

*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, January 9, 2024

6:30 P.M.

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

CLOSED SESSION: 5:15 P.M.

ROLL CALL:

Rabb, Rogers, Nava, Corona, Vargas

A. Conference with Legal Counsel – Existing Litigation – Government
Code Section 54956.9(d)(1); 4 cases:

1. City of Menifee v. City of Perris CVRI2203040
2. Panattoni Development Company, Inc. v. City of Perris
CVRI2203028
3. City of Perris v. City of Menifee, et al CVRI2303456
4. Dynamic Meds v. City of Perris et al CVRI 2202067

B. Conference with Real Property Negotiators – Government Code
Section 54956.8

Property: APN(s): 310-021-001, 310-021-002, 310-
021-003, 310-021-004, 310-021-005, 310-
021-006, 310-021-007, 310-021-008

City Negotiator: Clara Miramontes, City Manager

Negotiating Parties: Tina Moniaros

Under Negotiation: Price and terms of payment

C. Conference with Real Property Negotiators – Government Code Section 54956.8

Property: APN 320-010-001
Negotiating Parties: Samir and Manisha Patel
Property: APN 320-010-005, 006, 007
Negotiating Parties: Balu and Malti Patel
City Negotiator: Clara Miramontes, City Manager
Under Negotiation: Price and terms of payment

D. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(2) - 2 cases

E. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(4) - 16 cases

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

2. **ROLL CALL:**

Rabb, Rogers, Nava, Corona, Vargas

3. **INVOCATION:**

Pastor Noland Turnage
The Grove Community Church
19900 Grove Community Drive, Riverside CA 92508

4. **PLEDGE OF ALLEGIANCE:**

Councilmember Rabb will lead the Pledge of Allegiance.

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

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

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

7. **YOUTH ADVISORY COMMITTEE COMMUNICATIONS:**

8. **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.***

9. APPROVAL OF MINUTES:

- A. Consideration to approve the minutes of the Regular Joint Meeting held on December 12, 2023 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority.

10. CONSENT CALENDAR:

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

- A. Consideration to adopt Proposed Resolution Number (next in order) regarding annexation of DPR 22-00020 to CFD 2001-3 (North Perris Public Safety District)-Annexation No. 61. DPR 22-00020-Industrial Building, is located on the south side of Markham Street between Webster and Patterson Avenues. (APN(s): 314-170-009 and 314-170-010); (Owner: SCG/DP Markham Assemblage)

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. 61]

- B. Consideration to adopt Proposed Resolution Number (next in order) regarding annexation of DPR 22-00020 to CFD 2018-02 (Public Services District)-Annexation No. 22. DPR 22-00020-Industrial Building, is located on the south side of Markham Street between Webster and Patterson Avenues. (APN(s): 314-170-009 and 314-170-010); (Owner: SCG/DP Markham Assemblage)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 22]

- C. Consideration to approve the 2024 City Council Meeting Schedule.
- D. Consideration to approve Extension of Time No. 23-05255 for Tentative Tract Map No. 37181 and Development Plan Review (DPR) PLN16-00002, located

at the northeast corner of Metz Road and “A” Street. Applicant: Jeff Parker, Metz & A, LP.

- E. Consideration to approve Final Parcel Map 23-05225 (PM 38362)-Final approval of Tentative Parcel Map No. 38362 to subdivide 1.78 acres into two lots for the construction of two warehouse buildings and letter lots A and B, located in the northeast corner of Johnson Avenue and Rider Street, within the Light Industrial (LI) Zone of the Perris Valley Commerce Center Specific Plan (PVCCSP). Applicant: Moshe Silagi
- F. Consideration to approve a Basin Maintenance Agreement with PW Land Investments, L.P. for Tract Number 31157-Park West Specific Plan.

11. 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 Proposed Resolution Numbers (next in order) regarding annexation of DPR 22-00010 to the City’s Maintenance Districts. DPR 22-00010 is located on the southwest corner of Ramona Expressway and Brennan Avenue. (APN(s) 303-020-005, 303-020-022, 303-020-023, 303-020-024, 303-020-025); (Owner: FS Perris, LLC)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF DPR 22-00010 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1 (STREETLIGHTS), GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023-2024

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 22-00010 TO BENEFIT ZONE 177, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023-2024

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 22-00010 TO BENEFIT ZONE 142, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023-2024

Introduced by: City Engineer John Pourkazemi

PUBLIC COMMENT

- B. Consideration to adopt Proposed Resolution Numbers (next in order) regarding annexation of DPR 22-00010 to CFD 2001-3 (North Perris Public Safety District)-Annexation No. 60. DPR 22-00010-Industrial Building, is located on the southwest corner of Ramona Expressway and Brennan Avenue. (APN(s): 303-020-005, 303-020-022, 303-020-023, 303-020-024, 303-020-025); (Owner: FS Perris, LLC)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 60 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 60 AND ORDERING THE ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION NO. 60 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN

Introduced by: Director of Finance Matthew Schenk

PUBLIC COMMENT

- C. Consideration to adopt Proposed Resolution Numbers (next in order) regarding annexation of DPR 22-00010 to CFD 2018-02 (Public Services District)-Annexation No. 21. DPR 22-00010-Industrial Building, is located on the southwest corner of Ramona Expressway and Brennan Avenue. (APN(s): 303-

020-005, 303-020-022, 303-020-023, 303-020-024, 303-020-025); (Owner: FS Perris, LLC)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 21 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 21 AND ORDERING THE ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION NO. 21 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN

Introduced by: Director of Finance Matthew Schenk

PUBLIC COMMENT

- D. Consideration to adopt Proposed Resolution Numbers (next in order) and the First Reading of Proposed Ordinance Number (next in order) regarding formation of Proposed Community Facilities District No. 2022-4 (Park West) of the City of Perris (“CFD 2022-4”) in Improvement Area 1, Improvement Area 2 and Improvement Area 3. All three Improvement Areas are located south of Nuevo Road and to the east and west of Evans Road.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SUCH COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, ESTABLISHING AN APPROPRIATIONS LIMIT, AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE

CITY OF PERRIS, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$14,000,000 WITHIN IMPROVEMENT AREA NO. 1, \$12,000,000 WITHIN IMPROVEMENT AREA NO. 2, AND \$8,000,000 WITHIN IMPROVEMENT AREA NO. 3 OF SAID DISTRICT; AND CALLING A SPECIAL ELECTION WITHIN EACH SUCH IMPROVEMENT AREA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF SPECIAL TAXES THEREIN, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND AUTHORIZING EXECUTION OF ACQUISITION AND FUNDING AGREEMENTS AND A JOINT COMMUNITY FACILITIES AGREEMENT IN CONNECTION WITH THE FORMATION OF COMMUNITY FACILITIES DISTRICT 2022-4 (PARK WEST) OF THE CITY OF PERRIS; AND MAKING FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA NO. 1, IMPROVEMENT AREA NO. 2, AND IMPROVEMENT AREA NO. 3 OF SAID DISTRICT

Introduced by: Director of Finance Matthew Schenk

PUBLIC COMMENT

12. BUSINESS ITEMS: (not requiring a “Public Hearing”):

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

- A. Consideration to make Appointments to City Committees, Commissions and Agencies to represent the City of Perris for 2024.

Introduced by: Mayor Michael M. Vargas

PUBLIC COMMENT

B. Consideration to appoint the Mayor Pro Tem for 2024.

Introduced by: Mayor Michael M. Vargas

PUBLIC COMMENT

13. 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.

14. CITY MANAGER'S REPORT:

15. ADJOURNMENT:

In compliance with the Americans with Disabilities Act and Government Code Section 54953(g), the City Council has adopted a reasonable accommodations policy to swiftly resolve accommodation requests. The policy can also be found on the City's website at: <https://www.cityofperris.org/home/showpublisheddocument/15875/638102339679387909>. Please contact the City Clerk's Office at (951) 943-6100 to make an accommodation request, or to obtain an electronic or printed copy of the policy.

THE CITY COUNCIL MEETING IS ALSO AVAILABLE FOR VIEWING AT THE FOLLOWING:

City's Website:

<https://www.cityofperris.org/government/city-council/council-meetings>

YouTube:

<https://www.youtube.com/channel/UC24S1shebXkJFv3BnxdkPpg>

Facebook:

<https://www.facebook.com/CityOfPerris>

For cable subscribers only within Perris:

Spectrum: Channel 3

Frontier: Channel 16



9.A.

CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Approval of Minutes

REQUESTED ACTION: Approve the Minutes of the Regular Joint City Council Meeting held on December 12, 2023.

CONTACT: Nancy Salazar, City Clerk *NS*

BACKGROUND/DISCUSSION: None

BUDGET (or FISCAL) IMPACT: None

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

REVIEWED BY:

City Attorney

Assistant City Manager *WB*

Deputy City Manager *ER*

Attachments: 1. Minutes-December 12, 2023-Regular Joint City Council Meeting

Consent:

Public Hearing:

Business Item:

Presentation:

Other: Approval of Minutes

ATTACHMENT 1

Minutes-December 12, 2023 Regular Joint City Council Meeting

CITY OF PERRIS

MINUTES:

Date of Meeting: December 12, 2023

06:30 PM

Place of Meeting: City Council Chambers

CLOSED SESSION

Mayor Vargas called the Closed Session to order at 5:32 p.m.

ROLL CALL

Present: Corona, Rabb, Rogers, Vargas

Absent: Nava

Staff Present: City Manager Miramontes, Assistant City Manager Bugtai, Deputy City Manager Reyna, City Attorney Khuu, Director of Economic Development and Housing Ogawa, Director of Development Services Phung and City Engineer Pourkazemi.

- A. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(4) - 2 cases
- B. Conference with Real Property Negotiators – Government Code Section 54956.8
Property: APN(s): 310-021-001, 310-021-002, 310-021-003, 310-021-004, 310-021-005, 310-021-006, 310-021-007, 310-021-008 City Negotiator: Clara Miramontes, City Manager Negotiating Parties: Tina Moniaros Under Negotiation: Price and terms of payment
- C. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(d)(1); 4 cases:
 1. City of Menifee v. City of Perris CVRI2203040
 2. Panattoni Development Company, Inc. v. City of Perris CVRI2203028
 3. City of Perris v. City of Menifee, et al CVRI2303456

City Attorney Khuu announced that the City Council would meet in Closed Session to discuss the items listed on the agenda.

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

The City Council adjourned to Closed Session at 5:33 p.m.

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

Mayor Vargas called the Regular City Council meeting to order at 6:33 p.m.

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

Present: Corona, Rabb, Rogers, Vargas

Absent: Nava

Staff Members Present: City Manager Miramontes, Assistant City Manager Bugtai, Deputy City Manager Reyna, City Attorney Khuu, City Engineer Pourkazemi, Police Captain Lamb, Interim Fire Chief Scoville, Director of Finance Schenk, Chief Information Officer Cervantes, Director of Community Services Chavez, Director of Development Services Phung, Director of Administrative Services Amozgar, Director of Public Works Hill, Assistant City Clerk Haughney and City Clerk Salazar.

3. INVOCATION:

Pastor Dan Bell

Temple Baptist Church

745 N. Perris Blvd. Perris, CA 92571

In the absence of Pastor Dan Bell, Councilmember Rogers gave the Invocation.

4. PLEDGE OF ALLEGIANCE:

Councilmember Corona led the Pledge of Allegiance.

5. REPORT ON CLOSED SESSION ITEMS:

City Attorney Khuu reported that the City Council met in Closed Session to discuss the items listed on the agenda, but no reportable action was taken.

6. PRESENTATIONS/ANNOUNCEMENTS:

Mayor Vargas announced that Item 6.B. would be taken first.

B. Presentation to Spencer Cambell in recognition of his Retirement from the City of Perris.

A. Recognition of the Perris Puma's Soccer Team Championship.

7. YOUTH ADVISORY COMMITTEE COMMUNICATIONS:

The report was given by Youth Advisory Committee Vice-President Kimberly Thai.

8. PUBLIC COMMENT/CITIZEN PARTICIPATION:

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

Daryl Terrell

9. APPROVAL OF MINUTES:

- A. Approved the minutes of the Regular Joint Meeting held on November 28, 2023 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Approve the minutes of the Regular Joint Meeting held on November 28, 2023 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority.

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

NOES:

ABSENT: Marisela Nava

ABSTAIN:

10. CONSENT CALENDAR:

Councilmember Corona requested that Item 10.A. be pulled for a separate vote.

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

- A. Adopted the Second Reading of Ordinance Number 1439 approving Specific Plan Amendment (SPA) 21-05267, - to remove unimproved segments of California Avenue and Nance Street from the Circulation Plan to facilitate the construction of a 764,753 square-foot industrial building on 35.63-acres located on the south side of Harley Knox Boulevard between Patterson Avenue and Nevada Avenue in the General Industrial and Light Industrial zones of Perris Valley Commerce Center Specific Plan (PVCCSP). (Applicant: Nicole Torstvet, Patterson Limited Partnership).

The Second Reading of Ordinance Number 1439 is entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING SPECIFIC PLAN AMENDMENT 21-05267 TO AMEND THE CIRCULATION PLAN OF THE PERRIS VALLEY COMMERCE CENTER SPECIFIC PLAN FOR THE REMOVAL OF TWO EXISTING PAPER STREETS TO FACILITATE THE CONSTRUCTION OF A 764,753-SQUARE-FOOT WAREHOUSE FACILITY ON A 35.63 ACRE SITE, LOCATED SOUTH OF HARLEY KNOX BOULEVARD BETWEEN PATTERSON AND NEVADA AVENUES, SUBJECT TO CONDITIONS OF APPROVAL AND BASED UPON THE FINDINGS NOTED HEREIN

Councilmember Corona requested that Item 10.A. be pulled for a separate vote.

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

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Adopt the Second Reading of Ordinance Number 1439, as presented.

AYES: David Starr Rabb, Rita Rogers, Michael Vargas

NOES: Malcolm Corona

ABSENT: Marisela Nava

ABSTAIN:

- B. Approved a contract services agreement with LOR Geotechnical Group, Inc. for Geotechnical, Compaction Testing, and Material Testing Services for the Copper Creek Park Renovation Project (CIP P057).
- C. Approved the plans and specifications, awarded a Public Works Construction Contract to L.C. Paving & Sealing, Inc, and rejected all other bids, for the Perris Valley Storm Drain Channel Trail Phase 2, Segment 1 (CIP P040).
- D. Approved the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for Fiscal Year 2023.
- E. Awarded a contract with Pineda General Construction, Inc. for painting of the exterior of Fire Station 101 located at 105 South "F" Street.
- F. Adopted Resolution Number SA-013 of the Successor Agency to the Redevelopment Agency of the City of Perris, adopting the FY 2024-25 Recognized Obligation Payment Schedule (ROPS).

Resolution Number SA-013 is entitled:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF PERRIS APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE 24-25

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Approve the Consent Calendar, with the exception of Item 10.A., as presented.

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

NOES:

ABSENT: Marisela Nava

ABSTAIN:

11. PUBLIC HEARINGS:

There were no Public Hearings.

12. BUSINESS ITEMS:

- A. Adopted Resolution Number 6305 certifying the Election Results for the November 7, 2023 Special Municipal Election.

Resolution Number 6305 is entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECITING THE FACTS OF THE SPECIAL MUNICIPAL ELECTION HELD IN SAID CITY ON NOVEMBER 7, 2023, DECLARING THE RESULTS THEREOF AS TO A CITY MEASURE SUBMITTED AT SUCH ELECTION AND SUCH OTHER MATTERS AS PROVIDED BY LAW

City Clerk Nancy Salazar introduced the item.

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

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Malcolm Corona to Adopt Resolution Number 6305, as presented.

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

NOES:

ABSENT: Marisela Nava

ABSTAIN:

13. COUNCIL COMMUNICATIONS:

The following Councilmember's spoke:

Rogers

Rabb

Corona

Vargas

14. CITY MANAGER'S REPORT:15. ADJOURNMENT:

There being no further business Mayor Vargas adjourned the Regular City Council meeting at 7:18 p.m.

Respectfully Submitted,

Nancy Salazar, City Clerk



CITY OF PERRIS

10.A.

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Annexation of parcels into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 61
Owner(s): SCG/DP Markham Assemblage
APN(s): 314-170-009, and 314-170-010, located on the south side of Markham Street between Webster and Patterson Avenues
Project: DPR 22-00020 - Industrial Building

REQUESTED ACTION: Adopt a Resolution of Intention to Annex Territory to CFD 2001-3 and setting a public hearing date of February 13, 2024

CONTACT: Matthew Schenk, Director Finance

BACKGROUND/DISCUSSION: DPR 22-00020 is a construction of a 89,000 square-foot industrial warehouse building on a 4.08-acre site, located on the south side of Markham Street between Webster and Patterson Avenues, within the Light Industrial (LI) Zone of the Perris Valley Commerce Center Specific Plan (PVCCSP) (See attached Boundary Map).

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

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

This Resolution will commence the annexation process for the property described on the map attached to the resolution to the District. This resolution will set a public hearing for February 13, 2024 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 rate for Fiscal Year 2023-24 is \$378.91 for Single-

Family Residential Units, \$75.78 for Multi-Family Residential Units, and \$1,515.66 per Acre for Non-Residential Parcels. For each subsequent fiscal year following Fiscal Year 2023-2024, the Maximum Special Tax may be increased by an amount not to exceed two percent (2.00%) per year.

BUDGET (or FISCAL) IMPACT:

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

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
Assistant City Manager WB
Deputy City Manager ER

Attachments:

1. Boundary Map
2. Perris CFD 2001-3 Annexation No. 61 Resolution of Intention

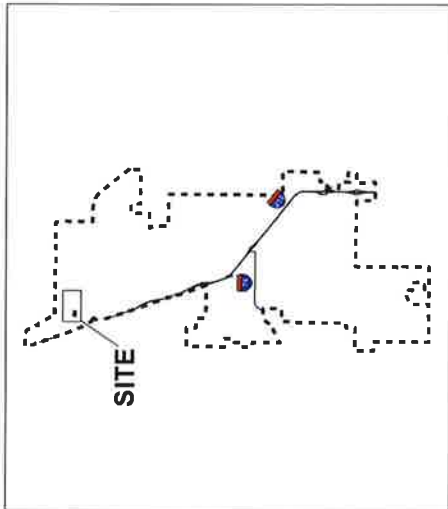
Consent: X
Public Hearing:
Business Item:
Presentation:
Other:

ATTACHMENT 1

BOUNDARY MAP

ANNEXATION MAP NO. 61 TO COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)

VICINITY MAP



CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	314-170-009
2	314-170-010

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. 61, 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 _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____ IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

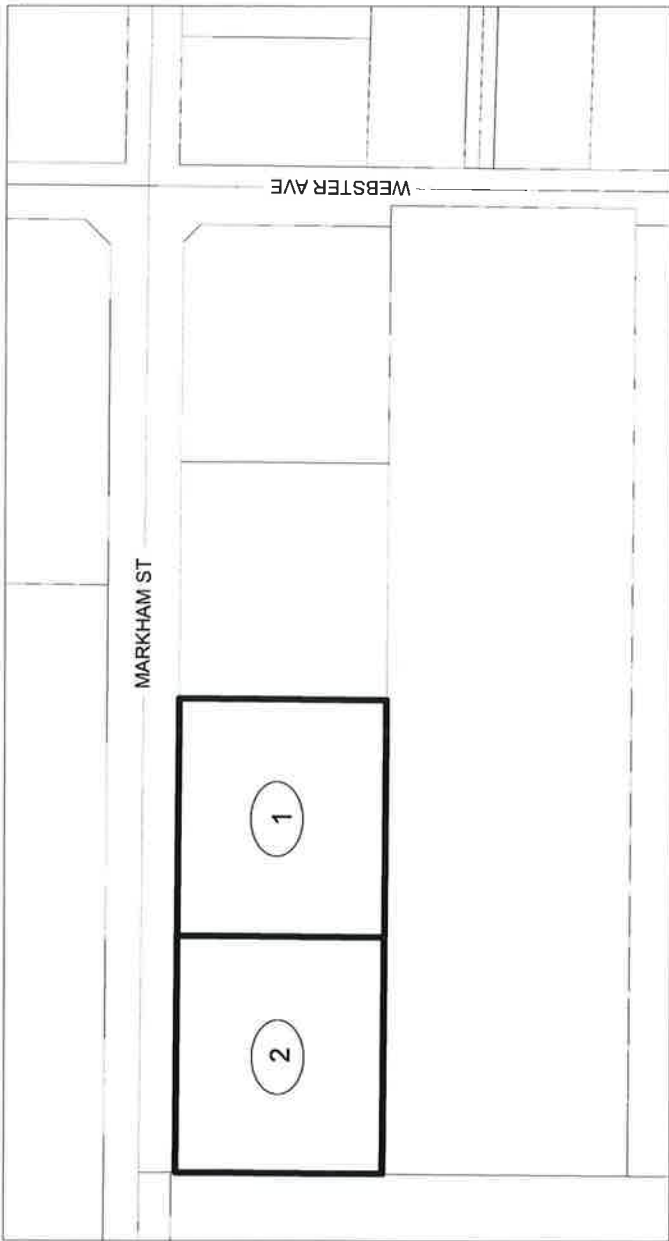
PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON DECEMBER 19, 2001, IN BOOK 30 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 48.

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

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



Legend

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



WILLDAN
27368 VIA INDUSTRIA, SUITE #200
TEMECULA, CA 92590
(951) 567-3500

ATTACHMENT 2

**PERRIS CFD 2001-3 ANNEXATION NO. 61
RESOLUTION OF INTENTION**

RESOLUTION NUMBER XXXX

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS
ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES
DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY
OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN
TERRITORY THERETO [ANNEXATION NO. 61]***

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. 61 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 13th day of February 2024, 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 9th day of January, 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

RESOLUTION NUMBER XXXX
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 9th day of January, 2024, 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.

County means the County of Riverside, California.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C. DURATION OF THE SPECIAL TAX

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

D. ASSIGNMENT OF MAXIMUM SPECIAL TAXES

1. Classification of Parcels

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

2. Maximum Special Tax Rates

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

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

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

E. SETTING THE ANNUAL SPECIAL TAX LEVY

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

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

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

F. ADMINISTRATIVE CHANGES AND APPEALS

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

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

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

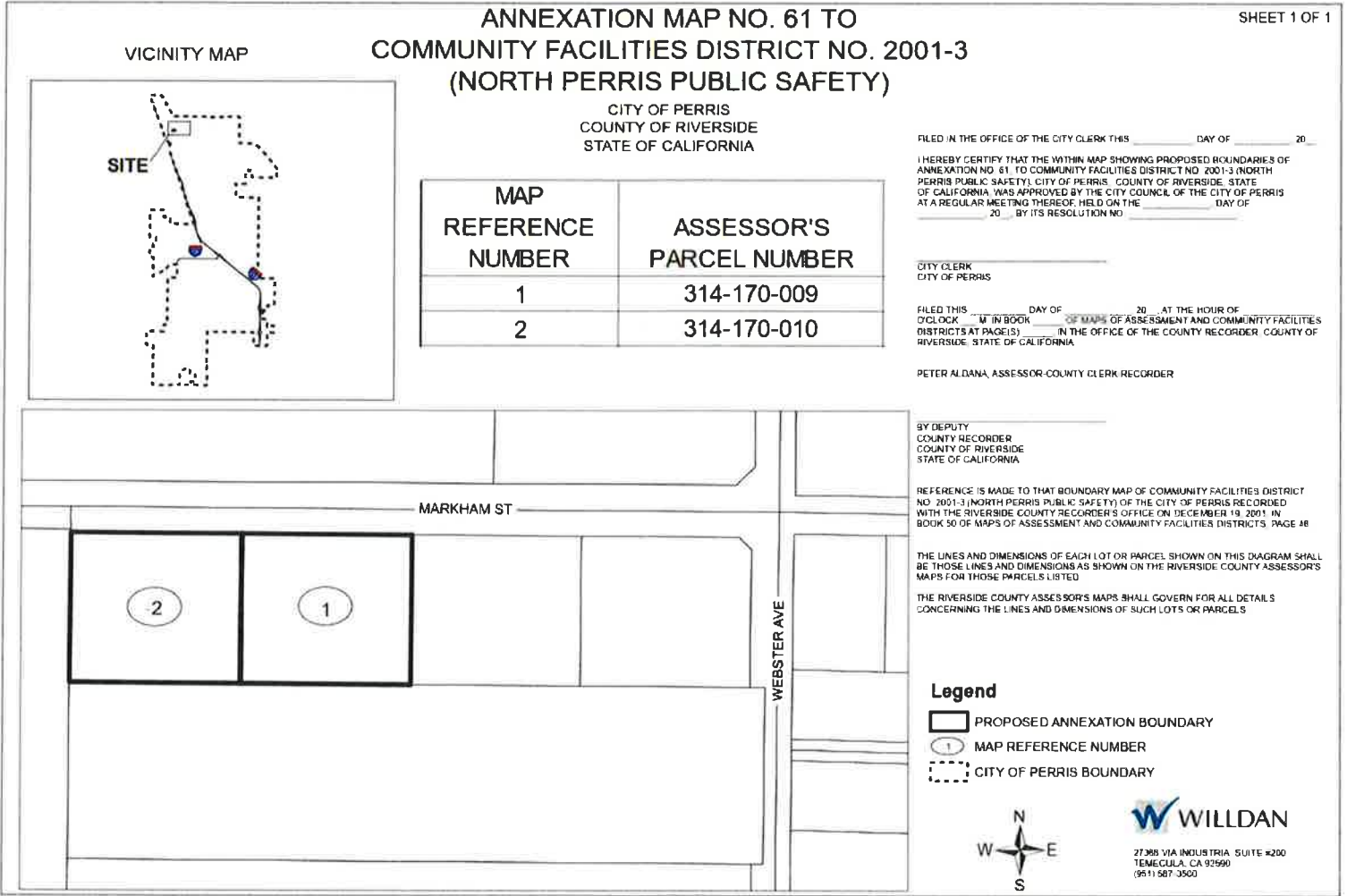
G. MANNER OF COLLECTION

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

Exhibit B

**COMMUNITY FACILITIES DISTRICT NO. 2001-3
(NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 61**

BOUNDARY MAP





CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Annexation of parcels into CFD 2018-02 (Public Services District)
– Annexation No. 22
Owner(s): SCG/DP Markham Assemblage
APN(s): 314-170-009, and 314-170-010, located on the south side of Markham Street between Webster and Patterson Avenues
Project: DPR 22-00020 - Industrial Building

REQUESTED ACTION: Adopt a Resolution of Intention to Annex Territory to CFD 2018-02 and set a public hearing date of February 13, 2024

CONTACT: Matthew Schenk, Director of Finance

BACKGROUND/DISCUSSION:

DPR 22-00020 is a construction of a 89,000 square-foot industrial warehouse building on a 4.08-acre site, located on the south side of Markham Street between Webster and Patterson Avenues, within the Light Industrial (LI) Zone of the Perris Valley Commerce Center Specific Plan (PVCCSP) (See attached Boundary Map).

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

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

This Resolution will commence the annexation process for the property described on the map attached to the resolution to the District. This resolution will set a public hearing for February 13, 2024 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 rate for Fiscal Year 2023-2024 is \$22.89 per 1,000 square feet of floor area for taxable developed parcels. For each subsequent fiscal year following

Fiscal Year 2023-2024, the Maximum Special Tax may be increased by an amount not to exceed the greater of two percent (2.00%) or Consumer Price Index ("CPI") per year.

BUDGET (or FISCAL) IMPACT:

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

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____

Assistant City Manager WP

Deputy City Manager ER

Attachments:

1. Boundary Map
2. Perris CFD 2018-02 Annexation No. 22 Resolution of Intention

Consent: x

Public Hearing:

Business Item:

Presentation:

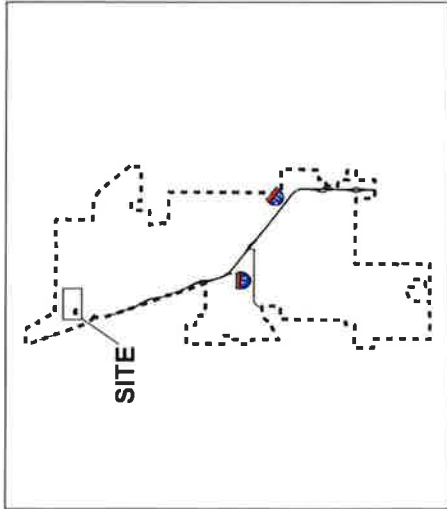
Other:

ATTACHMENT 1

BOUNDARY MAP

**ANNEXATION MAP NO. 22 TO
COMMUNITY FACILITIES DISTRICT NO. 2018-02
(PUBLIC SERVICES DISTRICT)**

VICINITY MAP



CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	314-170-009
2	314-170-010

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. 22, TO COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT), 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 _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS (AT PAGE(S) _____) IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

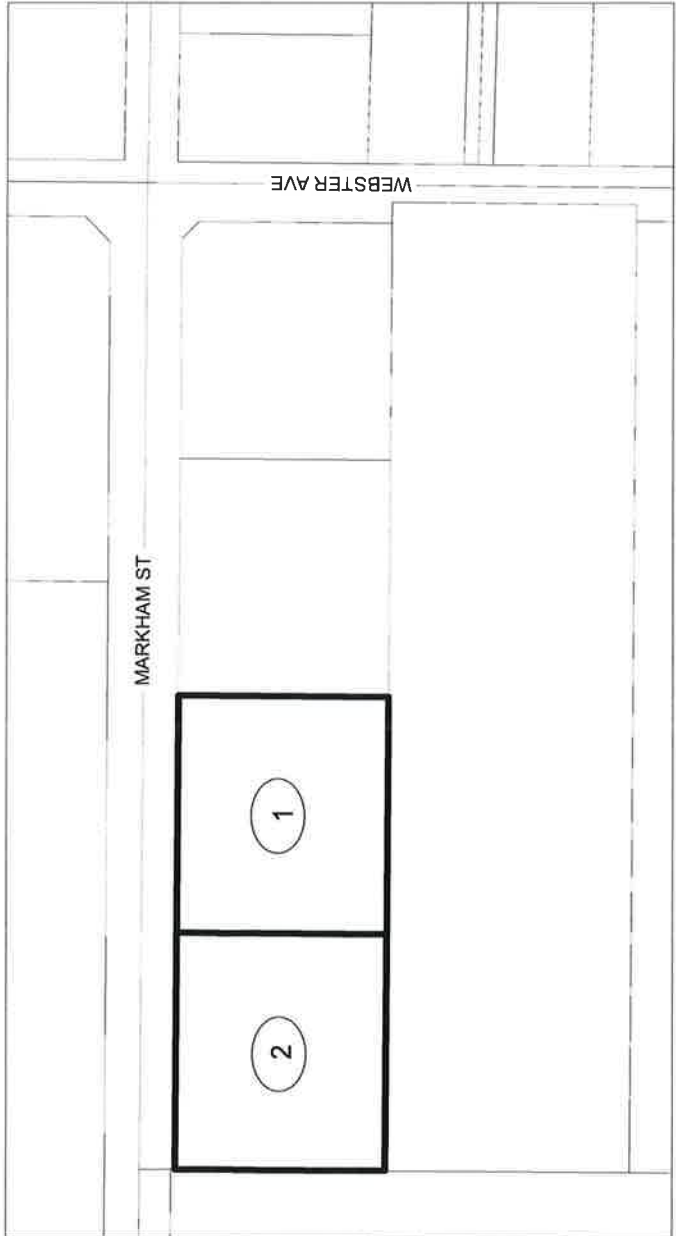
PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON OCTOBER 25, 2018, IN BOOK 83 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 28 AS INSTRUMENT NUMBER 2018-0421949.

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

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



Legend

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



27368 VIA INDUSTRIA, SUITE #200
TEMECULA, CA 92590
(951) 567-3500

ATTACHMENT 2

**PERRIS CFD 2018-02 ANNEXATION NO. 22
RESOLUTION OF INTENTION**

RESOLUTION NUMBER XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF CITY OF PERRIS COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERE TO [ANNEXATION NO. 22]

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

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

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

WHEREAS, the Maximum Special Taxes in Fiscal Year 2023-24 is \$22.89 per 1,000 square feet of floor area based on the Consumer Price Index as specified in the Rate and Method of Apportionment.

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. 22 to Community Facilities District No. 2018-02 (Public Services District)" that has been filed with the City Clerk of the City and a copy of which, together with a legal description of such territory, is described in Exhibit "B". The City Clerk is hereby authorized and directed to endorse the Certificate on said map evidencing the date and adoption of this resolution and is further authorized and directed to file said map with the County Recorder of the County of Riverside in accordance with the provisions of Section 3111 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution and not later than fifteen (15) days prior to the date of the public hearing as set forth in Section 5 hereof.

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

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

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

Section 5. Notice is hereby given that on the 13th day of February, 2024, 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 9th day of January, 2023.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January, 2023, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk, Nancy Salazar

Exhibit A

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

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

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

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

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

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

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

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

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

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

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

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

“City” means the City of Perris, California.

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

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

“County” means the County of Riverside.

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

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

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

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

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

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

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

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

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

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

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

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

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

“State” means the State of California.

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

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

B. ASSIGNMENT TO LAND USE CATEGORIES

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

C. MAXIMUM SPECIAL TAX RATE

1. Taxable Property

a. Maximum Special Tax

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

TABLE 1

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

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

b. Multiple Land Use Classes

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

c. Increase in the Maximum Special Tax

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

2. **Non-Taxable Property**

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

D. **METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

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

E. **EXEMPTIONS**

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

F. **APPEALS AND INTERPRETATIONS**

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

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

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

G. MANNER OF COLLECTION

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

H. FUTURE ANNEXATIONS

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

I. TERM OF SPECIAL TAX

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

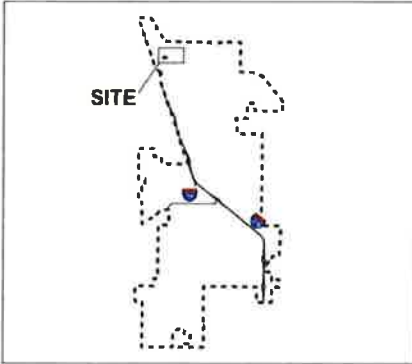
Exhibit B

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

BOUNDARY MAP

SHEET 1 OF 1

VICINITY MAP



ANNEXATION MAP NO. 22 TO COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT)

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	314-170-009
2	314-170-010

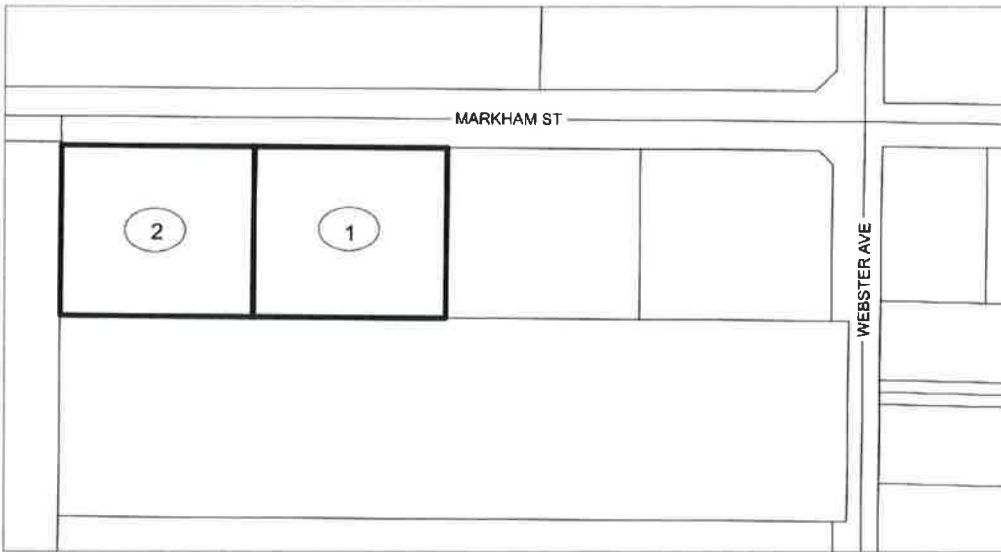
FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____, 20__

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 22 TO COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) 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 _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____ IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

PETER ALDANA, ASSESSOR-COUNTY CLERK RECORDER



BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON OCTOBER 25, 2018, IN BOOK 83 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 28 AS INSTRUMENT NUMBER 2018-0421949.

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

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

Legend

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



27368 VIA INDUSTRIAL, SUITE #200
TEMECULA, CA 92590
(951) 507-3500



CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: 2024 City Council Meeting Schedule

REQUESTED ACTION: Approve the City Council Meeting Schedule for 2024

CONTACT: Saida Amozgar, Director of Administrative Services

BACKGROUND/DISCUSSION:

Many local City Councils take a legislative recess from their regularly scheduled meetings during the summer months and holidays to allow their members time for vacations and a general break from the demanding meeting schedule. As in previous years, a schedule is proposed for the calendar year 2024, pursuant to Government Code Section 36805, as listed below. Should an urgent matter emerge, a special meeting of the City Council may be called.

Scheduled Meetings are:

January 9, 2024
January 30, 2024
February 13, 2024
February 27, 2024
March 26, 2024
April 9, 2024
April 30, 2024
May 14, 2024
May 28, 2024
June 11, 2024
July 30, 2024
August 27, 2024
September 10, 2024
September 24, 2024
October 8, 2024
October 29, 2024
November 12, 2024
December 10, 2024

Cancelled Meetings are:

March 12, 2024
June 25, 2024
July 9, 2024
August 13, 2024
November 26, 2024
December 31, 2024

It is recommended that the City Council approve the meeting schedule for City Council meetings for 2024.

BUDGET (or FISCAL) IMPACT: None

Prepared by: Judy L. Haughney, Assistant City Clerk

REVIEWED BY:

City Attorney _____

Assistant City Manager MB

Deputy City Manager ER

Attachments: 1. Proposed Meeting Dates for 2024

Consent: January 9, 2024

Public Hearing:

Business Item:

Presentation:

Other:

ATTACHMENT 1

Proposed Meeting Dates for 2024



SCHEDULED CITY COUNCIL MEETINGS-2024

The City Council meets on the 2nd and last Tuesday of each month at 6:30 p.m.

JANUARY

January 9, 2024
January 30, 2024

~

FEBRUARY

February 13, 2024
February 27, 2024

~

MARCH

March 12, 2024 (Canceled)
March 26, 2024

~

APRIL

April 9, 2024
April 30, 2024

~

MAY

May 14, 2024
May 28, 2024

~

JUNE

June 11, 2024
June 25, 2024 (Canceled)

~

JULY

July 9, 2024 (Canceled)
July 30, 2024

~

AUGUST

August 13, 2024 (Canceled)
August 27, 2024

~

SEPTEMBER

September 10, 2024
September 24, 2024

~

OCTOBER

October 8, 2024
October 29, 2024

~

NOVEMBER

November 12, 2024
November 26, 2024 (Canceled)

~

DECEMBER

December 10, 2024
December 31, 2024 (Canceled)

Updated: December 18, 2023



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Extension of Time No. 23-05255 - An extension of time request for Tentative Tract Map No. 37181 and Development Plan Review (DPR) PLN16-00002 located at the northeast corner of Metz Road and "A" Street. Applicant: Jeff Parker, Metz & A, LP.

REQUESTED ACTION: APPROVE a one-year Extension of Time (PLN23-05255) for Tentative Tract Map No. 37181 and Development Plan Review (PLN16-00002) until March 1, 2025, to facilitate the construction of a 360-unit multi-family residential development on 16.9 acres.

CONTACT: Kenneth Phung, Development Services Director

BACKGROUND/DISCUSSION:

On August 29, 2017, the City Council approved Tentative Parcel Map No. 37181 to consolidate five (5) parcels into a single 16.9-acre lot and Development Plan Review (PLN16-00002) for the site plan layout and building elevations to facilitate the construction of a 360-unit multi-family residential development with a 4,482 square foot clubhouse, and associated improvements located at the northeast corner of A Street and Metz Road (APNs: 311-040-013, -015, -021, -024, -026).

The applicant is now requesting the fourth of six maximum one-year extensions of time for the Tentative Tract Map and the second of three maximum one-year extensions of time for the Development Plan Review, extending the expiration date to March 1, 2025.

ANALYSIS:

Pursuant to Section 18.12.090(a) of the City of Perris Municipal Code, tentative maps are allowed to be recorded within 24 months from the date the map was approved by the City Council unless the time extensions are granted before the map expires. Tentative maps are allowed to be granted a maximum of six one-year extensions in addition to the automatic time extensions granted by the State. Development Plan Reviews (DPR) are allowed to be granted a maximum of three (3) one-year extensions of time. Further, as the TTM and DPR are interrelated for carrying out the residential development, they qualify for the automatic 18-month extension of time pursuant to Assembly Bill 1561 to overcome supply chain constraints associated with the COVID-19 pandemic and the housing crisis shortage facing California.

The summary below provides the original project approval date and extensions of time approved to this date for the Tentative Tract Map and Development Plan Review:

Tentative Tract Map

- **Original Approval Date: August 29, 2017 – August 29, 2019** – Approved by City Council; the start of initial 2-year life per Subdivision Map Act.
- **First Extension: August 29, 2019 – August 29, 2020** – EOT 19-05112 was approved by the City Council on June 11, 2019.
- **Second Extension: August 29, 2020 – August 29, 2021** – EOT 20-05094 was approved by the City Council on July 28, 2020.
- **Automatic 18-Month Time Extension Pursuant to AB 1561** – August 29, 2021 – March 1, 2023
- **Third Extension: March 1, 2023 – March 1, 2024** - EOT 22-053560 was approved by the City Council on January 10, 2023.

Development Plan Review

- **Original Approval Date: August 29, 2017 – August 29, 2020** – Approved by City Council; the start of initial 3-year life per subdivision map act.
- **First Extension: August 29, 2020 – August 29, 2021** – EOT 20-0594 was approved by the City Council on June 11, 2019
- **Automatic 18-Month Time Extension Pursuant to AB 1561** – August 29, 2021 – March 1, 2023
- **Second Extension: March 1, 2023 – March 1, 2024** - EOT 22-053560 was approved by the City Council on January 10, 2023.

The applicant is now requesting the third of six extensions for the map, authorized by the Subdivision Map Act Section 66463.5 (c), and the second of three extensions for the DPR authorized by the Zoning Code, to effectively extend the expirations of time to March 1, 2025. The extensions are requested as a result of rising interest rates making it challenging to finance the project, and to allow additional time for the preparation of construction documents, contractor bidding, and predevelopment work.

RECOMMENDATION:

Staff recommends that the City Council approve a one-year Extension of Time (EOT) PLN23-05255 to March 1, 2025, for Tentative Tract Map No. 37181 and Development Plan Review (DPR) PLN16-00002. If the subject Tentative Tract Map is not recorded prior to the expiration date or an extension of time is not filed prior to the expiration date of the map, new Tentative Tract Map and Development Plan applications and applicable fees would be required for City consideration.

BUDGET (or FISCAL) IMPACT: There is no fiscal impact associated with this project since all project costs are borne by the applicant.

