

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

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

Tuesday, March 8, 2016

6:30 P.M.

City Council Chambers

(corner of San Jacinto and Perris Boulevard)

101 North "D" Street

Perris, California

CLOSED SESSION: 5:45 P.M.

ROLL CALL:

Burke, Rabb, Rogers, Yarbrough, Busch

- A. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(4) - 3 cases
- B. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(d)(2); 1 case:
Lin v. City of Perris

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

2. ROLL CALL:

Burke, Rabb, Rogers, Yarbrough, Busch

3. INVOCATION:

Pastor Noland Turnage
The Grove Community Church
227 N. "D" Street
Perris, CA 92570

4. PLEDGE OF ALLEGIANCE:

Councilwoman Burke 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.

- A. Margaret Briggs, African American History Committee will present highlights of the Black History Celebration Event held February 20, 2016.
- B. Chamber of Commerce will present award checks to the highest-selling non-profits who participated in the "Win Some Wheels Community" fundraiser.

6. APPROVAL OF MINUTES:

- A. Approve the Minutes of the Regular Joint Meeting of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority held February 23, 2016.

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. Adopt Resolution Numbers (next in order) regarding initiation of Annual Proceedings for City's Maintenance Districts (FY 2016/2017). The District's include residential tracts and commercial developments throughout the City.

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 TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 20162017 IN THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA,

INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016/2017 IN THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016/2017 IN THE CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT

- B. Adopt Resolution Number (next in order) regarding Annexation of portion of APN 305-240-015 into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 21 (Project: Food 4 Less Fueling Station). (Owner: Coudures Family Limited Partnership).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO (ANNEXATION NO. 21)

- C. Approval of a License Agreement with Riverside County Flood Control and Water Conservation District to construct a 4.3 mile multi-purpose trail on the Perris Valley Storm Drain, located between the northerly border of Perris, south to Nuevo Street.
- D. Receive and File the Quarterly Investment Report for the Quarter Ended December 31, 2015.
- E. Approve annual Contract with RK Engineering for Traffic Engineering Services.
- F. Approval to award bid to Alabbasi, and reject all other bids for the Nuevo Interchange Phase I project.
- G. Approve closure of Rider Street at Perris Boulevard for the construction of the Master Planned Drainage Facilities Line A-B and other street improvements.

- H. Approve Amendment #1 to Cooperative Agreement with Riverside County Flood Control and Duke Realty Limited Partnership for construction of Perris Valley Master Drainage Plan Line A-B along Rider Street from Perris Boulevard to Perris Valley Channel.
- I. Approve Services Contract Amendment with Lynn Merrill to provide Engineering Tech Consultant Services.
- J. Approval to reject all bids for the Commercial Seismic Retrofit of the Perris Theater, located at 279 South "D" Street, and authorize to rebid the project.
- K. Approval to award bid to Tri-R Gen Contractors, Inc. for tenant improvements to Tastee Freez located at 168 East 4th Street.
- L. Approve and authorize the City Manager to sign the Letter Agreement between the City of Perris and Eastern Municipal Water District for funding participation of the Green City Farm Project.
- M. Adopt Resolution Number (next in order) amending the established authorized agents for filing applications and requesting release of funds for Federal Assistance from the California Emergency Management Agency (CALEMA).

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, AMENDING THE ESTABLISHED AUTHORIZED AGENTS TO FURTHER INCLUDE THE DIRECTOR OF DEVELOPMENT SERVICES OF THE CITY OF PERRIS FOR FILING APPLICATIONS AND REQUESTING RELEASE OF FUNDS FOR FEDERAL ASSISTANCE FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY (CALEMA)

- N. Approve Perris Valley Filipino-American Association, Inc. request for a fee waiver for use of the Bob Glass Gym for a special event (Sportfest) to be held on August 27, 2016.

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 07-09-0018 to the City's Maintenance Districts. 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 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 07-09-018 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 07-09-0018 TO BENEFIT ZONE 116, 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

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 07-09-0018 TO BENEFIT ZONE 85, 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:

- B. Consideration to introduce the First Reading of Ordinance Number (next in order) to amend the Zoning Code Chapters 19.62 "Variances" and Chapter 19.54 "Authority and Review Procedures" to clarify inconsistencies related to variance procedures and approving authority in the City of Perris.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO APPROVE ORDINANCE AMENDMENT 16-05010 TO AMEND CHAPTER 19.62 "VARIANCES" AND CHAPTER 19.54 "AUTHORITY AND REVIEW PROCEDURES" AND MAKE FINDINGS IN SUPPORT THEREOF

Introduced by: Clara Miramontes, Director of Development Services

PUBLIC COMMENT:

**9. BUSINESS ITEMS: (not requiring a "Public Hearing"):
NO BUSINESS ITEMS**

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.

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: March 8, 2016
SUBJECT: *Approval of Minutes*

BACKGROUND: None.

FISCAL IMPACT: None.

- **RECOMMENDATION:** Motion to approve the Minutes of the Regular Joint Meeting held on February 23, 2016 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority.

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

Attachments:

- Minutes of the Regular Joint Meeting held on February 23, 2016 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: February 23, 2016

06:30 PM

Place of Meeting: City Council Chambers

CLOSED SESSION

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

ROLL CALL

Councilmember's Present: Yarbrough, Burke, Rabb, Rogers, Busch
Staff Member's Present: City Manager Belmudez, City Attorney Dunn and City Clerk Salazar

- 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 Real Property Negotiators – Government Code Section 54956.8
Property: APN #326-071-002
APN #326-072-003
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: Susan Balistocky
Under Negotiation: Price and terms of payment
- C. Conference with Real Property Negotiators – Government Code Section 54956.8
Property: APN #326-062-017 APN #326-071-001 APN #326-072-005
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: Chris Shepherd
Under Negotiation: Price and terms of payment
- D. Conference with Real Property Negotiators – Government Code Section 54956.8
Property: APN #326-072-004
City Negotiator: Richard Belmudez, City Manager
Negotiating Parties: Jaqueline Fenaroli
Under Negotiation: Price and terms of payment
- E. Conference with Legal Counsel - Potential Litigation - Government Code

Section 54956.9 (d)(4) - 2 cases

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

Mayor Busch called the Regular City Council meeting to order at 6:34 p.m.

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

Councilmember's Present: Yarbrough, Burke, Rabb, Rogers, Busch

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

3. INVOCATION:

Pastor Ted Norton gave the Invocation.

4. PLEDGE OF ALLEGIANCE:

Councilman Yarbrough led the Pledge of Allegiance.

City Attorney Dunn Reported that the City Council met in Closed Session. He noted that direction was given, but that there was no reportable action.

5. PRESENTATIONS/ANNOUNCEMENTS:

There were no Presentations.

6. APPROVAL OF MINUTES:

- A. Approved the Minutes of the Regular Joint Meeting of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority held February 9, 2016.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Mark Yarbrough to

Approve the Minutes as presented.

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

NOES:

ABSENT:

ABSTAIN:

7. CONSENT CALENDAR:

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

Councilman Rabb requested that Item 7.C. be pulled for separate consideration.

- A. Adopted Resolution Number 4963 regarding Annual Statement of Investment Policy for Fiscal Year 2016-2017.

Resolution Number 4963 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING THE ANNUAL STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2016-2017

- B. Approved the award of a Contract to NR Development, Inc., for construction services on Metz Park existing Playground Renovation project.
- C. Approved Contract Agreement with Social Sentinel for social media threat alert service.

This item was considered separately.

The Mayor called for a motion.

M/S/C: Moved by Mark Yarbrough, seconded by Rita Rogers to Approve the contract with Social Sentinel as presented.

AYES: Mark Yarbrough, Tonya Burke, Rita Rogers,
Daryl Busch

NOES: David Starr Rabb

ABSENT:

ABSTAIN:

- D. Adopted Resolution Number 4964 regarding the overrule of Riverside County Airport Land Use Commission (ALUC) decision that the proposed 78-unit single family residential development located on the northwest corner of Murrieta Road and Water Avenue is inconsistent with their Airport

Land Use Plan. (Applicant: Tom Mungari).

Resolution Number 4964 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AUTHORIZING STAFF TO COMMENCE THE PROCESS TO OVERRULE THE RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION'S (ALUC) FINDING OF INCONSISTENCY FOR DEVELOPMENT PLAN REVIEW 15-00012 PLANNED DEVELOPMENT OVERLAY ZONE 15-05197 GENERAL PLAN AMENDMENT 15-0199 ZONE CHANGE 15-05200 AND TENTATIVE TRACT MAP 36797

- E. Approved Extension of Time No. 16-05001 for Tentative Tract Map 32032, located at the southeast corner of Ellis Avenue and A Street. (Applicant: James R. Hoxie).

The Mayor called for a motion.

M/S/C: Moved by Mark Yarbrough, seconded by David Starr Rabb to Approve The Consent Calendar, with the exception of item 7.C., as presented.

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

NOES:

ABSENT:

ABSTAIN:

8. PUBLIC HEARINGS:

- A. Adopted Resolution Number 4965 approving Variance Case No. 15-05166, a request for a variance to allow an existing 1,950 sq. ft. home as a second dwelling unit where the Zoning Code allows a maximum size of 1,200 square feet for a second dwelling unit. A new 2,396 sq. ft. home is also proposed to be constructed as the primary unit on a 117,802 sq. ft. lot in the R-10,000 Single Family Residential Zone located at the northeast corner of Metz Road and Delines Drive. (Applicant: Joaquin Marquez).

Resolution Number 4965 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, APPROVING VARIANCE 15-05166 TO ALLOW AN EXISTING 1,950 SQ. FT. SINGLE FAMILY RESIDENT TO BE CONVERTED TO A SECOND DWELLING UNIT WHERE THE ZONING CODE ALLOWS A MAXIMUM SIZE OF 1,200 SQUARE FEET FOR A SECOND DWELLING UNIT AT 818 DELINES DRIVE, LOCATED AT THE NORTHEAST

CORNER OF METZ ROAD AND DELINES DRIVE, AND MAKING FINDINGS IN SUPPORT THEREOF

This item was presented by Director of Development Services Miramontes.

The Mayor opened the Public Hearing at 6:52 p.m.

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

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

**The following Councilmembers spoke:
Yarbrough
Busch**

The Mayor called for a motion.

M/S/C: Moved by Mark Yarbrough, seconded by Tonya Burke to Approve Resolution Number 4965 as presented.

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

NOES:

ABSENT:

ABSTAIN:

- B. Adopted Resolution Number 4966 regarding Perris Climate Action Plan (Planning Case 14-00092), The Perris Climate Action Plan integrates local planning efforts to support statewide greenhouse gas (GHG) emissions reduction goals, and implements the goals and policies of the Perris General Plan. (Applicant: City of Perris).

Resolution Number 4966 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE PERRIS CLIMATE ACTION PLAN (PLANNING CASE NO. 15-00092) TO ESTABLISH A BASLINE GREENHOUSE GAS EMISSIONS PROFILE AND PROPOSE ACTIONS AND MEASURES TO REDUCE FUTURE GREENHOUSE GAS EMISSIONS, IN ACCORDANCE WITH STATE LAW, AND MAKE FINDINGS IN SUPPORT THEREOF

This item was presented by Associate Planner Sbardellati.

The Mayor opened the Public Hearing at 7:03 p.m.

The following person spoke at Public Comment:

Richard Koosa

The Mayor closed the Public Hearing at 7:07 p.m.

The following Councilmembers spoke:

Yarbrough

Rogers

Busch

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Tonya Burke to Approve Resolution Number 4966 as presented.

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

NOES:

ABSENT:

ABSTAIN:

9. BUSINESS ITEMS:

- A. 2015-2016 Mid-Year Budget Review and Capital Improvement Program Update.

This item was presented by Assistant Finance Director Erwin.

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

The following Councilmember's spoke:

Rabb

Rogers

Yarbrough

Busch

The Mayor called for a motion.

M/S/C: Moved by Mark Yarbrough, seconded by Rita Rogers to Approve the Mid-Year Budget Amendments as presented.

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

NOES:

ABSENT:

ABSTAIN:

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

The following people spoke at Public Comment:

Gillian Larson

C. Arroyos

11. **COUNCIL COMMUNICATIONS:**

The following Councilmember's spoke:

Rogers

Burke

Yarbrough

Rabb

Busch

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

13. **ADJOURNMENT:**

There being no further business the Mayor adjourned the Regular City Council meeting in memory of Pastor Connor Robinson of First Baptist Church, at 8:09 p.m.

Respectfully Submitted,

Nancy Salazar, City Clerk

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date March 8, 2016

SUBJECT: Initiation of Annual Proceedings for City's Maintenance Districts (FY 2016/2017)

REQUESTED ACTION:

1. Adoption of Resolution Ordering Preparation of the Engineer's Report, Maintenance District No. 84-1 (Streetlights and Traffic Signals)
2. Adoption of Resolution Ordering Preparation of the Engineer's Report, Landscape Maintenance District No. 1
3. Adoption of Resolution Ordering Preparation of the Engineer's Report, Flood Control Maintenance District No. 1

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION:

In order to provide continued funding for the City's maintenance districts, annual procedures are required of the City Council. By adopting these resolutions, that order the preparation of the annual Engineer's Reports, the procedures for FY 2016/2017 will be initiated. The next action is scheduled for April 12, 2016 when the Engineer's Reports will be presented to the City Council for preliminary approval.

The districts include residential tracts and commercial developments throughout the City.

BUDGET (or FISCAL) IMPACT: For FY 2015/2016, approximately 31,772 assessments were levied totaling \$4,172,916.72.

Reviewed by:

City Attorney _____

Assistant City Manager 

Attachments:

1. Resolution Ordering Preparation of the Engineer's Report, Maintenance District No. 84-1
2. FY 2015/2016 Diagram of Maintenance District No. 84-1
3. Resolution Ordering Preparation of the Engineer's Report, Landscape MD No. 1
4. FY 2015/2016 Diagram of Landscape Maintenance District No. 1
5. Resolution Ordering Preparation of the Engineer's Report, Flood Control MD No. 1
6. FY 2015/2016 Diagram of Flood Control MD No. 1

Consent:

RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016/2017 IN THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT

WHEREAS, the City Council of the City of Perris, California ("this City Council"), has previously determined that the public interest, convenience and necessity, requires the installation, construction and maintenance of public lighting and appurtenant facilities as set forth in Section 22525 of the Streets and Highways Code, State of California, within the incorporated boundaries of the City of Perris, California; and

WHEREAS, this City Council hereby finds and determines that the public interest, convenience and necessity require the continued levy of assessments within the City of Perris, Maintenance District Number 84-1 for the purpose of installing, constructing, operating and maintaining public street lighting including traffic signals and appurtenant facilities authorized by Section 22525 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 this City Council hereby initiates proceedings to levy and collect annual special benefit assessments within that area designated City of Perris, Maintenance District Number 84-1 (the "District") for the maintenance, servicing and operation of public street lighting, all pursuant to the Landscaping and Lighting Act of 1972 (Division 15 of the California Streets and Highways Code).

Section 2. That the maintenance proposed to be performed consists of the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of public lighting, traffic signals and landscaping, including:

- (a) Repair, removal or replacement of all or any part of the improvements thereon.
- (b) Required electrical operations, repair and replacement.
- (c) Street light installation, servicing and maintenance.
- (d) Traffic signal installation, servicing and maintenance.

Section 3. That the proposed maintenance district encompasses all that certain territory of the City of Perris included within the exterior boundary line shown upon that certain map entitled "Diagram of the City of Perris Maintenance District Number 84-1", indicating by said boundary line the extent of the territory included within the proposed district and which map is on file in the Office of the City Clerk. Reference is hereby made to said map for further, full and more particular description of said lighting maintenance district, and the said map so on file shall govern for all details as to the extent of said district.

Section 4. That the proceedings for the annual levy of the special benefit assessment are to be conducted 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.

ADOPTED, SIGNED and APPROVED this 8th day of March, 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 8th day of March, 2016, by the following called vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk, Nancy Salazar

DIAGRAM OF
 MAINTENANCE DISTRICT NO. 84-1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016



LEGEND

CITY BOUNDARY



MAINTENANCE DISTRICT
AND DEVELOPMENT
BOUNDARY

(A)

ASSESSED (BENEFIT ZONE 1)

(NA)

NOT ASSESSED (BENEFIT ZONE 2)

CUP

CONDITIONAL USE PERMIT

DPR

DEVELOPMENT PLAN REVIEW

PM

PARCEL MAP

PPR

PLOT PLAN REVIEW

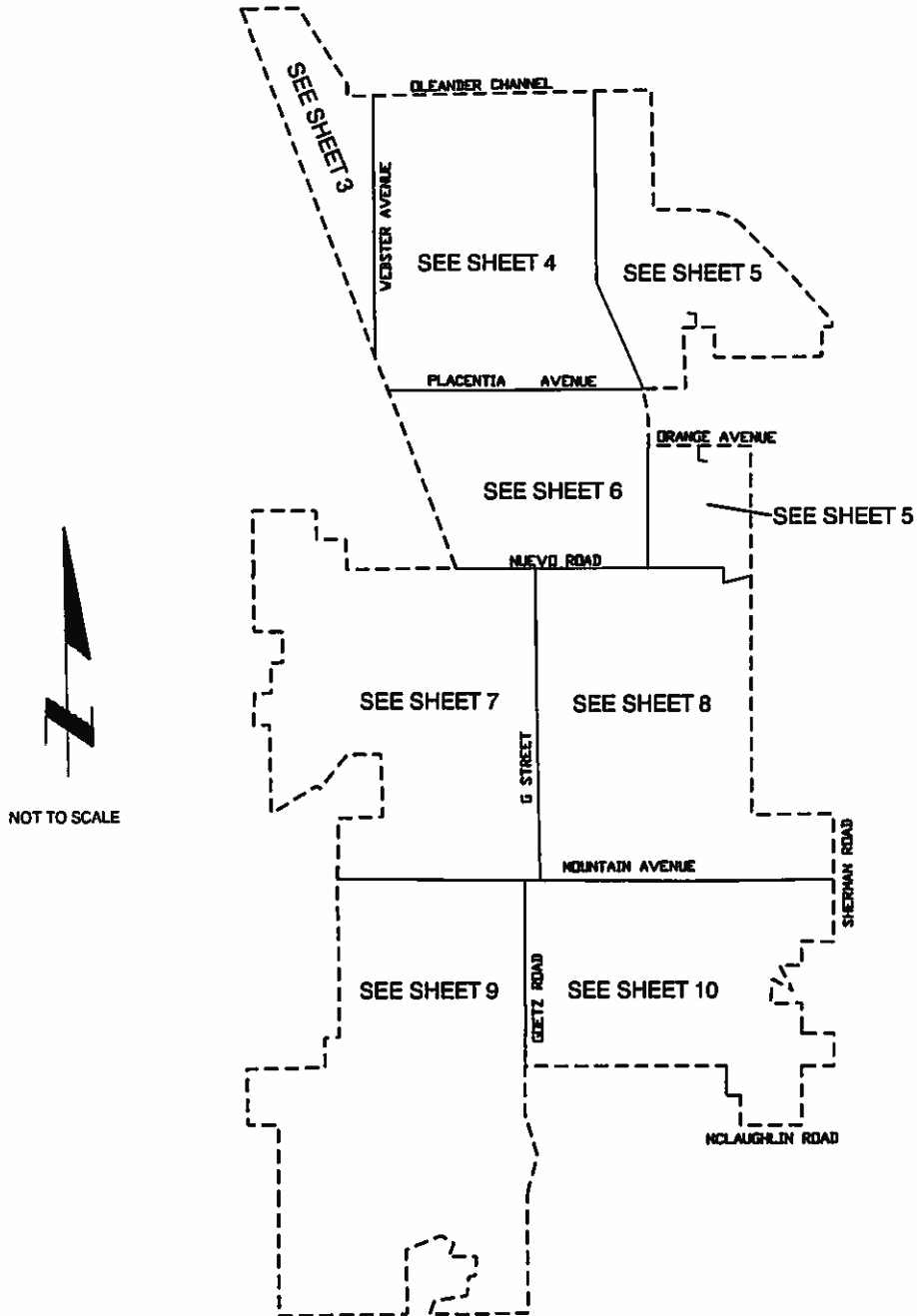
PUP

PUBLIC USE PERMIT

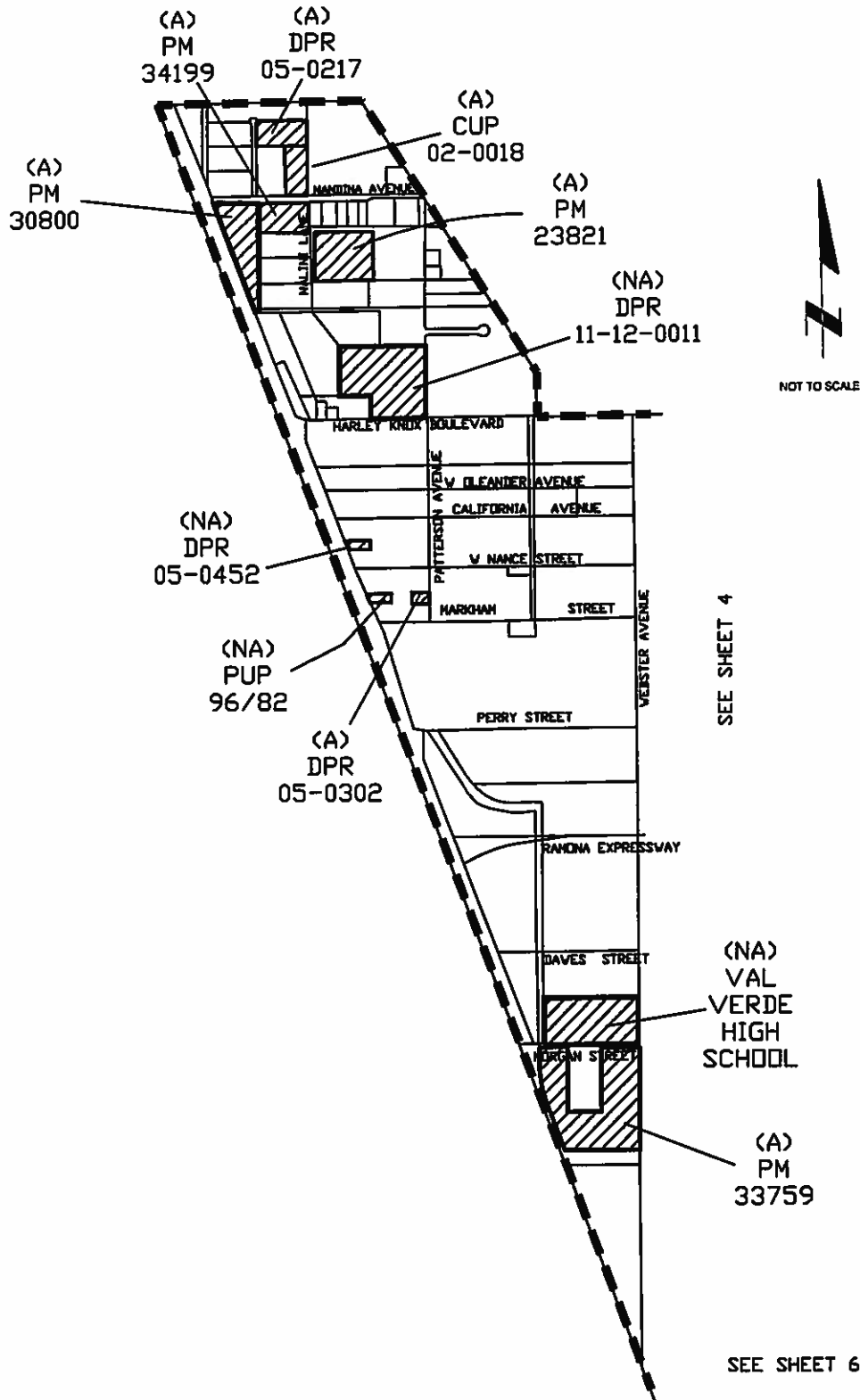
TT

TENTATIVE TRACT OR
TRACT

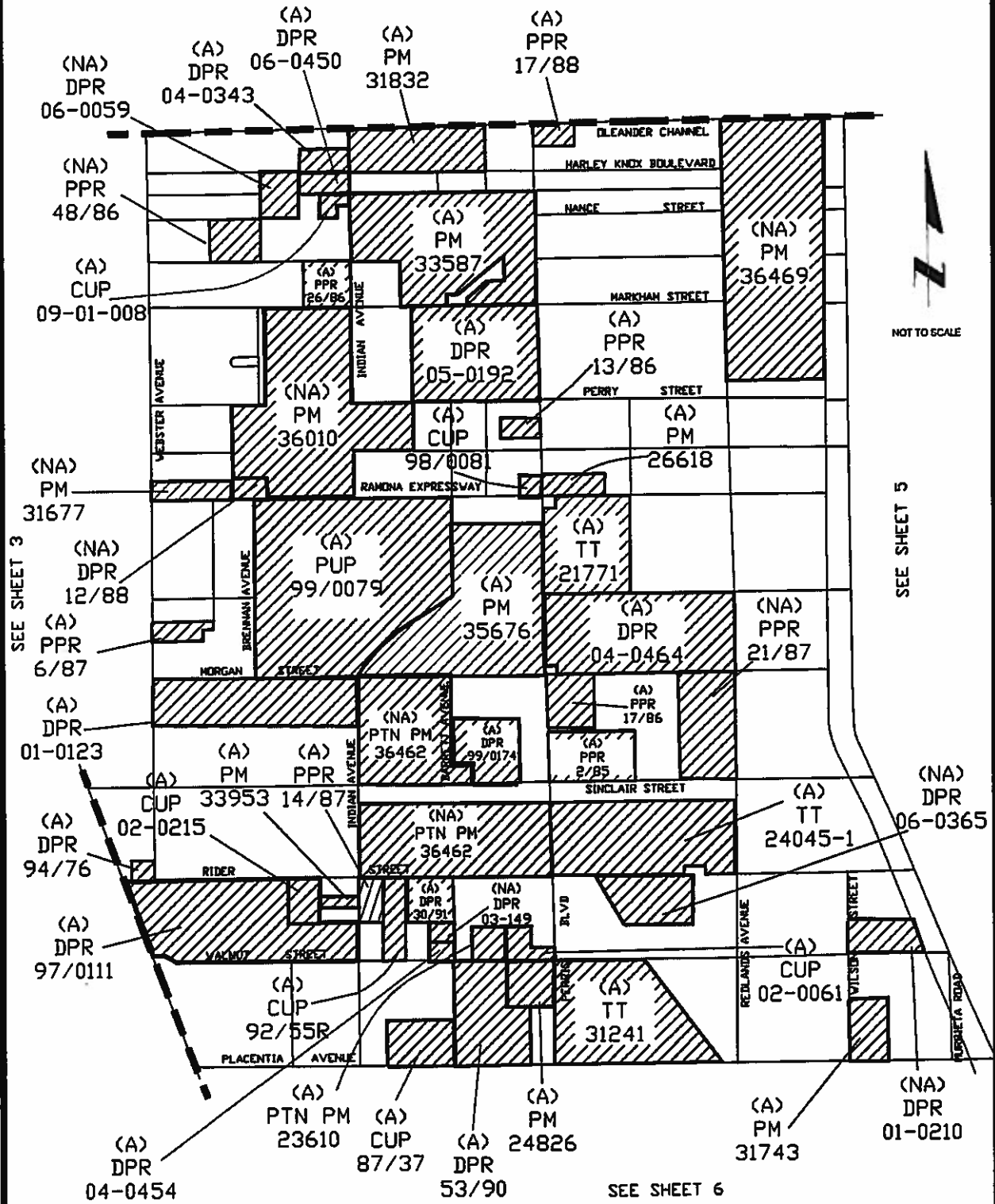
DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016



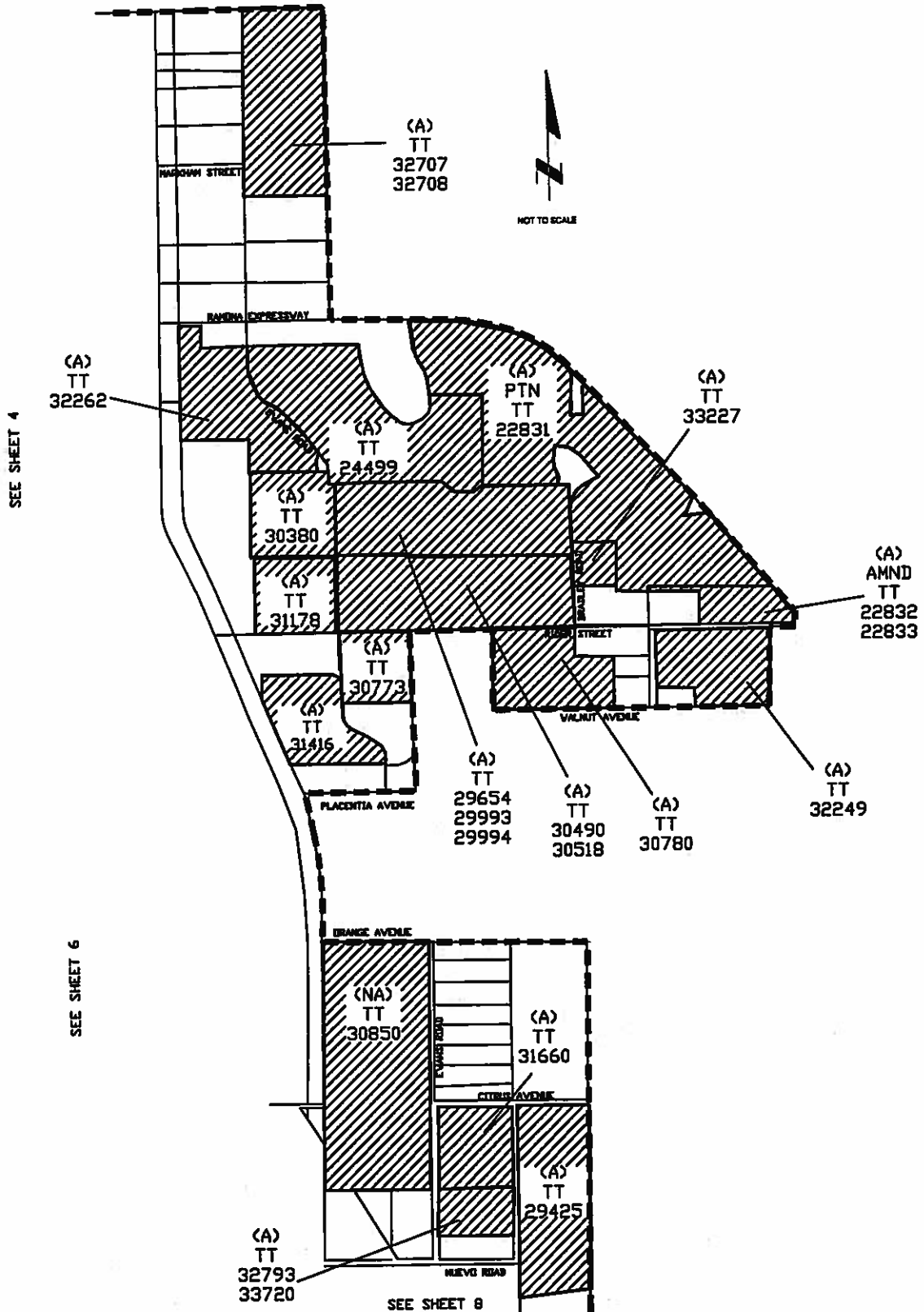
**DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



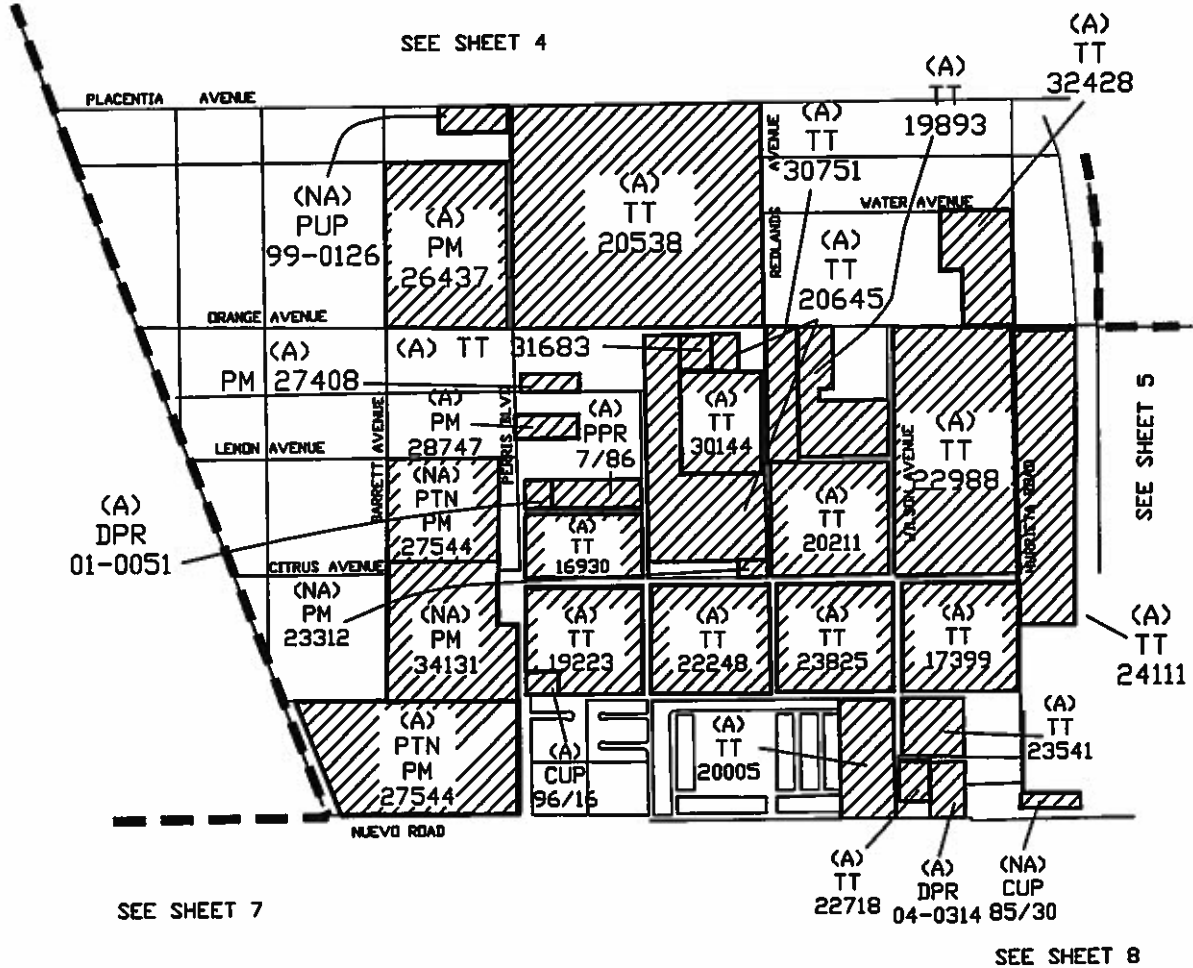
**DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



**DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



**DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



**DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



NOT TO SCALE

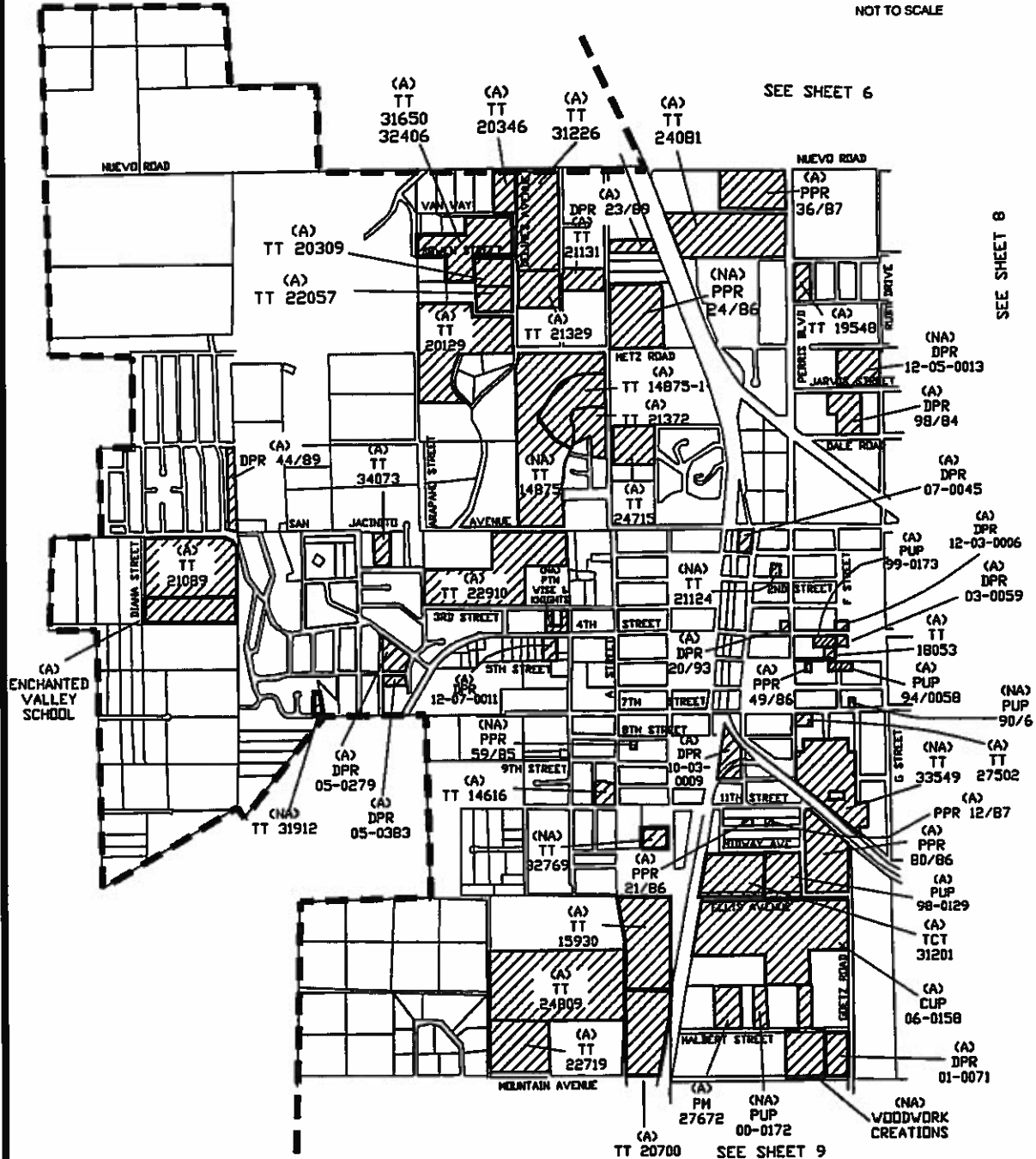


DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

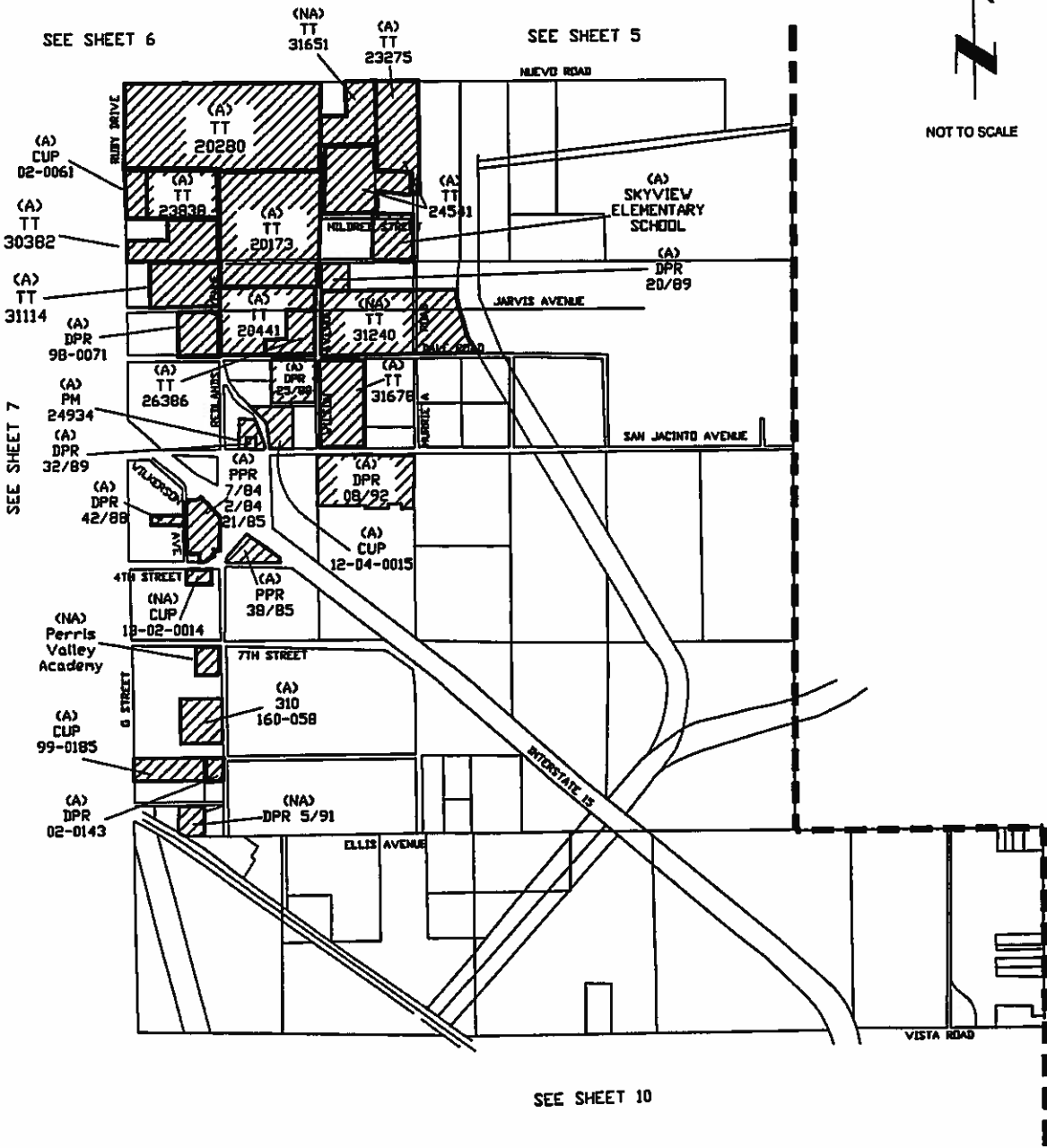
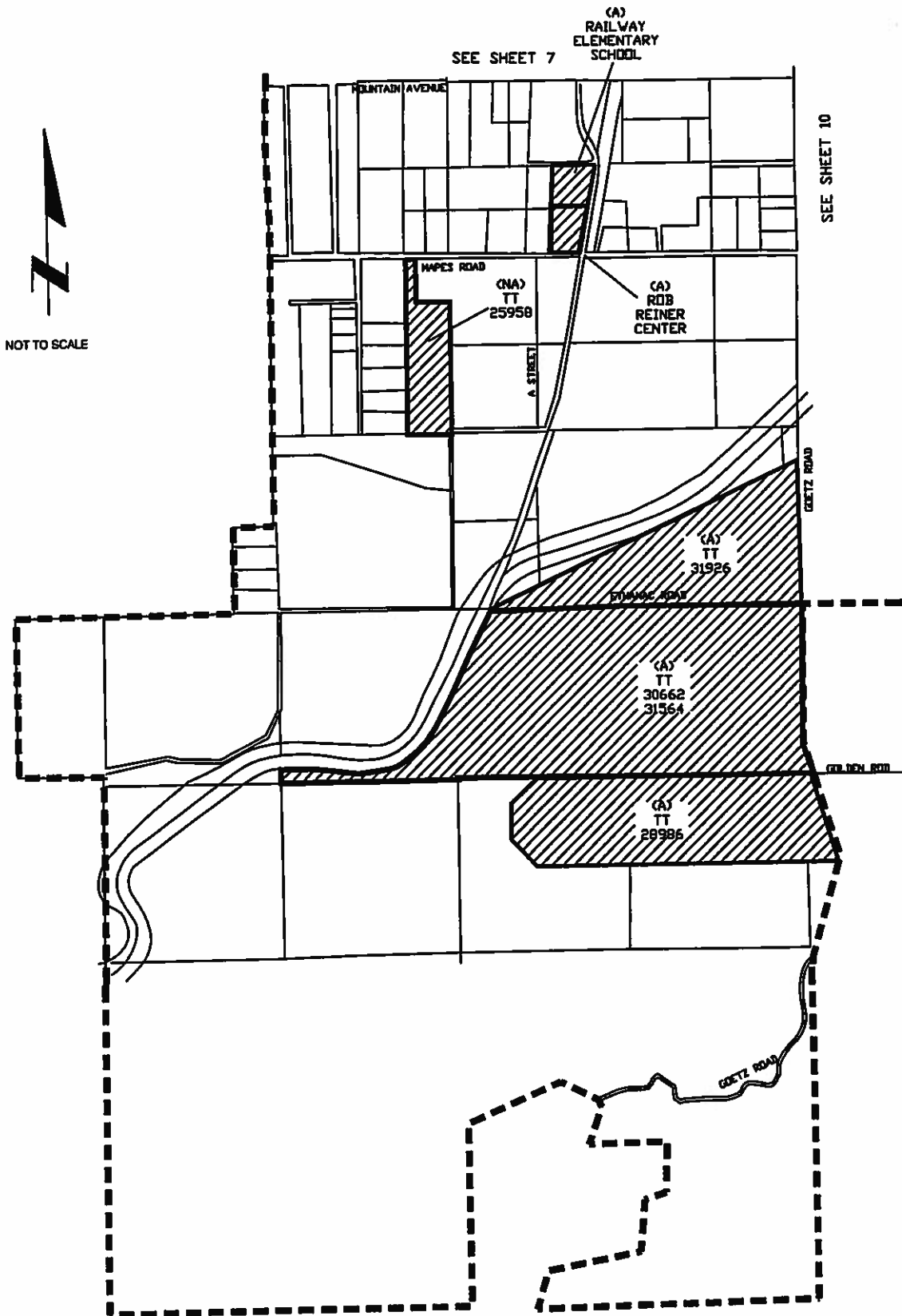


