and Sections 15000 through 15387 of the California Code of Regulations (*CEQA Guidelines*); and

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

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

**Section 2.** The majority of potentially significant environmental impacts of the Project identified in the Final EIR have been determined to be less than significant or mitigated to a level of less than significance.

**Section 3.** Certain impacts associated with air quality (long-term air pollutant emission impacts), greenhouse gas emissions and traffic and circulation (intersections outside Perris and freeway mainline segments) identified in the Final EIR have been determined to be significant and unavoidable. The specific impacts are set forth in the Statement of Facts and Findings and Statement of Overriding Considerations (see Attachment 5). Based on specific economic, social, technical and/or other considerations, the City Council finds those effects acceptable with adoption of the Statement of Facts and Findings and Statement of Overriding Considerations.

**Section 4.** The City Council finds that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and certifies the Final EIR as complete and adequate.

**Section 5.** The City Council hereby adopts the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Attachment 5 and incorporated herein by reference as if set forth in full.

**Section 6.** The City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Attachment 5 and incorporated herein by reference as if set forth in full.

**Section 7.** Based on the above findings, the City Council hereby certifies the Final EIR for the Project (SCH# 2012111003).

**Section 8.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

**Section 9.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED this 12<sup>th</sup> day of January, 2016.***

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12<sup>th</sup> day of January 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Nancy Salazar

**Attachments:** Mitigation Monitoring and Reporting Plan (see Attachment 5)  
Statement of Facts and Findings and Statement of  
Overriding Consideration (see Attachment 5)

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW 12-10-0005, STREET VACATION 13-05-0018, TENTATIVE PARCEL MAP 13-05-0017 (TPM 36512) AND TENTATIVE PARCEL MAP 13-05-0016 (TPM 36582) TO FACILITATE THE CONSTRUCTION OF TWO WAREHOUSE BUILDINGS TOTALING 1,455,781 SQUARE FEET LOCATED NORTH OF RAMONA EXPRESSWAY BETWEEN THE I-215 FREEWAY AND WEBSTER AVENUE, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.**

**WHEREAS**, the Optimus Logistics Center I (“Project”) proposes to construct two warehouse buildings, totaling 1,455,781 square feet with associated parking and other site improvements, and on and off-site infrastructure improvements on 68.99 acres located north of Ramona Expressway between the I-215 Freeway and Ramona Expressway; and

**WHEREAS**, a Development Plan Review application (*DPR 12-10-0005*) was submitted for consideration of architectural design and site layout; and

**WHEREAS**, Tentative Parcel Map 36512 (TPM 13-05-0017) and Tentative Parcel Map 36582 (TPM 13-05-0016) applications were submitted to allow the two industrial buildings to sit on their own parcels; and

**WHEREAS**, a Street Vacation (ST VAC 13-05-0018) application was submitted to eliminate a section of Patterson Avenue and unimproved Perry Street.

**WHEREAS**, the proposed Development Plan Review 12-10-0006, Tentative Parcel Map 36512 (TPM 13-05-0017), Tentative Parcel Map 36582 (TPM 13-05-0016) and Street Vacation 13-05-0018 (collectively, the “Project”) are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

**WHEREAS**, the City Council has certified the Environmental Impact Report (*EIR/State Clearinghouse #2012111003*) for the Project; and

**WHEREAS**, on May 6, 2015, the Planning Commission conducted a duly noticed public hearing on the Project and at the meeting recommended approval of the Project after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, on June 9, 2015, the City Council conducted a duly noticed public hearing on the project and after the hearing was closed, voted 4-0 to continue the project after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, at the time of the hearing on June 9, 2015, one position on the City Council was vacant. A new Councilmember was elected to fill that vacancy and was sworn into office on December 8, 2015. The new Councilmember has reviewed all of the written materials, public testimony, and discussion from the hearing on June 9, 2015; and

**WHEREAS**, on January 12, 2016, 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**, 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 Resolution have occurred.

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

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

**Section 2.** City Council Resolution No. \_\_ found that all the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated, and certified the EIR.

**Section 3.** The City Council further finds, based upon the information contained within the staff report and accompanying attachments, as well as any written or oral testimony presented at the public hearing, with respect to the Optimus Logistics Center I, the following regarding Tentative Parcel Map 36512, Tentative Parcel Map 36582, Street Vacation 13-05-0018 and Development Plan Review 12-10-0005:

**TPM 36512 and 36582; Street Vacation 13-05-0018 Findings:**

(a) Tentative Parcel Maps 36512 and 36582 are consistent with the Specific Plan land use designation of Light Industrial all other applicable General Plan policies, as amended; and

(b) Tentative Parcel Maps 36512 and 36582 are consistent with the Specific Plan land use designation of Light Industrial and all other applicable Zoning Code standards, as amended; and

(c) Tentative Parcel Maps 36512 and 36582 are in compliance with the Subdivision Map Act; and

(d) The site is physically suitable to restructure lot lines and vacate streets to facilitate the industrial development; and

(e) The design of Tentative Parcel Maps 36512 and 36582 and the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, other than as addressed by the adopted Statement of Overriding Considerations of Environmental Impact; and

(f) The design of Tentative Parcel Maps 36512 and 36582 and the type of improvements are unlikely to cause serious public health problems; and

(g) The design of Tentative Parcel Maps 36512 and 36582 and the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of property within the proposed subdivision; and

(h) The discharge of waste from implementation of Tentative Parcel Maps 36512 and 36582 will not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the California Water Code.

Development Plan Review Findings:

(a) Development Plan Review 12-10-0005, is consistent with the Specific Plan land use designation (Light Industrial) and other applicable General Plan policies, including the location, size, design, and intensity of the development and related improvements; and

(b) Development Plan Review 12-10-0005, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Zoning designation of Light Industrial and all other applicable Zoning Code standards, as amended; and

(c) All requirements of the California Environmental Quality Act have been met; and

(d) The site is physically suitable for the location, size, design, density, and intensity of the plotting and architectural design for the type of industrial development; and

(e) Development Plan Review 12-10-0005, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Sustainable Community Element of the General Plan, in that the Project supports the City's commitment to protect the environment, improve quality of life, and promote sustainable development by incorporating certain measures into the design, construction, and maintenance of the buildings and overall project development.

(f) The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of light industrial development proposed with Development Plan Review 12-10-0005; and

(g) Development Plan Review 12-10-0005 and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

(h) The architecture of Development Plan Review 12-10-0005 is compatible with community standards and protects the character of other City industrial developments; and

(i) The landscaping plan of Development Plan Review ensures visual relief and provides an attractive environment for the public's enjoyment; and

(j) The safeguards necessary to protect the public health, safety and general welfare have been required for Development Plan Review 12-10-0005.

**Section 4.** The City Council hereby approves Tentative Parcel Map 36512 (TPM 13-05-0017), Tentative Parcel Map 36582 (TPM 13-05-0016), Street Vacation 13-05-0018 and Development Plan Review 12-10-0005 for the Optimus Logistics Center I Project, based on the information and findings presented in the staff report and supporting exhibits, as well as all written and oral testimony presented at the public hearing, and subject to the attached Conditions of Approval.

**Section 5.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

**Section 7.** The Mayor shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

***ADOPTED, SIGNED and APPROVED this 12<sup>th</sup> day of January, 2016.***

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar



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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12<sup>th</sup> day of January 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

City Clerk, Nancy Salazar

**Attachments:**            Conditions of Approval (*Planning, Engineering & Public Works*)

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

**CONDITIONS OF APPROVAL**

**Environmental Impact Report (SCH No. 2012111003)  
Development Plan Review 12-10-0005  
Specific Plan Amendment 12-10-0006  
Street Vacation 13-05-0018  
Tentative Parcel Map 36512 (13-05-0017)  
Tentative Parcel Map 36582 (13-05-0016)**

**City Council: January 12, 2016**

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**Project: Optimus Logistics Center 1.** Proposal to amend the land use designation of approximately 68.99 acres from Commercial (C) and Business Professional Office (BPO) to Light Industrial (LI) to construct two high-cube warehouse buildings totaling 1,455,781 square feet, with another 10.76 acres left undeveloped for a future commercial development fronting Ramona Expressway and 9.6 acres set aside for the future Ramona Expressway on-ramp at the I-215 Freeway. The project also includes Development Plan Review 12-10-0005, Tentative Parcel Maps 36512 and 36582 to allow the industrial development to sit on its own parcels and Street Vacation 13-05-0018 to eliminate unimproved streets within the site and improved Patterson Avenue from unimproved Perry Street to Ramona Expressway. **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 #2012111003). 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 (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 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.

**ATTACHMENT 3**

6. **Conformance to Approved Plans.** Development of the project site, building elevations, and conceptual landscaping shall conform substantially to the set of plans approved by the Planning Commission on May 6, 2015, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
7. **Approval Period for Development Plan Review 12-10-0005.** 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 36512 & 36582.** 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 **April 15, 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 **June 17, 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 (EIR – State Clearinghouse # 2012111003); Development Plan Review 12-10-0005 (DPR), Specific Plan Amendment 12-10-0006 (SPA), Street Vacation 13-05-0018 (ST VAC), Tentative Parcel Map 36512/#13-05-0017 (TPM) and Tentative Parcel Map 36582/#13-05-0016 (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 or the I-215 Freeway. 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 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 May 6, 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 5,000 square feet for Building 1 and 2,500 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. At a minimum the following will be provided in accordance with the Mitigation Monitoring Program Section 4.
    - a. GHG 4.7A All project building shall be designed to exceed current Title 24 requirements by 20 percent.
    - b. GHG 4.7B The project shall incorporate a water conservation strategy of 30 percent or higher.
    - c. GHG 4.7C The project shall improve the pedestrian network and provide traffic calming measure.

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

- ~~28. **Revised Plans.** A revised site plan and building elevations to eliminate Building 2 and revised Building 1 shall be submitted for Administrative Design Review by staff.~~
29. **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.
30. **Traffic Control Plan.** A Traffic Control Plan shall be submitted for approval to the City Engineer.
31. **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 the closest residential property along Webster Avenue 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.
32. **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).

**TPM 36512 & TPM 36582 - FINAL MAP RECORDATION**

33. **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.
34. **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:**

35. **Final Parcel Map Submittal.** Prior to the issuance of the first building permit, the respective underlying Tentative Parcel Maps 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 alternatives (i.e. Tentative Map/Site Plan) identified in the EIR.
36. **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 trees (24" to 36" box) shall be planted along the project boundary. 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. **Street Trees.** All street trees within the public right of way on Webster Avenue and Patterson Avenue shall be 24-inch box size or larger, and planted a maximum of 30 feet on center within the parkway.
  - f. **Landscape Berms.** Screen walls along I-215 Freeway, Ramona Expressway 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.
  - g. **Enhanced Pavement.** Decorative pavement treatments (accent colors, textures, and patterns) should be used for driveway entrances and pedestrian pathways.
  - h. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.
  - i. **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.
  - j. **Maintenance.** Required landscaping shall be maintained in a viable growth condition.
  - k. **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.

37. **Screen Walls and Fencing.** Decorative screen walls shall screen views into truck courts from the I-215 and the public right-of-way (Ramona Expressway, Webster Avenue and Patterson 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. **Decorative Screen Walls.** Decorative screen walls along the I-215 Freeway, Ramona Expressway, Webster Avenue and Patterson Avenue shall be 14 feet in height with landscaped berm, incorporate pilasters every 100 linear feet and include a decorative cap, subject to the review and approval of the Planning Division.
  - b. **Interior Walls.** A 14-foot tall screen wall shall return from the front right-of-way to the interior property boundary a minimum of 150 feet, and then may step down to minimum 8-foot high tubular steel fencing. A 10-foot tall decorative block wall shall be required between Buildings 1 and 2 from the commercial frontage property to the secondary entrance gate.
  - c. **Gates.** Any tubular steel gates in public view shall have high quality view-obscuring material, subject to Planning review and approval.
  - d. **Graffiti.** All block/tilt-up walls shall be treated with a graffiti-resistant coat.
  - e. **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 II:
- a. Prior to issuance of building permits, the landowner shall have conveyed an avigation 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 use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.~~
- f. 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.
- g. 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:
- f. Landscape Maintenance District No. 1;
  - g. Flood Control Maintenance District No. 1;
  - h. Maintenance District No. 84-1;
  - i. North Perris Road and Bridge Benefit District; and
  - j. Future Fire Protection Community Facilities District.

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

44. **Bicycle Lanes.** Appropriate Striping for Class II Bicycle Lanes shall be provided on Webster Avenue 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.
47. **Shared Access and / or Parking Agreement.** A shared access, drainage easement and reciprocal parking agreement is required. All owners shall sign and be party to the agreement, subject to the City's approval and recorded to run with the land, which provides for easements, covenants and conditions relating to applicable vehicle access, utility use, and other uses between the subject properties. The agreement, together with all attachments, must be submitted to and approved by the Development Services Department and the City Attorney's Office prior to approval of the Final Map or Certificate of Occupancy as applicable.



# CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

## CONDITIONS OF APPROVAL

P8-1226

April 15, 2015

SP Amendment 12 10 0006, DPR 12-10-0005 & PM 36512 & 36582

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 and the conditions of approval. It is understood that the site plan and the map correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

In the event of a conflict between any conditions stated below and Planning Department and RCFC, and the traffic report the most stringent in the opinion of City shall prevail.

### **General Comments (All Alternatives)**

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,

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**ATTACHMENT 3**

shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.

3. The incremental increase in runoff between developed and undeveloped state (100-year) and the nuisance runoff shall be retained within onsite private detention basin(s) and discharged to adequate outlet as approved by City and pursuant to Riverside County Flood Control standards.
4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.
5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all onsite landscaping. The proposed offsite landscaping and the offsite streetlights and portions of existing and new signals including Harley Knox Boulevard intersections with Patterson & Western Way, and Ramona Expressway intersections with Patterson and Webster shall be maintained by City and cost paid for by the property owners through annexation to lighting and landscaping districts. In the event RCFC does not maintain the proposed on and off-site drainage facilities, it shall be annexed to Flood control District for maintenance. Drainage credit for Master Planned Facilities shall be provided subject to established rules and regulations.
6. Existing power poles with cables 65 KV and under along projects frontage shall be removed and cables undergrounded. Poles with cables over 65 kv shall be relocated as necessary.
7. Streetlights shall be installed along Ramona Expressway, Webster and Patterson Avenue adjacent to the site as approved by City Engineer per Riverside County and Southern California Edison standards.
8. This project is located within EMWD's water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.
9. The applicant shall submit to City Engineer the following for his review:
  - a. Street Improvement Plans
  - b. Signing, Striping, and Signal Plans
  - c. Onsite Grading Plans, SWPPP, and Erosion Control Plan

- d. Water and Sewer Plans
- e. Drainage Plans, Hydrology and Hydraulic Reports
- f. Streetlight Plan
- g. Final WQMP

The project's design shall be in compliance with EMWD, Riverside County Flood Control and Riverside County Standards and coordinated with approved plans for adjacent developments.