Prepared by: Nathan Perez, Senior Planner
Reviewed by: Kenneth Phung, Development Services Director

City Attorney _____
Assistant City Manager WB
Deputy City Manager ER

- Attachments:
1. Vicinity and Aerial Map
 2. Project Plans (TTM 37181, Site Plan, and Building Elevations) – Information Purpose
 3. Previously Approved Conditions of Approval for Tentative Tract 37181 and DPR16-00002
 4. Applicant's Time Extension Request

Consent: X
Public Hearing:
Business Item:
Other:

Attachment 1
Vicinity and Aerial Map



Attachment 2

Project Plans (Site/Landscape Plan,
TTM 37181, and Building Elevations) –
Informational Purpose





VILLA VERONA APARTMENTS

Clubhouse

Perris, California

Metz & A, LP
Developer

ADKOVAS
GROUP



Metz & A, LP
Developer

VILLA VERONA APARTMENTS
Building Type II
Perris, California

ADKVAS
GROUP



Metz & A, LP
Developer

VILLA VERONA APARTMENTS

Building Type I
Perris, California

ADKVAS
GROUP



VILLA VERONA APARTMENTS

Building Type III
Perris, California

Metz & A, LP
Developer

AKO
CORP
VAS

Attachment 3

Conditions of Approval for Tentative Tract
37181 and DPR PLN16-00002

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

**CITY COUNCIL
FINAL CONDITIONS OF APPROVAL**

**Tentative Tract Map 37181 (16-05150)
Zone Change 16-05030
General Plan Amendment 16-05031
Development Plan Review 16-00002**

August 29, 2017

PROJECT: General Plan Amendment 16-05031, Zone Change 16-05030, Tentative Parcel Map (TPM 37181) 16-05150, and Development Plan Review 16-00002 for the development of a 360-unit multifamily apartment community, with a 4,482 sq. ft. recreation building and a variety of amenities on 16.9 vacant acres located at the northeast corner of “A” Street and Metz Road. Applicant: Danny Brose

***MITIGATION, MONITORING AND REPORTING PROGRAM (MMRP)**

The Mitigation Monitoring and Reporting Program (MMRP) Checklist is attached to reduce potential Aesthetics, Biological Resources, Traffic, Cultural Resources, Hazards & Hazardous Waste, Air Quality, Geology/Soils, and Noise and shall be implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP. The applicant is required to meet all the mitigation measures as conditions of approval.

General requirements:

- 1. Mitigation Monitoring Program.** The project shall at all times comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP) of the Mitigated Negative Declaration.
- 2. Development Standards.** The project shall conform to all requirements of the City of Perris Municipal Code Title 19, including all provisions of Chapter 19.26, MFR-22 Multi-family residential.
- 3. Approved Use.** The approved land use shall consist of apartment community.
- 4. Conformance to Approved Plans.** Development of the project site, building elevations, and conceptual landscaping shall conform substantially to the approved set of plans presented at the May 17, 2017 Planning Commission hearing, or as amended by these conditions and as approved by the City Council on June 27, 2017. Any deviation shall require appropriate Planning Division review and approval.
- 5. Tract Map Term of Approval.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for

extension shall be submitted to the Development Services Department at least thirty (30) days prior to the expiration of Tentative Map approval.

6. **Term of Approval.** This approval shall be used within three (3) years of approval date; otherwise it shall become null and void. By use is meant the beginning of substantial construction contemplated by this approval within the three (3) year period which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval. A maximum of three (3) one-year time extensions shall be permitted.
7. **Signage.** The proposed project approval does not include signage. All proposed signage (Temporary and Permanent) shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
8. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
9. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance.
10. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning **TTM 37181, ZC 16-05030, GPA 16-05030, and DPR 16-00002**. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.
11. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. The applicant shall submit a fire access and fire underground plan prior to construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval shall be included on building plans. See City of Perris website, Office of the Fire Marshal, for examples and relevant information for access and underground plan available at: <http://www.cityofperris.org>.
12. **Fish and Game Fee.** Within three (3) days of City Council approval, the applicant shall submit a check to the City Planning Division, payable to "Riverside County Clerk-recorder," for a \$2,216.25 for payment of State Fish and Game fees and County documentary handling fee. In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.

13. **Engineering Conditions.** The project shall comply with all requirements of the City Engineer as indicated in the Conditions of Approval dated **May 10, 2017**.
14. **Public Works Administration Conditions.** The project shall comply with all requirements of the City Engineer as indicated in the Conditions of Approval dated **December 20, 2016**.
15. **Class II Bike Lane.** A Class II bike lane shall be included per the *Perris Trail Master Plan* along "A" Street to all off-site improvement plans subject of the approval of Planning Division, Public Works Administration and City Engineer. A copy of the street improvement plans shall be submitted to the Planning Division.
16. **Unit Identification.** Each unit in the tract shall include an interior lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Planning Division.
17. **Utilities.** All utilities such as cable TV and electrical distribution lines (including those which provide direct service to the project site and/or currently exist along public right-of-ways) adjacent to the site shall be placed underground, except for electrical utility lines rated at 65kv or larger. All utility facilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
18. **Mechanical Equipment.** All mechanical equipment, including air conditioning units, pool equipment, etc., shall be screened from the public right-of-way by a view obscuring fence, wall, or landscaping to the satisfaction of the Planning Division. All HVAC units visible from the public right-of-way shall provide screening.
19. **Balconies (facing east).** All balconies facing east, shall be enclosed by a 6' double glazed window (non-view obscuring) on top of balcony railing to mitigate noise from the freeway and railroad as required per the noise mitigation section of the MMRP.
20. **Residential Use and Development Restrictions.** The physical development of phases of this project shall be reviewed and approved by the city. Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such.
21. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
22. **Energy Conservation.** To improve local air quality, the applicant shall incorporate the following energy-conservation features into the project (as feasible):
 - Low NO_x water heaters per specifications in the Air Quality Attainment Plan;
 - Heat transfer modules in furnaces;
 - Light colored water-based paint and roofing materials;
 - Passive solar cooling/heating; and,

- Energy efficient appliances and lighting.

An accounting of the project's energy conservation measures shall be submitted to the Building Division, prior to application for Building Permits.

- 23. Preliminary Water Quality Management Plan (PWQMP)** A Preliminary WQMP was prepared for the proposed project site. All P-WQMPs were determined to be in substantial compliance, in concept, with the Riverside County 2012 WQMP Manual requirements. The following two conditions apply:
- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
 - b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the lot specific LID design, extended detention basins, and landscaping. The Public Works Department shall review and approve the final WQMP text, plans and details.

Prior to Final Tract Map approval.

- 24. Final Tract Map Approval.** Prior to issuance of grading permits, a final map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with application to the City Engineer. No precise grading permit shall be approved prior to final tract map approval. The developer shall obtain the following clearances or approvals prior to Final Map Recordation:
- a. Verification from the Planning Division that all pertinent conditions of approval have been met, including any Development Plan Review approvals, as mandated by the Perris Municipal Code.
 - b. Any other required approval from an outside agency
 - c. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:
 - i. Landscape Maintenance District No. 1;
 - ii. Flood Control Maintenance District No. 1;
 - iii. Maintenance District No. 84-1;
 - iv. Perris Community Facilities Assessment District; and

- v. Transportation Uniform Mitigation Fee.

Prior to Issuance of Grading Permits

25. **Parking Enforcement Plan:** The apartment community shall adhere to the Parking Enforcement Plan and shall be implemented by apartment management.
26. **Southern California Edison.** Prior to issuance of grading permits, the applicant shall contact the Southern California Edison (SCE) area service planner (951 928-8323) to complete the required forms prior to commencement of construction.
27. **Final Water Quality Management Plan (F-WQMP).** The applicant shall submit a final WQMP including, but not limited to:
- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
 - b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the infiltration basins (with additional calculations concerning infiltration rate), self-retaining landscaping, pre-treatment catch basin inserts and trash enclosure. The Public Works Department shall review and approve the final WQMP text, plans and details.

Prior to Issuance of Building Permits

28. **Building Plans.** All Planning, Public Works Administration, and Engineering Conditions of Approval shall be copied onto the approved building plans. Such conditions shall be annotated, directing the receiver to the sheet and detail(s) indicating satisfaction of the conditions. Also, the Mitigation and Monitoring Reporting Plan (MMRP) shall be listed and included with the "General Notes" on the construction drawings, and implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP.
29. **Fire Marshall.** Prior to building permit issuance the following is required for fire safety:
- a. A fire department access road complying with the California Fire Code Chapter 5 and approved plans shall be installed prior to building construction.
 - b. All required fire hydrants shall be installed and operational prior to lumber drop and combustible building construction.
 - c. All required fire hydrants shall be readily visible. A clear space of not less than 3-feet shall be maintained.
 - d. Prior to construction a temporary address sign shall be posted and clearly visible from the street.
 - e. The permanent building address shall be provided and either internally or externally lighted during hours of darkness. The address shall be clearly visible from the street

fronting the property and comply with California Fire Code Section 505.1 for size and color.

30. **Property Liens.** The applicant shall pay all liens owed to the city prior to the issuance of building permits.
31. **Site Lighting Plan (photometric plan).** The lighting plan shall include photometrics, fixture details, and light standard elevations. High efficiency fixtures with full-cut off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum one (1) foot-candle of light shall be provided to all parking lot and pedestrian areas for safety and security.
32. **Construction Phasing.** Prior to issuance of building permits, all phasing plans shall be reviewed and approved by the Planning Division, and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access.
33. **Amenities.** The project shall adhere to P.M.C. 19.28 (MFR-22) requirements for amenities. The community center shall be constructed upfront with access.
34. **Additional Plan Requirements.** The following additional plans shall be reviewed and approved by Planning staff and the appropriate City departments, as necessary:
 - a. **Carport Roofs.** All carport roofs shall match the same roof color and material (s-tile roofing) to match architectural style and color of the proposed buildings.
 - b. **Trash Enclosures.** Covered trash enclosures constructed to the City standard shall be easily accessible to all tenants in office areas of the project, and be screened by landscaping from the public view. The trash enclosure shall be treated with an overhead trellis treatment, and elevations shall be included on final landscape and fencing plans for review and approval by the Planning Division.
 - c. **Knox Boxes.** Knox boxes are required for all entry gates, and shall be approved by the Fire Marshal and issued by the Building Division.
35. **March Air Reserve Base.** Prior to building permit issuance, in accordance with conditions by the Airport Land Use Commission (ALUC), the following measures shall be implemented to address the project's location within Airport Influence Area:
 - a. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflections into the sky. Outdoor lighting shall be downward facing.
 - b. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - i. Any uses which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take of or toward an aircraft

- engage in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- ii. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - iii. Any use which would generate excessive smoke or water vapors or which would attract large concentrations of birds, or which may otherwise affect a safe air navigation within the area. (such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflowers, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, fly ash disposal and incinerators.)
 - iv. Any uses which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- c. The Notice of Airport in Vicinity shall be provided to all prospective purchasers of the property and tenants and/or lessees of the proposed buildings, and shall be recorded as a deed notice.
 - d. Any proposed detention basins shall be designed so as to provide for a maximum 48-hours detention period following the conclusion of the storm event for the design storm (maybe less, but not more), and to remain totally dry between rainfalls, Vegetation in and around the detention basin that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
 - e. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air base radio communications could result. Sources of electromagnetic radiation include radio waves transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
 - f. An informational sign shall be posted in a conspicuous location in the rental office clearly depicting the proximity of the project to the Perris Valley Airport and aircraft traffic patterns.
 - g. An information brochure shall be provided to prospective renters showing the locations of aircraft flight patterns. The frequency of overflights, the typical altitudes of the aircraft, and the range of noise levels that can be expected from individual aircraft overflights shall be described. A copy of the compatibility factors exhibits from the Perris Valley Airport Land Use Compatibility plan shall be included in the brochure.
 - h. The proposed structures shall not exceed a height of 40' feet above ground level and a maximum elevation at the top point (including all roof-mounted equipment,

if any) of 1,520 feet above mean sea level.

- i. The Federal Aviation Administration has conducted an aeronautical study of the proposed structures (Aeronautical Study No. 2016-AWP-3478-OE) and has determined that neither marking nor lighting of the structures is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory circular 70/7460-1 L and shall be maintained in accordance therewith for the life of the project.
 - j. The specific coordinates, height, and top point elevation of the proposed structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, the reduction in structures height or elevation shall not require further review by the Airport Land Use Commission.
 - k. Temporary construction equipment used during actual construction of the structures shall not exceed the height of the structure, unless separate notice is proved to the Federal Aviation Administration through Form 7460-1 process.
 - l. Within five (5) days after construction of the structures reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structures.
- 36. Walls and Fences.** Prior to issuance of building permits, the developer shall submit and obtain approval from the Planning Division for all block walls and fencing. The plans and details for all block walls shall be included in the landscape plan check submittal package for review and approval by the Planning Division. The following shall apply:
- a. **Decorative Perimeter Wall Material (north and east).** The development shall provide an 8' foot high split-face block wall with decorative cap with stone veneer pilasters every 40' feet along the northerly and easterly property line.
 - b. **Decorative Perimeter Wall Material (facing Metz and "A" Street).** The development shall provide an 8' foot high split-face block wall with decorative cap with stone veneer pilasters every 40' feet along the northerly and easterly property line. Perimeter areas that are designated (per the conceptual wall and fence plan) as wrought iron shall provide: decorative wrought iron with split-face pilasters every 40' feet.
 - c. **Detention Basins.** All enclosed detention basins or storm drain facilities shall have decorative wrought iron fencing with decorative pilasters every 40' feet.
 - d. **Apartment Community Identification.** The developer shall provide community entry statements, including theme walls, monumentation and enhance landscaping at each entrance to the apartment community along "A" Street, Metz Road, and

the corner of "A" street and Metz Road. Theme walls and monuments shall be constructed outside the public right-of-way. The design of entry statements shall be subject to the review and approval of the Planning Division through the landscape and irrigation review application.

- e. **Wrought Iron Gates.** All proposed gates shall be shall consist of decorative wrought iron fencing per conceptual wall and fence plan.
 - f. **Graffiti Resistant Coat.** All perimeter block walls shall be treated with a graffiti resistant coat.
37. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise. If any deviations from the construction hours are deemed necessary, it first must be requested with the building inspector identifying why this must occur and the time frame it is needed along with necessary provision to mitigate noise impact. The approval of this request is subject to the review and approval of the Building Official.
 - b. Building Department Construction activity shall not exceed 80 dBA in residential zones in the City.
 - c. Construction routes are limited to City of Perris designated truck routes or otherwise approved by the Building Official.
 - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.
 - f. Project applicant shall require contractor to provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors as practical to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

38. **Water Resources Control Board.** Prior to issuance of Building Permits, the applicant shall submit a copy of the State Water Resources Control Board permit letter with the WDID number to Planning Staff.

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

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

- a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
- b. Multiple Species Habitat Conservation Plan fees currently in effect;
- c. Current statutory school fees to all appropriate school districts;
- d. Any outstanding liens and development processing fees owed to the City;
- e. Appropriate City Development Impact Fees (including Park fees) in effect at the time of development; and
- f. Appropriate Transportation Uniform Mitigation Fees (TUMF) in effect at the time of development.

40. **Landscaping Plans.** Prior to issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The landscaping shall be consistent with the conceptual landscape plan. The following shall apply:

- a. **Street Trees.** All street trees shall be 24-inch box size or larger, and planted a maximum of 30 feet on center within the parkway.
- b. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation. The detention basins shall provide minimum 24" inch box trees with shrubs or combination with ground cover.
- c. **Slopes.** Slopes that are 3:1 or steeper and 4 feet or higher, shall have one approved tree for every 400 square feet, with 70% of trees 15 gallon sized, and 30% being 5 gallon sized. All slopes over 5' feet in height or greater shall include erosion control fabric.
- d. **Shrubs along "A" Street and Metz Road pilaster fence.** The landscape plan shall include 36' high shrub border (5-gallon shrubs) behind the wrought iron pilaster fence along the "A" Street and Metz Road street frontage. All solid block walls shall provide 5 gallon size vines at 20' o.c. (off center).
- e. **Shrubs.** 80% of the shrubs proposed shall be 5-gallon size per Chapter 19.70.
- f. **Amenity Areas.** All common open space areas shall be included in the landscape and irrigation plans to include automatic irrigation.
- g. **Trash Enclosure Areas.** All trash enclosure areas shall be screened with a 6' high shrub hedge.
- h. **Visitor Parking Lot Area (on "A" Street).** The visitor parking lot area shall be screen by a 36" high shrub border. The shrub border shall be created by installing a double row of 5 gallon shrubs at 3'6" o.c. (off center).
- i. **Decorative Pavement.** Decorative pavement treatments shall be provided at the

- entrances of "A" Street and Metz Road per conceptual landscaping plans. This shall include decorative pavement along pedestrian crossing along drive isles throughout the apartment community.
- j. **Water Conservation.** Landscaping must comply with AB 325 for water conservation or other current policy or regulation at such time of development. See Chapter 19.70 (cityofperris.org) for water conservation calculations (MAWA).
 - k. **Maintenance.** All required landscaping shall be maintained in a viable growth condition.
 - l. **Irrigation Rain Sensors.** Rain sensing override devices shall be required on all irrigation systems (PMC 19.70.040.D.16.b) for water conservation. Soil moisture sensors are required.
 - m. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after all the landscaping and irrigation have been installed and is completely operational. Before calling for final inspections a "Certificate of Compliance" form shall completed and signed by the designer/auditor responsible for the project, and this form must be submitted to the project planner. The project planner will need to sign off on the "Certificate of Compliance" to signify code compliance.
 - n. **Tot Lot Areas.** All tot lot areas shall provide a shaded element.

Operational Requirements:

- 41. **Prohibited Car Washing (on-site).** Residents shall be informed no car washing shall be permitted on the premises through the lease agreement and as part of the development by-laws.
- 42. **Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and apartment community waste disposal.
- 43. **Graffiti Abatement.** The site shall be maintained in a graffiti free state at all times. All graffiti located on site and along the perimeter walls (to include retaining walls facing east along the easterly property line, and block walls facing north on the northerly property line) of the site shall be removed within 24 hours.
- 44. **Business License.** All future landlords or property management corporations shall maintain compliance with all local and City Ordinances, including but not limited to an annual fire inspection and maintenance of a City Business License.

Prior to Issuance of Occupancy Permits:

- 45. **Occupancy Clearance.** The applicant shall have all required paving, parking, screen walls, colors and materials (per approved elevation plans), site lighting, landscaping and automatic irrigation installed and in good condition.
- 46. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building

Division and Engineering Department. Planning Staff shall verify that all Conditions of Approval have been met.



CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

CONDITIONS OF APPROVAL

P8-1279

April 7, 2017, Revised May 10, 2017

Tract Map 37181, DPR 16-0002 – Villa Verona Apartments

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

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.
2. The project's grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements shall be obtained from effected property owners or if within this site, shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.
3. The incremental increase in runoff between developed and undeveloped stage (100-year) and the nuisance runoff shall be retained within onsite private detention basins or conveyed to adequate downstream facilities.

DEPARTMENT OF ENGINEERING

24 SOUTH "D" STREET, SUITE 100, PERRIS, CA 92570

TEL.: (951) 943-6504 - FAX: (951) 943-8416

The project shall also comply with conditions stated in RCFC letter dated March 9, 2017.

4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.
5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all onsite landscaping. The proposed streetlights, offsite landscaping, and the Metz & "A" Street signal shall be maintained by City and cost paid for by the property owners through annexation to lighting and landscaping districts. The owner(s) shall also pay their share of maintenance of existing Metz Basin if damaged as result of this project. The development share for the maintenance cost of the traffic signal is 15%.
6. Catch basins and minimum 18" RCP shall be installed at all new driveways and the intersection of "A" and Metz to eliminate nuisance runoff from cross gutters.
7. Existing power poles within the project site or along the project boundary (under 65kv), shall be removed and cables undergrounded.
8. Discharge of on and offsite runoff to Metz Park basin shall be in a manner not to damage or interfere with the use of the park and eliminate project related erosion.
9. Streetlights shall be installed along perimeter streets adjacent to this site as approved by City Engineer per Riverside County and City standards. The new LED street light plans including conduits, cables, and meters shall be prepared by Developers' Electrical Engineer and submitted to City for review and approval.
10. This project is located within EMWD's water service area and City of Perris sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department. Connection to existing City of Perris sewer shall be subject to review and approval by City to insure sufficient capacity and may require upgrade. Flow test shall be submitted by applicant during plan check to verify capacity.
11. The applicant shall submit to City Engineer and Flood Control the following for his review:
 - a. Street Improvement Plans
 - b. Signing, Striping, and Signal Plans
 - c. Onsite Grading Plans, SWPPP, and Erosion Control Plan
 - d. Water and Sewer Plans
 - e. Drainage Plans, Hydrology and Hydraulic Reports

DEPARTMENT OF ENGINEERING

24 SOUTH "D" STREET, SUITE 100, PERRIS, CA 92570
TEL.: (951) 943-6504 - FAX: (951) 943-8416

- f. Streetlight Plan
- g. Final WQMP

The project's design shall be in compliance with EMWD and Riverside County Standards and coordinated with approved plans for adjacent developments.

12. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.
13. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans. Catch basins shall be installed at all existing and new intersections and driveways adjacent to the site to eliminate nuisance runoff.
14. 6' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.
15. All onsite drainage runoff shall be collected via onsite underground facilities and conveyed to acceptable outlet.
16. Street improvement plans shall include class II/III bike lane in accordance with the Perris bike plans.
17. Prior to issuance of any permit, the tract map shall be submitted to City Engineer for review and approval. The map is intended for financing purpose and as such only right of way dedications; access restrictions and monumentation is required prior to its recordation.
18. All work within Flood Control right-of-way requires their review and approval.
19. Reference is made to traffic study performed by RK Engineering dated March 3, 2014 titled "A" Street. CMI and IHCS - Traffic review and RK Engineering letter dated February 7, 2017 referencing Villa Verona project "A" Street.

Reference is also made to Perris Union High School District letter dated March 29, 2017 and Perris Elementary School District letter dated March 20, 2017.

The above reports and letters identify a series of traffic related concerns and issues along "A" Street with several suggestions and recommendations.

The project shall widen "A" Street from Metz Road south to southerly boundary of CMI School along the east side to ultimate improvements with curb, gutter located 32' east of centerline including signage/striping, installation of bulb-outs, handicap ramp as recommended in RK's original report and discussed in attached letter from RK dated February 7, 2017. As a result of the widening of "A" Street, the developer acknowledges that the project is required to construct the onsite driveway and parking facilities to facilitate student pick up and drop off, in accordance with Perris Union High School District (P.U.H.S.D.) Exhibit I. The district is offering waiver of school fees in return for development's commitment to build these improvements.

"A" Street adjacent to project site along the east side shall be improved with minimum of 30' new paving, curb, gutter located 32' from centerline within 47' half-width dedicated right of way.

"A" Street from project's north boundary to Nuevo Road shall be improved pursuant to the recommendation of RK's reports and letters as stated above.

Construction of traffic signal at intersection of "A" and Metz to accommodate full movements (all directions) shall be required and poles installed at ultimate locations otherwise partial signal fee credit will be allowed.

20. Metz Road adjacent to the site shall be improved along the north side with minimum of 18' new paving, curb, gutter, and sidewalk located 20' from centerline within 30' half-width dedicated right-of-way.
21. The proposed driveway along "A" Street shall be designed in a manner to provide for 2 incoming lanes and gate set back a minimum of 132' from the back of sidewalk.

Habib Motlagh

Habib Motlagh
City Engineer



CITY OF PERRIS

PUBLIC WORKS DEPARTMENT

Engineering Administration

NPDES

Special Districts (Lighting, Landscape, Flood Control)

MEMORANDUM

Date: December 20, 2016

To: Nathan Perez, Project Planner

From: Michael Morales, CIP Manager 

Subject: DPR 16-00002 GPA 16-05031 ZC 16-05030— Conditions of Approval

Proposal to amend the General Plan and Zoning Designations of 17.29 acres of vacant land from R-6,000 to MFR 22. The change would allow for a proposal to construct a 376 unit apartment community, complete with various amenities. The project is located at the N/E corner of A Street and Metz.

1. **Dedication and Landscape Maintenance Easement.** Offer of Dedication and Landscape Maintenance Easement for City landscape maintenance district shall be provided as follows:
 - **'A' Street-** Provide offer of dedication as needed to provide for full half width Street, curb gutter, sidewalk and off-site landscaping requirements, per City General Plan, including minimum 15' public parkway from face of curb. Provide an additional 6' landscape easement from behind the property line to within 6" of the nearest project perimeter fence line.
 - **Metz Road-** Provide offer of dedication as needed to provide for full half width Street, curb gutter, sidewalk and off-site landscaping requirements, per City General Plan, including minimum 11' public parkway from face of curb. Provide an additional 6' landscape easement from behind the property line to within 6" of the nearest project perimeter fence line.
2. **Landscape Maintenance Easement and Landscape Easement Agreement.** The developer shall provide, for review and approval, an Offer of Dedication and certificate of acceptance, complete with legal plat map and legal description to the City of Perris. In addition, if required by the City of Perris, the Developer shall provide a landscape easement and Landscape easement agreement, acceptable to the City of Perris. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
3. **Landscaping Plans.** Three (3) copies of Construction Landscaping and Irrigation Plans for the off-site landscaping, including any medians or other landscape areas along the dedications shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. This landscape plan shall be titled "LMD Off-site Landscape Plan DPR 16-00002 GPA 16-05031 ZC 16-05030" and shall be mutually exclusive of any private property, on-site landscaping. Elements of the Landscape Plan shall include but not be limited to:

- a. **Landscape Limits** – Limits of right-of-way areas or easement areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District. A planting palette and hardscape plan intended to meet the design intent of the Landscape Guidelines in effect for the area (including planting palette at BZ 93 Oak Grove School located north of the project); or if no such guidelines exist the design intent of neighboring development, as determined by the Engineering Administration and Special Districts Division, including:
 - **'A' Street** –Tree Primary: Quercus Virginiana-Southern Live Oak; Secondary (accent tree): Lagerstromia-Indian Tribe Varieties. Use drought resistant shrubs and ground cover intended to complement the existing parkways to the north along 'A' Street (BZ 93 Oak Grove School), including but not limited to the following Lilly of the Nile (Agapanthus Africanus), Red Yucca, Red Hot Poker, Rhapsiolepis Indica Indica, (Indian Hawthorn), Iceberg Rose, Rosa red Ribbons (Groundcover Rose).
 - **Metz Road**- Propose a medium height flowering evergreen tree, and a large deciduous for a large background tree. Use drought resistant shrubs and ground cover intended to complement the parkways proposed for A Street, including but not limited to the following following Lilly of the Nile (Agapanthus Africanus), Red Yucca, Red Hot Poker, Rhapsiolepis Indica Indica, (Indian Hawthorn), Iceberg Rose, Rosa red Ribbons (Groundcover Rose).
- b. **Irrigation** –A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers, Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375 (or equal). Controller shall include an ET based controller with weather station that is centrally controlled capable and wi-fi ready (Calsense or equal).
- c. **Benefit Zone Quantities** – Include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain.
- d. **Meters** – Each District is required to be metered separately. All electrical and water meters shall be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene and away from street intersections. Show location of separate water and electrical utility meters intended to serve maintenance district areas exclusively. Show locations of water and electrical meter for landscape district. Show location of water and electrical meter for flood control district. Show location of electrical meter for Traffic signal and street lighting district, on respective plans. Coordinate location of meters on landscape and civil engineering plan.
- e. **Controllers** - The off-site irrigation controllers are to be located within the right of way (preferably within the off-site landscape area). All point of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Backflow preventers are to be screened on at least three sides with (5) gallon plant material. The fourth side shall be open to the back of the landscape area in order to allow the backflow cage to be opened without interference with plant materials. Backflow cages shall meet the required City of Perris Engineering Standards in effect at the time of approval.
- f. **Recycled Water** - If applicable. The project landscape architect shall coordinate with EMWD to verify if the

site will be served with recycled water and design all irrigation and landscape plans to meet the requirements of EMWD and provide additional irrigation components as needed.

- g. EMWD Landscape Plan Approval** – The project landscape architect shall submit a copy of all irrigation plans and specifications to EMWD for approval. The project landscape architect must confirm with EMWD that the plans have been approved by EMWD and submit written proof of approval by EMWD prior to the City approving the final Landscape Plans. Until the final landscape plan has been approved by the City of Perris, the maintenance areas depicted cannot be accepted by the City for maintenance. The developer shall coordinate the both reviews to ensure acceptability of plans by both EMWD and the City of Perris, prior to approval by either agency.
 - h. Landscape Weed Barrier** - Weed cloth with a minimum expected life of 10-years shall be required under all mulched areas.
 - i. Wire Mesh and Gravel At Pull Boxes**- Provide wire mesh and gravel layer within valve boxes to prevent rodent intrusion.
- 4. Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for only "OFF-SITE" landscape and irrigation inspections at the appropriate stages of construction. Inspections shall be scheduled at least two-working days (Monday through Friday) prior to actual inspection. Contact Public Works-Engineering Administration/Special Districts at (951) 956-2120 to schedule inspections.
- **Inspection #1** - Trenches open, irrigation installed, and system pressurized to 150 PSI for four hours.
 - **Inspection #2** - Soil prepared, and plant materials positioned and ready to plant.
 - **Inspection #3** - Landscaping installed, irrigation system fully operational, and request for "Start of 1 year Maintenance Period" submitted, with all required turn-over submittal items provided to Public-Works Engineering Administration/Special Districts.
 - **Turn-Over Inspection**– On or about the one year anniversary of Inspection #3, Developer shall call for an inspection to allow the City to review and identify any potential irrigation system defects, dead plants, weed, debris or graffiti; stressed, diseased, or dead trees; mulch condition, hardscape or other concerns with the landscape installation; or to accept final turn over of the landscape installation. At his sole expense, the Developer shall be responsible for rectifying system and installation deficiencies, and the one year maintenance period shall be extended by the City until all deficiencies are cured to the satisfaction of the City. If in the opinion of the City's Landscape Inspector the landscape installation is in substantial compliance with the approved landscaping plans, the irrigation and communication system is functioning as intended, and the landscape installation is found to be acceptable to the City, then the Inspector shall recommend to the City's Special District Coordinator to accept turn-over of water and electrical accounts, wi-fi communication contracts and the entire landscape installation.
- 5. One Year Maintenance and Plant Establishment Period**-The applicant will be required to provide a minimum of a one (1) year maintenance and plant establishment period, paid at the sole expense of applicant. This one-year maintenance period commences upon the successful completion of Inspection #3 discussed above, and final approval by the City. During this one year period the applicant shall be required to maintain all landscape areas free of weeds, debris, trash, and graffiti; and keep all plants, trees and shrubs in a viable growth condition. Prior to the start of the one year maintenance period, the Developer shall submit a weekly Landscape Maintenance Schedule for the review and approval by the City's Special Districts Division. City shall perform

periodic site inspections during the one-year maintenance period. The purpose of these periodic inspections is to identify any and all items needing correction prior to acceptance by the City at the conclusion of the one-year maintenance period. Said items needing correction may include but are not limited to: replacement of dead or diseased plant materials, weeding, replenishment of mulches, repair of damaged or non-functioning irrigation components, test of irrigation controller communications, etc. During this period, the City shall begin the annual assessment of the benefit zone in preparation for the landscape installation turn-over to City maintenance staff.

6. **Street/Off-Site Improvements.** The applicant shall submit street improvement plans, accompanied by the appropriate filing fee to the City Engineering Department. Details of treatments of site improvements, including Bus Stops at Mass Transit Routes, Bicycle Path, Decorative Traffic Signal Signage, and lighting shall meet both the City Engineer's Design Guidelines, and the additional requirements of the Engineering and Special Districts Division. Components shall include, but not be limited to:
 - a. **Traffic Signal Signage-**If traffic signals are required, decorative signal signage shall meet the type, style, color and durability requirements of the City Engineer's Office.
 - b. **Bicycle Path- Frontage along A Street** has been identified in the Parks Trails Master Plan as a Class II Bike Path, and **frontage along Metz** has been identified in the Parks Trails Master Plan as a Class III Bike Path. If a Bike Path is required, by the City Engineer's Office, the lane and striping configuration shall meet the type, style, color and durability requirements of the City Engineer's Office.
 - c. **Street Lighting-**If street lighting is required, lighting shall meet the type, style, color and durability requirements, necessary for energy efficiency goals, maintenance and longevity of improvements of the City Engineer's Office. As determined by the City, new streetlights may be required to be deeded to City of Perris, and not SCE. Street lights deeded to City of Perris shall be constructed per LS-3 account billing standard, which shall include an individually metered pedestal for streetlights.
 - d. **Acceptance By Public Works/Special Districts-** Lighting District facilities required by the City Engineer's Office shall be installed and fully operational, and approved by final inspection by the City Engineer's Office, and the City's Consulting Traffic Signal Inspection Team (Riverside County TLMA) at (951) 955-6815. Prior to acceptance for maintenance of "Off-site" traffic signal and lighting facilities by the Public Works-Engineering and Administration Division/Special Districts, the developer shall contact the Public Works Special Districts Division at (951) 956-2120 to schedule the delivery of all required turn-over submittal items. Prior to acceptance into Lighting District 84-1, coordinate turn-over information pertaining to Street Lights, and Traffic Signal Electrical/SCE Service Meters with Shepherd and Staats, the City's Special Districts Consulting Firm at (760) 639-0124. (i.e. Provide electrical meter number, photo of pedestal, and coordinate "request for transfer of billing information" with SCE and City for all new service meters). Developer shall pay 18-month energy charges to the City of Perris for all off-site street lighting. Call Roxanne E. Shepherd Shepherd & Staats, Inc. for amount due, and to obtain receipt for payment. Obtain and provide a clearance form from Riverside County TLMA indicating completion of all punch list items from traffic signal construction. Submit one large format photo-copy of Traffic Signal as-built plans and timing sheets.
7. **Water Quality Management Plans.** The applicant shall submit a Preliminary and Final WQMP, accompanied by the appropriate filing fee to the Planning Department and City Engineering Department, respectively. Details for treatment control facilities shall meet both the Riverside County WQMP Design Guidelines, and the additional requirements of the Engineering and Special Districts Division intended to reduce long term maintenance costs and longevity of improvements. Components shall include, but not be limited to:
 - **Storm Drain Screens-**If off-site catch basins are required by the City Engineer's Office, connector pipe screens shall be included in new catch basins to reduce sediment and trash loading within storm pipe.

Connector pipe screens shall meet the type, style, and durability requirements of the Public Works Engineering Administration and Special Districts Division.

- **WQMP Inspections-** The project applicant shall inform the on-site project manager and the water quality/utilities contractor of their responsibility to call for both "ON-SITE" and OFF-SITE" WQMP Inspections at the appropriate stages of construction. Contact CGRM at (909) 455-8520 to schedule inspections.
 - **Acceptance By Public Works/Special Districts-**Both on-site and off-site flood control/water quality facilities required for the project, as depicted in the Final WQMP, shall be installed and fully operational, and approved by final inspection by the City's WQMP Consultant, CGRM. The Developer shall obtain a final Clearance Letter from CGRM indicating compliance with all applicable Conditions of Approval for the approved WQMP. The developer shall deliver the same to the Public Works-Engineering and Administration Division/Special Districts. In addition, prior to acceptance by the City, the developer shall submit a Covenant and Agreement describing on-going maintenance responsibilities for on-site facilities per the approved WQMP, to the Public Works Engineering Administration and Special Districts Division. The Public Works Engineering Administration and Special Districts Division will review and approve the Covenant and Agreement. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.
8. **Flood Control District #1 Maintenance Acceptance.** Flood Control District facilities required by the City Engineer's Office shall be installed and fully operational, and approved by final inspection by the City Engineer's Office. Prior to acceptance for maintenance of "Off-site" flood control facilities by the Public Works-Engineering and Administration Division/Special Districts the developer shall contact the Public Works Special Districts Division at (951) 956-2120 to schedule the delivery of all required turn-over submittal items including as-built storm drain plans in electronic PDF format, one large format photo-copy of as-built plans, storm drain video report in electronic format, and hardcopy of video report with industry standard notations and still photos made during video runs (i.e. facilities sizes, off-sets or damage, facility type, dirt and debris, etc.). The flood control facilities shall be turned over in a condition acceptable to the City, and the developer shall make all necessary repairs and perform initial maintenance to the satisfaction of the City.
9. **Assessment Districts.** Prior to permit issuance, developer shall deposit \$5,250 per district, \$15,750 total due. Payment is to be made to the City of Perris, and the check delivered to the City Engineer's Office. Payment shall be accompanied by the appropriate document for each district indicating intent and understanding of annexation, to be notarized by property owner(s):
- **Consent and Waiver for Maintenance District No. 84-1** -New street lighting proposed by the project.
 - **Consent and Waiver for Landscape Maintenance District No. 1** -All off-site parkway landscape and easement areas (herein Parkway) proposed by this development shall be annexed.
 - **Petition for Flood Control Maintenance District No. 1** -For Off-site Flood Control Facilities proposed by the project, and fair share portion of downstream facilities benefitting the project.
- Original notarized document(s) to be sent to:
Roxanne Shepherd
Shepherd & Staats Incorporated
2370 Edgehill Road

Vista, CA 92084

- a. Prior to final map recordation or final certificate of occupancy the developer shall annex into the aforementioned districts, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer. Upon receipt of deposit and Consent and Waiver Forms, the developer shall work with City to meet all required milestones for annexations.
- i. City prepares the Engineer's Reports which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.
- ii. Reports are reviewed and approved by the property owner. The assessment ballots will be based on these Reports.
- iii. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.
- iv. The assessment ballots are sent to the property owner and are opened by the City Clerk at the close of the Public Hearing. With a "YES" vote by the property owner the City Council can move forward with the Resolution that Confirms the Annexation. Property owner attendance at this Public Hearing is not required.
- v. Confirmation by the City Council completes the annexation process and the condition of approval has been met.

Attachment 4
Applicant's Time Extension Request

Metz & A, LP

4040 MacArthur Blvd., Suite 220, Newport Beach, CA 92660 - Phone (949) 307-6767 - Fax (949) 757-0176

10.1.2023

Nathan Perez
City of Perris
Planning Division
135 North "D" Street
Perris, CA 92570

RE: EOT Case 20-05049
DPR-16-00001
TPM-37181


Dear Mr. Perez:

We respectfully request an extension of time for the referenced project in Perris. This project consists of a 360-unit apartment complex.

Due to rising interest rates coupled with the slowing economy, we require additional time for plan-check, construction documents, bidding and predevelopment work.

Enclosed please find the required fees and an application to extend DPR-16-0001 and TPN-37181.

Thank you in advance for your continued assistance.



Metz & A, LP
By: Jeffrey Barker, Manager



CITY OF PERRIS

10.E.

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Final Parcel Map 23-05225 (PM 38362) – Final approval of Tentative Parcel Map No. 38362 to subdivide 1.78 acres into two lots for the construction of two warehouse buildings and letter lots A and B, located on the northeast corner of Johnson Avenue and Rider Street, within the Light Industrial (LI) Zone of the Perris Valley Commerce Center Specific Plan (PVCCSP). Applicant: Moshe Silagi.

REQUESTED ACTION: Approve Final Parcel Map No. 38362 and authorize the Mayor to sign the subdivision map.

CONTACT: Kenneth Phung, Director of Development Services

BACKGROUND/DISCUSSION:

On June 1, 2022, the Planning Commission approved Tentative Parcel Map 22-05032 (TPM 38362) and Development Plan Review 21-00017 to subdivide one parcel into two parcels for the construction of two warehouse buildings, and letter lots A and B for roadway dedication and utilities easement on 1.78 acres, located on the northeast corner of Johnson Avenue and Rider Street, within the Light Industrial (LI) Zone of the Perris Valley Commerce Center Specific Plan (PVCCSP).

Parcel 1 consisting of 0.84 acres was approved to be developed with a 12,883 square foot warehouse building, and Parcel 2 consisting of 0.94 acres was approved to be developed with a 15,841 square foot warehouse building. The warehouse buildings are currently under construction. The construction of the required improvements has been completed and approved by the Engineering Department.

The map complies with the provisions of the Subdivision Map Act, applicable provisions of the Municipal Code, and is substantially consistent with the Tentative Parcel Map approved by the Planning Commission on June 1, 2022. Furthermore, Development Services, Engineering, and Community Services Departments have determined the applicant has satisfied all conditions of approval required for final map approval and recordation. Therefore, the City Engineer recommends approval of the Parcel Map.

RECOMMENDATION:

That the City Council approve Final Parcel Map 23-05225 (PM 38362), as all Planning and Engineering conditions of approval have been satisfied, and City Department clearances have been obtained.

BUDGET (or FISCAL) IMPACT: The cost for processing of this application is borne by the applicant.