DIAGRAM OF
MAINTENANCE DISTRICT NO. 84-1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016



NOT TO SCALE

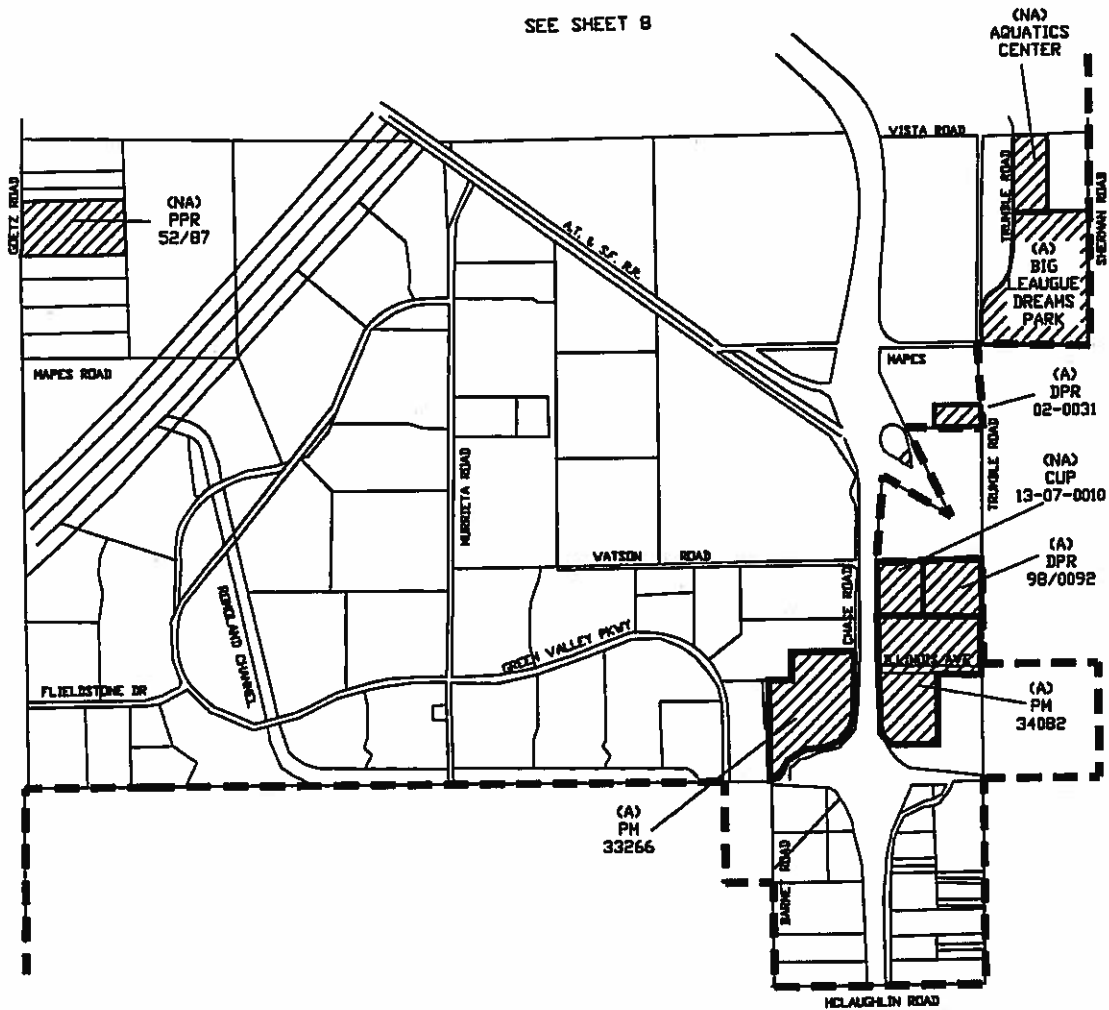
**DIAGRAM OF
 MAINTENANCE DISTRICT NO. 84-1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016**



NOT TO SCALE

SEE SHEET 8

SEE SHEET 9



RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016/2017 IN THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT

WHEREAS, the City Council of the City of Perris, California ("this City Council"), has previously determined that the public interest, convenience and necessity, requires the installation, construction and maintenance of public landscaping and appurtenant facilities as set forth in Section 22525 of the Streets and Highways Code, State of California, within the incorporated boundaries of the City of Perris, California; and

WHEREAS, this City Council hereby finds and determines that the public interest, convenience and necessity require the continued levy of assessments within the City of Perris, Landscape Maintenance District Number 1 for the purpose of installing, constructing, operating and maintaining public landscaping and appurtenant facilities authorized by Section 22525 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 this City Council hereby initiates proceedings to levy and collect annual special benefit assessments within that area designated City of Perris, Landscape Maintenance District Number 1 (the "District") for the maintenance, servicing and operation of public landscaping, all pursuant to the Landscaping and Lighting Act of 1972 (Division 15 of the California Streets and Highways Code).

Section 2. That the maintenance proposed to be performed consists of the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of public landscaping, including:

(a) Repair, removal or replacement of all or any part of the improvements thereon.

(b) Required irrigation operation, repair and replacement.

(c) Required electrical operation, repair and replacement.

Section 3. That the proposed maintenance district encompasses all that certain territory of the City of Perris included within the exterior boundary line shown upon that certain map entitled "Diagram of the City of Perris Landscape Maintenance District Number 1", indicating by said boundary line the extent of the territory included within the proposed district and which map is on file in the Office of the City Clerk. Reference is hereby made to said map for further, full and more particular description of said landscape maintenance district, and the said map so on file shall govern for all details as to the extent of said district.

Section 4. That the proceedings for the annual levy of the special benefit assessment are to be conducted 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.

ADOPTED, SIGNED and APPROVED this 8th day of March, 2016.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

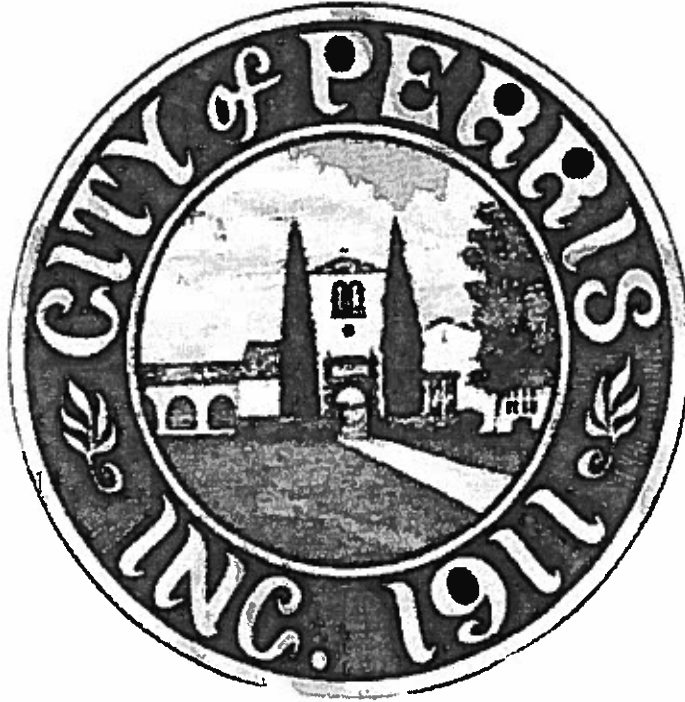
STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

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 8th day of March, 2016, by the following called vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk, Nancy Salazar

DIAGRAM OF
 LANDSCAPE MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016



LEGEND



CITY BOUNDARY



MAINTENANCE DISTRICT, BENEFIT
 ZONE AND DEVELOPMENT BOUNDARY

BZ 1

BENEFIT ZONE 1

(A)

ASSESSED

(NA)

NOT ASSESSED

CUP

CONDITIONAL USE PERMIT

DPR

DEVELOPMENT PLAN REVIEW

PM

PARCEL MAP

PPR

PLOT PLAN REVIEW

PUP

PUBLIC USE PERMIT

TT

TENTATIVE TRACT OR
 TRACT

DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

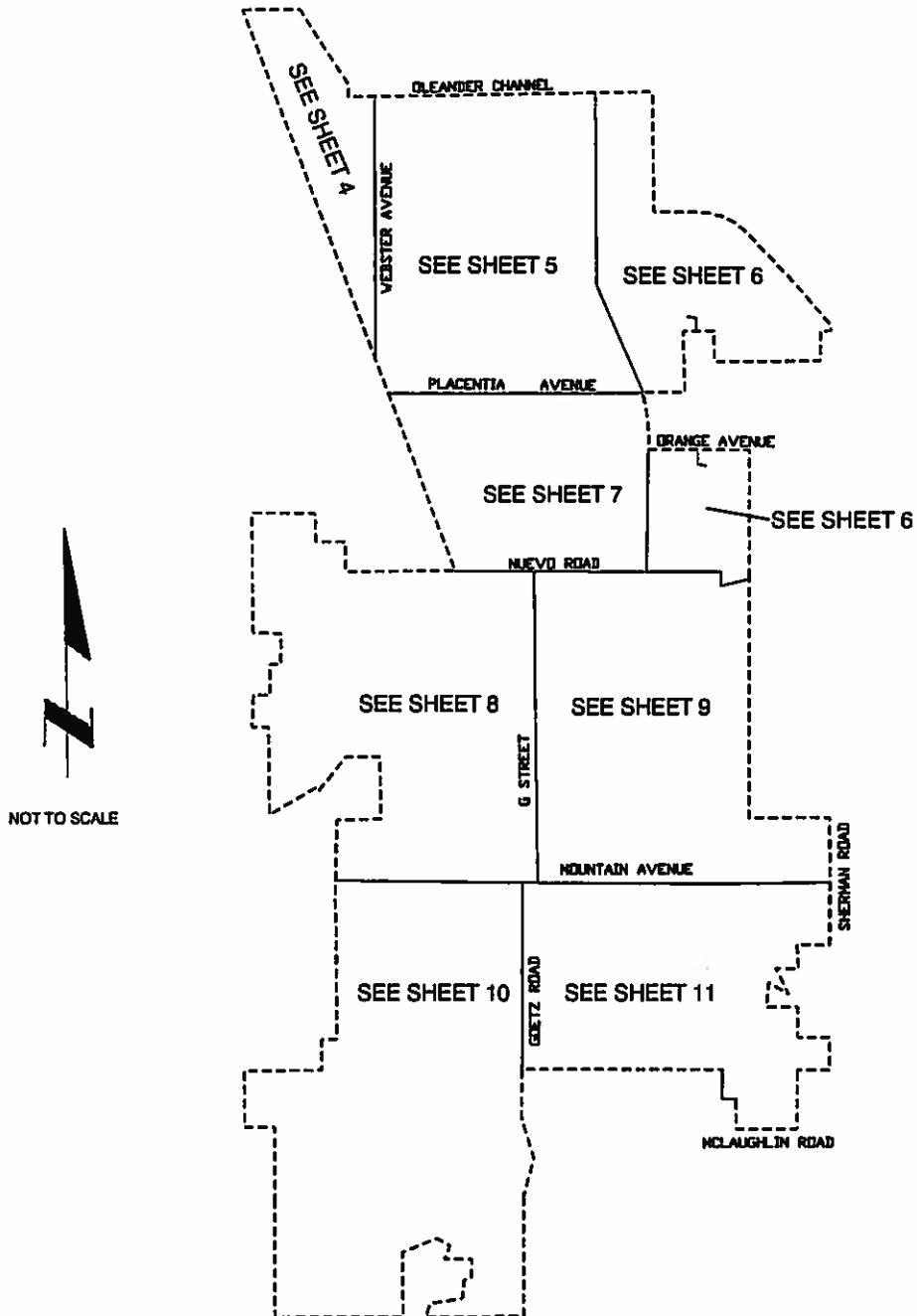
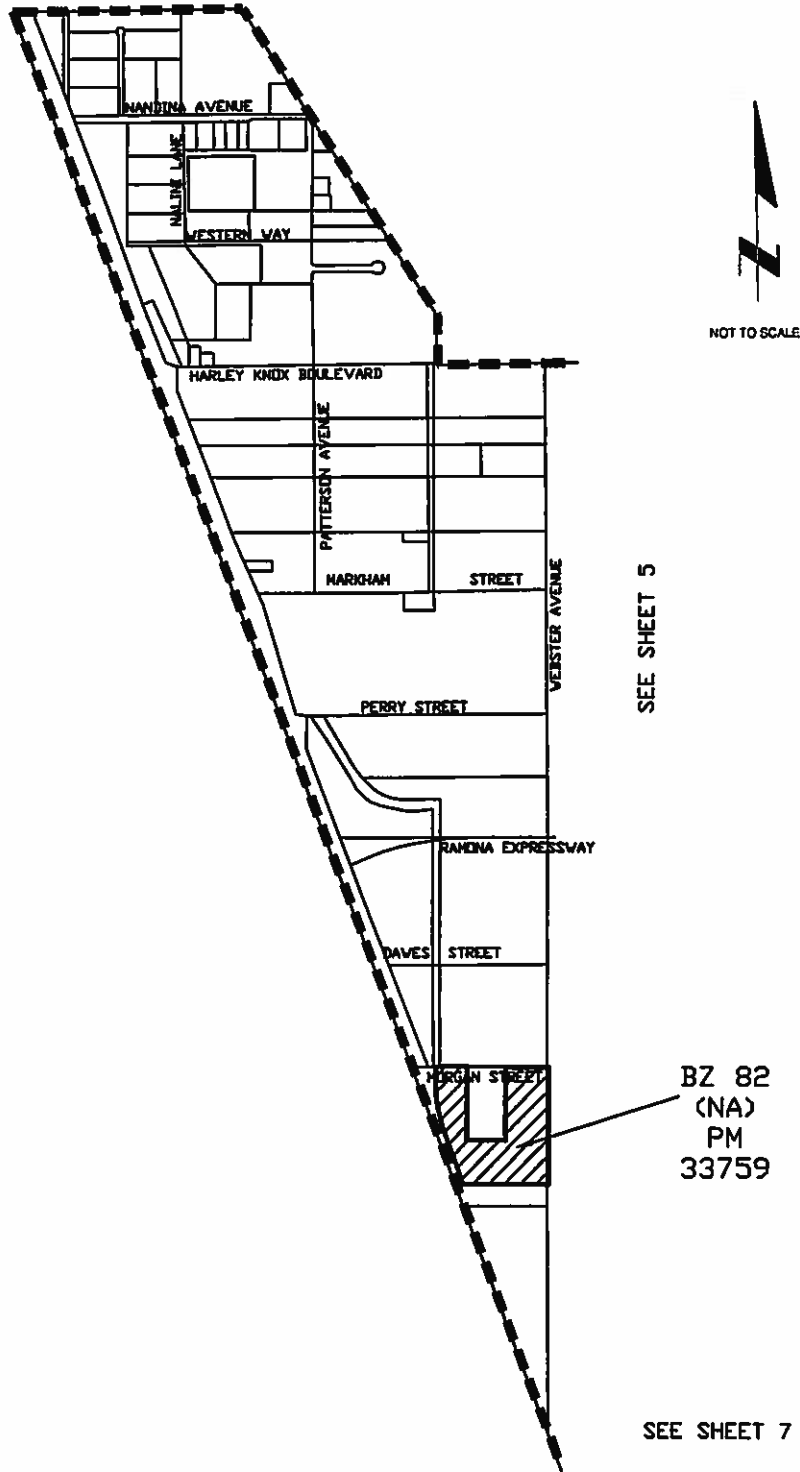


DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

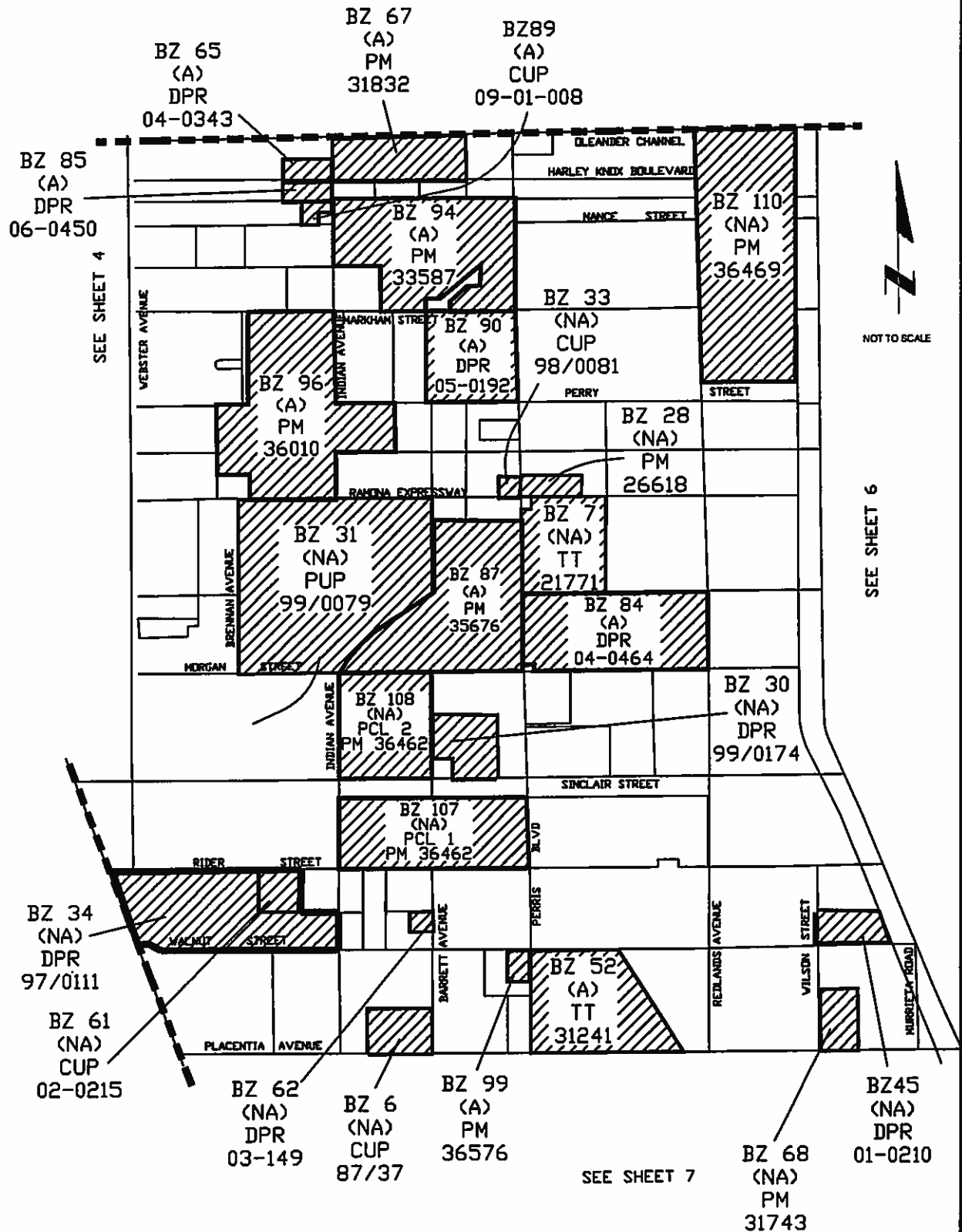
BENEFIT ZONE SHEET INDEX

BZ 01 TT 17399 SHEET 7	BZ 54 TT 31678 SHEET 9
BZ 01 TT 20280 SHEET 9	BZ 55 TT 31226 SHEET 8
BZ 02 TT 19893 SHEET 7	BZ 56 TT 31201 SHEET 8
BZ 03 TT 21131 SHEET 8	BZ 57 TT 31178 SHEET 6
BZ 04 TT 20280 SHEET 9	BZ 59 TT 29425 SHEET 6
BZ 05 TT 20538 SHEET 7	BZ 60 TT 30773 SHEET 6
BZ 06 CUP 87/37 SHEET 5	BZ 60 TT 31416 SHEET 6
BZ 07 TT 21771 SHEET 5	BZ 61 CUP 02-0215 SHEET 5
BZ 08 TT 22719 SHEET 8	BZ 62 DPR 03-149 SHEET 5
BZ 09 TT 22248 SHEET 7	BZ 63 TT 32262 SHEET 6
BZ 10 SUPERCEDED BY BZ 38	BZ 64 TT 33227 SHEET 6
BZ 11 TT 22988 SHEET 7	BZ 64 AMND TT 22832 SHEET 6
BZ 12 TT 22988 SHEET 7	BZ 64 AMND TT 22833 SHEET 6
BZ 13 TT 24081 SHEET 8	BZ 65 DPR 04-0343 SHEET 5
BZ 14 TT 24541 SHEET 9	BZ 66 TT 32793 & 33720 SHEET 6
BZ 14 TT 23275 SHEET 9	BZ 67 PM 31832 SHEET 5
BZ 15 TT 23825 SHEET 7	BZ 68 PM 31743 SHEET 5
BZ 16 TT 23838 SHEET 9	BZ 69 TT 32769 SHEET 8
BZ 17 TT 22910 SHEET 8	BZ 70 TT 32707 & 32708 SHEET 6
BZ 18 TT 20645 SHEET 7	BZ 71 TT 30780 SHEET 6
BZ 18 TT 31683 SHEET 7	BZ 72 TT 32249 SHEET 6
BZ 19 TT 20173 SHEET 9	BZ 73 TT 31660 SHEET 6
BZ 20 TT 24715 SHEET 8	BZ 74 TT 32428 SHEET 7
BZ 21 TT 20211 SHEET 7	BZ 75 TT 31926 SHEET 10
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BZ 23 PM 26437 SHEET 7	BZ 78 TT 31651 SHEET 9
BZ 24 TT 24499 SHEET 6	BZ 79 TT 31240 SHEET 9
BZ 25 DPR 08/92 SHEET 9	BZ 80 PM 33266 SHEET 11
BZ 26 TT 27502 SHEET 8	BZ 81 PM 34082 SHEET 11
BZ 27 PM 27544 SHEET 7	BZ 82 PM 33759 SHEET 4
BZ 28 PM 26618 SHEET 5	BZ 83 TT 34073 SHEET 8
BZ 29 SUPERCEDED BY BZ 86	BZ 84 DPR 04-0464 SHEET 5
BZ 30 DPR 99/0174 SHEET 5	BZ 85 DPR 06-0450 SHEET 5
BZ 31 PUP 99/0079 SHEET 5	BZ 86 CUP 06-0158 SHEET 8
BZ 32 CUP 99-0185 SHEET 9	BZ 87 PM 35676 SHEET 5
BZ 33 CUP 98/0081 SHEET 5	BZ 88 TT 33549 SHEET 8
BZ 34 DPR 97/0111 SHEET 5	BZ 89 CUP 09-01-008 SHEET 5
BZ 35 TT 29654 SHEET 6	BZ 90 DPR 05-0192 SHEET 5
BZ 35 TT 29993 SHEET 6	BZ 91 AQUATICS CENTER SHEET 11
BZ 35 TT 29994 SHEET 6	BZ 92 DPR 07-0045 SHEET 8
BZ 36 TT 28986 SHEET 10	BZ 93 CUP 12-06-0012 SHEET 8
BZ 37 TT 24111 SHEET 7	BZ 94 PM 33587 SHEET 5
BZ 38 TT 22831 SHEET 6	BZ 95 DPR 12-07-0011 SHEET 8
BZ 39 TT 30382 SHEET 9	BZ 96 PM 36010 SHEET 5
BZ 40 TT 30144 SHEET 7	BZ 97 PM 34131 SHEET 7
BZ 41 TT 26386 SHEET 9	BZ 98 CUP 12-04-0015 SHEET 9
BZ 42 TT 30380 SHEET 6	BZ 99 PM 36576 SHEET 5
BZ 43 DPR 01-0051 SHEET 7	BZ 100 DPR 12-03-0006 SHEET 8
BZ 44 DPR 02-0031 SHEET 11	BZ 101 DPR 10-08-0009 SHEET 8
BZ 45 DPR 01-0210 SHEET 5	BZ 102 DPR 10-08-0009 SHEET 8
BZ 46 DPR 98-0071 SHEET 9	BZ 103 SOUTHEAST HIGH SCHOOL SHEET 6
BZ 47 WOODWORK CREATIONS SHEET 8	BZ 104 TRACT 30850 SHEET 6
BZ 48 PUP 99-0126 SHEET 7	BZ 105 DPR 12-05-0013 SHEET 8
BZ 49 TT 30751 SHEET 7	BZ 106 CUP 13-02-0014 SHEET 9
BZ 50 TT 30490 SHEET 6	BZ 107 PARCEL 1, PM 36462 SHEET 5
BZ 50 TT 30518 SHEET 6	BZ 108 PARCEL 2, PM 36462 SHEET 5
BZ 51 TT 31114 SHEET 9	BZ 109 CUP 13-07-0010 SHEET 11
BZ 52 TT 31241 SHEET 5	BZ 110 PM 36469 SHEET 5
BZ 53 TT 30662 SHEET 10	BZ 111 PTN WISE & KNIGHTS SHEET 8
BZ 53 TT 31564 SHEET 10	BZ 112 PTN WISE & KNIGHTS SHEET 8

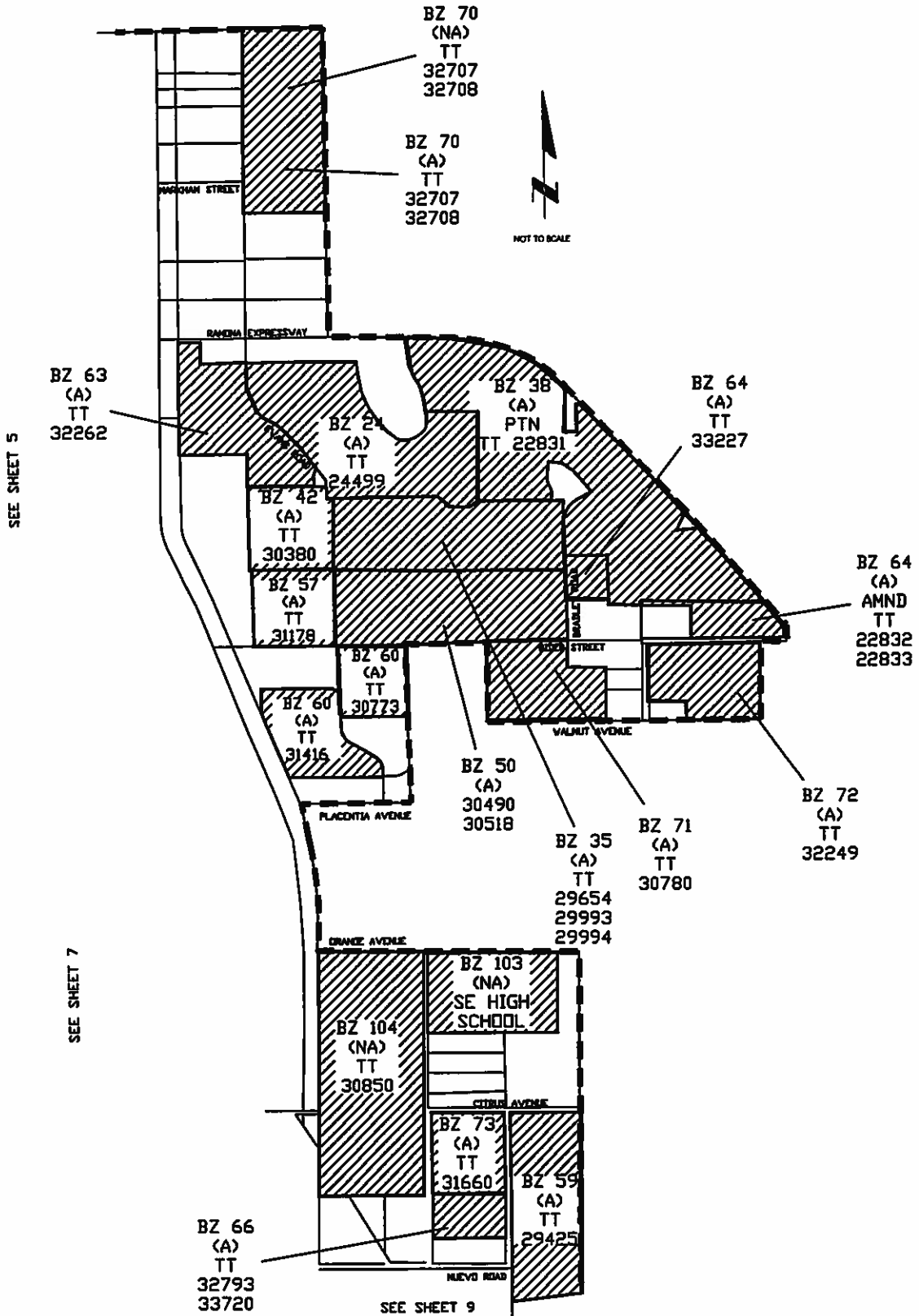
DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016



**DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



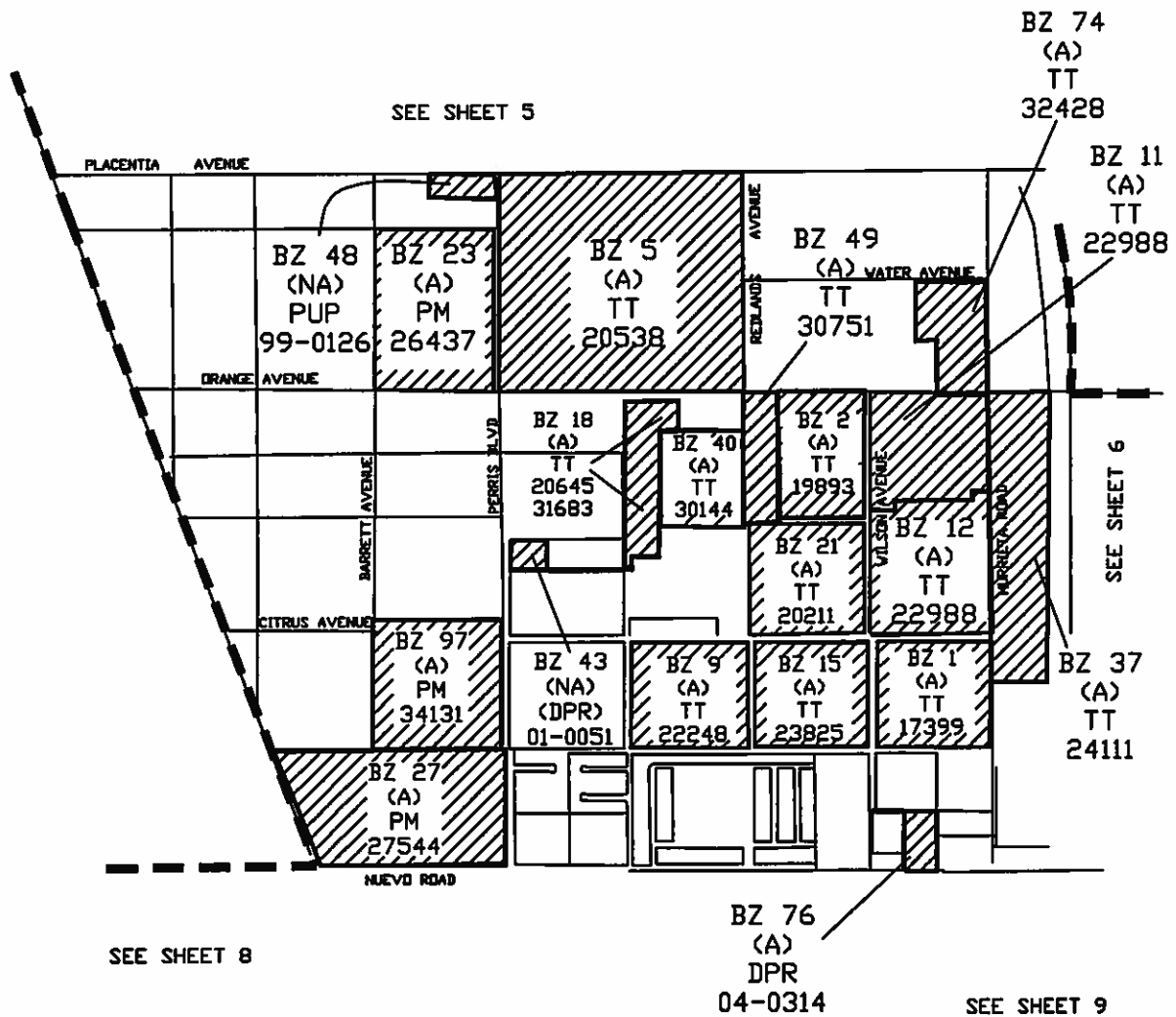
**DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



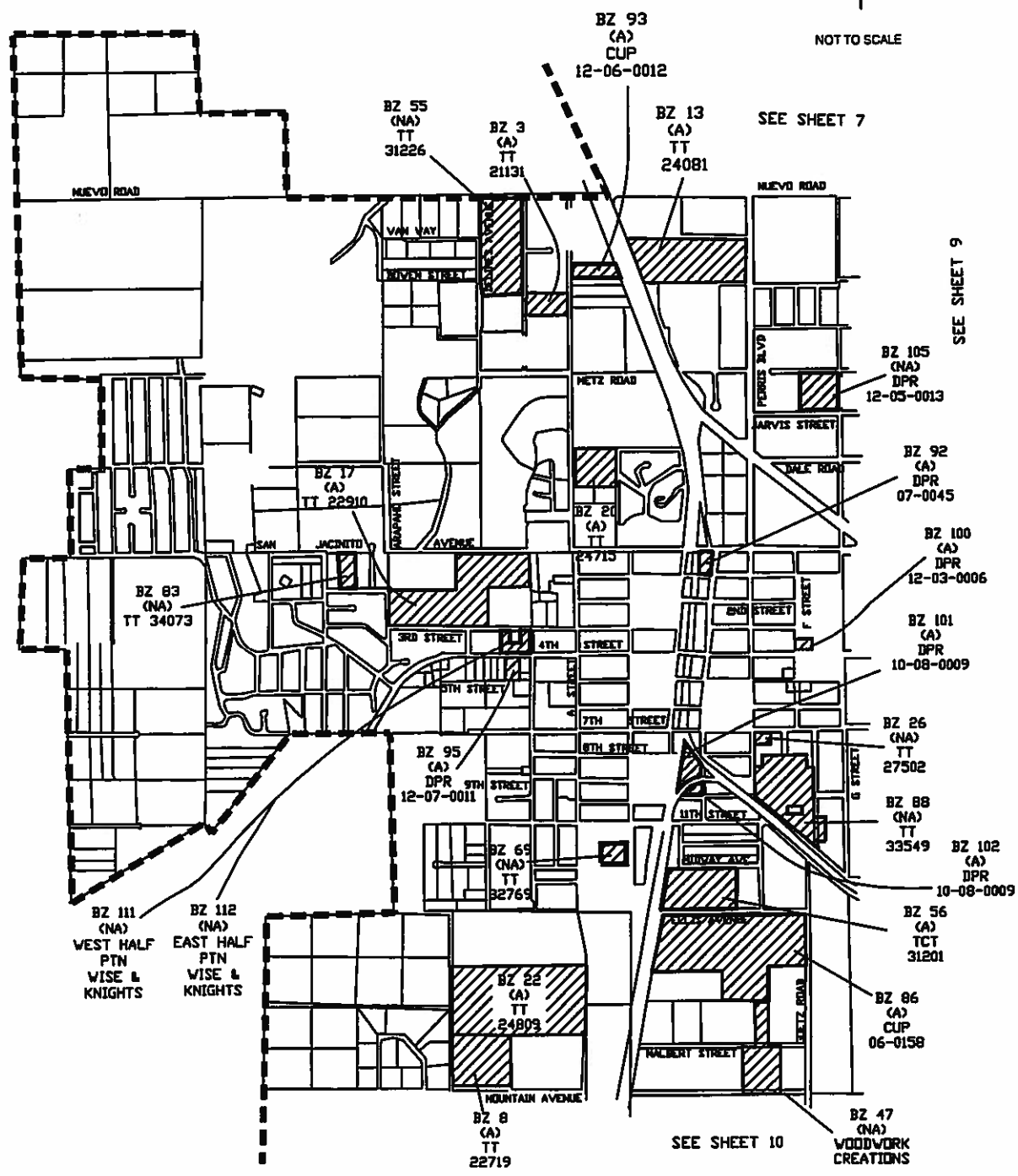
**DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



NOT TO SCALE



**DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



**DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



NOT TO SCALE

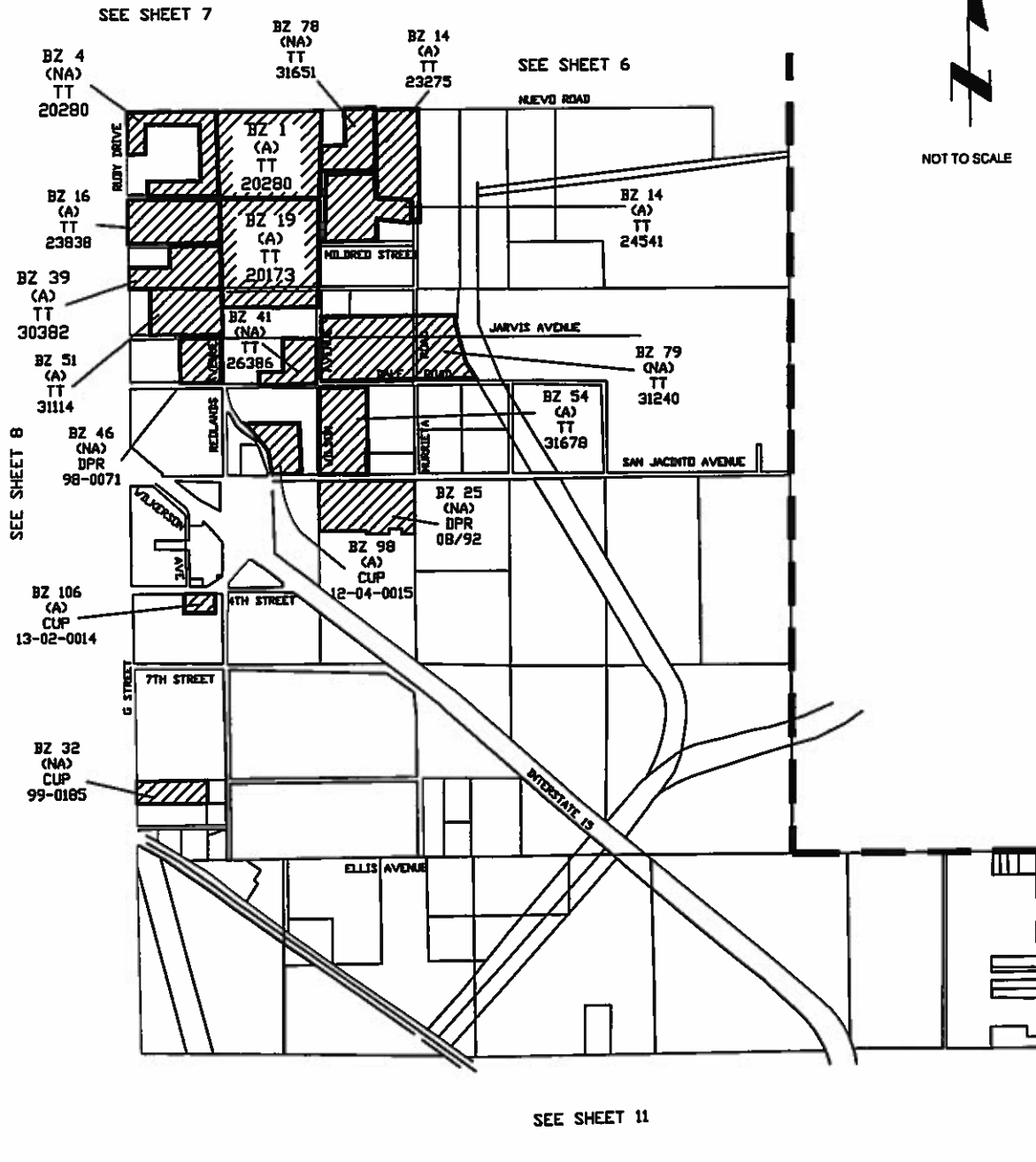
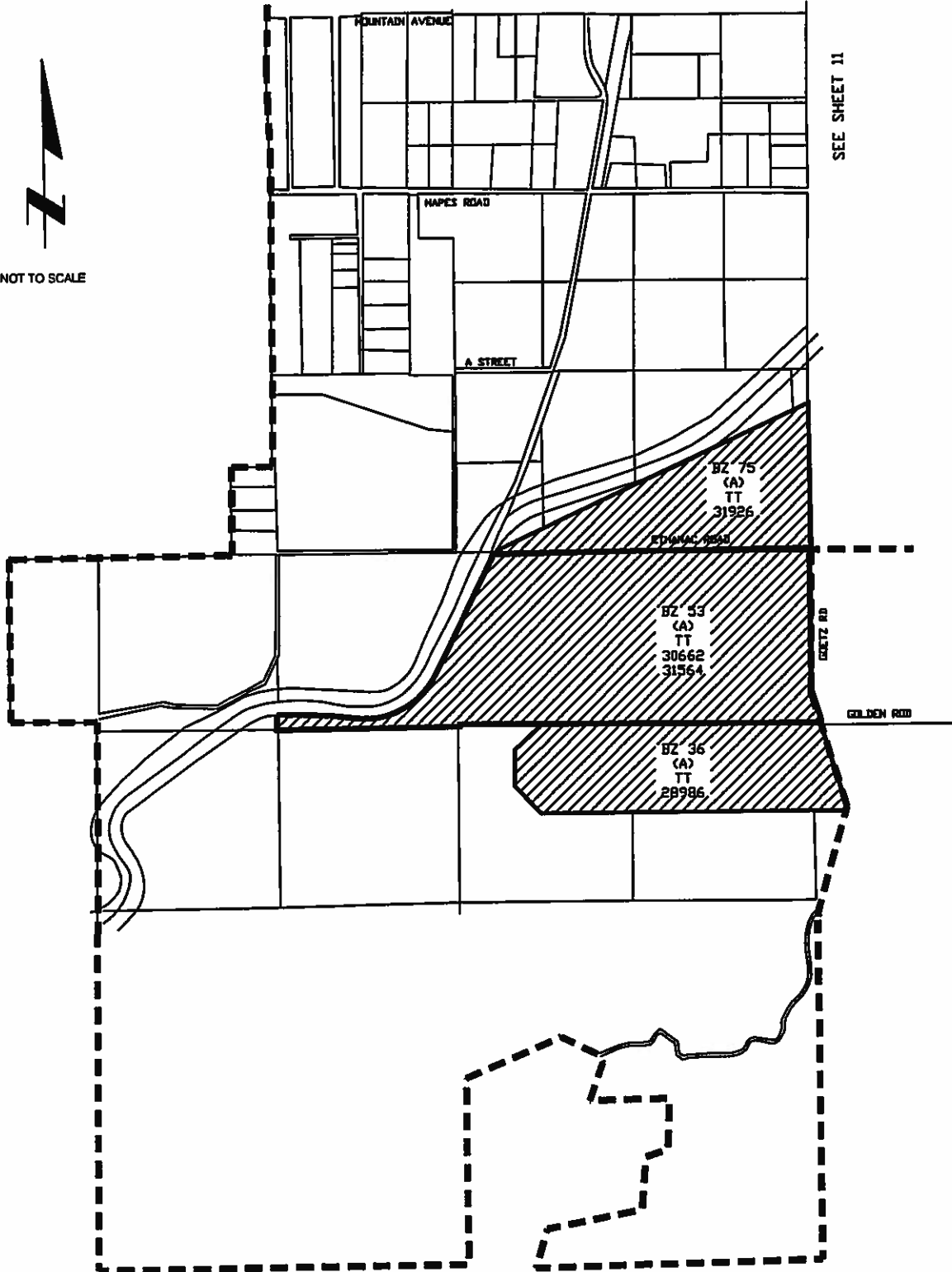


DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

SEE SHEET 8



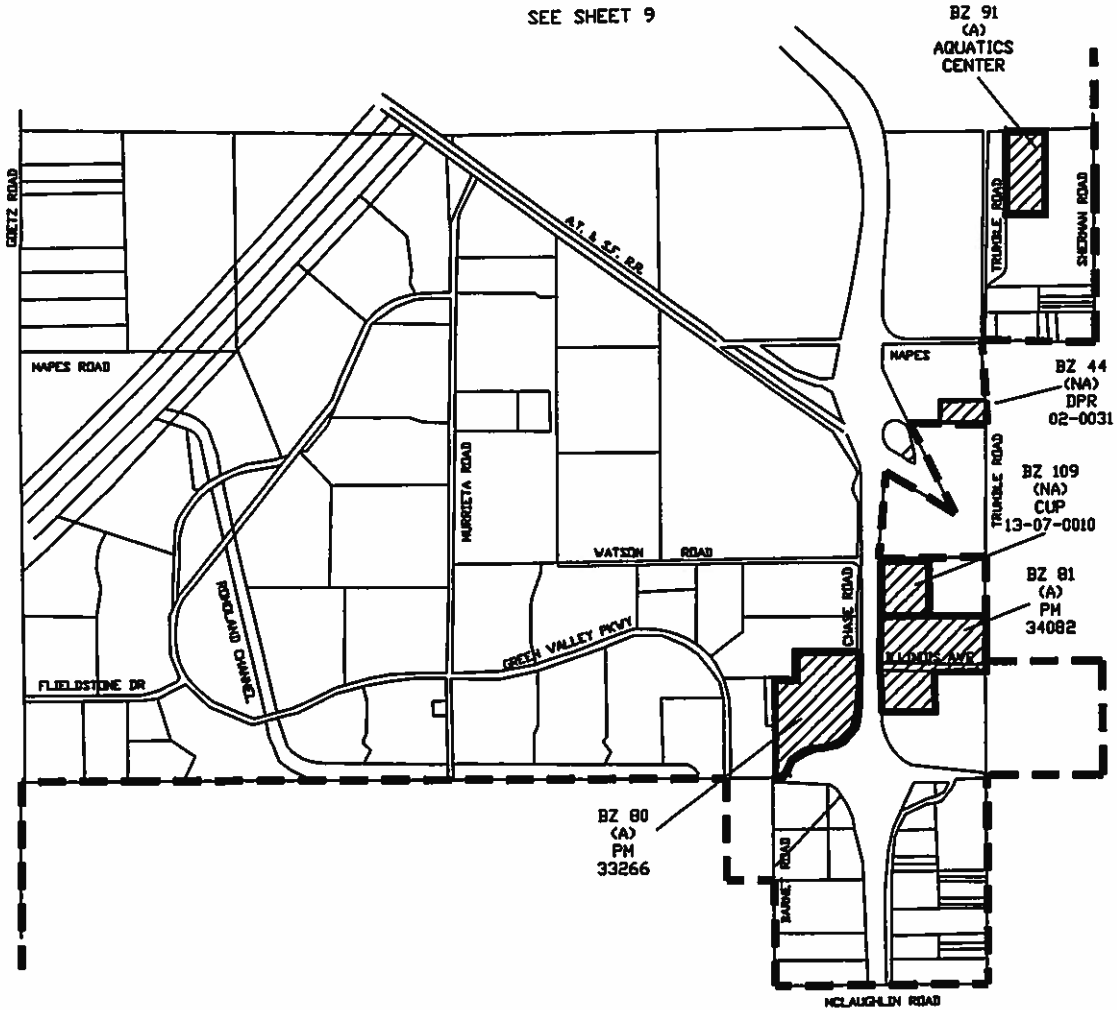
**DIAGRAM OF
 LANDSCAPE MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016**



NOT TO SCALE

SEE SHEET 9

SEE SHEET 10



RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016/2017 IN THE CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT

WHEREAS, the City Council of the City of Perris, California ("this City Council"), has previously determined that the public interest, convenience and necessity, requires the installation, construction and maintenance of public flood control improvements, drainage, interior streets, and appurtenant facilities as set forth in Section 54710 of the Government Code, State of California, within the incorporated boundaries of the City of Perris, California; and

WHEREAS, this City Council hereby finds and determines that the public interest, convenience and necessity require the continued levy of assessments within the City of Perris, Flood Control Maintenance District Number 1 for the purpose of installing, constructing, operating and maintaining public flood control improvements, drainage, interior streets, and appurtenant facilities authorized by Section 54710 of the Government Code, State of California.

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

Section 1. That this City Council hereby initiates proceedings to levy and collect annual special benefit assessments within that area designated City of Perris, Flood Control Maintenance District Number 1 (the "District") for the maintenance, servicing and operation of public flood control improvements, drainage, interior streets, and appurtenant facilities, all pursuant to the Benefit Assessment Act of 1982 (Chapter 6.4, Division 2, Title 5 of the California Government Code).

Section 2. That the maintenance proposed to be performed consists of the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of public flood control improvements, drainage, interior streets and appurtenant facilities.

Section 3. That the proceedings for the annual levy of the special benefit assessment are to be conducted under and in accordance with provisions of Chapter 6.4, Division 2, Title 5 of the California Government Code (Benefit Assessment Act of 1982) of the State of California.

Section 4. That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed for the purpose of preparing the written report for the annual levy of the benefit assessment as provided for in Chapter 6.4, Division 2, Title 5 of the California Government Code (Benefit Assessment Act of 1982) of the State of California, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 8th day of March, 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 8th day of March, 2016, by the following called vote:

- Ayes:
- Noes:
- Absent:
- Abstain:

City Clerk, Nancy Salazar

DIAGRAM OF
 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016



LEGEND



CITY BOUNDARY



MAINTENANCE DISTRICT, BENEFIT ZONE AND DEVELOPMENT BOUNDARY

FC 1

FLOOD CONTROL BENEFIT ZONE 1

(A)

ASSESSED

(NA)

NOT ASSESSED

CUP

CONDITIONAL USE PERMIT

DPR

DEVELOPMENT PLAN REVIEW

PM

PARCEL MAP

PPR

PLOT PLAN REVIEW

PUP

PUBLIC USE PERMIT

TT

TENTATIVE TRACT OR TRACT

DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

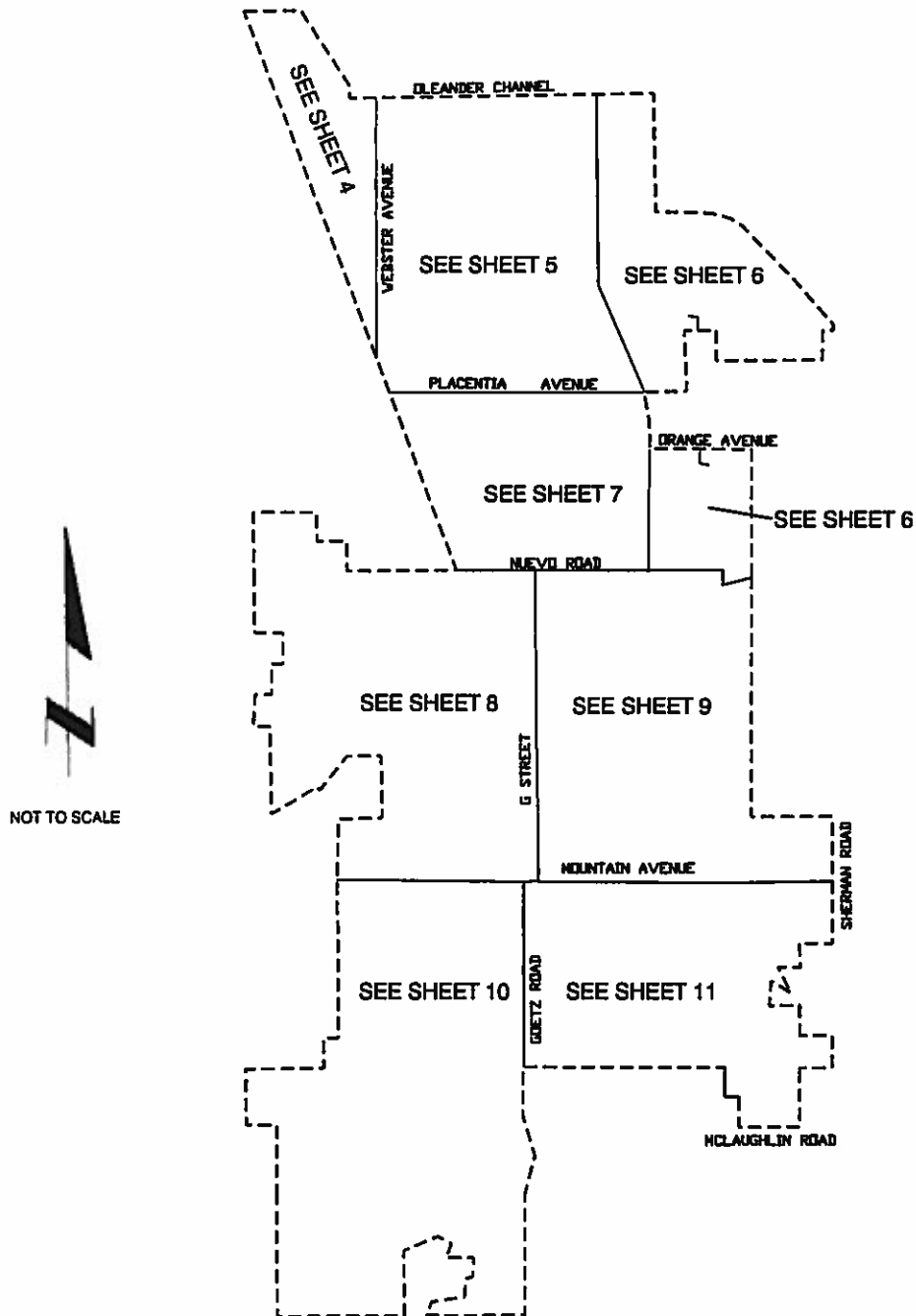
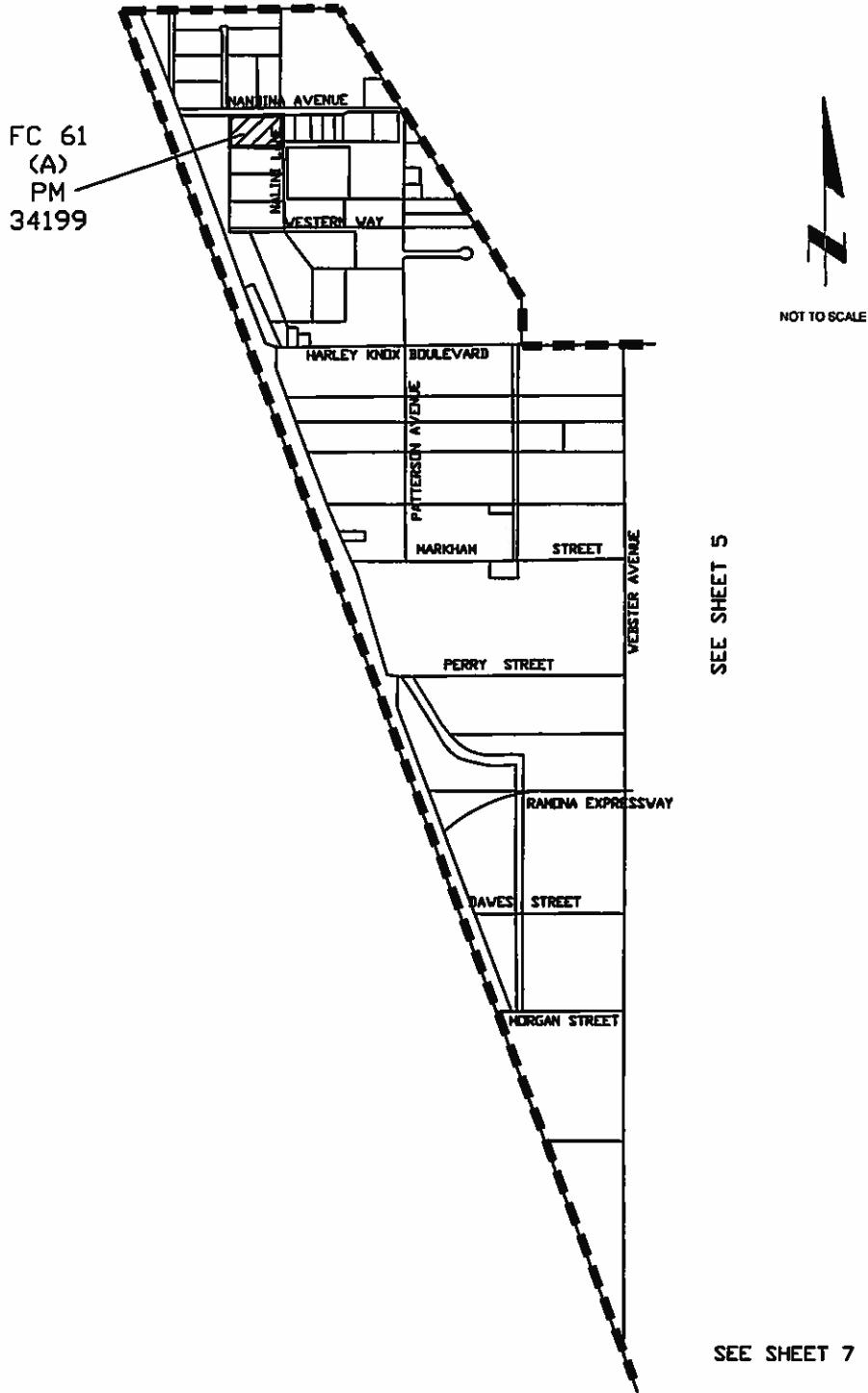


DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

FLOOD CONTROL SHEET INDEX

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FC 03 TT 24499 SHEET 6	FC 38 SKYVIEW ELEMENTARY SCHOOL SHEET 9
FC 04 TT 24715 SHEET 8	FC 39 DPR 05-0192 SHEET 5
FC 05 TT 24809 SHEET 8	FC 40 TT 32793 & 33720 SHEET 6
FC 06 PM 27544 SHEET 7	FC 41 PM 31832 SHEET 5
FC 07 PM 26618 SHEET 5	FC 42 PM 31743 SHEET 5
FC 08 DPR 98/94 SHEET 8	FC 43 TT 32769 SHEET 8
FC 09 DRP 99/0174 SHEET 5	FC 44 TT 32707 & 32708 SHEET 6
FC 10 PUP 99/0079 SHEET 5	FC 45 TT 30780 SHEET 6
FC 11 CUP 99-0185 SHEET 9	FC 46 TT 32249 SHEET 6
FC 12 CUP 98-0081 SHEET 5	FC 47 TT 31912 SHEET 8
FC 13 DRP 97/0111 SHEET 5	FC 48 CUP 06-0158 SHEET 8
FC 14 TT 30380 SHEET 6	FC 49 TT 31660 SHEET 6
FC 14 TT 29654 SHEET 6	FC 50 TT 32428 SHEET 7
FC 14 TT 29993 SHEET 6	FC 51 TT 31926 SHEET 10
FC 14 TT 29994 SHEET 6	FC 52 PM 35676 SHEET 5
FC 14 TT 22831 SHEET 6	FC 53 TT 31650 & 32406 SHEET 8
FC 15 TT 28986 SHEET 10	FC 54 TT 31651 SHEET 9
FC 16 TT 24111 SHEET 7	FC 55 TT 31240 SHEET 9
FC 17 TT 30382 SHEET 9	FC 56 PM 33266 SHEET 11
FC 18 TT 30144 SHEET 7	FC 57 PM 34082 SHEET 11
FC 18 TT 31683 SHEET 7	FC 58 TT 34073 SHEET 8
FC 19 TT 26386 SHEET 9	FC 59 DPR 05-0279 SHEET 8
FC 20 DPR 98-0071 SHEET 9	FC 60 DPR 04-0314 SHEET 7
FC 21 TT 30751 SHEET 7	FC 61 PM 34199 SHEET 4
FC 22 TT 30490 SHEET 6	FC 63 PM 31677 SHEET 5
FC 22 TT 30518 SHEET 6	FC 64 DPR 04-0464 SHEET 5
FC 23 TT 31114 SHEET 9	FC 65 DPR 06-0365 SHEET 5
FC 24 TT 31241 SHEET 5	FC 66 TT 33549 SHEET 8
FC 25 TT 30662 SHEET 10	FC 67 DPR 10-03-0009 SHEET 8
FC 25 TT 31654 SHEET 10	FC 68 DPR 10-03-0009 SHEET 8
FC 26 TT 31678 SHEET 9	FC 69 DPR 07-0045 SHEET 8
FC 27 TT 31226 SHEET 8	FC 70 AQUATICS CENTER SHEET 11
FC 28 TT 31201 SHEET 8	FC 71 PM 33587 SHEET 5
FC 29 TT 31178 SHEET 6	FC 72 PM 36010 SHEET 5
FC 31 TT 29425 SHEET 6	FC 73 PM 34131 SHEET 7
FC 32 TT 30773 SHEET 6	FC 74 CUP 12-04-0015 SHEET 9
FC 32 TT 31416 SHEET 6	FC 75 LOTS 27 & 28, TT 24045-1 SHEET 5
FC 33 DPR 01/0123 SHEET 5	FC 76 SOUTHEAST HIGH SCHOOL SHEET 6
FC 34 TT 32262 SHEET 6	FC 77 TRACT 30850 SHEET 6
FC 35 TT 33227 SHEET 6	FC 78 DPR 12-05-0013 SHEET 8
FC 35 AMND 22832 SHEET 6	FC 79 PARCEL 1, PM 36462 SHEET 5
FC 35 AMND 22833 SHEET 6	FC 80 PARCEL 2, PM 36462 SHEET 5
	FC 81 PM 36469 SHEET 5

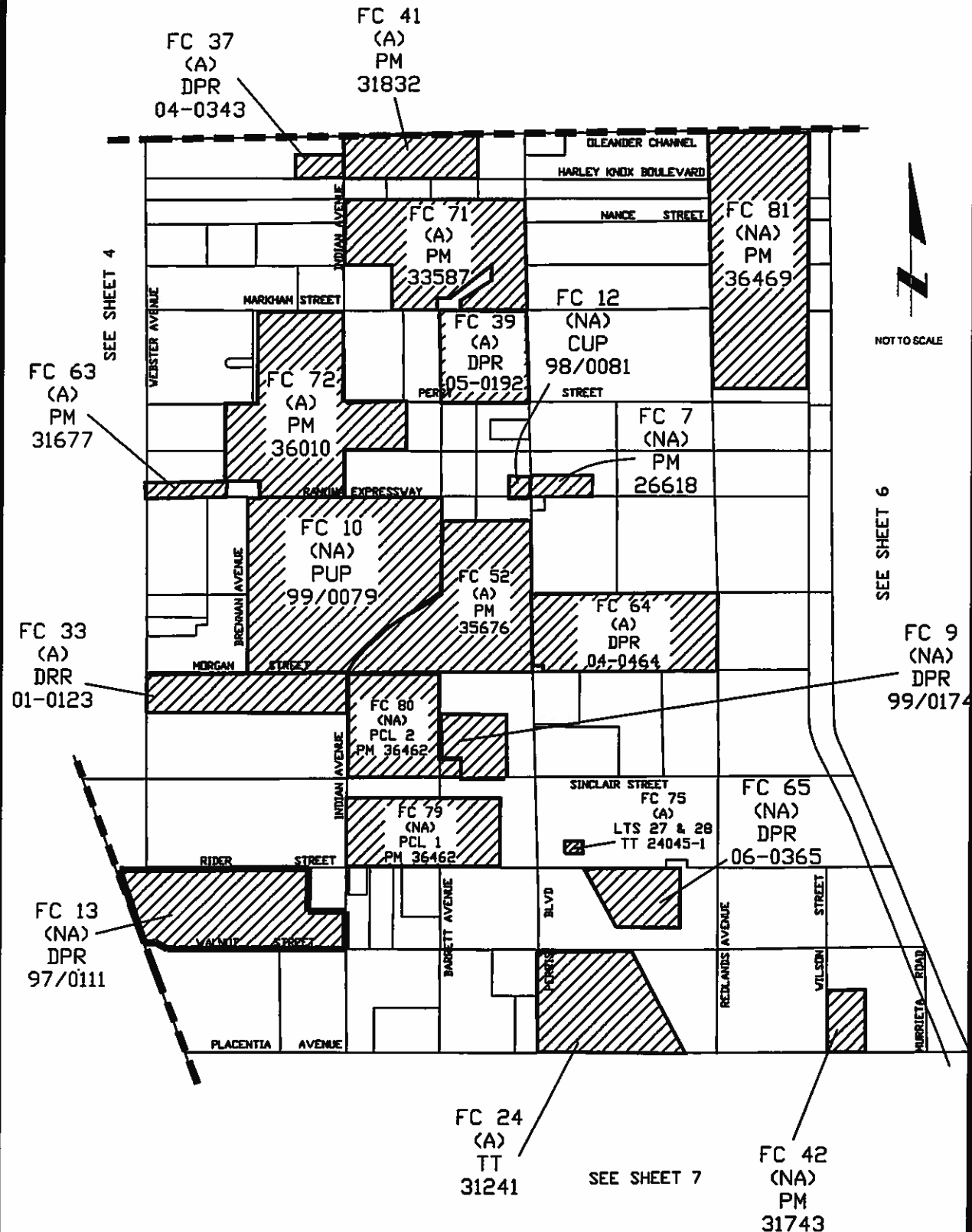
DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016



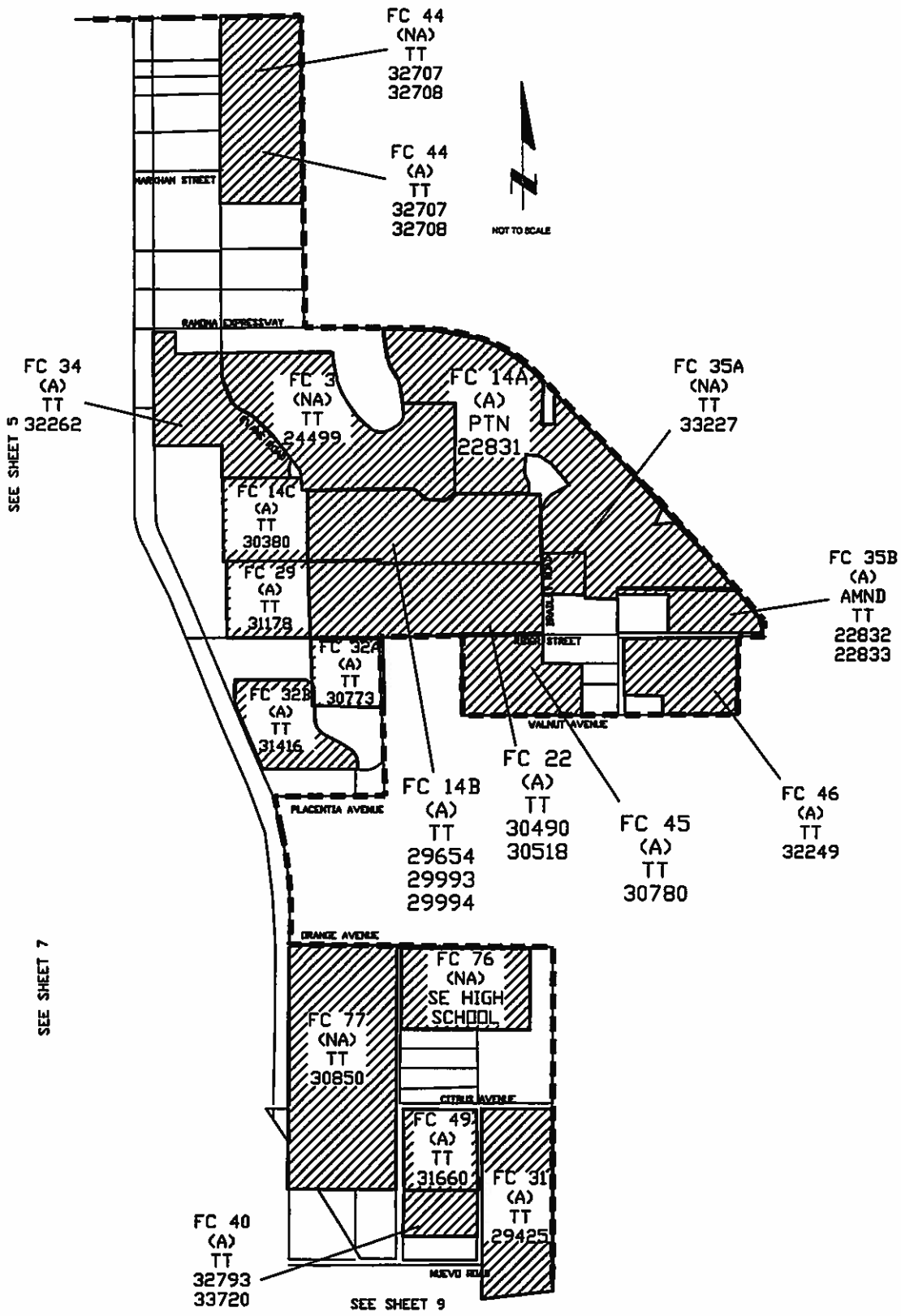
SEE SHEET 5

SEE SHEET 7

**DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**



**DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016**

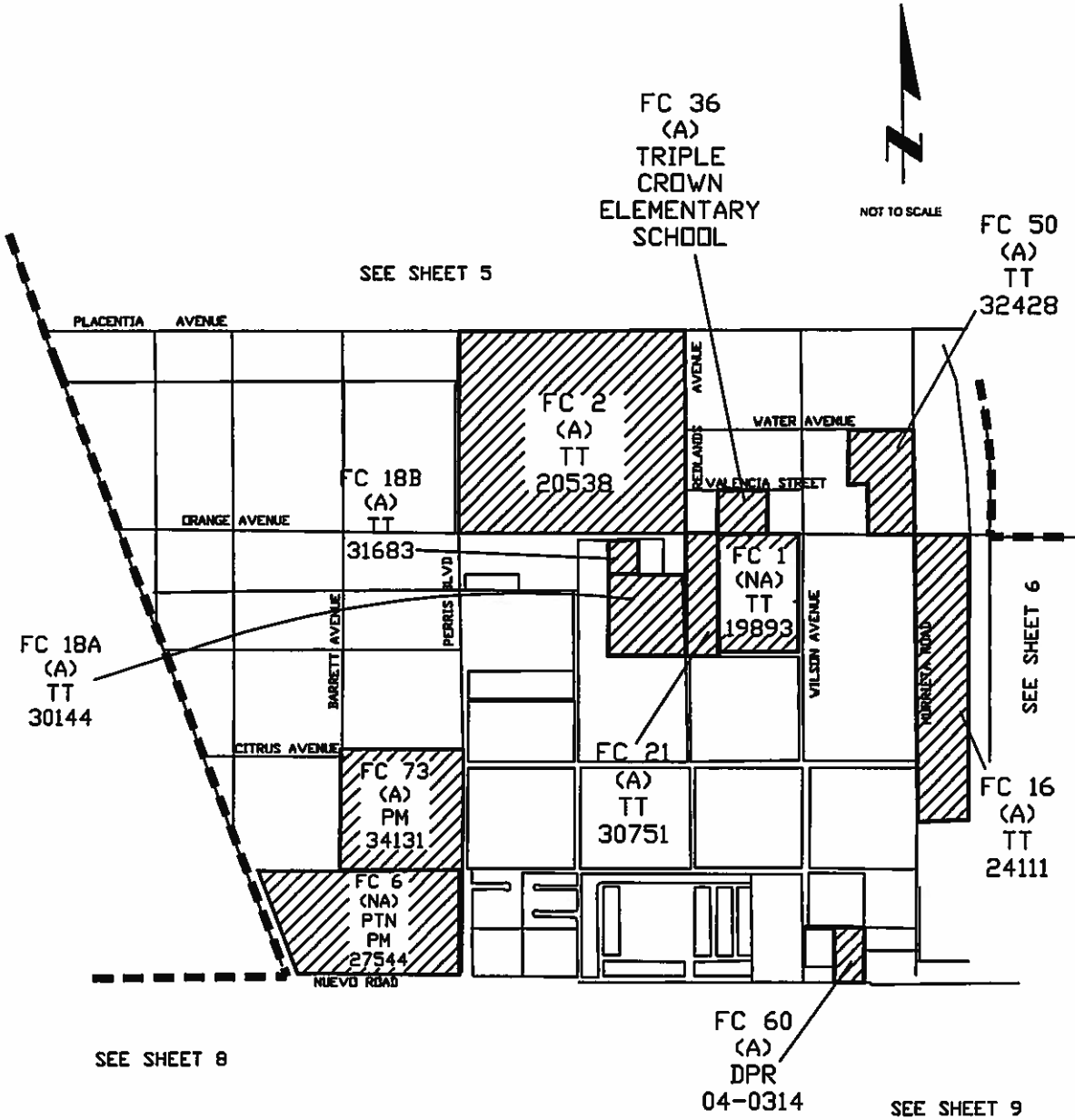


SEE SHEET 5

SEE SHEET 7

SEE SHEET 9

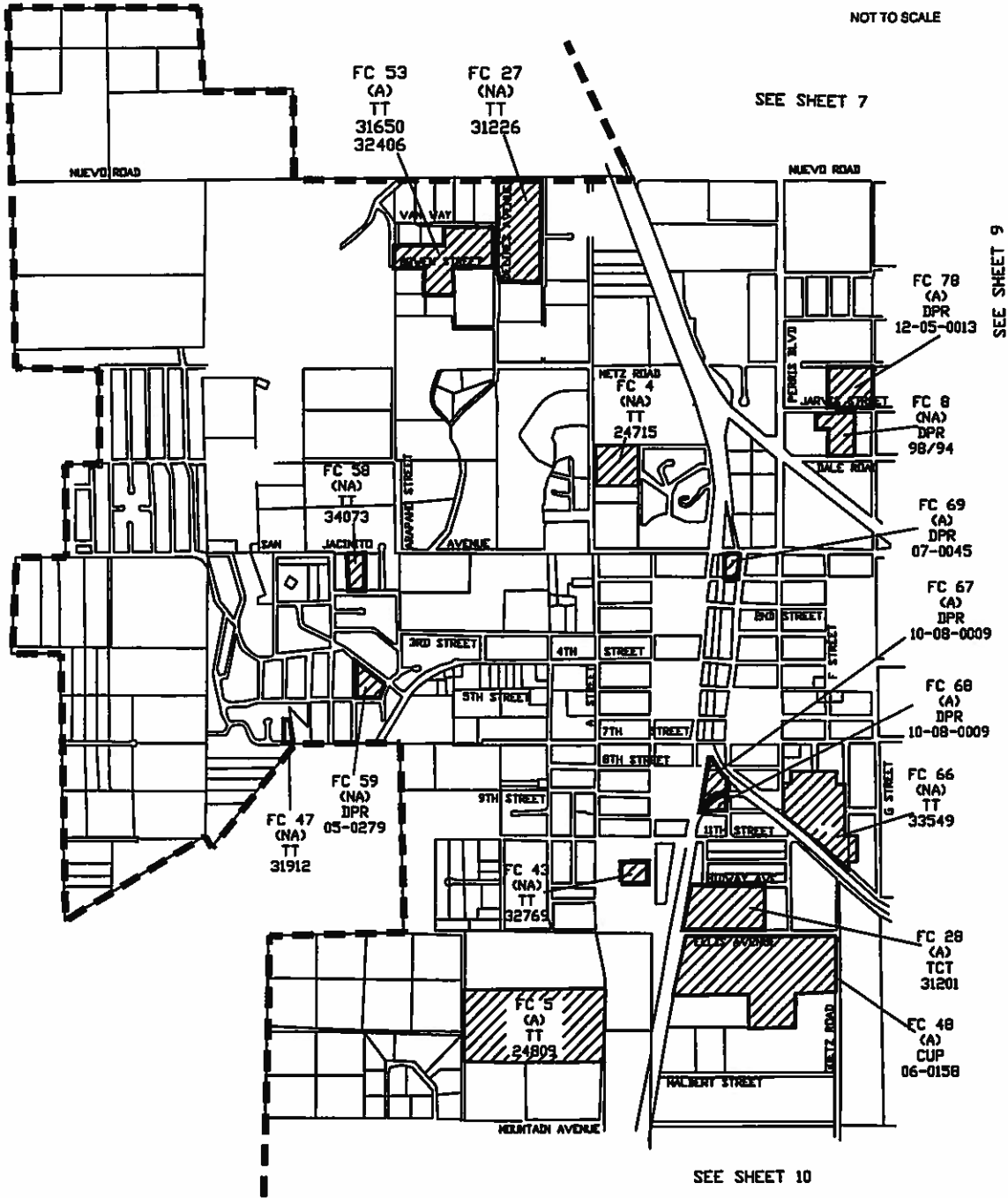
**DIAGRAM OF
 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016**



**DIAGRAM OF
 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016**



NOT TO SCALE



**DIAGRAM OF
 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016**



NOT TO SCALE

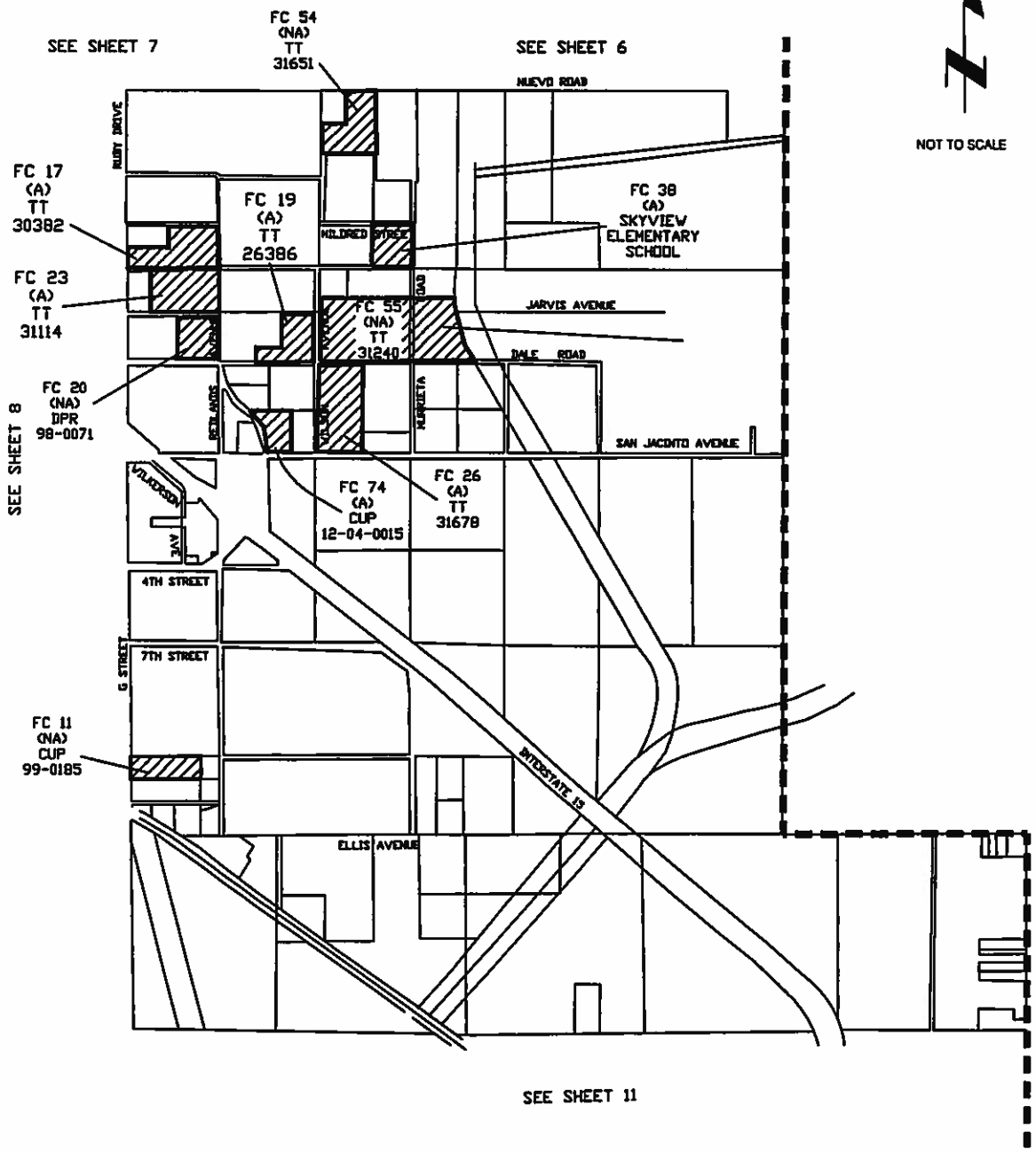
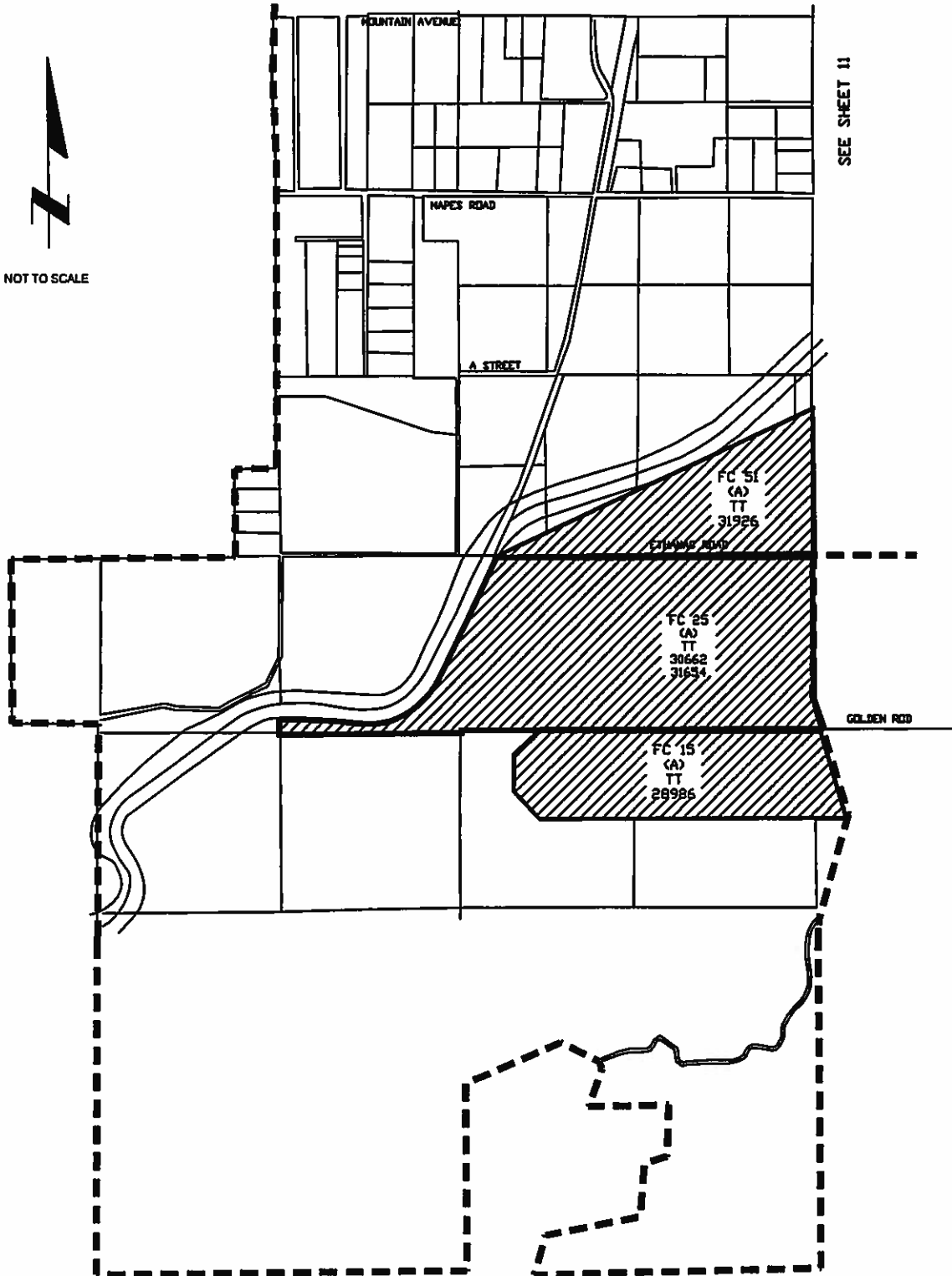


DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2015/2016

SEE SHEET 8



NOT TO SCALE

SEE SHEET 11

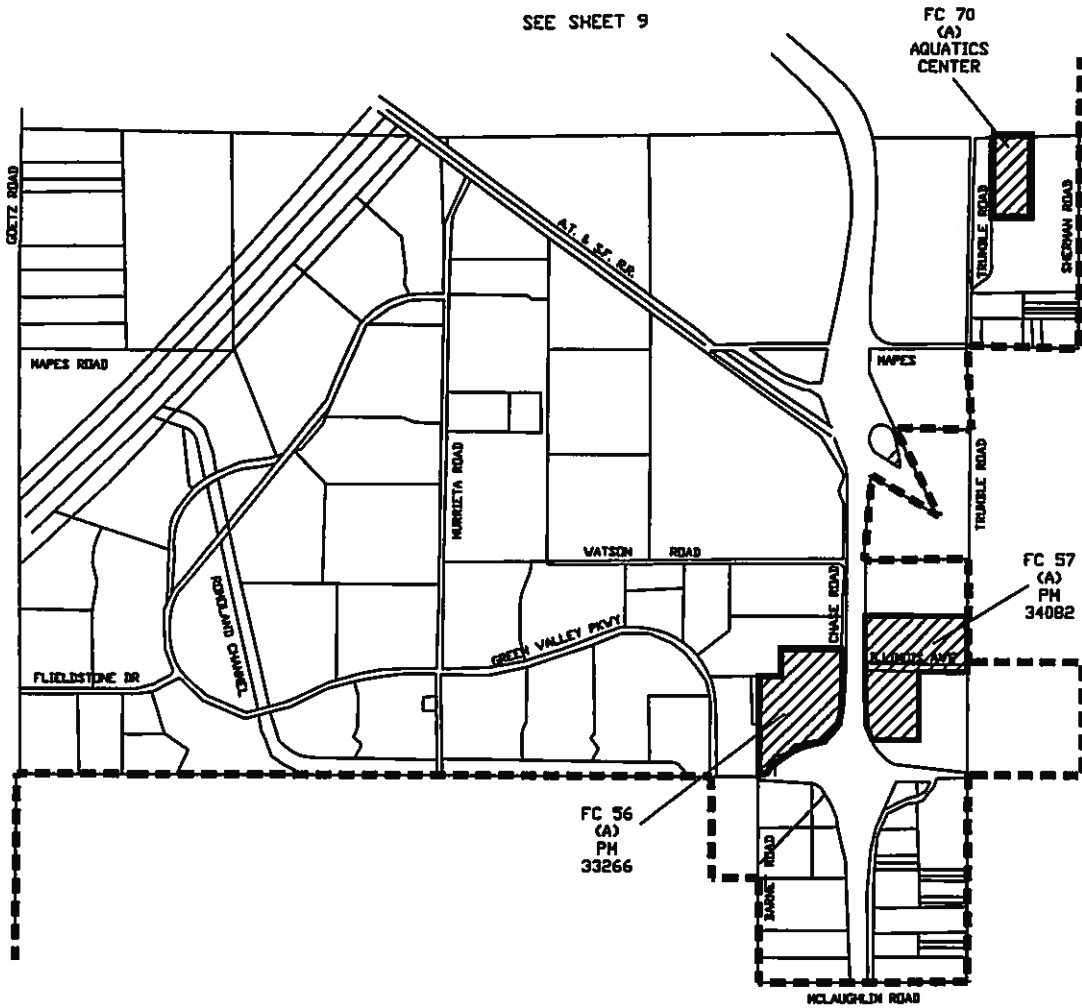
**DIAGRAM OF
 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
 CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
 FISCAL YEAR 2015/2016**



NOT TO SCALE

SEE SHEET 9

SEE SHEET 10



CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: **Annexation of portion of APN 305-240-015 into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 21**
Project: Food 4 Less Fueling Station
Owner: Coudures Family Limited Partnership

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

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION:

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

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

This Resolution will commence the annexation process for the property described on the map attached to the resolution to the District. This resolution will set a public hearing for April 12, 2016 regarding the proposed annexation. An election will be held following the public hearing. At that time the landowner will vote on annexing their property to the District and levying special taxes within their District. The special tax levy for Fiscal Year 2016-17 is \$329.86 for Single-Family Residential Units, \$65.97 for Multi-Family Residential Units, and \$1,319.48 per Acre for Non-Residential Parcels. For each subsequent fiscal year following Fiscal Year 2016-2017, the Maximum Special Tax may be increased by an amount not to exceed two percent (2.00%) per year.