- 10. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.
- 11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans. Catch basins shall be installed at all existing and new intersections and driveways to eliminate nuisance runoff.
- 12. Unless otherwise indicated by Planning conditions, 6' wide concrete sidewalk adjacent to the site along all streets including handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.
- 13. All onsite drainage runoff shall be collected via onsite underground facilities and connected to onsite basin(s) and conveyed to Line "E". Construction of minimum 18" RCP and catch basins at intersections of Patterson Avenue with Ramona Expressway and Webster with Ramona Expressway and all new driveways shall be required to eliminate nuisance runoff from the gutter.
- 14. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities. This project shall join the City of Perris RBBD.
- 15. 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.

16. Reference is made to drainage report dated March 12, 2014 prepared by HLC Civil Engineering and RCFC letter dated August 8, 2014. All improvements as indicated in the report and required per RCFC letter and those stated in these conditions must be completed. The on and offsite drainage improvements shall be reviewed and approved by RCFC and City of Perris.

Figure 3 of the drainage report indicate termination of Line "E" at upstream end of facilities proposed by PM 36010. The developer shall provide additional study to evaluate the impact of this development to Ramona Expressway easterly of Line "E" terminus as proposed by PM 36010. If Ramona Expressway flooding downstream of PM 36010 is increased, additional improvements such as concrete channel extension to Perris Boulevard shall be required.

17. Traffic index of 10 shall be used for Patterson and 9.0 for Webster, and 11.0 for Ramona Expressway and Harley Knox.
18. 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.
19. Reimbursement of costs. (1) 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. (2) 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. Applicant acknowledges that its project is already part of the RBBB. (3) Notwithstanding the forgoing, City shall have no obligation to reimburse or credit Applicant from any source of City funding

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other than under the local Development Impact Fee program as adopted by the City and/or as described under the RBBD. (4) Other sources of reimbursement may include 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.

20. New traffic signals shall be installed at intersection of Harley Knox Boulevard with Western Way including street widening pursuant to traffic report Exhibit 63a.
21. RTA stops and shelters shall be installed along Patterson, Webster and Ramona Expressway as determined by the City Engineer and RTA.
22. Prior to issuance of any permit, the parcel map shall be filed and recorded. The recordation of parcel map is for financing purposes only and no improvements other than rights-of-way dedication and monumentation will be required.
23. Vacation of onsite street(s) shall be concurrent with map recordation subject to utility clearance.
24. All improvements within Caltrans rights-of-way require permit.
25. Access to Patterson and Webster shall be limited to those shown on various alternatives. Access to Ramona Expressway shall be restricted and shown on the final map. Access to the commercial lots will be reviewed and approved as needed upon submittal of development applications.
26. **Specific Conditions for Alternative 2 (City Preferred)**

- a. Patterson Avenue from Ramona Expressway to northerly property line shall be improved along both sides with curb and gutter located 28' from centerline within 78' dedicated right-of-way.

Patterson Avenue from this point to intersection with Harley Knox shall be improved with minimum of 42' new pavement. Additional improvements at intersection of Patterson Avenue with Markham, and Ramona Expressway shall be required per Exhibit 65b including a traffic signal at Patterson and Ramona Expressway.

- b. Ramona Expressway from Webster Avenue to interchange along the north side shall be widened to provide for 3 westbound and one dedicated right turn lane @ I-215 northbound on ramp including 14' wide hardscape/landscape median within minimum of 92' half-width dedicated right-of-way. Additional improvements at intersection of Webster Avenue and Patterson (Nevada) per Exhibit 65a of traffic report.

Improvements to Ramona Expressway (condition 26b) may be deferred until development of commercial properties.

- c. Webster Avenue from Ramona Expressway north to project northerly boundary shall be improved along the west side with curb/gutter located 32' west of centerline, 30' new paving within 47' half-width dedicated right-of-way.

Webster Avenue from this intersection north to Markham Street shall be improved with minimum of 30' new paving. If the existing pavement is adequate at the start of this project, the City Engineer may consider 2" grind/overlay in lieu of new pavement.

Additional improvements at intersection of Webster with Ramona Expressway and Markham shall be required per Exhibit 65b of traffic report.

- d. The improvements at I-215 and Harley Knox Boulevard shall be pursuant to Exhibit 65a of the traffic report.
- e. Traffic signal and other improvements at intersection of Harley Knox Boulevard with Western Way and Patterson Avenue with Ramona Expressway pursuant to traffic report Exhibit 65a.

**27. Specific Conditions for Alternative 3**

- a. Offsite improvements pursuant to Conditions 26a e as specified above and as modified pursuant per Exhibits 66a and b of traffic report.

**28. Specific Conditions for Proposed Project**

- a. Patterson Avenue condition 26a as stated above is revised as follows:



Patterson Avenue may be terminated at northerly project boundary to provide for a cul-de-sac adequate for truck turn around and one driveway to access the proposed site. Patterson Avenue from the northerly property line to Harley Knox Boulevard Shall be improved as noted in condition 26a above.

- b. Comply with conditions 26a - c as stated above and as modified pursuant to Exhibits 63a & b.
- c. Construction of traffic signal at Ramona Expressway and Patterson shall be deferred until development of the commercial projects.

Habib Motlagh  
City Engineer



# CITY OF PERRIS

## PUBLIC WORKS DEPARTMENT

Engineering Administration

. NPDES .

Special Districts (Lighting, Landscape, Flood Control)

# MEMORANDUM

**Date:** June 17, 2014

**To:** Kenneth Phung, Project Planner

**From:** Michael Morales, CIP Manager *[Signature]*

**Subject:** DPR 12-10-0005 –SRC Comments

Proposal to construct a new high-cube warehouse development consisting of two buildings totaling 1,463,887 square feet on 68.48 acres located within the Perris Valley Commerce Center (PVCC) Specific Plan. North of Ramona Expressway between the I-215 Freeway 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. The conceptual landscape plan submitted does not contain all of the elements required for review. Applicant shall submit a separate Conceptual Landscape Plan for review and approval at this time for all perimeter hardscape and landscape, parkways, and street medians located within the City right-of-way and/or required easement areas. This Conceptual landscape plan shall be titled "LMD Conceptual Off-site Landscape Plan DPR 12-10-0005," 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 Perris Valley Commerce Center Specific Plan for and/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. Incorporate the following design elements from the Perris Valley Commerce Center Specific Plan:

- a. Ramona Expressway Raised Landscape Median- See attached Tree, shrub, and ground cover planting, and raised landscape median planting conceptual design for cobble and artificial turf locations.
- b. Webster Secondary Arterial-Refer to Specific Plan planting list and conceptual designs for striped median
- c. Patterson and Frontage Road Collector- Refer to Specific Plan planting list and conceptual designs for parkway

**ATTACHMENT 3**

**(Conceptual Landscape Plan Requirements Continued)**

**-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), Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375 (or equal).**

**-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. See attached location for Community Entry Monument Signage and conceptual design.**

**-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.**

**-If a raised landscaped median on Ramona Expressway is required additional comments will follow**

- 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 (see attached example).
6. The features of the Regional Trail located north of Ramona Expressway shall meet the design intent of the City of Perris Master Trail Plan, and incorporate Perris Live Well Master Trail Plan Signage and equipment features.
7. Bus Stops required at Mass Transit Route Locations shall meet the type, style, color and durability requirements attached hereto.
8. Assessment Districts. Prior to final map recordation, the developer shall annex into the following maintenance 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.**
9. **Additional comments may follow based on submittal of additional materials noted above**



**EXPRESSWAY**

The Expressway is a 184-foot right-of-way (Figure 6.0-3) that boasts a 25-foot wide landscape parkway with a non-curb adjacent 8-foot wide meandering sidewalk. It includes a landscaped 14-foot wide raised center median. The parkway shall be formally planted with evergreen trees contrasting with the informal meandering planting and shrubs providing a screen of the adjacent walls, parked cars and/or buildings. The raised median shall retain a formal appearance in the application of both the plant materials and hardscape features. Drought tolerant ground cover and native stone will be used as an alternative to turf. These tree and screening elements require coordination and design integration with bioswale designs. The landscape design shall consist of the following plant materials:

<u>Botanical Name</u>	<u>Common Name</u>	<u>Size/Spacing</u>
<b><u>Trees</u></b>		
Washingtonia filifera	California Fan Palm	As per plan
Cercidium floridum	Blue Palo Verde	As per plan
<b><u>Shrubs</u></b>		
Dasyliiron wheeleri	Desert Spoon	As per plan
<b><u>Ground Cover</u></b>		
Helictotrichon sempervirens	Blue Oat Grass	As per plan
Tulbaghia violacea	Society Garlic	As per plan

**Figure 6.0-3 184' EXPRESSWAY STREETSCAPE**



END OF EXISTING GOLFTEE SPOON  
PLANTING

NEW GOLFTEE SPOON PLANTING TO  
FILL IN BETWEEN NEW RIVER BEDS

PROPOSED CALIFORNIA PALM PLANTING

PLANTING BED TO MATCH PROPOSED  
RIVERBED CONCEPT

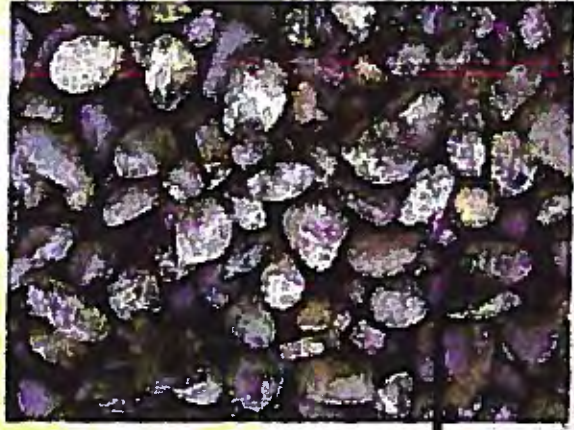
SPRINKLER SYSTEM LAYOUT  
TO MATCH PROPOSED DESIGN  
CONCEPT

SCALE: 1" = 20'