Prepared by: Monica Carranza, Assistant Planner
Reviewed by: Patricia Brenes, Planning Manager

REVIEWED BY:

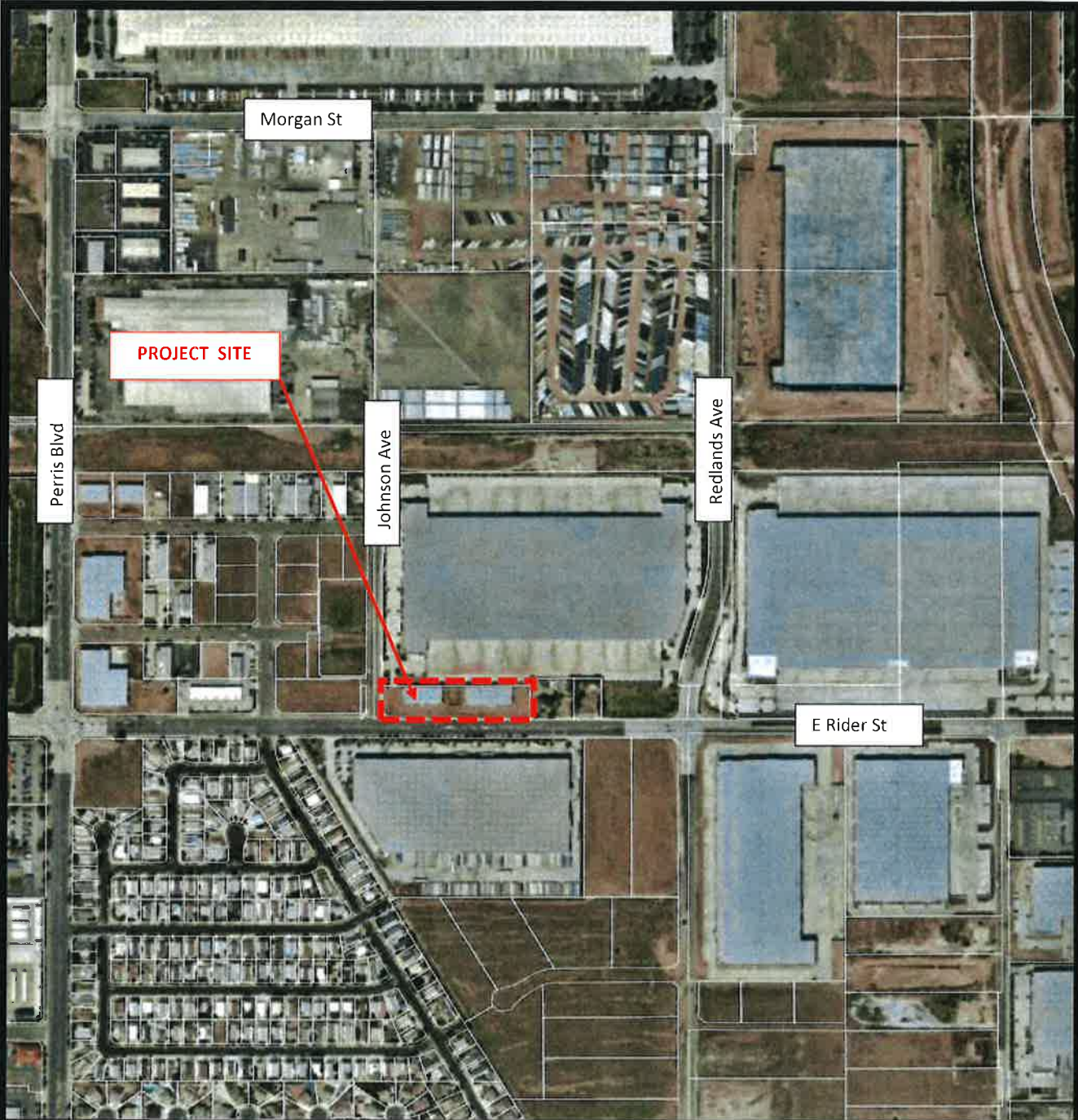
City Attorney: _____
Assistant City Manager: WB
Deputy City Manager: ER

- Attachments:
1. Vicinity Map
 2. Parcel Map No. 38362, Site Plan, and Rendering
 3. Conditions of Approval (Planning, Engineering, Public Works, and Building and Safety)
 4. Planning Commission Staff Report Without Exhibits – Dated June 1, 2022

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

ATTACHMENT 1

Vicinity Map



ATTACHMENT 2

Parcel Map No. 38362, Site Plan, and Rendering

IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, CALIFORNIA

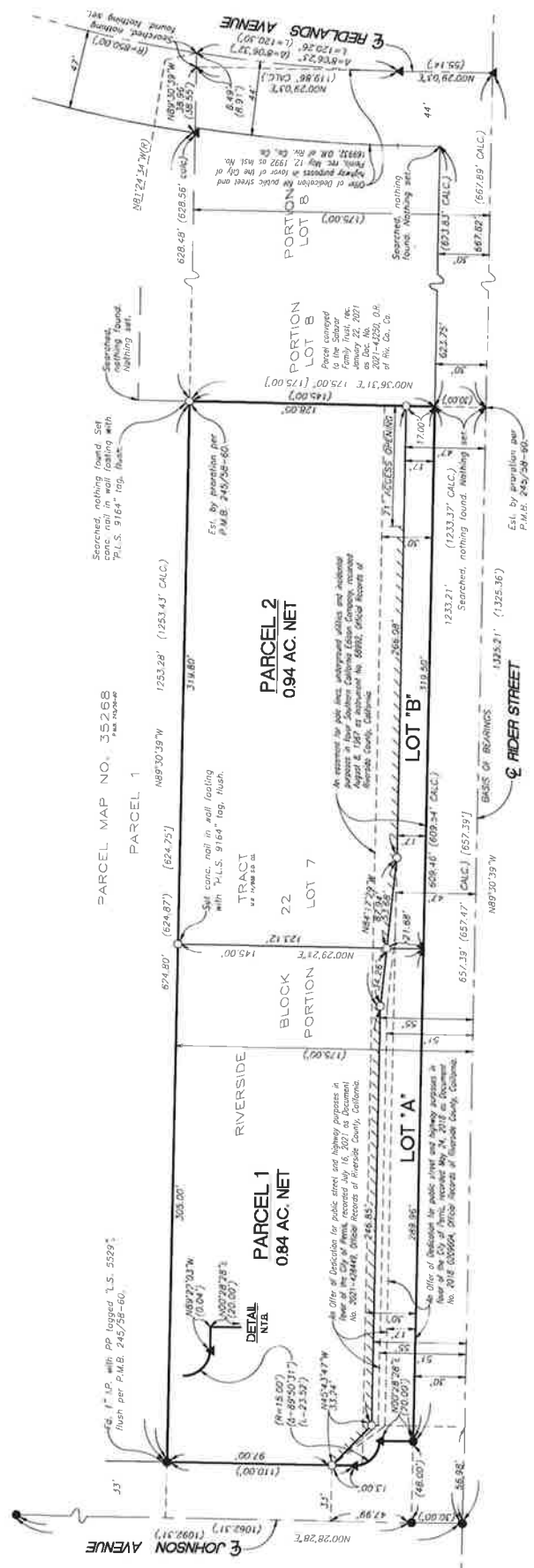
PARCEL MAP NO. 38362

BING A SUBDIVISION OF A PORTION OF LOT 7 IN BLOCK 22 OF RIVERSIDE TRACT AS SHOWN BY MAP ON FILE IN BOOK 14 AT PAGE 668, INCLUSIVE OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA, IN SECTION 8, TOWNSHIP 4 SOUTH, RANGE 3 WEST, S.B.M. JUNE 2022

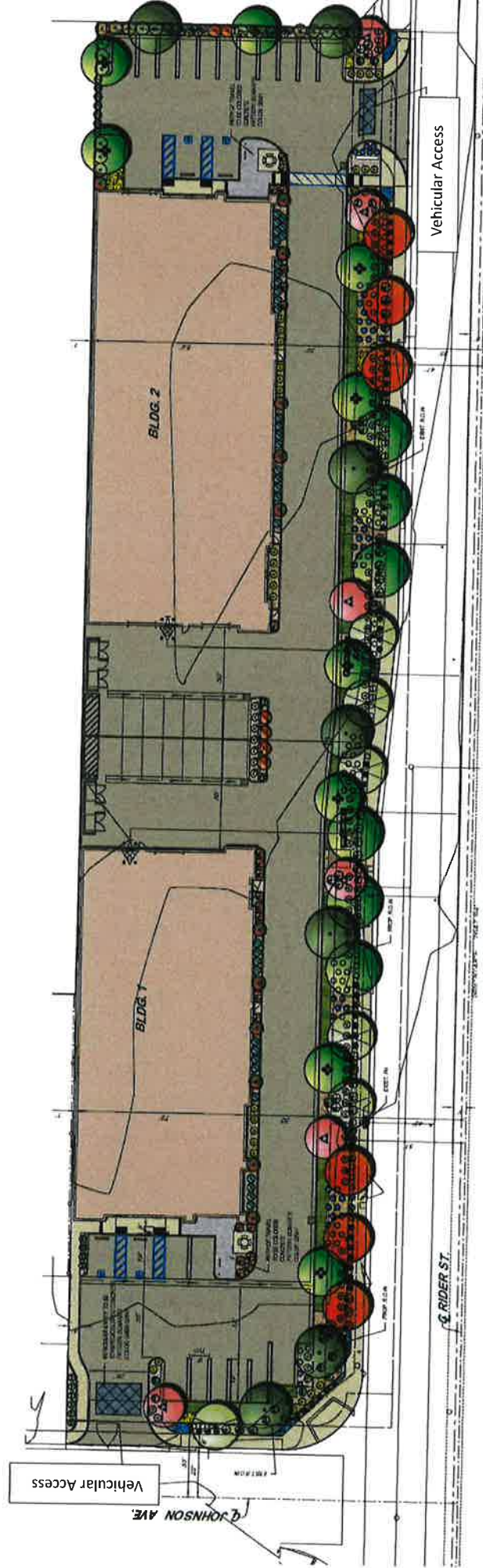
SURVEYOR'S NOTES
 Bearings are based upon the centerline of Rider Street, being N.89°30'39"W as shown on Parcel Map No. 35268 on file in Book 245 of Parcel Maps of Pages 58 through 60 thereof, Records of Riverside County, California.

- Indicates found 1" I.P. with "Webb L.S. 5529" tag, flush, per P.M.B. 245/58-60, unless otherwise noted.
- ▲— Indicates found nail with "Webb L.S. 5529" tag, flush, per P.M.B. 245/58-60.
- Indicates Set 1" I.P. with "L.L.S. 9164" tag, flush, unless otherwise noted.
- () Indicates measured data and record data per Parcel Map No. 35268 P.M.B. 245/58-60, unless otherwise noted.
- [] Indicates record data per Tract 4269 M.B. 76/9-14.
- /// Denotes access rights restricted

This Parcel Map contains 2.07 acres gross or 1.77 acres net.



Site Plan





ATTACHMENT 3

**Conditions of Approval (Planning, Engineering,
Public Works, Building and Safety)**

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

FINAL CONDITIONS OF APPROVAL

**Development Plan Review 21-00017 &
Tentative Parcel Map 38362 (22-05032)**

June 2, 2022

PROJECT: A proposal to subdivide a 1.8-acre vacant parcel into two parcels to facilitate the development of two business park warehouses (12,883 and 15,841 sq ft) located at the northeast corner of E Rider Street and Johnson Avenue within the Perris Valley Commerce Center Specific Plan (PVCC) Light Industrial zone. (APN:303-130-021) **Applicant:** Mario Calvillo, Lee and Associates.

General Requirements:

1. **Municipal Code and Specific Plan Compliance.** The project shall conform to the Light Industrial (LI) zone standards of the *Perris Valley Commerce Center Specific Plan* (PVCCSP) and Chapter 19 of the Perris Municipal code.
2. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
3. **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.
4. **Term of Approval.** This approval shall be used within three (3) years of approval date; otherwise it shall become null and void. By use is meant the beginning of substantial construction contemplated by this approval within the three (3) year period which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval. A maximum of three (3) one-year time extensions shall be permitted.
5. **City Ordinances and Business License.** The subject business shall maintain compliance with all local and City Ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
6. **Notice of Determination.** Within three (3) days of Planning Commission approval, the applicant shall submit a check to the City Planning Division, payable to "Riverside County Clerk-recorder," in the amount of \$50 for staff to file the Notice of Determination in compliance with CEQA.
7. **Conformance to Approved Plans.** The proposed use will operate in accordance with the June 1, 2022 Planning Commission meeting approval, or as amended by these conditions.

Any deviation shall require appropriate Planning Division review and approval.

8. **Graffiti** located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times. Graffiti shall be painted over in panels and not patches. In addition, will match color of wall or material surface. Furthermore, applicant shall apply an anti-graffiti coating on walls.
9. **Building & Safety Division.** The project shall comply with all Conditions of Approval by the Building and Safety Department dated December 20, 2021.
10. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
11. **Rooftop Solar.** The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission.
12. **Fire Department Conditions.** The project shall comply with all Conditions of Approval by the Fire Department dated March 3, 2022, consisting of the following requirements.
 - A. The project shall comply with all requirements set forth by the California Code of Regulations Title 24 Parts 1-12 respectively.
 - B. The adopted edition of the California Code of Regulations, Title 24, Parts 1 through 12, and the Perris Municipal Code shall apply at the time the architectural plans are submitted for construction permits.
 - C. Prior to the to the issuance of a grading permits, evidence of sufficient fire flow of 1650 GPM for 2 hours shall be provided to the City of Perris. The City of Perris Building and Fire Marshal Water Available/Fire Flow Form shall be utilized.
 - D. A fire department access road complying with the CFC, Chapter 5 and the approved fire department access plans shall be installed prior to building construction.
 - E. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.
 - F. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3-feet shall be maintained at all times.
 - G. The Fire Department Connection (FDC) shall be located within 150 feet of a public fire hydrant. The fire hydrant shall be on the same side of the street. A

vehicle access roadway/approach shall not be placed between the FDC and fire hydrant.

- H. Prior to construction a temporary address sign shall be posted and clearly visible from the street.
- I. The permanent building address shall be provided and either internally or externally lighted during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.
- J. City of Perris approval shall be obtained prior to the storage and/or use of hazardous materials as defined by the California Fire Code.
- K. The building shall be provided with an automatic fire sprinkler system in accordance with NFPA 13. Construction plans shall be submitted for review and approval to the City of Perris prior to installation.

As part of an alternate means and methods approval both buildings fire sprinkler system shall have ESFR K25 sprinklers, operating at a minimum of 20 psi.

- L. Prior to building final, the building shall be provided with a Knox Lock key box located no more than seven feet above the finished surfaced and near the main entrance door.
 - M. Prior to the issuance of a Certificate of Occupancy the building shall be provided with an emergency radio communication enhancement system. The emergency radio communication enhancement system shall meet the requirements of CFC § 510 and all applicable subsections. The system shall be installed and inspected by the City of Perris Building Department before the Certificate of Occupancy is issued. The requirement can be waived by the Fire Marshal if the building is evaluated by an Emergency Radio Communication Specialist license by FCC, who certifies the building meets the emergency communications capability as specified by the California Fire Code § 510. The certification shall be in the form of a written report which outlines the analysis used in determining the building meets the emergency communications without an enhancement system.
13. **Public Works.** The project shall adhere to the requirements of the Public Works Department as indicated in the attached Conditions of Approval dated March 9, 2022.
14. **City Engineering.** The Project shall comply with all requirements of the City Engineer's Conditions of Approval dated April 18, 2022.
15. **Sign Application.** A separate sign application will be required for any signs.

16. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City concerning **Development Review (DPR) 21-00017 and Tentative Parcel Map (TPM) 38362**. The City shall promptly notify the applicant of any claim, action, or proceeding for which indemnification is sought, and shall further cooperate fully in the defense of the action.
17. **Southern California Edison (SCE).** The developer/owner shall contact Southern California Edison SCE area service planner (951 928-8323) to complete the required forms prior to commencement of construction. No grading permits shall be issued until a letter from SCE is received by the City Engineer.
18. **Waste Hauling and Disposal.** The project shall use only the City-approved waste hauler for all construction and other waste disposal.
19. **On-site & Off-site Utilities.** All utilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping or physical barrier such as a wall.
20. **Site Lighting Plan.** The site lighting plan shall conform to the requirements of the City's adopted Mount Palomar Ordinance and be submitted to the Planning Division for final review and approval. Full cutoff fixtures shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas. All lighting shall be shielded downward to prevent light pollution to spill over onto adjacent parcels.
21. **Trash Enclosure.** The trash enclosure shall be constructed as presented in the development plans approved by the Planning Commission.
22. **Screening of Roof-Mounted Equipment.** Proper screening shall prevent public views of all HVAC equipment.
23. **Outstanding Fees.** Any outstanding processing fees due to the Planning Division shall be paid.
24. **Preliminary Water Quality Management Plan (PWQMP).** A Preliminary WQMP was prepared for the proposed project site. All PWQMPs were determined to be in substantial compliance, in concept, with the Riverside County WQMP Manual requirements. The following conditions apply:

- a) The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
 - b) The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the bioretention BMPs, covered trash enclosure, and self-treating landscaping. The Public Work Department shall review and approve the final WQMP text, plans and details.
25. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.
 - b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - c. Construction routes are limited to City of Perris designated truck routes.
 - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City. Also, a board shall be placed at the subject site to include person and phone number for the public to call in case of dirt and dust issues.
 - f. Project applicants shall provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

26. **Property Maintenance.** The project shall comply with provisions of Perris Municipal Code 7.06 regarding Landscape Maintenance and Chapter 7.42 regarding Property Maintenance. In addition, the project shall comply with the one-year landscape maintenance schedule identified in Public Works Department Condition of Approval No. 5, dated March 9, 2022.
27. **No Semi-Trucks.** No semi-trucks are permitted for the operation. Only light-duty box trucks or smaller vehicles are permitted for the loading and unloading operation. Signage restricting semi-trucks shall be installed at the driveway entrances of the site.

Prior to Building Permit Issuance:

28. **Fees.** The developer shall pay the following fees prior to the issuance of building permits:
 - a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
 - b. Multiple Species Habitat Conservation Plan fees currently in effect;
 - c. Current statutory school fees to all appropriate school districts;
 - d. Any outstanding liens and development processing fees owed to the City.
 - e. Appropriate Road and Bridge Benefit District fees;
 - f. Appropriate City Development Impact Fees in effect at the time of development.
29. **Landscaping Plans.** Prior issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval, accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a California registered landscape architect and conformed to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The landscaping shall be consistent with the conceptual landscape plan, except as required below. 24" box trees should be replaced by 36" box trees where possible as determined by the applicant's landscape architect. This will be reflected on the formal landscaping plans discussed above.
30. **Wall and Fence Plan.** A 10-foot tall architecturally integrated screen wall shall be submitted to screen the truck loading area facing E Rider Street between the two buildings to screen the loading courtyard. Any retaining walls necessary to complete the project not shown on the original site plans shall match the screen wall with respect to materials and color. Any additional fencing necessary shall, at minimum including wrought-iron or tube steel fencing with decorative pilasters placed every forty-feet in duration of the fence.
31. **Construction Plans.** All Planning Division and Engineering Department Conditions of Approval, proposed employee amenities shall be reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Each Condition shall be annotated on the construction plans for ease of reference (i.e., sheet and detail numbers). The project shall at minimum be designed to accommodate and install rooftop solar covering 10% of the roof area.

Prior to Grading Permit Issuance:

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

Prior to Issuance of Occupancy Permits:

34. **Employee Amenities.** The proposed outdoor shade structure as shown on the plans shall be constructed accordingly to include a trellis shade structure tables and seating.
35. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:
 - a) Landscape Maintenance District No. 1;
 - b) Maintenance District No. 84-1;
 - c) Flood Control Maintenance District No. 1;
 - d) Public Safety Community Facilities Assessment District 2018-02;
36. **On-Site Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after all the landscaping and irrigation has been installed and is completely operational. Before calling for a final inspection, a "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner for approval.
37. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning

Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning Staff shall verify that all pertinent conditions of approval have been met. The applicant shall have all required paving, parking, walls, site lighting, landscaping and automatic irrigation installed and in good condition.

END OF CONDITIONS



CITY OF PERRIS

STUART E. MCKIBBIN, CONTRACT CITY ENGINEER

CONDITIONS OF APPROVAL

P8-1439

April 18, 2022

DPR 21-00017, TPM 38362 (TPM 22-05031)

NE Corner of Rider Street & Johnson Avenue

APN 303-130-021, Por Lot 7 – Blk 22 – MB 014-668

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

In the event of a conflict between any conditions stated below, those imposed by Planning Department and others, and requirements identified in the approved Traffic Impact analysis, the most stringent in the opinion of the City shall prevail.

General Conditions:

1. The project grading shall be in a manner to perpetuate existing natural drainage patterns. Any deviation from this, concentration or increase in runoff must have approval of adjacent property

DEPARTMENT OF ENGINEERING
24 SOUTH D STREET, SUITE 100, PERRIS, CA 92570
TEL.: (951) 943-6504 - FAX: (951) 943-8416

owners and City Engineer. The developer/property owner shall accept the offsite runoff and convey to acceptable outlet.

2. Prior to issuance of any permit, the developer/property owner shall secure City's and appropriate agencies' approvals of the improvement plans.
3. Prior to commencement of any construction or installation of fencing in public right-of-way, an encroachment permit shall be obtained from the City Engineer's office.
4. Truck access to the site shall be limited to Johnson Avenue, Sinclair Street and Redlands Avenue and posted truck routes. Truck access to and from Perris Boulevard, Rider Street and Ramona Expressway is prohibited.

Prior to Recordation of the Parcel Map:

5. The developer/property owner shall have approved improvement plans, executed subdivision agreement and posted securities.
6. Rider Street is classified as a Secondary Arterial (94'/70') per the General Plan. The developer/property owner shall dedicate adequate right-of-way to accommodate the designated right turn lane and the 12-foot-wide parkway on Rider Street along the property frontage.
7. Johnson Avenue is classified as a Collector (66'/44'). The developer/property owner shall dedicate adequate right-of-way to accommodate the roadway section and the 11-foot-wide parkway on Johnson Avenue along the property frontage.
8. Property line corner cutbacks shall be dedicated per County of Riverside Standard No. 805.
9. Relinquish and waive rights of access to and from Rider Street and Johnson Avenue on the Parcel Map other than one (1) opening on Rider Street and one (1) opening on Johnson Avenue as shown on the site plan.
10. All easements and/or rights-of-way shall be offered for dedication to the public or other appropriate agencies and shall continue in force until the City or the appropriate agency accepts or abandons such offers. All dedications shall be free from all encumbrances as approved by the City Engineer.
11. Interior private drainage, access and parking easements shall be provided for the parcels on the Parcel Map.

12. The following statement shall be added to the map:

NOTICE OF DRAINAGE FEES. Notice is hereby given that this property is located in the Perris Valley Area Drainage Plan which was adopted by the City of Perris pursuant to Ordinance and Section 66483, et seq, of the Government Code and that said property is subject to fees for said drainage area. Notice is further given that, pursuant to Ordinance 13-01, payment of the drainage fees shall be paid to the Riverside County Flood Control and Water Conservation District prior to issuance of the grading permit for the map, and that the property owner prior to issuance of the grading permit, shall pay the fee required at the rate in effect at the time of issuance of the actual permit.

13. The developer/property owner shall submit the following to the City Engineer, and RCFCD as applicable, for review and approval:
- a. Onsite Grading Plans and Erosion Control Plans – Plans shall show the approved WDID No.
 - b. Storm Drain Improvement Plans
 - c. Final Drainage Plans, Hydrology and Hydraulic Report
 - d. Final WQMP (for reference)

The design shall be in compliance with EMWD, RCFCD, Riverside County Transportation Department, Caltrans, City of Perris and ADA most recent standards, criteria and requirements and in effect at the time of construction and shall be coordinated with the approved plans of the adjacent developments.

Prior to Issuance of Grading Permit:

14. The developer/property owner shall submit the following to the City Engineer for review and approval:
- a. Onsite Grading Plan & Erosion Control Plan – Plans shall show the approved WDID No.
 - b. Storm Drain Improvement Plans
 - c. Final Drainage Plan, Hydrology and Hydraulic Report
 - d. Final WQMP (for reference)

The design shall be in compliance with EMWD, RCFCD, Riverside County Transportation Department, Caltrans, City of Perris and ADA most recent standards, criteria and requirements and in effect at the time of construction and shall be coordinated with the approved plans of the adjacent developments.

15. The driveway on Rider Street shall be designated for auto access only and restricted to right-in/right-out only.
16. The driveway on Johnson Avenue shall be designated for truck access only and restricted to left-in/right-out only. The driveway's southerly return shall be reversed accordingly.
17. To isolate onsite autos and trucks maneuvers, distinctive controls to include striping and lighted signage shall be provided at the shared drive-isle; the controls shall be designed by the project's Traffic Engineer and approved by the City Engineer.
18. The driveways shall be per County of Riverside Standard No. 207A and shall include wet set concrete truncated domes to accommodate ADA.
19. The developer/property owner shall sign the consent and waiver form to join the City's Lighting and Landscape Districts, including the raised landscaped medians, and City's Flood Control District as appropriate. The proposed streetlights, traffic signals and the raised landscaped medians shall be maintained by the city and cost paid by the developer/property owner through the said annexations.
20. The treated onsite runoff shall be collected and conveyed via underground drainage facilities connecting to Perris Valley Master Drainage Plan (PVMDP) storm drain systems Line A-B.
21. Any connection to the storm drain system will require an encroachment permit from Riverside County Flood Control and Water Conservation District (RCFCD).
22. The developer/property owner shall evaluate the condition of the existing pavement on Rider Street and Johnson Avenue to determine whether the pavement would require rehabilitation as determined by the City Engineer. The existing pavement shall be removed and replaced if substandard. If the existing pavement is in good condition, the developer/property owner may use grind and overlay technique as determined by the City Engineer.

Prior to Issuance of Building Permit:

23. Parcel Map 38362 shall be filed and recorded.
24. The developer/property owner shall submit a compaction certification from the Soils Engineer in compliance with the approved geotechnical/soils report.

25. Existing power poles on Rider Street along the property frontage shall be removed and cables (under 66kv including utility cable) shall be undergrounded. The developer/property owner shall provide an undergrounding of utilities study by a utility consultant/electrical engineer analyzing and determining the extent of conformance.
26. The project site is located within the limits of Perris Valley Area Drainage Plan (ADP) for which drainage fees have been adopted by City. Drainage fees shall be paid as set forth under the provisions of the "Rules and Regulations of Administration of Area Drainage Plan". Acreage for the project site's impervious area shall be provided.
27. Water and Sewer Improvement Plans, per Fire Department and Eastern Municipal Water District (EMWD) standards, shall be submitted to the City Engineer for review and approval.
28. Fire Department and EMWD approvals of the Water Improvement Plans are required prior to City Engineer's approval.
29. Paved access shall be provided to the proposed buildings per the Precise Grading Plan.

Prior to Issuance of Certificate of Occupancy:

1. The developer/property owner shall provide for utility trench surface repair as directed by the City Engineer.
2. The developer/property owner shall pay the City \$100,000 for their contribution towards the implementation of interim and ultimate improvements to I-215/Ramona Expressway Interchange, I-215/Harley Knox Boulevard Interchange and other improvements. This one time contribution is above and beyond TUMF, DIF, RBBD and other City fees and is not reimbursable.
3. Associated existing signing and striping shall be refreshed and any appurtenances damaged or broken during the development of this project shall be repaired or removed and replaced by the developer/property owner to the satisfaction of the City Engineer. Any survey monuments damaged or destroyed shall be reset by qualified professional pursuant to the California Business and Professional Code 8771.



Stuart E. McKibbin
Contract City Engineer



CITY OF PERRIS

PUBLIC WORKS DEPARTMENT

Weed Abatement

NPDES Services

Flood Control and Landscape Districts

MEMORANDUM

Date: March 09, 2022
To: Ryan Griffin, Planner
From: Michael Morales, CIP Manager
By: Chris Baldino, Landscape Inspector **CB**

Subject: DPR 21-00017 – Condition of Approval

Proposal to develop 2 industrial building 15,718 square foot and 15,697 square feet on northeast corner of Rider St. and Johnson Ave within the Perris Valley Commerce Center Specific Plan.

-
1. **Dedication and/or Landscape Maintenance Easement.** Offer of Dedication and Landscape Maintenance Easement for City landscape maintenance district shall be provided as follows:
 - **Rider Street** - Provide offer of dedication as needed to provide for full half width Street (94' ROW, 47' half-width), curb gutter, sidewalk, and off-site landscaping requirements, per City General Plan, including minimum 12' public parkway from face of curb.
 - **Johnson Ave.** - Provide offer of dedication as needed to provide for full half width Street (60' ROW, 30' half-width), curb gutter, sidewalk, and off-site landscaping requirements, per City General Plan, including minimum 10' public parkway from face of curb.
 - **Rider Street Median (existing)** – This project benefits from the existing 14' wide raised landscape median fronting the project and extending east along Rider Street.
 - **Intersection of Rider Street and Johnson Ave. N/E Corner** – per section 4.2.9.2 of the PVCCSP Developments within "Major Roadway Visual Zone" a visually enhanced corner cut-back is to be provided at certain roadways. See Section 5.2.1 for roadway standards and guidelines for Secondary Arterials. The Developer shall provide a visually enhanced landscape design within a corner cut-back area and provide an offer of dedication to the City of Perris within the visually enhanced corner cut-back area. The enhanced corner cut-back shall comply with Figure 5.0-5c and be contained within a minimum 26.5' area from back of curb.

 2. **Landscape Maintenance Easement and Landscape Easement Agreement.** The developer shall provide, for review and approval, a landscape easement, complete with legal plat map and legal description to the City of Perris. The Developer shall provide an additional 10' easement on the Northeast corner of Rider Street and Johnson Ave. for the enhanced corner cut-back area. In addition, if required by the City of Perris, the Developer shall provide a landscape easement and Landscape easement agreement, acceptable to the City of Perris. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.

3. **Landscaping Plans.** Three (3) copies of Construction Landscaping and Irrigation Plans for the off-site landscaping, including any medians or other landscape areas along the dedications shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee. The landscape and irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. This landscape plan shall be titled "Off-site Landscape Plan for **DPR 21-00017**" and shall be exclusive of any private property, on-site landscaping. Elements of the Landscape Plan shall include but not be limited to:
- a. **Landscape Limits** – Limits of right-of-way areas or easement areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District. A planting palette and hardscape plan intended to meet the design intent of the Landscape Guidelines in effect for the area; or if no such guidelines exist the design intent of neighboring development, as determined by the Engineering Administration and Special Districts Division, including:
- **Rider Street** - Per Section 6.2.1 Streetscape Landscape design guidelines and planting pallet for Secondary Arterials, and figure 6.0-6 of the PVCCSP, for sizing and spacing requirements. Planting will be the same plant pallet as new project to the west on Rider Street. and just west of Redlands Ave. Street trees to be alternating *Ulmus Parvifolia* and *Lagerstromia Indica Muskogee* in alternating groupings of three. Use of drought resistant shrubs and ground cover will consist of *Lantana x 'New Gold'*, *Lantana camara 'Robpatrial'*, *Senecia Serpens*, *Callistemon Citrinus 'Little John'* and *Baccharis Pilularis*.
 - **Johnson Ave.** – Per Section 6.2.1 Streetscape Landscape design guidelines and planting pallet and figure 6.0-10 of the PVCCSP, for sizing and spacing requirements for Local Roads, planting will consist of the following but not limited to: Primary Trees *Platanus x acerfolia* London Plane Tree. Use of drought resistant shrubs and ground cover will consist of *Lantana x 'New Gold'*, *Senecia Serpens*, *Callistemon Citrinus 'Little John'*, *Baccharis Pilularis* and use of native boulders from Perris area.
 - **Intersection of Rider Street and Johnson Ave. (N/E Corner)** -Per Section 6.2.1 Streetscape Landscape design guidelines and planting pallet for Secondary Arterials, and figure 6.0-6 of the PVCCSP. Visual enhancement may include but shall not be limited to a three-tier masonry planter with stucco fascia in crescent shape to scale of setback for any proposed signage. Visual enhanced corners without signage may include but not limited to trees, (i.e. 36" Box) in a semi-circle or crescent shape on the upper level, with two levels of drought tolerant shrubs in mid- and foreground planters.
 - **Rider Street Median (existing)** – This proposed project will benefit from the existing raised landscape median fronting this project on Rider Street and shall pay it fair share of the maintenance of the landscape median.
- b. **Irrigation** – A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or equal on flexible PVC risers, Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375 (or equal). Controller shall include an ET based controller with weather station that is centrally controlled capable and wi-fi ready (*WeatherTrak ET Pro3 Smart Controller*, or equal, with Rain Sensor). At the discretion of the Engineering Administration and Special Districts Division public landscape areas utilizing no more than 6 valves/stations, programmed to irrigate consecutively, and none simultaneously, may propose the use of an alternative ET based controller with weather station that is centrally controlled

capable and wi-fi ready, such as the Weathermatic System or equal. Proposed system shall be complete with wireless weather station, aircard with flow, one year bundle service, blade antenna and flow sensor.

- c. **Benefit Zone Quantities** – Include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain.
- d. **Meters** – Each District is required to be metered separately. All electrical and water meters shall be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene and away from street intersections. Show location of separate water and electrical utility meters intended to serve maintenance district areas exclusively. Show locations of water and electrical meter for landscape district. Show location of water and electrical meter for flood control district. Show location of electrical meter for Traffic signal and street lighting district, on respective plans. Coordinate location of meters on landscape and civil engineering plan.
- e. **Controllers** - The off-site irrigation controllers are to be located within the right of way (preferably within the off-site landscape area). All point of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Backflow preventers are to be screened on at least three sides with (5) gallon plant material. The fourth side shall be open to the back of the landscape area in order to allow the backflow cage to be opened without interference with plant materials. Backflow cages shall meet the required City of Perris Engineering Standards in effect at the time of approval.
- f. **Recycled Water** - If applicable. The project landscape architect shall coordinate with EMWD to verify if the site will be served with recycled water and design all irrigation and landscape plans to meet the requirements of EMWD and provide additional irrigation components as needed.
- g. **EMWD Landscape Plan Approval** – The project landscape architect shall submit a copy of all irrigation plans and specifications to EMWD for approval. The project landscape architect must confirm with EMWD that the plans have been approved by EMWD and submit written proof of approval by EMWD prior to the City approving the final Landscape Plans. Until the final landscape plan has been approved by the City of Perris, the maintenance areas depicted cannot be accepted by the City for maintenance. The developer shall coordinate both reviews to ensure acceptability of plans by both EMWD and the City of Perris, prior to approval by either agency.
- h. **Landscape Weed Barrier** - Weed cloth with a minimum expected life of 10-years shall be required under all gravel, rock, or cobble areas.
- i. **Wire Mesh and Gravel at Pull Boxes**- Provide wire mesh and gravel layer within valve boxes to prevent rodent intrusion.
- j. **Concrete Maintenance Band at Medians and Mortar Cobble turn Land** – Provide 12" wide concrete maintenance band (safety edge) around entire median. At turn pockets provide mortared cobble creek bed, round stone sized 6" to 12".

- k. **Perimeter Walls Graffiti Coating** – Provide anti-graffiti coating at all perimeter walls. Acceptable products shall include Vitrocem Anti-Graffiti Coating or equal.
4. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for only "OFF-SITE" landscape and irrigation inspections at the appropriate stages of construction. Inspections shall be scheduled at least two-working days (Monday through Friday) prior to actual inspection. Contact Public Works-Engineering Administration/Special Districts at (951) 657-3280 to schedule inspections.
- **Inspection #1** - Trenches open, irrigation installed, and system pressurized to 150 PSI for four hours.
 - **Inspection #2** - Soil prepared, and plant materials positioned and ready to plant.
 - **Inspection #3** - Landscaping installed, irrigation system fully operational, and request for "Start of 1 year Maintenance Period" submitted, with all required turn-over submittal items provided to Public-Works Engineering Administration/Special Districts.
 - **Turn-Over Inspection**– On or about the one-year anniversary of Inspection #3, Developer shall call for an inspection to allow the City to review and identify any potential irrigation system defects, dead plants, weed, debris or graffiti; stressed, diseased, or dead trees; mulch condition, hardscape or other concerns with the landscape installation; or to accept final turn over of the landscape installation. At his sole expense, the Developer shall be responsible for rectifying system and installation deficiencies, and the one-year maintenance period shall be extended by the City until all deficiencies are cured to the satisfaction of the City. If in the opinion of the City's Landscape Inspector the landscape installation is in substantial compliance with the approved landscaping plans, the irrigation and communication system is functioning as intended, and the landscape installation is found to be acceptable to the City, then the Inspector shall recommend to the City's Special District Coordinator to accept turn-over of water and electrical accounts, wi-fi communication contracts and the entire landscape installation.
5. **One Year Maintenance and Plant Establishment Period**-The applicant will be required to provide a minimum of a one (1) year maintenance and plant establishment period, paid at the sole expense of applicant. This one-year maintenance period commences upon the successful completion of Inspection #3 discussed above, and final approval by the City. During this one-year period the applicant shall be required to maintain all landscape areas free of weeds, debris, trash, and graffiti; and keep all plants, trees, and shrubs in a viable growth condition. Prior to the start of the one-year maintenance period, the Developer shall submit a weekly Landscape Maintenance Schedule for the review and approval by the City's Special Districts Division. City shall perform periodic site inspections during the one-year maintenance period. The purpose of these periodic inspections is to identify any and all items needing correction prior to acceptance by the City at the conclusion of the one-year maintenance period. Said items needing correction may include but are not limited to: replacement of dead or diseased plant materials, weeding, replenishment of mulches, repair of damaged or non-functioning irrigation components, test of irrigation controller communications, etc. During this period, the City shall begin the annual assessment of the benefit zone in preparation for the landscape installation turn-over to City maintenance staff.
6. **Street/Off-Site Improvements.** The applicant shall submit street improvement plans, accompanied by the appropriate filing fee to the City Engineering Department. Details of treatments off-site improvements, including lighting shall meet both the City Engineer's Design Guidelines, and the additional requirements of the Engineering and Special Districts Division. Components shall include, but not be limited to:
- a. **Street Lighting**-If Street lighting is required, lighting shall meet the type, style, color and durability

requirements, necessary for energy efficiency goals, maintenance and longevity of improvements of the City Engineer's Office. As determined by the City, new streetlights may be required to be deeded to City of Perris, and not SCE. Street lights deeded to City of Perris shall be constructed per LS-3 account billing standard, which shall include an individually metered pedestal for streetlights.

- b. **Acceptance By Public Works/Special Districts-** Lighting District facilities required by the City Engineer's Office shall be installed and fully operational and approved by final inspection by the City Engineer's Office, and the City's Consulting Traffic Signal Inspection Team (Riverside County TLMA) at (951) 955-6815. Prior to acceptance for maintenance of "Off-site" traffic signal and lighting facilities by the Public Works-Engineering and Administration Division/Special Districts, the developer shall contact the Public Works Special Districts Division at (951) 657-3280 to schedule the delivery of all required turn-over submittal items. Prior to acceptance into Lighting District 84-1, coordinate turn-over information pertaining to Street Lights, and Traffic Signal Electrical/SCE Service Meters with Wildan Financial Services, the City's Special Districts Consulting Firm at (951) 587-3564. (i.e. Provide electrical meter number, photo of pedestal, and coordinate "request for transfer of billing information" with SCE and City for all new service meters). Developer shall pay 18-month energy charges to the City of Perris for all off-site street lighting. Call Wildan Financial Services, Inc. for amount due, and to obtain receipt for payment. Obtain and provide a clearance form from Riverside County TLMA indicating completion of all punch list items from traffic signal construction. Submit one large format photo-copy of Traffic Signal as-built plans and timing sheets.

7. **Water Quality Management Plans.** The applicant shall submit a Preliminary and Final WQMP, accompanied by the appropriate filing fee to the Planning Department and City Engineering Department, respectively. Details for treatment control facilities shall meet both the Riverside County WQMP Design Guidelines, and the additional requirements of the Engineering and Special Districts Division intended to reduce long term maintenance costs and longevity of improvements. Components shall include, but not be limited to:
 - **Storm Drain Screens-** If off-site catch basins are required by the City Engineer's Office, connector pipe screens shall be included in new catch basins to reduce sediment and trash loading within storm pipe. Connector pipe screens shall meet the type, style, and durability requirements of the Public Work's Engineering Administration and Special Districts Division.
 - **WQMP Inspections-** The project applicant shall inform the on-site project manager and the water quality/utilities contractor of their responsibility to call for both "ON-SITE" and OFF-SITE" WQMP Inspections at the appropriate stages of construction. Contact CGRM at (909) 455-8520 to schedule inspections.
 - **Acceptance By Public Works/Special Districts-** Both on-site and off-site flood control/water quality facilities required for the project, as depicted in the Final WQMP, shall be installed and fully operational, and approved by final inspection by the City's WQMP Consultant, CGRM. The Developer shall obtain a final Clearance Letter from CGRM indicating compliance with all applicable Conditions of Approval for the approved WQMP. The developer shall deliver the same to the Public Works-Engineering and Administration Division/Special Districts. In addition, prior to acceptance by the City, the developer shall submit a Covenant and Agreement describing on-going maintenance responsibilities for on-site facilities per the approved WQMP, to the Public Works Engineering Administration and Special Districts Division. The Public Works Engineering Administration and Special Districts Division will review and approve the Covenant and Agreement. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.

8. **Flood Control District #1 Maintenance Acceptance.** Flood Control District facilities required by the City Engineer's Office shall be installed and fully operational, and approved by final inspection by the City Engineer's Office. Prior to acceptance for maintenance of "Off-site" flood control facilities by the Public Works-Engineering and Administration Division/Special Districts the developer shall contact the Public Works Special Districts Division at (951) 657-3280 to schedule the delivery of all required turn-over submittal items including as-built storm drain plans in electronic PDF format, one large format photo-copy of as-built plans, storm drain video report in electronic format, and hardcopy of video report with industry standard notations and still photos made during video runs (i.e. facilities sizes, off-sets or damage, facility type, dirt and debris, etc.). The flood control facilities shall be turned over in a condition acceptable to the City, and the developer shall make all necessary repairs and perform initial maintenance to the satisfaction of the City.
9. **Assessment Districts.** Prior to permit issuance, developer shall deposit \$5,250 per district, \$15,750 total due. Payment is to be made to the City of Perris, and the check delivered to the City Engineer's Office. Payment shall be accompanied by the appropriate document for each district indicating intent and understanding of annexation, to be notarized by property owner(s):
- **Consent and Waiver for Maintenance District No. 84-1-New Street** lighting proposed by the project, as determined by the City Engineer
 - **Consent and Waiver for Landscape Maintenance District No. 1** – New off-site parkway landscape and pay its fair share of the existing landscape median on Rider as proposed by the project on Rider St. and Johnson Ave.
 - **Petition for Flood Control Maintenance District No. 1** -For Off-site Flood Control Facilities proposed by the project, and fair share as determined by the City Engineer.
- Original notarized document(s) to be sent to:
Daniel Louie
Wildan Financial Services
27368 Via Industria, #200
Temecula, CA 92590
- a. Prior to final map recordation or final certificate of occupancy the developer shall annex into the aforementioned districts, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer. Upon receipt of deposit and Consent and Waiver Forms, the developer shall work with City to meet all required milestones for annexations.
 - i. City prepares the Engineer's Reports which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.
 - ii. Reports are reviewed and approved by the property owner. The assessment ballots will be based on these Reports.
 - iii. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.

- iv. The assessment ballots are sent to the property owner and are opened by the City Clerk at the close of the Public Hearing. With a "YES" vote by the property owner the City Council can move forward with the Resolution that Confirms the Annexation. Property owner attendance at this Public Hearing is not required.
- v. Confirmation by the City Council completes the annexation process, and the condition of approval has been met.

SRC COMMENTS
***** BUILDING & SAFETY *****

Planning Case File No(s): DPR 21-00017

Case Planner: Ryan Griffiths (951) 943-5003

Applicant: MS Perris LLC

Location: Northeast Corner of E Rider and Johnson Ave

Project: Proposal to construct two industrial buildings (15,718 and 15,697 sq ft)

APN(s): 303-130-021

Reviewed By: DAVID J. MARTINEZ, CBO

Date: 12-20-21

GENERAL CONDITIONS

1. Shall comply with the latest adopted 2019 State of California editions of the following codes as applicable:
 - A. 2019 California Building Code
 - B. 2019 California Electrical Code
 - C. 2019 California Mechanical Code
 - D. 2019 California Plumbing Code
 - E. 2019 California Energy Code.
 - F. 2019 California Fire Code
 - G. 2019 California Green Building Standards Code.
 - H. 2019 California Accessible Regulations
2. The proposed project must provide proper Fire Access to the entire site.
3. ADA and Title 24 accessibility path of travel will have to be identified on the plans for the entire site and for the private amenities.
4. The project will have to comply with the EV Charging station requirement

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

1. The following items shall be completed and/or submitted as applicable – prior to the issuance of building permits for this project:
 - A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification
 - D. Pad elevation certification
 - E. Rough grade inspection signed off

FIRE CONDITIONS

1. Will be provided by Dennis Grubb and Associates

ATTACHMENT 4

**Planning Commission Staff Report (No
Exhibits)– Dated June 1, 2022**



CITY OF PERRIS

PLANNING COMMISSION

AGENDA SUBMITTAL

MEETING DATE: June 1, 2022

SUBJECT: **Development Plan Review (DPR) 21-00017 and Tentative Parcel Map 38362 (TPM) 22-05032** – A proposal to subdivide a 1.8-acre vacant parcel into two parcels to facilitate the development of two business park warehouse buildings (12,883 sq ft and 15,841 sq ft) located at the northeast corner of E Rider Street and Johnson Avenue within the Perris Valley Commerce Center Specific Plan (PVCC) Light Industrial zone. **Assessor Parcel No:** 303-130-021. **Applicant:** Mario Calvillo, Lee & Associates

REQUESTED ACTION: **Adopt Resolution No. 22-15;** finding the project Categorically Exempt from CEQA under Section 15332, Class 32 In-fill development, and approve Development Plan Review 21-00017 and Tentative Parcel Map 38362 (22-05032) to subdivide a 1.8-acre lot into two parcels to develop two business park warehouse buildings totaling 28,724 SF located at the northeast corner of Rider Street and Johnson Avenue, and subject to the Conditions of Approval.

RELATED CASES: None

CONTACT: Kenneth Phung, Director of Development Services

PROJECT DESCRIPTION AND BACKGROUND:

The applicant, Mario Calvillo, Lee and Associates, is proposing to construct two small-sized business park warehouses of 12,883 sq. ft. and 15,841 sq. ft. on approximately 1.8 net acres ("Project") located at the northeast corner of Rider Street and Johnson Avenue in the Light Industrial (LI) zone of the Perris Valley Commerce Center Specific Plan (PVCC SP). The buildings will include approximately 3,000 sq. ft. of combined office space, 25,724 sq. ft. of combined warehouse area, associated parking, landscaping, screen walls, and other features typically associated with a warehouse project. The site will be divided into two parcels utilizing the proposed Tentative Parcel Map 38362, which will allow each building to be located on a separate parcel. The site improvements include 12,344 sq. ft. of landscaping area or approximately 16% of the total site, perimeter lighting, parking lot areas, screen walls, an outdoor covered picnic area, and water quality management improvements per PVCC-SP standards. The buildings utilize roll-up doors for loading instead of high dock loading doors as the site is not designed for semi-trucks and trailers. It is expected that the facility will use light-duty box trucks or transit vans for the warehouse component of the building.