BUDGET / FISCAL IMPACT:

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

Prepared by: Daniel Louie, Willdan Financial Services

City Attorney:

Asst. City Manager: *RL*

Consent: **March 8, 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 DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 21]

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

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

WHEREAS, on June 10, 2002, an election was held within the District at which the qualified electors approved by more than a two-thirds (2/3) vote the proposition of levying a special tax pursuant to a special tax formula (the "Rate and Method of Apportionment") as set forth in Resolution No. 2912 and attached hereto and incorporated herein as Exhibit "A", showing the tax levels in fiscal year 2005-06 and certain changes to indicate commencement of the levy the special tax; and

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

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

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

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

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

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

Section 2. It is the intention of the Council, acting as the legislative body of the District, to annex the Property to the District under and pursuant to the terms and provisions of the Act. The boundaries of the Property proposed for annexation to the District are more particularly described and shown on that certain map entitled "Annexation Map No. 21 to Community Facilities District No. 2001-3 (North Perris Public Safety)" that has been filed with the City Clerk of the City and a copy of which, together with a legal description of such territory, is described in Exhibit "B". The City Clerk is hereby authorized and directed to endorse the Certificate on said map evidencing the date and adoption of this resolution and is further authorized and directed to file said map with the County Recorder of the County of Riverside in accordance with the provisions of Section 3111 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution and not later than fifteen (15) days prior to the date of the public hearing as set forth in Section 5 hereof.

Section 3. It is the intention of the Council to order the financing of (1) fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; (2) police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto (collectively, the "Services"); and (3) the incidental expenses to be incurred in connection with financing the Services and forming and administering the District (the "Incidental Expenses"). The Services are public services that the City or a public agency is authorized by law to contribute revenue to or to provide. A description of the types of Services to be financed is set forth in Resolution No. 2912 and incorporated herein by reference. The Services to be financed by or on behalf of the District are necessary to meet increased demand upon the City and other public agencies as a result of development occurring within the boundaries of the Property. The Property, on a per unit basis, will share in the cost of the Services in the same proportion as units with the existing District pursuant to the Rate and Method of Apportionment.

The final nature and location of the Services will be determined upon the preparation of final plans and specifications which may show substitutes in lieu of, or modifications to, the proposed Services. Any such substitution shall not be deemed a

change or modification of the Services so long as the substitution provides a service substantially similar to the Services.

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

Section 5. Notice is hereby given that on the 12th day of April 2016, at the hour of 6:30 p.m., or as soon thereafter as is practicable, in the chambers of the City Council of the City of Perris, 101 North "D" Street, Perris, California 92570, a public hearing will be held at which the City Council, as the legislative body of the District, shall consider the proposed annexation of the Property and all other matters as set forth in this Resolution of Intention. At the above-mentioned time and place for such public hearing, any persons interested, including all taxpayers, property owners and registered voters within the District and the Property proposed to be annexed, may appear and be heard, and such testimony for or against the proposed annexation will be heard and considered.

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

Section 7. If, following the public hearing described herein, the Council determines to annex the Property to the District and levy a special tax thereon, the Council shall then submit the annexation of the Property and levy of the special tax to the qualified voters of the Property. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, have been registered to vote within the

territory of the Property for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters residing within the Property, with each voter having one (1) vote. Otherwise, the vote shall be a mail ballot election, consistent with Section 53327.5 of the Act, by the landowners of the Property who are owners of record at the close of the public hearing, with each landowner having one (1) vote for each acre or portion of an acre of land owned within the Property. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to that landowner.

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

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

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

ADOPTED, SIGNED and APPROVED this 8th day of March, 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 8th day of March, 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 the District unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

B. DEFINITIONS

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

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

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

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

Base Year means Fiscal Year ending June 30, 2006.

City means the City of Perris, California.

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

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County means the County of Riverside, California.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C. DURATION OF THE SPECIAL TAX

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

D. ASSIGNMENT OF MAXIMUM SPECIAL TAXES

1. Classification of Parcels

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

2. Maximum Special Tax Rates

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

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

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

E. SETTING THE ANNUAL SPECIAL TAX LEVY

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

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

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

F. ADMINISTRATIVE CHANGES AND APPEALS

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

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

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

G. MANNER OF COLLECTION

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

Resolution No. _____

Exhibit B

**COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 21**

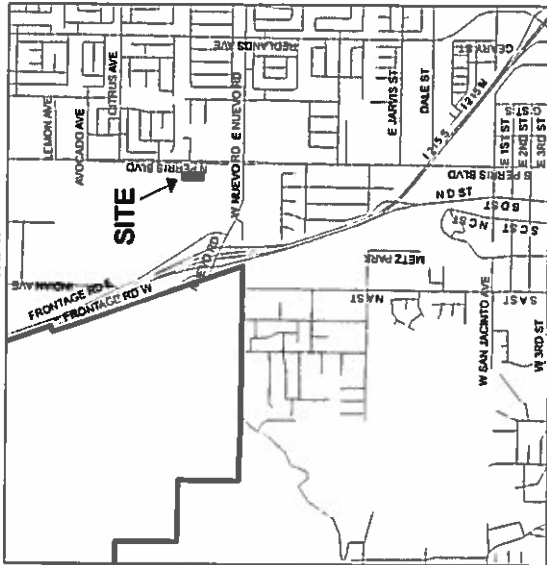
BOUNDARY MAP

[See Attached]

ANNEXATION MAP NO. 21 TO COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

VICINITY MAP



FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____ 20____
 I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF
 ANNEXATION NO. 21 TO COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH
 PERRIS PUBLIC SAFETY), CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE
 OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF PERRIS
 AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF
 _____ 20____, BY ITS RESOLUTION NO. _____

CITY CLERK
 CITY OF PERRIS

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

PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

BY DEPUTY
 COUNTY RECORDER
 COUNTY OF RIVERSIDE
 STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT
 NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS RECORDED
 WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON DECEMBER 19, 2001, IN
 BOOK 50 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 48.
 REFERENCE IS ALSO MADE TO PARCEL MAP NO. 27544-2 AS RECORDED IN BOOK 202,
 PAGES 6A TO 7B, INCLUSIVE, OF PARCEL MAPS IN THE OFFICE OF THE RIVERSIDE
 COUNTY RECORDER.

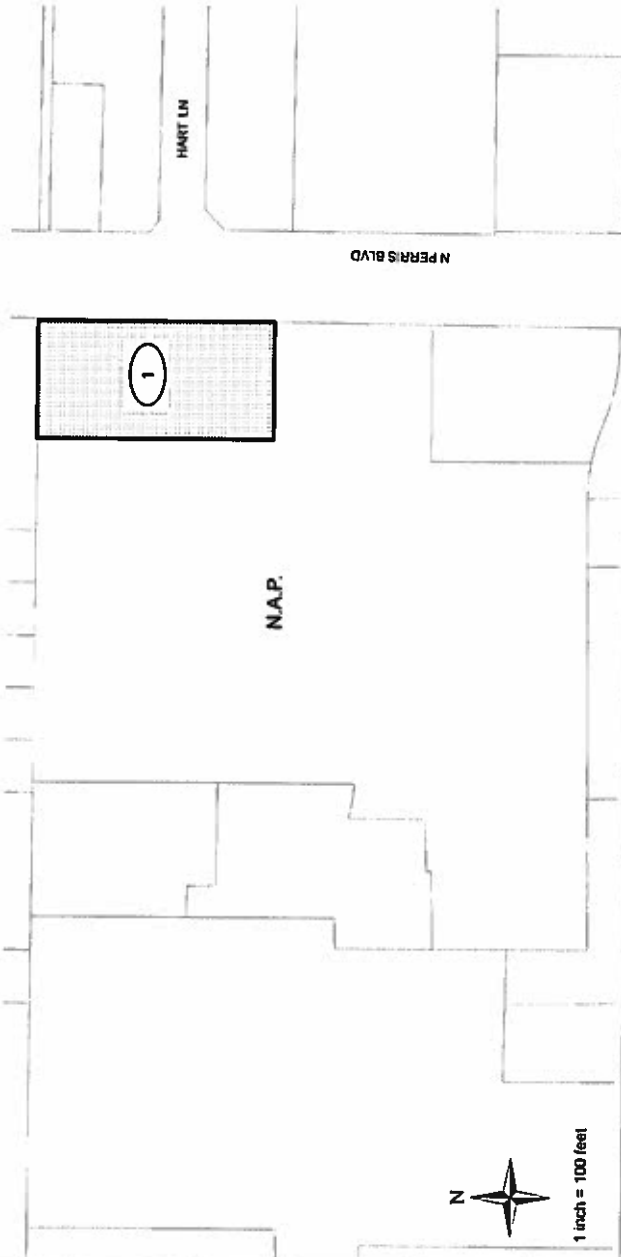
THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL
 BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S
 MAPS FOR THOSE PARCELS LISTED.

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

Legend

-  PROPOSED ANNEXATION BOUNDARY
-  MAP REFERENCE NUMBER
- N.A.P. NOT A PART

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	Portion of 305-240-015



1 inch = 100 feet



CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Approving a License Agreement with Riverside County Flood Control and Water Conservation District (DISTRICT) for the Perris Valley Storm Drain Channel Trail; and authorizing staff to execute all related documents for such agreement.

REQUESTED ACTION: That the City Council approve a License Agreement with Riverside County Flood Control and Water Conservation District and authorize staff to execute all related documents for such agreement.

CONTACT: Darren Madkin, Deputy City Manager *DM*

BACKGROUND/DISCUSSION:

The City of Perris has been awarded a \$1,200,000 grant through the ATP Program to construct a 4.3 mile multi-purpose trail on the Perris Valley Storm Drain, between the northerly border of Perris, south to Nuevo Street. This together with the developers conditioned trail segments on the route will provide for the community connections needed to link industrial and residential neighborhoods in the north City limits to seven southern City parks and ultimately to the San Jacinto River Trail in the south Perris area.

On January 13, 2015, the City Council approved a design contract with Community Works Design Group for the development of design and construction documents for the PVSC Trail through a competitive Request for Proposal process.

The proposed trail is located on and utilizes portions of the Riverside County Flood Control and Water Conservation District existing channel right of way for construction of the trail and its auxiliary uses, including walking, jogging, and bicycling. Therefore, a license agreement was prepared between the City and District to allow for such development and construction of the multi-purpose trail on the Perris Valley Storm Channel right of way. The City will be responsible for the operation and maintenance of the trail after construction is completed.

If approved by the City Council, the license will subsequently be considered by the District for approval at a future board meeting. Staff recommends that the City Council approve the License Agreement with Riverside County Flood Control and Water Conservation District and authorize staff to execute all related documents for the agreement.

BUDGET (or FISCAL) IMPACT: The total budget for this project is \$3,800,000, and is identified in the Capital Improvement Program as Project Number P007. The City will be responsible for the operation and maintenance of the trail. The estimated annual costs for the maintenance are unknown at this time; however staff will develop a cost estimate after final plans for the trail are approved.

Reviewed by:
Assistant City Manager *Re*

Attachments: License Agreement

Consent: X
Public Hearing:
Business Item:
Other:

LICENSE AGREEMENT

Perris Valley Channel

Perris Valley Channel – Lateral B, Stage 2

Project Nos. 4-0-00010 and 4-0-00009

Encroachment Permit No. 3499

The Riverside County Flood Control and Water Conservation District, hereinafter called "DISTRICT", and the City of Perris, hereinafter called "CITY", hereby agree as follows:

RECITALS

- A. DISTRICT operates and maintains Perris Valley Channel (Project No. 4-0-00010), hereinafter called "CHANNEL", principally located in the city of Perris; and
- B. CHANNEL is an essential and integral part of DISTRICT'S regional system of stormwater management infrastructure that provides critical flood control and drainage to the cities of Moreno Valley and Perris, and adjacent unincorporated areas; and
- C. CITY desires to utilize portions of DISTRICT'S existing CHANNEL right of way, hereinafter called "CHANNEL RIGHT OF WAY", for public recreation purposes including the construction of trail improvements and certain ancillary uses associated therewith, including walking, jogging and bicycling, between Nance Street and Nuevo Road, hereinafter called "TRAIL" as shown in concept on Exhibit A, attached hereto and made a part hereof; and
- D. CHANNEL'S flood control function is sporadic in nature and thus, appropriate non-motorized public recreation may be accommodated within DISTRICT'S CHANNEL RIGHT OF WAY to the extent that such uses do not unreasonably interfere with CHANNEL'S principal function or DISTRICT'S ability to operate and maintain CHANNEL; and
- E. Subject to the provisions of this License Agreement, DISTRICT is willing to (i) allow CITY to construct trail improvements within CHANNEL RIGHT OF WAY, (ii)

1 allow CITY to operate and maintain said trail improvements, and (iii) allow the public to utilize
2 the trail improvements for compatible non-motorized recreational uses; and

3 F. In accordance with the provisions of this License Agreement, CITY is
4 willing to (i) prepare, or cause to be prepared, plans and specifications for TRAIL and submit to
5 DISTRICT for its review and approval, (ii) cause the construction, inspection, operation and
6 maintenance of TRAIL at no cost to DISTRICT, (iii) conduct periodic safety inspections of
7 TRAIL, and (iv) indemnify and hold DISTRICT harmless from any claims arising from public's
8 use of TRAIL or CITY'S responsibilities in connection therewith or the condition thereof; and
9

10 G. All parties recognize and acknowledge that after TRAIL is constructed by
11 CITY, portion(s) of TRAIL may be removed once development has expanded beyond
12 CHANNEL and this License Agreement and Exhibit "A" may be amended as required by
13 DISTRICT. Any portion(s) of TRAIL that are removed during said construction will be
14 reconstructed at the sole cost and expense of CITY; and
15

16 H. It is in the public interest to proceed with this Agreement.

17 NOW, THEREFORE, the parties hereto mutually agree as follows:

18 SECTION I

19 CITY shall:

20 1. Pursuant to California Environmental Quality Act (CEQA), assume lead
21 agency role and responsibility for preparation, circulation and adoption of all necessary and
22 appropriate CEQA documents pertaining to construction, operation and maintenance of TRAIL.
23

24 2. Prior to constructing any improvements or performing any physical
25 modifications within CHANNEL RIGHT OF WAY, prepare or cause to be prepared, plans and
26 specifications for TRAIL, hereinafter together called "IMPROVEMENT PLANS", and submit
27 to DISTRICT for review and approval.
28

1 3. Pay all costs associated with preparation of IMPROVEMENT PLANS and
2 DISTRICT'S review and approval thereof, which shall not be unreasonably withheld.

3 4. Pay all costs associated with DISTRICT'S preparation and administration
4 of this License Agreement.

5 5. Secure, at its sole costs and expense, all necessary permits, approvals,
6 licenses or agreements as may be required by any federal, state or local resource or regulatory
7 agencies, as may be needed to construct, inspect, operate and maintain TRAIL.
8

9 6. Obtain an encroachment permit from DISTRICT, pursuant to its rules and
10 regulations and comply with all provisions set forth therein, prior to commencing construction
11 of TRAIL or any other improvements within CHANNEL RIGHT OF WAY.

12 7. Prior to commencing construction, furnish DISTRICT with copies of all
13 permits, approvals or agreements as may be required by any federal, state or local resource and/or
14 regulatory agencies for the construction, operation and maintenance of TRAIL. Such documents,
15 hereinafter called "REGULATORY PERMITS", include but are not limited to those issued by
16 the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Regional Water
17 Quality Control Board, California Department of Fish and Wildlife, the State Water Resources
18 Control Board and Western Riverside County Regional Conservation Authority.
19

20 8. Assume sole responsibility for compliance with the requirements of all
21 REGULATORY PERMITS, including any amendments thereto, pertaining to the construction,
22 operation and maintenance of TRAIL.
23

24 9. Ensure that REGULATORY PERMITS, including any subsequent renewal
25 or amendments thereto, will not (i) unreasonably impede DISTRICT'S ability to perform all
26 necessary operation and maintenance activities for CHANNEL as determined by DISTRICT, or
27
28

1 (ii) include any stipulations that would result in additional mitigation obligations being placed
2 upon DISTRICT for maintenance operations within CHANNEL'S RIGHT OF WAY.

3 10. Cause TRAIL to be constructed, in accordance with IMPROVEMENT
4 PLANS approved by DISTRICT, and pay all costs associated therewith.

5 11. Not permit any change to, or modification of, DISTRICT permitted
6 IMPROVEMENT PLANS without the prior written permission and consent of DISTRICT,
7 which shall not be unreasonably withheld.

8 12. Assume sole responsibility for the design, construction, operation and
9 maintenance of TRAIL, including all necessary modifications, repairs, corrections or temporary
10 removal as reasonably deemed necessary by DISTRICT for the continuing function,
11 reconstruction, repair or operation and maintenance of CHANNEL.

12 13. Within CHANNEL RIGHT OF WAY, (i) assume sole responsibility for
13 the operation and maintenance of all CITY constructed improvements, including but not limited
14 to, performing all necessary repairs and the routine removal of trash and debris associated with
15 CITY'S use of CHANNEL RIGHT OF WAY, and (ii) assume all liability associated with the
16 recreational use of CHANNEL RIGHT OF WAY including claims of third persons for injury or
17 death or damage to property. Said obligation shall not include any inverse condemnation liability
18 of DISTRICT by reason of the location of CHANNEL or TRAIL improvements thereto unless
19 such liability is the result of CITY'S operations or use of the property by the public pursuant to
20 CITY'S actual or tacit consent.

21 14. Ensure the safety of the public who may utilize the CHANNEL RIGHT OF
22 WAY by conducting periodic safety inspections and promptly making repairs that are necessary
23 to safeguard the public and its use thereof.

1 15. Promptly repair any damage to CHANNEL resulting from CITY'S use of
2 CHANNEL RIGHT OF WAY under the license granted herein unless such damage is caused by
3 flooding, or is the result of DISTRICT'S customary operation, maintenance or improvements to
4 its facilities located therein.

5 16. Waive any claim against DISTRICT for damages to TRAIL resulting from
6 DISTRICT'S customary operation and maintenance activities performed within CHANNEL
7 RIGHT OF WAY or its appurtenant works, including any natural calamity, act of God, or any
8 cause or conditions beyond the control of DISTRICT, save and except damages resulting from
9 DISTRICT'S active negligence or willful misconduct.

11 17. Immediately remove, upon written request by DISTRICT'S General
12 Manager-Chief Engineer, any improvements and/or equipment not previously approved by
13 DISTRICT or cease use where CITY has installed any such improvements and/or equipment or
14 CITY has used or allowed use of CHANNEL RIGHT OF WAY in a manner which, in the sole
15 opinion of DISTRICT'S General Manager-Chief Engineer, would be detrimental to the operation
16 of CHANNEL.

18 18. If in the opinion of the General Manager-Chief Engineer, the public's use
19 of CHANNEL RIGHT OF WAY may cause or contribute to a public hazard, a public nuisance,
20 degradation of water quality or any other matter of substantial concern to the DISTRICT, the
21 DISTRICT reserves the right to require remediation and, if remediation is unsuccessful, to
22 terminate this License Agreement.

24 19. Indemnify and hold harmless DISTRICT (including its directors, officers,
25 Board of Supervisors, elected and appointed officials, agents, employees, representatives,
26 independent contractors, and subcontractors) from any liability whatsoever, based or asserted
27 upon any act or omission of CITY (including its officers, agents, employees, subcontractors,
28

1 independent contractors, guests and invitees), arising from, related to or in any manner connected
2 with CITY'S use and responsibilities in connection therewith of CHANNEL RIGHT OF WAY
3 or the condition thereof, including but not limited to property damage, bodily injury, or death or
4 any other element of any kind or nature whatsoever. CITY shall defend, at its sole expense, all
5 costs and fees including but not limited to, attorneys' fees, cost of investigation, defense and
6 settlements or awards, DISTRICT (including its directors, officers, Board of Supervisors, elected
7 and appointed officials, agents, employees, representatives, independent contractors, and
8 subcontractors) in any claim or legal action based upon such alleged acts or omissions.
9

10 20. Reconstruct, at its sole cost and expense, any portion(s) of TRAIL that may
11 be removed during the expansion of CITY'S adopted Trails Master Plan project, provided that
12 CITY complies with the provisions as set forth in Sections I.5 and I.10, respectively.
13

14 SECTION II

15 DISTRICT shall:

- 16 1. Act as a Responsible Agency under CEQA, taking all necessary and
17 appropriate action to comply with CEQA.
- 18 2. Review, comment and approve, as appropriate, IMPROVEMENT PLANS
19 prior to the start of TRAIL construction.
- 20 3. Review, comment and approve, as appropriate on all REGULATORY
21 PERMITS, including any subsequent renewal or amendments thereto, prior to final execution or
22 acceptance by CITY.
- 23 4. Upon DISTRICT approval of IMPROVEMENT PLANS and
24 REGULATORY PERMITS, issue an encroachment permit to CITY for the construction,
25 operation and maintenance of TRAIL in accordance with DISTRICT approved
26
27
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1 IMPROVEMENT PLANS and subject to the provisions set forth in DISTRICT'S Encroachment
2 Permit.

3 5. Grant CITY a license, as described in this License Agreement, to utilize
4 CHANNEL RIGHT OF WAY for public recreation purposes, provided that CITY'S activities do
5 not, in any way whatsoever, unreasonably impair CHANNEL'S primary flood control purpose
6 and function or otherwise interfere with DISTRICT'S ability to operate, maintain, repair or
7 reconstruct CHANNEL or any of its appurtenant works. Said license may be revoked by
8 DISTRICT in the event that said uses unduly compromise CHANNEL'S primary flood control
9 purpose and function or unreasonably interfere with DISTRICT'S ability to operate and maintain
10 CHANNEL.
11 CHANNEL.

12 6. Provide CITY with written notice of (i) any non-compatible use or
13 condition that is not in conformity with the provisions of this License Agreement, or (ii) any
14 condition which, in the sole opinion of DISTRICT'S General Manager-Chief Engineer, could
15 adversely affect the primary flood control function of CHANNEL or DISTRICT'S ability to
16 operate and maintain CHANNEL, and grant CITY thirty (30) days from and after such notice to
17 correct any such nonconforming use or condition.
18

19 7. Continue to maintain CHANNEL'S structural integrity, including but not
20 limited to lines and grades, inlets, fencing and ramps to such an extent that CHANNEL continues
21 to function as a flood control facility at its design level.
22

23 8. Assume no responsibility, obligation, or liability whatsoever, for (i) the
24 design, construction, inspection, operation and maintenance of TRAIL, or (ii) CITY'S public's
25 use of CHANNEL RIGHT OF WAY as granted herein, unless done so expressly in writing
26 approved by both parties as an amendment or addendum to this License Agreement.
27
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1 3. Except as otherwise provided herein, all construction work associated with
2 TRAIL shall be inspected by CITY and shall not be deemed complete until approved and
3 accepted as complete by CITY.

4 4. DISTRICT personnel may observe and inspect all work being done on
5 TRAIL. It is further mutually agreed by the parties hereto that any quality control comments
6 shall be provided to CITY personnel who, as CITY construction contract administrator, shall be
7 solely responsible for all official communications with its construction contractor(s).
8

9 5. Any waiver by DISTRICT or by CITY of any breach of any one or more
10 of the terms of this License Agreement shall not be construed to be a waiver of any subsequent
11 or other breach of the same or of any other term hereof. Failure on the part of DISTRICT or
12 CITY to require exact, full and complete compliance with any terms of this License Agreement
13 shall not be construed as in any manner changing the terms hereof, or estopping DISTRICT or
14 CITY from enforcement hereof.
15

16 6. If any provision in this License Agreement is held by a court of competent
17 jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless
18 continue in full force without being impaired or invalidated in any way.

19 7. This License Agreement is to be construed in accordance with the laws of
20 the State of California.

21 8. Any and all notices sent or required to be sent to the parties of this License
22 Agreement will be mailed by first class mail, postage prepaid, to the following addresses:
23

24
25 RIVERSIDE COUNTY FLOOD CONTROL
26 AND WATER CONSERVATION DISTRICT
27 1995 Market Street
28 Riverside, CA 92501
Attn: Operations and Maintenance Division

CITY OF PERRIS
101 North D Street
Perris, CA 92570
Attn: Darren Madkin

1 9. Any action at law or in equity brought by any of the parties hereto for the
2 purpose of enforcing a right or rights provided for by this License Agreement, shall be tried in a
3 court of competent jurisdiction in the County of Riverside, State of California, and the parties
4 hereto waive all provisions of law providing for a change of venue in such proceedings to any
5 other county.

6 10. This License Agreement is the result of negotiations between the parties
7 hereto and the advice and assistance of their respective counsel. The fact that this License
8 Agreement was prepared as a matter of convenience by DISTRICT shall have no import or
9 significance. Any uncertainty or ambiguity in this License Agreement shall not be construed
10 against DISTRICT because DISTRICT prepared this License Agreement in its final form.

11 11. This License Agreement is intended by the parties hereto as a final
12 expression of their understanding with respect to the subject matter hereof and as a complete and
13 exclusive statement of the terms and conditions thereof and supersedes any and all prior and
14 contemporaneous agreements and understandings, oral or written, in connection therewith. This
15 License Agreement may be changed or modified only upon the written consent of the parties
16 hereto.

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IN WITNESS WHEREOF, the parties hereto have executed this License Agreement on

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL: **RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

By _____
MARION ASHLEY, Chairman
Board of Supervisors, Riverside County Flood Control and Water Conservation District

APPROVED AS TO FORM:
GREGORY P. PRIAMOS
County Counsel

ATTEST:
KECIA HARPER-IHEM
Clerk of the Board

By _____
NEAL R. KIPNIS
Deputy County Counsel

By _____
Deputy

(SEAL)

Perris Valley Channel
Perris Valley Channel – Lateral B, Stage 2
Project Nos. 4-0-00010 and 4-0-00009 (EP No. 3499)
License Agreement w/City of Perris
AMR:rlp
02/16/16

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CITY OF PERRIS

By _____
RICHARD BELMUDEZ
City Manager

APPROVED AS TO FORM:

ATTEST:

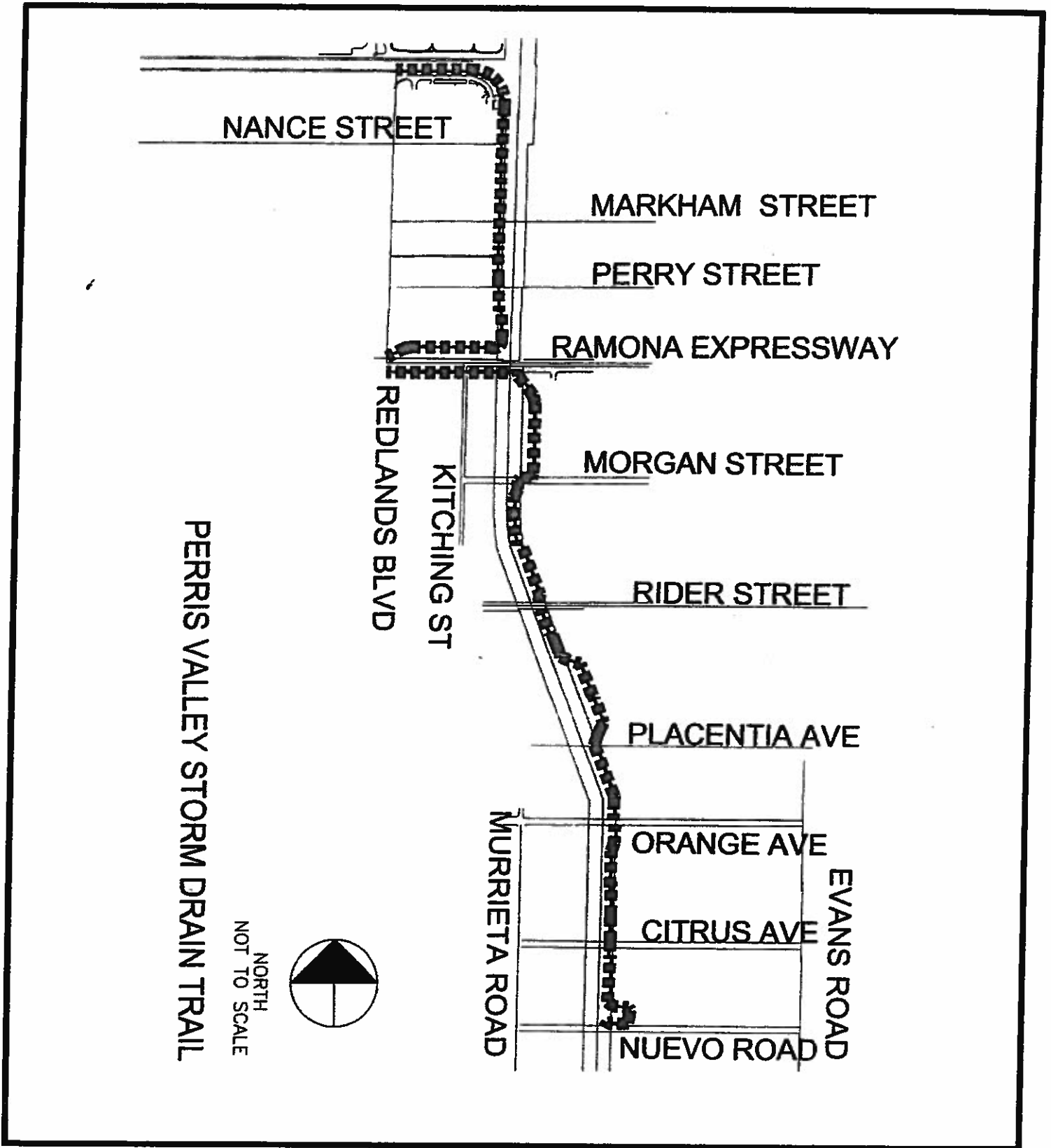
By _____
ERIC DUNN
City Attorney

By _____
NANCY SALAZAR
City Clerk

(SEAL)

Perris Valley Channel
Perris Valley Channel – Lateral B, Stage 2
Project Nos. 4-0-00010 and 4-0-00009 (EP No. 3499)
License Agreement w/City of Perris
AMR:rlp
02/16/16

Exhibit A



License Agreement
Perris Valley Channel
Perris Valley Channel – Lateral B, Stage 2
Project Nos. 4-0-00010 and 4-0-00009
Encroachment Permit No. 3499

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Investment Report – Quarter Ended December 31, 2015

REQUESTED ACTION: Receive and File Quarterly Investment Report for the Quarter Ended December 31, 2015

CONTACT: Jennifer Erwin, Assistant Director of Finance 

BACKGROUND/DISCUSSION: the California Government Code establishes requirements for Treasurer's Investment Reports and investment practices. Section 53646 of the Code states that the City's Treasurer shall render a quarterly report to the City Manager and City Council.

The earnings for the second quarter of 2015-16, as presented in this report, are (\$268,526.60).

The City continues to employ an investment strategy of maximizing yield while maintaining security of the City's invested funds as specified in the investment policy adopted by the Council.

BUDGET (or FISCAL) IMPACT: Interest income earned for the first quarter of Fiscal Year 2015-2016 as reported is (\$268,526.60). The projected interest income for the General Fund is (\$50,460.60).

Assistant City Manager 

Attachments:
Memorandum
Quarterly Investment Report

Consent: X
Public Hearing:
Business Item:
Other:

City of Perris
Quarterly Investment Report
October 1, 2015 - December 31, 2015

Current Quarter Ending December 31, 2015

Type of Investment	Institution	Maturity Date	Deposit Amount *	Interest Received
Pooled	Citizens Business Bank (Premiere Money Market)	Liquid	3,825,706.33	1,220.51
Pooled	Citizens Business Bank (Investment)	Liquid	18,114,012.03	(95,584.09)
Pooled	Local Agency Investment Fund (LAIF)	Liquid	3,361,123.23	3,110.84
Pooled	U.S. Bank (Investment)	Liquid	19,050,576.70	(14,313.86)
Pooled	Chandler Asset Management	Liquid	48,233,159.74	(162,960.00)
			Total Interest Earning for Period Ending December 31, 2015:	\$ (268,526.60)

* Average Quarterly Cash Balance per Investment Account

CITY OF PERRIS
Projected Cash Balances & Projected Interest Income as of December 31,2015
Fiscal Year 2015 - 2016

FUND #	FUND NAME	Projected Balances as of 12/31/2015	Projected Interest Income for quarter ending 9/30/2015
001	GENERAL FUND*	18,022,647.45	(50,460.60)
106	RAILWAY DEPOT RESTORATION	127,804.87	(357.83)
109	AQMD - AIR QUALITY MANAGEMENT	225,675.70	(631.86)
112	TRAFFIC SAFETY	1,987,935.17	(5,565.91)
115	OFFICE OF TRAFFIC SAFETY	107,900.52	(302.10)
119	STATE GRANTS	3,800.12	(10.64)
121	STREET LIGHTING - PROPERTY TAX	1,286,742.83	(3,602.68)
124	STREET LIGHTING - MD 84-1	931,543.84	(2,608.18)
127	LANDSCAPE MAINTENANCE DISTRICT 1	2,339,299.36	(6,549.67)
130	FLOOD CONTROL MAINTENANCE DISTRICT	5,790,712.52	(16,213.09)
133	ROAD & BRIDGE BENEFIT DISTRICT	8,245,416.87	(23,085.88)
136	GAS TAX	5,175,874.42	(14,491.64)
142	MEASURE A	3,812,584.55	(10,674.64)
157	CITY PROJECTS - EXTERNAL CONTRIBUTIONS	6,773,405.45	(18,964.48)
160	STORM DRAIN DEVELOPER FEES	11,936,218.11	(33,419.54)
163	DEVELOPMENT FEES	15,366,823.67	(43,024.70)
165	COMM ECONOMIC DEV CORP	6,732,374.36	(18,849.60)
170	HUD - NSP3 - FEDERAL	230,839.67	(646.31)
171	HCD - HOME - FEDERAL	36,123.82	(101.14)
172	CDPH PROP 84 FA #84-10C30	-	-
204	CFD 90-2 GREEN VALLEY	7,656.10	(21.44)
205	CFD 91-1 SPECTRUM	-	-
206	CFD 93-1R MAY RANCH	31,364.61	(87.82)
208	CFD 93-2R PERRIS PLAZA	77,553.53	(217.14)
212	CFD 2001-1 MAY FARMS IA #4-7	54,625.64	(152.94)
216	CFD 200X WILLOWBROOK #2	47,252.00	(132.30)
219	CFD 2004-5 AMBER OAKS II	9,347.34	(26.17)
222	CFD 2004-3 MONUMENT RANCH IA#2	-	-
224	CFD 2005-2 HARMONY GROVE	-	-
226	CFD 2006-3 ALDER	263,586.82	(738.00)
229	CFD 2005-1 #3 LENNAR	22,721.63	(63.62)
230	CFD 2005-1 #3 CENTEX	1,272.03	(3.56)
232	CFD 2001-1 MAY FARMS #5	14,302.62	(40.05)
237	CFD 88-1 (NEW)	92,791.46	(259.80)
238	CFD 88-3 (NEW)	27,049.30	(75.73)
239	CFD 90-1 (NEW)	21,034.59	(58.89)
240	CFD 2007-2 PACIFIC HERITAGE	315,785.87	(884.15)

CITY OF PERRIS
Projected Cash Balances & Projected Interest Income as of December 31,2015
Fiscal Year 2015 - 2016

FUND #	FUND NAME	Projected Balances as of 12/31/2015	Projected Interest Income for quarter ending 9/30/2015
241	CFD 2002-1R WILLOWBROOK	19,617.60	(54.93)
242	CFD 2001-1 #1R MAY FARMS	1,616.52	(4.53)
243	CFD 2001-1 #2R MAY FARMS	18,152.52	(50.82)
244	CFD 2001-1 #3R MAY FARMS	11,700.69	(32.76)
245	CFD 2001-2R VIL OF AVALON	510,911.34	(1,430.47)
246	CFD 2006-1R MERITAGE	2,829.07	(7.92)
248	CFD 2004-3R MONUMENT RANCH	36,424.02	(101.98)
249	CFD 2004-2R CLC	9,474.04	(26.53)
250	CFD 2001-1 #6R MAY FARMS	11,038.15	(30.91)
251	CFD 2001-1 #7R MAY FARMS	33,965.59	(95.10)
253	CFD 2003-1R CHAPARRAL RIDGE	3,654.15	(10.23)
254	CFD 2005-2R HARMONY GROVE	27,726.21	(77.63)
260	CFD 2001-3 NORTH PUBLIC SAFETY	3,492.10	(9.78)
271	AD 86-1 93 SERIES A	51,913.44	(145.35)
305	CFD 91-1 CAPITAL PROJECTS	-	-
431	JPA 2013 SERIES A	49,252.03	(137.90)
501	WATER FUND - CITY	169,517.12	(474.62)
511	SEWER FUND - CITY	1,659,201.16	(4,645.50)
512	SEWER FUND - MCCANNA	133,210.14	(372.97)
521	SOLID WASTE FUND - CITY	1,458,441.22	(4,083.41)
750	CAPITAL PROJECT AREA/SUCCESSOR	74,412.59	(208.34)
751	DEBT SERVICE FUNDS/SUCCESSOR	519,769.30	(1,455.27)
801	TRUST FUND	981,326.59	(2,747.56)
Total:		95,907,712.43	(268,526.60)

CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Traffic Engineering Services

REQUESTED ACTION: Approve Annual Contract With RK Engineering for Traffic Services

CONTACT: Habib Motlagh, ^HCity Engineer

BACKGROUND/DISCUSSION: Traffic Engineering is specialized services performed by Registered Traffic Engineer. Engineering & Planning Staff utilize RK Engineering for various traffic related work including review of traffic reports, design of traffic signals, preparation of speed surveys and other tasks.

It is recommended that the Council approve annual contract with RK Engineering for sum of not to exceed \$75,000.00.

The contract documents shall be reviewed and approved by City Attorney.

BUDGET (or FISCAL) IMPACT: Cost of the work is primarily paid by various CIP projects and/or traffic safety and Measure "A" sources. No general fund is utilized.

Reviewed by:

City Attorney
Assistant City Manager *Re*

Attachments: Letter dated 2/25/16 from RK Engineering

Consent: Yes
Public Hearing:
Business Item:
Other:

February 25, 2016

Mr. Habib Motlagh
CITY OF PERRIS
101 South "D" Street
Perris, CA 92570

Subject: RK Engineering Group Qualifications and Work With City of Perris

Dear Mr. Motlagh:

RK ENGINEERING GROUP, INC. (RK) is a full service traffic/transportation and environmental engineering firm which has been doing work with the City of Perris for over 20 years. RK has supported the City Engineer in traffic related work throughout the City of Perris and has been involved in numerous small and large projects throughout the years.

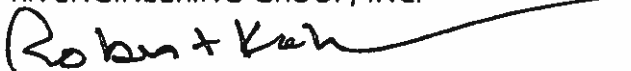
RK staff which will work on these projects include Robert Kahn, PE, Alex Tabrizi, PE, Steve Zevallos, Rogier Goedecke, Bryan Estrada, PTP, Tiffany Giordano, EIT, Jethro Narciso, EIT and Allison Goedecke, MBA.

RK's work has included engineering/traffic surveys, traffic signal/all-way stop warrants, intersection/roadway traffic reviews, traffic calming studies, traffic signal, signing/stripping plans, traffic control plans, traffic/parking impact studies and environmental (air quality/noise) studies. Our work has helped support both the engineering and planning department for the City of Perris on numerous projects throughout the years.

RK has worked on numerous projects throughout the City including the Perris Traffic Signal Synchronization System, Perris Engineering and Traffic Surveys and traffic signal designs throughout the City. This work is critical in evaluating both traffic operations and safety within the circulation system in the City of Perris. The attached qualification package summarizes the various functions that RK can perform for the City.

RK appreciates the opportunity to work with the City of Perris and look forward to a long term standing and providing the City of Perris with professional transportation/traffic and environmental consulting services. If you have any questions, please call me at (949) 474-0809.

Sincerely,
RK ENGINEERING GROUP, INC.



Robert Kahn, P.E.
Principal
Attachments

RK:dt/RK11560.doc
JN:0352-2015-06



**engineering
group, inc.**

Quality Transportation Solutions

**Innovation
Experience
Reputation
Expertise
Creativity
Client Satisfaction**



Transportation Planning

Traffic Impact Studies
Transportation Planning
Transportation Demand Management
Homeowner Association Traffic Review
Parking Demand Studies
Engineering and Speed Surveys
Traffic Calming



Traffic Engineering & Design

Traffic Signal & Signing/ Striping Plans
Traffic Control Plans
Traffic Engineering Studies
Parking Lot Layouts
Traffic Calming Design
Traffic Signal Coordination Analysis
Routes to School



Environmental Engineering

Noise and Air Quality Studies
Sound Barrier Analysis
General Plan Noise
& Air Quality Elements
Noise Ordinance Compliance
Room to Room Acoustical Analysis
Noise and Air Monitoring Analysis

Robert Kahn, P.E.
Principal
Rogier Goedecke
Vice President, Operations

4000 Westerly Place
Suite #290
Newport Beach, CA 92660
Ph. - 949.474.0809
Fax - 949.474.0902
E-mail - info@rkengineer.com
<http://www.rkengineer.com>



Qualifications Statement

RK engineering group, inc. uniquely combines engineering expertise and professionalism with creative thinking and innovative problem solving. The result is an extraordinary transportation engineering firm that possesses the requisite expertise as well as the ability to look across disciplinary boundaries for solutions others may overlook.