Prepper & Associates

10301  
10301





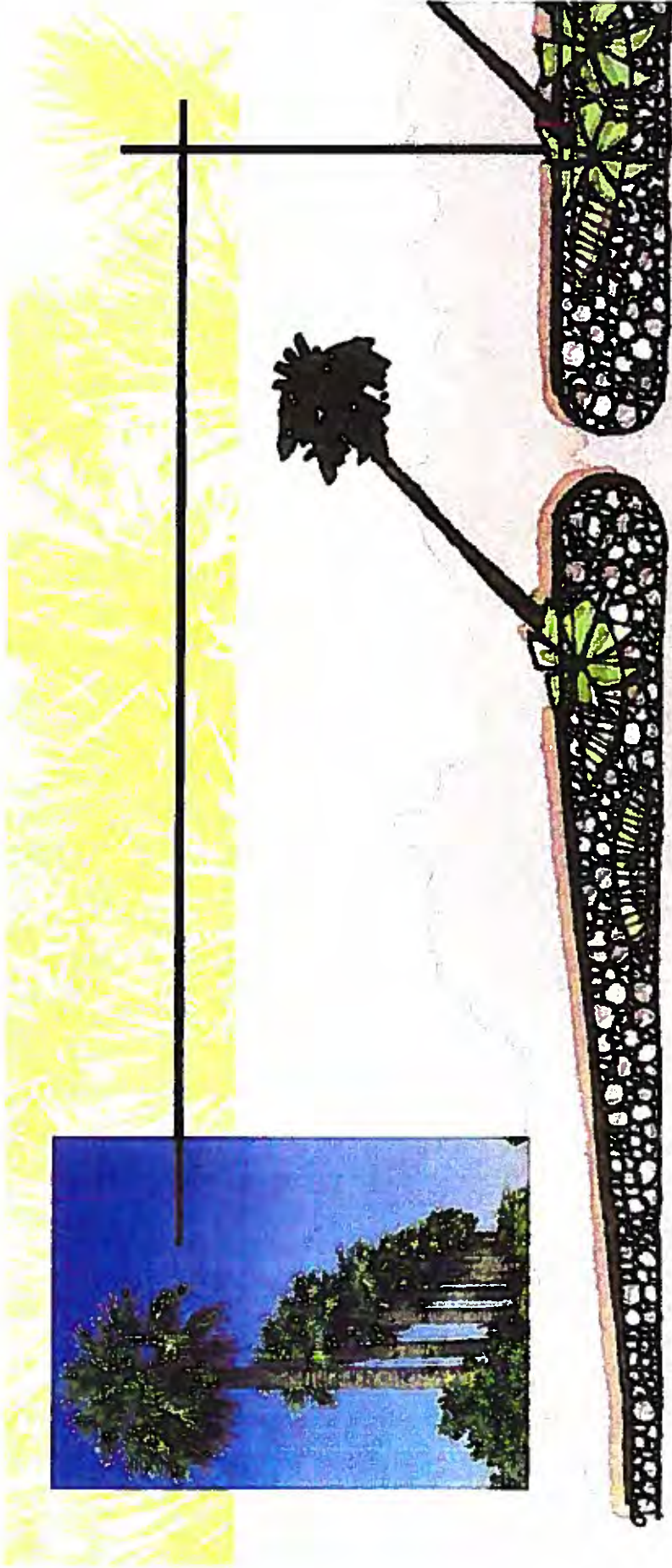
**ARTIFICIAL TURF**



**SALT & PEPPER RIVER  
ROCK PAVING**

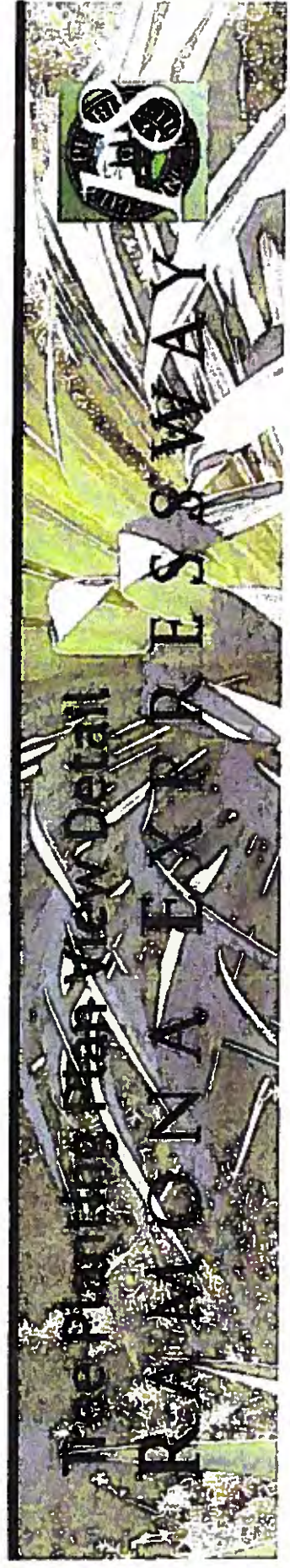


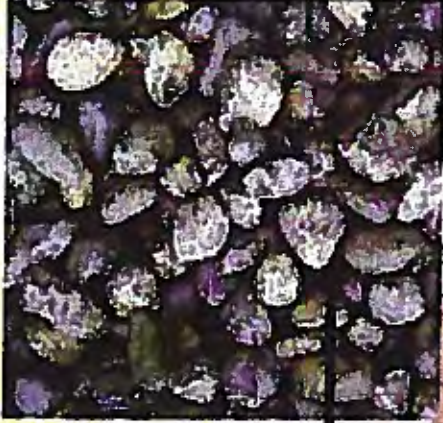




**WASHINGTONIA filifera**  
**CALIFORNIA FAN PALM**  
• TREE TO 60 FT. TALL & 20 FT.  
WIDE

# RAMONA EXPRESSWAY





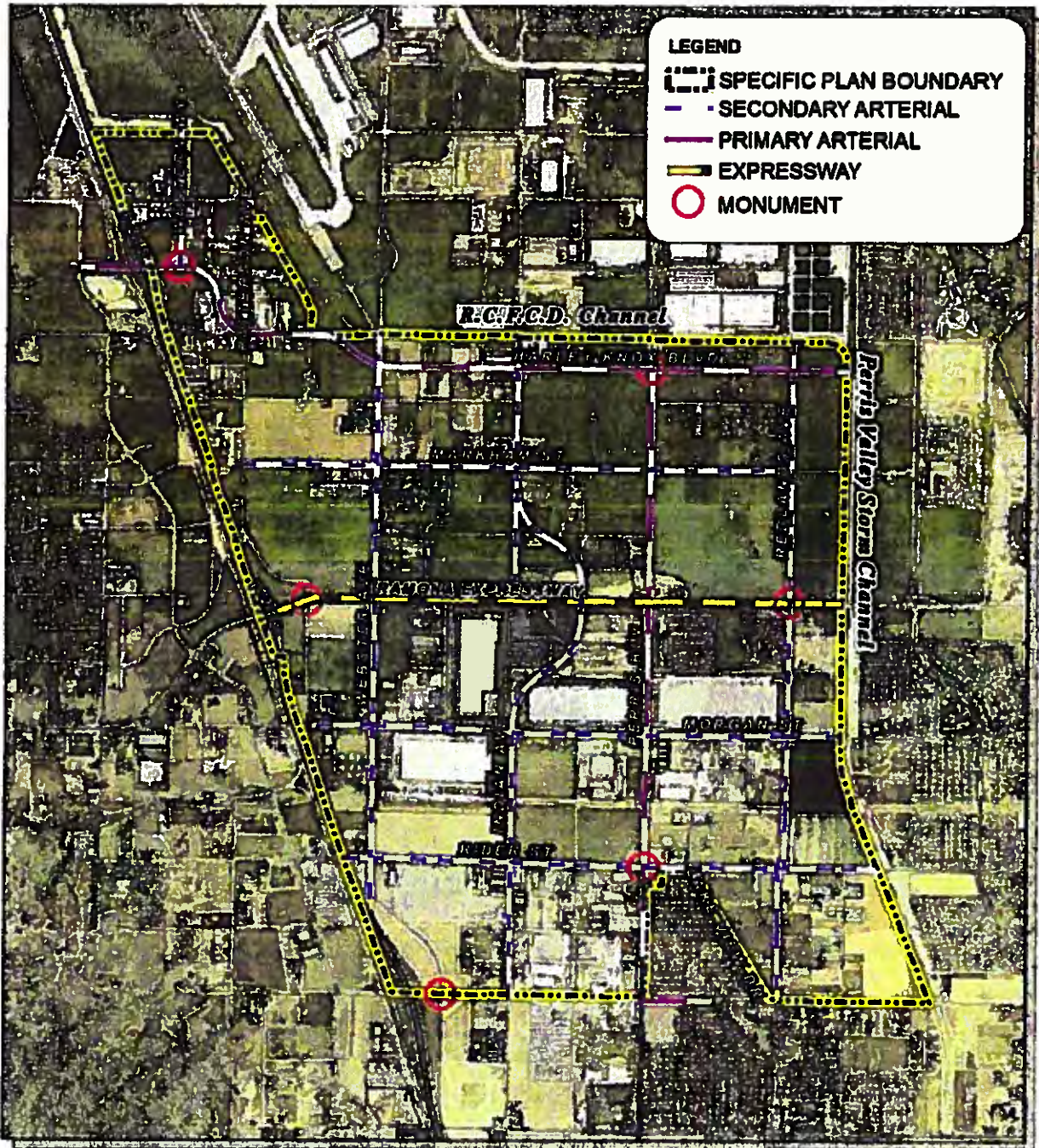
**R A M O N A   E X P R E S S W A Y**

**S A L T & P E P P E R R I V E R  
R O C K P A V I N G**





Figure 5.0-4 COMMUNITY ENTRY





**Gateway Entries**

There will be six primary gateways into this community. These include three west of Highway 215 (Harley Knox Boulevard, Ramona Expressway, and Placentia Avenue), two north/south gateways on Perris Boulevard, and one on Ramona Expressway. Accent palms, deciduous and evergreen trees, with flowering shrubs and groundcovers will help to frame the entry monumentation. Four of the six gateways will have the landscape and monumentation only on the community side of the intersection (two corners) giving the appearance of a gated entry. The remaining two gateways (Harley Knox Boulevard and Placentia Avenue) will only receive these improvements on the southwest and northeast corners respectively, because they fall in the corners of the community (Figures 6.0-13 thru 6.0-20).

**Interior Intersections**

All monumentation for the interior of the community will vary in size subject to the classification of the street(s) that intersect. If streets of different classifications intersect, the monumentation requirements will be based on the larger classification. Actual monumentation should be as depicted in Figure 6.0-12.

**Figure 6.0-12 ENTRY MONUMENTATION FOR PERRIS VALLEY COMMERCE CENTER**

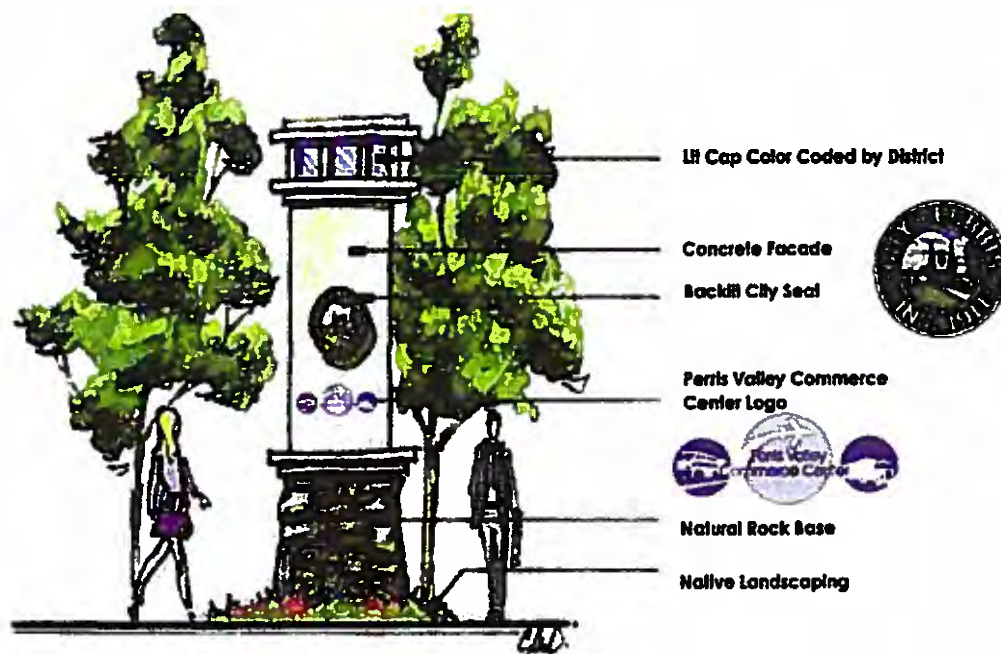
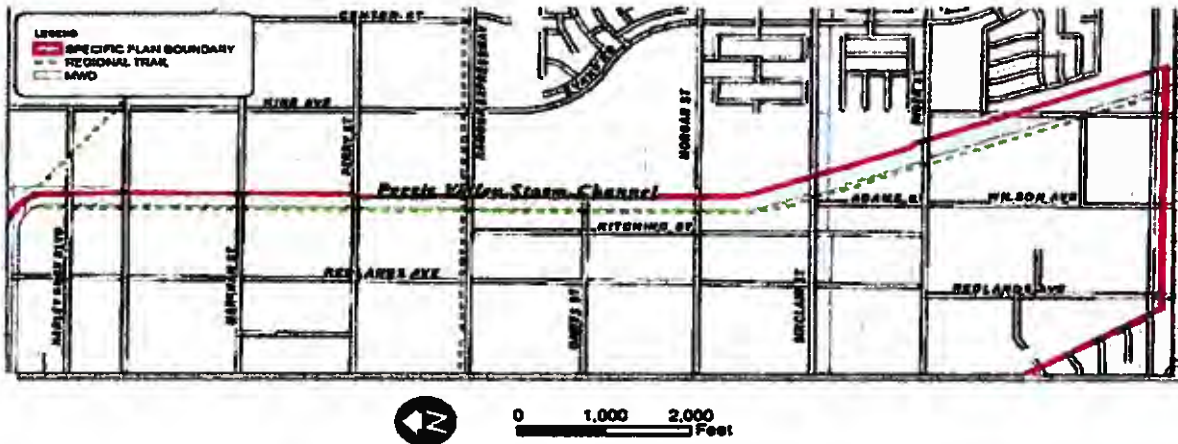




Figure 5.0-7 PERRIS VALLEY STORM CHANNEL TRAIL



**Ramona Expressway Regional Trail**

The future Ramona Expressway Regional trail shall be located on the north side of the Ramona Expressway as depicted in Figure 5.0-8. Trail shall be developed in accordance with the following section depicted as Figure 5.0-9.

Figure 5.0-8 RAMONA EXPRESSWAY REGIONAL TRAIL

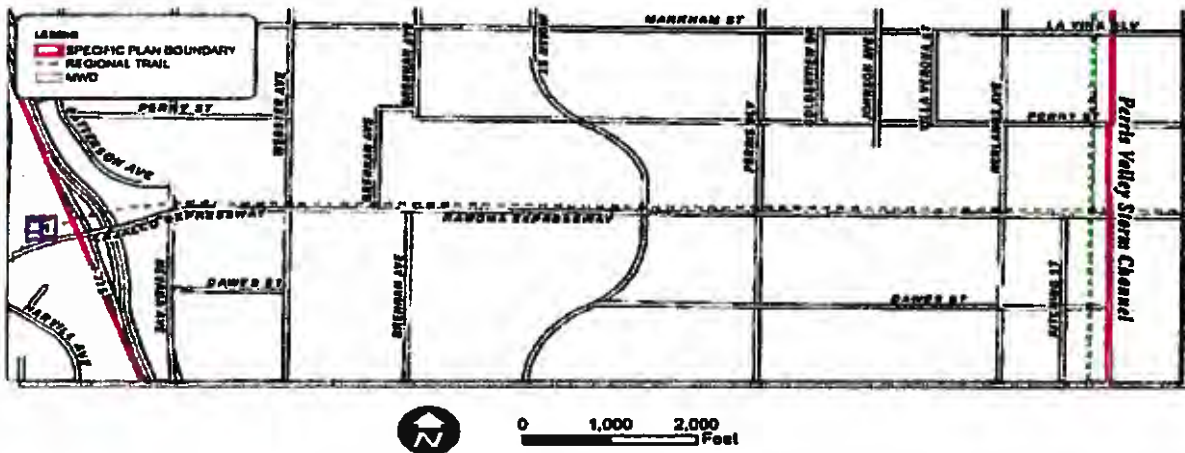
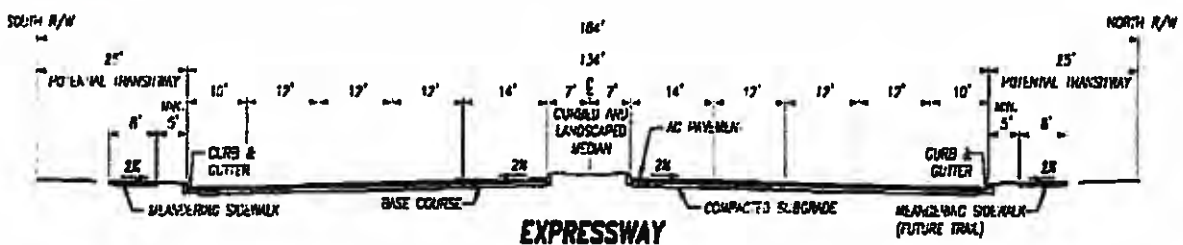
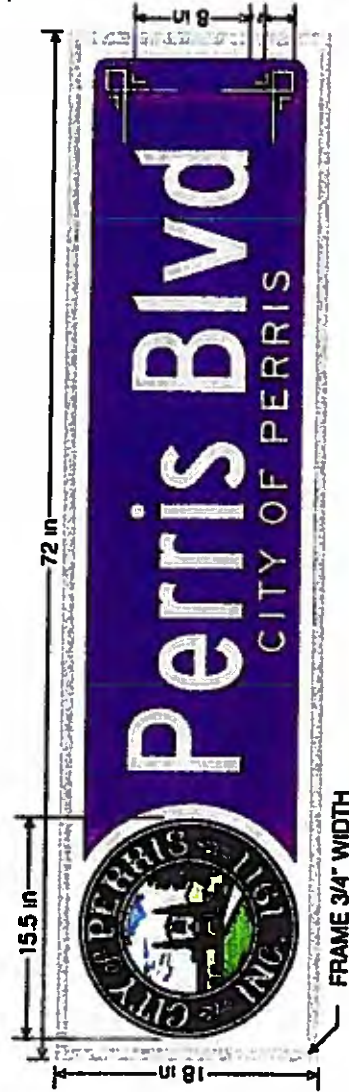