The project site is located within the Perris Business Park, approved in 1992 by Development Plan Review 34-92 with specific Development Guidelines. The business park is intended to fill a niche in the industrial/commercial properties market for start-up businesses in a park-like setting. In 2012, the City approved the Perris Valley Commerce Center Specific Plan (PVCC SP), within which the Perris Business Park is located. The project is located within the Light Industrial (LI) zoning designation of the PVCC SP, which allows for warehouses and indoor manufacturing uses. Development within the Business Park is now reviewed subject to the Development Guidelines for the Business Park and the design guidelines and standards of the PVCC SP.

All street improvements have been previously completed along the exterior of the overall business park, including parkway landscaping and entry features at the corners of Perris Boulevard and Rider Street and Perris Boulevard and Business Park Drive. Currently, there is no landscaping along the frontage of Rider Street and Johnson Avenue, which will be installed as part of this development. Additionally, the development proposes 37 total on-site parking stalls, including 4 ADA-accessible stalls and 6 EV charging stations. On-site landscape exceeds the minimum standards by providing 16% versus the 12% minimum required. The height of the building is approximately 29-feet tall to the top of the parapet/cornice.

ANALYSIS:

Zoning and General Plan Consistency

The existing site is vacant with a General Plan and Zoning designation of Light industrial within the Perris Valley Commerce Center Specific Plan (PVCC). The proposed project is consistent with this designation. The project is located within Planning Area 1, which is primarily designated for industrial land uses. Information about adjacent properties is as follows:

Surrounding Zoning:

North: PVCC Light Industrial
South: PVCC Light Industrial
East: PVCC Light Industrial
West: PVCC Light Industrial

Surrounding Land Uses:

North: Industrial Building
South: Industrial Building
East: Legal Non-conforming Residential
West: Vacant land

Development Standards

The proposed use, site design, setbacks, and fencing have been reviewed by staff to verify and ensure compliance with development codes for the Light Industrial Zone. The Light Industrial Zone allows a maximum allowable Floor Area Ratio (FAR) of 75% and a maximum lot coverage area of 50%. The proposed project FAR is 37%, and lot coverage is 36.5%, which is less than what is permitted by code. Building setbacks also comply with the development standard, with a setback of 45 feet on Rider Street (15-foot minimum) and 81 feet on Johnson Avenue (10-foot minimum). The building height is 29 feet, which is under the maximum building height of 50 feet. The setback between the existing non-conforming residential structure to the east is 70 feet (20-foot minimum) and since there is no residential development adjacent to the north of the site, no rear setbacks is required. Thus, the project meets all setback requirements. See the table below for minimum requirements on the following page.

Table 1. PVCC Light Industrial Development Criteria

	<i>Required</i>	<i>Provided</i>	<i>Complies</i>
Lot Coverage	50% max.	36.5%	Yes
Building FAR	0.75	0.37	Yes
Bldg. Height	50 feet max.	29 feet	Yes
Front Setback (Rider Street)			
• Arterial	15 feet min.	45 feet	Yes
Front Setback (Johnson Avenue)			
• Collector	10 feet min.	81 feet	Yes
Side & Rear Yards:			
• Adjoining non-residential	None	N/A	Yes
• Adjoining residential	20 feet min.	70 feet	Yes

Access & Circulation

The project building is accessed by two ingress-egress points; one from Rider Street and one from Johnson Avenue. The southern driveway on Rider Street allows for two-way traffic and right-in and right-out mobility and is restricted to serve passenger vehicles only. The western driveway along Johnson Avenue is designated for passenger vehicles and commercial trucks (no semi-trucks) ingress-egress from the site. Any type of commercial trucks entering the site (transit vans and smaller box trucks) will be limited to left in and right out onto Johnson Avenue. The buildings utilize roll-up doors, and no high dock loading door areas are included for the project. The western and southern access driveways are both 26 feet wide. The building includes a centralized commercial vehicle parking area, while each building will have roll-up doors with no dedicated truck loading dock doors.

Parking

The parking requirements for the proposed project were analyzed utilizing the parking requirements per Section 19.69 of the Zoning code. The project proposes 37 parking spaces, while 33 are required. All passenger vehicle parking spaces are separated from the commercial loading area by a 10-foot tall architecturally integrated screen wall.

Table 2. Parking Analysis

Land Uses/Persons	Square feet/No.	Parking Requirement ¹	Spaces Required	Spaces Provided
Office	3,000	1 space per 300 SF	10	
Manufacturing	0	1 space per 500 SF	0	
Warehouse	25,724	1 space per 1,000 SF (first 20,000 SF)	20	
		1 space per 2,000 SF (20,000+)	3	
			33	37

1. Parking requirements per City Code.

Per Zoning Code Section 19.69, 3 handicapped spaces are required for the project; the applicant has provided 4 spaces in the project plan which comply with the Code requirement. In addition, to be compliant with the CALGreen Building Code, the applicant is providing 2 standard EV parking

spaces, 2 ADA van-accessible parking space, and 2 clean air/carpool parking spaces. Therefore, all parking requirements are met by this project.

Landscaping and Lighting

The applicant has submitted a conceptual landscape plan that conforms to the requirements of the Landscaping Ordinance. The proposed on-site landscaping area totals approximately 12,344 square feet or approximately 16% of the site, which meets and exceeds the minimum 12% landscape requirement of the PVCC Commercial zoning district. Landscaping has been provided throughout the parking area and around the building on the front and sides. The on-site landscaping plant pallet includes Planning Commission recommended Chinese Elm trees and other California native species. All plants are drought tolerant and/or native species. Parkway landscaping around the site will be installed with new landscaping by this development. All exterior security lighting will be shielded and downward facing per City standards.

Fencing and Screening

The truck court will be screened utilizing a new 10-ft tall decorative architecturally integrated screen wall along with the existing 9-ft tall decorative screen wall. The new 10-ft tall wall will screen the view of the truck area between the two buildings facing Rider Street and will screen all unloading and loading operations from the public view. The interior loading area consists of roll up doors on each building facing inward to limit visibility. The 9-ft tall wall is existing on the northern property line for the existing industrial project. The non-conforming residential development to the east has an existing 6-ft tall block wall that will screen the passenger vehicle parking.

Building Elevations/Architecture

The proposed architecture closely resembles three previous projects recently approved within the Perris Business Park and are along N Perris Blvd. The architecture utilizes different colors and materials to distinguish the building's base, body, and cap. The building's design elements utilize a combination of varying rooflines, decorative cornice treatment, vertical columns, windows, stone veneer, and recessed panels from the intermittent projecting enhanced vertical tower treatments. The building's design provides symmetry and balance with enhanced treatments at the corners and intermittently along the façade to maintain visual interest. The stone veneer is provided around the building office entrances and tower elements, where they are visible from the street. The entry areas also have recess paneling to provide additional articulation in the vertical plane. The proposed color palette is a variation of grey shades and white to complement the grey stone veneer. Blue glazing is utilized for all windows, and decorative metal canopies are located at each corner fronting the right of way and above all doorways visible from Rider Street. The combination of varying colors, articulating footprint, variable roof height, enhanced cornice treatments, windows, etc., provides visual interest to the building.

Employee Amenity and Recreation Area

While it is not required for a building of this size, the applicant proposes an outdoor sitting/eating

area adjacent to each of the proposed office areas. This proposed amenity includes a trellis shade structure and tables.

ENVIRONMENTAL CONSIDERATIONS AND CEQA PROCESS

CEQA Compliance Process and Determination

The project size, location and surroundings (existing buildings and streets), qualifies the site as an "in-fill project." The California Environmental Quality Act (CEQA) contains a provision to allow infill development projects to be processed under an exemption pursuant to CEQA Guidelines Section 15332 (Class 32 Exemption). According to Section 15332, "The class consists of environmental benign in-fill projects which are consistent with local general plan and zoning requirements." Therefore, because this project is located within City of Perris, is less than 5 acres, has no value as habitat for endangered, rare or threatened species, is adequately served by all required utilities and services, and is consistent with applicable general plan and zoning designations and regulations, it is a Categorical Exempt per CEQA Article 15332 for infill development.

AIRPORT LAND USE COMMISSION

The site is located within the "B1-APZ II" zone of the March Air Reserve Base overlay. The project meets all development and density requirements designated within this zone.

Because the project is not proposing any legislative action (general plan amendment, zone change, specific plan amendment, etc.) and the fact that the City's General Plan is now consistent with the March Plan, ALUC review is not required.

RECOMMENDATION:

Adopt Resolution No. 22-15; finding the project Categorical Exempt from CEQA under Section 15332, Class 32 In-fill development, and approve Development Plan Review 21-00017 and Tentative Parcel Map 38362 (22-05032) to subdivide a 1.8-acre parcel into two parcels to develop two business park warehouse buildings totaling 28,724 SF located at the northeast corner of Rider Street and Johnson Avenue, and subject to the Conditions of Approval.

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

Prepared by: Ryan Griffiths, Assistant Planner
REVIEWED BY: Kenneth Phung, Director of Development Services

Exhibits:

- ~~A. Resolution 22-15 including Conditions of Approval (Planning, Engineering, Public Works, and Building)~~
- ~~B. Vicinity Map~~

-
- ~~C. Specific Plan Land Use Map~~
~~D. Project Plans (Site, Landscape, and Floor Plans, Elevations, Perspective)~~



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

10.F.

MEETING DATE: January 9, 2024

SUBJECT: Basin Maintenance Agreement for Tract No. 31157
Park West Specific Plan

REQUESTED ACTION: Approve Basin Maintenance Agreement by and between the City of Perris, a municipal corporation (City), and PW Land Investments, L.P., a Delaware Limited Liability Company (Developer); and authorize City Manager to execute the Basin Maintenance Agreement, as approved to form by City Attorney

CONTACT: John Pourkazemi, City Engineer

BACKGROUND/DISCUSSION:

On January 30, 2007, City of Perris approved Park West Specific Plan Amendment (03-0288) and Tentative Tract Map No. 31157 (03-0019) allowing for construction of the first phase of the development with 527 residential lots and a community park.

The Project is located south of Nuevo Road, north of San Jacinto Avenue, and west of Dunlap Drive in the City of Perris.

To generate soil/fill material to raise the required elevation of Tract Map No. 31157, the Developer proposes to provide a 14.5 acre "Interim Basin" within the future development areas of Park West Specific Plan. The Developer is obligated and is responsible to maintain this Interim Basin.

However, since this "Interim Basin" receives flows from a storm drain facility that is maintained by Riverside County Flood Control and Water Conservation District (RCFCD), as part of the project's plan approval process, RCFCD has required that a mechanism be put in place to allow for the City the ability to maintain the "Interim Basin" in the event that the Developer does not perform its maintenance obligations.

For this, the City and the Developer are executing a Basin Maintenance Agreement that, prior to issuance of a Grading Permit, the Developer shall post with the City a Letter of Credit in the amount of \$75,000 as security for the City to use in the event that the Developer does not perform its maintenance obligations. The Interim Basin will remain in place until such time that future phases of the Park West Specific Plan are developed; therefore, the Developer shall replenish the security if it is expended by the City until the Interim Basin is removed and the future phases of the Park West Specific Plan are developed.

BUDGET (or FISCAL) IMPACT:

No fiscal impact.

Prepared by: John Pourkazemi, City Engineer

REVIEWED BY:

City Attorney _____

Assistant City Manager WB

Deputy City Manager ER

Attachments:

1. Vicinity Map
2. Basin Maintenance Agreement

Consent: X

Public Hearing:

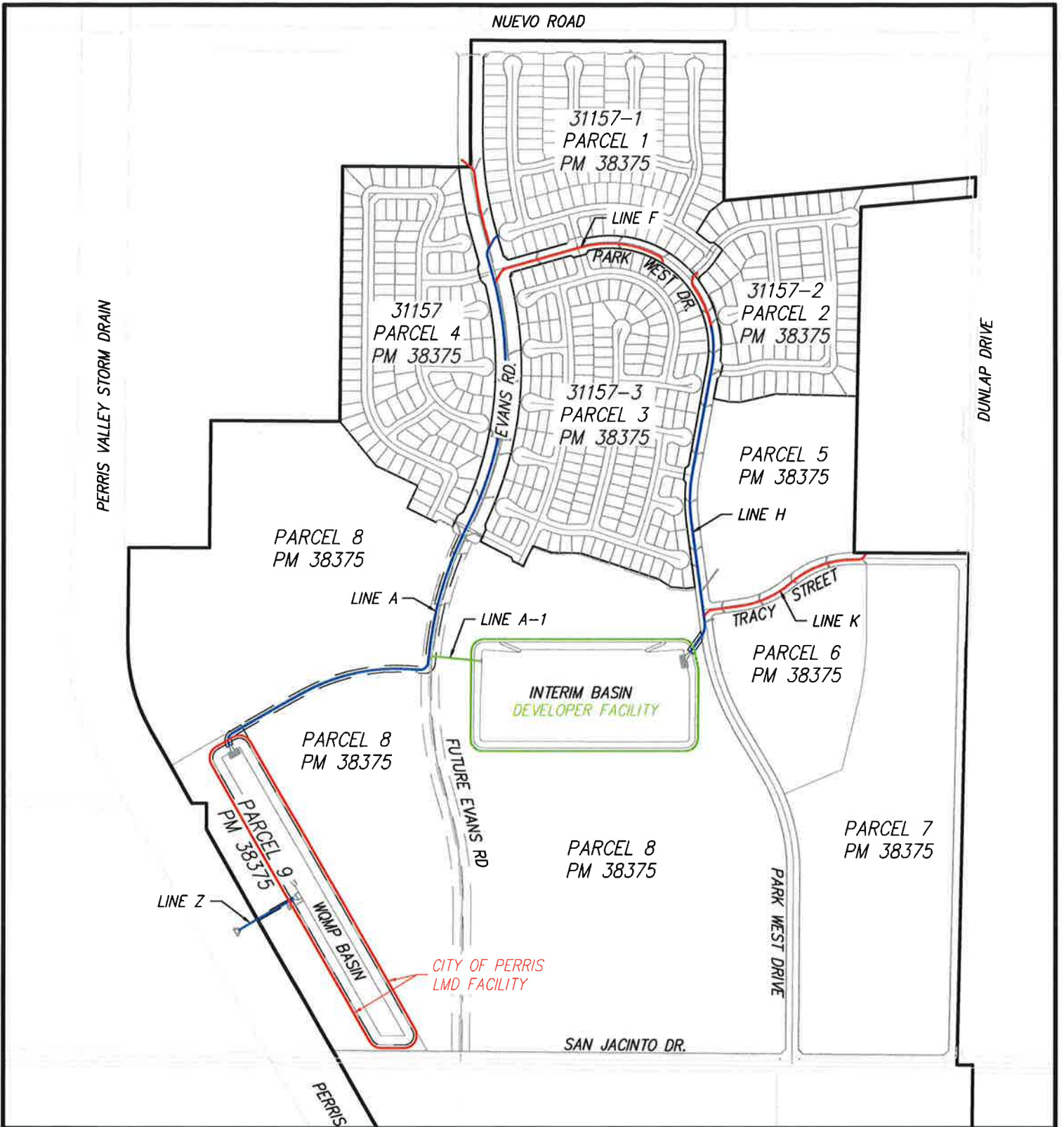
Business Item:

Presentation:

Other:

ATTACHMENT 1

Vicinity Map



LEGEND

- RCFC&WCD STORM DRAIN FACILITIES
- CITY OF PERRIS STORM DRAIN FACILITIES
- DEVELOPER STORM DRAIN FACILITIES



SCALE 1" = 700'

ATTACHMENT 2

Basin Maintenance Agreement

BASIN MAINTENANCE AGREEMENT

This Basin Maintenance Agreement ("Agreement") is made as of January _____, 2024, by and between the City of Perris, a municipal corporation ("City"), and PW Land Investments, L.P., a Delaware limited liability company ("Developer"). City and Developer are also sometimes referred to individually as a "Party" and together as the "Parties."

RECITALS

A. On January 30, 2007, the City approved Park West Specific Plan Amendment (03-0288) and Tentative Tract Map No 31157 (03-0019). On March 28, 2007 the City and Developer's predecessor entered into a Development Agreement related to the development of the Property ("**Development Agreement**"). The approval of Tentative Tract Map No. 31157 ("**Tract 31157**") allows for the construction of the first phase of the development with 527 residential lots and a community park ("**Project**"). The Project is located south of Nuevo Road, North of San Jacinto Drive, and west of Dunlap Drive in the City of Perris, and is depicted in Exhibit "A" attached hereto and incorporated herein by reference.

B. Tract 31157 includes several large temporary basins located in future development areas for the purpose of generating soil material to construct Tract 31157. Subsequently, final grading plans have been prepared for Tract 31157 that includes a single basin that is approximately 14.5 acres in size ("**Interim Basin**"). Interim Basin will receive storm drainage flows from storm drain facility Line H maintained by Riverside County Flood Control and Water Conservation District ("**RCFCD**") which are discharged from the Interim Basin by way of a privately maintained storm drain pipe Line A-1 as depicted in Exhibit "B" attached hereto and incorporated herein by reference. The Interim Basin will remain in place until such time future phases of the Park West Specific Plan are developed. As part of the Project plan approval process, RCFCD has required a mechanism be put in place to allow for a public entity the ability to maintain the Interim Basin and privately maintain storm drain pipe Line A-1 in the event Developer does not perform maintenance obligations pursuant to Section 2 below.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties herein contained, the parties agree as follows:

1. Recitals. The recitals set forth above are incorporated herein by this reference.

2. Irrevocable Letter Of Credit for Maintenance of Interim Basin. Prior to the issuance of a grading permit for the Interim Basin, Developer shall provide to the City an irrevocable Letter of Credit in the face amount of Seventy-Five Thousand Dollars (\$75,000) in a form reasonably approved by the City Attorney and issued by a bank which is reasonably satisfactory to City. The bank must be chartered in the United States, have a rating of B or above or a number rating of 40 or above in the Bank Watch Thomas Ratings, or such equivalent rating service as may be mutually agreed upon between the City and Developer, maintain an office in the State of California, maintain an agent for service of process in the State of California, and otherwise do business in the State of California.

3. Developer's Representations and Obligations. Developer hereby represents that Developer is duly organized and in good standing under the laws of its state of organization and the laws of the State of California. Developer and/or its agents shall maintain the Interim Basin in a manner that includes, without limitation, weed abatement, vector control, trash removal, erosion control of the slopes and bottom and maintenance of the privately maintained storm drain line of the Interim Basin. Upon the posting of the Letter of Credit, Developer may undertake construction of, grading activities at, and maintenance of the Interim Basin, subject to the following requirements:

(a) Developer shall comply with all City requirements and applicable law, including without limitation, (i) federal, State, and local law; (ii) any applicable conditions of approval and any permits issued relating to the Project and/or the Interim Basin (including without limitation, such conditions of approval and permits relating to the installation and maintenance of any landscaping or fencing for Interim Basin); (iii) the requirements provided in Exhibit "A" and "B"; and (iv) all RCFCDD requirements, restrictions and conditions, which are hereby incorporated herein by this reference ("**Applicable Law**").

(b) Developer has acquired all City permits, approvals, and/or clearances needed by Developer to (i) construct and maintain the Interim Basin (including, without limitation, to grade the Interim Basin or import or export dirt from the Interim Basin, such as any grading permits that may be required and (ii) install and maintain the landscaping and fencing for the Interim Basin.

(c) Developer's construction of, grading activities at, and maintenance of the Interim Basin shall be in compliance with the Landscaping and Fencing Plans (defined below) and Applicable Law.

(d) Developer shall submit a landscaping plan and fencing plan for the Interim Basin ("**Landscaping and Fencing Plans**") to the City's Planning Division for its review and approval prior to the issuance of grading permits for the Project. If the Developer fails to submit the Landscaping and Fencing Plans to the City's Planning Division prior to the City's issuance of a grading permit for the Project or if the Landscaping and Fencing Plans are not approved prior to the City's issuance of a grading permit for the Project, then City shall not be required to comply with the requirements of Section 8 and may immediately take any action necessary to create such Landscaping and Fencing Plans. Further, Developer shall be liable for all City costs related thereto and Developer shall promptly pay such costs within 30 days of receiving an invoice from the City for such costs.

(e) Developer shall install and maintain all landscaping and fencing pursuant to the Landscaping and Fencing Plans and Applicable Law prior to the issuance of building permits for the Project. If Developer fails to install such landscaping and fencing prior to the issuance of building permits for the Project, then City shall not be required to comply with the requirements of Section 8 and

City may immediately take any action necessary to install such landscaping and fencing. Further, Developer shall be liable for all City costs related thereto and Developer shall promptly pay such costs within 30 days of receiving an invoice from the City for such costs.

City agrees to be reasonable in its approval process and to proceed diligently with such process.

4. Reduction of Letter of Credit. The amount of the Letter of Credit shall be reduced if the scope of the required maintenance of the Interim Basin is reduced, leading to a reduction of at least twenty-five percent (25%) of the maintenance costs of the Interim Basin, if such reduction is mutually agreed upon by Developer and City. In such a situation, the face amount of the Letter of Credit shall be reduced by the same percentage as the reduction in the required Interim Basin maintenance costs.

5. Cancellation of Letter of Credit. The Letter of Credit shall be cancelled upon the termination of this Agreement pursuant to Section 10. The City shall cooperate with Developer and promptly execute such documents as are reasonably requested by the issuing bank and/or are necessary to cancel the Letter of Credit pursuant to this Section.

6. Terms and Notice. The Letter of Credit shall name the City as beneficiary, and shall be renewed on an annual basis for the Term of this Agreement, except upon written instructions executed by both Developer and the City. The Letter of Credit shall provide that sixty (60) days' prior written notice shall be given by the bank to the Finance Director of the City of Perris of the pending non-renewal, if any, of the Letter of Credit, receipt of which notice shall be acknowledged in writing by the Finance Director to be effective.

7. Drawing Drafts On Letter Of Credit. Only to the extent specifically provided below, City shall be entitled unilaterally to draw drafts for funds solely to be used for maintenance of the Interim Basin due to Developer not performing its obligations pursuant to Section 3. Such funds may be drawn solely under any one of the following conditions, as specifically provided below:

(a) Failure to Maintain the Interim Basin by Developer. If the Developer fails to maintain the Interim Basin in accordance with the terms of this Agreement and the City has complied with the applicable requirements of Section 8, the City shall be entitled to draw down up to the entire balance of the face amount of the Letter of Credit, less any funds previously drawn by the City on the Letter of Credit by submitting to the bank of a draft a written statement executed by an authorized representative of the City averring to a default of the Developer and seeking to draw funds from the face amount of the Letter of Credit. The funds drawn pursuant to this Subsection (a) shall be deposited and used as set forth in Sections 8 and 10, below;

(b) Request of Developer. Upon submission to the bank of a draft to which is attached a written request of Developer for the release of such funds to the City; or

(c) Non-Renewal of Letter of Credit. Upon submission to the bank of a draft to which is attached a written statement from the City executed by an authorized representative of the City averring that the Letter of Credit has not been renewed or replaced as required hereunder, the Letter of Credit may be drawn upon for the entire amount.

8. Notice of Default and Intent to Draw Funds. If Developer fails to perform its obligations under this Agreement or if Developer should be adjudged a bankrupt, or Developer should make a general assignment for the benefit of Developer's creditors, or if a receiver should be appointed in the event of Developer's insolvency, or if Developer, or any of Developer's contractors, subcontractors, agents, or employees should violate any of the provisions of this Agreement, City may give Developer notice of such default and the reasons for such default and, in the event that such default relates to the maintenance of the Interim Basin, notice of City's intent to draw funds from the Letter of Credit, which shall include a copy of the written statement to be submitted to the bank ("Notices"). The Notices shall also include a timeframe in which Developer may cure such default, which timeframe shall be presumptively twenty (20) days but may be extended, or reduced, if circumstances warrant, as determined by City in its sole and absolute discretion ("Cure Period"). During the Cure Period, Developer shall have the option to cure the default or, in the case of default relating to the maintenance of the Interim Basin, provide the City a cash payment equal to the amount of the City's intended draw and the City shall accept said cash payment in lieu of the intended draw from the Letter of Credit. If Developer fails to cure the default or provide City with a cash payment equal to the amount of the City's intended draw within the Cure Period as stated above, then the City may (i) immediately draw the full amount of the Letter of Credit if the default relates to the maintenance of the Interim Basin; (ii) take any action as necessary to remedy such default and Developer shall be liable for all City costs related thereto and Developer shall pay such costs within 30 days of receipt of an invoice for such costs; and/or (iii) seek any other remedy that the City may be entitled at law, in equity, or under this Agreement. Any failure on the part of City to give notice of Developer's default shall not be deemed to result in a waiver of City's legal rights or any rights arising out of any provision of this Agreement. Notwithstanding the forgoing, if Developer's default constitutes an immediate danger to the health, safety and general welfare, as determined by the City in its sole and absolute discretion, then the City may take immediate action without complying with this Section 8 to protect the health, safety and general welfare and, further, Developer shall be liable for all City costs related thereto and Developer shall pay such costs within 30 days of receipt of an invoice for such costs.

9. Letter of Credit Replenishment. If the City has drawn down the entire balance of the face amount of the Letter of Credit pursuant to Section 8, then City may provide written notice thereof to Developer and, within 20 days of the date of such written notice, Developer shall provide the City with a new irrevocable Letter of Credit in the face amount of Seventy-Five Thousand Dollars (\$75,000).

10. Deposit of Funds. The City shall deposit any funds received in cash from Developer or by draw from the Letter of Credit into an interest-bearing trust account or

similarly segregated City account which shall be exclusively restricted for use by the City for maintenance of the Interim Basin.

11. Term. The term of this Agreement ("Term") shall commence upon the Parties' execution of this Agreement and shall terminate upon (i) the Interim Basin is removed as part of an approved future development phase of the Park West Specific Plan or (ii) the Interim Basin is filled back by Developer to its original elevation to a condition approved by the City.

12. Independent Contractor. Neither Developer nor any of Developer's agents or contractors are or shall be considered to be agents, partners, employees, or joint ventures of City in connection with the performance of Developer's obligations under this Agreement. Developer and all of Developer's agents and contractors shall be considered to be independent contractors.

13. No Third Party Beneficiaries. The only parties to this Agreement are Developer and City. There are no third party beneficiaries and this Agreement is not intended, and shall not be construed, to benefit, or be enforceable by any other person whatsoever.

14. Assignment. This Agreement and the Developer's obligations under this Agreement are assignable, subject to City approval of such assignment, with such approval not unreasonably withheld by City.

15. City Held Harmless From Liability.

(a) Developer agrees to defend, indemnify, protect and hold City and its elective and appointive boards, commissions, officers, agents, and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to Developer's employees, agents or officers which arise from or are connected with and are caused or claimed to be caused by the acts or omissions of Developer, and its agents, officers or employees, in performing the work or services herein, and all expenses of investigating and defending against same; provided, however, that Developer's duty to indemnify and hold harmless shall not include any claims or liability arising from the negligence or willful misconduct of the City, its agents, officers, or employees.

(b) Developer shall defend, indemnify and hold harmless City and its agents, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorneys' fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to the legality, validity or adequacy of this Agreement and the proceedings undertaken in connection with the adoption or approval of any of the above.

16. Notice.

(a) All notices to City shall be sent to the following address:

City of Perris
101 North "D" Street
Perris, CA 92570
Attn: City Manager

With a copy to:
Aleshire & Wynder, LLP
3880 Lemon Street, Suite 520
Riverside, CA 92501
Attn: Robert Khuu, Perris City Attorney.

- (b) All notices to Developer shall be sent to the following address:

PW Land Investments, L.P.
4100 Newport Place, Suite 790
Newport Beach, CA 92660
Attn: Jason Keller

With a copy to:
Allen Matkins Leck Gamble Mallory & Natsis LLP
2010 Main Street, Suite 800
Irvine, CA 92614
Attn: Brad Nielsen

All notices herein required shall be in writing and delivered in person or sent by registered mail, postage prepaid. If one party provides written notice to the other party of a change of address, all further notices shall be addressed and transmitted to the new address.

17. Noncompliance. If City determines that there is a violation of present state laws, City ordinances, other City rules, regulations and requirements, and/or the terms and provisions of this Agreement, it may issue a stop work order.

18. Reserved.

19. Effective Date. This Agreement has been entered into by the Parties as of the date and year first above-written, and shall be effective as of such date.

20. Amendment of Agreement. This Agreement may be amended from time to time by mutual consent of the parties provided that such amendments are executed in writing by the parties to be bound thereby.

21. Section Headings; Interpretation. All Section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either Party by reason of the authorship of this Agreement, headings or subheadings used, or any other rule of construction which might otherwise apply.

22. Waiver.

(a) Failure by a Party to insist upon the strict performance of any of the provisions of this Agreement by the other Party, or the failure by a Party to exercise its rights upon the default of the other Party, shall not constitute a waiver of such Party's right to insist and demand strict compliance by the other Party with the terms of this Agreement thereafter.

(b) All waivers must be in writing to be effective or binding upon the waiving Party, and no waiver shall be implied from any omission by a Party to take any action with respect to such a default.

(c) No express written waiver of any particular default shall affect any other default, or cover any other period of time specified in such express waiver.

23. Attorneys' Fees. Should legal action be brought for breach of this Agreement or to enforce any provision herein, the prevailing party of such action shall be entitled to reasonable attorneys' fees, court costs and such other costs as may be fixed by the court.

24. Severability. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall continue in full force and effect, unless enforcement of this Agreement as so invalidated would be unreasonable or grossly inequitable under all the circumstances or would frustrate the purposes of this Agreement.

25. Applicable Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California.

26. Termination. Upon termination of this Agreement, the rights, duties and obligations of the parties hereunder shall cease as of the date of such termination.

27. Counterparts. This Agreement may be executed by the parties in counterparts which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

IN WITNESS WHEREOF, Developer and City have executed this Agreement as of the date first hereinabove written.

**CITY:
CITY OF PERRIS**

By: _____
Clara Miramontes, City Manager

**DEVELOPER:
PW LAND INVESTMENTS, L.P.,
a Delaware limited partnership**

By: MISSION PACIFIC INVESTORS, LLC,
a Delaware limited liability company
Its: General Partner

By: _____
Randall C. Luce
Managing Principal

ATTEST:

By: _____
Nancy Salazar, City Clerk

**APPROVED AS TO FORM:
ALESHIRE & WYNDER, LLP**

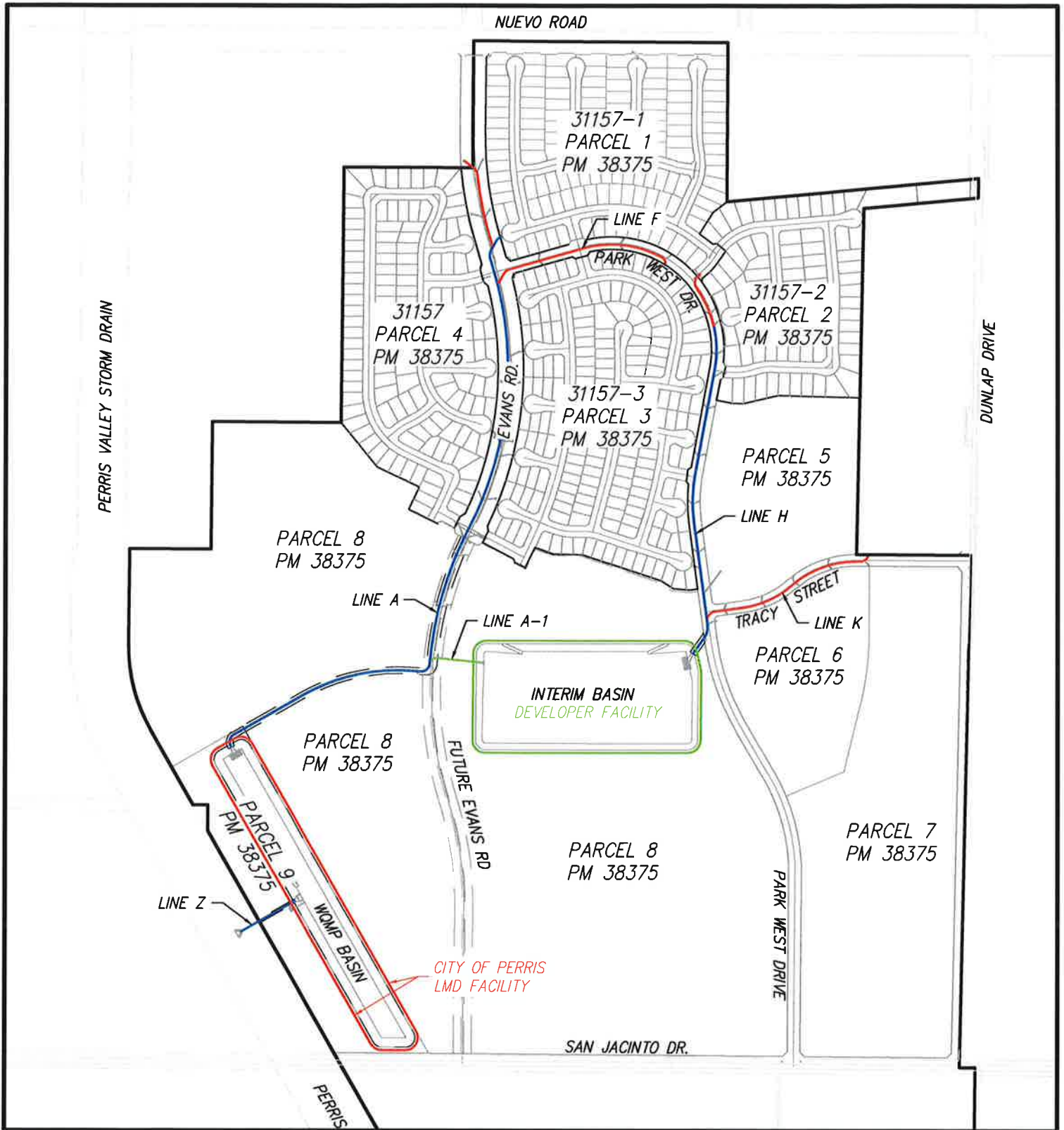
By: _____
Robert Khuu, City Attorney

Exhibit A

[See Attached]

Exhibit B

[See Attached]



LEGEND

- RCFC&WCD STORM DRAIN FACILITIES
- CITY OF PERRIS STORM DRAIN FACILITIES
- DEVELOPER STORM DRAIN FACILITIES



SCALE 1" = 700'



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

11.A.

MEETING DATE: January 9, 2024

SUBJECT: Annexation of DPR 22-00010 to the City's Maintenance Districts
Owner(s): FS Perris LLC
APN(s): 303-020-005, 303-020-022, 303-020-023, 303-020-024, 303-020-025, located on the southwest corner of Ramona Expressway and Brennan Avenue
Project: DPR 22-00010- Industrial Building

REQUESTED ACTION:

1. Open a Public Hearing on Annexation of DPR 22-00010 to the City's Maintenance District No. 84-1 (Streetlights), Landscape Maintenance District No. 1 (Landscaping), and Flood Control Maintenance District No. 1 (Flood Control Facilities)
2. Open 3 Ballots (one for each maintenance district annexation)
3. Adopt 3 Resolutions Ordering the Annexation of DPR 22-00010 to the City's Maintenance Districts, Approving the Engineer's Reports, and the Levying of the 2023-2024 Assessments

CONTACT: John Pourkazemi, City Engineer

BACKGROUND/DISCUSSION: DPR 22-00010 is a construction of a 165,371 sq. ft. industrial building on approximately 7.5 acres of land located at the southwest corner of Ramona Expressway and Brennan Avenue (See attached Boundary Map).

On November 14, 2023, resolutions were approved stating the City Council's intention to annex this project into the City's maintenance districts and set a Public Hearing for January 9, 2024.

BUDGET (or FISCAL) IMPACT: The proposed maximum annual assessments are levied on the property within the annexation. They are subject to Standard Inflation Factors for the greater of CPI or three percent (3%), plus energy and water. The current maximum annual assessments, by district, are as follows:

<u>Maintenance District</u>	<u>Maximum Annual Assessment</u>
Maintenance District No. 84-1 (Streetlights)	\$1,131.41
Landscape Maintenance District No. 1 (Parkways)	10,779.43
Landscape Maintenance District No. 1 (Median)	5,457.65
Flood Control Maintenance District No. 1 (Flood Control Facilities)	<u>4,586.77</u>
Total Maximum Annual Assessment	\$21,955.26

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
Assistant City Manager *WBS*
Deputy City Manager *ER*

Attachments:

1. Location Map
2. Resolution Ordering the Annexation of DPR 22-00010 to MD 84-1, Giving Final Approval to the Engineer's Report, and the Levying of the 2023-2024 Assessments.
3. Resolution Ordering the Annexation of DPR 22-00010 to LMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2023-2024 Assessments.
4. Resolution Ordering the Annexation of DPR 22-00010 to FCMD 1, Giving Final Approval to the Engineer's Report, and the Levying of the 2023-2024 Assessments.

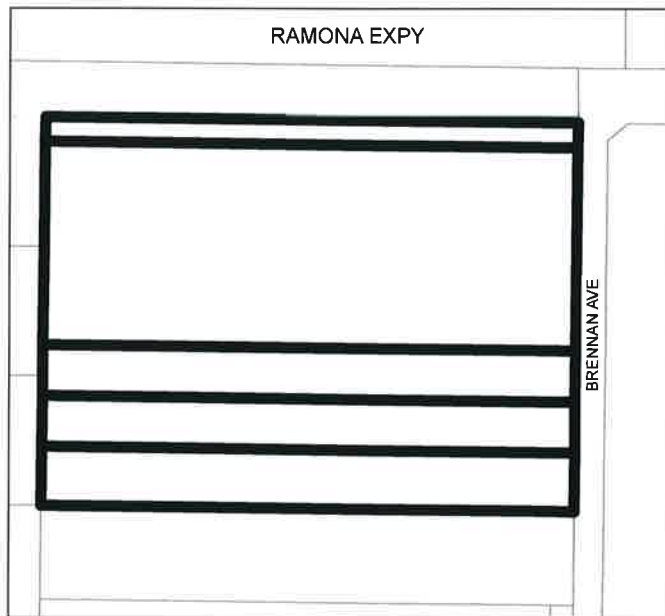
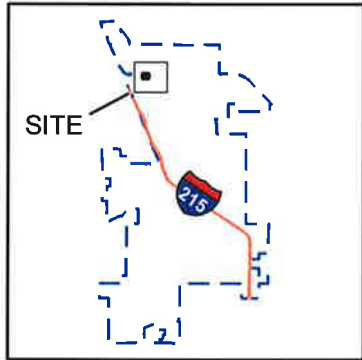
Consent:
Public Hearing: x
Business Item:
Presentation:
Other:

Attachment No. 1

Location Map

ANNEXATION OF DPR 22-00010 TO CITY OF PERRIS MAINTENANCE DISTRICT LANDSCAPE MAINTENANCE DISTRICT NO. 1, AND FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

VICINITY MAP
NOT TO SCALE



Owner: FS Perris, LLC

MD 84-1

Eight (8) streetlights

LMD 1

There are two categories of improvements to be maintained.

The first category of improvements to be maintained includes the landscaped parkways within the Ramona Expressway and Brennan Avenue parcels within DPR 22-00010.

The second category of improvements to be maintained includes the landscaped medians within the Ramona Expressway median along the frontage of the parcels within DPR 22-00010.

FCMD 1

The improvements to be maintained under Benefit Zone 142 include catch basins, 18-, 24-, 60-, and double 36-inch reinforced concrete (RCP), and appurtenances within the public right-of-way. Additionally, Benefit Zone 142 will contribute to the maintenance of existing facilities that will benefit the development.

Facility	Max As
Street lights	
Landscaped Parkways	
Landscaped Median	
Flood Control Facilities	
Total Maximum Annual Assessment	

⁽¹⁾ Maximum Annual Assessment is subject to an annual inflator based on the three percent (3%), and/or utility rate increases.

Attachment No. 2

Annexation Resolution for MD 84-1

RESOLUTION NUMBER XXXX

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 22-00010 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1 (STREETLIGHTS), GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023-2024

WHEREAS, the City Council of the City of Perris, County of Riverside, California (“the City Council”) did on the 14th day of November 2023, adopt its Resolution of Intention Number 6270 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 6270 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 6270, 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 proceeding 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 6270, 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.
- 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 2023-2024 are hereby levied.

ADOPTED, SIGNED and APPROVED this 9th day of January, 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January, 2024, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

Attachment No. 3

Annexation Resolution for LMD No. 1

RESOLUTION NUMBER XXXX

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 22-00010 TO BENEFIT ZONE 177, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023-2024

WHEREAS, the City Council of the City of Perris, County of Riverside, California (“the City Council”) did on the 14th day of November 2023, adopt its Resolution of Intention Number 6273 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 6273 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 6273, 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 proceeding 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 6273, 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.
- 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 2023-2024 are hereby levied.

ADOPTED, SIGNED and APPROVED this 9th day of January, 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January, 2024, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar

Attachment No. 4

Annexation Resolution for FCMD No. 1

RESOLUTION NUMBER XXXX

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 22-00010 TO BENEFIT ZONE 142, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2023-2024

WHEREAS, the City Council of the City of Perris, County of Riverside, California (“the City Council”) did on the 14th day of November 2023, adopt its Resolution of Intention Number 6274 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 6274, 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 6274, 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 proceeding 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 6274, 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.
- 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 2023-2024 are hereby levied.

ADOPTED, SIGNED and **APPROVED** this 9th day of January, 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January, 2024, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk, Nancy Salazar



CITY OF PERRIS

11.B.

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Annexation of parcels into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 60
Owner(s): FS Perris LLC
APN(s): 303-020-005, 303-020-022, 303-020-023, 303-020-024, 303-020-025, located on the southwest corner of Ramona Expressway and Brennan Avenue
Project: DPR 22-00010- Industrial Building

REQUESTED ACTION:

1. Open a public hearing on Annexation No. 60 to CFD 2001-3 and determine if there are any protests to the Annexation.
2. Adopt a Resolution of the City Council of the City of Perris, acting as the Legislative Body, of Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, calling a Special Election, to submit to Qualified Electors, within Proposed Annexation No. 60 the question of annexing such territory and levying of a Special Tax within the area of Proposed Annexation No. 60.
3. Conduct the Special Election relating to Annexation No. 60.
4. Adopt a Resolution of the City Council of the City of Perris, acting as the Legislative Body of the Community Facilities Districts No. 2001-3 (North Perris Public Safety) of the City of Perris, Declaring the results of the Special Election relating to Annexation No. 60, and Ordering the Annexation of such territory, and directing the Recording of a Notice of Special Tax Lien.

CONTACT: Matthew Schenk, Director of Finance

BACKGROUND/DISCUSSION:

DPR 22-00010 is a construction of a 165,371 sq. ft. industrial building on approximately 7.5 acres of land located at the southwest corner of Ramona Expressway and Brennan Avenue (See attached Boundary Map).

At its meeting on November 14, 2023, the City Council of the City of Perris (the "City Council"), acting as Legislative Body of Community Facilities District No. 2001-3 (North Perris Public Safety) (the "District"), adopted Resolution No. 6275 ("Resolution of Intention"), declaring its intention to Annex Certain Territory to the District and setting the date of the public hearing to January 9, 2024 as the date for conducting the hearing in connection with the annexation of territory to the District. These actions were taken, as required by law, pursuant to a petition submitted to the property owner of the territory proposed for annexation to the District. The Owner, pursuant to the petition submitted concurrently with the Resolution of Intention, submitted a waiver concurrently herewith, waiving certain time periods and noticing requirements required by the Mello-Roos Community Facilities Act of 1982 ("the Act") and the Elections Code of the State of California. The holding of the Public Hearing and adopting of the resolutions submitted with this report and the conduct of this election will complete the annexation of territory to the District. The property owner has waived notice and the time period for conducting the election pursuant to the Act. The Clerk has not received any written protests prior to the hearing.