This innovative approach is evident by the breadth of services available to RK engineering group, inc.'s diverse clientele that includes regional governments, counties, cities, special districts, school districts, community associations, private developers and contractors, engineering and planning firms. Each client receives what RK engineering group, inc. is known for...on time, on target, on budget professional service.

The Complete Range of Transportation Engineering Expertise

RK engineering group, inc. is a complete transportation engineering firm offering the full range of services including:

- Transportation Planning
- Traffic Engineering
- Traffic Impact Studies
- Circulation Elements
- Transit/Pedestrian Systems
- Parking Studies
- Traffic Signal and Signing/Striping Plans
- Traffic Control Plans
- Street Lighting Plans
- Community Traffic Calming
- Traffic Signal Timing

RK engineering group, inc. also integrates transportation, air quality and noise impacts into environmental engineering services including:

- Acoustical Studies
- Sound Barrier Analysis
- Noise Elements
- Noise Ordinance Compliance
- Air Quality Studies

The Right Personnel for the Job

RK engineering group, inc.'s staff represent more than 70 years of cumulative experience in traffic engineering and related disciplines.

Beyond this experience, RK engineering group, inc. personnel are recognized leaders in the fields of transportation planning, traffic impact analysis, circulation planning, multi-modal planning, parking studies, and environmental engineering.

The combination of this experience and expertise means that major program assignments and small technical studies are all successfully completed to the satisfaction of RK engineering group, inc.'s clientele.

Quality Work Attracts Quality Clients

Perhaps the best measure of a firm's capabilities is the quality of the clientele it attracts. RK engineering group, inc. is pleased to count among its satisfied clientele the Orange County Transportation Authority, and the Transportation Corridor Agencies as well as the counties of Orange and Riverside.

Municipal clients have included the cities of Canyon Lakes, Huntington Beach, Irvine, Mammoth, Mission Viejo, Moreno Valley, Murrieta, Newport Beach, Perris, Rancho Santa Margarita, and San Juan Capistrano. Institutional clientele have included a range of school districts as well as respected institutions like the University of California, Irvine; Pomona College, Western State University College of Law, and California Baptist College. Community Association clients include the CZ Master Association in Coto de Caza, Aliso Viejo Community Association and numerous other associations.

RK engineering group, inc.'s client list also includes more than 500 private sector companies ranging from developers and engineers to urban planners.

CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Nuevo Interchange Phase I

REQUESTED ACTION: Award the Contract to Alabbasi, Reject All Other Bids

CONTACT: Habib Motlagh, ^{dl}City Engineer

BACKGROUND/DISCUSSION: At the bid opening on Friday, February 19, 2016 "ActiveBidder" received 7 bids ranging from \$2,698,888 to \$3,708,788. The low bid is submitted by local contractor Alabbasi. Engineering staff has previously worked with the Contractor and find their work satisfactory. The Contractor is currently under contract with Riverside County Flood Control to construct major storm drain facilities in Perris and Menifee.

The project is primarily in Caltrans right-of-way and subject to their review and inspection. The City Council at their meeting of December 8, 2015 approved the construction management services by MetroPointe and supported with engineering staff. MetroPointe are the engineer's responsible for design of the improvements while under contract with WalMart.

Please refer to attached letter from Mr. Rumzi Alabbasi in reference to the local employees. Also attached is letter dated February 25, 2016 from Mr. Austin explaining the project scope and other details as well as Caltrans policy against new landscape. Implementation of landscaping as proposed may have deferred to future years.

Construction is expected to start in April and completed by December 2016. At various times, the on and off ramps will be closed during construction.

BUDGET (or FISCAL) IMPACT: The adopted CIP S090 includes \$1.6 Million RCTC Grant, in addition City will receive estimated \$1.5 Million from TUMF Central Zone. The infrastructure funds will be utilized for the balance.

Council's approval of the contract shall include contingencies for construction and soft costs, inspection by Caltrans (estimated at \$130,000) for total estimated construction cost of \$3.5 Million.

Reviewed by:

City Attorney
Assistant City Manager *Re*

Attachments: Bid Results Table
Letter dated 2/22/16 from Alabbasi Construction
Letter dated 2/25/16 from Metropointe Engineers

Consent: Yes
Public Hearing:
Business Item:
Other:

I-215 / Nuevo Road Interchange Improvements

Post Date: 01/15/2016 12:19 PST

Due Date: 02/19/2016 before 14:00 PST

Estimated Value: \$3,000,000

Results / 7 total

#	Name	Company	Address	Phone	Amount	Submitted	Status
1	Alabbasi, Rumzi	Mamco, Inc. dba Alabbasi	764 W. Ramona Expressway C Perris, CA 92571	951-776-9300	\$2,698,888	02/19/2016 13:59:16	Apparent Low Bidder
2	Pim, Brian	Riverside Construction Company, Inc.	4225 Garner Road Riverside, Ca 92501	951-682-8308	\$2,962,985	02/19/2016 13:47:48	
3	Reveles, Karla	PALP, Inc. dba Excel Paving Company	2230 Lemon Ave Long Beach, Ca 90806	562 599 5841	\$2,983,992.2	02/19/2016 13:49:13	
4	Gomez, Valerie	Griffith Company	4756 Mission Blvd. Montclair, CA 91762	909-270-5040	\$3,063,360	02/19/2016 13:57:38	
5	Geer, Jessica	Los Angeles Engineering, Inc.	633 N. Barranca Avenue Covina, CA 91723	626-454-5222	\$3,219,467.5	02/19/2016 13:47:34	
6	Akkad, Moutasem	Future DB International Inc.	8707 Research Dr Irvine, CA 92618	9493902111	\$3,692,764.49	02/19/2016 13:59:05	
7	Luer, Mark	All American Asphalt	400 E 6th St. Corona, Corona 92878-2229	(951) 736-7600	\$3,708,788	02/19/2016 13:59:15	

Mamco, Inc. dba:



alabbasi
CONSTRUCTION AND ENGINEERING
Lic. No. 883649

February 22, 2016

City of Perris

**RE: I-215 Nuevo Road Interchange
Local Workforce**

To Whom It May Concern:

As you are aware, we are the apparent low bidder on the subject project. As a local business located within the City of Perris, we are excited to be working with the City on this Project. We take pride being located within the City of Perris and as you may know, in addition to our main office being located within the City, we also have a separate location within the City which serves as our corporate yard. Currently, we have over 15 active employees of Mamco, Inc. who are City of Perris residents. As you may know, we are in a high paying industry and these are high paying jobs which average at +/- \$35 an hour. Additionally, we also have several sister companies which operate within the City of Perris. We estimate that these companies employ an additional 40 City of Perris Residents. We are heavily invested within the City of Perris and take pride in being a business based in this City. We are continuously looking for new ways to recruit additional local residents for placement within Mamco, Inc. and our various sister companies. If the City has any job fairs or local hiring programs, we would be happy to participate in any such programs. Please feel free to email me directly about any such programs at rumzi@alabbasi.biz.

Thank you and we look forward to working with the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rumzi AlAbbasi', written in a cursive style.

Rumzi AlAbbasi,
Vice President



February 25, 2016

Mr. Habib Motlagh, P.E.
City Engineer, City of Perris, California
24 S. D Street, Suite 100
Perris, CA 92570

Subject: I-215 / Nuevo Road Interchange Improvements
Construction Bid Analysis

Dear Mr. Motlagh,

Project Description

The proposed project is located on Nuevo Road at the Route 215 interchange in the City of Perris. The project includes the following proposed improvements:

Freeway Ramps

- Widen approximately 400 feet of the SB off-ramp to add a third lane at the ramp terminus for a dedicated right-turn lane to WB Nuevo Road.
- Widen approximately 400 feet of the NB off-ramp to add a third lane at the ramp terminus for a dedicated right-turn lane to EB Nuevo Road.
- Construct new retaining walls along the existing Caltrans right-of-way adjacent to the NB off-ramp to accommodate the ramp widening.

Nuevo Road Widening

- Re-stripe the lanes on Nuevo Road between the NB and SB ramp intersections to accommodate an additional left-turn pocket, from WB Nuevo Road to the SB I-215 on-ramp, without widening the existing freeway overcrossing bridge structure.
- Widen the north side of Nuevo Road between the NB on-ramp and the East Frontage Road intersection to accommodate a new dedicated right-turn lane from WB Nuevo Road to the NB on-ramp.
- Construct a raised median on Nuevo Road between the existing raised median (east of the East Frontage Road) and the NB ramps intersection. This median will prohibit left turns from the East Frontage Road to EB Nuevo Road.

Nuevo Road Overcrossing Bridge Structure

- Modify existing bridge rails to add decorative wrought iron fence and lighting features.

Signal modifications will be made as necessary to accommodate the above improvements. The interchange and roadway improvements include construction of new pavement section, curb and gutter, retaining walls, sidewalk, drainage facilities, signing, striping and signals.

Bid Analysis

We have reviewed and evaluated the three low bids for this project as follows:

Excel Paving	\$2,983,992
Riverside Construction	\$2,962,985
Mamco, Inc.	\$2,698,888

It is our opinion the low bidder, Mamco Inc., is acceptable based on their total bid being very close to our Engineer's Estimate of \$2,630,834, and we have no issues with their unit pricing as they all appear to be reasonable when compared to the Engineer's Estimate and the Construction Cost Data published by Caltrans.

Landscape Improvements

Attached is an e-mail we received from the Caltrans Project Manager, Mahmuda Akhter, dated September 24, 2015, stating the planting of the project should be delayed per the Caltrans Director's Policy (also attached) since recycled water is not available for the project. You may want to consider Caltrans' drought policy with regard to awarding the landscape components of the work at this time.

Please feel free to call me if you have any questions.

Sincerely,



Jon M. Austin, P.E.

CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Rider Street Closure @ Perris Boulevard
REQUESTED ACTION: Approve the Closure of Rider Street at Perris Boulevard
CONTACT: Habib Motlagh, ^{1st} City Engineer

BACKGROUND/DISCUSSION: Construction of the Master Planned Drainage Facilities Lind A-B and other street improvements at intersection of Perris Boulevard & Rider Street requires lane closures at Perris Boulevard as well as full closure of Rider Street on either side of the intersection.

Mr. Adam Schmid of Duke Realty in his enclosed letter dated February 25, 2016 is asking for said closure for a period of 10 weeks starting March 14, 2016. As in the past, there are conditions and penalties for delays as identified in City Engineer's staff report to Council dated January 13, 2015. In addition the developer's traffic engineer shall monitor the construction/detour traffic control signage and make appropriate changes.

BUDGET (or FISCAL) IMPACT: All costs for construction and implementation shall be paid by Duke Realty.

Reviewed by:

City Attorney
Assistant City Manager *Re*

Attachments: Letter dated 2/25/16 from Duke Realty & Exhibits
City Engineer's Staff Report dated 1/13/2015

Consent: Yes
Public Hearing:
Business Item:
Other:



300 Spectrum Center Drive, Suite 1450
Irvine, CA 92618
949.297.7001
duker Realty.com

February 25, 2016

Habib Motlagh
City Engineer
City of Perris
24 South D Street, Suite 100
Perris, CA 92570
habib@trilakeconsultants.com

Re: Request for City Council approval to close Rider Street at intersection with Perris Boulevard to complete public street and storm drain improvements

Mr. Motlagh:

On January 13, 2015, the Perris City Council approved a three-phase closure plan of Rider Street in order to allow for safe and feasible construction of the master storm drainage facility known as Line AB. Conditions imposed for allowing this closure include requiring advance notifications to the impacted businesses and general public, coordination with utility providers for timely relocation of their interfering facilities, and financial penalties for exceeding approved durations within each phase. Each phase and permitted closure duration is as follows:

- Perris Valley Channel to Wilson Avenue: 55 working days
- Wilson Avenue to Redlands Avenue: 70 working days
- Redlands Avenue to Lakeview Avenue: 70 working days

The previously approved three-phase closure did not include all Rider Street closures necessary to complete the entire Line AB project. Specifically regarding construction activities beneath Rider Street west of Lakeview Avenue through the intersection with Perris Boulevard, it was always anticipated to submit a separate closure request at a later date for the following reasons:

- The Perris Boulevard and Rider Street intersection includes multiple underground utilities that would potentially interfere with construction and had not been fully assessed. These potential conflicts have now been fully evaluated, and the project team has eliminated the need to relocate several electrical duct banks and water transmission lines. This will result in a shorter overall construction duration.
- An accurate closure schedule/duration would have been difficult to estimate previously
- In addition to Line AB storm drain improvements, the project is also required to complete street improvements at the intersection to replace the asphalt pavement with all concrete paving. As separate general contractors are completing these public improvements, the project team needed additional time in order to align these construction activities to occur concurrently within the same closure.

Our closure plan for Rider Street to complete the construction of all public improvements is now prepared and shown on the provided exhibits. Rider Street will be closed to thru traffic between Indian Avenue and Redlands Avenue with access for local traffic maintained where feasible. Perris Boulevard will remain open throughout construction but reduced to one lane in each



300 Spectrum Center Drive, Suite 1450
Irvine, CA 92618
949 797 7000
dukerealty.com

direction. An alternate route for Perris Boulevard traffic will be provided via a marked detour utilizing Placentia Avenue, Indian Avenue, and Morgan Street as depicted on the exhibits. The Rider Street detour will utilize Indian Avenue, Placentia Avenue, and Redlands Avenue.

Construction at the Perris/Rider intersection will occur in two phases. During Phase 1, traffic will be shifted to the eastern edge of Perris Boulevard (one lane in each direction) while construction proceeds on the western portion of the intersection. During Phase 2, traffic will be shifted to the western edge with construction then on the eastern portion of the intersection. Each phase will take five weeks, for a total duration of 10 weeks, and includes both storm drain and street improvements as these construction activities will be completed back to back.

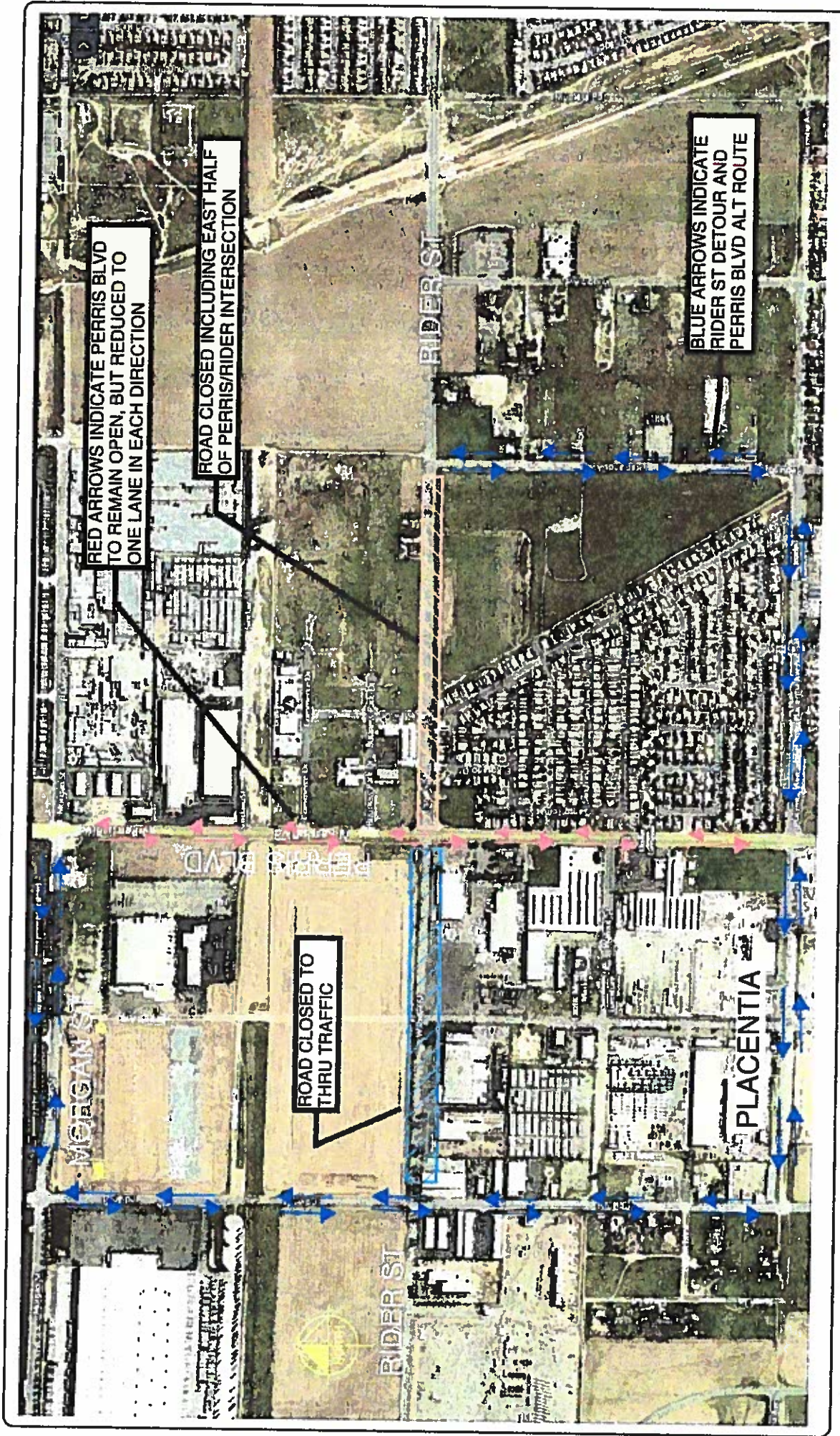
If approved at the March 8 City Council meeting, Phase 1 will begin around March 14 after a 5-day public notice of closure. Phase 2 would then begin on April 18 and conclude May 20. At this time, we do not expect to go beyond the overall 10 week duration. We feel this proposal is mutually beneficial to both us and the City, and we thank you for your consideration and continued support of this project.

Regards,

DUKE REALTY CORPORATION

A handwritten signature in black ink that reads "Adam F. Schmid".

Adam Schmid
Development Services Manager



RED ARROWS INDICATE PERRIS BLVD TO REMAIN OPEN, BUT REDUCED TO ONE LANE IN EACH DIRECTION

ROAD CLOSED INCLUDING EAST HALF OF PERRIS/RIDER INTERSECTION

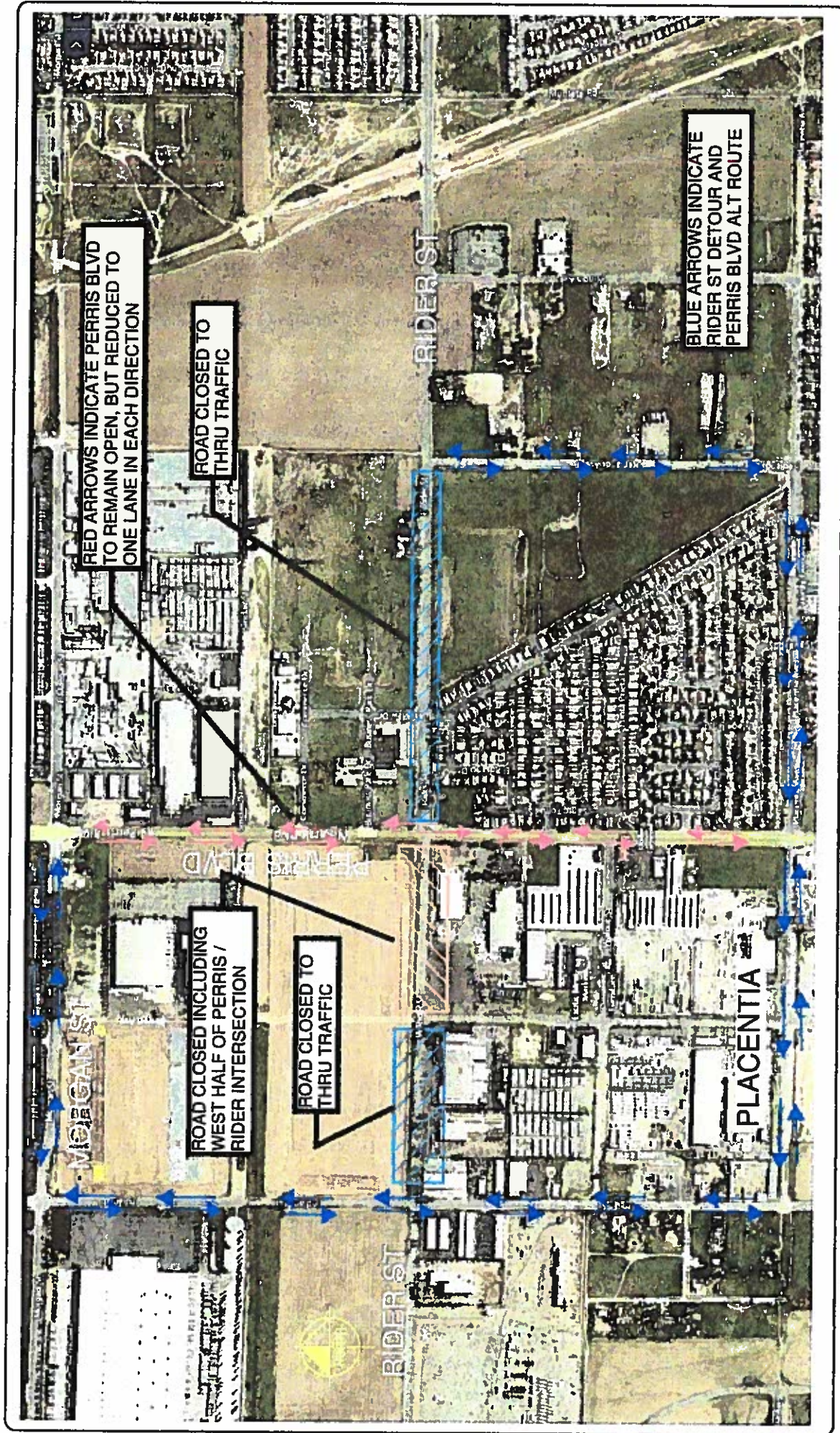
ROAD CLOSED TO THRU TRAFFIC

BLUE ARROWS INDICATE RIDER ST DETOUR AND PERRIS BLVD ALT ROUTE

Scale: NOT TO SCALE
Date: 08 MAR 2016

PERRIS BOULEVARD AND RIDER STREET
INTERSECTION CLOSURE EXHIBIT - PHASE 2
DUKE PERRIS LOGISTICS CENTER
3300 & 3500 INDIAN AVENUE, PERRIS, CA





Scale: NOT TO SCALE
 Date: 08 MAR 2016

PERRIS BOULEVARD AND RIDER STREET
 INTERSECTION CLOSURE EXHIBIT - PHASE 1
 DUKE PERRIS LOGISTICS CENTER
 3300 & 3500 INDIAN AVENUE, PERRIS, CA





LEGEND

- C17(CA)(13) = ROAD WORK SPEED LIMIT 35 MPH
- C8(CA) = LANE CLOSED
- G2-D-2 = END WORK ZONE
- R2-12 = END WORK ZONE SPEED LIMIT
- R3-5(R) = RIGHT TURN ONLY
- R3-7(R) = RIGHT LANE MUST TURN RIGHT
- R3-1 = NO RIGHT TURN
- R3-2 = NO LEFT TURN
- R11-2 = ROAD CLOSED
- R11-4 = ROAD CLOSED TO THRU TRAFFIC
- W3-5(13) = 35 MPH SPEED ZONE AHEAD
- W1-4(L) = CURVE LANE LEFT
- W1-4(R) = CURVE LANE RIGHT
- W1-4(R) = ARROW RIGHT
- W4-2(L) = LEFT LANE MERGE
- W4-2(R) = RIGHT LANE MERGE
- W12-1 = DOUBLE ARROW
- W20-1 = ROAD WORK AHEAD
- W20-5(L) = LEFT LANE CLOSED AHEAD
- W20-5(R) = RIGHT LANE CLOSED AHEAD
- W1-4(R) = ARROW RIGHT
- W4-2(L) = LEFT LANE MERGE
- W4-2(R) = RIGHT LANE MERGE

- ▲ = SIGN
- = DELINEATOR / CONE
- ⊥ = TYPE II BARRICADE
- ⊥⊥ = TYPE III BARRICADE
- = FLOW OF TRAFFIC
- ▨ = WORK AREA
- ⊠ = ARROW BOARD
- ⊙ = SIGNALIZED INTERSECTION

WALNUT AVE

PERRIS BLVD (45 MPH)

RIDER ST

PERRIS BLVD (45 MPH)

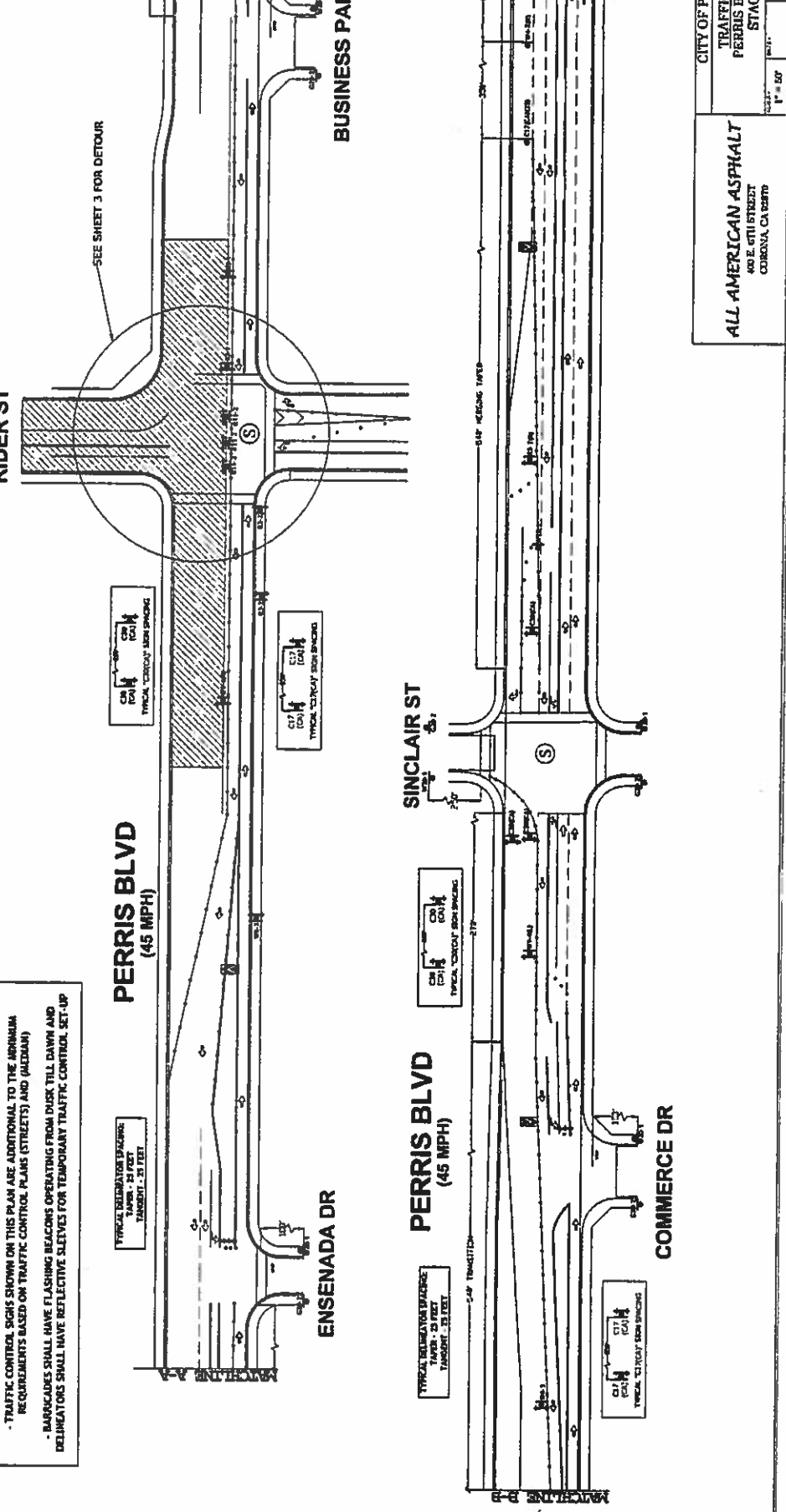
ENSENADA DR

PERRIS BLVD (45 MPH)

SINCLAIR ST

PERRIS BLVD (45 MPH)

COMMERCE DR



TYPICAL TRAFFIC CONTROL NOTES:

- TRAFFIC CONTROL SIGNS SHOWN ON THIS PLAN ARE ADDITIONAL TO THE MINIMUM REQUIREMENTS BASED ON TRAFFIC CONTROL PLANS (STREETS) AND (MEDIAN)
- BARRICADES SHALL HAVE FLASHING BEACONS OPERATING FROM DAWN TILL DAWN AND DELINEATORS SHALL HAVE REFLECTIVE SLEEVES FOR TEMPORARY TRAFFIC CONTROL SET-UP



WALNUT AVE

PERRIS BLVD
(45 MPH)

TYPICAL TRAFFIC CONTROL NOTES:

- TRAFFIC CONTROL SIGNS SHOWN ON THIS PLAN ARE ADDITIONAL TO THE MINIMUM REQUIREMENTS BASED ON TRAFFIC CONTROL PLANS (STREETS) AND (MEDIAN)
- BARRICADES SHALL HAVE FLASHING BEACONS OPERATING FROM DUSK TILL DAWN AND DELINEATORS SHALL HAVE REFLECTIVE SLEEVES FOR TEMPORARY TRAFFIC CONTROL SET-UP

PERRIS BLVD
(45 MPH)

ENSENADA DR

PERRIS BLVD
(45 MPH)

BUSINESS PARK DR

COMMERCE DR

SINCLAIR ST

RIDER ST

SEE SHEET 3 AND 4 FOR DETOUR

LEGEND

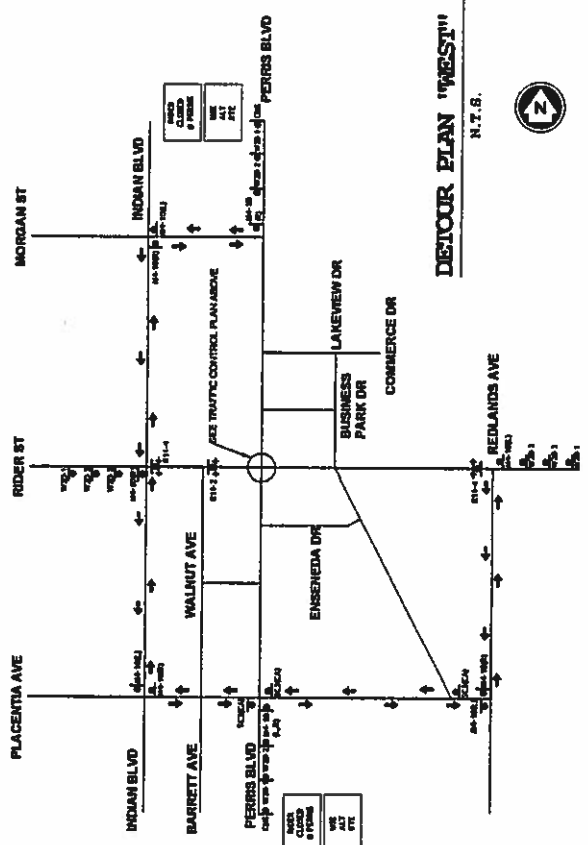
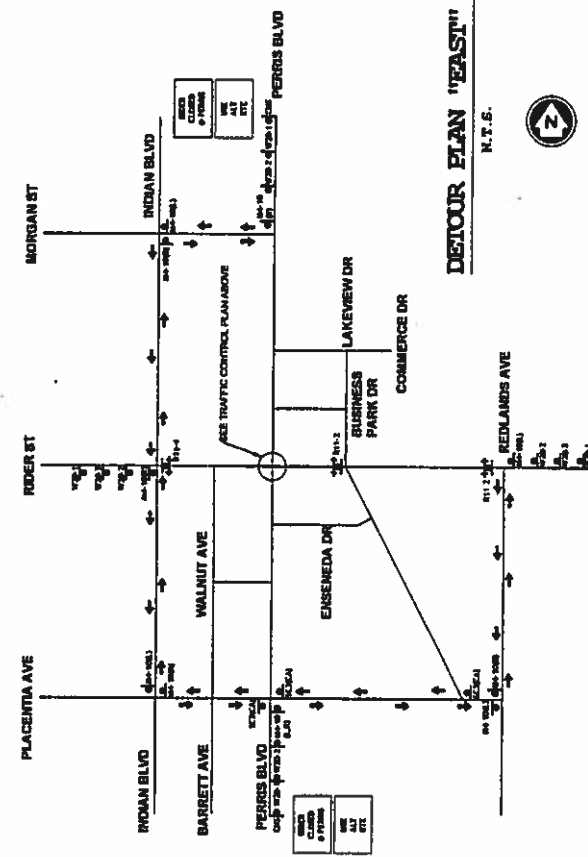
- C17(CA)(35) = ROAD WORK SPEED LIMIT 35 MPH
- C30(CA) = LANE CLOSED
- G20-2 = END WORK ZONE
- R2-12 = END WORK ZONE SPEED LIMIT
- R3-5(R) = RIGHT TURN ONLY
- R3-7(R) = RIGHT LANE MUST TURN RIGHT
- R3-1 = NO RIGHT TURN
- R3-2 = NO LEFT TURN
- R11-2 = ROAD CLOSED
- R11-4 = ROAD CLOSED TO THRU TRAFFIC
- W3-3(35) = 35 MPH SPEED ZONE AHEAD
- W1-4(L) = CURVE LANE LEFT
- W1-4(R) = CURVE LANE RIGHT
- W1-6(R) = ARROW RIGHT
- W4-2(L) = LEFT LANE MERGE
- W4-2(R) = RIGHT LANE MERGE
- W12-1 = DOUBLE ARROW
- W20-1 = ROAD WORK AHEAD
- W20-5(L) = LEFT LANE CLOSED AHEAD
- W20-5(R) = RIGHT LANE CLOSED AHEAD
- S = SIGN
- D = DELINEATOR / CONE
- = TYPE II BARRICADE
- = TYPE III BARRICADE
- = FLOW OF TRAFFIC
- = WORK AREA

- = ARROW BOARD
- (S) = SIGNALIZED INTERSECTION

CITY OF PERRIS, CALIFORNIA
 TRAFFIC CONTROL PLAN
 PERRIS BLVD AT RIDER AVE
 STAGE - EAST SIDE

ALL AMERICAN ASPHALT
 400 E. 6TH STREET
 CORONA, CA 92629

1" = 60'
 PROJECT
 SHEET 2 OF 4



- LEGEND**
- CAS = CHANGEABLE MESSAGE SIGN
 - M4-10(L) = DETOUR LEFT ARROW
 - M4-10(R) = DETOUR RIGHT ARROW
 - R11-2 = ROAD CLOSED
 - R11-4 = ROAD CLOSED TO THRU TRAFFIC
 - SC3(CA) = DETOUR UP AHEAD
 - W20-1 = ROAD WORK AHEAD
 - W20-2 = DETOUR AHEAD
 - W20-3 = ROAD CLOSED AHEAD

- ▲ = SIGN
- = DELINEATOR / CONE
- ⇄ = TYPE II BARRICADE
- ⇄ = FLOW OF TRAFFIC
- ⇄ = FLOW OF DETOUR TRAFFIC
- ▨ = WORK AREA
- ▨ = ARROW BOARD
- Ⓢ = SIGNALIZED INTERSECTION

TRAFFIC CONTROL PLAN GENERAL NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER, THE CALIFORNIA HIGHWAY PATROL, AND THE LOCAL LAW ENFORCEMENT AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER, THE CALIFORNIA HIGHWAY PATROL, AND THE LOCAL LAW ENFORCEMENT AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER, THE CALIFORNIA HIGHWAY PATROL, AND THE LOCAL LAW ENFORCEMENT AGENCIES.
2. ALL TRAFFIC CONTROL SIGNS SHALL BE PLACED IN ACCORDANCE WITH THE CALIFORNIA MUTUAL INTERCHANGE MANUAL, STANDARD PLANS, AND THE CALIFORNIA MUTUAL INTERCHANGE MANUAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY ENGINEER, THE CALIFORNIA HIGHWAY PATROL, AND THE LOCAL LAW ENFORCEMENT AGENCIES.
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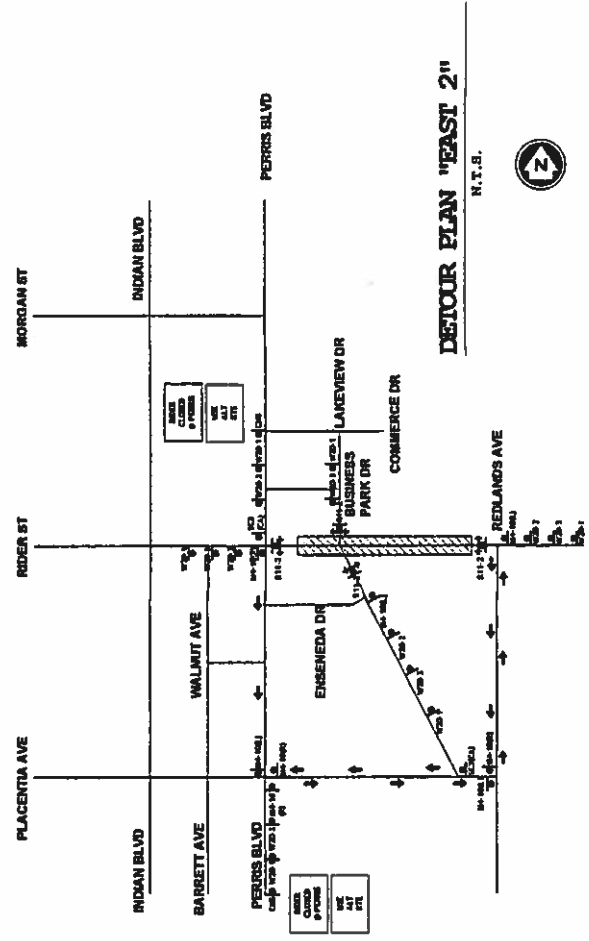
ALL AMERICAN ASPHALT
 600 E. 9TH STREET
 CUMENIA, CA 95079

CITY OF PERRIS, CALIFORNIA
 TRAFFIC CONTROL PLAN
 PERRIS BLVD AT RIDER AVE
 DETOUR - STAGE WEST/EAST SIDE
 N.T.S. SHEET 3 OF 4

LEGEND

- CM5 - CHANGEABLE MESSAGE SIGN
- M4-10(L) - DETOUR LEFT ARROW
- M4-10(R) - DETOUR RIGHT ARROW
- R11-2 - ROAD CLOSED
- S-1(A) - DETOUR UP ARROW
- W20-1 - ROAD WORK AHEAD
- W20-2 - DETOUR AHEAD
- W20-3 - ROAD CLOSED AHEAD
- A - SIGN
- - DELINEATOR / CONE
- ⊕ - TYPE II BARRICADE
- - FLOW OF TRAFFIC
- ↑ - FLOW OF DETOUR TRAFFIC
- ▨ - WORK AREA
- ⊞ - ARROW BOARD
- ⊙ - SIGNALIZED INTERSECTION

DETOUR PLAN "EAST 2"
 N.T.S.B.



TRAFFIC CONTROL PLAN GENERAL NOTES

1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE THE NECESSARY TRAFFIC CONTROL DEVICES AND SIGNAGE TO MAINTAIN THE FLOW OF TRAFFIC THROUGH THE WORK AREA AND TO PROTECT THE SAFETY OF THE PUBLIC AND THE CONTRACTOR'S PERSONNEL.
2. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
3. ALL DEVIATIONS SHALL BE EQUIPPED WITH REFLECTIVE HOLES AT NIGHT TIME.
4. THE CONTRACTOR SHALL NOTIFY THE CITY OF PERRIS AT LEAST FIVE (5) WORKING DAYS IN ADVANCE OF IMPLEMENTING ANY CONSTRUCTION INTERFERENCE.
5. ALL SIGNS, DELINEATORS, BARRICADES, ETC. AND THEIR INSTALLATION SHALL CONFORM TO THE LATEST EDITIONS OF THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN. THE CONTRACTOR SHALL MAINTAIN ALL TRAFFIC CONTROL DEVICES THROUGHOUT THE CONSTRUCTION PERIOD.
6. CITY THROUGH THE BEGIN TO END OF THE TRAFFIC CONTROL ZONE IN USE TO MAINTAIN THE FLOW OF TRAFFIC THROUGH THE WORK AREA. ALL TRAFFIC CONTROL DEVICES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

11. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
12. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
13. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
14. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
15. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
16. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.
17. ALL TRAFFIC CONTROL DEVICES SHALL BE PLACED IN ACCORDANCE WITH THE MUTCD AND THE CITY OF PERRIS TRAFFIC CONTROL PLAN.


18. CONTRACTOR SHALL NOT "TRUCK" TRUCKS INTO THE WORK AREA OR "TRUCK" INTO THE WORK AREA.
19. CONTRACTOR SHALL NOT "TRUCK" TRUCKS INTO THE WORK AREA OR "TRUCK" INTO THE WORK AREA.
20. CONTRACTOR SHALL NOT "TRUCK" TRUCKS INTO THE WORK AREA OR "TRUCK" INTO THE WORK AREA.

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 13, 2015

SUBJECT: Rider Street Closure

REQUESTED ACTION: Authorize Closure of Rider Street Between Perris Blvd. & Perris Valley Channel.

CONTACT: Habib Motlagh,  City Engineer

BACKGROUND/DISCUSSION: The construction of Perris Logistics Center located at northwest corner of Rider & Perris Blvd. is underway. The engineering conditions for development of this project require construction of major underground master planned storm drain facilities (Line A-B) along Rider Street that extend from the project site to the Perris Valley Channel. The construction activity of this line is inspected by Riverside County Flood Control and City Engineer Office performing the construction oversight, including the pavement work.

Attached letter dated January 2, 2015 from Ridge Development Company is requesting closure of the road in order to perform the work in safer environment and faster completion. The letter is requesting full closure (Option 1) for a period of 155 working days or 31 weeks.

City staff is however recommending (Option 2) with 3 separate partial closures that will keep part of the road open at various stage but extend the anticipated construction completion to 195 working days or 39 weeks.

Regardless of the option approved by the Council, the following additional comments shall be required before start of construction:

- Minimum of 5 working days prior to start of construction, adequate signage shall be installed including flashing message signs to advise of the project and road closure.
- Minimum of 5 working days prior to start of closure, the contractor/developer must notify the police, fire, and other emergency services including school districts, CR&R, and the residents along Rider Street within the limits of the closure.
- Prior to closure, the contractor shall post with City a minimum cash deposit in the sum of \$25,000. The Contractor will be penalized \$2,500 for each and every working day keeping the road closed beyond the approved dates excluding rain and reasonable utility delays as determined by City Engineer. Additional penalties assessed @ \$2,500 per day beyond the original 10 days will be charged if needed and deducted from the project's RBBB and/or drainage credit.
- Prior to closure, the Developers shall submit writer verification from EMWD and other utilities confirming their facility relocation schedule.

Mr. Dennis Rice of Ridge Development Company will be present at the meeting to discuss his letter and to respond to questions.