Figure 5.0-9 RAMONA EXPRESSWAY CROSS-SECTION



# ISNS Type A housing Panel Only

Submittal  
ISNS



## Information

Customer: N/A  
PO#: N/A  
SO#: N/A  
Agency: Perris  
Location: SG74220- Perris Blvd/4th Street  
Pole: N/A  
Project Mgr: Diane Hawkins

## Specifications

Type: ISNS Type A, 6'X18" Panel Only  
Panel: Clear Acrylic 0.125" Thick High Impact Modified  
Vinyl: 3M 1175 Blue on 3MDG3 4090 Sheeting  
Font: FHWA Series C, 8" UC & 6" LC  
Border: 1" Radius Border  
Logo: 15.5" City of Perris Decal and  
2" Lower Legend "CITY OF PERRIS"  
Brackets: N/A

Created: 11/22/2012

Approved: 

Date: 12-24-13

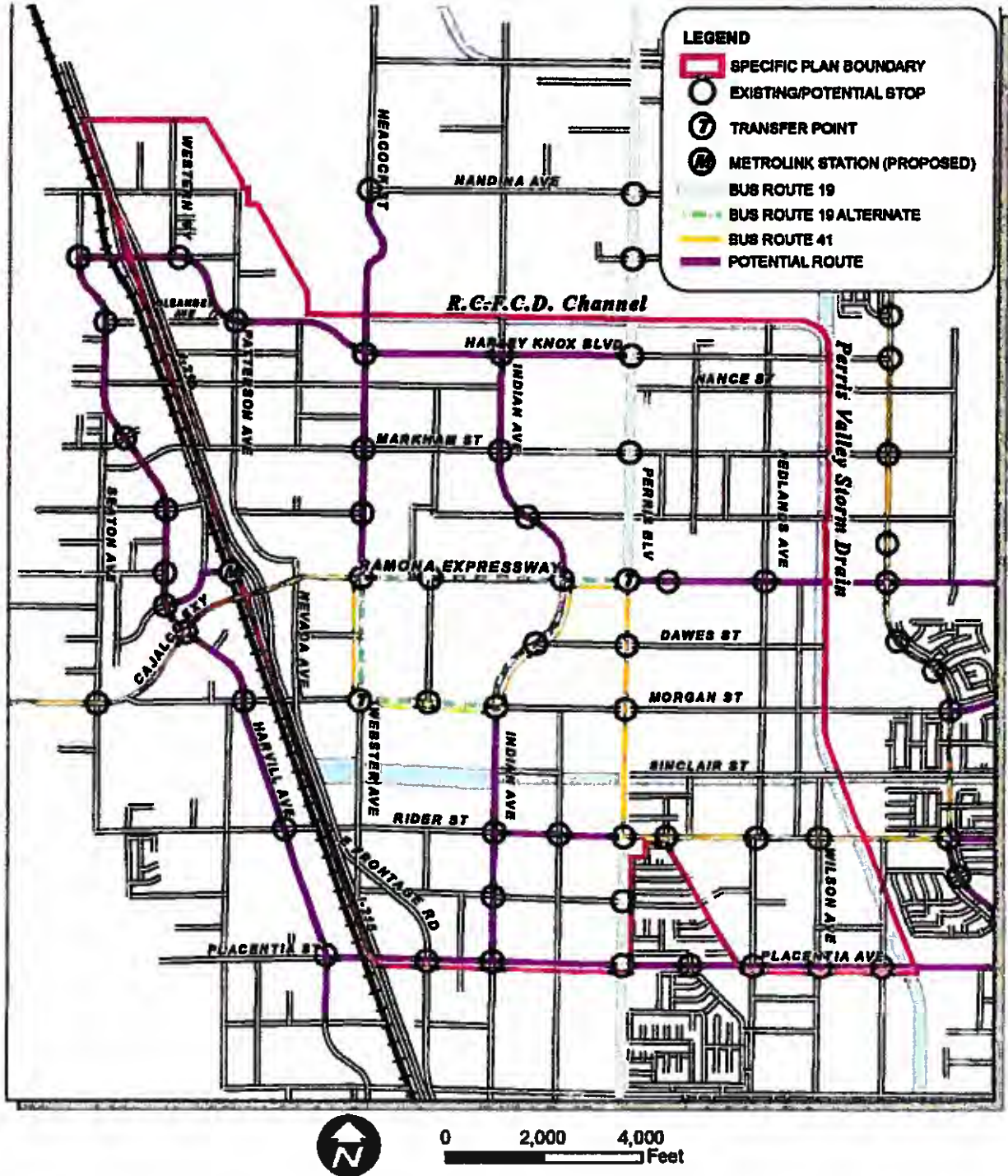
3305 OAK RIDGE WAY // VISTA, CALIFORNIA 92081 // USA // WWW.MCCAIN-INC.COM  
© 2013 McCain Inc. Updated 09/29/11. McCain reserves the right to change product specifications without notice.  
For the most up-to-date information, please contact McCain

  
www.mccain-inc.com

Created by: HG



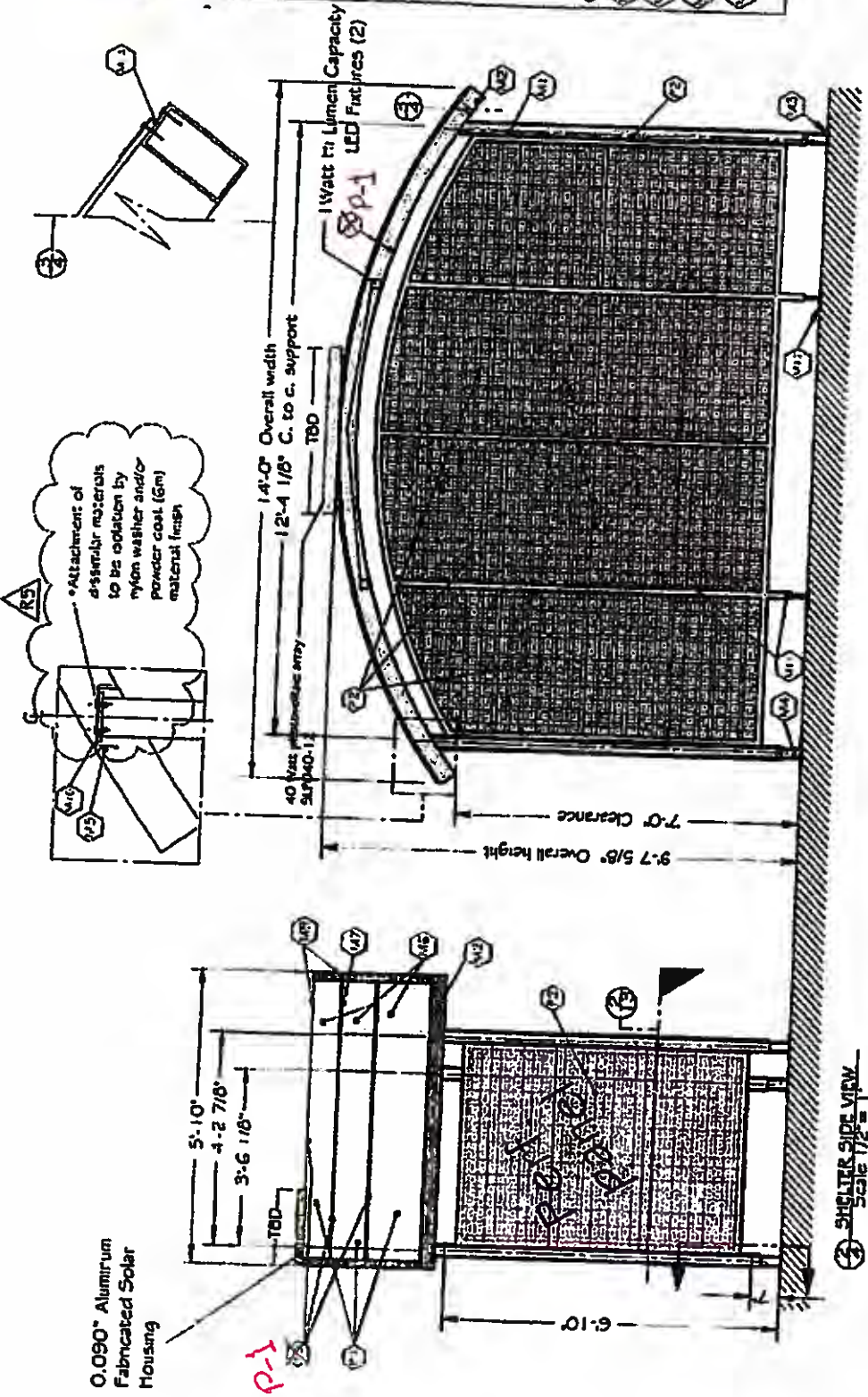
Figure 3.0-4 MASS TRANSIT ROUTES





Finish/Paint/Powder Coat  
 P-1 powder coat  
 P-2 powder coat  
 T009-BL01  
 P008-GR21

Materials / Substrate	
V1	3x3x1/4" steel tube
V2	2" x 4" x 3/16" thick Alum rectangular tube
V3	7x7x1/4" thick steel plate
V4	2-1/2x2-1/2x1/4 steel wire
V5	3x1.75x.190 aluminum C channel
V6	0.063 aluminum
V7	2" x 1/8 aluminum rectangular tube
V8	0.063 thick x 1/4" holes, 3/8" diameter centers Alum.
V9	2" x 3/8" x 1/16" aluminum curved cap at top
V10	1/4" x 1/4" thick steel plate
V11	1-1/2" x 1-1/2" x 11 ga sheet square tube
V12	2" x 3" x 1/4" thick alum plate
V13	0.063" x 4" x 6" aluminum plate



(X6)  
 Powdercoat Entire Roof Assembly, Fascia, Beams, Aluminum Roof P-1 Cardinal color T009-BL01  
 Powdercoat Every Side Perforated Panels, Steel Square Tubes P-2 Cardinal color P008-GR21  
 SEE Attached Approved Color Samples 12-A-3



 **CARDINAL**

---

**P008-GR21**  
POLYESTER POLYURETHANE POWDER  
GLOSS SMOOTH  
GRAY

---

(626) 444-9274 • (626) 937-6767

 **CARDINAL**

---

**T009-BL01**  
POLYESTER TGIC POWDER COATING  
SEMI GLOSS SMOOTH  
BLUE

---

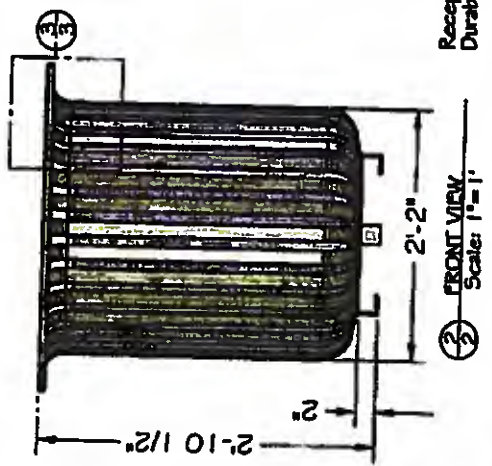
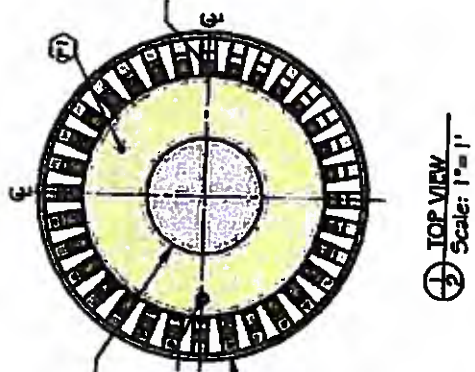
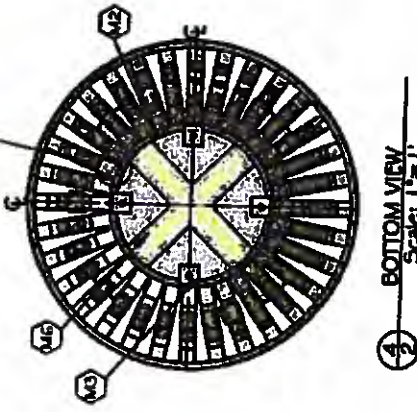
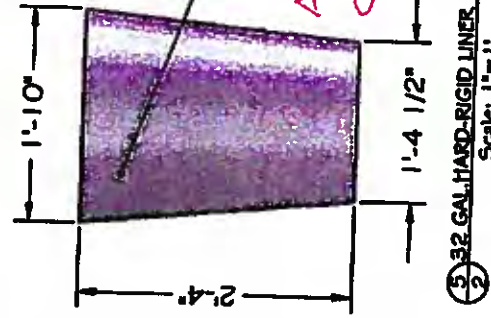
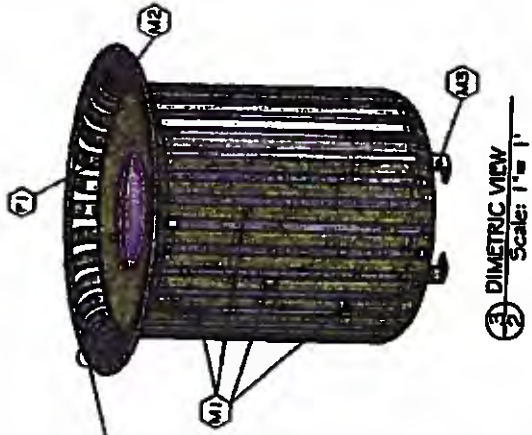
(626) 444-9274 • (626) 937-6767



Finish/Paint/Powder Coat
(P1) <del>Black</del> Powder coated <i>Cardinal TO09-BL01</i>

Materials / Substrate	
(M1)	1 1/2" x 3/16" Steel straps
(M2)	5/8" Dia. Steel rod
(M3)	2"x2"x1/8" Steel angle
(M4)	1/4 ga. sheet metal
(M5)	Hard rubber liner
(M6)	5" x 3/16" Steel straps

*12-13*  
*USE ATTACH. APPROVED COLOR SAMPLE*  
*Cardinal TO09-BL01*



Cam locks keyed alike  
bright nickel  
# C8053-C642A-14A  
Ø 1'-0"  
Ø 2'-10"

Receptacle to be un-welded and pre drilled prior to powdercoating.  
Durable baked powder coat finish, sized anchor for surface mounting

PROJECT NAME: Riverside Transit Agency	DRAWING: Trash can
ADDRESS: Various	SCALE: As shown
CITY/STATE: various	DRAWN BY: J. Alvarez
TELEPHONE: 778	DESIGN DATE: 01.25.00
FAX NUMBER: 878	SALES PERSON: Theresa Roth

APPROVAL	DATE
CLIENT	
SALES	
LAUNCH	
PROGRAMMING	
ENGINEER	



A	DATE	BY	DESCRIPTION

SHEET	
2 OF 4	
GENERAL NOTES	
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
2. MATERIALS AND FINISHES TO BE AS SHOWN ON THIS DRAWING.	