BUDGET (or FISCAL) IMPACT: The property owner has forwarded a deposit to initiate the annexation process and the City may recoup all costs through the levy of the special tax.

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
Assistant City Manager WB
Deputy City Manager ER

Attachments:

1. Boundary Map
2. Resolution Calling for Special Election
3. Resolution Declaring Results of Special Election

Consent:

Public Hearing: x

Business Item:

Presentation:

Other:

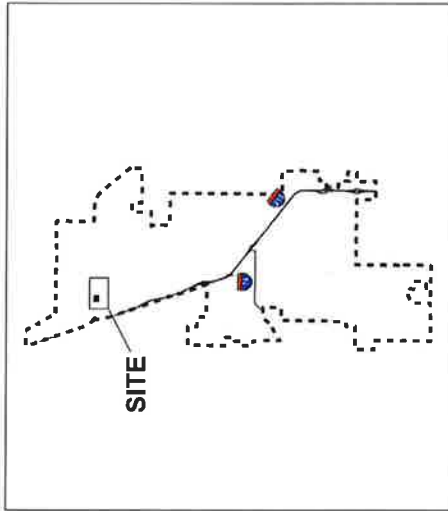
ATTACHMENT 1

BOUNDARY MAP

ANNEXATION MAP NO. 60 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. 60, 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 _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) _____ IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

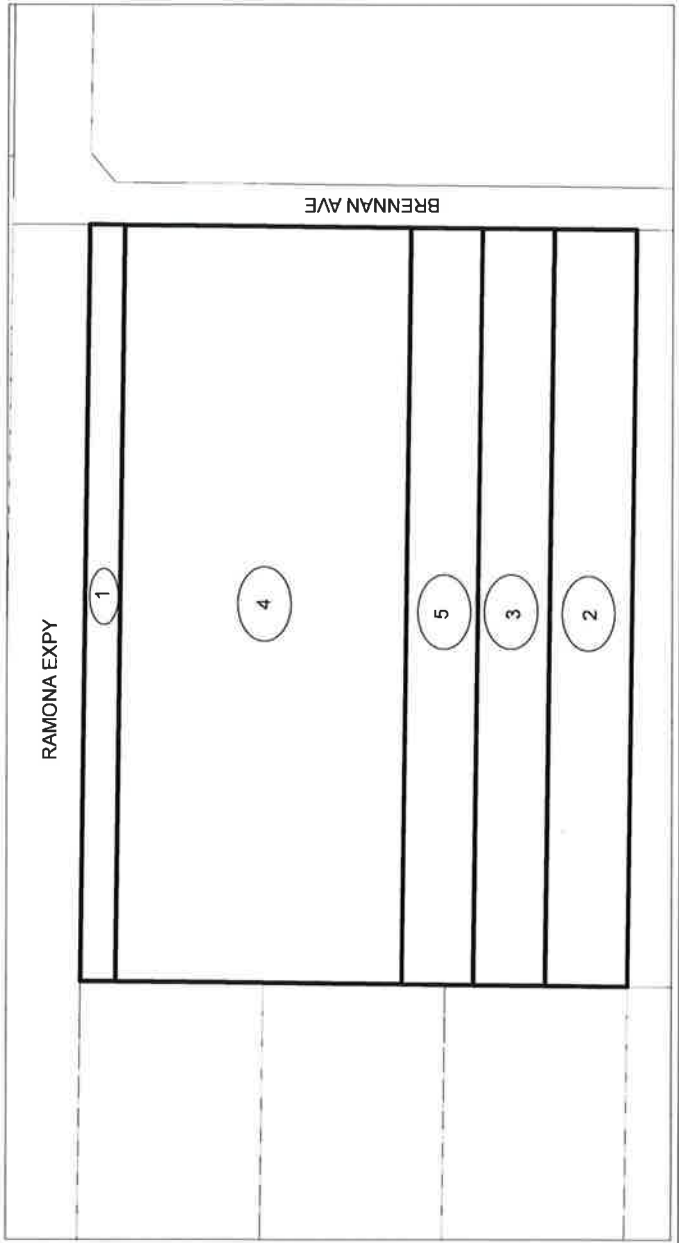
MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	303-020-005
2	303-020-022
3	303-020-023
4	303-020-024
5	303-020-025

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.

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
- 1 MAP REFERENCE NUMBER
- CITY OF PERRIS BOUNDARY



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

ATTACHMENT 2

**PERRIS CFD 2001-3 ANNEXATION NO. 60
RESOLUTION CALLING FOR SPECIAL
ELECTION**

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 60 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 60

WHEREAS, the City Council (the “Council”) of the City of Perris, California (the “City”), acting in its capacity as the legislative body (the “Legislative Body”) of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris (the “District”), on November 14, 2023, has heretofore adopted its Resolution No. 6275 (the “Resolution of Intention”) stating its intention to annex certain territory (the “Property”) as described therein to the District pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the “Act”) being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, and specifically Article 3.5 thereof, and calling a public hearing on the question of the proposed annexation of the Property to the District, including the levying of a special tax on the Property and all other matters as set forth in the Resolution of Intention; and

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

WHEREAS, the Resolution of Intention set January 9, 2024 as the date of the public hearing and to consider the question of the proposed annexation of the Property to the District, including the levying of a special tax on the Property and all other matters set forth in the Resolution of Intention and this Council held said public hearing as required by law; and

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

WHEREAS, the public hearing was held on January 9, 2024; and

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

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

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

WHEREAS, there were not at least twelve (12) registered voters residing within the territory proposed to be annexed to the District during each of the ninety (90) days preceding the closing of the January 9, 2024 public hearing; and

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

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

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

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

Section 3. The Legislative Body does declare the annexation of the Property to the existing District, to be known and designated as “Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60.” The Legislative Body hereby finds and determines that all prior proceedings taken with respect to the annexation of the Property to the District were valid and in conformity with the requirements of law, including the Act. This finding is made in accordance with the provisions of Section 53325.1 of the Act.

Section 4. The boundaries and parcels of land to be annexed and in which the public services are to be provided and on which the special taxes will be levied in order to pay the costs and expenses for said public services are generally described as all that territory proposed to be annexed to the existing District as said property is shown on a map as previously approved by the Legislative Body, said map designated “Annexation Map No. 60 to Community Facilities District No. 2001-3, (North Perris Public Safety),” a copy of which is on file in the office of the City Clerk and shall remain open for public inspection. The map of the proposed boundaries of Annexation No. 60 to the District has been recorded in the Office of the County Recorder of Riverside County, California in Book 92, Page 39 of the Book of Maps of Assessments and Community Facilities Districts (Document Number 2023-0347786).

Section 5. The Council finds that the Services, generally described as fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto, as set forth in Exhibit “B” hereto are necessary to meet the increased demand put upon the City as a result of the development within Annexation No. 60.

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

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

Section 8. Pursuant to Section 53325.7 and 53326 of the Act, a special election is hereby called on behalf of the District on the proposition of levying the special tax on the territory within Annexation No. 60 to the District and establishing an appropriation limit therein. The proposition relating to the District authorizing the levy of the special tax on the Property and establishing an appropriations limit shall be substantially in the form attached hereto as Exhibit "C."

Section 9. The special election for the District on the proposition of authorizing the levy of the special tax on the Property and establishing an appropriations limit shall be held on January 9, 2024.

Section 10. It is hereby found that there were not at least twelve (12) registered voters that resided within the territory of the proposed Annexation No. 60 during each of the ninety (90) days preceding the closing of the January 9, 2024 public hearing regarding the levy of the special tax on the territory within Annexation No. 60 and establishing an appropriations limit therein and, pursuant to Section 53326 of the Act, the ballots for the special election shall be distributed by personal service, or by mail, with return postage prepaid, by the Election Official, to the landowners of record within the District as of the close of the public hearing. Each landowner shall have one (1) vote for each acre or portion thereof that he or she owns within the District, as provided in Section 53326 of the Act and may return the ballot by mail or in person to the Election Official not later than 6:30 p.m. on January 9, 2024, or 6:30 p.m. on another election day mutually agreed to by the Election Official and the landowners. In accordance with Section 53326(d) of the Act, the election shall be closed and the results certified by the Election Official as soon as all qualified electors have voted.

Section 11. If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing such appropriations limit are cast in favor of levying such special tax within the District as determined

by the Legislative Body after the canvass of the returns of such election, the Legislative Body may levy such special tax within the District under the Act in the amount and for the purposes as specified in this Resolution. Such special tax may be levied only at the rate and may be apportioned only in the manner specified in this Resolution, subject to the Act, except that the special tax may be levied at a rate lower than that specified herein and the maximum annual tax rate may be lowered. Such special tax may be levied so long as it is needed to pay for the financing of the services.

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

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

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

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

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

Section 17. The question of levying a special tax and establishing an appropriations limit shall constitute a single election pursuant to Sections 53325.7, 53326 and 53353 of the Act for the purpose of holding said election. Following the close of the election, the election shall be canvassed at the office of the City Clerk, 101 North "D" Street, Perris, California 92570.

Section 18. The Office of the City Manager, 101 North "D" Street, Perris, California 92570, (951) 943-6100, or its designee, is designated to be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and for estimating future special tax levies pursuant to Section 53340.2 of the Government Code.

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

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

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

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

ADOPTED, SIGNED and **APPROVED** this 9th day of January 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January 2024, by the following called vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

 City Clerk, Nancy Salazar

Exhibit A

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

SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

A. BASIS OF SPECIAL TAX LEVY

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

B. DEFINITIONS

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

Administrative Expenses means the costs incurred by the City to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer CFD No. 2001-3 as determined by the Finance Director.

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

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

Base Year means Fiscal Year ending June 30, 2006.

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

City means the City of Perris, California.

Council means the City Council of the City of Perris as the legislative body for CFD No. 2001-3 under the Act.

County means the County of Riverside, California.

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

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

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

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

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

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

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

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

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

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

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

Parcel means a lot or parcel shown on an assessor's parcel map with an assigned assessor's parcel number located in CFD No. 2001-3 based on the last equalized tax rolls of the County.

Police & Fire Protection Program means a program adopted by the Council pursuant to Section 53313 of the Act for the provision, in a defined area of benefit, of police and fire protection services that are in addition to those services that would be provided to the area of CFD No. 2001-3 if CFD No. 2001-3 were not in existence.

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

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

Special Tax(es) means any tax levy under the Act in CFD No. 2001-3.

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

Zone A means property designated as Zone A.

C. DURATION OF THE SPECIAL TAX

Duration of Special Tax for Taxable Property in CFD No. 2001-3 shall remain subject to the Special Tax in perpetuity.

D. ASSIGNMENT OF MAXIMUM SPECIAL TAXES

1. Classification of Parcels

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

2. Maximum Special Tax Rates

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

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

Each Fiscal Year following the Base Year of FY 2005/06, the Maximum Special Tax Rates shall be increase in accordance with the Annual Tax Escalation Factor.

E. SETTING THE ANNUAL SPECIAL TAX LEVY

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

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

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

F. ADMINISTRATIVE CHANGES AND APPEALS

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

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

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties, or any definition applicable to CFD No. 2001-3.

G. MANNER OF COLLECTION

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

Exhibit B

**COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC
SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 60**

TYPES OF SERVICES TO BE FINANCED

Fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto.

Exhibit C

OFFICIAL BALLOT

TO BE OPENED ONLY BY THE CANVASSING BOARD

COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)

OF THE CITY OF PERRIS, ANNEXATION NO. 60

SPECIAL TAX AND APPROPRIATIONS LIMIT ELECTION

January 9, 2024

To vote, mark a cross (+) or (X) in the voting square after the word "YES" or after the word "NO." The voter should then sign the ballot. All distinguishing marks otherwise made are forbidden and will void the ballot.

This ballot is provided to **FS Perris LLC**, as owner or authorized representative of such sole owner of 7.87 acres of the land within Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60 (the "Property") and represents **8** of the votes required for annexation.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570 and obtain another.

PROPOSITION A: Shall the Property be annexed and shall a Special Tax be levied within Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60 to pay for the provision of fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; and police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto, as authorized in the Resolution calling election adopted on January 9, 2024 and the Resolution of Intention referred to therein; and shall an appropriations limit be established for Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60 pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population, where said Maximum Special Tax Rate for Fiscal Year 2023-2024 is \$378.91 per Single-Family Residential Unit, \$75.78 per Multi-Family Residential Unit and \$1,515.66 per acre for Non-residential Parcels and is subject to an Annual Tax Escalation Factor not to exceed 2.00% annually?

YES

NO

Number of votes: 8

Property Owner: **FS Perris LLC**

By: _____

ATTACHMENT 3

**PERRIS CFD 2001-3 ANNEXATION NO. 60
RESOLUTION DECLARING RESULTS OF
SPECIAL ELECTION**

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 60 AND ORDERING THE ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION NO. 60 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN

The City Council (the “Council”) of the City of Perris, California (the “City”), acting in its capacity as the legislative body (the “Legislative Body”) of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris (the “District”), does hereby resolve as follows:

WHEREAS, the Legislative Body called and duly held an election in the District pursuant to Resolution No. XXXX adopted on January 9, 2024 for the purpose of presenting to the qualified electors within the certain territory proposed to be annexed to the District known and designated as “Annexation No. 60” (the “Property”), a proposition for the levy of a special tax and the establishment of an appropriations limit (“Proposition A”) in accordance with the method set forth in Exhibit “A” to Resolution No. 6275 adopted on November 14, 2023 (the “Resolution of Intention”); and

WHEREAS, the landowners of record within the Property as of the close of the public hearing held on January 9, 2024 unanimously consented to a waiver of the time limits for setting the election and a waiver of any written analysis, arguments or rebuttals as set forth in California Government Code sections 53326 and 53327. Such waivers are set forth in written certificates executed by the landowners which are on file with the City Clerk as election official (the “Election Official”) concurring therein; and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the “Act”), the special election was held on January 9, 2024; and

WHEREAS, there has been presented to this Legislative Body a Certificate of the Election Official as to the Results of the Canvass of the Election Returns (the “Certificate of the Election Official”), a copy of which is attached hereto as Exhibit “A;”

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

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

Section 2. The canvass of the votes cast in the Property to be annexed to the District at the special election held on January 9, 2024, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. Proposition A presented to the qualified electors of the Property for receipt by the Election Official on January 9, 2024, has received a unanimous vote of the qualified electors voting at said election, and Proposition A has carried. The Legislative Body is hereby authorized to take the necessary steps to levy the special tax authorized by Proposition A on the Property.

Section 4. The City Clerk is hereby directed to enter the title of this Resolution on the minutes of the Legislative Body and to indicate the official declaration of the result of such special election.

Section 5. The Legislative Body hereby determines that the Property is added to and part of the existing District with full legal effect, and hereby authorizes the levy of a special tax at the Rate and Method of Apportionment set forth in Exhibit A to the Resolution of Intention. The whole of the territory within the Property shall be subject to the special tax consistent with the provisions of the Act.

Section 6. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Legislative Body hereby establishes the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 3 above:

- A. Such Special Tax with respect to the District shall be levied for the specific purposes set forth in Proposition A and Section 3 hereof.
- B. The proceeds of the levy of such Special Tax with respect to each Improvement Area shall be applied only to the specific purposes set forth in Section 3 hereof and Proposition A referred to therein.
- C. The District shall establish an account or accounts into which the proceeds of such Special Tax with respect to each Improvement Area shall be deposited.
- D. The City Manager, Assistant City Manager and Finance Director, or his or her designee, acting for and on behalf of the District, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

Section 7. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Riverside a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

Section 8. This Resolution shall take effect immediately upon its adoption.

Section 9. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

ADOPTED, SIGNED and **APPROVED** this 9th day of January 2024.

Mayor, Michael M. Vargas

ATTEST: _____
City Clerk, Nancy Salazar

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

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January 2024, by the following called vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

City Clerk, Nancy Salazar

Exhibit A

**COMMUNITY FACILITIES DISTRICT NO. 2001-3
(NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 60**

**CERTIFICATE OF THE ELECTION OFFICIAL
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

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

I, NANCY SALAZAR, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of the Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on January 9, 2024, held in

COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 60

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots case within the Property to be annexed to the District for the Proposition, and the totals of the respective columns and the totals as shown for the Proposition are full, true and correct.

WITNESS my hand and Official Seal this 9th day of January 2024.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2001-3 (NORTH
PERRIS PUBLIC SAFETY) OF THE CITY OF
PERRIS

By: _____

City Clerk, Nancy Salazar

**COMMUNITY FACILITIES DISTRICT NO. 2001-3
(NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 60**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION**

	Qualified Landowner Votes	Total Votes Cast	<u>YES</u>	<u>NO</u>
City of Perris, Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60, Special Election, January 9, 2024	8	_____	_____	_____

PROPOSITION A: Shall the Property be annexed and shall a Special Tax be levied within Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60 to pay for the provision of fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; and police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto, as authorized in the Resolution calling election adopted on January 9, 2024 and the Resolution of Intention referred to therein; and shall an appropriations limit be established for Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris, Annexation No. 60 pursuant to Article XIII B of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population, where said Maximum Special Tax Rate for Fiscal Year 2023-2024 is \$378.91 per Single-Family Residential Unit, \$75.78 per Multi-Family Residential Unit and \$1,515.66 per acre for Non-residential Parcels and is subject to an Annual Tax Escalation Factor not to exceed 2.00% annually?



CITY OF PERRIS

11.C.

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Annexation of parcels into CFD 2018-02 (Public Services District)
– Annexation No. 21
Owner(s): FS Perris LLC
APN(s): 303-020-005, 303-020-022, 303-020-023, 303-020-024,
303-020-025, located on the southwest corner of Ramona
Expressway and Brennan Avenue
Project: DPR 22-00010- Industrial Building

REQUESTED ACTION:

1. Open a public hearing on Annexation No. 21 to Community Facilities District No. 2018-02 (Public Services District) and determine if there are any protests to the Annexation.
2. Adopt a Resolution of the City Council of the City of Perris, acting as the Legislative Body of Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, calling a Special Election, to submit to Qualified Electors, within Proposed Annexation No. 21 the question of annexing such territory and levying of a Special Tax within the area of Proposed Annexation No. 21.
3. Conduct the Special Election relating to Annexation No. 21.
4. Adopt a Resolution of the City Council of the City of Perris, acting as the Legislative Body of the Community Facilities Districts No. 2018-02 (Public Services District) of the City of Perris, Declaring the results of the Special Election relating to Annexation No. 21, and Ordering the Annexation of such territory, and directing the Recording of a Notice of Special Tax Lien.

CONTACT: Matthew Schenk, Director of Finance

BACKGROUND/DISCUSSION:

DPR 22-00010 is a construction of a 165,371 sq. ft. industrial building on approximately 7.5 acres of land located at the southwest corner of Ramona Expressway and Brennan Avenue (See attached Boundary Map).

At its meeting on November 14, 2023, the City Council of the City of Perris (the "City Council"), acting as Legislative Body of Community Facilities District 2018-02 (Public Services District) (the "District"), adopted Resolution No. 6276 ("Resolution of Intention"), Declaring its Intention to Annex Certain Territory to the District and setting the date of the public hearing to January 9, 2024 as the date for conducting the hearing in connection with the annexation of territory to the District. These actions were taken, as required by law, pursuant to a petition submitted to the property owner of the territory proposed for annexation to the District. The Owner, pursuant to the petition submitted concurrently with the Resolution of Intention, submitted a waiver concurrently herewith, waiving certain time periods and noticing requirements required by the Mello-Roos Community Facilities Act of 1982 ("the Act") and the Elections Code of the State of California. The holding of the Public Hearing and adopting of the resolutions submitted with this report and the conduct of this election will complete the annexation of territory to the District. The property owner has waived notice and the time period for conducting the election pursuant to the Act. The Clerk has not received any written protests prior to the hearing.

BUDGET (or FISCAL) IMPACT: The Annexation of territory into the District increases the tax base to fund the public services to be provided to the residents and businesses within the District. The levy of the Special Tax will begin in the fiscal year for which a building permit was issued prior to May 1st of the previous fiscal year.

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:

City Attorney _____
Assistant City Manager AMB
Deputy City Manager ER

Attachments:

1. Boundary Map
2. Resolution Calling for Special Election
3. Resolution Declaring Results of Special Election

Consent:

Public Hearing: x

Business Item:

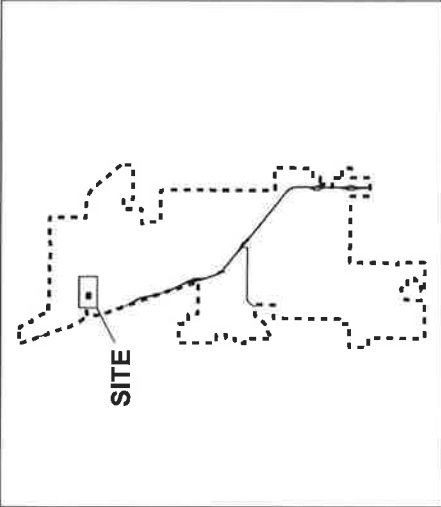
Presentation:

Other:

ATTACHMENT 1
BOUNDARY MAP

ANNEXATION MAP NO. 21 TO COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT)

VICINITY MAP



CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	303-020-005
2	303-020-022
3	303-020-023
4	303-020-024
5	303-020-025

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. 2018-02 (PUBLIC SERVICES DISTRICT), 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 _____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS (AT PAGE(S) _____) IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

PETER ALDANA, ASSESSOR-COUNTY CLERK-RECORDER

BY DEPUTY
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

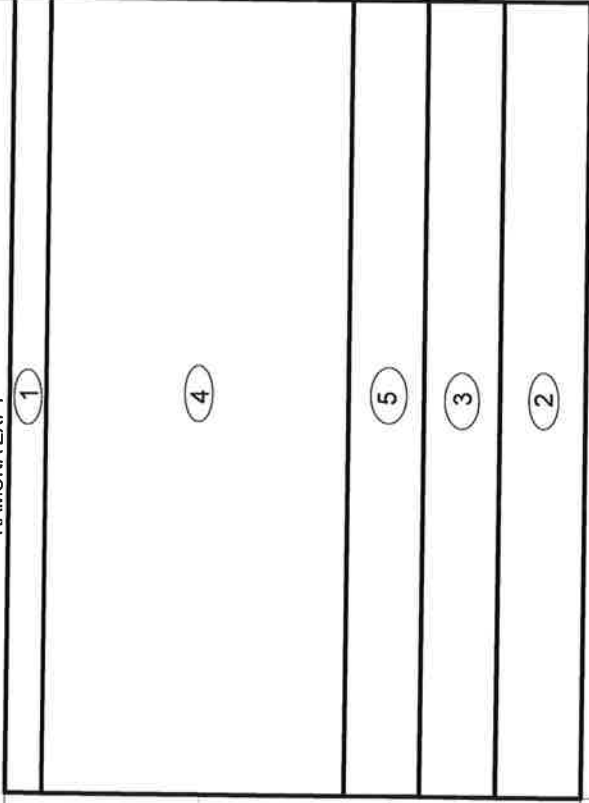
REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON OCTOBER 25 2018, IN BOOK 83 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 28 AS INSTRUMENT NUMBER 2018-0421949.

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.

RAMONA EXPY

BRENNAN AVE



Legend

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



WILLDAN
27168 VIA INDUSTRIA, SUITE #200
TEMECULA, CA 92590
(951) 587-3500

ATTACHMENT 2

**PERRIS CFD 2018-02 ANNEXATION NO. 21
RESOLUTION CALLING FOR SPECIAL
ELECTION**

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 21 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 21

WHEREAS, the City Council (the “Council”) of the City of Perris, California (the “City”), acting in its capacity as the legislative body (the “Legislative Body”) of the Community Facilities District No. 2018-02 (Public Services District) of the City of Perris (the “District”), on November 14, 2023, has heretofore adopted its Resolution No. 6276 (the “Resolution of Intention”) stating its intention to annex certain territory (the “Property”) as described therein to the District pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the “Act”) being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, and specifically Article 3.5 thereof, and calling a public hearing on the question of the proposed annexation of the Property to the District, including the levying of a special tax on the Property and all other matters as set forth in the Resolution of Intention; and

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

WHEREAS, the Resolution of Intention set January 9, 2024 as the date of the public hearing and to consider the question of the proposed annexation of the Property to the District, including the levying of a special tax on the Property and all other matters set forth in the Resolution of Intention and this Council held said public hearing as required by law; and

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

WHEREAS, the public hearing was held on January 9, 2024; and

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

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

(Continued)

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

WHEREAS, there were not at least twelve (12) registered voters residing within the territory proposed to be annexed to the District during each of the ninety (90) days preceding the closing of the January 9, 2024 public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, acting in its capacity as the Legislative Body of Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, California, as follows:

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

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

Section 3. The Legislative Body does declare the annexation of the Property to the existing District, to be known and designated as “Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21.” The Legislative Body hereby finds and determines that all prior proceedings taken with respect to the annexation of the Property to the District were valid and in conformity with the requirements of law, including the Act. This finding is made in accordance with the provisions of Section 53325.1 of the Act.

Section 4. The boundaries and parcels of land to be annexed and in which the public services are to be provided and on which the special taxes will be levied in order to pay the costs and expenses for said public services are generally described as all that territory proposed to be annexed to the existing District as said property is shown on a map as previously approved by the Legislative Body, said map designated “Annexation Map No. 21 to Community Facilities District No. 2018-02, (Public Services District),” a copy of which is on file in the office of the City Clerk and shall remain open for public inspection. The map of the proposed boundaries of Annexation No. 21 to the District has been recorded in the Office of the County Recorder of Riverside County, California in Book 92, Page 42 of the Book of Maps of Assessments and Community Facilities Districts (Document Number 2023-0347788).

Section 5. The Council finds that the services authorized to be funded by the CFD and paid by the special taxes levied within the CFD (the “Services”) shall incorporate and have the meaning given to the term “services” in section 53313 of the Mello-Roos Community Facilities Act of 1982, as set forth in Exhibit “B” hereto are necessary to meet the increased demand put upon the City as a result of the development within Annexation No. 21.

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

Section 7. The Rate and Method of Apportionment of the special tax is based on the expected demand that each parcel of real property within the District will place on the Services, on the cost of making the Services available to each parcel within the Property, and on other factors. The Council hereby determines the rate and method of apportionment of the special tax set forth in Exhibit "A" to be reasonable. The special tax is apportioned to each parcel on the foregoing basis pursuant to Section 53325.3 of the Act and such special tax is not based upon the value or ownership of real property. In the event that a portion of the property within Community Facilities District No. 2018-02 shall become for any reason exempt, wholly or partially, from the levy of the special tax specified on Exhibit "A," the Council shall, on behalf of Community Facilities District No. 2018-02, cause the levy to be increased, subject to the limitation of the maximum special tax for a parcel as set forth in Exhibit "A," to the extent necessary upon the remaining property within the District which is not delinquent or exempt in order to yield the special tax revenues required for the purposes described herein. Upon recordation of a notice of special tax lien pursuant to Streets and Code Section 3114.5, continuing lien to secure each levy of the special tax will attach to all nonexempt parcels within the Property and the lien shall continue in force and effect until the special tax obligation is permanently satisfied and the lien canceled in accordance with the law or until collection of the special tax by the Legislative Body ceases.

Section 8. Pursuant to Section 53325.7 and 53326 of the Act, a special election is hereby called on behalf of the District on the proposition of levying the special tax on the territory within Annexation No. 21 to the District and establishing an appropriation limit therein. The proposition relating to the District authorizing the levy of the special tax on the Property and establishing an appropriations limit shall be substantially in the form attached hereto as Exhibit "C."

Section 9. The special election for the District on the proposition of authorizing the levy of the special tax on the Property and establishing an appropriations limit shall be held on January 9, 2024.

Section 10. It is hereby found that there were not at least twelve (12) registered voters that resided within the territory of the proposed Annexation No. 21 during each of the ninety (90) days preceding the closing of the January 9, 2024 public hearing regarding the levy of the special tax on the territory within Annexation No. 21 and establishing an appropriations limit therein and, pursuant to Section 53326 of the Act, the ballots for the special election shall be distributed by personal service, or by mail, with return postage prepaid, by the Election Official, to the landowners of record within the District as of the close of the public hearing. Each landowner shall have one (1) vote for each acre or portion thereof that he or she owns within the District, as provided in Section 53326 of the Act and may return the ballot by mail or in person to the Election Official not later than 6:30 p.m. on January 9, 2024, or 6:30 p.m. on another election day mutually agreed to by the Election Official and the landowners. In accordance with Section 53326(d) of the Act, the election shall be closed and the results certified by the Election Official as soon as all qualified electors have voted.

Section 11. If two-thirds (2/3) of the votes cast upon the question of levying such special tax and establishing such appropriations limit are cast in favor of levying such special tax within the District as determined by the Legislative Body after the canvass of the returns of such election, the Legislative Body may levy such

special tax within the District under the Act in the amount and for the purposes as specified in this Resolution. Such special tax may be levied only at the rate and may be apportioned only in the manner specified in this Resolution, subject to the Act, except that the special tax may be levied at a rate lower than that specified herein and the maximum annual tax rate may be lowered. Such special tax may be levied so long as it is needed to pay for the financing of the services.

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

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

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

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

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

Section 17. The question of levying a special tax and establishing an appropriations limit shall constitute a single election pursuant to Sections 53325.7, 53326 and 53353 of the Act for the purpose of holding said election. Following the close of the election, the election shall be canvassed at the office of the City Clerk, 101 North "D" Street, Perris, California 92570.

Section 18. The Office of the City Manager, 101 North "D" Street, Perris, California 92570, (951) 943-6100, or its designee, is designated to be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and for estimating future special tax levies pursuant to Section 53340.2 of the Government Code.

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

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

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

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

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

ADOPTED, SIGNED and **APPROVED** this 9th day of January 2024.

Mayor, Michael M. Vargas

ATTEST:

City Clerk, Nancy Salazar

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

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January 2024, by the following called vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

City Clerk, Nancy Salazar

Exhibit A**CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2018-02
(PUBLIC SERVICES DISTRICT)****SPECIAL TAX RATE AND METHOD OF APPORTIONMENT**

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

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

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

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

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

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

"Authorized Services" means those services eligible to be funded by CFD No. 2018-02, as defined in the Resolution of Formation and authorized to be financed by CFD No. 2018-02 pursuant to Section 53313 and Section 53313.5 of the Act. CFD No. 2018-02 shall finance Authorized Services only to the extent that they are in addition to those provided in the territory of CFD No. 2018-02 before the CFD was created and such Authorized Services may not supplant services already available within CFD No. 2018-02 when the CFD was created.

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

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

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

“City” means the City of Perris, California.

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

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

“County” means the County of Riverside.

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

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

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

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

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

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

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

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

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

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

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

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

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

“State” means the State of California.

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

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

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, all Assessor’s Parcels within CFD No. 2018-02 shall be classified by the CFD Administrator as Taxable Property or Non-Taxable Property, and shall be subject to annual Special

Taxes in accordance with this Rate and Method of Apportionment as determined by the CFD Administrator pursuant to Sections C and D below. The CFD Administrator's allocation of property to each type of Land Use Class shall be conclusive and binding. However, only Taxable Property shall be subject to annual Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. Taxable Property

a. Maximum Special Tax

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

TABLE 1

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

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

b. Multiple Land Use Classes

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

c. Increase in the Maximum Special Tax

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

2. Non-Taxable Property

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

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

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

E. EXEMPTIONS

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

F. APPEALS AND INTERPRETATIONS

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

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

G. MANNER OF COLLECTION

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

H. FUTURE ANNEXATIONS

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

I. TERM OF SPECIAL TAX

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

Exhibit B

COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS, ANNEXATION NO. 21

DESCRIPTION OF AUTHORIZED SERVICES

Authorized Services

The services authorized to be funded by the CFD and paid by the special taxes levied within the CFD (the "Services") are described below. For purposes of the CFD, the Services shall incorporate and have the meaning given to the term "services" in section 53313 of the Mello-Roos Community Facilities Act of 1982.

Additional Authorized Expenses

In addition, the following costs are authorized to be funded by the special taxes levied within the CFD:

- (a) Public Street Lighting.
- (b) Landscape, Park, Trails and Recreation Improvements. The parks, open space areas, trails and recreation facilities to be operated, maintained and serviced may include, but are not limited to, the maintenance and care of all landscaping and facilities within park and open space areas facilities that service CFD No. 2018-02 (Public Services District) but may not be included within the boundaries of CFD No. 2018-02 (Public Services District). This includes trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, signs, monuments, and associated appurtenant facilities.
- (c) Administrative expenses including the costs incurred to determine, levy and collect the special taxes, including compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the charges imposed by the County for the levy and collection of the special taxes on the property tax rolls, preparation of required reports, and any other costs incurred in the administration of the CFD by the City.
- (d) Any amounts needed for operating reserves and capital reserves.
- (e) Any amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years.
- (f) To reimburse the City or any third parties for actual costs advanced that are related to the formation of the CFD.

Exhibit C

OFFICIAL BALLOT

TO BE OPENED ONLY BY THE CANVASSING BOARD

**COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT)
OF THE CITY OF PERRIS, ANNEXATION NO. 21**

SPECIAL TAX AND APPROPRIATIONS LIMIT ELECTION

January 9, 2024

To vote, mark a cross (+) or (X) in the voting square after the word "YES" or after the word "NO." The voter should then sign the ballot. All distinguishing marks otherwise made are forbidden and will void the ballot.

This ballot is provided to **FS Perris, LLC**, as owner or authorized representative of such sole owner of 7.87 acres of the land within Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21 (the "Property") and represents **8** of the votes required for annexation.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570 and obtain another.

PROPOSITION A: Shall the Property be annexed and shall a Special Tax be levied within Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21 to pay for eligible services which may include, but are not limited to (1) Public Street Lighting and (2) Landscape, Park, Trails and Recreation Improvements. The parks, open space areas, trails and recreation facilities to be operated, maintained and serviced may include, but are not limited to, the maintenance and care of all landscaping and facilities within park and open space areas facilities that service CFD No. 2018-02 (Public Services District) but may not be included within the boundaries of CFD No. 2018-02 (Public Services District). This includes trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, signs, monuments, and associated appurtenant facilities. The cost of the Services shall also include all related administrative costs and expenses, necessary utility (water and electricity) costs, and related reserves for replacement of vehicles, equipment and facilities, including the costs incurred to determine, levy and collect the special taxes, including the compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the charges imposed by the County for the levy and collection of special taxes on the property tax rolls, preparation of required reports, and amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years, to reimburse the City or any third parties for actual costs advanced that are related to the formation of the CFD, any amounts needed for operating reserves and capital reserves, and any other costs incurred in the administration of the CFD by the City, as authorized in the Resolution calling election adopted on January 9, 2024 and the Resolution of Intention referred to therein; and shall an appropriations limit be established for Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21 pursuant to Article XIII B of the California Constitution, said

YES

NO

(Continued)

appropriations limit to be equal to the amount of all proceeds of the special tax collected annually, as adjusted for changes in the cost of living and changes in population, where said Maximum Special Tax Rate for Fiscal Year 2023-24 is \$22.89 per 1,000 square foot of building floor area?

Number of votes: **8**
Property Owner: **FS Perris, LLC**
By: _____

ATTACHMENT 3

**PERRIS CFD 2018-02 ANNEXATION NO. 21
RESOLUTION DECLARING RESULTS OF
SPECIAL ELECTION**

RESOLUTION NO. XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO ANNEXATION NO. 21 AND ORDERING THE ANNEXATION OF SUCH TERRITORY, THE LEVYING OF A SPECIAL TAX WITHIN THE AREA OF ANNEXATION NO. 21 AND DIRECTING THE RECORDING OF A NOTICE OF SPECIAL TAX LIEN

The City Council (the “Council”) of the City of Perris, California (the “City”), acting in its capacity as the legislative body (the “Legislative Body”) of the Community Facilities District No. 2018-02 (Public Services District) of the City of Perris (the “District”), does hereby resolve as follows:

WHEREAS, the Legislative Body called and duly held an election in the District pursuant to Resolution No. XXXX adopted on January 9, 2024 for the purpose of presenting to the qualified electors within the certain territory proposed to be annexed to the District known and designated as “ANNEXATION No. 21” (the “Property”), a proposition for the levy of a special tax and the establishment of an appropriations limit (“Proposition A”) in accordance with the method set forth in Exhibit “A” to Resolution No. 6276 adopted on November 14, 2023 (the “Resolution of Intention”); and

WHEREAS, the landowners of record within the Property as of the close of the public hearing held on January 9, 2024 unanimously consented to a waiver of the time limits for setting the election and a waiver of any written analysis, arguments or rebuttals as set forth in California Government Code sections 53326 and 53327. Such waivers are set forth in written certificates executed by the landowners which are on file with the City Clerk as election official (the “Election Official”) concurring therein; and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the “Act”), the special election was held on January 9, 2024; and

WHEREAS, there has been presented to this Legislative Body a Certificate of the Election Official as to the Results of the Canvass of the Election Returns (the “Certificate of the Election Official”), a copy of which is attached hereto as Exhibit “A;”

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, acting in its capacity as the Legislative Body of Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, California, as follows:

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

Section 2. The canvass of the votes cast in the Property to be annexed to the District at the special election held on January 9, 2024, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. Proposition A presented to the qualified electors of the Property for receipt by the Election Official on January 9, 2024, has received a unanimous vote of the qualified electors voting at said election, and Proposition A has carried. The Legislative Body is hereby authorized to take the necessary steps to levy the special tax authorized by Proposition A on the Property.

Section 4. The City Clerk is hereby directed to enter the title of this Resolution on the minutes of the Legislative Body and to indicate the official declaration of the result of such special election.

Section 5. The Legislative Body hereby determines that the Property is added to and part of the existing District with full legal effect, and hereby authorizes the levy of a special tax at the Rate and Method of Apportionment set forth in Exhibit A to the Resolution of Intention. The whole of the territory within the Property shall be subject to the special tax consistent with the provisions of the Act.

Section 6. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Legislative Body hereby establishes the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 3 above:

- A. Such Special Tax with respect to the District shall be levied for the specific purposes set forth in Proposition A and Section 3 hereof.
- B. The proceeds of the levy of such Special Tax with respect to each Improvement Area shall be applied only to the specific purposes set forth in Section 3 hereof and Proposition A referred to therein.
- C. The District shall establish an account or accounts into which the proceeds of such Special Tax with respect to each Improvement Area shall be deposited.
- D. The City Manager, Assistant City Manager and Finance Director, or his or her designee, acting for and on behalf of the District, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

Section 7. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Riverside a notice of special tax lien in the form required by the Act, said recording to occur no later than fifteen days following adoption by the City Council of this Resolution.

Section 8. This Resolution shall take effect immediately upon its adoption.

Section 9. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

ADOPTED, SIGNED and **APPROVED** this 9th day of January 2024.

Mayor, Michael M. Vargas

ATTEST: _____
City Clerk, Nancy Salazar

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

I, NANCY SALAZAR, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of January 2024, by the following called vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

City Clerk, Nancy Salazar

Exhibit A

**COMMUNITY FACILITIES DISTRICT NO. 2018-02
(PUBLIC SERVICES DISTRICT)
OF THE CITY OF PERRIS, ANNEXATION NO. 21**

**CERTIFICATE OF THE ELECTION OFFICIAL
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

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

I, NANCY SALAZAR, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of the Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on January 9, 2024, held in

COMMUNITY FACILITIES DISTRICT NO. 2018-02 (PUBLIC SERVICES DISTRICT)
OF THE CITY OF PERRIS, ANNEXATION NO. 21

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots case within the Property to be annexed to the District for the Proposition, and the totals of the respective columns and the totals as shown for the Proposition are full, true and correct.

WITNESS my hand and Official Seal this 9th day of January 2024.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2018-02 (PUBLIC
SERVICES DISTRICT) OF THE CITY OF PERRIS

By: _____

City Clerk, Nancy Salazar

**COMMUNITY FACILITIES DISTRICT NO. 2018-02
(NORTH PERRIS PUBLIC SAFETY)
OF THE CITY OF PERRIS, ANNEXATION NO. 21**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTION**

	Qualified Landowner Votes	Total Votes Cast	YES	NO
City of Perris, Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21, Special Election, January 9, 2024	8	_____	_____	_____

PROPOSITION A: Shall the Property be annexed and shall a Special Tax be levied within Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21 to pay for eligible services which may include, but are not limited to (1) Public Street Lighting and (2) Landscape, Park, Trails and Recreation Improvements. The parks, open space areas, trails and recreation facilities to be operated, maintained and serviced may include, but are not limited to, the maintenance and care of all landscaping and facilities within park and open space areas facilities that service CFD No. 2018-02 (Public Services District) but may not be included within the boundaries of CFD No. 2018-02 (Public Services District). This includes trees, plant material, sod, irrigation systems, sidewalks, drainage facilities, weed control and other abatements, signs, monuments, and associated appurtenant facilities. The cost of the Services shall also include all related administrative costs and expenses, necessary utility (water and electricity) costs, and related reserves for replacement of vehicles, equipment and facilities, including the costs incurred to determine, levy and collect the special taxes, including the compensation of City employees for administrative work performed in relation to the CFD, the fees of consultants and legal counsel, the charges imposed by the County for the levy and collection of special taxes on the property tax rolls, preparation of required reports, and amounts needed to cure actual or estimated delinquencies in special taxes for the current or previous fiscal years, to reimburse the City or any third parties for actual costs advanced that are related to the formation of the CFD, any amounts needed for operating reserves and capital reserves, and any other costs incurred in the administration of the CFD by the City, as authorized in the Resolution calling election adopted on January 9, 2024 and the Resolution of Intention referred to therein; and shall an appropriations limit be established for Community Facilities District No. 2018-02 (Public Services District) of the City of Perris, Annexation No. 21 pursuant to Article XIIB of the California Constitution, said appropriations limit to be equal to the amount of all proceeds of the special tax collected annually,

RESOLUTION NUMBER XXXX

as adjusted for changes in the cost of living and changes in population, where said Maximum Special Tax Rate for Fiscal Year 2023-24 is \$22.89 per 1,000 square foot of building floor area?



11.D.

CITY OF PERRIS

CITY COUNCIL AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Conduct a Public Hearing and hold a Special Election for the Proposed Community Facilities District No. 2022-4 (Park West) of the City of Perris (“CFD 2022-4”) in Improvement Area No. 1, Improvement Area No. 2, and Improvement No. 3 thereof and adopt various Resolutions and introduce an Ordinance forming CFD 2022-4 and Improvement Area No. 1, Improvement Area No. 2, and Improvement No. 3 thereof. All three Improvement Areas are located south of Nuevo Road and to the east and west of Evans Road.

REQUESTED ACTION: That the City of Perris (the “City”) adopt the following resolutions, respectively:

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SUCH COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, ESTABLISHING AN APPROPRIATIONS LIMIT, AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$14,000,000 WITHIN IMPROVEMENT AREA NO. 1, \$12,000,000 WITHIN IMPROVEMENT AREA NO. 2, AND \$8,000,000 WITHIN IMPROVEMENT AREA NO. 3 OF SAID DISTRICT; AND CALLING A SPECIAL ELECTION WITHIN EACH SUCH IMPROVEMENT AREA
3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE

BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF SPECIAL TAXES THEREIN, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND AUTHORIZING EXECUTION OF ACQUISITION AND FUNDING AGREEMENTS AND A JOINT COMMUNITY FACILITIES AGREEMENT IN CONNECTION WITH THE FORMATION OF COMMUNITY FACILITIES DISTRICT 2022-4 (PARK WEST) OF THE CITY OF PERRIS; AND MAKING FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH
5. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA NO. 1, IMPROVEMENT AREA NO. 2, AND IMPROVEMENT AREA NO. 3 OF SAID DISTRICT

CONTACT: Matthew Schenk, Finance Director

BACKGROUND/DISCUSSION:

The City has received a Petition (Attachment 2) from the property owner, PW Land Investments L.P., a Delaware limited partnership (the "Developer"), to create a community facilities district for the purpose of financing public facilities in connection with a planned development project. The Petition authorizes the levy of special taxes, the issuance of bonds and establishment of an appropriations limit for the proposed community facilities district. The proposed community facilities district will be designated as "Community Facilities District No. 2022-4 (Park West) of the City of Perris." The CFD is located south of Nuevo Road and to the east and west of Evans Road. The CFD encompasses approximately 81.43 acres and is planned for 527 single family residential units, 211 of which are planned to be in Improvement Area No. 1, 184 in Improvement Area No. 2, and 132 in Improvement Area No. 3. The Petition authorizes the levy of special taxes, the issuance of bonds and establishment of an appropriations limit for the CFD and its Improvement Areas.