BUDGET (or FISCAL) IMPACT: All costs associated with the construction is paid by the applicant. Future drainage fee credit and reimbursement agreement will be considered by Council to offset the cost of construction of Line A-B.

Reviewed by:

City Attorney
Assistant City Manager

Attachments: Ridge Development Company Letter Dated December 2, 2014

Consent:

Public Hearing:

Business Item: Yes

Other:

CITY COUNCIL/REDEVELOPMENT AGENCY
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Amendment #1 To Cooperative Agreement with RCFC and Duke Realty Limited Partnership

REQUESTED ACTION: Approve the Amendment and Authorize the City Manager to Sign

CONTACT: Habib Motlagh,  City Engineer

BACKGROUND/DISCUSSION: On November 24, 2014, the Council approved the original agreement for construction of Perris Valley Master Drainage Plan Line A-B along Rider Street from Perris Blvd. to Perris Valley Channel. That agreement required the developer Duke Realty Limited Partnership to construct the improvements with Flood Control in charge of the inspection and maintenance.

The amended agreement eliminates a significant portion of Line "A-B" from Flood Control's maintenance responsibility and allow for City to maintain the balance with Developer reimbursing the City the cost of the maintenance. The inspection of the facilities will continue to be performed by Flood Control

BUDGET (or FISCAL) IMPACT: The developer and owners will be responsible for the cost of the ongoing maintenance of City owned facilities and RCFC will maintain the balance.

Reviewed by:

City Attorney
Assistant City Manager 

Attachments: Amendment Agreement

Consent: Yes
Public Hearing:
Business Item:
Other:

AMENDMENT NO. 1
to
COOPERATIVE AGREEMENT

Perris Valley Master Drainage Plan Line A-B
Project No. 4-0-00537
MS 94

The Riverside County Flood Control and Water Conservation District, hereinafter called "DISTRICT", the City of Perris, hereinafter called "CITY", and Duke Realty Limited Partnership, an Indiana limited partnership, hereinafter called "DEVELOPER" hereby agree as follows:

RECITALS

A. DISTRICT, CITY and DEVELOPER have previously entered into that certain Agreement which was executed on January 6, 2015, and recorded as Document No. 2015 - 0024115 in the Official Records of the County of Riverside and is hereinafter called "AGREEMENT", setting forth the parties' respective rights and obligations concerning DEVELOPER'S proposed design and construction of certain flood control and drainage facilities required as a condition of approval for MS 94 located in the city of Perris, Riverside County, State of California (hereinafter, the "PROJECT"); and

B. Subsequent to the execution of said AGREEMENT, the parties hereto have mutually agreed to certain modifications to the design of the required flood control and drainage facilities and the associated responsibilities for the operation and maintenance of same. Said modifications include the elimination of certain DISTRICT operation and maintenance responsibilities of PROJECT as described in AGREEMENT; and

NOW, THEREFORE, in consideration of the preceding recitals and the mutual covenants hereinafter contained, the parties hereto mutually agree to amend AGREEMENT as follows:

1 1. Paragraph C in the RECITALS of AGREEMENT is amended to read:

2 "The required flood control facilities, as shown on District Drawing No. 4-1063,
3 include the construction of i) approximately 2,900 lineal feet of underground
4 reinforced concrete box and its associated outlet structure, hereinafter called
5 "LINE A-B", as shown in concept in red on Exhibit "B" attached hereto and
6 made a part hereof; and ii) an access ramp, hereinafter called "ACCESS RAMP",
7 as shown in concept in green on Exhibit "B". At its upstream terminus, LINE A-
8 B terminates with a concrete bulkhead for future extension. At its downstream
9 terminus, LINE A-B connects to DISTRICT'S existing Perris Valley Channel.
10 Together, LINE A-B, and ACCESS RAMP are hereinafter called "DISTRICT
11 DRAINAGE FACILITIES".
12
13

14 2. Paragraph D in the RECITALS of AGREEMENT is amended to read:

15 "Associated with the construction of DISTRICT DRAINAGE FACILITIES is
16 the construction of i) approximately 1,800 lineal feet of precast reinforced
17 concrete box at approximate Station 40+00.00 to Station 57+96.02; ii)
18 approximately 48 lineal feet of 42-inch reinforced concrete pipe; and iii) certain
19 catch basins, inlets, and various lateral storm drains that are thirty-six inches
20 (36") or less in diameter located within CITY held easements or rights of way,
21 collectively hereinafter called "CITY APPURTENANCES". Together,
22 DISTRICT DRAINAGE FACILITIES and CITY APPURTENANCES are
23 hereinafter called "PROJECT".
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3. Except to the extent specifically deleted, added to, or amended herein, all of the terms, covenants and conditions of said AGREEMENT executed on January 6, 2015 shall remain in full force and effect between the parties hereto.

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IN WITNESS WHEREOF, the parties hereto have executed this Amendment on

(to be filled in by Clerk of the Board)

RECOMMENDED FOR APPROVAL:

**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**

By _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

By _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water
Conservation District Board of Supervisors

APPROVED AS TO FORM:

ATTEST:

GREGORY P. PRIAMOS
County Counsel

KECIA HARPER-IHEM
Clerk of the Board

By _____
NEAL KIPNIS
Deputy County Counsel

By _____
Deputy

(SEAL)

Amendment No. 1 to
Cooperative Agreement: Perris Valley Master Drainage Plan Line A-B (MS 94)
02/29/2016
AMR:mcv

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CITY OF PERRIS

By _____
RICHARD BELMUDEZ
City Manager

APPROVED AS TO FORM:

ATTEST:

By _____
ERIC DUNN
City Attorney

By _____
NANCY SALAZAR
City Clerk

(SEAL)

Amendment No. 1 to
Cooperative Agreement: Perris Valley Master Drainage Plan Line A-B (MS 94)
02/29/2016
AMR:mcv

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DUKE REALTY LIMITED PARTNERSHIP
an Indiana limited partnership

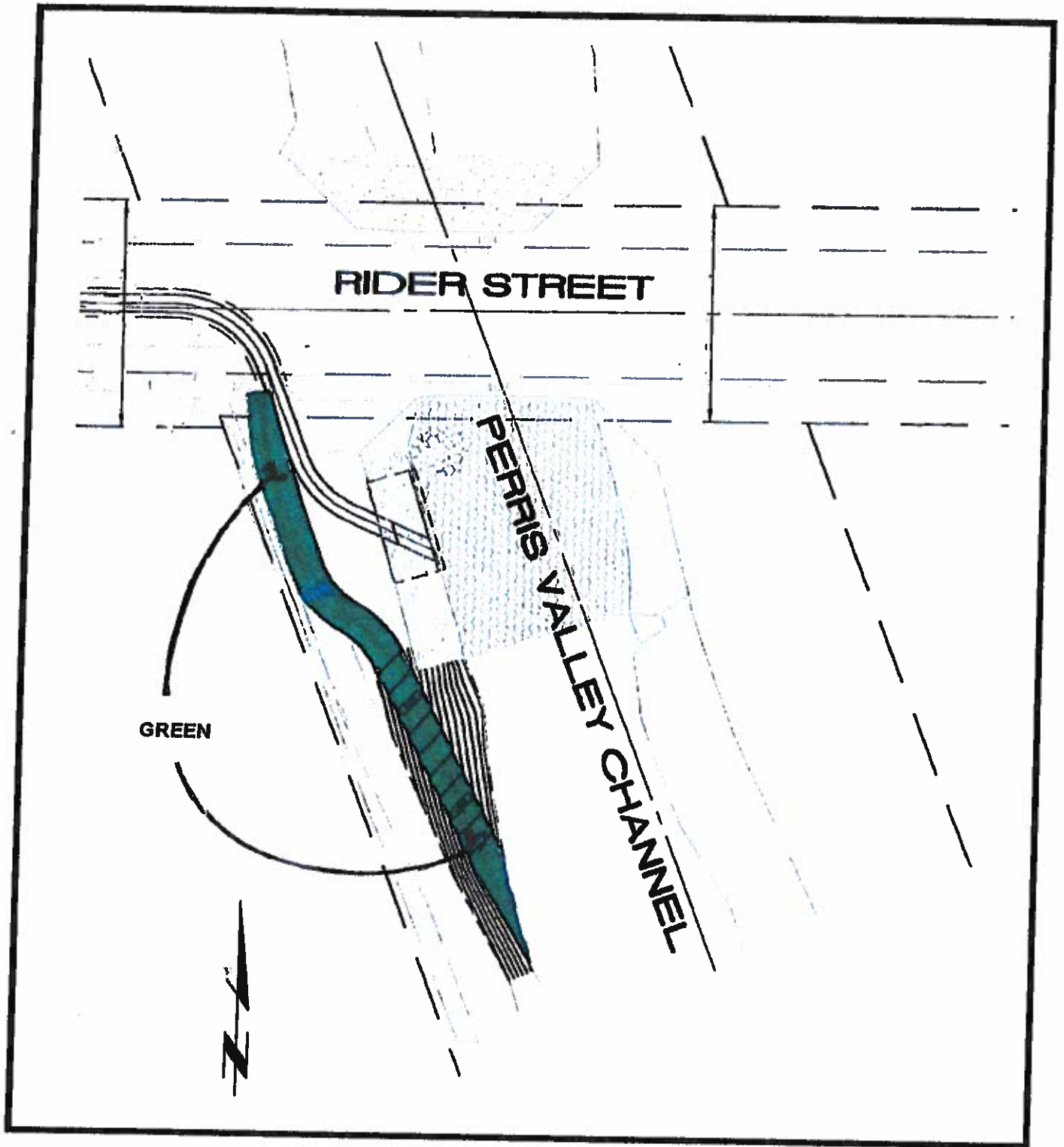
By: **DUKE REALTY CORPORATION,**
an Indiana corporation,
its sole general partner

By _____
CHRISTOPHER M. BURNS
Senior Vice President, Southern California

(ATTACH NOTARY WITH
CAPACITY STATEMENT)

Amendment No. 1 to
Cooperative Agreement: Perris Valley Master Drainage Plan Line A-B (MS 94)
02/29/2016
AMR:mcv

Exhibit B



**CITY OF PERRIS
CITY COUNCIL
AGENDA SUBMITTAL**

MEETING DATE: March 8, 2016

SUBJECT: Lynn Merrill NPDES Industrial and Commercial Inspection Services Contract Amendment

REQUESTED ACTION: Authorize the City Manager to execute an amendment to the existing Contract with Lynn Merrill to provide Engineering Tech consultant services

CONTACT: Michael Morales, Capital Improvements Project Manager

BACKGROUND/DISCUSSION:

Lynn Merrill Consulting is currently under a one-year Contract with the City to provide NPDES inspection services for identified commercial and industrial businesses at intervals appropriate to the priority level assigned. Section 1.5 of the existing Agreement allows the City to order extra work beyond the original specified scope, with a signed and authorized written change order. However, the Agreement states that any increase beyond 5% of the original Contract price must be approved by the City Council. The additional Engineering Tech services valued at \$25,488.00, represents a 36% increase above the original amount of \$40,000. However, the increase results in no net impact to the budget of either FCD #1 or Engineering administration, as the personnel originally allocated these resources: Landscape Dynamics Consulting, and Javier Garduno have left the City's employment.


There are currently 19 General Fund Storm Drain Systems in residential and commercial neighborhoods that are not being maintained; and 15 recently built District Funded Flood Control Systems that were accepted by the City, but are not currently being maintained. Maintenance of these areas requires inventory of the systems (either visual or through as-built plans), determination of quantities for bidding purposes, field supervision of Contractor's and contract administration. Adding 19 General Fund neighborhoods to the maintenance routine would represent a 41% increase in workload over the current pipe and catch basin workload of 46 neighborhoods currently being maintained by District Staff; and 33% increase in workload over the current pipe and catch basin workload of 46 neighborhoods in the Flood Control District.

The vacated positions, which were intended to complete the inventories and develop quantities of pipe for bidding purposes, would now be handled by the Engineering Tech services of Lynn Merrill Consulting. Existing staff would take on the increased Contract Administration and field supervision load. Therefore, staff is recommending that the City Council authorize the City Manager to execute an amendment to the existing Agreement between the City of Perris and Lynn Merrill Consulting

BUDGET (or FISCAL) IMPACT:

No impact to either FCD #1 or General Fund Engineering Administration budget. Appropriate funding has been approved by the City Council in the 2015-2016 and 2016-17 Flood Control District I budget, and the Engineering Administration Budget for personnel and Contract staff valued at \$25,488.

REVIEWED BY:

City Attorney: n/a
Assistant City Manager: 

Attachment(s): 1) Exhibit A Scope of Services Revised
 2) Change Order #1

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

EXHIBIT "A"
SCOPE OF SERVICES (Change Order #1)

Task 4. Additional NPDES Services

The Contract Officer shall have the right to order extra work in situations determined by the Contract Officer to be necessary or reasonably incidental to the implementation of the City's 5- Year National Pollutant Discharge Elimination System Permit (NPDES), or Flood Control District Maintenance Program . Contractor shall provide one Storm Water Quality Specialist, Engineering Technician, or Engineering Intern to carry out the requirements of the Additional NPDES Services Agreement.

Contractor shall attend all meetings described below at the discretion of the Contract Officer. All reports and documentation shall be subject to the review and approval of the Contract Officer. All employees provided by the Contractor are expected to conduct themselves in a professional and courteous manner at all times, particularly during interactions with the public, and Contractor agrees that it shall immediately replace any employee violating this requirement as determined by the sole discretion of the Contract Officer.

Task 4 Additional Services

- 4.1 Under supervision, monitor New Storm Drain Facility Mapping, including but not limited to obtaining as-built or approved plans from interagency data bases, other City Departments, or Developers for the purpose of updating new lineal footage of open channel and below ground storm drain facilities.
- 4.2 Under Supervision, performs complex and difficult engineering studies of storm drain system plans and grading plans, intended to inventory all existing types and quantities of facilities for bid document and work description development.
- 4.3 Under supervision, assists with the Development of Bid Documents/Bid Schedule of Values using WORD, EXCEL, and other software based upon quantities derived from special engineering studies.
- 4.4 Use GIS Software, Google Earth and other geoprocessing software to create or update existing data bases, exhibits, and maps
- 4.5 Catalogue, inventory and file maps and plans in hard copy and electronic format
- 4.6 Conduct field visits for the purpose of determining as-built conditions and updating new lineal footage of open channel and below ground storm drain facilities.

EXHIBIT "B"
SCHEDULE OF COMPENSATION (Change Order #1)

Contractor shall be paid for time and materials based upon the following rates, in accordance with Section 2.1 of the Agreement, but not to exceed the following amount:

TASK 4-ADDITIONAL WORK IF NECESSARY (NPDES AND TMDL SERVICES)

<u>Item Description</u>	<u>Maximum Hours</u>	<u>Maximum Hourly Fee in (\$)</u>	<u>Maximum Not To Exceed Total (in \$)</u>
Flood Control District Engineering Tech	648	32.00	\$20,736
General Fund Engineering Intern	216	22.00	<u>\$4,752</u>
		TOTAL=	To Be Determined



CITY OF PERRIS

PUBLIC WORKS DEPARTMENT

Lynn Merrill, Principal
Lynn Merrill Consulting
35585 Barbara Lane
Yucaipa, CA 92399

CHANGE ORDER

Order No. 1

Date: February 24, 2016

Contract Date: September 8, 2015

Project: NPDES Industrial and Commercial Inspection Services

Contractor: Lynn Merrill

This Change Order #1 is Amendment #1 to the Agreement between the City of Perris and Lynn Merrill Consulting, dated September 8, 2015, for NPDES Industrial and Commercial Inspection Services, please read it carefully.

The following changes are hereby made to the Agreement:

Statement of Work: Nature of Change: As per Paragraph 1.1 "Scope of Services," and 1.4 "Additional Services" of the original Agreement, and the following additional work: 1) amend Contract Scope of Services Exhibit A to include "Task 4 Additional NPDES Services" (attached hereto and set forth in full herein, and 2) amend Schedule of Compensation Exhibit B (attached hereto and set forth in full herein). Contractor shall be paid at the unit prices indicated, on a time and materials basis, and shall include full compensation for all work and overhead and profit, and no additional compensation will be allowed therefor.

Original annual Contract Price: \$40,000.00

Current annual Contract Price: \$40,000.00
[Adjusted by previous change order(s)]

Annual Contract Price Will be **Increased**: \$25,488.00
(Due to this change order)

New Annual Contract Price Including This Change Order: \$65,488.00

(Sixty-five thousand four hundred eighty-eight and 00/100 dollars)

Contract Time:

Will remain the same.

APPROVAL REQUIRED:

To be effective, this change order must be approved by the City of Perris and LYNN MERRILL CONSULTING:

LYNN MERRILL CONSULTING:

Signature: _____
Typed Name: Lynn Merrill
Title: Principal

Date: _____

CITY OF PERRIS:

Signature: _____
Typed Name: Richard Belmudez
Title: City Manager

Date: _____


Attachment(s):
Exhibit A
Exhibit B

End of Change Order #1
Nothing Follows

PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
AGENDA SUBMITTAL
March 8, 2016

SUBJECT: Reject all Bids for Commercial Seismic Retrofit, 279 S D Street, Perris Theater.

REQUESTED ACTION: The Board of Directors: 1) Reject all Bids and authorize the CEO or his designee to rebid the project for formal bid.

CONTACT: Michael McDermott, Chief Operating Officer 

BACKGROUND/DISCUSSION:

The estimated combined cost of construction (pre-construction drawings) was \$172,000. The project was let out for informal bid on January 21, 2016.

Active Bidder:

- SPEC Construction Co. Inc. – Ontario
- Whipple Construction Services, Inc. – Riverside
- KPRS Construction Services, Inc. – Brea

Bids from a total of 3 bidders were opened on February 18, 2016; the results are shown in the bid summary below.


- SPEC Construction Co. Inc. – Total: \$249,299
- Whipple Construction Services, Inc. – Total: \$249,337
- KPRS Construction Services, Inc. – No Bid

Both bids substantially exceed the maximum informal bidding limit of \$175,000 and therefore must be rejected.

BUDGET (or FISCAL) IMPACT:

No impact from rejecting bids.

Reviewed by:

Assistant City Manager: 
Redevelopment and Economic
Development Manager:

Attachments: Contractor's Final Bid Results, Invitation to Bid, Project Information Sheet, Information for Bidders, Bid Form

Consent: XXX



City of Perris Community Economic Development Corporation

Invitation to Bid

DATE: January 21, 2016
FROM: Anthony Hurley, Construction Manager
REFERENCE: Perris Theater Seismic Retrofit Project
SITE ADDRESS: 279 South D Street, Perris, CA 92570
DUE DATE: February 18, 2016 - BEFORE 2:00 P.M.

Dear Contractor:

You are invited to submit a proposal for the Perris Theater Seismic Retrofit Project for the site referenced above.

This is an informal bid process, the Corporation at its sole discretion may accept or reject any bid, the Corporation may favor local contractors, and low bid will not automatically be accepted. Contractors, when submitting a bid, you acknowledge and accept these terms.

The modifications of this site are specified in the attached work write-up. Please note that change orders will not be accepted, unless the project findings are detrimental to applicants and their environment, and as authorized by the Program Administrator. All overhead, profit, and any addendum showing required work not covered on our Work Write-Up should be included in the total cost estimate. The property must be carefully examined, and quantities and field conditions verified.

In order to establish standards of quality, the detailed specification may refer to certain product by name and/or from a major manufacturer. This procedure is not to be construed for competition of other products of equal or better quality by other manufacturer. All items listed on work description, unless otherwise specified, shall include all patching, finish painting and/or staining, and site clean-up. The Contractor is responsible for obtaining all required building construction permits, fees, city business license, plans, etc. Contractor should have a current California State License, City of Perris Business License, Worker's Compensation Insurance, Commercial General Liability Insurance, Builder's All Risk Insurance, and Automotive Liability Insurance. Subcontractors are required to have the same insurance coverage unless they are named as an additional insured on the General Contractor's Policy.

Contractors are to submit their bids on the supplied Work Write-Up prior to the specified due date above. The Bid Docs, Contract Docs, Plans and Specs are included with this letter. Mandatory Pre-bid job walk scheduled for February 01, 2016, at 11:00 a.m. The last day to submit for technical inquiries shall be no later than 2:00 p.m. on February 05, 2016. All requests for information shall be through email to: ahurley@cityofperris.org and dfiscus@cityofperris.org.

All construction work will be performed in accordance with the current California Building Code (2013 CBC, ASCE 7-10 Building Code). The contractor will provide property owner with all necessary written labor, material, and workmanship warranties and guarantees upon completion of job. The contractors shall also provide all pertinent unconditional lien releases and final building department sign off.

MINIMUM AND PREVAILING WAGES: Notice is hereby given that the Contractor must comply with the State's latest established wage decision.

COMPLIANCE WITH SB 854 DEPARTMENT OF INDUSTRIAL RELATIONS REGISTRATION: (1) No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code Section 1771.1(a)]; (2) No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. All bids must include current, valid verifications from the Department of Industrial Relations of their registration and qualification status; (3) This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) The contractor will be required to post job site notices regarding Labor Code compliance as described in Title 8 California Code of Regulation Section 16451(d); (5) Contractors must submit all certified payroll records (CPR's) directly to the Labor Commissioner.

Contractors must list and submit the dollar amount for each construction work line item; contractor is not allowed to deviate from the written work description. If at any time the contractor has any questions regarding this bid, call the City of Perris Community Economic Development Corporation staff person in charge of the project.

Start Date: March 08, 2016

Proposed Completion: August 08, 2016

Contractor (Company): _____

Representative/ Title: _____

Address & Telephone: _____

License Number: _____

Contractor Signature: _____

For the submittal of bids, the City uses Active Bidder (www.activebidder.com). Please submit bids through this website. You must register on the Active Bidder site to bid on City projects. Registration is free. E-mail submissions and faxes are not accepted.

The CORPORATION reserves the right to accept or reject any or all bids, to waive any irregularity and to take all bids under advisement for a period of sixty (60) days. If you have any questions regarding any of the items listed above, please contact our Project Manager at (951) 943-6504 (Dawn Fiscus), or Construction Manager at (951) 943-5003 x285 (Anthony Hurley). Thank you, City of Perris Community Economic Development Corporation

Project Information Sheet

Project: 279 South D Street/Perris Theater Seismic Retrofit Project

Out to Bid: Thursday, January 21, 2016, at 1:00 p.m.

Mandatory Pre-Bid Job Walk: February 01, 2016, at 11:00 a.m.

Bid Due Date: February 18, 2016, at 2:00 p.m.

Expected Bid Award Date: February 23, 2016

Mandatory Construction Start Date: March 08, 2016

Construction Time: 150 calendar days

Liquidated Damages: \$500 per calendar day

Project Description: Commercial Seismic Retrofit

Contact Person for General Inquiries: Dawn Fiscus, Project Manager,
(email only): dfiscus@cityofperris.org

Contact Person for Technical Inquiries: Anthony Hurley, Construction
Manager, (email only): ahurley@cityofperris.org

Note: See contract provisions, plans and specifications for details regarding the above information.

INFORMATION FOR BIDDERS

279 SOUTH D STREET/PERRIS THEATER SEISMIC RETROFIT PROJECT

1. All Bids must be made on the required **Bid Form**, an unbound copy of which is provided herein for that purpose. All blank spaces for Bid prices must be filled in, in ink or typewritten, and the Bid form must be fully completed and executed when submitted. Only one copy of the Bid form is required.
2. Bidders must satisfy themselves of the character of the Work to be performed by **Examination of the site** and reviewed of the Drawings and Specifications, including Addenda, if any. After Bids have been submitted, the Bidder shall not assert that there was a misunderstanding concerning the nature of the Work to be done.
3. The Contract Documents contain the provisions required for the construction of the Project. Information obtained from an officer, agent, or employee of the Corporation or any other person shall not affect the risks or obligations assumed by the Contractor or relieve him from fulfilling any of the conditions of the Contract.
4. **Bonds and Insurance Certificates** must be in the form required by the Corporation (substitutions may be permitted at the Corporation's discretion). The Bond Company must be authorized to do business in the State of California.
5. A **Payment Bond** and a **Contract Performance Bond** (on the required form), each in the amount of one hundred percent (100%) of the Contract Price, with a corporate surety approved by the Corporation, *will be required for the faithful performance of the Contract.*
6. **Progress Payments** will be made to the Contractor in accordance with the provisions of the Contract Agreement and on itemized estimates duly certified and approved by the Corporation, Project Manager submitted in accordance therewith, based on labor and materials incorporated into said work during the preceding month by the Contractor.
7. Attorneys-in-fact who sign Payment Bonds and Contract Performance Bonds must file with each Bond a certified and effective dated copy of their power of attorney.
8. The party to whom the Contract is awarded will be required to execute the Contract and submit the Payment Bond, Contract Performance Bond, and Insurance Certificates on the required forms within ten (10) calendar days from the date of the Notice of Award.
9. The Corporation, within ten (10) days of receipt of acceptable Labor and Material Payment Bond, Contract Performance Bond, Insurance Certificates, and Contract signed by the party to whom the Contract was awarded, shall sign the Contract and return to such party an executed duplicate of the Contract.
10. **Notice to Proceed to start construction (mandatory) is February 8, 2016.** Should there be reasons why the Notice to Proceed cannot be issued for this date by Corporation, the time may be extended by the Corporation. If the Notice to Proceed has not been issued within the forty-five (45) day period or within the period mutually agreed upon, the Contractor may terminate the Contract without further liability on the party.

11. The Corporation may make such investigations as it deems necessary to determine the ability of the Bidder to perform the Work, and the Bidder shall furnish to the Corporation all such information and data for this purpose as the Corporation may request. A conditional or qualified Bid will not be accepted.
12. All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the Project shall apply to the Contract throughout.
13. Each Bidder is responsible for **inspecting the site** and for reading and being thoroughly familiar with the Contract Documents. Failure or omission of any Bidder to do any of the foregoing shall in no way relieve any Bidder for any obligation in respect to his bid.
14. Further, the Bidder agrees to abide by the requirements under Executive Order No. 11246 (Equal Employment Opportunity Clause), as amended, California Labor Code 1410 et. Seq., California Labor Code 1777.6, and implement Corporation regulations concerning equal opportunity for apprentices.
15. All Bidders shall supply the names and address of Subcontractors as set forth in the Bid.
16. Successful Bidder and Subcontractors shall obtain a City Business License prior to commencing any work within City limits. The license can be obtained at: 101 North "D" Street, Perris, CA 92570.
17. **MINIMUM AND PREVAILING WAGES:** Notice is hereby given that the Contractor must comply with the State's latest established wage decision.
18. **COMPLIANCE WITH SB 854 DEPARTMENT OF INDUSTRIAL RELATIONS REGISTRATION:** (1) No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code Section 1771.1(a)]; (2) No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. All bids must include current, valid verifications from the Department of Industrial Relations of their registration and qualification status; (3) This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) The contractor will be required to post job site notices regarding Labor Code compliance as described in Title 8 California Code of Regulation Section 16451(d); (5) Contractors must submit all certified payroll records (CPR's) directly to the Labor Commissioner.
19. The Director of the Department of Industrial Relations has ascertained the general prevailing rate of per diem wages and the general rate for holiday and overtime work in the locality in which the work is to be performed for each craft or type of workman needed to execute the contract or work as hereinafter set forth (see Labor Code 1770 et. seq.). Copies shall be made available to any interested party upon request. The successful Bidder shall post a copy of such determination at each job site. Attention is called to the fact that not less than the minimum salaries and wages shall be paid on this project by all Contractors and Subcontractors. As requested, the successful Bidder shall provide the Corporation with copies of certified payroll on forms provided by the Division of Labor Standards Enforcement, (213) 620-6330, or other approval forms.
20. Since time is of the essence, Bidder agrees to commence work under this Contract on or before the mandatory construction start date of **March 8, 2016**, and to fully complete all work on or before the 150 calendar day after this date. Bidder agrees with the Corporation that if the project is not fully completed within said time, he shall pay as liquidated damages the sum of \$500.00 (five hundred dollars) for each consecutive calendar day thereafter until such completion and that this amount shall be presumed to be the amount of damages sustained by Corporation in the event of such a breach by Bidder, as it would be impracticable or extremely difficult to fix the actual damage.

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BID FORM

279 South D Street/Perris Theater Seismic Retrofit Project

TO THE CITY OF PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION, hereinafter called the Corporation, the undersigned, as Bidder, declares that he has carefully examined the location of the project, that he has examined the plans and specifications and addenda (if any), and has read the Information for Bidders, and hereby proposes and agrees, if this bid is accepted, to furnish all materials to do all work required to complete the said plans and specifications in the time and manner herein prescribed for the Bid Price set forth in the Schedule of Bid Items.

No separate payment will be made for any item that is not specifically set forth in the Schedule of Bid Items. All costs, therefore, shall be included in the prices named in the Schedule of Bid Items for the various appurtenant items of work. In case of discrepancy between words and figures, words shall prevail.

Upon receipt of the Notice of Award, Contractor shall submit to the Corporation for approval, a detailed breakdown of the Contractor's cost estimate into the various elements of materials and construction operations. When approved, this breakdown will serve as a basis for the Corporation to determine partial payments.

If awarded this contract, the Bidder agrees to execute the Contract and submit the Labor and Materials Payment Bond, Contract Performance Bond, and Insurance Certificates on the required forms within ten (10) calendar days from the date of the Notice of Award. The Notice of Award shall be accompanied by the necessary Contract, Bond, and Insurance Certificate forms.

279 South D Street/Perris Theater Seismic Retrofit Project

Bidder (Company Name): _____

Contractor's Signature: _____

The contractor shall submit a lump sum bid to cover all costs including materials, labor, insurance, bonds, and other work as shown on the plans, calculations and specifications including fees for permits to complete the project within 150-calendar days. The Contractor shall also complete and submit sheet BF-3. These figures shall be used to evaluate change orders and any deductions and/or additions to the contract.

TOTAL LUMP SUM BID: \$ _____

279 South D Street/Perris Theater Seismic Retrofit Project

Bidder (Company Name): _____

Bid Schedule

<u>BID ITEM NO.</u>	<u>LUMP SUM</u>	<u>ITEM DESCRIPTION</u>	<u>TOTAL (FIGURES)</u>
-----------------------------	---------------------	-------------------------	----------------------------

Schedule "A"

1.	L.S.	Mobilization	\$ _____
2.	L.S.	Demolition	\$ _____
3.	L.S.	Roof Truss Retrofit Framing (Hardware, rods, steel angles, channels, & shoring)	\$ _____
4.	L.S.	Shear Wall Framing	\$ _____
5.	L.S.	Sill Sign Retrofit Framing (HSS steel & hardware)	\$ _____
6.	L.S.	Equipment	\$ _____
7.	L.S.	Finishes	\$ _____
8.	L.S.	Combination Building Permits	\$ _____

TOTAL BID ITEMS (1 - 8): \$ _____
(Figures)

OVERHEAD & PROFIT: \$ _____
(Figures)

BONDS & INSURANCE: \$ _____
(Figures)

TOTAL ALL ITEMS: \$ _____
(Figures)

Please note the following regarding bids:

- A. Bid shall include all sales tax, and all other taxes and fees.**
- B. Bid is for a project complete-in-place.**
- C. Quantities above are for the purpose of comparison only, and payments will be made on a basis of actual measurements of work completed (except where noted otherwise such as for lump sum work).**

DESIGNATION OF SUBCONTRACTORS

The Bidder shall set forth below the name and location of the mill, shop or office of each Subcontractor and the portions of the work, which will be done by that Subcontractor.

Trade:	% of Work To Be Done	Name:	License No.:	Address:

LISTING OF MANUFACTURERS

The Contractor shall submit this sheet with his Bid, completed, to list the manufacturers of materials he intends to use. It shall be understood that where the Contractor elects not to use the material manufacturers called for in the Specifications, he will substitute only items of equal quality, durability, functional character and efficiency as determined by the Corporation. The Contractor should ascertain prior to bidding the acceptability of substitutes. Only one manufacturer shall be listed for each item.

Item or Material:

Manufacturer or Supplier:


No change shall be allowed of any material manufacturer listed after receipt of Bids unless the manufacturer so listed cannot furnish materials meeting the Specifications. Should such change be allowed by the Corporation, there will be no increase in the amount of the Bid originally submitted.

PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
AGENDA SUBMITTAL

March 8, 2016

SUBJECT: Award of Bid to Tri-R Gen Contractors Inc for tenant improvements to Tastee Freez, at 168 E 4th Street.

REQUESTED ACTION: The Board of Directors: 1) Award Bid and authorize the CEO or his designee to finalize and execute contracts and any related documents.

CONTACT: Michael McDermott, Chief Operating Officer 

BACKGROUND/DISCUSSION:

The estimated combined cost of construction (pre-construction drawings) was \$29,936. The project was let out for informal bid on February 11, 2016. Note that this proposal includes two items: an estimate from Inland Signs Inc. for sign installation, and the bid for the project covering the rest of the improvements to the property.

Active Bidder:

- Tri-R Gen Contractors Inc – Perris
- Larry Ogilvie Construction – Riverside
- New Millennium Construction Services – Chino Hills

Bids from a total of 3 bidders were opened on February 25, 2016; the results are shown in the bid summary below.

- Tri-R Gen Contractors Inc – Total: \$13,051
- Larry Ogilvie Construction – No Bid
- New Millennium Construction Services – No Bid


Cost Summary:

Sign:	\$19,836
Project:	\$13,051
Total:	<u>\$32,887</u>

BUDGET (or FISCAL) IMPACT:

Total budget to be \$32,887, plus 15% for contingencies. Funding from the Perris CEDC.

Reviewed by:

Assistant City Manager: 
Redevelopment and Economic
Development Manager:

Attachments: Estimate from Sign Company, Bid Details, Bid Schedule, Invitation to Bid, Project Information Sheet,
Consent: XXX

188 E 4th Street/Taste Freez Commercial Facade Improvement Project

Post Date 02/11/2016 17:31 PST

Due Date 02/25/2016 before 14:00 PST

Estimated Value N/A

Bid details for: Ruiz, Real / Tri-R Gen Contractors Inc

1) 188 E. 4th Street/Taste Freez Commercial Facade Improvement

Item	UM	Qty	Unit Pricing	Item Total	
Bid Documents					
1	Minor Demolition	LS	1	\$2,000	\$2,000
2	Painting	LS	1	\$2,300	\$2,300
3	Electrical Light Fixtures	LS	1	\$2,888	\$2,888
4	Permits	LS	1	\$500	\$500
5	Insurances	LS	1	\$685	\$685
6	Profit & Overhead	LS	1	\$4,500	\$4,500
7	Total Cost	LS	1	\$13,051	\$13,051



**City of Perris Community Economic
Development Corporation**
Economic Development - Housing - Infrastructure

Facade Project: 168 E. 4th Street / Taste Freez

Bid Schedule

	Item Description	Description of Work	Lump Sum Amounts
1.	Minor Demolition	Remove existing banners and existing two horizontal 2x's where banners are attached at "A" frame structure above exterior restaurant canopy (south elevation). Remove telephone pedestal, including cable wires, and patch, repair asphalt for clean finish located at base of freestanding pole sign.	\$ 2,000.00
2.	Painting	Patch, prep and apply a new 3-coat paint system at the east, south, and west elevation fascia only, including A-frame structure above exterior restaurant canopy (south elevation). Patch, prep and apply a new 3-coat paint system to existing freestanding parking lot pole light fixture.	\$ 2,300.00
3.	Electrical Light Fixtures	a) Install and provide new wrap around cover lenses and fluorescent bulbs (as applicable) for (12) existing 8' fluorescent light fixtures located underneath the ceiling of the exterior restaurant canopy. b) Install light bulbs (as applicable) for (4) halogen lights located at east & west elevation above exterior restaurant canopy for total of (8), c) Install light bulbs (as applicable) for lighting of (1) existing free standing parking lot pole light fixture, d) Install light bulbs for (3) hanging pendant lighting fixtures located above restaurant canopy within A-frame structure (south elevation). * Ensure all electrical connections are functioning properly, and/or repair as necessary for light fixtures to operate accordingly. The focus here is to get the exterior light fixtures working.	\$ 2,866.00 (Includes scissor lift)
4.	Permits	Combination Building Permits (if applicable)	\$ 500.00
5.	Insurances	Per listed in the Bid and Contract documents	\$ 885.00
6.	Profit & Overhead		\$ 4,500.00
7.	Total Cost	Total lump sum amount to furnish material, labor and insurance to complete project in accordance with the above "Scope of Work" described.	\$ 13,051.00

Note: Contractor shall submit a lump sum bid to cover all costs including materials, labor, insurance, and other work as described.

Contractor's Signature:

Date:

2-25-16



City of Perris Community Economic Development Corporation

Invitation to Bid

DATE: February 11, 2016
FROM: Dawn Fiscus, Project Manager
REFERENCE: Façade Improvement Project
SITE ADDRESS: 168 E. 4th Street, Perris, CA 92570
DUE DATE: February 25, 2016 - BEFORE 2:00 p.m.

Dear Contractor:

You are invited to submit a proposal for the Façade Improvement Project for the site referenced above.

This is an informal bid process, the Corporation at its sole discretion may accept or reject any bid, the Corporation may favor local contractors, and low bid will not automatically be accepted. Contractors, when submitting a bid you acknowledge and accept these terms.

The modifications of this site are specified in the attached work write-up. Please note that change orders will not be accepted, unless the project findings are detrimental to applicants and their environment, and as authorized by the Program Administrator. All overhead, profit, and any addendum showing required work not covered on our Work Write-Up should be included in the total cost estimate. The property must be carefully examined, and quantities and field conditions verified.

In order to establish standards of quality, the detailed specification may refer to certain product by name and/or from a major manufacturer. This procedure is not to be construed for competition of other products of equal or better quality by other manufacturer. All items listed on work description, unless otherwise specified, shall include all patching, finish painting and/or staining, and site clean-up. The Contractor is responsible for obtaining all required building construction permits, fees, city business license, plans, etc. Contractor should have a current California State License, City of Perris Business License, Worker's Compensation Insurance, Commercial General Liability Insurance, and Automotive Liability Insurance. Subcontractors are required to have the same insurance coverage unless they are named as an additional insured on the General Contractor's Policy.

Contractors are to submit their bids on the supplied Work Write-Up prior to the specified due date above. The Bid Docs, Contract Docs, Plans and Specs are included with this letter. Pre-bid job walk scheduled for February 17, 2016, at 11:00 am. The last day to submit for technical inquiries shall be no later than 12:00 p.m. on February 19, 2016. All requests for information shall be through email: dfiscus@cityofperris.org

All construction work will be performed in accordance with the current California Building Code (CBC), California Mechanical Code (CMC), California Plumbing Code (CPC), California Electrical Code (CEC), and California Energy Code (CEC). The contractor will provide property owner with all necessary written labor, material, and workmanship warranties and guarantees upon completion of job. The contractors shall also provide all pertinent unconditional lien releases and final building department sign off.

MINIMUM AND PREVAILING WAGES: Notice is hereby given that the Contractor must comply with the State's latest established wages decision.

COMPLIANCE WITH SB 854 DEPARTMENT OF INDUSTRIAL RELATIONS REGISTRATION. (1) No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)]; (2) No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. All bids must include current, valid verifications from the Department of Industrial Relations of their registration and qualification status; (3) This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) The contractor will be required to post job site notices regarding Labor Code compliance as described in Title 8 California Code of Regulation section 16451(d); (5) Contractors must submit all certified payroll records (CPR's) directly to the Labor Commissioner.

Contractors must list and submit the lump sum dollar amount for each construction work line item; contractor is not allowed to deviate from the written work description. If at any time the property owner or contractor has any questions regarding this bid, call the Perris Community Economic Development Corporation staff person in charge of the project.

Start Date: March 10, 2016

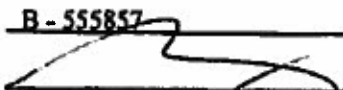
Proposed Completion: April 29, 2016

Contractor (Company): Tri-R Gen. Contractors, Inc.

Representative/Title: Raul Ruiz, President & CEO

Address & Telephone 22175 Fisher St. Perris, CA 92570 - (951) 657-1129

License Number: B - 555857

Contractor Signature: 

For the submittal of bids, the City uses Active Bidder (www.activebidder.com). Please submit bids through this website. You must register on the Active Bidder site to bid on City projects. Registration is free. E-mail submissions and faxes are not accepted.

The CORPORATION reserves the right to accept or reject any or all bids, to waive any irregularity and to take all bids under advisement for a period of sixty (60) days. If you have any questions regarding any of the items listed above, please contact Dawn Fiscus, Project Manager, at (951) 943-6504. Thank you, City of Perris Community Economic Development Corporation

Project Information Sheet

Project: 168 E. 4th Street, Perris, CA 92570

Out to Bid: Thursday, February 11, 2016 @ 5:30 p.m.

Pre-Bid Job Walk: February 17, 2016 @ 11:00 a.m.

Bid Due Date: February 25, 2016 @ 2:00 p.m.

Expected Bid Award Date: February 29, 2016

Construction Start Date: March 10, 2016

Construction Time: 45-calendar days

Liquidated Damages: \$100 per calendar day

Project Description: Commercial Facade Improvement

Contact Person for Technical Inquiries: Project Manager: Dawn Fiscus
(email only) at: dfiscus@cityofperris.org

Note: See contract provisions, plans and specifications for details regarding the above information.



NUMBER 120715

DIRECT SIGN MANUFACTURING & INSTALLATION

California State Contractors License # 779255

10783 Bell Ct. Rancho Cucamonga Ca 91730 (909-581-0699 FAX 909-581-0688)

PROPOSAL

Date: 12-07-2015- Sheet: _____

Name <u>Tastee Freez</u> Street <u>168 E. 4th St.</u> City <u>Perris</u> State/zip <u>Ca.92570</u> Phone <u>951-943-5003 Tony Hurley</u>	Location of sign installation Street <u>168 E. 4th St.</u> City <u>Perris</u> State/zip <u>Ca.</u> Date of Plans _____
--	--

We hereby propose to furnish the materials and perform the labor necessary for the completion of:

1. Provide and install one set of 4' x 12' Pan formed vinyl decorated Acrylic faces to read (Tastee) and Six custom oval Shape with vinyl back ground color and copy to read Tacos, Burgers, and Freez also six per side column cover pan formed faces decorated orange. \$12,768.00
2. repaint sign cabinets and columns covers \$1200.00
3. change existing electrical to new led illumination \$3068.00
4. Repair existing electrical, new lamps and ballast \$2800.00

All material is guaranteed to be as specified, and the above work is to be performed with the drawings and specifications submitted for the above work and completed in a workmanlike manner for the sum of \$ _____

Respectfully submitted by: Joe Silva

Note: *This Proposal may be withdrawn by us if not accepted within 10 days.

CONDITIONS OF CONTRACT

1. All electrical signs will be connected to an existing power source within ten (10) feet of sign location. Inland Signs is not responsible for electric lines which may be required.
2. All signage remains the property of Inland Signs until the entire amount of this proposal is paid in full.
3. A non-refundable deposit of 50% of the proposal amount is due and payable upon acceptance of this Proposal. The balance, including all costs associated with securing the required permits is due upon completion of the installation.
4. Any balance remaining after 10 calendar days from the completion of the installation will be subject to a 5% penalty. An additional 5% penalty will be assessed every 30 days on any remaining unpaid balance.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.


Date: _____ Signature: _____

**CITY COUNCIL
AGENDA SUBMITTAL**

Meeting Date: March 8, 2016

SUBJECT: City of Perris Green City Farm Project Funding Participation by Eastern Municipal Water District

REQUESTED ACTION: To Authorize the City Manager to Sign the Letter Agreement Between the City of Perris and Eastern Municipal Water District for Funding Participation of the Green City Farm Project

CONTACT: Isabel Carlos, Assistant Director of Administrative Services 

BACKGROUND/DISCUSSION:

On September 8, 2015, the City Council directed Staff to secure funding to proceed with the installation of a community demonstration garden, referred to as Green City Farm Program ("Garden"). Project details were presented during the September 8, 2015 City Council meeting. The project site is located on the north side of the City Hall Campus. Considering the California Drought, as well as the atmospheric conditions in the City of Perris, the Garden will feature a variety of traditional and modern produce growing systems ideal for urban settings as well as environmentally friendly and water-wise landscaping elements. The Garden is intended to serve as a model to facilitate community engagement, horticulture and nutrition education and to promote healthier lifestyles.