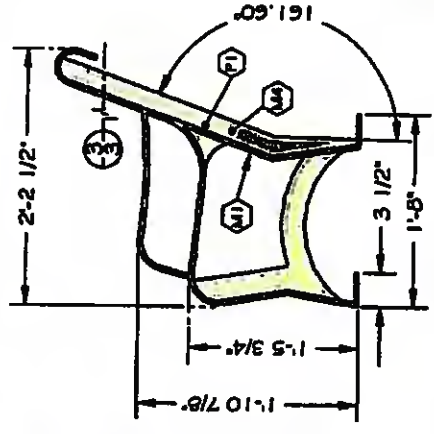
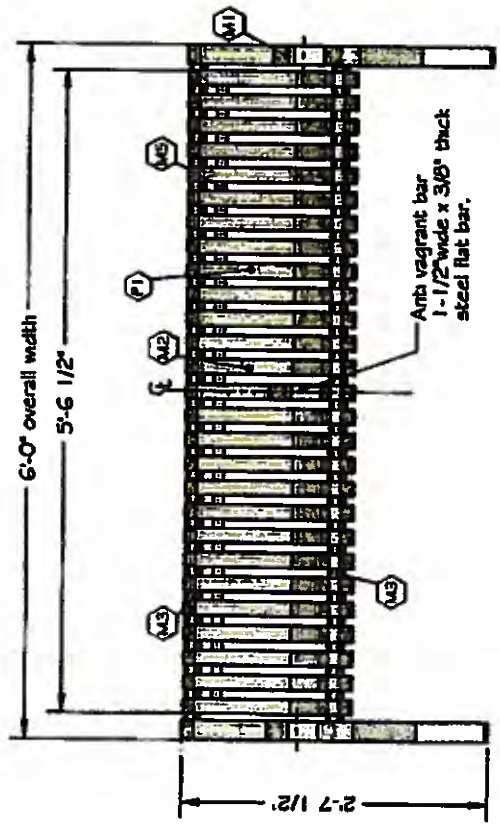
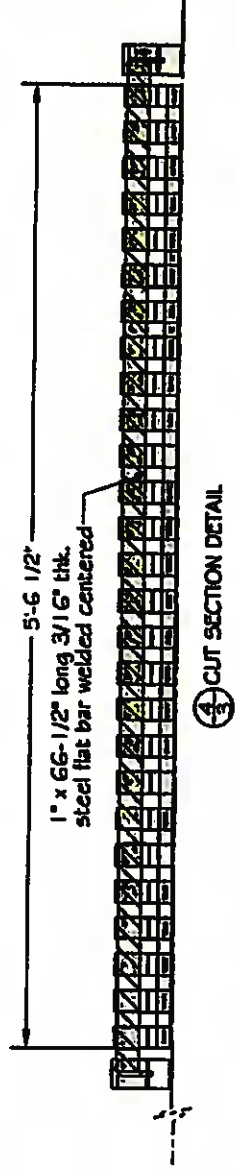
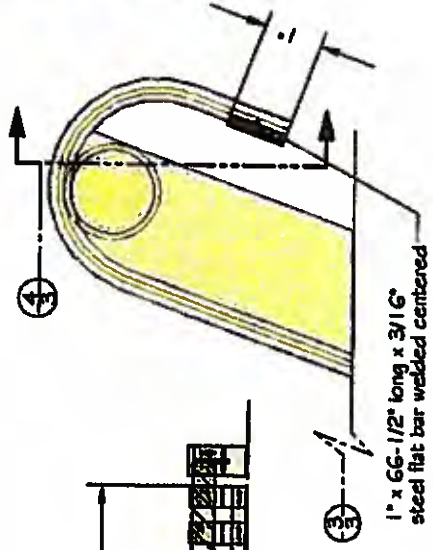


Finish Paint Powder Co.  
 (P1) RAL 5005 Powder Co.  
 Cardinal  
 1009-BL01

Materials / Substrat	
(M1)	2 x 3/8" steel legs and armrest.
(M2)	3/16" x 1-1/2" wide steel bar
(M3)	1 1/4" sch 40 steel p
(M4)	1/4" steel plate.
(M5)	1" x 3/16" steel flat bar

12-4-13

USE ATTACHED APPROVED COLOR SAMPLE CARDINAL 1009-BL01



3 BENCH FRONT SIDE Scale 1" = 1"  
 2 BENCH SIDE VIEW Scale 1" = 1"  
 Bench to be un-welded and pre drilled prior to powdercoating.  
 Durable baked powdercoat finish.  
 Steel anchors for surface mounting.

**ORDINANCE NUMBER \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT 12-10-0006 TO THE PERRIS VALLEY COMMERCE CENTER (PVCC) SPECIFIC PLAN TO REVISE THE LANDUSE DESIGNATION OF APPROXIMATELY 68.99 ACRES FROM COMMERCIAL (C) AND BUSINESS PROFESSIONAL OFFICE (BPO) TO LIGHT INDUSTRIAL (LI) AND TO AMEND THE CIRCULATION PLAN TO REMOVE PATTERSON AVENUE CONNECTION TO RAMONA EXPRESSWAY TO FACILITATE THE APPROVAL OF AN INDUSTRIAL DEVELOPMENT PROJECT LOCATED NORTH OF RAMONA EXPRESSWAY BETWEEN THE I-215 FREEWAY AND WEBSTER AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF.**

**WHEREAS**, a Specific Plan Amendment application was submitted to enable an industrial development known as the Optimus Logistics Center I project consisting of the following: 1) Amending the land use designation of 49.14 acres from Commercial (C) to Light Industrial (LI) and another 19.85 acres from Business Professional Office (BPO) to Light Industrial (LI); 2) Eliminating improved Patterson Avenue from unimproved Perry Street to Ramona Expressway from the Circulation Plan of the Specific Plan; and 3) Eliminating unimproved Perry Street within the project site from the Circulation Plan of the Perris Valley Commerce Center (PVCC) Specific Plan.

**WHEREAS**, the proposed Specific Plan Amendment (“SPA”) is consistent with the goals, policies, and implementation measures set forth in the General Plan; and

**WHEREAS**, by Resolution Number \_\_\_\_, the City Council certified the Environmental Impact Report (EIR/*State Clearinghouse #2012111003*) for the SPA; and

**WHEREAS**, on May 6, 2015, the Planning Commission conducted a duly noticed public hearing on the SPA and at the meeting recommended approval of the SPA after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, on June 9, 2015, the City Council conducted a duly noticed public hearing on the project and after the hearing was closed, voted 4-0 to continue the project after considering public testimony and materials in the staff report and accompanying documents; and

**WHEREAS**, at the time of the hearing on June 9, 2015, one position on the City Council was vacant. A new Councilmember was elected to fill that vacancy and was sworn into office on December 8, 2015. The new Councilmember has reviewed all of the written materials, public testimony, and discussion from the hearing on June 9, 2015; and

**WHEREAS**, on January 12, 2016, 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**, 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. \_\_ found that all the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated, and certified the EIR.

**Section 4.** 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 Optimus Logistics Center I, the following regarding Specific Plan Amendment 12-10-0006:

(a) The proposed Specific Plan Amendment will not result in a significant adverse effect on the environment and will not affect public health, safety, and welfare as the loss of Patterson Avenue connection to Ramona Expressway will be insignificant due to the relatively low volume of existing traffic volumes with alternative roadways to travel north and south along Webster Avenue and Indian Avenue.

(b) The Specific Plan Amendment is consistent with and will contribute to achieving the goals and objectives established by the General Plan and Perris Valley Commerce Center Specific Plan to provide a diversity of commercial and industrial development that create jobs that will benefit the residents of Perris.

(c) The Specific Plan Amendment provides a logical extension of an existing landuse pattern as the approximately 68.99 acres change from Commercial (C) and Business Professional Office (BPO) to Light Industrial (LI) is consistent with the adjacent Light Industrial landuse to the north of the property. Also, the building architecture has a business park feel to mimic what could be developed in a C or BPO zone to further provide a land use

transition for the residential properties on the east of Webster Avenue. In addition, no truck access will be permitted along Webster Avenue to mitigate noise and traffic impacts associated with a warehouse development.

**Section 4.** The City Council hereby approves Specific Plan Amendment 12-10-0006 to 1) amending the land use designation of 49.14 acres from Commercial to Light Industrial and another 19.85 acres from Business Professional Office to Light Industrial; 2) eliminating improved Patterson Avenue from unimproved Perry Street to Ramona Expressway from the Circulation Plan of the Specific Plan; and 3) eliminating unimproved Perry Street within the project site from the Circulation Plan of the Perris Valley Commerce Center (PVCC) Specific Plan.

**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 \_\_\_\_, 2016.**

\_\_\_\_\_  
Mayor, Daryl R. Busch

ATTEST:

\_\_\_\_\_  
City Clerk, Nancy Salazar

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

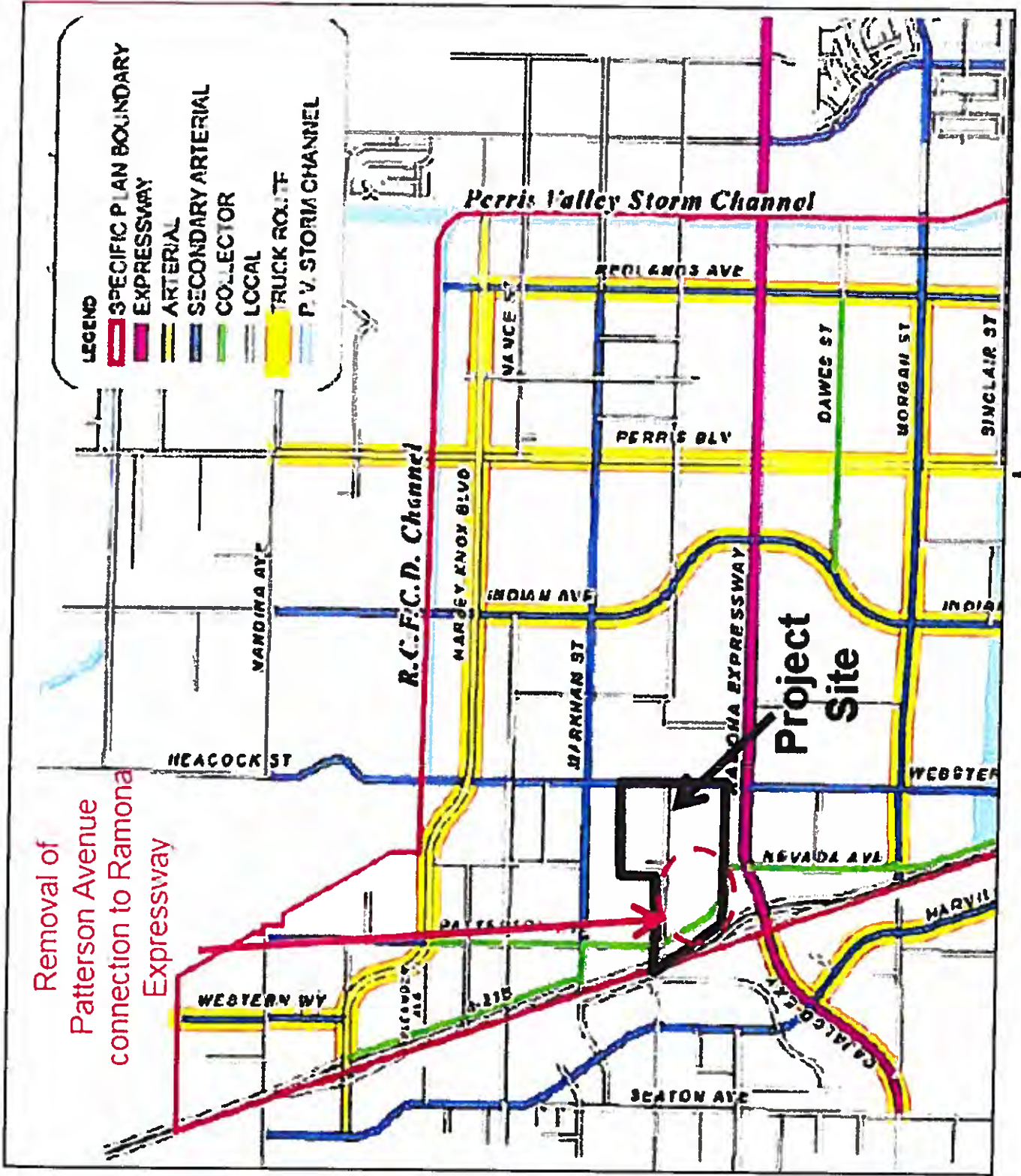
I, **Nancy Salazar**, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number \_\_\_\_ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the \_\_\_\_ day of \_\_\_\_\_ 2016, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

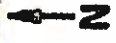
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City Clerk, Nancy Salazar