In the Petition, in accordance with the provisions of the Mello-Roos Act allowing certain time and conduct requirements relative to a special landowner election to be waived with the unanimous consent of all the landowners to be included in a CFD, the Developer waived such requirements of the Act for establishing CFD 2022-4 and has also waived any notices and requirements as to the form of the ballot. As such, the election can be conducted immediately after the close of tonight's Public Hearing. Moreover, the City Clerk can immediately certify the results of the election to the City Council. The City's special tax consultant has confirmed that there are no

registered voters residing within the territory of proposed CFD 2022-4 for the 90-day period preceding and including January 9, 2024, and that the Developer is the only landowner in CFD 2022-4 per the Certificate of Registrar of Voters. (See Attachment 4).

Community facilities district financing is a commonly used method of financing infrastructure and services for new development in California. Commonly referred to as “Mello-Roos,” this land-secured financing permits the local agency (i.e., the City) to issue bonds to pay for the public facilities and infrastructure costs and services of local development. Debt service on the bonds is paid from special taxes levied on real property within the CFD boundary.

The Act also authorizes a community facilities district to finance facilities to be owned or operated by an entity other than the agency that creates the community facilities district pursuant to a joint community facilities agreement. The Petition authorizes the financing of certain public facilities to be constructed, owned and operated by the Eastern Municipal Water District (EMWD), Riverside County Flood Control District (Flood Control), and/or Perris Elementary School District (PESD) in lieu of payment of fees imposed by EMWD, Flood Control and/or PESD upon the property to finance such facilities to be constructed by the Developer and acquired by EMWD, Flood Control and/or PESD. The City, the Developer and EMWD have entered into a joint community facilities agreement dated October 26, 2022 pursuant to which CFD 2022-4, when and if formed, will be authorized to finance the acquisition and/or construction of all or a portion of the EMWD facilities and/or acquisition facilities. To date, no JCFA's have been submitted for Flood Control or PESD.

Moreover, the City and the Developer intend on entering into Acquisition and Funding Agreements for each Improvement Area relating to the authorized facilities and authorized fees to be funded by the City pursuant to the Act for each Improvement Area.

In connection with the formation of CFD 2022-4, the City Council has taken the following actions thus far:

1. On April 12, 2022, the City Council approved a Deposit and Reimbursement Agreement with the Developer to provide for the deposit of the funds to cover the City's expenses in connection with the formation of a community facilities district and the issuance of special tax bonds.
2. On November 14, 2023, the City Council approved Resolutions Nos. 6277 and 6278 declaring intent to form CFD 2022-4, authorize future bonded indebtedness in the amount not to exceed \$14,000,000 within Improvement Area No. 1, \$12,000,000 within Improvement Area No. 2, and \$8,000,000 within Improvement Area No. 3 and set the time and place for tonight's Public Hearing.

PUBLIC HEARING AND TONIGHT'S ACTIONS:

The proposed CFD 2022-4 will meet all requirements of the City's amended local goals and policies specified in the Debt Issuance and Management Policy adopted on January 10, 2023.

The City Council has initiated proceedings to consider the establishment of a community facilities district pursuant to the provisions of the Act. Tonight's Public Hearing will provide the public an opportunity to provide testimony related to the formation of CFD 2022-4 and the CFD Report

(Attachment 5) prepared by Willdan & Associates. The CFD Report describes the CFD boundaries, the rate and method of apportionment of the special taxes to be levied and the facilities to be financed by CFD 2022-4.

The below table shows the special taxes which would be applicable to an Assessor's Parcel classified as Developed Property, as defined in the rate and method of apportionment, commencing in Fiscal year 2024-25:

Improvement Area	Land Use Class	Land Use Type	Building Square Footage	Assigned Special Tax
1	1	Residential Property	> 3,300	\$3,253 per Residential Unit
1	2	Residential Property	3,101 – 3,300	\$3,136 per Residential Unit
1	3	Residential Property	2,901 – 3,100	\$3,019 per Residential Unit
1	4	Residential Property	2,701 – 2,900	\$2,902 per Residential Unit
1	5	Residential Property	2,501 – 2,700	\$2,785 per Residential Unit
1	6	Residential Property	2,301 – 2,500	\$2,667 per Residential Unit
1	7	Residential Property	2,101 – 2,300	\$2,550 per Residential Unit
1	8	Residential Property	≤ 2,100	\$2,432 per Residential Unit
1	9	Non-Residential Property	N/A	\$18,150 per Acre

Improvement Area	Land Use Class	Land Use Type	Building Square Footage	Assigned Special Tax
2	1	Residential Property	> 3,300	\$3,146 per Residential Unit
2	2	Residential Property	3,101 – 3,300	\$3,032 per Residential Unit
2	3	Residential Property	2,901 – 3,100	\$2,917 per Residential Unit
2	4	Residential Property	2,701 – 2,900	\$2,802 per Residential Unit
2	5	Residential Property	2,501 – 2,700	\$2,687 per Residential Unit
2	6	Residential Property	2,301 – 2,500	\$2,572 per Residential Unit
2	7	Residential Property	2,101 – 2,300	\$2,457 per Residential Unit
2	8	Residential Property	≤ 2,100	\$2,342 per Residential Unit

2	9	Non-Residential Property	N/A	\$23,071 per Acre
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Improvement Area	Land Use Class	Land Use Type	Building Square Footage	Assigned Special Tax
3	1	Residential Property	> 3,300	\$3,253 per Residential Unit
3	2	Residential Property	3,101 – 3,300	\$3,136 per Residential Unit
3	3	Residential Property	2,901 – 3,100	\$3,019 per Residential Unit
3	4	Residential Property	2,701 – 2,900	\$2,902 per Residential Unit
3	5	Residential Property	2,501 – 2,700	\$2,785 per Residential Unit
3	6	Residential Property	2,301 – 2,500	\$2,667 per Residential Unit
3	7	Residential Property	2,101 – 2,300	\$2,550 per Residential Unit
3	8	Residential Property	≤ 2,100	\$2,432 per Residential Unit
3	9	Non-Residential Property	N/A	\$20,349 per Acre

Every year the maximum tax will increase by 2%. The proceedings to establish CFD 2022-4 will be accomplished by the adoption of the Resolution of Formation, as well as the other Resolutions and the Ordinance, identified in the recommended actions. The City Council will be taking certain actions including:

1. Adopt a Resolution of the City Council of the City of Perris determining the validity of prior proceedings, establishing Community Facilities District No. 2022-4 (Park West) of the City of Perris, authorizing the levy of a special tax within such Community Facilities District No. 2022-4 (Park West) of the City of Perris, establishing an appropriations limit, and taking certain other actions relating to said District. (Attachment 6).
2. Adopt a Resolution of the City Council of the City of Perris acting in its capacity as the legislative body of Community Facilities District No. 2022-4 (Park West) of the City of Perris, determining the necessity to incur bonded indebtedness in an amount not to exceed \$14,000,000 within proposed Improvement Area No. 1, \$12,000,000 within Improvement Area No. 2, \$8,000,000 within proposed Improvement Area No. 3 of said District; and calling a special election within the District. (Attachment 7).

After the Resolution of Formation and the Resolution calling the special election are adopted, the City Clerk will open the ballots and state the results of the election. As mentioned above the Developer expressly consented to the conduct of the special election at the earliest possible time following the adoption of the Resolution of Formation and expressly waived the noticing and time requirements of Section 53326 of the Government Code and the California Elections Code.

Accordingly, the election is an all-mailed or personal delivery ballot landowner election, and the ballots for the special election have been mailed or personally delivered to the Developer. The ballot contains a proposition relating to the levying of the special taxes, the incurring of bonded indebtedness and the establishment of an appropriations limit for Improvement Areas No. 1, 2, and 3 of CFD 2022-4, respectively. (Attachment 3). If the results of the special election reveal that the propositions have received the affirmative vote of two-thirds of the votes cast, the City Council will then:

3. Adopt Resolution declaring the results of the consolidated special election for CFD 2022-4. (Attachment 8).
4. Adopt Resolution approving execution of the Joint Community Facilities Agreement and Acquisition and Funding Agreements for each Improvement Area. (Attachment 9).
5. Adopt a motion to introduce and waive the first reading of the Ordinance authorizing the levy of special taxes within CFD 2022-4. (Attachment 10).

CONCLUSION AND NEXT STEPS

Adopting the attached Resolutions and Ordinance is the last step to establish CFD 2022-4, authorize special taxes and incur a bonded indebtedness. Following tonight's Public Hearing, the proposed schedule to complete the formation of CFD 2022-4 is as follows:

- February 13, 2024: Second reading of Ordinance authorizing special tax levy
- March 14, 2024: Ordinance authorizing special tax levy becomes effective

The Resolutions, Ordinance and related documents have been prepared and reviewed by the City's finance team, which includes bond counsel, municipal advisor, and special tax consultant.

FISCAL IMPACT

The recommended action carries no immediate fiscal impact on the City. The formation of CFD 2022-4 will occur after tonight's public hearing. Any further obligation of the City to pay costs for CFD formation will be reimbursed out of the Developer's Deposit.

BUDGET (or FISCAL) IMPACT: None. Costs will be paid out of the Developer's Deposit.

Prepared by: Matthew Schenk, Director of Finance

REVIEWED BY:

City Attorney _____
Assistant City Manager _____
Deputy City Manager _____

Attachments:

1. Vicinity Map
2. Landowner's Petition & Waiver (Due to size this item is on file in the City Clerk's Office)
3. Certificate of Registrar of Voters
4. CFD Report (Due to size this item is on file in the City Clerk's Office)
5. Resolution of Formation
6. Resolution Determining Necessity to Incur Bonded Indebtedness and Calling Election
7. Landowner's Ballot
8. Resolution Declaring Results of Election
9. Resolution Approving the Acquisition Agreement (Due to size the Exhibits to the Resolution are on file in the City Clerk's Office)
10. Ordinance Authorizing Levy of Special Tax (Due to size the Exhibits to the Ordinance are on file in the City Clerk's Office)

Consent:

Public Hearing: X

Business Item:

Presentation:

Other:

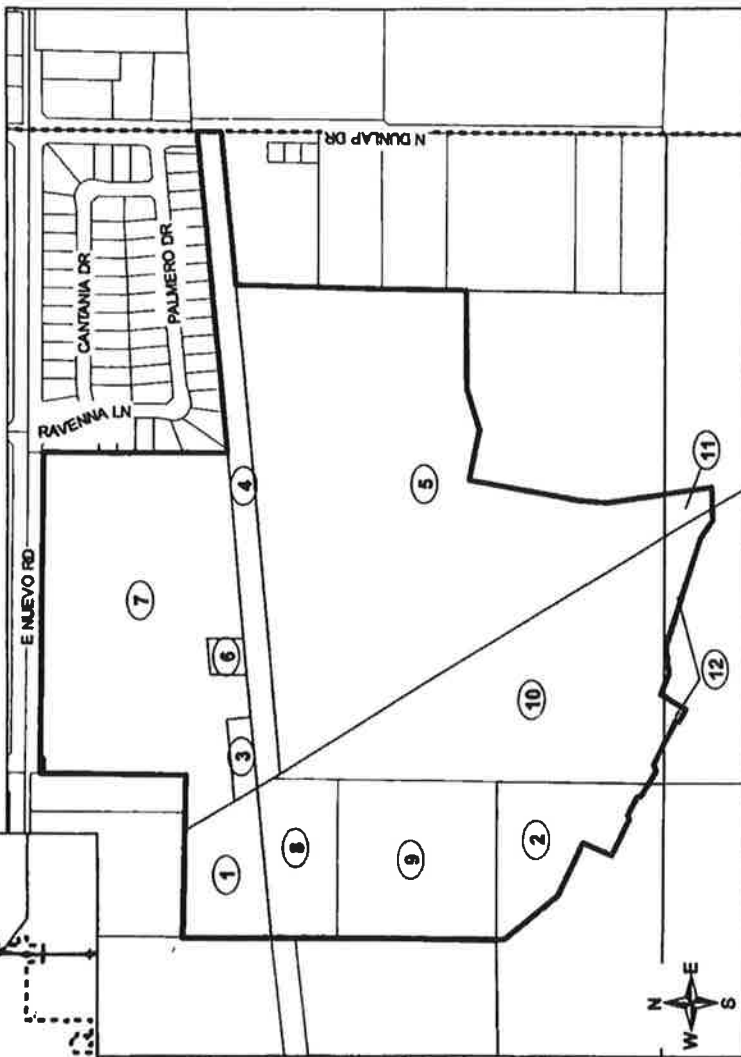
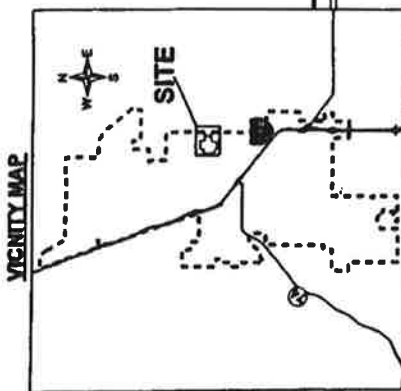
ATTACHMENT 1

Vicinity Map

COPY

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA



- Legend**
- Proposed CFD Boundary
 - Map Reference Number
 - City of Perris Boundary

FILED IN THE OFFICE OF THE CITY CLERK THIS 14th DAY OF November, 2023

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST), 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 14th DAY OF November, 2023 BY ITS RESOLUTION NO. 12377

[Signature]
CITY CLERK
CITY OF PERRIS

FILED THIS 20 DAY OF November, 2023 AT THE HOUR OF 10:11 O'CLOCK A.M. IN BOOK 52 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE(S) 24-25 IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA. Fee: \$11 Recording Fee: \$238-00000000

PETER ALDAMA, ASSESSOR-COUNTY CLERK-RECORDER

[Signature]
BY SEBASTIAN
COUNTY RECORDER
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS MAP SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON COUNTY OF RIVERSIDE TRACT MAP NO. 38375, RECORDED IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA ON OCTOBER, 2023 AS INSTRUMENT NUMBER 2023.

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	310-180-008
2	Portion of 310-180-011
3	310-180-016
4	310-180-020
5	Portion of 310-180-021
6	310-180-048
7	310-180-055
8	310-180-061
9	310-180-062
10	Portion of 310-180-063
11	Portion of 310-180-010
12	Portion of 310-180-025

* REPRESENTS THE ASSESSOR PARCEL NUMBER FOR THOSE PARCELS OR PORTIONS THEREOF INCLUDED WITHIN THE BOUNDARY OF COUNTY OF RIVERSIDE TRACT MAP NO. 38375.

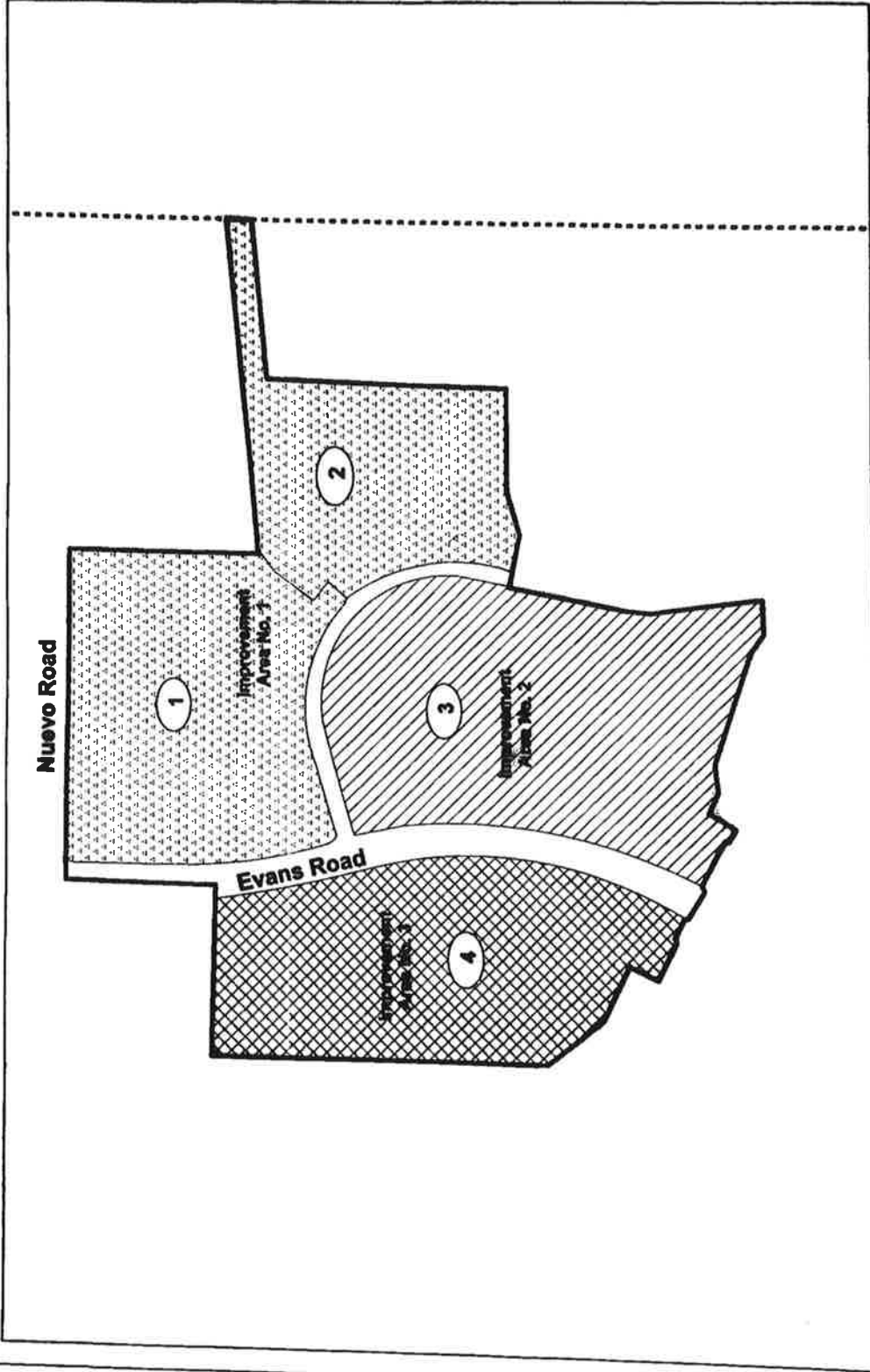


CA

SHEET 2 OF 2

MAP OF PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA



Legend

- Proposed CFD Boundary
- City of Perris Boundary
- Improvement Areas**
- Improvement Area No. 1
- Improvement Area No. 2
- Improvement Area No. 3
- Lot Number of Tract Map No. 38376

WILLDAN
Financial Services
2708 VIA INDUSTRIA, SUITE 100
PERRIS, CA 92506
(951) 987-3885

ATTACHMENT 2

Landowner's Petition

Due to size this item is on file in the City Clerk's Office

ATTACHMENT 3

Certificate of Registrar of Voters

REBECCA SPENCER
Registrar of Voters



ART TINOCO
Assistant Registrar of Voters

REGISTRAR OF VOTERS
COUNTY OF RIVERSIDE

CERTIFICATE OF REGISTRAR OF VOTERS

State of California)
) ss
County of Riverside)

I, **Rebecca Spencer**, Registrar of Voters of said County, hereby certify that:

(A) I have been furnished a map describing the proposed boundary of Community Facilities District No. 2022-4, (Park West), of the City of Perris, of the County of Riverside, State of California.

(B) On May 20, 2022, I conducted, or caused to be conducted, a review of the voter registration records of the County of Riverside for the purpose of determining the number of voters registered to vote within the proposed boundary of Community Facilities District No. 2022-4, (Park West), of the City of Perris, of the County of Riverside.

(C) There are 0 registered voters residing within the proposed boundary of Community Facilities District No. 2022-4, (Park West), of the City of Perris, of the County of Riverside.

IN WITNESS WHEREOF, I have executed this Certificate on this 20th day of May 2022.

Rebecca Spencer
Registrar of Voters

By: 
Art Tinoco
Assistant Registrar of Voters

ATTACHMENT 4

CFD Report

Due to size this item is on file in the City Clerk's Office

ATTACHMENT 5

Resolution of Formation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS, ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SUCH COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, ESTABLISHING AN APPROPRIATIONS LIMIT, AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT

WHEREAS, the City Council (the “Council”) of the City of Perris, California (the “City”), on November 14, 2023, has heretofore adopted its Resolution No. 6277 (the “Resolution of Intention”) stating its intention to form Community Facilities District No. 2022-4 (Park West) of the City of Perris (the “District”) and Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 thereof (each an “Improvement Area” and, collectively, the “Improvement Areas”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”); and

WHEREAS, it is the intent of the District to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property described in Exhibit “D” hereto and incorporated herein by this reference, including all furnishings, equipment and supplies related thereto; (2) the payment of development and other fees and the acquisition or construction of public facilities (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (3) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”); and

WHEREAS, the District will be in compliance with all the requirements of the City’s adopted local goals and policies specified in its Debt Issuance and Management Policy (the “Debt Policy”), adopted on January 10, 2023; and

WHEREAS, the Resolution of Intention set January 9, 2024, as the date of the public hearing on the formation of the District; and

WHEREAS, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the District and the Improvement Areas, the Facilities, and setting forth the rate and method of apportionment and manner of collection of the special tax to be levied within each Improvement Area of the District, is on file with the City Clerk and incorporated herein by reference; and

WHEREAS, a report by each City officer who is or will be responsible for the District (the “Report”), has been filed with the Council pursuant to the Resolution of Intention; and

WHEREAS, on January 9, 2024, pursuant to the Resolution of Intention, this Council held said public hearing as required by law and the Act; and

WHEREAS, at said hearing all persons not exempt from the special tax desiring to be heard on all matters pertaining to the formation of the District, including the boundaries of the District and the Improvement Areas therein, the special tax, and the Facilities, were heard and a full and fair hearing was held, and such matters were not precluded by a majority protest; and

WHEREAS, at said hearing evidence was presented to the Council on said matters before it, and this Council at the conclusion of said hearing is fully advised in the premises;

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

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

Section 2. Pursuant to Section 53325.1(b) of the Government Code, the Council finds and determines that the proceedings prior hereto were valid and in conformity with the requirements of the Act including, without limitation, the following:

(i) Filing of a petition of a landowner requesting institution of proceedings to establish the District;

(ii) Adoption of a Resolution of Intention to establish the District;

(iii) Adoption of a Resolution of Intention to Incur Bonded Indebtedness in an amount not to exceed \$14,000,000 within Improvement Area No. 1, an amount not to exceed \$12,000,000 within Improvement Area No. 2, and an amount not to exceed \$8,000,000 within Improvement Area No. 3;

(iv) Publication and mailing of notice of public hearing on the establishment of the District and of the proposed debt issue;

(v) Conducting of a public hearing on the establishment of the District and the Improvement Areas, the proposed public facilities and the incurring of the proposed debt, at which time all interested persons or taxpayers not exempt from the special tax were permitted to protest orally or in writing against the establishment of the District and the Improvement Areas, were permitted to file written protests to the regularity or sufficiency of the proceedings, and any person interested, including persons owning property within the District, were permitted to appear and present any matters material to the questions set forth in the Resolution of Intention to Incur Bonded Indebtedness.

Section 3. The Report, as now submitted is hereby approved and is made a part of the record of the hearing, and is ordered kept on file with the transcript of these proceedings and open for public inspection.

Section 4. A community facilities district to be designated “Community Facilities District No. 2022-4 (Park West) of the City of Perris” is hereby established pursuant to the Act, consisting of Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3.

Section 5. The description and map of the boundaries of the District on file in the City Clerk's office and as described in said Resolution of Intention and incorporated herein by reference, shall be the boundaries of the District and the Improvement Areas. The map of the proposed boundaries of the District has been recorded in the Office of the County Recorder of Riverside County, California in Book 92, Pages 40-41 of the Book of Maps of Assessment and Community Facilities Districts, as Document Number 2023-0347787.

Section 6. The type of public facilities authorized to be provided within the District include certain real and other tangible property with an estimated useful life of five years or longer, including public infrastructure facilities, and other governmental facilities which the City, the Eastern Municipal Water District (“EMWD”), Riverside County Flood Control District (“Flood Control”), and the Perris Elementary School District (“PESD”) is authorized by law to construct, acquire, own, operate or contribute revenue to, within or without the District, which is necessary to meet increased demands placed upon the City as result of development or rehabilitation occurring within the District. The public facilities are more fully described in Exhibit “DC” attached hereto and by this reference incorporated herein.

Section 7. Except where funds are otherwise available, there shall be levied annually in accordance with procedures contained in the Act a special tax within each Improvement Area of the District (the “Special Tax”) sufficient to pay for the costs of financing the acquisition and/or construction of the Facilities and Incidental Expenses, including the principal and interest and other periodic costs on bonds or other indebtedness proposed to be issued to finance the Facilities and Incidental Expenses, including the establishment and replenishment of any reserve funds, the credit enhancement fees, the costs of administering the levy and collection of the Special Tax and all other costs of the levy of the Special Tax and issuance of the bonds, including any foreclosure proceedings, architectural, engineering, inspection, legal, fiscal, and financial consultant fees, discount fees, capitalized interest on bonds, if applicable, election costs and all costs of issuance of the bonds, including, but not limited to, fees for bond counsel, disclosure counsel, financing consultants and printing costs, and all other administrative costs of the tax levy and bond issue. The Special Tax will be secured by recordation of a continuing lien against all non-exempt real property in the District. In the first year in which such a Special Tax is levied, the levy shall include a sum sufficient to repay to the City all amounts, if any, transferred to the District pursuant to Section 53314 of the Act and interest thereon. The schedule of the rate and method of apportionment and manner of collection of the Special Tax within Improvement Area No. 1, Improvement No. 2, and Improvement Area No. 3 ~~and Improvement Area No. 4~~ of the proposed District is described in detail in Exhibit “A”, Exhibit “B”, and Exhibit “C”, respectively, attached hereto and incorporated herein by this reference (the “Rate and Methods”). The Special Tax is based upon the cost of financing the Facilities and Incidental Expenses in the District, the demand that each parcel will place on the Facilities and the benefit (direct and/or indirect) received by each parcel from the Facilities.

Section 8. If the Special Tax is levied against any parcel used for private residential purposes, (i) the maximum special tax rate shall not be increased over time except that it may be increased by an amount not to exceed two percent (2%) per year to the extent permitted in the rate and method of apportionment; (ii) such tax shall be levied for a period not to exceed fifty (50) years commencing with Fiscal Year 2024-2025, as further described in Exhibit "A", Exhibit "B" and Exhibit "C" hereto; and (iii) under no circumstances will such special tax levied in any fiscal year be increased as a consequence of delinquency or default by the owner of any other parcel within the respective Improvement Area of the District by more than ten percent (10%) above the amount that would have been levied in that fiscal year had there never been any such delinquency or default.

Section 9. The Special Tax is based on the expected demand that each parcel of real property within the District will place on the Facilities on the benefit that each parcel derives from the right to access the Facilities and on other factors. The Council hereby determines that the proposed Facilities are necessary to meet the increased demand placed upon the City and the existing infrastructure in the City as a result of the development of land proposed for inclusion into the District. The Council hereby determines the Rate and Methods set forth in Exhibit "A", Exhibit "B", and Exhibit "C" to be reasonable. The Special Tax is apportioned to each parcel within the District on the foregoing basis pursuant to Section 53325.3 of the Act and such special tax is not based upon the value or ownership of real property. In the event that a portion of the property within an Improvement Area the District shall become for any reason exempt, wholly or partially, from the levy of the Special Tax, the Council shall, on behalf of the respective Improvement Area of the District, increase the levy to the extent necessary upon the remaining property within the respective Improvement Area which is not delinquent or exempt in order to yield the required payments, subject to the maximum tax. The obligation to pay special taxes may be prepaid as set forth in Exhibit "A", Exhibit "B", and Exhibit "C", respectively.

Section 10. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Council hereby establishes the following accountability measures pertaining to the levy by the District of the Special Tax described in Section 7 above:

(i) Such Special Tax shall be levied for the specific purposes set forth in Section 7 hereof.

(ii) The proceeds of the levy of such Special Tax shall be applied only to the specific purposes set forth in Section 7 hereof.

(iii) The District shall establish an account or accounts into which the proceeds of such Special Tax shall be deposited.

(iv) The City Manager or the City Finance Director/Treasurer, or their designee, acting for and on behalf of the District, shall annually file a report with the Council as required pursuant to Government Code Section 50075.3.

Section 11. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special tax

shall attach to all nonexempt real property in each Improvement Area of the District, and this lien shall continue in force and effect until the special tax obligation is prepaid or otherwise permanently satisfied and the lien cancelled in accordance with law or until collection of the tax within an Improvement Area by the District ceases.

Section 12. The Council finds that the Facilities are necessary to meet the increased demand put upon the City as a result of the development within the District.

Section 13. The Council finds that there is not an ad valorem property tax currently being levied on property within the proposed District for the exclusive purpose of paying principal of or interest on bonds or other indebtedness incurred to finance construction of capital facilities which provide the same services to the territory of the District as provided by the Facilities.

Section 14. Appropriation limits for Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District are hereby established at \$14,000,000, \$123,000,000, and \$8,000,000, respectively, and as defined by Article XIII B of the California Constitution, as adjusted for changes in the cost of living and changes in population.

Section 15. Written protests against the establishment of the District, or against the furnishing of specified services or facilities or the levying of a specified special tax within each Improvement Area of the District, have not been filed by fifty percent (50%) or more of the registered voters or property owners of one-half (1/2) or more of the area of land within the District or of the respective Improvement Area thereof.

Section 16. The Special Tax to be levied in the Improvement Areas of the District to pay for all the proposed Facilities has not been precluded by protests by owners of one-half (1/2) or more of the land in the territory included in the District or of the respective Improvement Area thereof pursuant to Government Code Section 53324.

Section 17. The Office of the City Manager, 101 North "D" Street, Perris, California 92570, or its designee, is designated to be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and for estimating future special tax levies pursuant to Section 53340.1 of the Government Code.

Section 18. The City Clerk is directed to certify and attest to this Resolution and to take any and all necessary acts to call, hold, canvass and certify an election or elections on the incurring of bonded indebtedness, the levy of the special taxes, and the establishment of the appropriation limits for each Improvement Area, respectively.

ADOPTED, SIGNED and APPROVED this 9th day of January, 2024.

MAYOR OF THE CITY OF PERRIS

Attest:

CITY CLERK OF THE CITY OF PERRIS

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

I, Nancy Salazar-Rey, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number ____ was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 9th day of January, 2024, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:

By: _____
City Clerk

EXHIBIT A

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR IMPROVEMENT AREA NO. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

[SEE ATTACHED]

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) IMPROVEMENT AREA NO. 1

A Special Tax shall be levied on all Taxable Property within the boundaries of Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris (“CFD No. 2022-4 IA1”) and collected each Fiscal Year commencing in Fiscal Year 2024-25, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD No. 2022-4 IA1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

1. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Acre**” or “**Acreage**” means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map. An Acre means 43,560 square feet of land.

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

“**Administrative Expenses**” means the following actual or reasonably estimated costs related to the administration of CFD No. 2022-4 IA1 including, but not limited to: the costs of preparing and computing the Annual Special Tax (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the City, the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 2022-4 IA1, or any designee thereof complying with arbitrage rebate requirements, including without limitation rebate liability costs and periodic rebate calculations; the costs to the City, CFD No. 2022-4 IA1, or any designee thereof complying with disclosure or reporting requirements of the City or CFD No. 2022-4 IA1, associated with applicable federal and State laws; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs to the City, CFD No. 2022-4 IA1, or any designee thereof related to an appeal of the Special Tax; and the City’s annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2022-4 IA1 for any other administrative purposes of CFD No. 2022-4 IA1, including attorney’s fees and other costs related to commencing and pursuing any foreclosure of delinquent Special Taxes.

“**Annual Special Tax**” means the Special Tax actually levied in any Fiscal Year on any Assessor’s Parcel.

“**Assessor**” means the Assessor of the County of Riverside.

“Assessor's Parcel” means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

“Assessor's Parcel Map” means an official map of the Assessor designating parcels by Assessor's Parcel Number.

“Assessor's Parcel Number” means the number assigned to an Assessor's Parcel by the County for purposes of identification.

“Assigned Special Tax” means the Special Tax of that name described in Section 3.A below.

“Backup Special Tax” means the Special Tax of that name described in Section 3.B below.

“Bonds” means any bonds or other Debt of CFD No. 2022-4 IA1, whether in one or more series, secured by the levy of Special Taxes.

“Boundary Map” means the map of the boundaries of CFD No. 2022-4 recorded on ___ in the Riverside County Recorder's Office in Book __, Page __, of Maps of Assessments and Community Facilities Districts (instrument number ___-___).

“Building Permit” means a building permit for construction of a Residential Unit within CFD No. 2022-4 IA1 issued by the City.

“Building Square Footage” means all of the square footage of usable area within the perimeter of a primary residential structure, not including any carport, walkway, garage, overhang, or similar area. The determination of Building Square Footage shall be made by reference to the Building Permit(s) issued for such Assessor's Parcel and/or by reference to appropriate records kept by the City.

“Calendar Year” means the period commencing January 1 of any year and ending the following December 31.

“CFD Administrator” means an authorized representative of the City, or designee thereof, responsible for determining the Special Tax Requirement, for preparing the Annual Special Tax roll and/or calculating the Backup Special Tax.

“CFD No. 2022-4” means the Community Facilities District No. 2022-4 (Park West) Improvement Area No. 1 of the City of Perris.

“City” means the City of Perris, California.

“Council” means the City Council of the City acting as the legislative body of CFD No. 2022-4 under the Act.

“County” means the County of Riverside, California.

“Debt” means any binding obligation to pay or repay a sum of money, including obligations in the form of bonds, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts.

“Debt Service” means for each Fiscal Year, the total amount of principal and interest payable on any Outstanding Bonds during the Calendar Year commencing on January 1 of such Fiscal Year.

“Developed Property” means for each Fiscal Year, all Taxable Property, exclusive of Provisional Property and Provisional Welfare Property, for which a Building Permit was issued prior to May

1 of the previous Fiscal Year. An Assessor's Parcel classified as Developed Property but for which the Building Permit that caused such Assessor's Parcel to be classified as Developed Property has been cancelled and/or voided prior to the Fiscal Year for which Special Taxes are being levied shall be reclassified as Undeveloped Property, provided that the levy of the Annual Special Tax after such reclassification shall not be less than 1.1 times the annual Debt Service less Administrative Expenses on all Outstanding Bonds. If Bonds have not been issued, an Assessor's Parcel classified as Developed Property for which such a Building Permit has been cancelled and/or voided shall be reclassified as Undeveloped Property.

"Exempt Property" means for each Fiscal Year, all Assessor's Parcels designated as being exempt from Special Taxes pursuant to Section 8 below.

"Final Map" means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 4285 that creates individual lots for which Building Permits may be issued without further subdivision.

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

"Indenture" means the indenture, fiscal agent agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Land Use Class" means any of the classes listed in Table 1 under Section 3 below.

"Lot" means a parcel created by a Final Map on which a Residential Unit can be constructed.

"Lower Income Households Welfare Exemption Property" means, for each Fiscal Year, an Assessor's Parcel that is entitled to a welfare exemption under subdivision (g) of Section 214 of the California Revenue and Taxation Code (or any successor statute), as indicated in the County Assessor's roll finalized as of January 1 of the previous Fiscal Year; provided that such Assessor's Parcel shall not be classified as Lower Income Households Welfare Exemption Property if Debt is outstanding for CFD No. 2022-4 IA1 and the Assessor's Parcel was assumed to be subject to the Special Tax prior to receiving the exemption, in which case the Assessor's Parcel shall remain subject to the Special Tax and the Special Tax shall be enforceable against the Assessor's Parcel.

"Maximum Special Tax" means for each Assessor's Parcel, the maximum Special Tax, determined in accordance with Sections 3.C and 3.D below, which may be levied in a given Fiscal Year on such Assessor's Parcel of Taxable Property.

"Non-Residential Property" means all Assessor's Parcels of Developed Property for which a building permit has been issued for the purpose of constructing one or more non-residential units or facilities.

"Outstanding Bonds" means all Bonds, which are deemed to be outstanding under the Indenture.

"Prepayment Amount" means the amount required to prepay the Annual Special Tax obligation in full in or in part for an Assessor's Parcel as described in Section 6 below.

"Property Owner Association Property" means any Assessor's Parcel within the boundaries of CFD No. 2022-4 IA1 owned in fee by a property owner association, including any master or sub-association.

“Proportionately” or “Proportionate” means for Developed Property, that the ratio of the actual Special Tax levy to the applicable Assigned Special Tax or Backup Special Tax is equal for all Assessor’s Parcels of Developed Property. For Undeveloped Property, "Proportionately" means that the ratio of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is equal for all Assessor's Parcels of Undeveloped Property. **“Proportionately”** may similarly be applied to other categories of Taxable Property as listed in Section 4 below.

“Provisional Property” means all Assessor’s Parcels of Public Property, Property Owner Association Property or property that would otherwise be classified as Exempt Property pursuant to the provisions of Section 8, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage as set forth in Section 8.

“Provisional Welfare Property” means all Assessor’s Parcels of Lower Income Households Welfare Exemption Property that would otherwise be classified as Exempt Property pursuant to the provisions of Section 8, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage as set forth in Section 8.

“Public Property” means any property within the boundaries of CFD No. 2022-4 IA1, which is owned by, or irrevocably offered for dedication to the federal government, the State of California, the County, the City or any other public agency; provided however that any property owned by a public agency and leased to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use.

“Residential Property” means all Assessor’s Parcels for which a Building Permit has been issued for the purpose of constructing one or more Residential Units.

“Residential Unit” means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental, separate from adjacent residential dwelling units. This definition does not include Accessory Dwelling Units as defined in the State of California Government Code section 65852.2.

“Special Tax” means any special tax levied within CFD No. 2022-4 IA1 pursuant to the Act and this Rate and Method of Apportionment of Special Tax.

“Special Tax Obligation” means the total obligation of an Assessor’s Parcel of Taxable Property to pay the Special Tax for the remaining life of CFD No. 2022-4 IA1.

“Special Tax Requirement” means that amount required in any Fiscal Year to: (i) pay regularly scheduled Debt Service on all Outstanding Bonds; (ii) pay periodic costs on the Outstanding Bonds, including but not limited to, credit enhancement and rebate payments on the Outstanding Bonds; (iii) pay Administrative Fees and Expenses; (iv) pay any amounts required to establish or replenish any reserve funds for all Outstanding Bonds; (v) accumulate funds to pay directly for acquisition or construction of facilities provided that the inclusion of such amount does not result in a levy beyond Step 1 of Section 4; and (vi) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less (vii) a credit for funds available to reduce the Annual Special Tax levy, as determined by the CFD Administrator pursuant to the Indenture.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of CFD No. 2022-4 IA1, which are not exempt from the levy of the Special Tax pursuant to law or Section 8 below.

“Trustee” means the trustee or fiscal agent under the Indenture.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property or Provisional Property.

2. LAND USE CLASSIFICATION

Each Fiscal Year, beginning with Fiscal Year 2024-25, each Assessor’s Parcel within CFD No. 2022-4 IA1 shall be classified as Taxable Property or Exempt Property. In addition, all Taxable Property shall further be classified as Developed Property, Undeveloped Property, Provisional Welfare Property, or Provisional Property, and all such Taxable Property shall be subject to the levy of Special Taxes in accordance with this Rate and Method of Apportionment of Special Tax determined pursuant to Sections 3 and 4 below. Furthermore, each Assessor’s Parcel of Developed Property and Provisional Welfare Property shall be classified according to its applicable Land Use Class based on its Building Square Footage.

3. SPECIAL TAX RATES

A. Assigned Special Tax for Developed Property and Provisional Welfare Property

The Assigned Special Tax applicable to an Assessor's Parcel classified as Developed Property or Provisional Welfare Property commencing in Fiscal Year 2024-25 shall be determined pursuant to Table 1 below.

**Table 1
Assigned Special Tax
Fiscal Year 2024-25**

Land Use Class	Land Use Type	Building Square Footage	Assigned Special Tax
1	Residential Property	> 3,300	\$3,253 per Residential Unit
2	Residential Property	3,101 – 3,300	\$3,136 per Residential Unit
3	Residential Property	2,901 – 3,100	\$3,019 per Residential Unit
4	Residential Property	2,701 – 2,900	\$2,902 per Residential Unit
5	Residential Property	2,501 – 2,700	\$2,785 per Residential Unit
6	Residential Property	2,301 – 2,500	\$2,667 per Residential Unit
7	Residential Property	2,101 – 2,300	\$2,550 per Residential Unit
8	Residential Property	≤ 2,100	\$2,432 per Residential Unit
9	Non-Residential Property	N/A	\$18,150 per Acre

Each July 1, commencing July 1, 2025, the Assigned Special Tax for Developed Property and Provisional Welfare Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

B. Backup Special Tax for Developed Property and Provisional Welfare Property

The Backup Special Tax for Developed Property and Provisional Welfare Property commencing in Fiscal Year 2024-25 shall be \$18,150 per Acre. Each July 1, commencing July 1, 2025, the Backup Special Tax for Developed Property and Provisional Welfare Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

For the purpose of calculating the Backup Special Tax, the land area applicable to a Condominium shall be computed from the Acreage of the Lot on which the Condominium is located, with the Acreage for such Lot allocated equally among all of the Condominiums located or to be located on such Lot.

C. Maximum Special Tax for Developed Property and Provisional Welfare Property

The Maximum Special Tax for Developed Property and Provisional Welfare Property shall be the greater of the Assigned Special Tax for Developed Property and Provisional Welfare Property or the Backup Special Tax for Developed Property and Provisional Welfare Property.

D. Maximum Special Tax for Provisional Property and Undeveloped Property

The Maximum Special Tax for Provisional Property and Undeveloped Property commencing in Fiscal Year 2024-25 shall be \$18,150 per Acre. Each July 1, commencing July 1, 2025, the Maximum Special Tax for Provisional Property and Undeveloped Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

4. METHOD OF APPORTIONMENT

For each Fiscal Year, commencing Fiscal Year 2024-25, the CFD Administrator shall levy the Special Tax on all Taxable Property in accordance with the following steps:

Step 1: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property in an amount up to 100% of the applicable Assigned Special Tax as necessary to satisfy the Special Tax Requirement;

Step 2: If additional monies are needed to satisfy the Special Tax Requirement after Step 1 has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property;

Step 3: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, then the Special Tax amount determined in Step 1 shall be increased Proportionately on each Assessor's Parcel of Developed Property up to 100% of the Maximum Special Tax for Developed Property;

Step 4: If additional monies are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Welfare Property up to 100% of the Maximum Special Tax for Provisional Welfare Property;

Step 5: If additional monies are needed to satisfy the Special Tax Requirement after the first four steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the Maximum Special Tax for Provisional Property;

Notwithstanding the above, under no circumstances will the Special Tax levied in any Fiscal Year against any Assessor's Parcel of Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of a delinquency or default in the payment of the Special Tax applicable to any other Assessor's Parcel within CFD No. 2022-4 IA1 by more than ten percent (10%) above what would have been levied in the absence of such delinquencies or defaults.