Partners for this project include Eastern Municipal Water District ("EMWD") and the County of Riverside Department of Public Health. If approved, the subject Letter Agreement will secure funding participation in the amount of \$25,000 from EMWD towards the initial installation of the Garden.

BUDGET (or FISCAL) IMPACT:

None

Reviewed by:

City Attorney _____
Assistant City Manager 

Attachments: Letter Agreement Between the City of Perris and EMWD
Proposed Perris Green City Farm Program Conceptual

Consent: March 8, 2016



Board of Directors

President
Randy A. Record

Vice President
David J. Slawson

Directors
Joseph J. Kuebler, CPA
Philip E. Paule
Ronald W. Sullivan

General Manager
Paul D. Jones II, P.E.

Treasurer
Joseph J. Kuebler, CPA

**Chairman of the Board,
The Metropolitan Water
District of So. Calif.**
Randy A. Record

Legal Counsel
Lemicux & O'Neill

March 1, 2016

Mr. Richard Belmudez
City of Perris
101 North "D" Street
Perris, Ca. 92570

RE: GREEN CITY FARM PROJECT – FUNDING PARTICIPATION

LETTER AGREEMENT

When signed by both parties, this letter will serve as an agreement between Eastern Municipal Water District (EMWD) and the City of Perris (City) (Letter Agreement) for purposes of establishing the terms and conditions whereby EMWD will contribute a total of \$25,000 toward City's Green City Farm Project.

In this regard, it is hereby understood and agreed as follows:

1. EMWD and City support water use efficiency and cost-effective means of ensuring long-term water reliability for the region.
2. City intends to install a community demonstration facility at its City Hall location consisting of an aeroponic gardening approach that utilizes significantly less water than traditional methods (the "Phase 1 Project").
3. EMWD supports City's installation of the Phase 1 Project and hereby agrees to contribute a total of \$25,000 toward the Phase 1 Project pursuant to the terms and conditions of this Letter Agreement.
4. Accordingly, City shall be responsible to secure all necessary funding to implement the Phase I Project as presented in the Proposed Perris Green City Farm Program Conceptual..

5. City shall provide security and protection from the elements for the Phase 1 Project consistent with other landscaping at City's property, to endeavor project success for a minimum period of one year.
6. City will endeavor to ensure the Phase 1 Project receives ongoing maintenance intended to result in healthy low-water-use plants, and well-groomed grounds and hardscape that promote public health and safety, and water-efficient practices.
7. City agrees to operate and maintain the Phase 1 Project for a minimum period of 1-year, and to provide EMWD not less than two weeks' notice prior to making any substantial changes to or termination of the Phase 1 Project, including any modifications, adjacent building demolition, or the addition of future phases of the garden.
8. EMWD shall provide one-half of its \$25,000 participation funding (\$12,500) upon execution of this Letter Agreement. EMWD will provide the balance of its participation funding (\$12,500) upon successful project installation and inspection by EMWD, which review and inspection shall not be unreasonably withheld.
9. City will provide EMWD with recognition as a partnering agency at the grand opening event(s), through applicable media communications, on-site signage approved by EMWD, and all other promotional efforts. Additional signage will relay educational messages regarding water-efficient features, as agreed upon by EMWD and City.
10. Hold Harmless and Indemnification. EMWD, its agents, officers and employees shall not be liable for any claims, liabilities, penalties, fines, theft, or any damage to property, whether real or personal, nor for any personal injuries or death caused by, or resulting from, or claimed to have been caused by or resulting from, in any way, EMWD's participation in the Phase 1 Project.

City hereby agrees to indemnify and hold harmless and to defend EMWD and its authorized agents, officers and employees against any of the foregoing liabilities, claims and/or any cost or expense that is incurred by EMWD on account of any of the foregoing liabilities, including, but not limited to, liabilities or claims by reason of City's actions in the construction or use of the Phase 1 Project. However, City's obligation to indemnify and hold EMWD harmless shall not apply to instances of EMWD's gross negligence or willful misconduct.

11. This Letter Agreement is intended as a complete and exclusive statement of the terms of their understanding, superseding all prior agreements, written or oral, as to this subject matter.

If the foregoing terms and conditions are satisfactory to you, please indicate so by signing in the space provided on each of the two copies of this letter. Upon receipt, we will execute both copies and return one fully executed original to your attention.

EASTERN MUNICIPAL WATER DISTRICT

By: _____
Paul D. Jones II, P.E., General Manager

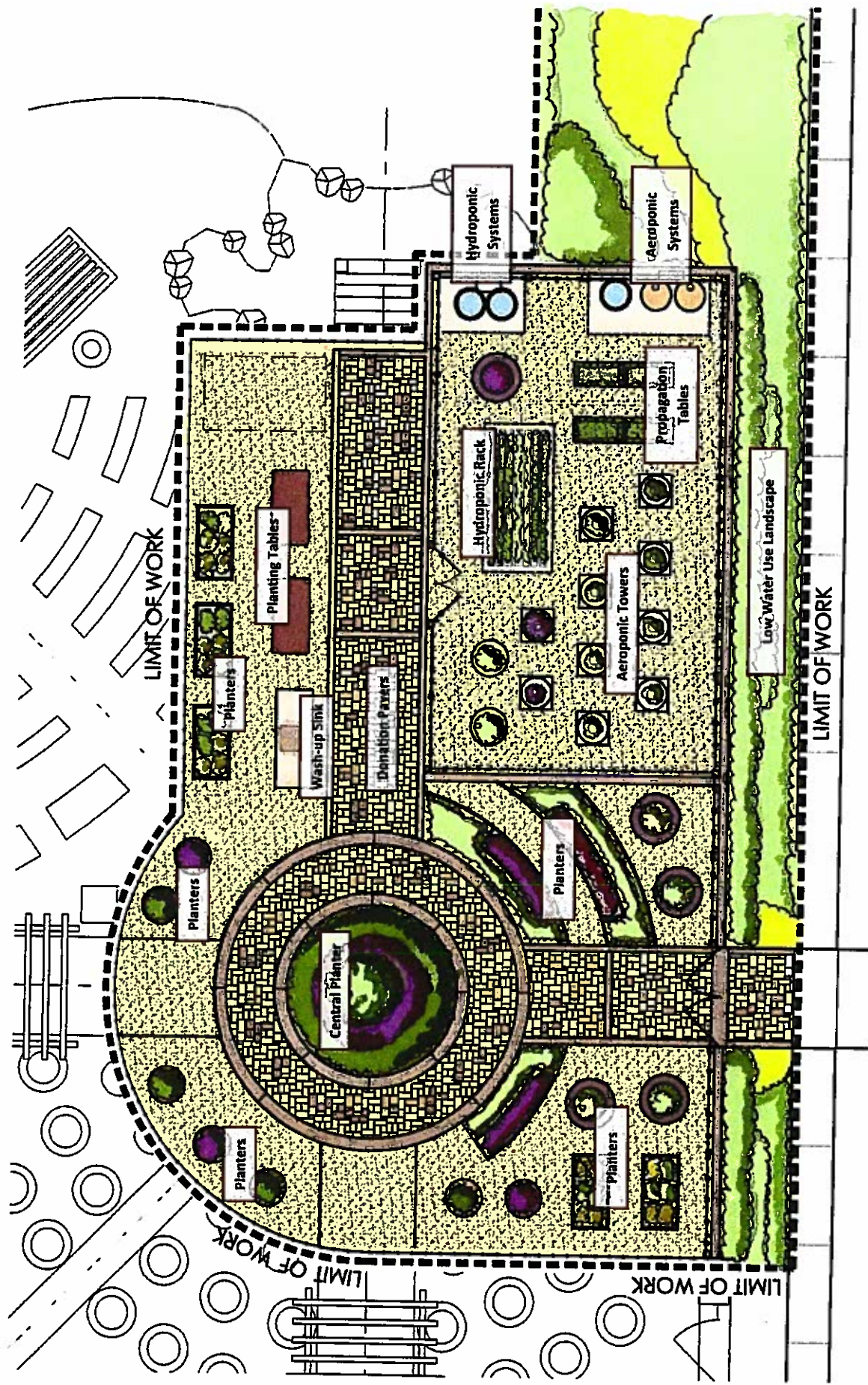
Dated: _____

CITY OF PERRIS

The foregoing terms and conditions are hereby approved and agreed to.

By: _____
Richard Belmudez, City Manager

Dated: _____



Perris Green City Farm
Phase One Site Plan

**CITY COUNCIL
AGENDA SUBMITTAL**

Meeting Date: March 08, 2016

SUBJECT: Amendment to Resolution Number 4556, Amending the established authorized agents for filing applications and requesting release of funds for Federal Assistance from the California Emergency Management Agency (CALEMA)

REQUESTED ACTION: Authorize the City Mayor to sign the Resolution

CONTACT: Clara Miramontes, Director of Development Services 

BACKGROUND/DISCUSSION:

Staff is recommending that the City Council approve and authorize the Mayor to sign the amended resolution by adding the Director of Development Services to the list of authorized City Agents who can file an application for Federal assistance and request the release of emergency related grant funds and by removing the Deputy Director of Development Services. That position is not currently filled. The Emergency Operations are administrated through the Development Services Department.

The current Resolution includes the City Manager, or the Assistant City Manager or the Deputy City Manager or the Deputy Director of Development Services who are authorized to submit and apply for these funds.

These Federal Grants cover the costs for the City to provide Community Emergency Response Training (CERT) other Emergency related activities for the City of Perris.

FISCAL IMPACT:

Cost for services will not impact our General Fund.

Prepared by: David J. Martinez, Interim Building Official/Fire Marshal

City Attorney: N/A

Assistant City Manager: Ron Carr 

Attachments: Resolution Number (next in order)

Consent: March 08, 2016

RESOLUTION NUMBER (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AMENDING THE ESTABLISHED AUTHORIZED AGENTS TO FURTHER INCLUDE THE DIRECTOR OF DEVELOPMENT SERVICES OF THE CITY OF PERRIS FOR FILING APPLICATIONS AND REQUESTING RELEASE OF FUNDS FOR FEDERAL ASSISTANCE FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY (CALEMA)

WHEREAS, the City Council of the City of Perris has the authority to file an application for federal assistance and request the release of funds from the California Emergency Management Agency for federal assistance or disaster relief; and

WHEREAS, the City Council is authorizing the City Manager, or the Assistant City Manager, or the Deputy City Manager, or the Director of Development Services to execute for and on behalf of the City of Perris, a public entity established under the laws of the State of California, to file an application in the office of the California Emergency Management Agency for the purpose of obtaining certain federal assistance Under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, or state financial assistance under the Natural Disaster Assistance Act.

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

Section 1. The City Manager, Assistant City Manager, Deputy City Manager and/or the Director of Development Services are authorized to file an application for the purpose of obtaining federal assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, or state financial assistance under the Natural Disaster Assistance Act.

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 8th day of March, 2016.

Daryl R Busch, Mayor

ATTEST:

City Clerk, Nancy Salazar

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 and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 8th day of March, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nancy Salazar, City of Clerk

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: March 8, 2016

SUBJECT: Perris Valley Filipino-American Association, Inc. request for a fee waiver for use of the Bob Glass Gym

REQUESTED ACTION: That the City Council consider a waiver of rental fees for a special event (SPORTFEST) to be held on August 27, 2016 requested by the Perris Valley Filipino-American Association, Inc.

CONTACT: Darren Madkin , Deputy City Manager 

BACKGROUND/DISCUSSION:

The Perris Valley Filipino-American Association, Inc. is a non-profit organization. They will be hosting a special sports event (SPORTSFEST) to be held on August 27, 2016. The event is a team building effort to sustain the camaraderie among its members and volunteers.

The Perris Valley Filipino-American Association, Inc. is requesting that the City of Perris City Council authorize the waiver of rental fees associated with the reservation of the Bob Glass Gym for their event. A copy of the letter request is attached with this submittal. The total value of the requested fee waiver is \$1,110.00 (refundable deposit \$250.00 and \$860.00 for rental and staff cost for Bob Glass Gym).

FISCAL IMPACT: The fees for use of Bob Glass Gym are \$1,110.00. This amount includes the rental and deposit fees.

Prepared by: Spencer Campbell, Recreation Supervisor II

Reviewed By: Sabrina Chavez, Assistant Director
Community Services and Housing Division

City Attorney:

Assistant City Manager: Ron Carr 

Attachments: Waiver Request Letter from Perris Valley Filipino-American Association, Inc.

Consent: X



PERRIS VALLEY FILIPINO-AMERICAN ASSOCIATION, INC.
82 Coliseum Street
PERRIS, CA 92571
Website: www.pvfaa.com E-mail: inlandfilam97@gmail.com

February 24, 2016

CITY COUNCIL MEMBERS
CITY OF PERRIS
101 N. D Street
Perris, CA 92570

Dear Honorable Council Members:

The Perris Valley Filipino-American Association, Inc. or PVFAA will conduct its annual **SPORTSFEST on August 27, 2016** (Saturday) at 9:00 a.m. to 5:00 p.m.. This undertaking is part of the organization's team building effort to sustain the camaraderie among its members and its volunteers.

In this regard, PVFAA would humbly request the City Council to waive the rental fees of Bob Glass gymnasium for the above-mentioned event.

Thank you for your time and attention. We are looking forward for your positive response on this matter and we hope for your kindest consideration.

Truly yours,


Mario C. Nazareno, Jr.
Board Member/Community Outreach Coordinator
(951) 264-4436

Cc: Darren Madkin – Deputy City Manager

CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date March 8, 2016

SUBJECT: Annexation of DPR 07-09-0018 to the City's Maintenance Districts

REQUESTED ACTION:

Open and Close of Public Hearing, Open 3 Ballots and Adoption of 3 Resolutions Ordering the Annexation of DPR 07-09-0018 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

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.

On January 12, 2016, 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 March 8, 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	\$ 1,761.05
Landscape Maintenance District 1 (medians)	4,851.15
Landscape Maintenance District 1 (parkways)	11,356.36
Flood Control MD 1	<u>3,145.36</u>
Total Annual Assessment	\$21,113.92

Reviewed by:

Assistant City Manager RC

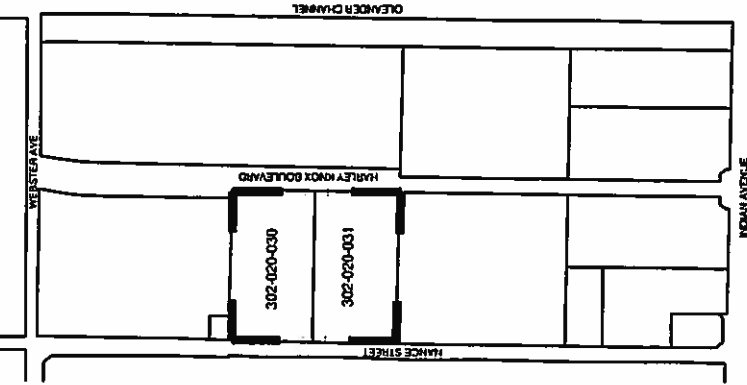
City Attorney _____

Attachments:

1. Location Map
2. Resolution Ordering the Annexation of DPR 07-09-0018 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 07-09-0018 to LMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2015-2016 Assessments.
4. Resolution Ordering the Annexation of DPR 07-09-0018 to FCMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2015-2016 Assessments.

Public Hearing:

**ANNEXATION OF DPR 07-09-0018 TO CITY OF PERRIS MAINTENANCE DISTRICT NO. 84-1,
LANDSCAPE MAINTENANCE DISTRICT NO. 1 AND FLOOD CONTROL MAINTENANCE DISTRICT NO. 1**



VICINITY MAP

NOT TO SCALE

9.06 Acres

MD 84-1

6 Street Lights

Contribution towards traffic signals at the following intersections:

Harley Knox Blvd and Indian Avenue 5%
Harley Knox Blvd and Patterson Ave 5%

LMD 1

Harley Knox Boulevard medians and parkways along the north boundary

Nance Street parkways along south boundary

FCMD 1

Public flood control facilities including overflow drains into Harley Knox Boulevard and Nance Street; and future catch basin, 18-inch lateral and contribution towards 72-inch RCP.

Facility	Annual Assessment
Street Lights and Traffic Signals	\$ 1,761.05
Landscaped Medians	4,851.15
Landscaped Parkways	11,356.36
Flood Control Facilities	3,145.36
Total Annual Assessments	\$21,113.92

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 & FCMD 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 07-09-0018 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 12th day of January 2016, adopt its Resolution of Intention Number 4944 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 4944 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 4944, 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 4944, 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 8th day of March 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 8th day of March 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, ORDERING THE
WORK IN CONNECTION WITH ANNEXATION OF DPR 07-09-0018 TO
BENEFIT ZONE 116, 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 12th day of January 2016, adopt its Resolution of Intention Number 4947 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 4947 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 4947, 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 4947, 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 8th day of March 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 8th day of March 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, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF DPR 07-09-0018 TO BENEFIT ZONE 85, 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 12th day of January 2016, adopt its Resolution of Intention Number 4948 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 4948, 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 4948, 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 4948, 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 8th day of March 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 8th day of March 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

CITY COUNCIL

AGENDA SUBMITTAL

March 8, 2016

SUBJECT: **Ordinance Amendment 16-05010** – To amend the Zoning Code Chapters 19.62 “Variances” and Chapter 19.54 “Authority and Review Procedures” to clarify inconsistencies related to variance procedures and approving authority in the City of Perris.

REQUESTED ACTION: **Adopt Ordinance No. (next in order) approving Ordinance Amendment 16-05010**, based on the findings contained in the resolution and attached exhibits.

CONTACT: Clara Miramontes, Director of Development Services




BACKGROUND/DISCUSSION:

On February 03, 2016, the Planning Commission conducted a public hearing on the proposed ordinance amendment and unanimously recommended to the City Council approval (6-ayes, 1-absent) of the amendment. The purpose of this amendment is to provide consistency between two chapters in the Zoning Code regarding approval authority of a variance. The Planning Commission was created by the City Council in 2001 and, subsequently, Ordinance 1097 was adopted to establish the duties of the Planning Commission. Chapter 19.54 of the Zoning Code “Authority and Review Procedures” was amended to give the Planning Commission approval authority in land use planning processes and regulation, which included variances. However, Chapter 19.62 which establishes procedures for a variance was never updated to reflect the transfer in approving authority from the City Council to the Planning Commission. Currently, Chapter 19.62 states that the City Council shall initiate proceedings for consideration of a variance, thereby making the City Council the approving authority over variances. As a result, a variance requires City Council approval, which makes the process more cumbersome for a land use matters typically handled by Planning Commission. Furthermore, at the 2014 Planning Commission strategic planning meeting, one of the objectives was to streamline the variance process. This ordinance amendment would meet this objective.

Ordinance Amendment 16-05010 amends Zoning Code Chapter 19.62 and Chapter 19.54 to insure clarity and consistency in variance procedures in the City of Perris. This amendment clarifies that the Planning Commission shall initiate proceedings for consideration of a variance and that the Planning Commission shall have review and approval authority for variances in the City of Perris. Planning Staff recommends the City Council approve the requested ordinance amendment based on the findings contained in the resolution and attached exhibits.

BUDGET (or FISCAL) IMPACT: The cost for staff preparation of this item is included in the existing 2015-2016 General Fund.

Prepared by: Brian Muhu, Development Services Assistant
Reviewed by: Clara Miramontes, Director of Development Services

Assistant City Manager: Ron Carr 

Attachments:
1 – Ordinance
2 – Planning Commission Packet Dated February 23, 2016
3 – Minutes of Planning Commission Meeting February 23, 2016

Public Hearing: **March 8, 2016**

ORDINANCE NUMBER ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO APPROVE ORDINANCE AMENDMENT 16-05010 TO AMEND CHAPTER 19.62 "VARIANCES" AND CHAPTER 19.54 "AUTHORITY AND REVIEW PROCEDURES" AND MAKE FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Perris recognizes the need to amend 19.62 "Variances" and Chapter & 19.54 "Authority and Review Procedures", due to inconsistency between the two Chapters; and

WHEREAS, in June, 2002, the City Council adopted Ordinance No. 1097 to designate and clarify the duties of the Planning Commission;

WHEREAS, Ordinance Amendment 16-05010 includes changes to clarify variance procedures regarding review and approval by the Planning Commission in the City of Perris; and

WHEREAS, on February 3, 2016, the Planning Commission conducted a duly, noticed public hearing on the proposed ordinance amendment, considered testimony and materials in the findings and accompanying documents, and recommended approval of the proposed amendment; and

WHEREAS, on March 8, 2016, the City Council conducted a duly, noticed public hearing on the proposed amendments, considered testimony and materials in the findings, accompanying documents and exhibits; 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 legal prerequisites for the adoption of this ordinance 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.

Section 2. The City Council hereby determines that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines pursuant to Article 19, Section 15305, pertaining to Minor Alterations in Land Use Limitations. Accordingly, the City Council adopts a Categorical Exemption in accordance with the provisions of the California Environmental Quality Act.

Section 3. Based upon the information contained within the supporting exhibits, with respect to Ordinance Amendment 16-05010, the City Council finds that:

Ordinance Amendment 16-05010

- A. The proposed Ordinance Amendment will not result in a significant adverse effect on the environment.
- B. The proposed Ordinance Amendment will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinance.
- C. The proposed Ordinance Amendment will not have a negative effect on public health, safety, or the general welfare of the community.

Section 4. That for the foregoing reasons the City Council approves, Ordinance Amendment 16-05010 to amend chapter 19.62 "Variances" and Chapter & 19.54 "Authority and Review Procedures" to the Zoning Code, based on the findings presented herein.

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 and the Secretary shall certify to the passage and adoption of this ordinance.

ADOPTED, SIGNED, and APPROVED this 8th day of March 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 8th day of March 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

Attachment: Revised Zoning Code Chapters 19.62 and Chapter 19.54

CHAPTER 19.62

VARIANCES

Sections:

19.62.010	PURPOSE AND INTENT
19.62.020	JUSTIFICATION
19.62.030	APPLICATION
19.62.040	PUBLIC HEARING
19.62.050	CONDITIONS
19.62.060	FAILURE TO COMPLY

19.62.010 PURPOSE AND INTENT

For practical difficulties, necessary hardships, or results inconsistent with the general intent and purpose of this Code which occur by reason of the strict interpretation of its provisions and the physical constraints of real property, the Planning Commission, upon motion, may, or upon the verified application of any interested person, shall initiate proceedings for consideration of a variance from the provisions of this Code. The Planning Commission in granting said variance may establish such conditions as may be deemed necessary to assure that the intent and purpose of this Code and the public health, safety and welfare will be promoted.

A variance shall not be construed as an amendment to this Code or cause the maps which are part of this Code to be changed.

19.62.020 JUSTIFICATION

The applicant shall set forth in detail on forms provided by the Director of Planning and Community Development, the reasons for the requested variances and shall demonstrate how the conditions set forth in this Section are satisfied, and all other information as may be required by the Planning Commission .

The Planning Commission, before granting a variance, must make in writing all of the findings contained in Section 19.54.040 A.

19.62.30 APPLICATION

A. Application Filing

1. Applications for variances shall be made to the Department of Planning and Community Development on forms provided by the Department. The applicant shall set forth complete data required to satisfy all the requirements of Section 19.62.020. The completed application shall be submitted to the Planning

Commission for public review.

2. Upon filing an application for a variance, a uniform fee, as established by City Council resolution and any amendments thereto, shall be paid for the purpose of defraying costs incidental to the proceedings.

B. *Investigation and Prohibition*

1. The Planning Commission shall investigate the facts bearing on each case verify information necessary to assure action consistent with the intent and purpose of this Code.
2. A person may not file and the Director of Planning and Community Development shall not accept an application which is the same as or substantially the same as an application upon which final action has been taken by the City within 12 months prior to the date of said application, unless accepted by a motion of the Planning Commission.

19.62.040 PUBLIC HEARING

Upon the filing of a verified application, the Planning and Community Development Department shall set a public hearing before the Planning Commission when the Director of Planning and Community Development has determined that the application is in compliance with this Code and the California Environmental Quality Act.

The notice and public hearing procedure shall be consistent with Chapter 19.56, PUBLIC HEARING PROCEDURES.

19.62.050 CONDITIONS

The Planning Commission, in granting a variance, may set forth reasonable conditions which shall assure the intent and purpose of this Code.

19.62.060 FAILURE TO COMPLY

Noncompliance with any condition on a variance shall constitute an infraction of the Zoning Ordinance.

CHAPTER 19.54

AUTHORITY AND REVIEW PROCEDURES

Sections:

19.54.010	PURPOSE
19.54.020	AUTHORITY
19.54.030	REVIEW AUTHORITY AND PROCESSING PROCEDURES
19.54.040	FINDINGS OF APPROVAL FOR DISCRETIONARY APPLICATIONS
19.54.050	FINDINGS OF APPROVAL FOR NON-DISCRETIONARY APPLICATIONS
19.54.060	

19.54.010 PURPOSE

The purpose of this Chapter is to establish the authority to adopt and procedures to evaluate the following applications and actions:

- Zone Changes
- Zoning Ordinance Amendments
- Specific Plans
- Conditional Use Permits
- Variances
- Administrative Permits
- Permitted Uses
- Temporary Outdoor Uses
- Modifications to Specific Plans, Conditional Use Permits, and Variances
- Administrative Determination
- Minor Adjustments
- Development Plan Review
- Letters of Public Convenience or Necessity
(Ord. 1103, 6/02)

19.54.20 AUTHORITY

The authority for each type of application identified in Section 19.54.010 PURPOSE, is as follows:

A. Zone Changes and Zoning Ordinance Amendments

The California Government Code allows jurisdictions to adopt and amend criteria which regulate the use of property located within specified districts or categories. Such changes or amendments shall be undertaken consistent with State law and local procedures. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any proposed requests.

B. *Specific Plans*

The *California Government Code* allows local jurisdictions to adopt and amend Specific Plans to implement a City's General Plan, provided it is prepared pursuant to Section 65450 of the *California Government Code*. Specific Plans may be prepared for single or multiple uses including but not limited to residential, commercial, industrial, or recreational activities. Such changes or amendments shall be undertaken consistent with State law and local procedures. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any requests.

C. *Conditional Use Permits*

The *California Government Code* allows for the adoption of regulations which require a use permit be obtained for the operation of specified uses. Use permits may require compliance with certain conditions of approval prior to the issuance of a permit to operate or building permit. The Planning Commission is authorized to approve and deny any requests.

D. *Variances*

The California Government Code allows for the adoption of regulations which permit the Planning Commission to grant a variance from the required development standards contained in a Zoning Ordinance when practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this Title result through the strict and literal interpretation and enforcement of the provisions of this Title. The Planning Commission is authorized to approve or deny any requests.

E. *Administrative Permits*

The California Government Code allows jurisdictions to require a non discretionary permit for the establishment of a large family day care home on lots zoned for single-family dwellings. The purpose of the permit can be granted by the designated City official provided the proposed use complies with all adopted local ordinances. The Director of Planning and Community Development is authorized to approve any requests consistent with existing City ordinances and policies.

F. *Permitted Uses*

The California Government Code allows for the regulation of land uses and buildings. The land uses identified as Permitted Uses are allowed by right, subject only to their compliance with existing City regulations. The

Director of Planning and Community Development is authorized to approve or deny any projects consistent with existing City ordinances and policies.

G. *Temporary Outdoor Uses*

The California Government Code allows for the regulation of land uses and buildings. Temporary outdoor uses are allowed subject to their appropriateness, the availability of land, and their compliance with existing City regulations. The Director of Planning and Community Development is authorized to approve, conditionally approve, or deny any requests.

H. *Administrative Determinations*

When a use is not listed specifically as either a permitted use or conditionally permitted use under a particular Zoning district or category, the Director of Planning and Community Development shall have the authority to determine whether the use is sufficiently similar to other uses in the particular zone to justify a finding that it should be deemed either a permitted use or conditionally permitted use. The Director of Planning and Community Development is authorized to approve or disapprove any requests consistent with the provisions of this Chapter.

I. *Minor Adjustments*

When the strict application of the provisions of this Title would be impractical or result in a hardship, a minor adjustment may be authorized by the Director of Planning and Community Development subject to the limitations listed below. Should a request for a minor adjustment be beyond the limitations listed below or considered either too controversial or significant to surrounding property owners or residents, the Director may, at his/her discretion, require the formal filing of a variance request. The Director of Planning and Community Development is authorized to approve or deny the following minor adjustments to the standards contained in the Development Code:

1. Setbacks/Landscaping: Reduce required setback or landscape areas up to 25 percent.
2. Parking: Reduce required parking up to 25 percent.
3. Height/Coverage: Increase the allowable structure height or lot coverage up to 25 percent.
4. Walls/Fences: Increase the height of walls or fences up to 25 percent.
5. Freestanding Signs: Increase the height of freestanding

signs up to 25 percent.

J. *Development Plan Review*

The *California Government Code* allows for adoption of regulations for the review of Development Projects. Development Plans may require compliance with certain conditions of approval prior to issuance of a permit to operate or a building permit. The Director of Planning and Community Development, the Planning Commission, or City Council, as specified in Section 19.54.030, is authorized to approve, conditionally approve, or deny any requests.

K. *Letter of Public Convenience or Necessity*

The *California Business and Professions Code* provides for City review of alcoholic beverage control licenses where there is an “undue concentration” and a determination that the public convenience or necessity would be served by the issuance of a license. The Planning Commission is authorized to approve or deny any requests for determination of public convenience or necessity.

(Ord. 1103, 6/02)

19.54.30 REVIEW AUTHORITY AND PROCESSING PROCEDURES

A. *Processing Review and Authority*

1. Review and Approval Authority

All actions covered by this Chapter shall be processed in the manner prescribed below. The following matrix outlines the actions, review authority, and approval authority for each type of application:

TYPE OF ACTION	TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
Discretionary	<ul style="list-style-type: none"> • Administrative Determinations 	<ul style="list-style-type: none"> • Staff 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Administrative Development Plan Review (More than 4 Single-Family, less than 4 Multi-Family, New Non-Residential less than 2,500 square feet, and conversion of residential structure to non-residential use) 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Agricultural Preserve Applications 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Annexations 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Development Agreement 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Development Plan Review- 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission

	TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
	<ul style="list-style-type: none"> • General Plan Amendments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Major Modifications 	<ul style="list-style-type: none"> • Same Authorities as for new application 	<ul style="list-style-type: none"> • Same Authority as for new application
	<ul style="list-style-type: none"> • Minor Modifications 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Minor Adjustments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Minor Development Plan Review 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Reversions to Acreage 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Surface Mining Permits 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Sign Programs 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Specific Plans 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council

	TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
	<ul style="list-style-type: none"> • Street Naming 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Temporary Use Permits 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Tentative Parcel Maps 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Variances 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Zone Changes 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Zoning Text (Ordinance) Amendments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
Non-Discretionary	<ul style="list-style-type: none"> • Permitted Uses • 	<ul style="list-style-type: none"> • City Staff • Other Responsible Agencies 	Director of Planning and Community Development

2. Referral to Next Higher Authority

The Director of Planning and Community Development may refer an application to the next higher authority due to special issues, impacts related to the project, or controversy.

3. Multiple and Concurrent Applications

When multiple applications related to a project are concurrently processed and that project also contains an application which requires review and determination by a higher authority, then all these applications, with the exception of sign permits, shall be reviewed and referred to the higher authority for determination.

The final environmental determination and decision on all of the concurrent applications related to a project shall be made by the highest level of Approval Authority for any of the applications. For example the City Council shall review and determine the final action for all applications concurrently processed with a General Plan Amendment or Zone Change.

4. **Modifications**

Major Modifications to approved projects shall be reviewed and a determination shall be made by the same authority as required for initial approval. Minor Modifications shall be reviewed and a determination shall be made by the Director of Planning and Community Development. The Director of Planning and Community Development shall be responsible for determining whether or not a proposed modification is deemed significant depending on the circumstances involved and should be considered a Major Modification or Minor Modification. The approval of Major or Minor Modifications to approved projects shall not extend the expiration date of the original project approvals, unless specified in the conditions of approval of said modification.

5. **Violation of Conditions**

Whenever a permit is conditionally approved or modified by the approving authority, the use or enjoyment of the permit approval without observance or in violation of any such conditions shall constitute a violation of the Code. Violations may be enforced in accordance with the processes and procedures for violations of the Code, or may constitute grounds for the permit to be revoked or suspended as provided in this Code

B. Processing Procedures

1. All development applications are subject to City review, except as exempted in Section 19.50.030.

2. **Abandonment of Applications**

a. An application for permits or approvals as specified in this Chapter shall be deemed to have been abandoned when information and/or fees have been requested in writing to complete or continue application processing and the requested information and/or fees have not been received by the Planning Division within ninety (90) days of the request.

- b. The applicant may provide a written request for extension, which must be supported by a written explanation of the delay, stating the date by which the further application material and or fees will be submitted. If the Director finds that special circumstances exist and that unusual hardship to the applicant would result from deeming the application abandoned, the Director may extend the period during which the required material must be submitted. If the required material has not been submitted by the new date and if the Director has not further extended the allowable period, the application shall be deemed abandoned without further notification.

3. Final Effective Date of Approvals

The final effective date of any approval shall be the first business day after all applicable appeals periods have lapsed, or the final action has occurred on any appeal. Permits shall not be issued and land uses or construction shall not commence for any use or structure involved in any application required by this Code until the final effective date of the required approvals.

(Ord. 1103 6/02)

19.54.40 FINDINGS OF APPROVAL FOR DISCRETIONARY APPLICATIONS

A. *Zone Change*

The purpose of a zone change is to ensure the City can modify land use requirements to reflect the changing needs of the area and ensure compatibility with the City's General Plan. Prior to granting approval of a zone change application the following findings shall be adopted:

1. The proposed zoning is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.
3. The proposed zoning is a logical extension of the existing zoning pattern.

B. *Specific Plans*

The purpose of a Specific Plan is to allow the City to prepare unique policies and development standards which respond to the specific needs of individual projects. Prior to granting approval of a Specific Plan application the following findings shall be adopted:

1. The Specific Plan is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
2. The Specific Plan provides adequate text and diagrams to adequately address the following issues in detail:
 1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the Plan.
 2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land uses described in the Plan.
 3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
 4. A program of implementation measures including regulation, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs a, b, and c above.

C. *Conditional Use Permits*

The purpose of a conditional use permit is to: Assure compatibility of the proposed use with other existing and potential uses within the general area; assure the proposed use is consistent and compatible with the purpose of the zone in which it is located; and, recognize and compensate for potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, and hazards. Prior to granting approval of a conditional use permit the following findings shall be adopted:

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.
2. The proposed plan is consistent with the City's General Plan and conforms to all Specific Plans, zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the City.
3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

D. Variances

The purpose of a variance is to allow for deviations from the standards contained in this Title. Variances from the terms of the Development Code shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Development Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Those standards which are determined administratively or at the discretion of the Planning commission shall not be subject to the variance provisions. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the Development Code governing the property. Prior to granting approval of a variance the following findings shall be adopted:

1. There are unique physical circumstances applicable to the subject land, including size, shape, topography, location or surroundings. If the reviewing body finds that the physical circumstances are similar to other parcels in the zone, such circumstances are not unique and a variance shall not be granted.
2. The strict application of zoning standards deprives the property of the right to use the land in manner enjoyed by other conforming property in the vicinity under identical zoning standards.
3. The granting of the variance and any appropriate conditions of approval shall not constitute a grant of special privileges which other conforming property properties in the vicinity do not enjoy under identical zoning standards.
4. The granting of the variance will not adversely affect the objectives, policies, and programs contained in the City's General Plan.

E. Major Modifications to Specific Plans, Conditional Use Permits, Development Plan Reviews, and Variances

Modifications to approved plan can occur due to changes necessitated by other agencies or the desire to refine the plan to meet changing economic or social needs. Major modifications involve significant design changes which could, for example, modify the original character of the development, building, or use, such as an increase in residential densities, diminishment of open space areas, reorientation of building or entrance areas. A minor revision would not violate the intent of any of the standards or conditions or the permit or the zone. The Director of Planning and Community Development will be responsible for

determining whether or not a proposed modification is deemed significant, depending on the circumstances involved.

F. Development Plan Reviews

The purpose of the Development Plan Review is to protect the health, safety, and welfare of the citizens of the City; to ensure that all development proposed within the City is consistent with the City's General Plan, Zoning, any applicable Specific Plan, and City requirements to protect and enhance the built and natural environment of the City, identifying and mitigating potential impacts that could be generated by the proposed use, such as traffic, noise, smoke, dust, fumes, vibration, odors, other hazards, or community impacts. The City's review process it shall include the evaluation of certain development impacts and standards, including, but not limited to the following:

1. The proposed development is consistent with the allowed Zoning restrictions, in addition to drainage, waste disposal, street dedication, fire safety, and other appropriate regulations.
2. The following are constructed and arranged so that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on surrounding property:
 - a. Buildings, structures, and improvements
 - b. Parking, vehicular ingress/egress and internal circulation
 - c. Setbacks
 - d. Height of buildings
 - e. Service areas
 - f. Walls and fences
 - g. Landscaping
 - h. Architectural compatibility with zoning standards, applicable Specific Plans, and surrounding development
3. All utility facilities are underground, unless otherwise authorized by Perris Municipal Code Chapter 13.04.
4. Proposed lighting is located so as to reflect the light away from adjoining properties
5. Proposed signs will not, by size, location, color or lighting, interfere with traffic, limit visibility, contribute to overhead clutter, or create a public nuisance.
6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.
7. All required infrastructure and improvements are included within the proposed development or the conditions of approval.

Prior to granting approval of a Development Plan Review the following findings shall be adopted:

1. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, any applicable Specific Plans, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.
2. 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 development proposed.
3. The proposed development 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.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.
6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

G. Administrative Determinations

The purpose of an administrative determination is to provide a process whereby uses can be administratively added to a particular zone or zones without processing a formal amendment to the Zoning Ordinance. Prior to granting approval or an administrative determination the following findings shall be adopted:

1. The proposed use is consistent with the purpose of the Zoning Ordinance and the particular zone or zones in which it is to be added.
2. The proposed use and its operation are compatible with the uses allowed in the zone.
3. The proposed use is similar to one or more uses in the zone or zones it is to be added.

H. Minor Adjustments

The purpose of a minor adjustment is to administratively approve deviations from Development Code standards when the changes are deemed to be minor and will not adversely affect the public health or the safety of adjoining properties. Prior to granting approval of a minor adjustment the following findings shall be adopted:

1. The proposed adjustment does not adversely affect the adjoining property owners or uses.
2. The proposed adjustment is necessary for the effective operation of the use or associated facilities.

3. The necessity for the adjustment is adequately justified, including through the use of special studies.

I. Letter of Public Convenience or Necessity

The purpose of the Letter of Public Convenience or Necessity is to allow the City to consider requests for issuance alcoholic beverage control permits in areas “undue concentration” and make a determination that the public convenience and necessity would be served by the issuance of a permit. In order for the City to grant such a request the Director of Planning and Community Development shall consider the applicant’s request, consult with the City’s Police Chief and City Attorney as necessary, review and recommend a course of action to the Planning Commission. The Planning Commission must consider the matter and determine whether the public convenience and necessity would be served by the issuance of a permit. Prior to granting approval of a Letter of Public Convenience or Necessity the following findings shall be adopted:

1. Applicant has submitted a written request for a letter of public convenience and necessity to the City, indicting the reasons for request.
2. The census tract within the project site is located is determined to have an “undue concentration” of alcoholic beverage licenses.
3. Applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer.
4. License applicant has a valid City issued permit for the associated use, which caters to the needs of the community, by providing public convenience or necessity.
5. The issuance of a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer will continue to provide for public convenience and necessity.

J. Temporary Use Permits

Temporary outdoor events are those uses which shall be allowed provided they comply with existing City ordinances and policies. The actions undertaken by the City in the review and approval of these uses is to ensure each proposed use meets the City's existing regulation and that the applicant is appraised of these requirements. To accomplish this the City will distribute each proposed project, either formally or informally, to affected departments or agencies to obtain their comments and conditions. Upon completion of the City's review a letter shall be issued to the applicant stipulating the requirements/actions that must be taken to comply with existing City requirements. The letter shall attempt to be as comprehensive as possible in an effort to provide the applicant with the greatest amount of information to enable the proper development of the proposed project. The City will not be responsible for enforcing the

requirements noted by other agencies. As part of the City's review process it shall evaluate factors including but not limited to the following:

1. Compliance with Fire Department and other life safety criteria.
2. Compliance with Building Department criteria.
3. Adequate traffic circulation, ingress/egress and off-site parking.
4. Adequate restroom facilities.
5. Trash collection and disposal
6. Adequate insurance
7. Adequate security
8. Compliance with City sign regulations in Chapter 19.75

(Ord. 1103 6/02)

19.54.50 FINDINGS OF APPROVAL FOR NON-DISCRETIONARY APPLICATIONS

A. *Permitted Uses*

Permitted uses are those uses which shall be allowed provided they comply with existing City ordinances and policies. However, land uses proposed to occupy a lot containing an abandoned building or structure, shall be subject Development Plan Review and to the applicable review and approving authorities as specified in Chapter 19.50 (Development Plan Requirements) and Section 19.54.030 (Authority and Review Procedures). The actions undertaken by the City in the review and approval of these uses is to ensure each proposed use meets the City's existing regulations and that the applicant is appraised of these requirements. To accomplish this the City will distribute each proposed project, either formally or informally, to affected departments or agencies to obtain their comments and conditions. Upon completion of the City's review a letter shall be issued to the applicant stipulating the requirements/actions that must be taken to comply with existing City requirements. The letter shall attempt to be as comprehensive as possible in an effort to provide the applicant with the greatest amount of information to enable the proper development of the proposed project. The City will not be responsible for enforcing the requirements noted by other agencies. As part of the City's review process it shall evaluate factors including but not limited to the following:

1. The proposed use and structure consistent with the allowed Zoning restrictions, in addition to drainage, waste disposal, street dedication, fire safety, and other appropriate regulations.
2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, so that there will be no adverse effect on surrounding property:
 - a. Buildings, structures, and improvements
 - b. Parking, vehicular ingress/egress and internal circulation

- c. Setbacks
 - d. Height of buildings
 - e. Service areas
 - f. Walls and fences
 - g. Landscaping
 - h. Architectural compatibility with zoning standards, applicable Specific Plans, and surrounding development
3. All utility facilities are underground, unless otherwise authorized by Perris Municipal Code Chapter 13.04.
 4. Proposed lighting is so located as to reflect the light away from adjoining properties
 5. Proposed signs will not, by size, location, color or lighting, interfere with traffic or limit visibility.
 6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.

(Ord. 1103 6/02)

PLANNING COMMISSION

AGENDA SUBMITTAL

February 3, 2016

SUBJECT: Ordinance Amendment 16-05010 – To amend the Zoning Code Chapters 19.62 “Variances” and Chapter 19.54 “Authority and Review Procedures” to clarify inconsistencies related to variance procedures and approving authority in the City of Perris.

REQUESTED ACTION: Adopt Resolution No. 16-03 recommending approval of Ordinance Amendment 16-05010 to the City Council, based on the findings contained in the Resolution and attached exhibits.

CONTACT: Clara Miramontes, Director of Development Services

The purpose of this amendment is to provide consistency between two chapters in the Zoning Code regarding approval authority of a variance. The Planning Commission was created by the City Council in 2001 and, subsequently, Ordinance 1097 was adopted to establish the duties of the Planning Commission. Chapter 19.54 of the Zoning Code “Authority and Review Procedures” was amended to give the Planning Commission approval authority in land use planning processes and regulation, which included variances. However, Chapter 19.62 which establishes procedures for a variance was never updated to reflect the transfer in approving authority from the City Council to the Planning Commission. Currently, Chapter 19.62 states that the City Council shall initiate proceedings for consideration of a variance, thereby making the City Council the approving authority over variances. As a result, a variance requires City Council approval, which makes the process more cumbersome for a land use matter typically handled by a Planning Commission. Furthermore, at the 2014 Planning Commission strategic planning meeting, one of the objectives was to streamline the variance process. This ordinance amendment would meet this objective.