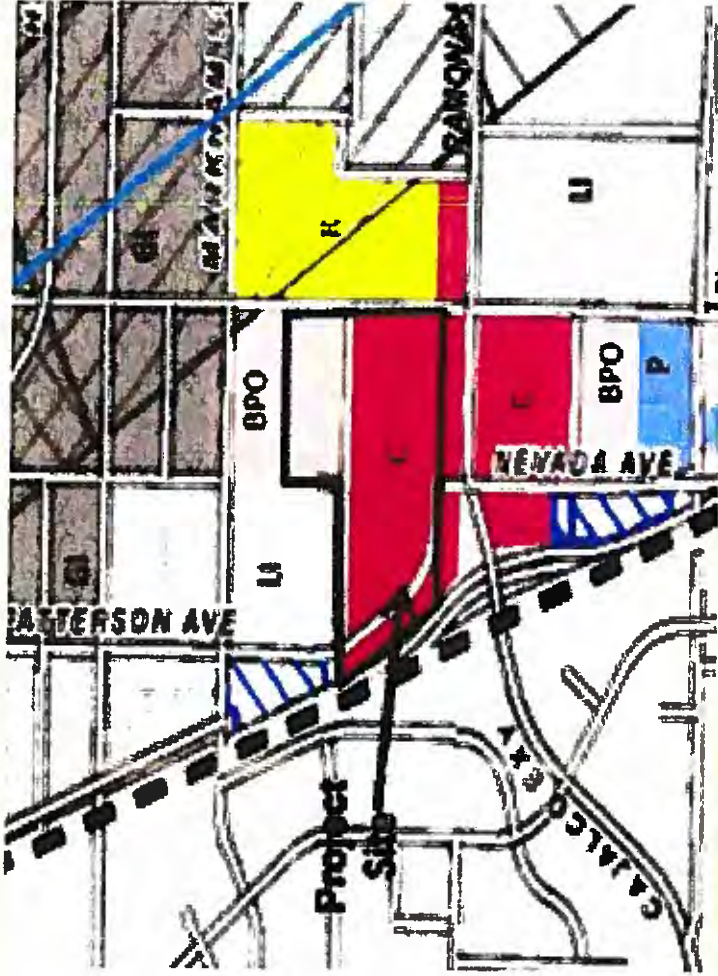
**Attachments:** SPA Landuse Amendment  
SPA Circulation Amendment



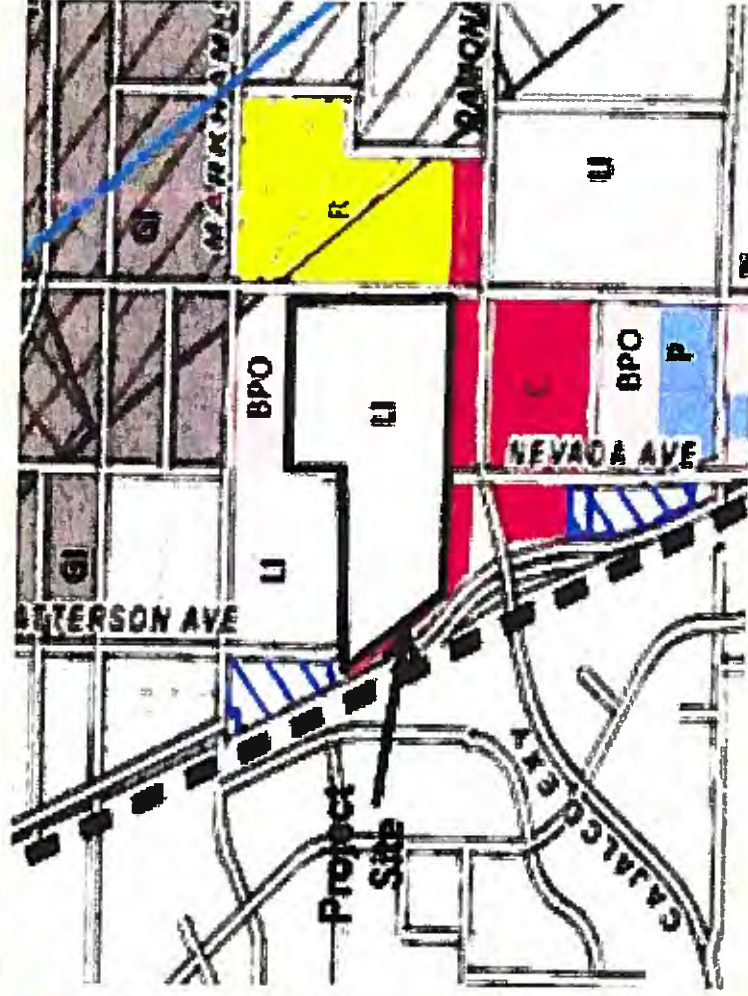
Removal of  
Patterson Avenue  
connection to Ramona  
Expressway



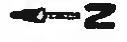




**Existing Landuse**



**Proposed Landuse**



# Verbal Presentation

**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date:** January 12, 2016

**SUBJECT:** Review of floor plans and cost estimates to construct offices and a Conference room for the City Council

**REQUESTED ACTION:** That the City Council provide direction to staff on the construction of offices for the City Council

**CONTACT:** Darren Madkin, Deputy City Manager 

---

**BACKGROUND/DISCUSSION:**

The City Council directed staff to prepare a proposed floor plan and evaluate the cost to construct offices and a conference room to host business meetings for councilmembers. Two city owned facilities were studied, both of which are on the main City Hall campus. The building at 227 North D Street which currently has tenants including; Riverside County Code Enforcement, Perris Chamber of Commerce, Boys and Girls Club of Perris, and the Perris Historical Society; was one of the locations considered for offices. The other building that was considered is the Statler Youth Center building at 101 North D Street.

Meyer and Associates architects were retained to study both facilities. Based on the existing conditions in both buildings and their review of the current building codes with the City Building Official, they determined that it is feasible to build offices in both locations. However, both locations have restrooms that do not comply with current accessibility (ADA) requirements. Any improvements would require upgrading the restrooms to make them accessible to the disabled. Accessible parking spaces will be needed also; the proposed plan includes minor paving improvements to provide accessible parking.

The probable construction costs for each of the two sites are listed below (the costs do not include architectural/engineering/structural costs which is typically 8-10% of the total construction cost):

227 North D Street - \$362,590  
Statler Building A\* - \$390,460  
Statler Building B\*\* - \$438,170

\* (The cost estimate prepared by Meyer and Associates includes the minimum complying toilet rooms to reduce the floor area dedicated to restrooms; see building study "A" in the attached floor plan)

\*\* (The cost estimate prepared by Meyer and Associates shows larger complying toilet rooms; see building study "B" in the attached floor plan)

Review of floor plans and cost estimates to construct offices and a Conference room for  
the City Council  
January 12, 2016  
Page 2 of 2

Staff requests direction from City Council on a preferred location; and whether to proceed with preparation of construction documents and a bid package to request public bids for this project. If directed to proceed, staff will bring the bid package back to the City Council with an engineer's estimate for the total construction cost. At that time the City Council can authorize the release of the request for bids and approve a budget appropriation to cover the cost of construction.

---

**BUDGET (or FISCAL) IMPACT:** There were minor costs associated with the preparation of the floor plans, cost estimates, and the analysis prepared by architects from Meyer and Associates.

---

Reviewed by:

Assistant City Manager *Re*

Attachments: Floor plan study narrative  
Chamber of Commerce Building Study and construction estimate  
Statler Building Study "A" and construction estimate  
Statler Building Study "B" and construction estimate

Consent:  
Public Hearing:  
Business Item: X  
Other:

City Council Offices

# **FLOOR PLAN STUDY NARRATIVE**

City of Perris, California

November 3, 2015

## **CHAMBER OF COMMERCE BUILDING STUDY**

The Floor Plan Study illustrates straight forward tenant improvements in the Office and Meeting Room areas. However, the existing toilet rooms do not comply with current accessibility guidelines. As part of the tenant improvements, the code requires that restrooms serving the improvement areas must be accessible to the disabled. The Floor Plan Study shows complying toilet rooms requiring expansion of the existing toilet room area and a narrower corridor adjacent to the toilet rooms. The toilet room design maintains the same plumbing fixture count as the existing toilet rooms, and adds one more lavatory (Women Room) and complying hi-lo drinking fountains (Corridor).

An uncertainty that may affect execution of this plan is the existing thickened wall in 3 locations between the Men/Women Toilet Rooms and the Corridor. At this time, Meyer and Associates has no information that indicates if these are utility chases, duct chases, or just wall "box-outs." The plan assumes these are wall "box-outs", but this must be confirmed before proceeding with this concept.

Accessible parking stalls in proximity to the building entrance and accessible path-of-travel from the parking stalls to the primary entrance will also be required. This will require limited parking and paving improvements to provide complying slopes, curb ramp, striping, and signage.

The proposed secondary Meeting Room exit may require an exterior ramp to provide a complying exit path-of-travel from an elevated floor slab to the lower level of the adjacent site.

### **PLUMBING FIXTURE ANALYSIS:**

The proposed plan matches or exceeds the number of Men and Women plumbing fixtures that are existing. This like-for-like approach satisfies the City's Building Official for the required number of plumbing fixtures.

### **STATLER BUILDING – STUDY 'A'**

(Occupancy type for plumbing fixture count may require Building Official interpretation)

The Floor Plan Study illustrates straight forward tenant improvements in the Office and Meeting Room areas. However, the existing toilet rooms do not comply with current accessibility guidelines. As part of the tenant improvements, the code requires that restrooms serving the improvement areas must be accessible to the

disabled. The floor plan prepared by Meyer and Associates shows minimum complying toilet rooms (single accommodation toilet rooms) to reduce floor area dedicated to restrooms. The toilet rooms have been located back-to-back for plumbing efficiency.

An accessible parking stall in proximity to the building entrance and accessible path-of-travel from the parking stall to the primary entrance will also be required. This will require limited parking and paving improvements to provide complying slopes, curb ramp striping, and signage. Paving modifications are anticipated to provide the acceptable maximum (1/2") level change at the entry door.

#### **PLUMBING FIXTURE ANALYSIS (OFFICE BUILDING – EMPLOYEES ONLY):**

**Occupant Load:**

1. Conference, 30 Load Factor
2. Office, 200 Load Factor

**Occupants:**

1. Meeting,  $705 \text{ SF} \div 30 = 23$
2. Offices/Recept,  $591 \text{ SF} \div 200 = 3$
3. Total Occupants = 26

**Required Fixtures:**  
(Men = 13, Women = 13)

1. Male WC for 1-15 = 1
2. Female WC for 1-15 = 1
3. Male UR for 10-50 = 1
4. Lavs, Male 1/40 occ
5. Lavs, Female 1/40 occ

**∴ Building Study 'A' Complies**

#### **PLUMBING FIXTURE ANALYSIS (ASSEMBLY – PUBLIC):**

**Occupant Load:**

1. Conference, 30 Load Factor
2. Office, 200 Load Factor

**Occupants:**

1. Meeting,  $705 \text{ SF} \div 30 = 23$
2. Offices/Recept,  $591 \text{ SF} \div 200 = 3$
3. Total Occupants = 26

**Required Fixtures:**  
(Men = 13, Women = 13)

1. Male WC for 1-100 = 1
2. Female WC for 1-50 = 3
3. Male UR for 1-100 = 1
4. Lavs, Male 1/200 occ
5. Lavs, Female 1/200 occ

**∴ Building Study 'A' Does Not Comply**

#### **STATLER BUILDING – STUDY 'B'**

(Occupancy type for plumbing fixture count may require Building Official interpretation)

The Floor Plan Study illustrates straight forward tenant improvements in the Office and Meeting Room areas. However, the existing toilet rooms do not comply with current accessibility guidelines. As part of the tenant improvements, the code requires that restrooms serving the improvement areas must be accessible to the disabled. The floor plan prepared by Meyer and Associates shows larger complying toilet rooms (multiple accommodation toilet rooms) if the building is determined to be an Assembly Occupancy under the California Plumbing Code. The toilet rooms have been located in a linear manner for plumbing logic and floor plan efficiency due to limited building width.

An accessible parking stall in proximity to the building entrance and accessible path-of-travel from the parking stall to the primary entrance will also be required. This will require limited parking and paving improvements to provide complying slopes, curb ramp striping, and signage. Paving modifications are anticipated to provide the acceptable maximum (1/2") level change at the entry door.

**PLUMBING FIXTURE ANALYSIS (ASSEMBLY – PUBLIC):**

- |  |   |
|--|---|
| Occupant Load:                             | <ol style="list-style-type: none"> <li>1. Conference, 30 Load Factor</li> <li>2. Office, 200 Load Factor</li> </ol>   |
| Occupants:                                 | <ol style="list-style-type: none"> <li>1. Conference, 420 SF ÷ 30 = 14</li> <li>2. Offices/Recept, 572 SF ÷ 200 = 3</li> <li>3. Total Occupants = 17</li> </ol>   |
| Required Fixtures:<br>(Men = 9, Women = 8) | <ol style="list-style-type: none"> <li>1. Male WC for 1-100 = 1</li> <li>2. Female WC for 1-50 = 3</li> <li>3. Male UR for 1-100 = 1</li> <li>4. Lavs, Male 1/200 occ</li> <li>5. Lavs, Female 1/200 occ</li> </ol> |

∴ Building Study 'B' Complies

**PROBABLE CONSTRUCTION COSTS**

(See Attached Cost Opinions)

Council Offices, Chamber of Commerce Building:	\$	362,590
Council Offices, Statler Building 'A':	\$	390,460
Council Offices, Statler Building 'B':	\$	438,170

**DESIGN COSTS**

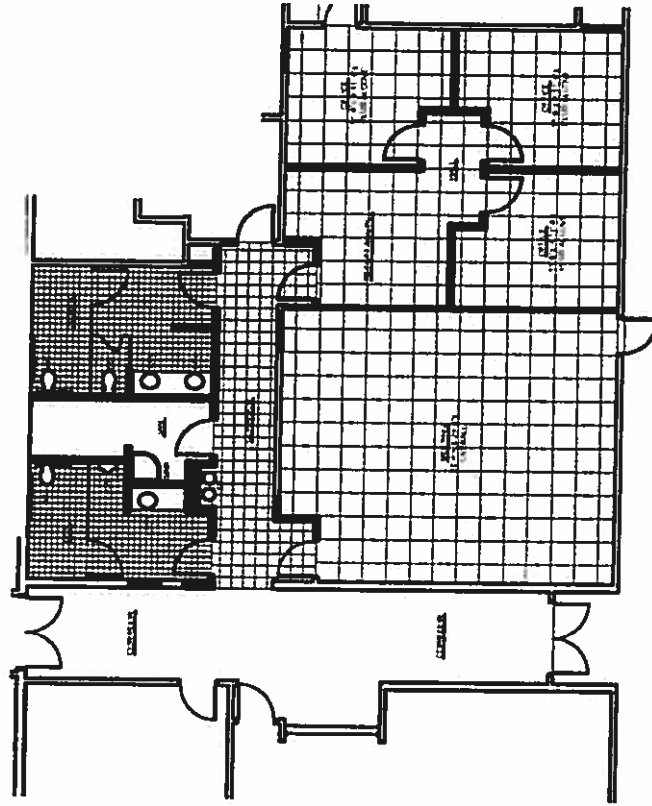
1. For architectural design to prepare construction documents for remodeling an existing building including structural, electrical, and mechanical engineering limited to the area of improvements only, excluding other than improvements of finishes to the existing building shell, allow a budgetary amount of 10% - 12% of the probable construction costs.