5. COLLECTION OF SPECIAL TAXES

Collection of the Annual Special Tax shall be made by the County in the same manner as ordinary ad valorem property taxes are collected and the Annual Special Tax shall be subject to the same penalties and the same lien priority in the case of delinquency as ad valorem taxes; provided, however, that the Council may provide for (i) other means of collecting the Special Tax, including direct billings thereof to the property owners; and (ii) judicial foreclosure of delinquent Annual Special Taxes.

6. PREPAYMENT OF SPECIAL TAX OBLIGATION

A. Prepayment in Full

Property owners may prepay and permanently satisfy the Special Tax Obligation by a cash settlement with the City as permitted under Government Code Section 53344. The following definitions apply to this Section 6:

"CFD Public Facilities Costs" means \$9,500,000 or such lower number as (i) shall be determined by the CFD Administrator as sufficient to acquire or construct the facilities to be financed under the Act and financing program for CFD No. 2022-4 IA1, or (ii) shall be determined by the Council concurrently with a covenant that it will not issue any more Bonds (except refunding bonds).

"Construction Fund" means the fund (regardless of its name) established pursuant to the Indenture to hold funds, which are currently available for expenditure to acquire or construct the facilities or pay fees authorized to be funded by CFD No. 2022-4.

"Future Facilities Costs" means the CFD Public Facilities Costs minus (i) costs previously paid from the Construction Fund to acquire or construct the facilities, (ii) monies currently on deposit in the Construction Fund, and (iii) monies currently on deposit in an escrow or other designated fund that are expected to be available to finance CFD Public Facilities Costs.

"Outstanding Bonds" means all Previously Issued Bonds, which remain outstanding as of the first interest and/or principal payment date following the current Fiscal Year excluding Bonds to be redeemed at a later date with proceeds of prior Special Tax prepayments.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

The Special Tax Obligation applicable to an Assessor’s Parcel of Taxable Property for which a Building Permit has been issued or is anticipated to be issued may be prepaid and the obligation to pay the Special Tax for such Assessor’s Parcel permanently satisfied as described herein, provided that a prepayment may be made with respect to a particular Assessor’s Parcel only if there are no delinquent Special Taxes with respect to such Assessor’s Parcel at the time of prepayment or the delinquent special taxes are paid off concurrently with the prepayment to the satisfaction of the CFD Administrator. An owner of an Assessor’s Parcel eligible to prepay the Special Tax Obligation shall provide the CFD Administrator with written notice of intent to prepay, and designate or identify the company or agency that will be acting as the escrow agent, if any. The CFD Administrator shall provide the owner with a statement of the Prepayment Amount for such Assessor’s Parcel within thirty (30) days of the request, and may charge a reasonable fee for providing this service. Prepayment must be made at least 60 days prior to any redemption date for the CFD No. 2022-4 IA1 Bonds to be redeemed with the proceeds of such prepaid Special Taxes, unless a shorter period is acceptable to the Trustee and the City.

The Prepayment Amount (defined below) shall be calculated for each applicable Assessor’s Parcel or group of Assessor’s Parcels as summarized below (capitalized terms as defined below):

Bond Redemption Amount
plus Redemption Premium
plus Future Facilities Prepayment Amount
plus Defeasance Amount
plus Prepayment Administrative Fees and Expenses
less Reserve Fund Credit
less Capitalized Interest Credit
Total: equals Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount (defined in Step 14 below) shall be calculated as follows:

Step No.:

1. Confirm that no Special Tax delinquencies apply to such Assessor’s Parcel.
2. For Assessor’s Parcels of Developed Property, determine the Maximum Special Tax. For Assessor’s Parcels of Undeveloped Property for which a Building Permit has been issued, compute the Maximum Special Tax for that Assessor’s Parcel as though it was already designated as Developed Property, based upon the Building Permit which has already been issued for that Assessor’s Parcel.
3. Divide the Maximum Special Tax computed pursuant to paragraph 2 by the total expected Maximum Special Tax revenue for CFD No. 2022-4 IA1 assuming all Building Permits have been issued (build-out) within CFD No. 2022-4 IA1, excluding any Assessor’s Parcels for which the Special Tax Obligation has been previously prepaid.

4. Multiply the quotient computed pursuant to paragraph 3 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid for all applicable parcels and round that amount up to the nearest \$5,000 increment (the "Bond Redemption Amount").
5. Multiply the Bond Redemption Amount computed pursuant to paragraph 4 by the applicable redemption premium (expressed as a percentage), if any, on the Outstanding Bonds to be redeemed at the first available call date (the "Redemption Premium").
6. Compute the Future Facilities Costs.
7. Multiply the quotient computed pursuant to paragraph 3 by the amount determined pursuant to paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Prepayment Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the expected redemption date for the Outstanding Bonds which, depending on the Indenture, may be as early as the next interest payment date, but the redemption date may be any date determined by the CFD Administrator as convenient and appropriate and permitted by the Indenture and does not have to be the next interest payment date.
9. Compute the amount the CFD Administrator reasonably expects to derive from the reinvestment of the Prepayment Amount less the Future Facilities Prepayment Amount and the Prepayment Administrative Fees from the date of prepayment until the redemption date for the Outstanding Bonds to be redeemed with the prepayment.
10. Subtract the amount computed in paragraph 9 from the amount computed in paragraph 8 (the "Defeasance Amount").
11. Calculate the administrative fees and expenses of CFD No. 2022-4 IA1, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2022-4 IA1, and the costs of recording any notices to evidence the prepayment and the redemption (the "Prepayment Administrative Fees").
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment calculation date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "Reserve Fund Credit"). No Reserve Fund Credit shall be granted if, after the Prepayment Amount is calculated, reserve funds are below 100% of the reserve requirement.
13. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to paragraph 3 by the expected balance in the

capitalized interest fund after such first interest and/or principal payment (the “Capitalized Interest Credit”).

14. The amount to prepay the Special Tax Obligation is equal to the sum of the amounts computed pursuant to paragraphs 4, 5, 7, 10, and 11, less the amounts computed pursuant to paragraphs 12 and 13 (the “Prepayment Amount”).

15. From the Prepayment Amount, the sum of the amounts computed pursuant to paragraphs 4, 5, and 10, less the amounts computed pursuant to paragraphs 12 and 13 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make Debt Service payments. The amount computed pursuant to paragraph 7 shall be deposited into the Construction Fund. The amount computed pursuant to paragraph 11 shall be retained by CFD No. 2022-4.

The Prepayment Amount may be sufficient to redeem an amount other than a \$5,000 increment of CFD No. 2022-4 IA1 Bonds. In such cases, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to redeem CFD No. 2022-4 IA1 Bonds to be used with the next prepayment of CFD No. 2022-4 IA1 Bonds.

The CFD Administrator will confirm that all previously levied Special Taxes have been paid in full. With respect to any Assessor's Parcel for which the Special Tax Obligation is prepaid in full, once the CFD Administrator has confirmed that all previously levied Special Taxes have been paid, the Council shall cause a suitable notice to be recorded in compliance with the Act, to indicate the prepayment of the Special Tax and the release of the Special Tax lien on such Assessor’s Parcel, and the obligation of the owner of such Assessor's Parcel to pay the Special Tax shall cease.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the aggregate amount of Maximum Special Taxes less Administrative Expenses that may be levied on Taxable Property, respectively, after the proposed prepayment is at least 1.1 times the Debt Service on all Outstanding Bonds in each Fiscal Year.

B. Partial Prepayment

The Special Tax on an Assessor’s Parcel of Developed Property or Undeveloped Property for which a building permit has been issued may be partially prepaid. The amount of the prepayment shall be calculated as in Section 6.A.; except that a partial prepayment shall be calculated according to the following formula:

$$PP = (P_E - A) \times F + A$$

These terms have the following meaning:

PP = the partial prepayment

P_E = the Prepayment Amount calculated according to Section 6.A

F = the percentage by which the owner of the Assessor’s Parcel(s) is partially prepaying the Special Tax Obligation

A = the Prepayment Administrative Fees and Expenses from Section 6.A

The owner of any Assessor's Parcel who desires such partial prepayment shall notify the CFD Administrator of (i) such owner's intent to partially prepay the Special Tax Obligation, (ii) the percentage by which the Special Tax Obligation shall be prepaid, and (iii) the company or agency that will be acting as the escrow agent, if any. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax Obligation for an Assessor's Parcel within sixty (60) days of the request and may charge a reasonable fee for providing this service.

With respect to any Assessor's Parcel that is partially prepaid, the City shall (i) distribute the funds remitted to it according to Section 6.A., and (ii) indicate in the records of CFD No. 2022-4 IA1 that there has been a partial prepayment of the Special Tax Obligation and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage (1.00 - F) of the Maximum Special Tax, shall continue to be levied on such Assessor's Parcel.

Notwithstanding the foregoing, no partial prepayment shall be allowed unless the aggregate amount of Maximum Special Taxes less Administrative Expenses that may be levied on Taxable Property, respectively, after the proposed partial prepayment is at least 1.1 times the Debt Service on all Outstanding Bonds in each Fiscal Year.

7. TERM OF SPECIAL TAX

The Special Tax shall be levied as long as necessary to meet the Special Tax Requirement for a period not to exceed fifty (50) Fiscal Years commencing with Fiscal Year 2024-25, provided however that the Special Tax will cease to be levied in an earlier Fiscal Year if the CFD Administrator has determined that all required interest and principal payments on CFD No. 2022-4 IA1 bonds have been paid.

8. EXEMPTIONS

The CFD Administrator shall classify as Exempt Property (i) Assessor's Parcels of Public Property, (ii) Assessor's Parcels of Property Owner Association Property, or (iii) Assessor's Parcels which are used as places of worship and are exempt from ad valorem property taxes because they are owned by a religious organization, (iv) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, (v) Lower Income Households Welfare Exemption Property, and (vi) Assessor's Parcels of Developed Property classified as Non-Residential Property as determined reasonably by the CFD Administrator, provided that no such classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA1 to less than 33.00 Acres. Assessor's Parcels of Lower Income Households Welfare Exemption Property which cannot be classified as Exempt Property because such classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA1 to less than 33.00 Acres shall be classified as Provisional Welfare Property and will continue to be subject to the CFD No. 2022-4 IA1 Special Taxes accordingly. Assessor's Parcels which cannot be classified as Exempt Property because such classification would reduce

the sum of all Taxable Property in CFD No. 2022-4 IA1 to less than 33.00 Acres shall be classified as Provisional Property and will continue to be subject to the CFD No. 2022-4 IA1 Special Taxes accordingly. Tax exempt status for the purpose of this paragraph will be assigned by the CFD Administrator in the chronological order in which property becomes eligible for classification as Exempt Property.

If the use of an Assessor's Parcel of Exempt Property changes so that such Assessor's Parcel is no longer classified as one of the uses set forth in the first paragraph of Section 8 above that would make such Assessor's Parcel eligible to be classified as Exempt Property, such Assessor's Parcel shall cease to be classified as Exempt Property and shall be deemed to be Taxable Property.

9. APPEALS

Any landowner who pays the Special Tax and claims the amount of the Special Tax levied on his or her Assessor's Parcel is in error shall first consult with the CFD Administrator regarding such error not later than thirty-six (36) months after first having paid the first installment of the Special Tax that is disputed. If following such consultation the CFD Administrator determines that an error has occurred, then the CFD Administrator shall take any of the following actions, in order of priority, in order to correct the error:

- (i) Amend the Special Tax levy on the landowner's Assessor's Parcel(s) for the current Fiscal Year prior to the payment date,
- (ii) Require the CFD to reimburse the landowner for the amount of the overpayment to the extent of available CFD funds, or
- (iii) Grant a credit against, eliminate or reduce the future Special Taxes on the landowner's Assessor's Parcel(s) in the amount of the overpayment.

If following such consultation and action by the CFD Administrator the landowner believes such error still exists, such person may file a written notice of appeal with the City Council. Upon the receipt of such notice, the City Council or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. If the City Council or designee determines an error still exists, the CFD Administrator shall take any of the actions described as (i), (ii) and (iii) above, in order of priority, in order to correct the error.

10. INTERPRETATIONS

The City Council or designee thereof shall interpret this Rate and Method of Apportionment of Special Tax for purposes of clarifying any ambiguities and make determinations relative to the administration of the Special Tax and any landowner appeals. The decision of the City Council or designee shall be final.

EXHIBIT B

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

[SEE ATTACHED]

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) IMPROVEMENT AREA NO. 2

A Special Tax shall be levied on all Taxable Property within the boundaries of Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris (“CFD No. 2022-4 IA2”) and collected each Fiscal Year commencing in Fiscal Year 2024-25, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD No. 2022-4 IA2, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

1. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Acre**” or “**Acreage**” means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map. An Acre means 43,560 square feet of land.

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

“**Administrative Expenses**” means the following actual or reasonably estimated costs related to the administration of CFD No. 2022-4 IA2 including, but not limited to: the costs of preparing and computing the Annual Special Tax (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the City, the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 2022-4 IA2, or any designee thereof complying with arbitrage rebate requirements, including without limitation rebate liability costs and periodic rebate calculations; the costs to the City, CFD No. 2022-4 IA2, or any designee thereof complying with disclosure or reporting requirements of the City or CFD No. 2022-4 IA2, associated with applicable federal and State laws; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs to the City, CFD No. 2022-4 IA2, or any designee thereof related to an appeal of the Special Tax; and the City’s annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2022-4 IA2 for any other administrative purposes of CFD No. 2022-4 IA2, including attorney’s fees and other costs related to commencing and pursuing any foreclosure of delinquent Special Taxes.

“**Annual Special Tax**” means the Special Tax actually levied in any Fiscal Year on any Assessor’s Parcel.

“**Assessor**” means the Assessor of the County of Riverside.

“Assessor's Parcel” means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

“Assessor's Parcel Map” means an official map of the Assessor designating parcels by Assessor's Parcel Number.

“Assessor's Parcel Number” means the number assigned to an Assessor's Parcel by the County for purposes of identification.

“Assigned Special Tax” means the Special Tax of that name described in Section 3.A below.

“Backup Special Tax” means the Special Tax of that name described in Section 3.B below.

“Bonds” means any bonds or other Debt of CFD No. 2022-4 IA2, whether in one or more series, secured by the levy of Special Taxes.

“Boundary Map” means the map of the boundaries of CFD No. 2022-4 recorded on _____ in the Riverside County Recorder's Office in Book __, Page __, of Maps of Assessments and Community Facilities Districts (instrument number __-__).

“Building Permit” means a building permit for construction of a Residential Unit within CFD No. 2022-4 IA2 issued by the City.

“Building Square Footage” means all of the square footage of usable area within the perimeter of a primary residential structure, not including any carport, walkway, garage, overhang, or similar area. The determination of Building Square Footage shall be made by reference to the Building Permit(s) issued for such Assessor's Parcel and/or by reference to appropriate records kept by the City.

“Calendar Year” means the period commencing January 1 of any year and ending the following December 31.

“CFD Administrator” means an authorized representative of the City, or designee thereof, responsible for determining the Special Tax Requirement, for preparing the Annual Special Tax roll and/or calculating the Backup Special Tax.

“CFD No. 2022-4” means the Community Facilities District No. 2022-4 (Park West) Improvement Area No. 2 of the City of Perris.

“City” means the City of Perris, California.

“Council” means the City Council of the City acting as the legislative body of CFD No. 2022-4 under the Act.

“County” means the County of Riverside, California.

“Debt” means any binding obligation to pay or repay a sum of money, including obligations in the form of bonds, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts.

“Debt Service” means for each Fiscal Year, the total amount of principal and interest payable on any Outstanding Bonds during the Calendar Year commencing on January 1 of such Fiscal Year.

“Developed Property” means for each Fiscal Year, all Taxable Property, exclusive of Provisional Property and Provisional Welfare Property, for which a Building Permit was issued prior to May

1 of the previous Fiscal Year. An Assessor's Parcel classified as Developed Property but for which the Building Permit that caused such Assessor's Parcel to be classified as Developed Property has been cancelled and/or voided prior to the Fiscal Year for which Special Taxes are being levied shall be reclassified as Undeveloped Property, provided that the levy of the Annual Special Tax after such reclassification shall not be less than 1.1 times the annual Debt Service less Administrative Expenses on all Outstanding Bonds. If Bonds have not been issued, an Assessor's Parcel classified as Developed Property for which such a Building Permit has been cancelled and/or voided shall be reclassified as Undeveloped Property.

"Exempt Property" means for each Fiscal Year, all Assessor's Parcels designated as being exempt from Special Taxes pursuant to Section 8 below.

"Final Map" means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 4285 that creates individual lots for which Building Permits may be issued without further subdivision.

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

"Indenture" means the indenture, fiscal agent agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Land Use Class" means any of the classes listed in Table 1 under Section 3 below.

"Lot" means a parcel created by a Final Map on which a Residential Unit can be constructed.

"Lower Income Households Welfare Exemption Property" means, for each Fiscal Year, an Assessor's Parcel that is entitled to a welfare exemption under subdivision (g) of Section 214 of the California Revenue and Taxation Code (or any successor statute), as indicated in the County Assessor's roll finalized as of January 1 of the previous Fiscal Year; provided that such Assessor's Parcel shall not be classified as Lower Income Households Welfare Exemption Property if Debt is outstanding for CFD No. 2022-4 IA2 and the Assessor's Parcel was assumed to be subject to the Special Tax prior to receiving the exemption, in which case the Assessor's Parcel shall remain subject to the Special Tax and the Special Tax shall be enforceable against the Assessor's Parcel.

"Maximum Special Tax" means for each Assessor's Parcel, the maximum Special Tax, determined in accordance with Sections 3.C and 3.D below, which may be levied in a given Fiscal Year on such Assessor's Parcel of Taxable Property.

"Non-Residential Property" means all Assessor's Parcels of Developed Property for which a building permit has been issued for the purpose of constructing one or more non-residential units or facilities.

"Outstanding Bonds" means all Bonds, which are deemed to be outstanding under the Indenture.

"Prepayment Amount" means the amount required to prepay the Annual Special Tax obligation in full in or in part for an Assessor's Parcel as described in Section 6 below.

"Property Owner Association Property" means any Assessor's Parcel within the boundaries of CFD No. 2022-4 IA2 owned in fee by a property owner association, including any master or sub-association.

“Proportionately” or “Proportionate” means for Developed Property, that the ratio of the actual Special Tax levy to the applicable Assigned Special Tax or Backup Special Tax is equal for all Assessor’s Parcels of Developed Property. For Undeveloped Property, "Proportionately" means that the ratio of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is equal for all Assessor's Parcels of Undeveloped Property. **“Proportionately”** may similarly be applied to other categories of Taxable Property as listed in Section 4 below.

“Provisional Property” means all Assessor’s Parcels of Public Property, Property Owner Association Property or property that would otherwise be classified as Exempt Property pursuant to the provisions of Section 8, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage as set forth in Section 8.

“Provisional Welfare Property” means all Assessor’s Parcels of Lower Income Households Welfare Exemption Property that would otherwise be classified as Exempt Property pursuant to the provisions of Section 8, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage as set forth in Section 8.

“Public Property” means any property within the boundaries of CFD No. 2022-4 IA2, which is owned by, or irrevocably offered for dedication to the federal government, the State of California, the County, the City or any other public agency; provided however that any property owned by a public agency and leased to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use.

“Residential Property” means all Assessor’s Parcels for which a Building Permit has been issued for the purpose of constructing one or more Residential Units.

“Residential Unit” means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental, separate from adjacent residential dwelling units. This definition does not include Accessory Dwelling Units as defined in the State of California Government Code section 65852.2.

“Special Tax” means any special tax levied within CFD No. 2022-4 IA2 pursuant to the Act and this Rate and Method of Apportionment of Special Tax.

“Special Tax Obligation” means the total obligation of an Assessor’s Parcel of Taxable Property to pay the Special Tax for the remaining life of CFD No. 2022-4 IA2.

“Special Tax Requirement” means that amount required in any Fiscal Year to: (i) pay regularly scheduled Debt Service on all Outstanding Bonds; (ii) pay periodic costs on the Outstanding Bonds, including but not limited to, credit enhancement and rebate payments on the Outstanding Bonds; (iii) pay Administrative Fees and Expenses; (iv) pay any amounts required to establish or replenish any reserve funds for all Outstanding Bonds; (v) accumulate funds to pay directly for acquisition or construction of facilities provided that the inclusion of such amount does not result in a levy beyond Step 1 of Section 4; and (vi) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less (vii) a credit for funds available to reduce the Annual Special Tax levy, as determined by the CFD Administrator pursuant to the Indenture.

“State” means the State of California.

“**Taxable Property**” means all of the Assessor’s Parcels within the boundaries of CFD No. 2022-4 IA2, which are not exempt from the levy of the Special Tax pursuant to law or Section 8 below.

“**Trustee**” means the trustee or fiscal agent under the Indenture.

“**Undeveloped Property**” means, for each Fiscal Year, all Taxable Property not classified as Developed Property or Provisional Property.

2. LAND USE CLASSIFICATION

Each Fiscal Year, beginning with Fiscal Year 2024-25, each Assessor’s Parcel within CFD No. 2022-4 IA2 shall be classified as Taxable Property or Exempt Property. In addition, all Taxable Property shall further be classified as Developed Property, Undeveloped Property, Provisional Welfare Property, or Provisional Property, and all such Taxable Property shall be subject to the levy of Special Taxes in accordance with this Rate and Method of Apportionment of Special Tax determined pursuant to Sections 3 and 4 below. Furthermore, each Assessor’s Parcel of Developed Property and Provisional Welfare Property shall be classified according to its applicable Land Use Class based on its Building Square Footage.

3. SPECIAL TAX RATES

A. Assigned Special Tax for Developed Property and Provisional Welfare Property

The Assigned Special Tax applicable to an Assessor's Parcel classified as Developed Property or Provisional Welfare Property commencing in Fiscal Year 2024-25 shall be determined pursuant to Table 1 below.

**Table 1
Assigned Special Tax
Fiscal Year 2024-25**

Land Use Class	Land Use Type	Building Square Footage	Assigned Special Tax
1	Residential Property	> 3,300	\$3,146 per Residential Unit
2	Residential Property	3,101 – 3,300	\$3,032 per Residential Unit
3	Residential Property	2,901 – 3,100	\$2,917 per Residential Unit
4	Residential Property	2,701 – 2,900	\$2,802 per Residential Unit
5	Residential Property	2,501 – 2,700	\$2,687 per Residential Unit
6	Residential Property	2,301 – 2,500	\$2,572 per Residential Unit
7	Residential Property	2,101 – 2,300	\$2,457 per Residential Unit
8	Residential Property	≤ 2,100	\$2,342 per Residential Unit
9	Non-Residential Property	N/A	\$23,071 per Acre

Each July 1, commencing July 1, 2025, the Assigned Special Tax for Developed Property and Provisional Welfare Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

B. Backup Special Tax for Developed Property and Provisional Welfare Property

The Backup Special Tax for Developed Property and Provisional Welfare Property commencing in Fiscal Year 2024-25 shall be \$23,071 per Acre. Each July 1, commencing July 1, 2025, the Backup Special Tax for Developed Property and Provisional Welfare Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

For the purpose of calculating the Backup Special Tax, the land area applicable to a Condominium shall be computed from the Acreage of the Lot on which the Condominium is located, with the Acreage for such Lot allocated equally among all of the Condominiums located or to be located on such Lot.

C. Maximum Special Tax for Developed Property and Provisional Welfare Property

The Maximum Special Tax for Developed Property and Provisional Welfare Property shall be the greater of the Assigned Special Tax for Developed Property and Provisional Welfare Property or the Backup Special Tax for Developed Property and Provisional Welfare Property.

D. Maximum Special Tax for Provisional Property and Undeveloped Property

The Maximum Special Tax for Provisional Property and Undeveloped Property commencing in Fiscal Year 2024-25 shall be \$23,071 per Acre. Each July 1, commencing July 1, 2025, the Maximum Special Tax for Provisional Property and Undeveloped Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

4. METHOD OF APPORTIONMENT

For each Fiscal Year, commencing Fiscal Year 2024-25, the CFD Administrator shall levy the Special Tax on all Taxable Property in accordance with the following steps:

Step 1: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property in an amount up to 100% of the applicable Assigned Special Tax as necessary to satisfy the Special Tax Requirement;

Step 2: If additional monies are needed to satisfy the Special Tax Requirement after Step 1 has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property;

Step 3: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, then the Special Tax amount determined in Step 1 shall be increased Proportionately on each Assessor's Parcel of Developed Property up to 100% of the Maximum Special Tax for Developed Property;

Step 4: If additional monies are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Welfare Property up to 100% of the Maximum Special Tax for Provisional Welfare Property;

Step 5: If additional monies are needed to satisfy the Special Tax Requirement after the first four steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the Maximum Special Tax for Provisional Property;

Notwithstanding the above, under no circumstances will the Special Tax levied in any Fiscal Year against any Assessor's Parcel of Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of a delinquency or default in the payment of the Special Tax applicable to any other Assessor's Parcel within CFD No. 2022-4 IA2 by more than ten percent (10%) above what would have been levied in the absence of such delinquencies or defaults.

5. COLLECTION OF SPECIAL TAXES

Collection of the Annual Special Tax shall be made by the County in the same manner as ordinary ad valorem property taxes are collected and the Annual Special Tax shall be subject to the same penalties and the same lien priority in the case of delinquency as ad valorem taxes; provided, however, that the Council may provide for (i) other means of collecting the Special Tax, including direct billings thereof to the property owners; and (ii) judicial foreclosure of delinquent Annual Special Taxes.

6. PREPAYMENT OF SPECIAL TAX OBLIGATION

A. Prepayment in Full

Property owners may prepay and permanently satisfy the Special Tax Obligation by a cash settlement with the City as permitted under Government Code Section 53344. The following definitions apply to this Section 6:

"CFD Public Facilities Costs" means \$8,500,000 or such lower number as (i) shall be determined by the CFD Administrator as sufficient to acquire or construct the facilities to be financed under the Act and financing program for CFD No. 2022-4 IA2, or (ii) shall be determined by the Council concurrently with a covenant that it will not issue any more Bonds (except refunding bonds).

"Construction Fund" means the fund (regardless of its name) established pursuant to the Indenture to hold funds, which are currently available for expenditure to acquire or construct the facilities or pay fees authorized to be funded by CFD No. 2022-4.

"Future Facilities Costs" means the CFD Public Facilities Costs minus (i) costs previously paid from the Construction Fund to acquire or construct the facilities, (ii) monies currently on deposit in the Construction Fund, and (iii) monies currently on deposit in an escrow or other designated fund that are expected to be available to finance CFD Public Facilities Costs.

“Outstanding Bonds” means all Previously Issued Bonds, which remain outstanding as of the first interest and/or principal payment date following the current Fiscal Year excluding Bonds to be redeemed at a later date with proceeds of prior Special Tax prepayments.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

The Special Tax Obligation applicable to an Assessor’s Parcel of Taxable Property for which a Building Permit has been issued or is anticipated to be issued may be prepaid and the obligation to pay the Special Tax for such Assessor’s Parcel permanently satisfied as described herein, provided that a prepayment may be made with respect to a particular Assessor’s Parcel only if there are no delinquent Special Taxes with respect to such Assessor’s Parcel at the time of prepayment or the delinquent special taxes are paid off concurrently with the prepayment to the satisfaction of the CFD Administrator. An owner of an Assessor’s Parcel eligible to prepay the Special Tax Obligation shall provide the CFD Administrator with written notice of intent to prepay, and designate or identify the company or agency that will be acting as the escrow agent, if any. The CFD Administrator shall provide the owner with a statement of the Prepayment Amount for such Assessor’s Parcel within thirty (30) days of the request, and may charge a reasonable fee for providing this service. Prepayment must be made at least 60 days prior to any redemption date for the CFD No. 2022-4 IA2 Bonds to be redeemed with the proceeds of such prepaid Special Taxes, unless a shorter period is acceptable to the Trustee and the City.

The Prepayment Amount (defined below) shall be calculated for each applicable Assessor’s Parcel or group of Assessor’s Parcels as summarized below (capitalized terms as defined below):

Bond Redemption Amount
plus Redemption Premium
plus Future Facilities Prepayment Amount
plus Defeasance Amount
plus Prepayment Administrative Fees and Expenses
less Reserve Fund Credit
less Capitalized Interest Credit
Total: equals Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount (defined in Step 14 below) shall be calculated as follows:

Step No.:

1. Confirm that no Special Tax delinquencies apply to such Assessor’s Parcel.
2. For Assessor’s Parcels of Developed Property, determine the Maximum Special Tax. For Assessor’s Parcels of Undeveloped Property for which a Building Permit has been issued, compute the Maximum Special Tax for that Assessor’s Parcel as though it was already designated as Developed Property, based upon the Building Permit which has already been issued for that Assessor’s Parcel.
3. Divide the Maximum Special Tax computed pursuant to paragraph 2 by the total expected Maximum Special Tax revenue for CFD No. 2022-4 IA2 assuming all

Building Permits have been issued (build-out) within CFD No. 2022-4 IA2, excluding any Assessor's Parcels for which the Special Tax Obligation has been previously prepaid.

4. Multiply the quotient computed pursuant to paragraph 3 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid for all applicable parcels and round that amount up to the nearest \$5,000 increment (the "Bond Redemption Amount").

5. Multiply the Bond Redemption Amount computed pursuant to paragraph 4 by the applicable redemption premium (expressed as a percentage), if any, on the Outstanding Bonds to be redeemed at the first available call date (the "Redemption Premium").

6. Compute the Future Facilities Costs.

7. Multiply the quotient computed pursuant to paragraph 3 by the amount determined pursuant to paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Prepayment Amount").

8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the expected redemption date for the Outstanding Bonds which, depending on the Indenture, may be as early as the next interest payment date, but the redemption date may be any date determined by the CFD Administrator as convenient and appropriate and permitted by the Indenture and does not have to be the next interest payment date.

9. Compute the amount the CFD Administrator reasonably expects to derive from the reinvestment of the Prepayment Amount less the Future Facilities Prepayment Amount and the Prepayment Administrative Fees from the date of prepayment until the redemption date for the Outstanding Bonds to be redeemed with the prepayment.

10. Subtract the amount computed in paragraph 9 from the amount computed in paragraph 8 (the "Defeasance Amount").

11. Calculate the administrative fees and expenses of CFD No. 2022-4 IA2, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2022-4 IA2, and the costs of recording any notices to evidence the prepayment and the redemption (the "Prepayment Administrative Fees").

12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment calculation date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "Reserve Fund Credit"). No Reserve Fund Credit shall be granted if, after the Prepayment Amount is calculated, reserve funds are below 100% of the reserve requirement.

13. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to paragraph 3 by the expected balance in the capitalized interest fund after such first interest and/or principal payment (the “Capitalized Interest Credit”).

14. The amount to prepay the Special Tax Obligation is equal to the sum of the amounts computed pursuant to paragraphs 4, 5, 7, 10, and 11, less the amounts computed pursuant to paragraphs 12 and 13 (the “Prepayment Amount”).

15. From the Prepayment Amount, the sum of the amounts computed pursuant to paragraphs 4, 5, and 10, less the amounts computed pursuant to paragraphs 12 and 13 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make Debt Service payments. The amount computed pursuant to paragraph 7 shall be deposited into the Construction Fund. The amount computed pursuant to paragraph 11 shall be retained by CFD No. 2022-4.

The Prepayment Amount may be sufficient to redeem an amount other than a \$5,000 increment of CFD No. 2022-4 IA2 Bonds. In such cases, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to redeem CFD No. 2022-4 IA2 Bonds to be used with the next prepayment of CFD No. 2022-4 IA2 Bonds.

The CFD Administrator will confirm that all previously levied Special Taxes have been paid in full. With respect to any Assessor's Parcel for which the Special Tax Obligation is prepaid in full, once the CFD Administrator has confirmed that all previously levied Special Taxes have been paid, the Council shall cause a suitable notice to be recorded in compliance with the Act, to indicate the prepayment of the Special Tax and the release of the Special Tax lien on such Assessor’s Parcel, and the obligation of the owner of such Assessor's Parcel to pay the Special Tax shall cease.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the aggregate amount of Maximum Special Taxes less Administrative Expenses that may be levied on Taxable Property, respectively, after the proposed prepayment is at least 1.1 times the Debt Service on all Outstanding Bonds in each Fiscal Year.

B. Partial Prepayment

The Special Tax on an Assessor’s Parcel of Developed Property or Undeveloped Property for which a building permit has been issued may be partially prepaid. The amount of the prepayment shall be calculated as in Section 6.A.; except that a partial prepayment shall be calculated according to the following formula:

$$PP = (P_E - A) \times F + A$$

These terms have the following meaning:

PP = the partial prepayment
PE = the Prepayment Amount calculated according to Section 6.A
F = the percentage by which the owner of the Assessor's Parcel(s) is partially prepaying the Special Tax Obligation
A = the Prepayment Administrative Fees and Expenses from Section 6.A

The owner of any Assessor's Parcel who desires such partial prepayment shall notify the CFD Administrator of (i) such owner's intent to partially prepay the Special Tax Obligation, (ii) the percentage by which the Special Tax Obligation shall be prepaid, and (iii) the company or agency that will be acting as the escrow agent, if any. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax Obligation for an Assessor's Parcel within sixty (60) days of the request and may charge a reasonable fee for providing this service.

With respect to any Assessor's Parcel that is partially prepaid, the City shall (i) distribute the funds remitted to it according to Section 6.A., and (ii) indicate in the records of CFD No. 2022-4 IA2 that there has been a partial prepayment of the Special Tax Obligation and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage $(1.00 - F)$ of the Maximum Special Tax, shall continue to be levied on such Assessor's Parcel.

Notwithstanding the foregoing, no partial prepayment shall be allowed unless the aggregate amount of Maximum Special Taxes less Administrative Expenses that may be levied on Taxable Property, respectively, after the proposed partial prepayment is at least 1.1 times the Debt Service on all Outstanding Bonds in each Fiscal Year.

7. TERM OF SPECIAL TAX

The Special Tax shall be levied as long as necessary to meet the Special Tax Requirement for a period not to exceed fifty (50) Fiscal Years commencing with Fiscal Year 2024-25, provided however that the Special Tax will cease to be levied in an earlier Fiscal Year if the CFD Administrator has determined that all required interest and principal payments on CFD No. 2022-4 IA2 bonds have been paid.

8. EXEMPTIONS

The CFD Administrator shall classify as Exempt Property (i) Assessor's Parcels of Public Property, (ii) Assessor's Parcels of Property Owner Association Property, or (iii) Assessor's Parcels which are used as places of worship and are exempt from ad valorem property taxes because they are owned by a religious organization, (iv) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, (v) Lower Income Households Welfare Exemption Property, and (vi) Assessor's Parcels of Developed Property classified as Non-Residential Property as determined reasonably by the CFD Administrator, provided that no such classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA2 to less than 21.89 Acres. Assessor's Parcels of Lower Income Households Welfare Exemption Property which cannot be classified as Exempt Property because such

classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA2 to less than 21.89 Acres shall be classified as Provisional Welfare Property and will continue to be subject to the CFD No. 2022-4 IA2 Special Taxes accordingly. Assessor's Parcels which cannot be classified as Exempt Property because such classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA2 to less than 21.89 Acres shall be classified as Provisional Property and will continue to be subject to the CFD No. 2022-4 IA2 Special Taxes accordingly. Tax exempt status for the purpose of this paragraph will be assigned by the CFD Administrator in the chronological order in which property becomes eligible for classification as Exempt Property.

If the use of an Assessor's Parcel of Exempt Property changes so that such Assessor's Parcel is no longer classified as one of the uses set forth in the first paragraph of Section 8 above that would make such Assessor's Parcel eligible to be classified as Exempt Property, such Assessor's Parcel shall cease to be classified as Exempt Property and shall be deemed to be Taxable Property.

9. APPEALS

Any landowner who pays the Special Tax and claims the amount of the Special Tax levied on his or her Assessor's Parcel is in error shall first consult with the CFD Administrator regarding such error not later than thirty-six (36) months after first having paid the first installment of the Special Tax that is disputed. If following such consultation the CFD Administrator determines that an error has occurred, then the CFD Administrator shall take any of the following actions, in order of priority, in order to correct the error:

- (i) Amend the Special Tax levy on the landowner's Assessor's Parcel(s) for the current Fiscal Year prior to the payment date,
- (ii) Require the CFD to reimburse the landowner for the amount of the overpayment to the extent of available CFD funds, or
- (iii) Grant a credit against, eliminate or reduce the future Special Taxes on the landowner's Assessor's Parcel(s) in the amount of the overpayment.

If following such consultation and action by the CFD Administrator the landowner believes such error still exists, such person may file a written notice of appeal with the City Council. Upon the receipt of such notice, the City Council or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. If the City Council or designee determines an error still exists, the CFD Administrator shall take any of the actions described as (i), (ii) and (iii) above, in order of priority, in order to correct the error.

10. INTERPRETATIONS

The City Council or designee thereof shall interpret this Rate and Method of Apportionment of Special Tax for purposes of clarifying any ambiguities and make determinations relative to the administration of the Special Tax and any landowner appeals. The decision of the City Council or designee shall be final.

EXHIBIT C

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

[SEE ATTACHED]

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) IMPROVEMENT AREA NO. 3

A Special Tax shall be levied on all Taxable Property within the boundaries of Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris (“CFD No. 2022-4 IA3”) and collected each Fiscal Year commencing in Fiscal Year 2024-25, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD No. 2022-4 IA3, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

1. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Acre**” or “**Acreage**” means the land area of an Assessor’s Parcel as shown on an Assessor’s Parcel Map, or if the land area is not shown on an Assessor’s Parcel Map, the land area shown on the applicable Final Map. An Acre means 43,560 square feet of land.

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

“**Administrative Expenses**” means the following actual or reasonably estimated costs related to the administration of CFD No. 2022-4 IA3 including, but not limited to: the costs of preparing and computing the Annual Special Tax (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the City, the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 2022-4 IA3, or any designee thereof complying with arbitrage rebate requirements, including without limitation rebate liability costs and periodic rebate calculations; the costs to the City, CFD No. 2022-4 IA3, or any designee thereof complying with disclosure or reporting requirements of the City or CFD No. 2022-4 IA3, associated with applicable federal and State laws; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs to the City, CFD No. 2022-4 IA3, or any designee thereof related to an appeal of the Special Tax; and the City’s annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2022-4 IA3 for any other administrative purposes of CFD No. 2022-4 IA3, including attorney’s fees and other costs related to commencing and pursuing any foreclosure of delinquent Special Taxes.

“**Annual Special Tax**” means the Special Tax actually levied in any Fiscal Year on any Assessor’s Parcel.

“**Assessor**” means the Assessor of the County of Riverside.

“Assessor's Parcel” means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

“Assessor's Parcel Map” means an official map of the Assessor designating parcels by Assessor's Parcel Number.

“Assessor's Parcel Number” means the number assigned to an Assessor's Parcel by the County for purposes of identification.

“Assigned Special Tax” means the Special Tax of that name described in Section 3.A below.

“Backup Special Tax” means the Special Tax of that name described in Section 3.B below.

“Bonds” means any bonds or other Debt of CFD No. 2022-4 IA3, whether in one or more series, secured by the levy of Special Taxes.

“Boundary Map” means the map of the boundaries of CFD No. 2022-4 recorded on _____ in the Riverside County Recorder's Office in Book __, Page __, of Maps of Assessments and Community Facilities Districts (instrument number __ - __).

“Building Permit” means a building permit for construction of a Residential Unit within CFD No. 2022-4 IA3 issued by the City.

“Building Square Footage” means all of the square footage of usable area within the perimeter of a primary residential structure, not including any carport, walkway, garage, overhang, or similar area. The determination of Building Square Footage shall be made by reference to the Building Permit(s) issued for such Assessor's Parcel and/or by reference to appropriate records kept by the City.

“Calendar Year” means the period commencing January 1 of any year and ending the following December 31.

“CFD Administrator” means an authorized representative of the City, or designee thereof, responsible for determining the Special Tax Requirement, for preparing the Annual Special Tax roll and/or calculating the Backup Special Tax.

“CFD No. 2022-4” means the Community Facilities District No. 2022-4 (Park West) Improvement Area No. 3 of the City of Perris.

“City” means the City of Perris, California.

“Council” means the City Council of the City acting as the legislative body of CFD No. 2022-4 under the Act.

“County” means the County of Riverside, California.

“Debt” means any binding obligation to pay or repay a sum of money, including obligations in the form of bonds, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts.

“Debt Service” means for each Fiscal Year, the total amount of principal and interest payable on any Outstanding Bonds during the Calendar Year commencing on January 1 of such Fiscal Year.

“Developed Property” means for each Fiscal Year, all Taxable Property, exclusive of Provisional Property and Provisional Welfare Property, for which a Building Permit was issued prior to May

1 of the previous Fiscal Year. An Assessor's Parcel classified as Developed Property but for which the Building Permit that caused such Assessor's Parcel to be classified as Developed Property has been cancelled and/or voided prior to the Fiscal Year for which Special Taxes are being levied shall be reclassified as Undeveloped Property, provided that the levy of the Annual Special Tax after such reclassification shall not be less than 1.1 times the annual Debt Service less Administrative Expenses on all Outstanding Bonds. If Bonds have not been issued, an Assessor's Parcel classified as Developed Property for which such a Building Permit has been cancelled and/or voided shall be reclassified as Undeveloped Property.

"Exempt Property" means for each Fiscal Year, all Assessor's Parcels designated as being exempt from Special Taxes pursuant to Section 8 below.

"Final Map" means a subdivision of property by recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 4285 that creates individual lots for which Building Permits may be issued without further subdivision.

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

"Indenture" means the indenture, fiscal agent agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

"Land Use Class" means any of the classes listed in Table 1 under Section 3 below.

"Lot" means a parcel created by a Final Map on which a Residential Unit can be constructed.

"Lower Income Households Welfare Exemption Property" means, for each Fiscal Year, an Assessor's Parcel that is entitled to a welfare exemption under subdivision (g) of Section 214 of the California Revenue and Taxation Code (or any successor statute), as indicated in the County Assessor's roll finalized as of January 1 of the previous Fiscal Year; provided that such Assessor's Parcel shall not be classified as Lower Income Households Welfare Exemption Property if Debt is outstanding for CFD No. 2022-4 IA3 and the Assessor's Parcel was assumed to be subject to the Special Tax prior to receiving the exemption, in which case the Assessor's Parcel shall remain subject to the Special Tax and the Special Tax shall be enforceable against the Assessor's Parcel.

"Maximum Special Tax" means for each Assessor's Parcel, the maximum Special Tax, determined in accordance with Sections 3.C and 3.D below, which may be levied in a given Fiscal Year on such Assessor's Parcel of Taxable Property.

"Non-Residential Property" means all Assessor's Parcels of Developed Property for which a building permit has been issued for the purpose of constructing one or more non-residential units or facilities.

"Outstanding Bonds" means all Bonds, which are deemed to be outstanding under the Indenture.

"Prepayment Amount" means the amount required to prepay the Annual Special Tax obligation in full in or in part for an Assessor's Parcel as described in Section 6 below.

"Property Owner Association Property" means any Assessor's Parcel within the boundaries of CFD No. 2022-4 IA3 owned in fee by a property owner association, including any master or sub-association.

“Proportionately” or “Proportionate” means for Developed Property, that the ratio of the actual Special Tax levy to the applicable Assigned Special Tax or Backup Special Tax is equal for all Assessor’s Parcels of Developed Property. For Undeveloped Property, "Proportionately" means that the ratio of the actual Special Tax levy per Acre to the Maximum Special Tax per Acre is equal for all Assessor's Parcels of Undeveloped Property. **“Proportionately”** may similarly be applied to other categories of Taxable Property as listed in Section 4 below.