Ordinance Amendment 16-05010 amends Zoning Code Chapter 19.62 and Chapter 19.54 to insure clarity and consistency in variance procedures in the City of Perris. This amendment clarifies that the Planning Commission shall initiate proceedings for consideration of a variance and that the Planning Commission shall have review and approval authority for variances in the City of Perris. Staff requests that the Planning Commission recommend to the City Council approval of the proposed Ordinance Amendment.

BUDGET (or FISCAL) IMPACT: The cost for staff preparation of this item is included in the existing 2015-2016 General Fund.

Prepared by: Brian Muhu, Development Services Assistant

Public Hearing: February 3, 2016

Exhibits:

- A – Zoning Code Chapter 19.54 “Authority and Review Procedures”
- B – Zoning Code Chapter 19.62 “Variances”
- C – Ordinance Number 1097
- D – Resolution No. 16-03

CHAPTER 19.54

AUTHORITY AND REVIEW PROCEDURES

Sections:

- 19.54.010 PURPOSE
- 19.54.020 AUTHORITY
- 19.54.030 REVIEW AUTHORITY AND PROCESSING PROCEDURES
- 19.54.040 FINDINGS OF APPROVAL FOR DISCRETIONARY APPLICATIONS
- 19.54.050 FINDINGS OF APPROVAL FOR NON-DISCRETIONARY APPLICATIONS
- 19.54.060

19.54.010 PURPOSE

The purpose of this Chapter is to establish the authority to adopt and procedures to evaluate the following applications and actions:

- Zone Changes
- Zoning Ordinance Amendments
- Specific Plans
- Conditional Use Permits
- Variances
- Administrative Permits
- Permitted Uses
- Temporary Outdoor Uses
- Modifications to Specific Plans, Conditional Use Permits, and Variances
- Administrative Determination
- Minor Adjustments
- Development Plan Review
- Letters of Public Convenience or Necessity
(Ord. 1103, 6/02)

19.54.20 AUTHORITY

The authority for each type of application identified in Section 19.54.010 PURPOSE, is as follows:

A. *Zone Changes and Zoning Ordinance Amendments*

The California Government Code allows jurisdictions to adopt and amend criteria which regulate the use of property located within specified districts or categories. Such changes or amendments shall be undertaken consistent with State law and local procedures. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any proposed requests.

B. *Specific Plans*

The *California Government Code* allows local jurisdictions to adopt and amend Specific Plans to implement a City's General Plan, provided it is prepared pursuant to Section 65450 of the *California Government Code*. Specific Plans may be prepared for single or multiple uses including but not limited to residential, commercial, industrial, or recreational activities. Such changes or amendments shall be undertaken consistent with State law and local procedures. The Planning Commission is authorized to review and recommend either approval or denial to the City Council. The City Council is authorized to approve or disapprove any requests.

C. *Conditional Use Permits*

The *California Government Code* allows for the adoption of regulations which require a use permit be obtained for the operation of specified uses. Use permits may require compliance with certain conditions of approval prior to the issuance of a permit to operate or building permit. The Planning Commission is authorized to approve and deny any requests.

D. *Variances*

The California Government Code allows for the adoption of regulations which permit the ~~City Council~~ Planning Commission to grant a variance from the required development standards contained in a Zoning Ordinance when practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this Title result through the strict and literal interpretation and enforcement of the provisions of this Title. The Planning Commission is authorized to approve or deny any requests.

E. *Administrative Permits*

The California Government Code allows jurisdictions to require a non discretionary permit for the establishment of a large family day care home on lots zoned for single-family dwellings. The purpose of the permit can be granted by the designated City official provided the proposed use complies with all adopted local ordinances. The Director of Planning and Community Development is authorized to approve any requests consistent with existing City ordinances and policies.

F. *Permitted Uses*

The California Government Code allows for the regulation of land uses and buildings. The land uses identified as Permitted Uses are allowed by right, subject only to their compliance with existing City regulations. The

Director of Planning and Community Development is authorized to approve or deny any projects consistent with existing City ordinances and policies.

G. *Temporary Outdoor Uses*

The California Government Code allows for the regulation of land uses and buildings. Temporary outdoor uses are allowed subject to their appropriateness, the availability of land, and their compliance with existing City regulations. The Director of Planning and Community Development is authorized to approve, conditionally approve, or deny any requests.

H. *Administrative Determinations*

When a use is not listed specifically as either a permitted use or conditionally permitted use under a particular Zoning district or category, the Director of Planning and Community Development shall have the authority to determine whether the use is sufficiently similar to other uses in the particular zone to justify a finding that it should be deemed either a permitted use or conditionally permitted use. The Director of Planning and Community Development is authorized to approve or disapprove any requests consistent with the provisions of this Chapter.

I. *Minor Adjustments*

When the strict application of the provisions of this Title would be impractical or result in a hardship, a minor adjustment may be authorized by the Director of Planning and Community Development subject to the limitations listed below. Should a request for a minor adjustment be beyond the limitations listed below or considered either too controversial or significant to surrounding property owners or residents, the Director may, at his/her discretion, require the formal filling of a variance request. The Director of Planning and Community Development is authorized to approve or deny the following minor adjustments to the standards contained in the Development Code:

1. Setbacks/Landscaping: Reduce required setback or landscape areas up to 25 percent.
2. Parking: Reduce required parking up to 25 percent.
3. Height/Coverage: Increase the allowable structure height or lot coverage up to 25 percent.
4. Walls/Fences: Increase the height of walls or fences up to 25 percent.
5. Freestanding Signs: Increase the height of freestanding

signs up to 25 percent.

J. *Development Plan Review*

The *California Government Code* allows for adoption of regulations for the review of Development Projects. Development Plans may require compliance with certain conditions of approval prior to issuance of a permit to operate or a building permit. The Director of Planning and Community Development, the Planning Commission, or City Council, as specified in Section 19.54.030, is authorized to approve, conditionally approve, or deny any requests.

K. *Letter of Public Convenience or Necessity*

The *California Business and Professions Code* provides for City review of alcoholic beverage control licenses where there is an “undue concentration” and a determination that the public convenience or necessity would be served by the issuance of a license. The Planning Commission is authorized to approve or deny any requests for determination of public convenience or necessity.

(Ord. 1103, 6/02)

19.54.30 REVIEW AUTHORITY AND PROCESSING PROCEDURES

A. *Processing Review and Authority*

1. Review and Approval Authority

All actions covered by this Chapter shall be processed in the manner prescribed below. The following matrix outlines the actions, review authority, and approval authority for each type of application:

TYPE OF ACTION	TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
Discretionary	<ul style="list-style-type: none"> • Administrative Determinations 	<ul style="list-style-type: none"> • Staff 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Administrative Development Plan Review (More than 4 Single-Family, less than 4 Multi-Family, New Non-Residential less than 2,500 square feet, and conversion of residential structure to non-residential use) 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Agricultural Preserve Applications 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Annexations 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Development Agreement 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Development Plan Review- 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission

TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
<ul style="list-style-type: none"> • General Plan Amendments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Major Modifications 	<ul style="list-style-type: none"> • Same Authorities as for new application 	<ul style="list-style-type: none"> • Same Authority as for new application
<ul style="list-style-type: none"> • Minor Modifications 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Minor Adjustments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Minor Development Plan Review 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Reversions to Acreage 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Surface Mining Permits 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
<ul style="list-style-type: none"> • Sign Programs 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
<ul style="list-style-type: none"> • Specific Plans 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council

	TYPE OF APPLICATION	REVIEW AUTHORITY	APPROVAL AUTHORITY
	<ul style="list-style-type: none"> • Street Naming 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Temporary Use Permits 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Director of Planning & Community Development
	<ul style="list-style-type: none"> • Tentative Parcel Maps 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Variances 	<ul style="list-style-type: none"> • Staff • Responsible Agencies 	<ul style="list-style-type: none"> • Planning Commission
	<ul style="list-style-type: none"> • Zone Changes 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
	<ul style="list-style-type: none"> • Zoning Text (Ordinance) Amendments 	<ul style="list-style-type: none"> • Staff • Responsible Agencies • Planning Commission 	<ul style="list-style-type: none"> • City Council
Non-Discretionary	<ul style="list-style-type: none"> • Permitted Uses • 	<ul style="list-style-type: none"> • City Staff • Other Responsible Agencies 	Director of Planning and Community Development

2. Referral to Next Higher Authority

The Director of Planning and Community Development may refer an application to the next higher authority due to special issues, impacts related to the project, or controversy.

3. Multiple and Concurrent Applications

When multiple applications related to a project are concurrently processed and that project also contains an application which requires review and determination by a higher authority, then all these applications, with the exception of sign permits, shall be reviewed and referred to the higher authority for determination.

The final environmental determination and decision on all of the concurrent applications related to a project shall be made by the highest level of Approval Authority for any of the applications. For example the City Council shall review and determine the final action for all applications concurrently processed with a General Plan Amendment or Zone Change.

4. Modifications

Major Modifications to approved projects shall be reviewed and a determination shall be made by the same authority as required for initial approval. Minor Modifications shall be reviewed and a determination shall be made by the Director of Planning and Community Development. The Director of Planning and Community Development shall be responsible for determining whether or not a proposed modification is deemed significant depending on the circumstances involved and should be considered a Major Modification or Minor Modification. The approval of Major or Minor Modifications to approved projects shall not extend the expiration date of the original project approvals, unless specified in the conditions of approval of said modification.

5. Violation of Conditions

Whenever a permit is conditionally approved or modified by the approving authority, the use or enjoyment of the permit approval without observance or in violation of any such conditions shall constitute a violation of the Code. Violations may be enforced in accordance with the processes and procedures for violations of the Code, or may constitute grounds for the permit to be revoked or suspended as provided in this Code

B. Processing Procedures

1. All development applications are subject to City review, except as exempted in Section 19.50.030.

2. Abandonment of Applications

a. An application for permits or approvals as specified in this Chapter shall be deemed to have been abandoned when information and/or fees have been requested in writing to complete or continue application processing and the requested information and/or fees have not been received by the Planning Division within ninety (90) days of the request.

- b. The applicant may provide a written request for extension, which must be supported by a written explanation of the delay, stating the date by which the further application material and or fees will be submitted. If the Director finds that special circumstances exist and that unusual hardship to the applicant would result from deeming the application abandoned, the Director may extend the period during which the required material must be submitted. If the required material has not been submitted by the new date and if the Director has not further extended the allowable period, the application shall be deemed abandoned without further notification.

3. Final Effective Date of Approvals

The final effective date of any approval shall be the first business day after all applicable appeals periods have lapsed, or the final action has occurred on any appeal. Permits shall not be issued and land uses or construction shall not commence for any use or structure involved in any application required by this Code until the final effective date of the required approvals.

(Ord. 1103 6/02)

19.54.40 FINDINGS OF APPROVAL FOR DISCRETIONARY APPLICATIONS

A. Zone Change

The purpose of a zone change is to ensure the City can modify land use requirements to reflect the changing needs of the area and ensure compatibility with the City's General Plan. Prior to granting approval of a zone change application the following findings shall be adopted:

1. The proposed zoning is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.
3. The proposed zoning is a logical extension of the existing zoning pattern.

B. Specific Plans

The purpose of a Specific Plan is to allow the City to prepare unique policies and development standards which respond to the specific needs of individual projects. Prior to granting approval of a Specific Plan application the following findings shall be adopted:

1. The Specific Plan is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.
2. The Specific Plan provides adequate text and diagrams to adequately address the following issues in detail:
 1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the Plan.
 2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Plan and needed to support the land uses described in the Plan.
 3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
 4. A program of implementation measures including regulation, programs, public works projects, and financing measures necessary to carry out the provisions contained in paragraphs a, b, and c above.

C. *Conditional Use Permits*

The purpose of a conditional use permit is to: Assure compatibility of the proposed use with other existing and potential uses within the general area; assure the proposed use is consistent and compatible with the purpose of the zone in which it is located; and, recognize and compensate for potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, and hazards. Prior to granting approval of a conditional use permit the following findings shall be adopted:

1. The proposed location of the conditional use is in accord with the objectives of this Title and the purposes of the zone in which the site is located.
2. The proposed plan is consistent with the City's General Plan and conforms to all Specific Plans, zoning standards, applicable subdivision requirements, and other ordinances and resolutions of the City.
3. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.

D. Variances

The purpose of a variance is to allow for deviations from the standards contained in this Title. Variances from the terms of the Development Code shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Development Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Those standards which are determined administratively or at the discretion of the ~~City Council~~ Planning Commission shall not be subject to the variance ~~proves~~ Provisions. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the Development Code governing the property. Prior to granting approval of a variance the following findings shall be adopted:

1. There are unique physical circumstances applicable to the subject land, including size, shape, topography, location or surroundings. If the reviewing body finds that the physical circumstances are similar to other parcels in the zone, such circumstances are not unique and a variance shall not be granted.
2. The strict application of zoning standards deprives the property of the right to use the land in manner enjoyed by other conforming property in the vicinity under identical zoning standards.
3. The granting of the variance and any appropriate conditions of approval shall not constitute a grant of special privileges which other conforming property properties in the vicinity do not enjoy under identical zoning standards.
4. The granting of the variance will not adversely affect the objectives, policies, and programs contained in the City's General Plan.

E. Major Modifications to Specific Plans, Conditional Use Permits, Development Plan Reviews, and Variances

Modifications to approved plan can occur due to changes necessitated by other agencies or the desire to refine the plan to meet changing economic or social needs. Major modifications involve significant design changes which could, for example, modify the original character of the development, building, or use, such as an increase in residential densities, diminishment of open space areas, reorientation of building or entrance areas. A minor revision would not violate the intent of any of the standards or conditions or the permit or the zone. The Director of Planning and Community Development will be responsible for

determining whether or not a proposed modification is deemed significant, depending on the circumstances involved.

F. *Development Plan Reviews*

The purpose of the Development Plan Review is to protect the health, safety, and welfare of the citizens of the City; to ensure that all development proposed within the City is consistent with the City's General Plan, Zoning, any applicable Specific Plan, and City requirements to protect and enhance the built and natural environment of the City, identifying and mitigating potential impacts that could be generated by the proposed use, such as traffic, noise, smoke, dust, fumes, vibration, odors, other hazards, or community impacts. The City's review process it shall include the evaluation of certain development impacts and standards, including, but not limited to the following:

1. The proposed development is consistent with the allowed Zoning restrictions, in addition to drainage, waste disposal, street dedication, fire safety, and other appropriate regulations.
2. The following are constructed and arranged so that traffic congestion is avoided, pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on surrounding property:
 - a. Buildings, structures, and improvements
 - b. Parking, vehicular ingress/egress and internal circulation
 - c. Setbacks
 - d. Height of buildings
 - e. Service areas
 - f. Walls and fences
 - g. Landscaping
 - h. Architectural compatibility with zoning standards, applicable Specific Plans, and surrounding development
3. All utility facilities are underground, unless otherwise authorized by Perris Municipal Code Chapter 13.04.
4. Proposed lighting is located so as to reflect the light away from adjoining properties
5. Proposed signs will not, by size, location, color or lighting, interfere with traffic, limit visibility, contribute to overhead clutter, or create a public nuisance.
6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.
7. All required infrastructure and improvements are included within the proposed development or the conditions of approval.

Prior to granting approval of a Development Plan Review the following findings shall be adopted:

1. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City's General Plan, any applicable Specific Plans, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.
2. 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 development proposed.
3. The proposed development 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.
4. The architecture proposed is compatible with community standards and protects the character of adjacent development.
5. The landscaping plan ensures visual relief and provides an attractive environment for the public's enjoyment.
6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

G. Administrative Determinations

The purpose of an administrative determination is to provide a process whereby uses can be administratively added to a particular zone or zones without processing a formal amendment to the Zoning Ordinance. Prior to granting approval or an administrative determination the following findings shall be adopted:

1. The proposed use is consistent with the purpose of the Zoning Ordinance and the particular zone or zones in which it is to be added.
2. The proposed use and its operation are compatible with the uses allowed in the zone.
3. The proposed use is similar to one or more uses in the zone or zones it is to be added.

H. Minor Adjustments

The purpose of a minor adjustment is to administratively approve deviations from Development Code standards when the changes are deemed to be minor and will not adversely affect the public health or the safety of adjoining properties. Prior to granting approval of a minor adjustment the following findings shall be adopted:

1. The proposed adjustment does not adversely affect the adjoining property owners or uses.
2. The proposed adjustment is necessary for the effective operation of the use or associated facilities.

3. The necessity for the adjustment is adequately justified, including through the use of special studies.

I. *Letter of Public Convenience or Necessity*

The purpose of the Letter of Public Convenience or Necessity is to allow the City to consider requests for issuance alcoholic beverage control permits in areas “undue concentration” and make a determination that the public convenience and necessity would be served by the issuance of a permit. In order for the City to grant such a request the Director of Planning and Community Development shall consider the applicant’s request, consult with the City’s Police Chief and City Attorney as necessary, review and recommend a course of action to the Planning Commission. The Planning Commission must consider the matter and determine whether the public convenience and necessity would be served by the issuance of a permit. Prior to granting approval of a Letter of Public Convenience or Necessity the following findings shall be adopted:

1. Applicant has submitted a written request for a letter of public convenience and necessity to the City, indicting the reasons for request.
2. The census tract within the project site is located is determined to have an “undue concentration” of alcoholic beverage licenses.
3. Applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer.
4. License applicant has a valid City issued permit for the associated use, which caters to the needs of the community, by providing public convenience or necessity.
5. The issuance of a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer will continue to provide for public convenience and necessity.

J. *Temporary Use Permits*

Temporary outdoor events are those uses which shall be allowed provided they comply with existing City ordinances and policies. The actions undertaken by the City in the review and approval of these uses is to ensure each proposed use meets the City's existing regulation and that the applicant is appraised of these requirements. To accomplish this the City will distribute each proposed project, either formally or informally, to affected departments or agencies to obtain their comments and conditions. Upon completion of the City's review a letter shall be issued to the applicant stipulating the requirements/actions that must be taken to comply with existing City requirements. The letter shall attempt to be as comprehensive as possible in an effort to provide the applicant with the greatest amount of information to enable the proper development of the proposed project. The City will not be responsible for enforcing the

requirements noted by other agencies. As part of the City's review process it shall evaluate factors including but not limited to the following:

1. Compliance with Fire Department and other life safety criteria.
2. Compliance with Building Department criteria.
3. Adequate traffic circulation, ingress/egress and off-site parking.
4. Adequate restroom facilities.
5. Trash collection and disposal
6. Adequate insurance
7. Adequate security
8. Compliance with City sign regulations in Chapter 19.75

(Ord. 1103 6/02)

19.54.50 FINDINGS OF APPROVAL FOR NON-DISCRETIONARY APPLICATIONS

A. *Permitted Uses*

Permitted uses are those uses which shall be allowed provided they comply with existing City ordinances and policies. However, land uses proposed to occupy a lot containing an abandoned building or structure, shall be subject Development Plan Review and to the applicable review and approving authorities as specified in Chapter 19.50 (Development Plan Requirements) and Section 19.54.030 (Authority and Review Procedures). The actions undertaken by the City in the review and approval of these uses is to ensure each proposed use meets the City's existing regulations and that the applicant is appraised of these requirements. To accomplish this the City will distribute each proposed project, either formally or informally, to affected departments or agencies to obtain their comments and conditions. Upon completion of the City's review a letter shall be issued to the applicant stipulating the requirements/actions that must be taken to comply with existing City requirements. The letter shall attempt to be as comprehensive as possible in an effort to provide the applicant with the greatest amount of information to enable the proper development of the proposed project. The City will not be responsible for enforcing the requirements noted by other agencies. As part of the City's review process it shall evaluate factors including but not limited to the following:

1. The proposed use and structure consistent with the allowed Zoning restrictions, in addition to drainage, waste disposal, street dedication, fire safety, and other appropriate regulations.
2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, so that there will be no adverse effect on surrounding property:
 - a. Buildings, structures, and improvements
 - b. Parking, vehicular ingress/egress and internal circulation

- c. Setbacks
 - d. Height of buildings
 - e. Service areas
 - f. Walls and fences
 - g. Landscaping
 - h. Architectural compatibility with zoning standards, applicable Specific Plans, and surrounding development
3. All utility facilities are underground, unless otherwise authorized by Perris Municipal Code Chapter 13.04.
 4. Proposed lighting is so located as to reflect the light away from adjoining properties
 5. Proposed signs will not, by size, location, color or lighting, interfere with traffic or limit visibility.
 6. All applicable public easements and rights-of-way have been dedicated or offered for dedication.

(Ord. 1103 6/02)

CHAPTER 19.62

VARIANCES

Sections:

- 19.62.010 PURPOSE AND INTENT
- 19.62.020 JUSTIFICATION
- 19.62.030 APPLICATION
- 19.62.040 PUBLIC HEARING
- 19.62.050 CONDITIONS
- 19.62.060 FAILURE TO COMPLY

19.62.010 PURPOSE AND INTENT

For practical difficulties, necessary hardships, or results inconsistent with the general intent and purpose of this Code which occur by reason of the strict interpretation of its provisions and the physical constraints of real property, the ~~City Council~~ Planning Commission, upon motion, may, or upon the verified application of any interested person, shall initiate proceedings for consideration of a variance from the provisions of this Code. The ~~City Council~~ Planning Commission in granting said variance may establish such conditions as may be deemed necessary to assure that the intent and purpose of this Code and the public health, safety and welfare will be promoted.

A variance shall not be construed as an amendment to this Code or cause the maps which are part of this Code to be changed.

19.62.020 JUSTIFICATION

The applicant shall set forth in detail on forms provided by the Director of Planning and Community Development, the reasons for the requested variances and shall demonstrate how the conditions set forth in this Section are satisfied, and all other information as may be required by the ~~City Council~~ Planning Commission.

The ~~City Council~~ Planning Commission, before granting a variance, must make in writing all of the findings contained in Section 19.54.040 A.

19.62.30 APPLICATION

A. *Application Filing*

1. Applications for variances shall be made to the Department of Planning and Community Development on forms provided by the Department. The applicant shall set forth complete data required to satisfy all the requirements of Section 19.62.020. The

completed application shall be submitted to the ~~City Council~~
Planning Commission for public review.

2. Upon filing an application for a variance, a uniform fee, as established by City Council resolution and any amendments thereto, shall be paid for the purpose of defraying costs incidental to the proceedings.

B. *Investigation and Prohibition*

1. The ~~City Council~~ Planning Commission shall investigate the facts bearing on each case verify information necessary to assure action consistent with the intent and purpose of this Code.
2. A person may not file and the Director of Planning and Community Development shall not accept an application which is the same as or substantially the same as an application upon which final action has been taken by the City within 12 months prior to the date of said application, unless accepted by a motion of the ~~City Council~~
Planning Commission.

19.62.040 PUBLIC HEARING

Upon the filing of a verified application, the Planning and Community Development Department shall set a public hearing before the ~~City Council~~
Planning Commission when the Director of Planning and Community Development has determined that the application is in compliance with this Code and the California Environmental Quality Act.

The notice and public hearing procedure shall be consistent with Chapter 19.56, PUBLIC HEARING PROCEDURES.

19.62.050 CONDITIONS

The ~~City Council~~ Planning Commission, in granting a variance, may set forth reasonable conditions which shall assure the intent and purpose of this Code.

19.62.060 FAILURE TO COMPLY

Noncompliance with any condition on a variance shall constitute an infraction of the Zoning Ordinance.

ORDINANCE NUMBER 1097

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING THE PERRIS ZONING CODE TO DESIGNATE THE DUTIES OF THE PERRIS PLANNING COMMISSION

WHEREAS, by Ordinance No. 1092, effective December 27, 2001, the City Council created the Perris Planning Commission to assist the City in land use planning and regulation; and

WHEREAS, Ordinance No. 1092 provides that the Planning Commission shall perform such duties as may be imposed upon the Commission by the City Council by ordinance or resolution; and

WHEREAS, the City Council desires to designate and clarify the duties of the Planning Commission;

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

Section 1. Sections 19.01.050(B)(4) and (B)(5) of the Perris Zoning Code (Determining General Plan Consistency) are hereby amended to read in their entirety as follows:

- “4. The responsibility of determining consistency with the General Plan shall rest with the Director of Planning and Community Development, unless otherwise designated herein.
5. Administration of the General Plan shall be the responsibility of the City Council, with advice and recommendations from the Planning Commission. Administration of the General Plan may include:
 - a. Investigating reasonable and practical means for General Plan implementation, to serve as an effective guide for orderly growth and development, preservation, and conservation of open space and natural resources;
 - b. Providing periodic reports and recommendations to the City Council on the status of the General Plan and progress in its implementation.”

Section 2. Section 19.08.010 of the Perris Zoning Code (Definitions) is hereby amended to add the following definition:

“Planning Commission” shall mean the Planning Commission of the City of Perris.”

Section 1. Section 19.49.115 is hereby added to the Perris Zoning Code to read in its entirety as follows:

“PUBLIC HEARING BY PLANNING COMMISSION -- The Planning Commission shall hold a public hearing before recommending to the City Council approval, amendment, or denial of a specific plan, consistent with Chapter 19.56, PUBLIC HEARING PROCEDURES.”

Section 2. Section 19.50.040 of the Perris Zoning Code (Conformance With Laws) shall be amended to read in its entirety as follows:

“The Planning Commission or the Director of Planning and Community Development, as applicable, shall review the development plan for conformance with the City’s General Plan, Development code, specific plan regulations, and other applicable City regulations.”

Section 1. Section 19.50.050(C)(3) of the Perris Zoning Code (Other Materials/Specifications) is hereby amended to read in its entirety as follows:

“3. Any other plans that may be required by the director of Planning and Community Development which are reasonable or necessary to the Planning Commission’s or Director’s review of an application.”

Section 1. Section 19.54.020(C) of the Perris Zoning Code (Authority -- Conditional Use Permits) is hereby amended to read in its entirety as follows:

“The *California Government Code* allows for the adoption of regulations which require a use permit be obtained for the operation of specified uses. Use permits may require compliance with certain conditions of approval prior to the issuance of a permit to operate or building permit. The Planning Commission is authorized to approve or deny any requests

Section 2. Section 19.54.020(D) of the Perris Zoning Code (Authority- Variances) is hereby amended to read in its entirety as follows:

“The *California Government Code* allows for the adoption of regulations which permit the City Council to grant a variance from the required development standards contained in a Zoning Ordinance when practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this Title result through the strict and literal interpretation and enforcement of the provisions of this Title. The Planning Commission in authorized to approve or deny any requests.”

[PUBLIC HEARING PROCEDURES]

Section 3. Section 19.56.010 of the Perris Zoning Code (Setting of Hearings) is hereby amended to read in its entirety as follows:

“All proposals requiring a public hearing by the City Council shall be set by the City Clerk. All proposals requiring a public hearing by the Planning Commission shall be set by the Director of Planning and Community Development.”

Section 4. Section 19.56.040 of the Perris Zoning Code (Hearing Decision) is hereby amended to read in its entirety as follows:

“Not more than 40 calendar days following the termination of the proceedings of the public hearing, the hearing body shall announce its findings by formal resolution or ordinance. Decisions of the Planning Commission shall be final and conclusive upon the twentieth day following the date of adoption of the resolution of the Commission, or upon the day following the next regularly scheduled City Council meeting, whichever date is the latest, in the absence of the filing of a written appeal as specified in Section 19.56.070.”

Section 5. Section 19.56.070 is hereby added to the Perris Zoning Code to read in its entirety as follows:

“APPEAL FROM PUBLIC HEARING

A. *General Appeal Procedure*

Whenever any person is aggrieved by any final order of the Planning Commission issued pursuant to the provisions of this Title, such person may appeal to the City Council the issuance of said order or confirmation by filing a written appeal in accordance with the provisions of this Chapter.

B. *Public Appeal*

Prior to the Planning Commission’s decision becoming final, the applicant, or any interested person who appeared at the Commission hearing and opposed such matter, may appeal the decision to the City Council by filing a written appeal with the City Clerk, with the appropriate filing fee. The City Clerk shall transmit one copy of the appeal to the Planning and Community Development director and one copy to the applicant, in the event that the appeal is not that of the applicant. The written appeal shall

specify the person making the appeal, the decision appealed from and the reasons for the appeal.

C. *City Council Appeal*

Prior to the Planning Commission's decision becoming final, any member of the City Council may appeal a decision and request review by the Council. Thereupon, the City Clerk shall give written notice to the Planning and Community Development Director and the applicant and set the matter for hearing by the City Council within 30 days.

D. *Notices*

Notices of the City Council hearing shall be given by the City Clerk in the same manner as notices are given for Planning Commission hearings.

E. *Hearing*

The appeal hearing shall be held within 30 days after the filing of the appeal, unless the 30 day time limit is waived by the appellant. The Council shall conduct a de novo public hearing on each such appeal and shall render its decision by resolution or ordinance.

F. *Referral of Appeal*

After the hearing and before making a final decision, the City Council may refer the appealed item back to the Planning Commission for further consideration."

Section 6. Section 19.56.080 shall be added to the Perris Zoning Code to read in its entirety as follows:

"PUBLIC NUISANCES -- The Planning Commission shall hear and decide orders to abate public nuisances as provided in the applicable sections of Chapter 7.02 of this Code, and orders to assess the costs of abatement against the property abated as authorized by this Code."

[CONDITIONAL USE PERMITS]

Section 7. Section 19.61.010(B) of the Perris Zoning Code (Conditions) is hereby amended to read in its entirety as follows:

“In granting any conditional use permit, the approving body shall affix those conditions which it determines will tend to safeguard the public health, convenience and general welfare in the City.”

Section 8. Section 19.61.030(B) of the Perris Zoning Code (Investigation and Prohibition) is hereby amended to read in its entirety as follows:

“B. Investigation and Prohibition

1. The hearing body shall investigate the facts bearing on each case to provide information necessary to assure action consistent with the intent and purpose of this Code.
2. A person may not file and the Director of Planning and Community Development shall not accept an application which is the same or substantially the same as an application upon which final action has been taken by the City within 12 months prior to the date of said application, unless accepted by a motion of the hearing body that took such prior final action.”

Section 9. Section 19.61.040 of the Perris Zoning Code (Public Hearing) is hereby amended to read in its entirety as follows:

“Upon the filing of a verified application, the Planning and Community Development Department shall set a public hearing before the Planning Commission when the Director of Planning and Community Development has determined that the application is in compliance with this code and the California Environmental Quality Act.

The notice and public hearing procedure shall be consistent with Chapter 19.56, PUBLIC HEARING PROCEDURES.”

Section 10. Section 19.61.050 of the Perris Zoning Code (Findings and Conditions) is hereby amended to read in its entirety as follows:

“The hearing body may not grant a conditional use permit for any use for which a conditional use permit may be granted under any provision of this Code unless it has first found from the evidence admitted during the hearing before the hearing body that the proposed use meets the findings contained in Section 19.54.040C.”

Section 11. Section 19.61.080 of the Perris Zoning Code (Effective Date) is hereby amended to read in its entirety as follows:

“A conditional use permit granted in accordance with this Chapter shall become effective on the date the decision of the approving body granting said conditional use permit becomes final, or on the date specified in conditional use permit, whichever is later.”

Section 12. Section 19.61.090 of the Perris Zoning Code (Time Limit) is hereby amended to read in its entirety as follows:

“A permit granted pursuant to this Chapter shall contain as a condition thereof the following: ‘The permit hereby allowed is conditioned upon the privileges being utilized within 12 months after the effective date, and if they are not utilized or less than 10 percent of the total cost of construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site, this authorization shall become void, and any development deemed to have lapsed.’ The approving body, however, shall have authority to extend the time limit upon a finding of unavoidable delay. Once any portion of the conditional use permit is utilized, the other conditions thereof become immediately operative and must be strictly complied with.”

Section 13. Section 19.61.100 of the Perris Zoning Code (Term) is hereby amended to read in its entirety as follows:

“Each conditional use permit is granted for a 12 month period unless designated otherwise for a longer term by the approving body. Thereafter, the property owner must make application to the Planning and community Development Department to extend the permit for an additional period and pay the required fee as adopted by resolution.”

[VARIANCES]

Section 14. Section 19.62.010 of the Perris Zoning Code (Purpose and Intent) is hereby amended to read in its entirety as follows:

“For practical difficulties, necessary hardships, or results inconsistent with the general intent and purpose of this code which occur by reason of the strict interpretation of its provisions and the physical constraints of real property, the Planning Commission, upon the verified application of any interested person, shall initiate proceedings for consideration of a variance from the provisions of this Code. The Planning Commission in granting said variance may establish such conditions as may be deemed necessary to assure that the intent and purpose of this Code and the public health, safety and welfare will be promoted.

A variance shall not be construed as an amendment to this Code or cause the maps which are part of this Code to be changed.”

Section 15. Section 19.62.020 of the Perris Zoning Code (Justification) is hereby amended to read in its entirety as follows:

“The applicant shall set forth in detail on forms provided by the Director of Planning and Community Development, the reasons for the requested variances and shall demonstrate how the conditions set forth in this Section are satisfied, and all other information as may be required by the Planning Commission.

The Planning Commission, before granting a variance, must make in writing all of the findings contained in Section 19.54.040A.”

Section 16. Section 19.62.030 of the Perris Zoning Code (Application) is hereby amended to read in its entirety as follows:

A. *Application Filing*

1. Applications for variances shall be made to the Department of Planning and Community Development on forms provided by the Department.

The applicant shall set forth complete data required to satisfy all the requirements of Section 19.62.020. The completed application shall be submitted to the Planning Commission for public review.

2. Upon filing an application for a variance, a uniform fee, as established by City Council resolution and any amendments thereto, shall be paid for the purpose of defraying costs incidental to the proceedings.”

B. *Investigation and Prohibition*

1. The hearing body shall investigate the facts bearing on each case, verify information necessary to assure action consistent with the intent and purpose of this Code.
2. A person may not file and the Director of Planning and Community Development shall not accept an application which is the same as or substantially the same as an application upon which final action has been taken by the City within 12 months prior to the date of said application, unless accepted by a motion of the approving body.”

Section 17. Section 19.62.040 of the Perris Zoning Code (Public Hearing) is hereby amended to read in its entirety as follows:

“Upon the filing of a verified application, the Planning and Community Development Department shall set a public hearing before the Planning Commission when the Director of Planning and Community Development has determined that the application is in compliance with the Code and the California Environmental Quality Act.

The notice of and public hearing procedure shall be consistent with Chapter 19.56, PUBLIC HEARING PROCEDURES.”

Section 18. Section 19.62.050 of the Perris Zoning Code (Conditions) is hereby amended to read in its entirety as follows:

“The approving body, in granting a variance, may set forth reasonable conditions which shall assure the intent and purpose of this Code.”

Section 19. Sections 19.75.310 (A) and (B) of the Perris Zoning Code (Time Extensions) are hereby amended to replace “Board of Zoning Adjustment” with “Planning Commission” as the body that hears and considers requests for amortization period extensions.

Section 20. Chapter 19.77 of the Perris Zoning Code (Board of Zoning Adjustment) shall be repealed and deleted from the Zoning Code in its entirety.

Section 21. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this chapter or part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that any one or more sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 22. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council of the City of Perris and shall cause a summary of this Ordinance to be published in accordance with Government Code Section 36933.

Section 23. Effective Date. This Ordinance shall take effect thirty (30) days after its passage.

ADOPTED, SIGNED and APPROVED this 30th day of April, 2002.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1097, introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of March, 2002, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 30th day of April, 2002, and that it was so adopted by the following called vote:

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

City Clerk, Margaret Rey

RESOLUTION NUMBER 16-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE AMENDMENT 16-05010 TO AMEND CHAPTER 19.62 "VARIANCES" AND CHAPTER 19.54 "AUTHORITY AND REVIEW PROCEDURES" AND MAKE FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City of Perris recognizes the need to amend 19.62, Variances and Chapter & 19.54, Authority and Review Procedures, due to inconsistency between the two Chapters; and

WHEREAS, in June, 2002, the City Council adopted Ordinance No. 1097 to designate and clarify the duties of the Planning Commission;

WHEREAS, Ordinance Amendment 16-05010 includes changes to clarify variance procedures regarding review and approval by the Planning Commission in the City of Perris; and

WHEREAS, on February 3, 2016, the Planning Commission conducted a regularly scheduled and legally noticed public hearing for Ordinance Amendment 16-05010, and recommended approval of the project after considering public testimony and accompanying documents; and

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred.

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

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

Section 2. The Planning Commission hereby determines that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) guidelines pursuant to Article 19, Section 15305, pertaining to Minor Alterations in Land Use Limitations. Accordingly, the Planning Commission hereby recommends that the City Council adopt a Categorical Exemption in accordance with the provisions of the California Environmental Quality Act.

Section 3. Based on the information contained in the supporting exhibits, this Commission finds, regarding the proposed amendment to Chapter 19.62 and Chapter & 19.54 as it pertains to variance procedures, as follows:

Ordinance Amendment 16-05010

- A. The proposed Ordinance Amendment will not result in a significant adverse effect on the environment.

Exhibit D

- B. The proposed Ordinance Amendment will not conflict with the goals, policies, and implementation measures set forth in the General Plan and Zoning Ordinance.
- C. The proposed Ordinance Amendment will not have a negative effect on public health, safety, or the general welfare of the community.

Section 4. The Planning Commission hereby recommends that the City Council approve Ordinance Amendment 16-05010 to amend chapter 19.62, Variances and Chapter & 19.54, Authority and Review Procedures, to the Zoning Code, based on the findings presented herein.

Section 5. The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 6. The Chairperson shall sign and the Secretary shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 3rd day of February 2016.

CHAIRPERSON, PLANNING COMMISSION

Attest:

Secretary, Planning Commission

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

I, Clara Miramontes, Designee Secretary of the Planning Commission of the City of Perris, do hereby certify that the foregoing Resolution Number 16-03 was duly adopted by the Planning Commission of the City of Perris at a regular meeting thereof held on the 3rd day of February 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Designee Secretary of the Planning Commission

Attachment: Revised Zoning Code Chapter 19.62 and Chapter & 19.54

CITY OF PERRIS

MINUTES:

Date of Meeting: February 3, 2016

06:00 PM

Place of Meeting: City Council Chambers

1. **CALL TO ORDER:**

The meeting was called to order at 6:05 pm.

2. **ROLL CALL: Commissioners: Stuart, Shively, Hammond, Weir, Arras Vice Chair Balderrama, Chairman McCarron**

Commission Members Present: Commisioner Stuart, Commissioner Arras, Commissioner Hammond, Commissioner Shively, Commissioner Weir, and Chairman McCarron.

Staff Members Present: Director of Development Services Miramontes, Project Planner Phung, Associate Planner Lundfelt, Development Services Assistant Muhu, and Assistant City Attorney Huston.

3. **INVOCATION:**

4. **PLEDGE OF ALLEGIANCE: Commissioner Stuart**

5. **PRESENTATION:**

6. **CONSENT CALENDAR:**

A. **Planning Commission Minutes for January 20, 2016**

The Chair called for a motion.

M/S/C: Moved by Commissioner Weir, seconded by Commissioner Hammond to Approve the Planning Commission minutes for January 20, 2016

AYES: Commisioner Stuart, Commissioner Arras, Commissioner Hammond, Commissioner Shively, Commissioner Weir, Chairman McCarron.

NOES:

ABSENT: Vice Chair Balderrama.

ABSTAIN:

Attachment #3

7. **PUBLIC HEARING:**

- A. **Development Plan Review (DPR) 14-10-0008– Proposal to construct an 8,396 sq. ft. two-story truck repair shop on .64 acres of land in the GI – General Industrial zone within the Perris Valley Commerce Center Specific Plan, located at the southeast corner of Western Way and Jet Way. Applicant: Jonathan L. Zane, Architect**

Commissioner Arras visited the site.

Project Planner Kenneth Phung presented the item to the Commission. He concluded the item recommending that the Commission adopt No. 16-02 approving Development Plan Review 14-10-0008 to facilitate the construction of an 8,396 sf. two-story truck repair shop, subject to the conditions of approval.

Jonathan Zane, applicant, was present at the hearing to answer any questions.

The Chair called for a motion.

M/S/C: Moved by Commissioner Hammond, seconded by Commissioner Shively to Adopt Resolution No. 16-02 approving Development Plan Review 14-10-0008 to facilitate the construction of an 8,396 sf. two-story truck repair shop, subject to the conditions of approval.

AYES: Commissioner Stuart, Commissioner Arras, Commissioner Hammond, Commissioner Shively, Commissioner Weir, Chairman McCarron.

NOES:

ABSENT: Vice Chair Balderrama.

ABSTAIN:

- B. **Ordinance Amendment 16-05010 – To amend Zoning Code Chapter 19.62 “Variances” and Chapter 19.54 “Authority and Review Procedures” to clarify inconsistencies related to procedures and approval authority for Variances in the City of Perris. Applicant: City of Perris**

Development Services Assistant Brian Muhu presented the item. He concluded the item recommending that the Commission adopt Resolution No. 16-03 recommending approval of Ordinance Amendment 16-05010 to the City Council, based on the findings contained in the Resolution and attached exhibits.

Commissioner Hammond commented on section 19.62.030 A (2) the fee established by the Planning Commission resolution, this section should stay as City Council.

The Chair called for a motion.

M/S/C: Moved by Commissioner Arras, seconded by Commissioner Stuart to

Adopt Resolution No. 16-03 recommending approval of Ordinance Amendment 16-05010 to the City Council, based on the findings contained in the Resolution and attached exhibits with the amendment for section 19.62.030 A (2) to read: Upon filing an application for variance, a uniform fee, as established by City Council resolution and any amendments thereto, shall be paid for the purpose of defraying costs incidental to the proceedings.

AYES: Commisioner Stuart, Commissioner Arras, Commissioner Hammond, Commissioner Shively, Commissioner Weir, Chairman McCarron.

NOES:

ABSENT: Vice Chair Balderrama.

ABSTAIN:

8. **BUSINESS/WORKSHOP:**

A. **Planning Commissioner Appointment to the City Branding Steering Committee**

The Chair called for a motion.

M/S/C: Moved by Commissioner Weir, seconded by Commissioner Hammond to Free Form to nominate Chair McCarron to the City Branding Steering Committee

AYES: Commisioner Stuart, Commissioner Arras, Commissioner Hammond, Commissioner Shively, Commissioner Weir, Chairman McCarron.

NOES:

ABSENT: Vice Chair Balderrama.

ABSTAIN:

9. **PUBLIC COMMENTS: Anyone who wishes to address the Planning Commission regarding items not on the agenda may do so at this time. Please walk up to the podium and wait for the Chairperson to recognize you. Please speak clearly, give your name, spell your last name, and address for accurate recording in the minutes. Each speaker will be given three (3) minutes to address the Planning Commission.**

There were no public comments.

10. **COMMISSION MEMBERS ANNOUNCEMENTS OR REPORTS:**

Commissioner Weir announced that the American Legion will have a Valentines Day Brunch on February 14, 2016.

Chairman McCarron announced Perris Black History Celebration on Feburary 20, 2016.

11. **DIRECTOR OF DEVELOPMENT SERVICES REPORTS AND/OR INFORMATION:**

Director Clara Miramontes announced that the next Planning Commission meeting

will be held on March 2, 2016.

12. **ADJOURNMENT**

The Chair called for a motion.

M/S/C: Moved by Commissioner Hammond, seconded by Commissioner Weir to Adjourn the Planning Commission meeting on February 3, 2016 at 7:30 pm

AYES: Commissioner Stuart, Commissioner Arras, Commissioner Hammond, Commissioner Shively, Commissioner Weir, Chairman McCarron.

NOES:

ABSENT: Vice Chair Balderrama.

ABSTAIN:

Respectfully submitted,

X _____
Clara Miramontes
Director of Development Services