2. For Structural Engineer's review of the Statler Building to observe visible portions of the existing structural building components and provide an opinion of the structural condition of the existing building, allow a budgetary amount of \$3,500.00 (This amount does not include destructive testing or laboratory analyses).



# CITY COUNCIL OFFICES

CIVIC CENTER COMPLEX  
CITY OF PERRIS  
CALIFORNIA



## CHAMBER OF COMMERCE BUILDING FLOOR PLAN STUDY



SCALE: 1/4" = 1'-0"  
OCTOBER 20, 2015



CITY COUNCIL  
OFFICES  
CHAMBER OF  
COMMERCE  
FLOOR PLAN  
STUDY

BUDGETARY     X      
 CONCEPTUAL             
 PRELIMINARY             
 FINAL           

CLIENT     CITY OF PERRIS      
 PROJECT     COUNCIL OFFICES (CHAMBER BLDG.)      
 DATE     11/02/15      
 BY     MEYER    

**CHAMBER OF COMMERCE BUILDING**

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
1.	---	LS	DEMOLITION	ALLOW	42380	
2.	---	LS	CONCRETE	ALLOW	1500	
3.	---	LS	METALS	ALLOW	500	
4.	---	LS	WOOD/PLASTICS	ALLOW	12270	
5.	---	LS	THERMAL/MOIST PROTECT	ALLOW	2890	
6.	---	LS	DOORS/WINDOWS	ALLOW	22500	
7.	---	LS	FINISHES	ALLOW	65335	
8.	---	LS	SPECIALTIES	ALLOW	4325	
9.	---	LS	SIGNAGE	ALLOW	3450	
10.	---	LS	MISCELLANEOUS	ALLOW	2600	
11.	---	LS	MECH'L (HVAC)	ALLOW	27300	
12.	---	LS	MECH'L (PLUMBING)	ALLOW	25000	
13.	---	LS	ELECTRICAL	ALLOW	47450	
14.	---	LS	SITework	ALLOW	12700	
15.	---	LS	OVERHEAD/PROFIT	15%	40530	
16.	---	LS	BONDS/INSURANCE	2%	5405	
17.	---	LS	MOBILIZATION	5%	13510	
18.	---	LS	TOTAL	---	---	329625
19.	---	LS	BUDGET CONTINGENCY	10%	32965	

**total probable construction cost opinion (\$186/SQ.FT):\$362,590**

**references:**

Means Building Construction Cost Data, 2015.

**Note:**

Since Meyer and Associates has no control over the cost of labor, materials, or equipment, or over the contractors method of determining prices, or over competitive bidding or market conditions, our opinions of probable construction cost provided for herein are to be made on the basis of our experience and qualifications. These opinions represent our best judgment as design professionals familiar with the construction industry. However, Meyer and Associates cannot and does not guarantee that proposals, bids or the construction cost will not vary from opinions of probable cost we have prepared.

BUDGETARY     X      
 CONCEPTUAL         
 PRELIMINARY         
 FINAL       

CLIENT     CITY OF PERRIS      
 PROJECT   COUNCIL OFFICES (CHAMBER BLDG.)    
 DATE     11/02/15      
 BY     MEYER    

## CHAMBER OF COMMERCE BUILDING

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
1.			BUILDING DEMOLITION			42380
	---	LS	MISC FINISHES	ALLOW	15000	
	8 EA	LS	PLUMBING FIXTURES	ALLOW	1200	
	---	LS	SHELVING	ALLOW	75	
	---	LS	TOILET PARTITIONS	ALLOW	500	
	---	LS	TOILET ACCESSORIES	ALLOW	250	
	10 EA	LS	DOORS/FRAMES	ALLOW	750	
	175 LF	LS	WALL FRAMING	ALLOW	6500	
	2000 SF	LS	CEILING FRAMING	ALLOW	3000	
	---	LS	MISC PLUMBING	ALLOW	1250	
	---	LS	LIGHT'G, DISTRIBUTION	ALLOW	3000	
	---	LS	MECH'L DISTRIBUTION	ALLOW	5500	
	---	LS	SAWCUT/SLAB	ALLOW	1500	
	---	LS	UNFORESEEN (10%)	ALLOW	3855	
2.			CONCRETE			1500
	---	LS	PATCH SLAB	ALLOW	1500	
3.			METALS			500
	---	LS	MISC STRUCT'L CONN	ALLOW	500	
4.			WOOD/PLASTICS			12270
	217	LF	WALL FRAMING	36.00	7815	
	610	SF	CEILING FRAMING	1.50	915	
	12	LF	LAV COUNTER	150	1800	
	12	LF	COUNTERTOP	145	1740	
5.			THERMAL/MOIST PROTECT			2890
	1760	SF	SOUND INSULATION	1.50	2640	
	---	LS	CAULK'G/SEALANTS	---	250	
6.			DOORS/WINDOWS			22500
	1	EA	EXTERIOR DOOR	750	750	
	1	EA	EXTERIOR FRAME	250	250	
	10	EA	INTERIOR DOOR	800	8000	
	10	EA	INTERIOR FRAME	250	2500	

**meyer and associates**  
 architecture and planning

**opinion of**  
**probable construction costs**

BUDGETARY     X      
 CONCEPTUAL             
 PRELIMINARY             
 FINAL           

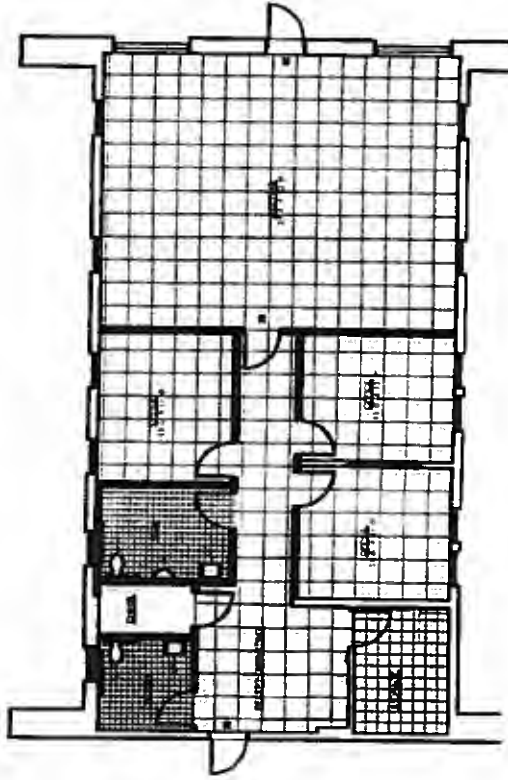
CLIENT     CITY OF PERRIS      
 PROJECT     COUNCIL OFFICES (CHAMBER BLDG.)      
 DATE     11/02/15      
 BY     MEYER    

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
	11	DOOR	FINISH HARDWARE	1000	11000	
7.			FINISHES			65335
	305	SF	CER TILE FLOOR	15.00	4575	
	1365	SF	MODULAR CARPET FLOOR	9.00	12285	
	190	SF	VINYL TILE FLOOR	8.00	1520	
	410	LF	RUBBER BASE	3.25	1335	
	4100	SF	GYP BD WALL	2.75	11275	
	495	SF	GYP BD CEILING	3.50	1735	
	910	SF	CEMENT BD WALL	3.00	2730	
	910	SF	CER TILE WALL	15.00	13650	
	4595	SF	PAINT WALLS/CLGS	1.25	5745	
	90	SF	SEAL CONC FLOOR	1.00	90	
	1365	SF	ACOUSTICAL TILE CLG	4.50	6145	
	---	LS	PATCH EXTERIOR PLASTER	ALLOW	750	
	11	EA	PAINT DOOR/FRAMES	250	2750	
	---	LS	PATCHING/PICKUP	ALLOW	750	
8.			SPECIALTIES			4325
	3	EA	TISSUE DISPENSER	100	300	
	2	EA	36" GRAB BAR	125	250	
	2	EA	48" GRAB BAR	150	300	
	3	EA	MIRROR	250	750	
	3	EA	SEAT COVER DISPENSER	125	375	
	3	EA	SOAP DISPENSER	250	750	
	2	EA	PAPER TOWEL/WASTE	800	1600	
9.			SIGNAGE			3450
	1	EA	MEN DOOR	350	350	
	1	EA	WOMEN DOOR	350	350	
	1	EA	MEN WALL	250	250	
	1	EA	WOMEN WALL	250	250	
	1	EA	MEETING WALL	250	250	
	1	EA	COUNCIL OFFICES WALL	250	250	
	7	EA	TACTILE EXIT	250	1750	



# CITY COUNCIL OFFICES

CIVIC CENTER COMPLEX  
CITY OF PERRIS  
CALIFORNIA



STATLER BUILDING FLOOR PLAN STUDY 'A'



SCALE 1/4" = 1'-0"  
NOVEMBER 2 2015



Meyer and Associates  
ARCHITECTS  
1000 N. GARDEN ST.  
PERRIS, CA 92570  
TEL: 951.221.1111  
WWW.MEYERANDASSOCIATES.COM

CITY OF PERRIS  
CITY COUNCIL  
OFFICES  
STATLER BUILDING  
FLOOR PLAN  
STUDY 'A'

BUDGETARY          X    
 CONCEPTUAL                
 PRELIMINARY                
 FINAL                      

CLIENT            CITY OF PERRIS  
 PROJECT          COUNCIL OFFICES (STATLER 'A')  
 DATE              11/02/15  
 BY                 MEYER

**STATLER BUILDING 'A'**

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
1.	---	LS	DEMOLITION	ALLOW	37170	
2.	---	LS	CONCRETE	ALLOW	3000	
3.	---	LS	METALS	ALLOW	1000	
4.	---	LS	WOOD/PLASTICS	ALLOW	5305	
5.	---	LS	THERMAL/MOIST PROTECT	ALLOW	2320	
6.	---	LS	DOORS/WINDOWS	ALLOW	20400	
7.	---	LS	FINISHES	ALLOW	108345	
8.	---	LS	SPECIALTIES	ALLOW	3600	
9.	---	LS	SIGNAGE	ALLOW	3200	
10.	---	LS	MISCELLANEOUS	ALLOW	2600	
11.	---	LS	MECH'L (HVAC)	ALLOW	29780	
12.	---	LS	MECH'L (PLUMBING)	ALLOW	17500	
13.	---	LS	ELECTRICAL	ALLOW	47450	
14.	---	LS	SITework	ALLOW	9275	
15.	---	LS	OVERHEAD/PROFIT	15%	43645	
16.	---	LS	BONDS/INSURANCE	2%	5820	
17.	---	LS	MOBILIZATION	5%	14550	
18.	---	LS	TOTAL	---	---	354960
19.	---	LS	BUDGET CONTINGENCY	10%	35500	

**total probable construction cost opinion (\$221/SQ.FT):\$390,460**

**references:**

Means Building Construction Cost Data, 2015.

**Note:**

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BUDGETARY          X    
 CONCEPTUAL                
 PRELIMINARY                
 FINAL                       

CLIENT            CITY OF PERRIS  
 PROJECT          COUNCIL OFFICES (STATLER 'A')  
 DATE              11/02/15  
 BY                 MEYER

**STATLER BUILDING 'A'**

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
1.			BUILDING DEMOLITION			37170
	---	LS	MISC FINISHES	ALLOW	13500	
	4 EA	LS	PLUMBING FIXTURES	ALLOW	600	
	---	LS	TOILET PARTITIONS	ALLOW	500	
	---	LS	TOILET ACCESSORIES	ALLOW	250	
	9 EA	LS	DOORS/FRAMES	ALLOW	675	
	96 LF	LS	WALL FRAMING	ALLOW	3565	
	1800 SF	LS	CEILING FRAMING	ALLOW	2700	
	---	LS	MISC PLUMBING	ALLOW	1500	
	---	LS	LIGHT'G, DISTRIBUTION	ALLOW	3000	
	---	LS	MECH'L DISTRIBUTION	ALLOW	5500	
	---	LS	SAWCUT/SLAB	ALLOW	2000	
	---	LS	UNFORESEEN (10%)	ALLOW	3380	
2.			CONCRETE			3000
	---	LS	PATCH SLAB	ALLOW	3000	
3.			METALS			1000
	---	LS	MISC STRUCT'L CONN	ALLOW	1000	
4.			WOOD/PLASTICS			5305
	126	LF	WALL FRAMING	36.00	4540	
	510	SF	CEILING FRAMING	1.50	765	
5.			THERMAL/MOIST PROTECT			2320
	1380	SF	SOUND INSULATION	1.50	2070	
	---	LS	CAULK'G/SEALANTS	---	250	
6.			DOORS/WINDOWS			20400
	2	EA	EXTERIOR DOOR	750	1500	
	2	EA	EXTERIOR FRAME	250	500	
	8	EA	INTERIOR DOOR	800	6400	
	8	EA	INTERIOR FRAME	250	2000	
	10	DOOR	FINISH HARDWARE	1000	10000	



**meyer and associates**  
 architecture and planning

**opinion of**  
**probable construction costs**

BUDGETARY     X      
 CONCEPTUAL             
 PRELIMINARY             
 FINAL           

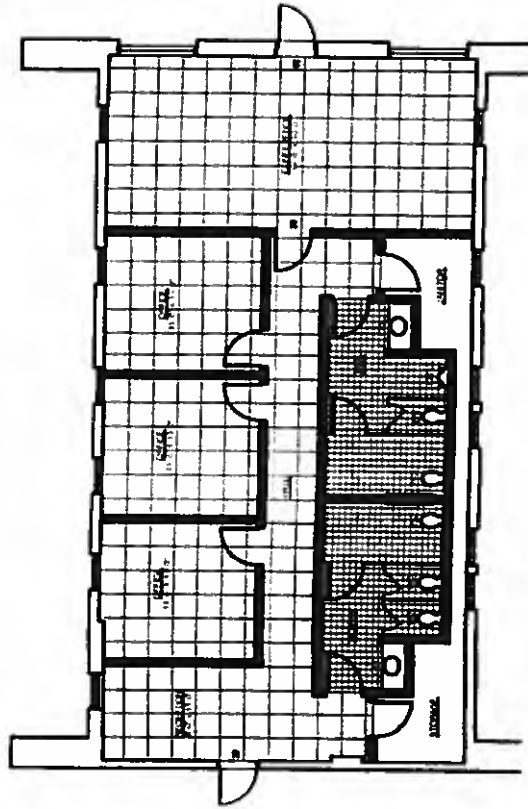
CLIENT     CITY OF PERRIS      
 PROJECT     COUNCIL OFFICES (STATLER 'A')      
 DATE     11/02/15      
 BY     MEYER    

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
7.			FINISHES			108345
	128	SF	CER TILE FLOOR	15.00	1920	
	1446	SF	MODULAR CARPET FLOOR	9.00	13015	
	88	SF	VINYL TILE FLOOR	8.00	705	
	456	LF	RUBBER BASE	3.25	1485	
	4560	SF	GYP BD WALL	2.75	12540	
	168	SF	GYP BD CEILING	3.50	590	
	640	SF	CEMENT BD WALL	3.00	1920	
	640	SF	CER TILE WALL	15.00	9600	
	4728	SF	PAINT WALLS/CLGS	1.25	5910	
	36	SF	SEAL CONC FLOOR	1.00	40	
	1304	SF	ACOUSTICAL TILE CLG	4.50	5870	
	---	LS	PATCH EXTERIOR PLASTER	ALLOW	1500	
	10	EA	PAINT DOOR/FRAMES	250	2500	
	---	LS	PATCHING/PICKUP	ALLOW	750	
	---	LS	EXTERIOR REPAIR/PAINTING	ALLOW	50000	
8.			SPECIALTIES			3600
	2	EA	TISSUE DISPENSER	100	200	
	2	EA	36" GRAB BAR	125	250	
	2	EA	48" GRAB BAR	150	300	
	2	EA	MIRROR	250	500	
	2	EA	SEAT COVER DISPENSER	125	250	
	2	EA	SOAP DISPENSER	250	500	
	2	EA	PAPER TOWEL/WASTE	800	1600	
9.			SIGNAGE			3200
	1	EA	MEN DOOR	350	350	
	1	EA	WOMEN DOOR	350	350	
	1	EA	MEN WALL	250	250	
	1	EA	WOMEN WALL	250	250	
	1	EA	MEETING WALL	250	250	
	7	EA	TACTILE EXIT	250	1750	



# CITY COUNCIL OFFICES

CIVIC CENTER COMPLEX  
CITY OF PERRIS  
CALIFORNIA



STATLER BUILDING FLOOR PLAN STUDY 'B'



SCALE 1/4" = 1'-0"  
NOVEMBER 2, 2015



Mayor and Associates  
1000 W. Main Street  
Perris, CA 92570  
Tel: 951.231.1111  
Fax: 951.231.1112

STATLER BUILDING STUDY  
CITY COUNCIL  
OFFICES

STATLER  
FLOOR PLAN  
STUDY 'B'

BUDGETARY     X      
 CONCEPTUAL             
 PRELIMINARY             
 FINAL           

CLIENT     CITY OF PERRIS      
 PROJECT     COUNCIL OFFICES (STATLER 'B')      
 DATE     11/02/15      
 BY     MEYER    

**STATLER BUILDING 'B'**

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
1.	---	LS	DEMOLITION	ALLOW	37170	
2.	---	LS	CONCRETE	ALLOW	3500	
3.	---	LS	METALS	ALLOW	500	
4.	---	LS	WOOD/PLASTICS	ALLOW	11185	
5.	---	LS	THERMAL/MOIST PROTECT	ALLOW	1840	
6.	---	LS	DOORS/WINDOWS	ALLOW	20400	
7.	---	LS	FINISHES	ALLOW	115330	
8.	---	LS	SPECIALTIES	ALLOW	4275	
9.	---	LS	SIGNAGE	ALLOW	3200	
10.	---	LS	MISCELLANEOUS	ALLOW	2600	
11.	---	LS	MECH'L (HVAC)	ALLOW	29780	
12.	---	LS	MECH'L (PLUMBING)	ALLOW	40000	
13.	---	LS	ELECTRICAL	ALLOW	47450	
14.	---	LS	SITWORK	ALLOW	9275	
15.	---	LS	OVERHEAD/PROFIT	15%	48975	
16.	---	LS	BONDS/INSURANCE	2%	6530	
17.	---	LS	MOBILIZATION	5%	16325	
18.	---	LS	TOTAL	---	---	398335
19.	---	LS	BUDGET CONTINGENCY	10%	39835	

**total probable construction cost opinion (\$248/SQ.FT):\$438,170**

**references:**

Means Building Construction Cost Data, 2015.

**Note:**

Since Meyer and Associates has no control over the cost of labor, materials, or equipment, or over the contractors method of determining prices, or over competitive bidding or market conditions, our opinions of probable construction cost provided for herein are to be made on the basis of our experience and qualifications. These opinions represent our best judgment as design professionals familiar with the construction industry. However, Meyer and Associates cannot and does not guarantee that proposals, bids or the construction cost will not vary from opinions of probable cost we have prepared.

BUDGETARY          X    
 CONCEPTUAL                
 PRELIMINARY                
 FINAL                       

CLIENT            CITY OF PERRIS  
 PROJECT          COUNCIL OFFICES (STATLER 'B')  
 DATE              11/02/15  
 BY                 MEYER

**STATLER BUILDING 'B'**

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
1.			BUILDING DEMOLITION			37170
	---	LS	MISC FINISHES	ALLOW	13500	
	4 EA	LS	PLUMBING FIXTURES	ALLOW	600	
	---	LS	TOILET PARTITIONS	ALLOW	500	
	---	LS	TOILET ACCESSORIES	ALLOW	250	
	9 EA	LS	DOORS/FRAMES	ALLOW	675	
	96 LF	LS	WALL FRAMING	ALLOW	3565	
	1800 SF	LS	CEILING FRAMING	ALLOW	2700	
	---	LS	MISC PLUMBING	ALLOW	1500	
	---	LS	LIGHT'G, DISTRIBUTION	ALLOW	3000	
	---	LS	MECH'L DISTRIBUTION	ALLOW	5500	
	---	LS	SAWCUT/SLAB	ALLOW	2000	
	---	LS	UNFORESEEN (10%)	ALLOW	3380	
2.			CONCRETE			3500
	---	LS	PATCH SLAB	ALLOW	3500	
3.			METALS			500
	---	LS	MISC STRUCT'L CONN	ALLOW	500	
4.			WOOD/PLASTICS			11185
	224	LF	WALL FRAMING	36.00	8065	
	505	SF	CEILING FRAMING	1.50	760	
	8	LF	LAV COUNTER	150	1200	
	8	LF	COUNTERTOP	145	1160	
5.			THERMAL/MOIST PROTECT			1840
	1060	SF	SOUND INSULATION	1.50	1590	
	---	LS	CAULK'G/SEALANTS	---	250	
6.			DOORS/WINDOWS			20400
	2	EA	EXTERIOR DOOR	750	1500	
	2	EA	EXTERIOR FRAME	250	500	
	8	EA	INTERIOR DOOR	800	6400	
	8	EA	INTERIOR FRAME	250	2000	

**meyer and associates**  
 architecture and planning

**opinion of**  
**probable construction costs**

BUDGETARY     X      
 CONCEPTUAL         
 PRELIMINARY         
 FINAL       

CLIENT     CITY OF PERRIS      
 PROJECT   COUNCIL OFFICES (STATLER 'B')    
 DATE     11/02/15      
 BY     MEYER    

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT COST	ITEM TOTAL	SUB-TOTAL
	10	DOOR	FINISH HARDWARE	1000	10000	
7.			FINISHES			115330
	324	SF	CER TILE FLOOR	15.00	4860	
	1253	SF	MODULAR CARPET FLOOR	9.00	11280	
	368	LF	RUBBER BASE	3.25	1200	
	3680	SF	GYP BD WALL	2.75	10120	
	505	SF	GYP BD CEILING	3.50	1770	
	1170	SF	CEMENT BD WALL	3.00	3510	
	1170	SF	CER TILE WALL	15.00	17550	
	4185	SF	PAINT WALLS/CLGS	1.25	5235	
	161	SF	SEAL CONC FLOOR	1.00	165	
	1253	SF	ACOUSTICAL TILE CLG	4.50	5640	
	---	LS	PATCH EXTERIOR PLASTER	ALLOW	750	
	10	EA	PAINT DOOR/FRAMES	250	2500	
	---	LS	PATCHING/PICKUP	ALLOW	750	
	---	LS	EXTERIOR REPAIR/PAINTING	ALLOW	50000	
8.			SPECIALTIES			4275
	5	EA	TISSUE DISPENSER	100	500	
	2	EA	36" GRAB BAR	125	250	
	2	EA	48" GRAB BAR	150	300	
	2	EA	MIRROR	250	500	
	5	EA	SEAT COVER DISPENSER	125	625	
	2	EA	SOAP DISPENSER	250	500	
	2	EA	PAPER TOWEL/WASTE	800	1600	
9.			SIGNAGE			3200
	1	EA	MEN DOOR	350	350	
	1	EA	WOMEN DOOR	350	350	
	1	EA	MEN WALL	250	250	
	1	EA	WOMEN WALL	250	250	
	1	EA	CONFERENCE WALL	250	250	
	6	EA	TACTILE EXIT	250	1500	



**CITY COUNCIL  
AGENDA SUBMITTAL**

**Meeting Date: January 12, 2016**

**SUBJECT:** Appointments to Committees and City Commissions,  
Agencies and Mayor Pro Tem

**REQUESTED ACTION:** Mayor and City Council to make appointments to the  
various agencies and committees to represent the City.

**CONTACT:** City Council and City Manager

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**BACKGROUND/DISCUSSION:** The terms for the various committee appointments  
are nearing expiration and it is now time to appoint delegates for 2016. A list of the  
committees/agencies requiring appointment is attached for consideration.

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**BUDGET (or FISCAL) IMPACT:** None

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**Reviewed by:**

**City Attorney:** N/A

**Assistant City Manager:** 

**Attachments:** Council Appointments

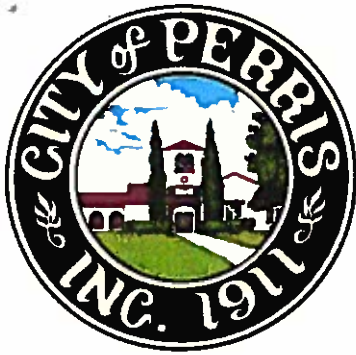
**Consent:**

**Public Hearing:**

**Business Item:** January 12, 2016

**Other:**





# CITY OF PERRIS

Office of the City Clerk

Nancy Salazar, City Clerk  
101 North "D" Street  
Perris, California 92570  
Tel: (951) 956-2925  
Fax: (951) 657-1087

*On January 27, 2015, the following appointments were made and will be effective until December 31, 2015. This document was updated on May 12, 2015 to reflect current appointments and will be updated when new appointments are made.*

## **COUNCIL APPOINTMENTS**

***Mayor Pro Tem Tonya Burke***

### **DEPARTMENT OF COMMUNITY ACTION-COMMUNITY ACTION COMMISSION**

*Mayor Pro Tem Tonya Burke*  
*Vacant*

*December 2015*  
*December 2015*

### **RIVERSIDE TRANSIT AGENCY**

*Mayor Pro Tem Tonya Burke, Delegate*  
*Councilmember Rita Rogers, Alternate*

*December 2015*  
*December 2015*

### **WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS**

*Councilmember Rita Rogers, Representative*  
*Mayor Pro Tem Tonya Burke, Alternate*

*December 2015*  
*December 2015*

### **WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY**

*Councilmember David Starr Rabb, Delegate*  
*Vacant*

*December 2015*  
*December 2015*

### **MARCH AIR FORCE BASE REALIGNMENT JOINT POWERS AUTHORITY**

*Mayor Daryl R. Busch, Representative*  
*Councilmember Rita Rogers, Representative*  
*Councilmember David Starr Rabb, Alternate*

*December 2015*  
*December 2015*  
*December 2015*

### **SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

*Vacant*

*December 2015*

### **EAST-WEST CORRIDOR COMMITTEE**

*Councilmember David Starr Rabb, Representative*  
*Councilmember Rita Rogers, Alternate*

*December 2015*  
*December 2015*

**RIVERSIDE COUNTY HABITAT  
CONSERVATION AUTHORITY**

*Councilmember David Starr Rabb, Representative  
Mayor Pro Tem Tonya Burke, Alternate*

*December 2015  
December 2015*

**RIVERSIDE COUNTY LIBRARY SYSTEM ZONE ADVISORY BOARD**

*Mayor Pro Tem Tonya Burke, Representative*

*December 2015*

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

*Mayor Daryl R. Busch, Representative  
Councilmember Rita Rogers, Alternate*

*December 2015  
December 2015*

**RIVERSIDE COUNTY OFFICE ON AGING ADVISORY BOARD**

*Councilmember David Starr Rabb, Representative*

*December 2015*

**TUMF ZONE COMMITTEE**

*Councilmember Rita Rogers, Representative  
Councilmember David Starr Rabb, Alternate*

*December 2015  
December 2015*

**REGIONAL FAMILY, YOUTH AND HEALTH TASK FORCE**

*Mayor Pro Tem Tonya Burke  
Councilmember David Starr Rabb*

*December 2015  
December 2015*

**SIX WORKING COMMITTEES**

**WAYS & MEANS**

*Mayor Pro Tem Tonya Burke  
Councilmember Rita Rogers*

*December 2015  
December 2015*

**PUBLIC WORKS**

*Councilmember David Starr Rabb  
Vacant*

*December 2015  
December 2015*

**PARKS & RECREATION**

*Councilmember Rita Rogers  
Vacant*

*December 2015  
December 2015*

**AD HOC SCHOOL DISTRICT LIAISON**

*Councilmember Rita Rogers  
Mayor Pro Tem Tonya Burke*

*December 2015  
December 2015*

**SENIOR CITIZEN AD HOC**

*Councilmember Rita Rogers  
Councilmember David Starr Rabb*

*December 2015  
December 2015*

**PUBLIC SAFETY AD HOC**

*Councilmember David Starr Rabb  
Mayor Pro Tem Tonya Burke*

*December 2015  
December 2015*

**ECONOMIC DEVELOPMENT AD HOC**

*Councilmember David Starr Rabb  
Mayor Pro Tem Tonya Burke*

*December 2015  
December 2015*

**COUNCIL LIAISON SUB-COMMITTEES:**

**ECONOMIC DEVELOPMENT COMMITTEE**

*Mayor Pro Tem Tonya Burke  
Councilmember David Starr Rabb*

**COMMUNITY DEVELOPMENT COMMITTEE**

*Councilwoman Rita Rogers  
Councilman David Starr Rabb*

**BEAUTIFICATION COMMITTEE**

*Mayor Daryl Busch  
Councilman David Starr Rabb*

Updated: 05/12/2015