“Provisional Property” means all Assessor’s Parcels of Public Property, Property Owner Association Property or property that would otherwise be classified as Exempt Property pursuant to the provisions of Section 8, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage as set forth in Section 8.

“Provisional Welfare Property” means all Assessor’s Parcels of Lower Income Households Welfare Exemption Property that would otherwise be classified as Exempt Property pursuant to the provisions of Section 8, but cannot be classified as Exempt Property because to do so would reduce the Acreage of all Taxable Property below the required minimum Acreage as set forth in Section 8.

“Public Property” means any property within the boundaries of CFD No. 2022-4 IA3, which is owned by, or irrevocably offered for dedication to the federal government, the State of California, the County, the City or any other public agency; provided however that any property owned by a public agency and leased to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use.

“Residential Property” means all Assessor’s Parcels for which a Building Permit has been issued for the purpose of constructing one or more Residential Units.

“Residential Unit” means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental, separate from adjacent residential dwelling units. This definition does not include Accessory Dwelling Units as defined in the State of California Government Code section 65852.2.

“Special Tax” means any special tax levied within CFD No. 2022-4 IA3 pursuant to the Act and this Rate and Method of Apportionment of Special Tax.

“Special Tax Obligation” means the total obligation of an Assessor’s Parcel of Taxable Property to pay the Special Tax for the remaining life of CFD No. 2022-4 IA3.

“Special Tax Requirement” means that amount required in any Fiscal Year to: (i) pay regularly scheduled Debt Service on all Outstanding Bonds; (ii) pay periodic costs on the Outstanding Bonds, including but not limited to, credit enhancement and rebate payments on the Outstanding Bonds; (iii) pay Administrative Fees and Expenses; (iv) pay any amounts required to establish or replenish any reserve funds for all Outstanding Bonds; (v) accumulate funds to pay directly for acquisition or construction of facilities provided that the inclusion of such amount does not result in a levy beyond Step 1 of Section 4; and (vi) pay for reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year; less (vii) a credit for funds available to reduce the Annual Special Tax levy, as determined by the CFD Administrator pursuant to the Indenture.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of CFD No. 2022-4 IA3, which are not exempt from the levy of the Special Tax pursuant to law or Section 8 below.

“Trustee” means the trustee or fiscal agent under the Indenture.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property or Provisional Property.

2. LAND USE CLASSIFICATION

Each Fiscal Year, beginning with Fiscal Year 2024-25, each Assessor’s Parcel within CFD No. 2022-4 IA3 shall be classified as Taxable Property or Exempt Property. In addition, all Taxable Property shall further be classified as Developed Property, Undeveloped Property, Provisional Welfare Property, or Provisional Property, and all such Taxable Property shall be subject to the levy of Special Taxes in accordance with this Rate and Method of Apportionment of Special Tax determined pursuant to Sections 3 and 4 below. Furthermore, each Assessor’s Parcel of Developed Property and Provisional Welfare Property shall be classified according to its applicable Land Use Class based on its Building Square Footage.

3. SPECIAL TAX RATES

A. Assigned Special Tax for Developed Property and Provisional Welfare Property

The Assigned Special Tax applicable to an Assessor's Parcel classified as Developed Property or Provisional Welfare Property commencing in Fiscal Year 2024-25 shall be determined pursuant to Table 1 below.

**Table 1
Assigned Special Tax
Fiscal Year 2024-25**

Land Use Class	Land Use Type	Building Square Footage	Assigned Special Tax
1	Residential Property	> 3,300	\$3,253 per Residential Unit
2	Residential Property	3,101 – 3,300	\$3,136 per Residential Unit
3	Residential Property	2,901 – 3,100	\$3,019 per Residential Unit
4	Residential Property	2,701 – 2,900	\$2,902 per Residential Unit
5	Residential Property	2,501 – 2,700	\$2,785 per Residential Unit
6	Residential Property	2,301 – 2,500	\$2,667 per Residential Unit
7	Residential Property	2,101 – 2,300	\$2,550 per Residential Unit
8	Residential Property	≤ 2,100	\$2,432 per Residential Unit
9	Non-Residential Property	N/A	\$20,349 per Acre

Each July 1, commencing July 1, 2025, the Assigned Special Tax for Developed Property and Provisional Welfare Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

B. Backup Special Tax for Developed Property and Provisional Welfare Property

The Backup Special Tax for Developed Property and Provisional Welfare Property commencing in Fiscal Year 2024-25 shall be \$20,349 per Acre. Each July 1, commencing July 1, 2025, the Backup Special Tax for Developed Property and Provisional Welfare Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

For the purpose of calculating the Backup Special Tax, the land area applicable to a Condominium shall be computed from the Acreage of the Lot on which the Condominium is located, with the Acreage for such Lot allocated equally among all of the Condominiums located or to be located on such Lot.

C. Maximum Special Tax for Developed Property and Provisional Welfare Property

The Maximum Special Tax for Developed Property and Provisional Welfare Property shall be the greater of the Assigned Special Tax for Developed Property and Provisional Welfare Property or the Backup Special Tax for Developed Property and Provisional Welfare Property.

D. Maximum Special Tax for Provisional Property and Undeveloped Property

The Maximum Special Tax for Provisional Property and Undeveloped Property commencing in Fiscal Year 2024-25 shall be \$20,349 per Acre. Each July 1, commencing July 1, 2025, the Maximum Special Tax for Provisional Property and Undeveloped Property shall be increased by two percent (2%) of the amount in effect the prior Fiscal Year.

4. METHOD OF APPORTIONMENT

For each Fiscal Year, commencing Fiscal Year 2024-25, the CFD Administrator shall levy the Special Tax on all Taxable Property in accordance with the following steps:

Step 1: The Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property in an amount up to 100% of the applicable Assigned Special Tax as necessary to satisfy the Special Tax Requirement;

Step 2: If additional monies are needed to satisfy the Special Tax Requirement after Step 1 has been completed, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property;

Step 3: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, then the Special Tax amount determined in Step 1 shall be increased Proportionately on each Assessor's Parcel of Developed Property up to 100% of the Maximum Special Tax for Developed Property;

Step 4: If additional monies are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Welfare Property up to 100% of the Maximum Special Tax for Provisional Welfare Property;

Step 5: If additional monies are needed to satisfy the Special Tax Requirement after the first four steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Provisional Property up to 100% of the Maximum Special Tax for Provisional Property;

Notwithstanding the above, under no circumstances will the Special Tax levied in any Fiscal Year against any Assessor's Parcel of Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of a delinquency or default in the payment of the Special Tax applicable to any other Assessor's Parcel within CFD No. 2022-4 IA3 by more than ten percent (10%) above what would have been levied in the absence of such delinquencies or defaults.

5. COLLECTION OF SPECIAL TAXES

Collection of the Annual Special Tax shall be made by the County in the same manner as ordinary ad valorem property taxes are collected and the Annual Special Tax shall be subject to the same penalties and the same lien priority in the case of delinquency as ad valorem taxes; provided, however, that the Council may provide for (i) other means of collecting the Special Tax, including direct billings thereof to the property owners; and (ii) judicial foreclosure of delinquent Annual Special Taxes.

6. PREPAYMENT OF SPECIAL TAX OBLIGATION

A. Prepayment in Full

Property owners may prepay and permanently satisfy the Special Tax Obligation by a cash settlement with the City as permitted under Government Code Section 53344. The following definitions apply to this Section 6:

"CFD Public Facilities Costs" means \$6,000,000 or such lower number as (i) shall be determined by the CFD Administrator as sufficient to acquire or construct the facilities to be financed under the Act and financing program for CFD No. 2022-4 IA3, or (ii) shall be determined by the Council concurrently with a covenant that it will not issue any more Bonds (except refunding bonds).

"Construction Fund" means the fund (regardless of its name) established pursuant to the Indenture to hold funds, which are currently available for expenditure to acquire or construct the facilities or pay fees authorized to be funded by CFD No. 2022-4.

"Future Facilities Costs" means the CFD Public Facilities Costs minus (i) costs previously paid from the Construction Fund to acquire or construct the facilities, (ii) monies currently on deposit in the Construction Fund, and (iii) monies currently on deposit in an escrow or other designated fund that are expected to be available to finance CFD Public Facilities Costs.

“Outstanding Bonds” means all Previously Issued Bonds, which remain outstanding as of the first interest and/or principal payment date following the current Fiscal Year excluding Bonds to be redeemed at a later date with proceeds of prior Special Tax prepayments.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

The Special Tax Obligation applicable to an Assessor’s Parcel of Taxable Property for which a Building Permit has been issued or is anticipated to be issued may be prepaid and the obligation to pay the Special Tax for such Assessor’s Parcel permanently satisfied as described herein, provided that a prepayment may be made with respect to a particular Assessor’s Parcel only if there are no delinquent Special Taxes with respect to such Assessor’s Parcel at the time of prepayment or the delinquent special taxes are paid off concurrently with the prepayment to the satisfaction of the CFD Administrator. An owner of an Assessor’s Parcel eligible to prepay the Special Tax Obligation shall provide the CFD Administrator with written notice of intent to prepay, and designate or identify the company or agency that will be acting as the escrow agent, if any. The CFD Administrator shall provide the owner with a statement of the Prepayment Amount for such Assessor’s Parcel within thirty (30) days of the request, and may charge a reasonable fee for providing this service. Prepayment must be made at least 60 days prior to any redemption date for the CFD No. 2022-4 IA3 Bonds to be redeemed with the proceeds of such prepaid Special Taxes, unless a shorter period is acceptable to the Trustee and the City.

The Prepayment Amount (defined below) shall be calculated for each applicable Assessor’s Parcel or group of Assessor’s Parcels as summarized below (capitalized terms as defined below):

Bond Redemption Amount
plus Redemption Premium
plus Future Facilities Prepayment Amount
plus Defeasance Amount
plus Prepayment Administrative Fees and Expenses
less Reserve Fund Credit
less Capitalized Interest Credit
Total: equals Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount (defined in Step 14 below) shall be calculated as follows:

Step No.:

1. Confirm that no Special Tax delinquencies apply to such Assessor’s Parcel.
2. For Assessor’s Parcels of Developed Property, determine the Maximum Special Tax. For Assessor’s Parcels of Undeveloped Property for which a Building Permit has been issued, compute the Maximum Special Tax for that Assessor’s Parcel as though it was already designated as Developed Property, based upon the Building Permit which has already been issued for that Assessor’s Parcel.
3. Divide the Maximum Special Tax computed pursuant to paragraph 2 by the total expected Maximum Special Tax revenue for CFD No. 2022-4 IA3 assuming all

Building Permits have been issued (build-out) within CFD No. 2022-4 IA3, excluding any Assessor's Parcels for which the Special Tax Obligation has been previously prepaid.

4. Multiply the quotient computed pursuant to paragraph 3 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid for all applicable parcels and round that amount up to the nearest \$5,000 increment (the "Bond Redemption Amount").

5. Multiply the Bond Redemption Amount computed pursuant to paragraph 4 by the applicable redemption premium (expressed as a percentage), if any, on the Outstanding Bonds to be redeemed at the first available call date (the "Redemption Premium").

6. Compute the Future Facilities Costs.

7. Multiply the quotient computed pursuant to paragraph 3 by the amount determined pursuant to paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Prepayment Amount").

8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the expected redemption date for the Outstanding Bonds which, depending on the Indenture, may be as early as the next interest payment date, but the redemption date may be any date determined by the CFD Administrator as convenient and appropriate and permitted by the Indenture and does not have to be the next interest payment date.

9. Compute the amount the CFD Administrator reasonably expects to derive from the reinvestment of the Prepayment Amount less the Future Facilities Prepayment Amount and the Prepayment Administrative Fees from the date of prepayment until the redemption date for the Outstanding Bonds to be redeemed with the prepayment.

10. Subtract the amount computed in paragraph 9 from the amount computed in paragraph 8 (the "Defeasance Amount").

11. Calculate the administrative fees and expenses of CFD No. 2022-4 IA3, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2022-4 IA3, and the costs of recording any notices to evidence the prepayment and the redemption (the "Prepayment Administrative Fees").

12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment calculation date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "Reserve Fund Credit"). No Reserve Fund Credit shall be granted if, after the Prepayment Amount is calculated, reserve funds are below 100% of the reserve requirement.

13. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to paragraph 3 by the expected balance in the capitalized interest fund after such first interest and/or principal payment (the “Capitalized Interest Credit”).

14. The amount to prepay the Special Tax Obligation is equal to the sum of the amounts computed pursuant to paragraphs 4, 5, 7, 10, and 11, less the amounts computed pursuant to paragraphs 12 and 13 (the “Prepayment Amount”).

15. From the Prepayment Amount, the sum of the amounts computed pursuant to paragraphs 4, 5, and 10, less the amounts computed pursuant to paragraphs 12 and 13 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make Debt Service payments. The amount computed pursuant to paragraph 7 shall be deposited into the Construction Fund. The amount computed pursuant to paragraph 11 shall be retained by CFD No. 2022-4.

The Prepayment Amount may be sufficient to redeem an amount other than a \$5,000 increment of CFD No. 2022-4 IA3 Bonds. In such cases, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to redeem CFD No. 2022-4 IA3 Bonds to be used with the next prepayment of CFD No. 2022-4 IA3 Bonds.

The CFD Administrator will confirm that all previously levied Special Taxes have been paid in full. With respect to any Assessor's Parcel for which the Special Tax Obligation is prepaid in full, once the CFD Administrator has confirmed that all previously levied Special Taxes have been paid, the Council shall cause a suitable notice to be recorded in compliance with the Act, to indicate the prepayment of the Special Tax and the release of the Special Tax lien on such Assessor’s Parcel, and the obligation of the owner of such Assessor's Parcel to pay the Special Tax shall cease.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the aggregate amount of Maximum Special Taxes less Administrative Expenses that may be levied on Taxable Property, respectively, after the proposed prepayment is at least 1.1 times the Debt Service on all Outstanding Bonds in each Fiscal Year.

B. Partial Prepayment

The Special Tax on an Assessor’s Parcel of Developed Property or Undeveloped Property for which a building permit has been issued may be partially prepaid. The amount of the prepayment shall be calculated as in Section 6.A.; except that a partial prepayment shall be calculated according to the following formula:

$$PP = (P_E - A) \times F + A$$

These terms have the following meaning:

PP = the partial prepayment
PE = the Prepayment Amount calculated according to Section 6.A
F = the percentage by which the owner of the Assessor's Parcel(s) is partially prepaying the Special Tax Obligation
A = the Prepayment Administrative Fees and Expenses from Section 6.A

The owner of any Assessor's Parcel who desires such partial prepayment shall notify the CFD Administrator of (i) such owner's intent to partially prepay the Special Tax Obligation, (ii) the percentage by which the Special Tax Obligation shall be prepaid, and (iii) the company or agency that will be acting as the escrow agent, if any. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax Obligation for an Assessor's Parcel within sixty (60) days of the request and may charge a reasonable fee for providing this service.

With respect to any Assessor's Parcel that is partially prepaid, the City shall (i) distribute the funds remitted to it according to Section 6.A., and (ii) indicate in the records of CFD No. 2022-4 IA3 that there has been a partial prepayment of the Special Tax Obligation and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage $(1.00 - F)$ of the Maximum Special Tax, shall continue to be levied on such Assessor's Parcel.

Notwithstanding the foregoing, no partial prepayment shall be allowed unless the aggregate amount of Maximum Special Taxes less Administrative Expenses that may be levied on Taxable Property, respectively, after the proposed partial prepayment is at least 1.1 times the Debt Service on all Outstanding Bonds in each Fiscal Year.

7. TERM OF SPECIAL TAX

The Special Tax shall be levied as long as necessary to meet the Special Tax Requirement for a period not to exceed fifty (50) Fiscal Years commencing with Fiscal Year 2024-25, provided however that the Special Tax will cease to be levied in an earlier Fiscal Year if the CFD Administrator has determined that all required interest and principal payments on CFD No. 2022-4 IA3 bonds have been paid.

8. EXEMPTIONS

The CFD Administrator shall classify as Exempt Property (i) Assessor's Parcels of Public Property, (ii) Assessor's Parcels of Property Owner Association Property, or (iii) Assessor's Parcels which are used as places of worship and are exempt from ad valorem property taxes because they are owned by a religious organization, (iv) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, (v) Lower Income Households Welfare Exemption Property, and (vi) Assessor's Parcels of Developed Property classified as Non-Residential Property as determined reasonably by the CFD Administrator, provided that no such classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA3 to less than 18.40 Acres. Assessor's Parcels of Lower Income Households Welfare Exemption Property which cannot be classified as Exempt Property because such

classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA3 to less than 18.40 Acres shall be classified as Provisional Welfare Property and will continue to be subject to the CFD No. 2022-4 IA3 Special Taxes accordingly. Assessor's Parcels which cannot be classified as Exempt Property because such classification would reduce the sum of all Taxable Property in CFD No. 2022-4 IA3 to less than 18.40 Acres shall be classified as Provisional Property and will continue to be subject to the CFD No. 2022-4 IA3 Special Taxes accordingly. Tax exempt status for the purpose of this paragraph will be assigned by the CFD Administrator in the chronological order in which property becomes eligible for classification as Exempt Property.

If the use of an Assessor's Parcel of Exempt Property changes so that such Assessor's Parcel is no longer classified as one of the uses set forth in the first paragraph of Section 8 above that would make such Assessor's Parcel eligible to be classified as Exempt Property, such Assessor's Parcel shall cease to be classified as Exempt Property and shall be deemed to be Taxable Property.

9. APPEALS

Any landowner who pays the Special Tax and claims the amount of the Special Tax levied on his or her Assessor's Parcel is in error shall first consult with the CFD Administrator regarding such error not later than thirty-six (36) months after first having paid the first installment of the Special Tax that is disputed. If following such consultation the CFD Administrator determines that an error has occurred, then the CFD Administrator shall take any of the following actions, in order of priority, in order to correct the error:

- (i) Amend the Special Tax levy on the landowner's Assessor's Parcel(s) for the current Fiscal Year prior to the payment date,
- (ii) Require the CFD to reimburse the landowner for the amount of the overpayment to the extent of available CFD funds, or
- (iii) Grant a credit against, eliminate or reduce the future Special Taxes on the landowner's Assessor's Parcel(s) in the amount of the overpayment.

If following such consultation and action by the CFD Administrator the landowner believes such error still exists, such person may file a written notice of appeal with the City Council. Upon the receipt of such notice, the City Council or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. If the City Council or designee determines an error still exists, the CFD Administrator shall take any of the actions described as (i), (ii) and (iii) above, in order of priority, in order to correct the error.

10. INTERPRETATIONS

The City Council or designee thereof shall interpret this Rate and Method of Apportionment of Special Tax for purposes of clarifying any ambiguities and make determinations relative to the administration of the Special Tax and any landowner appeals. The decision of the City Council or designee shall be final.

EXHIBIT D

TYPES OF FACILITIES TO BE FINANCED BY COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS

The general description of the Facilities that may be acquired or constructed is as follows:

- Street facilities, including, but not limited to, major arterials, highways, bridge facilities, regional transportation facilities and streets, intersections, access ramps, roadways, sidewalk, curb, gutters, striping, lighting, traffic signalization, signage, landscaping of public streets and rights-of-way and appurtenant facilities;
- Storm control facilities, including, but not limited to, storm drains, channels, detention, headwalls, riprap pads, water quality basins, retention and/or catch basins and appurtenant facilities;
- Sewer improvements, sanitary sewers, including, but not limited to, lift stations, force mains, pump stations, transmission and main lines, valves, and appurtenant facilities;
- Domestic water facilities, including, but not limited to, reservoirs, pump stations, transmission lines, distribution facilities, main lines, valves, fire hydrants and appurtenant facilities;
- Park, recreational facilities, trails, open space and appurtenant facilities;
- Impact and other City or public agency fees, including but not limited to, Transportation Uniform Mitigation Fees, Development Impact Fees, school fees, water fees, drainage fees, sewer treatment and connection fees, water supply fees, water meter fees, water connection fees, storm drain fees, capital facilities' fees and other city or public agency fees and all capital facilities which are part of these fee programs and capital improvement programs;
- Utility undergrounding and dry utilities;
- Incidental expenses;
- City facilities.

OTHER

The District may also finance any of the following:

1. Bond related expenses, including underwriters' discount, reserve fund, capitalized interest, financial advisor fees and expenses, bond and disclosure counsel, market absorption consultant, special tax consultant fees and expenses, appraiser, dissemination agent fees and all other incidental expenses.

2. Administrative fees of the City and the Bond trustee or fiscal agent related to the District and the Bonds.

3. Reimbursement of costs related to the formation of the District advanced by the City or any related entity, or any landowner or developer within the District, as well as reimbursement of any costs advanced by the City or any related entity, or any landowner or developer within the District, for facilities or other purposes or costs of the District.

This description of the public capital facilities is general in nature. The final nature and location of improvements and facilities will be determined upon the preparation of final plans and specifications. The final plans and specifications may show substitutes in lieu of, or modifications to, proposed work. Any such substitution shall not be a change or modification in the proceedings as long as the facilities provide a service substantially similar to that as set forth in the city officer's report, containing a brief description of the facilities which will be required to adequately meet the needs of the District.

ATTACHMENT 6

Resolution Determining Necessity to Incur Bonded Indebtedness
and Calling Election

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$14,000,000 WITHIN IMPROVEMENT AREA NO. 1, \$12,000,000 WITHIN IMPROVEMENT AREA NO. 2, AND \$8,000,000 WITHIN IMPROVEMENT AREA NO. 3 OF SAID DISTRICT; AND CALLING A SPECIAL ELECTION WITHIN EACH SUCH IMPROVEMENT AREA

WHEREAS, on November 14, 2023, the City Council (the “Council”) of the City of Perris, California (the “City”), has heretofore adopted its Resolution No. 6277 (the “Resolution of Intention”) stating its intention to form Community Facilities District No. 2022-4 (Park West) of the City of Perris (the “District”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”); and

WHEREAS, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the District, including Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 (each an “Improvement Area” and, collectively, the “Improvement Areas”), setting forth the rate and method of apportionment and manner of collection of the special tax to be levied within each Improvement Area, which will be used to pay principal and interest on bonds proposed to be authorized within each Improvement Area, the proceeds of which will be applied to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto; (2) the payment of development and other fees for the acquisition or construction of public facilities (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (3) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District (the “Incidental Expenses”), is on file with the City Clerk and incorporated herein by this reference; and

WHEREAS, on November 14, 2023, the Council has heretofore adopted its Resolution No. 6278 to incur bonded indebtedness (the “Resolution to Incur Bonded Indebtedness”) stating its intention to incur bonded indebtedness in an amount not to exceed \$14,000,000 within Improvement Area No. 1, an amount not to exceed \$12,000,000 within Improvement Area No. 2, and an amount not to exceed \$8,000,000 within Improvement Area No. 3; and

WHEREAS, a copy of the Resolution to Incur Bonded Indebtedness is on file with the City Clerk and incorporated herein by this reference; and

WHEREAS, on January 9, 2024, the Council held a noticed public hearing as required by the Act relative to the proposed formation of the District; and

WHEREAS, at said hearing all persons not exempt from the special tax desiring to be heard on all matters pertaining to the formation of the District, including the boundaries of the District and the Improvement Areas, the Facilities, and the levy of the special taxes, were heard and a full and fair hearing was held, and such matters were not precluded by a majority protest; and

WHEREAS, at said hearing evidence was presented to the Council on said matters before it, and the Council at the conclusion of said hearing was and is fully advised in the premises; and

WHEREAS, following the hearing, the Council adopted its resolution determining the validity of prior proceedings, establishing the District and the Improvement Areas, authorizing the levy of a special tax within the boundaries of each Improvement Area of the District and establishing an appropriations limit (the "Resolution of Formation"); and

WHEREAS, the proposed special tax to be levied upon property within each Improvement Area to pay principal and interest on the bonds proposed to be issued within each Improvement Area has not been precluded by protest of the owners of one-half (1/2) or more of the area of land within each Improvement Area of the District; and

WHEREAS, the Council wishes to present to the qualified electors of each Improvement Area a combined proposition to, among other things, levy special taxes on property within the Improvement Areas; incur bonded indebtedness; and establish an appropriations limit for each Improvement Area, defined below as the Proposition.

NOW, THEREFORE, by the City Council of the City of Perris, acting as the Legislative Body of Community Facilities District No. 2022-4 (Park West) of the City of Perris does hereby resolve as follows:

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

Section 2. The City Council hereby declares and deems that the public convenience and necessity require and it is necessary to incur bonded indebtedness in a maximum aggregate principal amount not to exceed \$14,000,000 within Improvement Area No. 1, an amount not to exceed \$12,000,000 within Improvement Area No. 2, and an amount not to exceed \$8,000,000 within Improvement Area No. 3 for the purpose of financing all or a portion of the Facilities and more particularly described as set forth in that certain city officer's report, containing a brief description of the facilities which will be required to adequately meet the needs of the District, filed with the City Council for the District.

Section 3. The purpose of the proposed bonded indebtedness is generally described as follows: to finance (1) the purchase, construction, modification, expansion,

improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto; (2) the payment of development and other fees for the acquisition or construction of the Facilities, which Facilities have a useful life of five years or longer; and (3) the Incidental Expenses.

Section 4. Except for property within each Improvement Area of the District that is exempt, wholly or partially, from the levy of the special tax specified in the applicable rate and method of apportionment of special tax attached to the Resolution of Formation as Exhibit "A", Exhibit "B", and Exhibit "C" thereof, the whole of the property within each Improvement Area shall pay for the applicable bonded indebtedness pursuant to the levy of the special tax authorized by the Resolution of Formation.

Section 5. The maximum term of the bonds or any series thereof to be issued shall in no event exceed forty (40) years.

Section 6. The bonds or any series thereof shall bear interest at a rate not to exceed the greater of twelve percent (12%) per annum or the maximum interest rate permitted by law, payable semiannually, with the actual rates and times of payment to be determined at the time of sale thereof.

Section 7. Pursuant to and in compliance with the provisions of Article 1.5 (commencing with Section 53410) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California, the Council hereby establishes the following accountability measures pertaining to any bonded indebtedness incurred by or on behalf of the District:

(a) Such bonded indebtedness shall be incurred for the specific purposes set forth in Section 3 above.

(b) The proceeds of any such bonded indebtedness shall be applied only to the specific purposes identified in Section 3 above.

(c) The documents establishing the terms and conditions for the issuance of any such bonded indebtedness shall provide for the creation of an account or accounts into which the proceeds of such bonded indebtedness shall be deposited.

(d) The City Manager or the City Finance Director/Treasurer, or their designee, acting for and on behalf of the City, shall annually file a report with the Council as required by Government Code Section 53411.

Section 8. Pursuant to Government Code Section 53353.5, the Council hereby submits to the qualified electors of the District a combined proposition ("Proposition A-1, A-2, and A-3") to, among other things, levy special taxes on property within the respective Improvement Area in accordance with the rate and method special tax formulas specified in the Resolution of Formation; incur bonded indebtedness in the maximum principal aggregate amount of \$14,000,000 within Improvement Area No. 1, an amount not to exceed \$12,000,000 within Improvement Area No. 2, and an amount not to exceed \$8,000,000 within Improvement Area No. 3; and establish an appropriations limit as defined by subdivision (h) of Section 8 of

Article XIII B of the California Constitution, for each Improvement Area of the District. Said appropriations limit shall be \$14,000,000 for Improvement Area No. 1, \$12,000,000 for Improvement Area No. 2, and \$8,000,000 for Improvement Area No. 3, and as defined by said Article XIII B, as adjusted for changes in the cost of living and changes in population. Proposition A-1, A-2, and A-3 are attached hereto as Exhibit "A-1", Exhibit "A-2", and Exhibit "A-3", respectively.

Section 9. A special election is hereby called for each Improvement Area within the District on the Proposition set forth in Section 8, hereinabove.

Section 10. The Clerk shall hand deliver the ballots to the landowner on or before January 9, 2024.

Section 11. The time for notice having been waived by all of the qualified electors, the date of the special election for the District on the combined Proposition shall be on the 9th day of January, 2024. The voter ballot shall be returned to the City Clerk at 101 North "D" Street, Perris, California 92570, no later than 6:30 p.m. on January 9, 2024.

Section 12. The Council finds and determines that there were no registered voters residing within the territory of either Improvement Area at the time of the protest hearing and ninety (90) days prior thereto, and that there is only one landowner in each Improvement Area. The requirements of Section 53326 of the Government Code having been waived by the landowner, the ballots for the special election shall be personally delivered to the landowner within each Improvement Area.

Section 13. Notice of said election and written argument for or against the measures have been waived by each landowner pursuant to the petition, dated November 1, 2023, filed by PW Land Investments, L.P., a Delaware limited partnership, with the City.

Section 14. Each Improvement Area of the District shall constitute a single election precinct for the purpose of holding said elections.

Section 15. The Council hereby directs that the elections be conducted by the City Clerk of the City of Perris, as the elections official.

Section 16. The City Clerk shall certify the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 9th day of January, 2024.

MAYOR OF THE CITY OF PERRIS

Attest:

CITY CLERK OF THE CITY OF PERRIS

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 No. _____ was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 9th day of January, 2024, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:

By: _____
City Clerk

EXHIBIT "A-1"

OFFICIAL BALLOT

**IMPROVEMENT AREA NO. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)
OF THE CITY OF PERRIS**

**SPECIAL BOND, TAX AND APPROPRIATIONS LIMIT ELECTION
January 9, 2024**

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO." All marks otherwise made are forbidden.

This ballot is provided to PW LAND INVESTMENTS, L.P., as sole owner or authorized representative of such sole owner of 47,94 acres of land within Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris and represents 48 votes. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570.

PROPOSITION: Shall the Proposition authorizing Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris ("IA 1 of CFD") to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$14,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,253 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 1 of CFD, raising approximately \$598,993 annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$14,000,000 for IA 1 of CFD, all as specified in the City of Perris' Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

YES

NO

Signature

Name

EXHIBIT "A-2"

OFFICIAL BALLOT

**IMPROVEMENT AREA NO. 2
COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)
OF THE CITY OF PERRIS**

**SPECIAL BOND, TAX AND APPROPRIATIONS LIMIT ELECTION
January 9, 2024**

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO." All marks otherwise made are forbidden.

This ballot is provided to PW LAND INVESTMENTS, L.P., as sole owner or authorized representative of such sole owner of 34.84 acres of land within Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris and represents 35 votes. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570.

PROPOSITION: Shall the Proposition authorizing Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris ("IA 2 of CFD") to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$12,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,146 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 2 of CFD, raising approximately \$504,965 annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$12,000,000 for IA 2 of CFD, all as specified in the City of Perris' Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

YES

NO

Signature

Name

EXHIBIT "A-3"

OFFICIAL BALLOT

**IMPROVEMENT AREA NO. 3
COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)
OF THE CITY OF PERRIS**

**SPECIAL BOND, TAX AND APPROPRIATIONS LIMIT ELECTION
January 9, 2024**

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO." All marks otherwise made are forbidden.

This ballot is provided to PW LAND INVESTMENTS, L.P., as sole owner or authorized representative of such sole owner of 27.99 acres of land within Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris and represents 28 votes. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570.

PROPOSITION: Shall the Proposition authorizing Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris ("IA 3 of CFD") to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$8,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,253 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 3 of CFD, raising approximately \$374,338 annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$8,000,000 for IA 3 of CFD, all as specified in the City of Perris' Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

YES

NO

Signature

Name

ATTACHMENT 7

Landowner's Ballot

OFFICIAL BALLOT

IMPROVEMENT AREA NO. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)
OF THE CITY OF PERRIS

SPECIAL BOND, SPECIAL TAXES AND APPROPRIATIONS LIMIT ELECTION
January 9, 2024

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO."
All marks otherwise made are forbidden.

This ballot is provided to PW LAND INVESTMENTS, L.P., a Delaware limited partnership, as sole owner or authorized representative of such sole owner of 47.94 acres of land within Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris and represents 48 votes. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570.

PROPOSITION: Shall the Proposition authorizing Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris ("IA 1 of CFD") to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$14,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,253 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 1 of CFD, raising approximately \$598,993 annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$14,000,000 for IA 1 of CFD, all as specified in the City of Perris' Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

YES

NO

OFFICIAL BALLOT
IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)
OF THE CITY OF PERRIS

SPECIAL BOND, SPECIAL TAXES AND APPROPRIATIONS LIMIT ELECTION
January 9, 2024

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO."
All marks otherwise made are forbidden.

This ballot is provided to PW LAND INVESTMENTS, L.P., a Delaware limited partnership, as sole owner or authorized representative of such sole owner of 34.84 acres of land within Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris and represents 35 votes. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570.

PROPOSITION: Shall the Proposition authorizing Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris ("IA 2 of CFD") to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$12,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,146 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 2 of CFD, raising approximately \$504,965 annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$12,000,000 for IA 2 of CFD, all as specified in the City of Perris' Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted??

YES

NO

OFFICIAL BALLOT

IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST)
OF THE CITY OF PERRIS

SPECIAL BOND, SPECIAL TAXES AND APPROPRIATIONS LIMIT ELECTION
January 9, 2024

To vote, mark a cross (+) in the voting square after the word "YES" or after the word "NO."
All marks otherwise made are forbidden.

This ballot is provided to PW LAND INVESTMENTS, L.P., a Delaware limited partnership, as sole owner or authorized representative of such sole owner of 27.99 acres of land within Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris and represents 28 votes. If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Perris at 101 North "D" Street, Perris, California 92570.

PROPOSITION: Shall the Proposition authorizing Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris ("IA 3 of CFD") to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$8,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,253 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 3 of CFD, raising approximately \$374,338 annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$8,000,000 for IA 3 of CFD, all as specified in the City of Perris' Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

YES

NO

ATTACHMENT 8

Resolution Declaring Results of Election

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE LEVY OF SPECIAL TAXES THEREIN, THE ISSUANCE OF BONDED INDEBTEDNESS AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT

WHEREAS, the City Council (the “Council”) of the City of Perris, California (the “City”), in its capacity as the legislative body of Community Facilities District No. 2022-4 (Park West) of the City of Perris (the “District”), called and duly held an election in Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 (“Improvement Areas”) of the District pursuant to Resolution No. [REDACTED] (“the Resolution Calling Election”) for the purpose of presenting to the qualified electors within Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District, a proposition for the levy of special taxes (the “Proposition”) in accordance with the respective method set forth in Exhibit “A” to Resolution No. [REDACTED] (the “Resolution of Formation”), the issuance of bonded indebtedness, and establishment of the appropriation limits; and

WHEREAS, the landowners of record within Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District, as of the close of the public hearing held on January 9, 2024, unanimously consented to a waiver of the time limits for setting the election and a waiver of any written analysis, arguments or rebuttals as set forth in California Government Code sections 53326 and 53327. Such waivers are set forth in written certificates executed by the landowners which are on file with the City Clerk, as the election official (the “Election Official”) concurring therein; and

WHEREAS, pursuant to the terms of the Resolution Calling Election and the provisions of the Mello-Roos Community Facilities Act of 1982 (the “Act”), the special election was held on January 9, 2024; and

WHEREAS, there has been presented to the Council a Certificate of the Election Official as to the results of the canvass of the election returns (the “Certificate of the Election Official”), a copy of which is attached hereto as Exhibit “A” and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris acting as the Legislative Body of the Community Facilities District No. 2022-4 (Park West) of the City of Perris, as follows:

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

Section 2. The canvass of the votes cast in the District at the special election held in Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the

District on January 9, 2024, as shown in the Certificate of the Election Official, is hereby approved and confirmed.

Section 3. Propositions A-1, A-2, and A-3 presented to the qualified electors of Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District, respectively, for receipt by the Election Official on January 9, 2024, have received a unanimous vote of the qualified electors voting at said elections, and Propositions A-1, A-2, and A-3 have carried. The Council is hereby authorized to take the necessary steps to levy the special taxes authorized by Propositions A-1, A-2, and A-3 on the property within Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District, respectively, and to issue, from time to time as it determines appropriate, bonds for the benefit of the Improvement Areas of the District secured by such special taxes.

Section 4. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, the Council hereby establishes the following accountability measures pertaining to the levy of the special taxes on the Improvement Areas of the District described in Section 3 above:

(i) Such special taxes shall be levied for the specific purposes set forth in Propositions A-1, A-2, and A-3 described in Section 3 hereof.

(ii) The proceeds of the levy of such special taxes shall be applied only to the specific purposes set forth in Propositions A-1, A-2, and A-3 described in Section 3 hereof.

(iii) The District shall establish an account or accounts into which the proceeds of such special taxes shall be deposited.

(iv) The City Manager or the City Finance Director/Treasurer, or their designee, acting for and on behalf of the District, shall annually file a report with the Council as required pursuant to Government Code Section 50075.3.

Section 5. The City Clerk is hereby directed to execute and cause to be recorded in the office of the County Recorder of the County of Riverside a notice of special tax lien for each Improvement Area in the form required by the Act and Division 4.5 of the California Streets and Highways Code no later than fifteen (15) days following the passage and adoption of this Resolution pursuant to Section 53328.3 of the Act.

Section 6. This Resolution shall take effect immediately upon its adoption.

Section 7. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

ADOPTED, SIGNED and APPROVED this 9th day of January, 2024.

MAYOR OF THE CITY OF PERRIS

RESOLUTION NUMBER _____

Page 3

Attest:

CITY CLERK OF THE CITY OF PERRIS

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 No. _____ was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 9th day of January, 2024, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:

By: _____
City Clerk

EXHIBIT A-1

CITY OF PERRIS, CALIFORNIA

**IMPROVEMENT AREA NO. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

**CERTIFICATE OF THE ELECTION OFFICIAL
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

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

I, Nancy Salazar, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of Community Facilities District No. 2022-4 (Park West) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on January 9, 2024, held in

**IMPROVEMENT AREA NO. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots cast within the property within Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris for the proposition, and the totals of the respective columns and the totals as shown for the proposition are full, true and correct.

WITNESS my hand and Official Seal this 9th day of January, 2024.

**CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF
THE CITY OF PERRIS**

By: _____
Nancy Salazar, City Clerk

CITY OF PERRIS

**IMPROVEMENT AREA NO. 1 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
January 9, 2024**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris, Special Election January 9, 2024				<u>0</u>

PROPOSITION SUBMITTED TO VOTE OF VOTERS: Shall the Proposition authorizing Improvement Area No. 1 of Community Facilities District No. 2022-4 (Park West) of the City of Perris (“IA 1 of CFD”) to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$14,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,253 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 1 of CFD, raising approximately ~~\$598,993~~ annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$14,000,000 for IA 1 of CFD, all as specified in the City of Perris’ Resolution Nos. 6277 and 62788 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

Dated: January 9, 2024

Nancy Salazar, City Clerk and Election Officer

EXHIBIT A-2

CITY OF PERRIS, CALIFORNIA

**IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

**CERTIFICATE OF THE ELECTION OFFICIAL
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

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

I, Nancy Salazar, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of Community Facilities District No. 2022-4 (Park West) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on January 9, 2024, held in

**IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots cast within the property within Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris for the proposition, and the totals of the respective columns and the totals as shown for the proposition are full, true and correct.

WITNESS my hand and Official Seal this 9th day of January, 2024.

**CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF
THE CITY OF PERRIS**

By: _____
Nancy Salazar, City Clerk

CITY OF PERRIS

**IMPROVEMENT AREA NO. 2 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
January 9, 2024**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris, Special Election January 9, 2024				<u>0</u>

PROPOSITION SUBMITTED TO VOTE OF VOTERS: Shall the Proposition authorizing Improvement Area No. 2 of Community Facilities District No. 2022-4 (Park West) of the City of Perris (“IA 2 of CFD”) to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$12,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$~~3,146~~ per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 2 of CFD, raising approximately \$~~504,9653,146~~ annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$12,000,000 for IA 2 of CFD, all as specified in the City of Perris’ Resolution Nos. 6277 and 62788 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

Dated: January 9, 2024

Nancy Salazar, City Clerk and Election Officer

EXHIBIT A-3

CITY OF PERRIS, CALIFORNIA

**IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

**CERTIFICATE OF THE ELECTION OFFICIAL
AS TO THE RESULTS OF THE CANVASS OF THE ELECTION RETURNS**

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

I, Nancy Salazar, City Clerk in my capacity as Elections Official in the City of Perris, California, in its capacity as the legislative body of Community Facilities District No. 2022-4 (Park West) of the City of Perris, DO HEREBY CERTIFY, that pursuant to the provisions of Section 53325.4 of the Government Code and Division 15, commencing with Section 15000 of the Elections Code of the State of California, I did canvass the return of the votes cast at the Special Tax Election on January 9, 2024, held in

**IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

I FURTHER CERTIFY that the Statement of All Votes Cast, to which this certificate is attached, shows the total number of ballots cast within the property within Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris for the proposition, and the totals of the respective columns and the totals as shown for the proposition are full, true and correct.

WITNESS my hand and Official Seal this 9th day of January, 2024.

CITY OF PERRIS, CALIFORNIA, acting as the
LEGISLATIVE BODY OF THE COMMUNITY
FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF
THE CITY OF PERRIS

By: _____
Nancy Salazar, City Clerk

CITY OF PERRIS

**IMPROVEMENT AREA NO. 3 OF
COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

**STATEMENT OF ALL VOTES CAST
SPECIAL TAX ELECTIONS
January 9, 2024**

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Perris, Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris, Special Election January 9, 2024				<u>0</u>

PROPOSITION SUBMITTED TO VOTE OF VOTERS: Shall the Proposition authorizing Improvement Area No. 3 of Community Facilities District No. 2022-4 (Park West) of the City of Perris (“IA 3 of CFD”) to incur an indebtedness and issue bonds in the maximum aggregate principal amount of \$8,000,000 at interest rates not to exceed the maximum legal rate; levy a special tax of up to \$3,253 per residential unit, with different rates by square footage of property, plus annual increases, as described in the Rate and Method of Apportionment of the Special Taxes for IA 3 of CFD, raising approximately ~~\$374,338~~ annually, plus permitted adjustments, for fifty (50) years, to pay the principal of and interest on such indebtedness and bonds and to pay directly the cost of the authorized facilities and incidental expenses; and establish an appropriations limit of \$8,000,000 for IA 3 of CFD, all as specified in the City of Perris’ Resolution Nos. 6277 and 6278 adopted on November 14, 2023 and Resolution calling the election adopted on January 9, 2024 be adopted?

Dated: January 9, 2024

Nancy Salazar, City Clerk and Election Office

ATTACHMENT 9

Resolution Approving the Acquisition Agreement

Due to size the Exhibits to the Resolution are on file in the City Clerk's Office

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AND AUTHORIZING EXECUTION OF ACQUISITION AND FUNDING AGREEMENTS AND A JOINT COMMUNITY FACILITIES AGREEMENT IN CONNECTION WITH THE FORMATION OF COMMUNITY FACILITIES DISTRICT 2022-4 (PARK WEST) OF THE CITY OF PERRIS; AND MAKING FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH

WHEREAS, the City of Perris (the “City”) is taking proceedings pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”) for the formation of Community Facilities District 2022-4 (Park West) of the City of Perris (“District”) and for the issuance of bonds by the District; and

WHEREAS, the District will contain three improvement areas designated as “Improvement Area No. 1”, “Improvement Area No. 2”, and “Improvement Area No. 3” (each, an “Improvement Area” and, collectively, the “Improvement Areas”) as permitted by the Act;

WHEREAS, PW Land Investments, L.P., a Delaware limited partnership, is the owner of the entirety of the 110.77 gross acres of property within the District (the “Developer”); and

WHEREAS, pursuant to Section 53316.2 of the Act, a community facilities district is authorized to finance facilities to be owned or operated by an entity other than the agency that created the community facilities district pursuant to a joint community facilities agreement; and

WHEREAS, attached hereto as Exhibit “A” is the Acquisition and Funding Agreement (the “IA 1 Funding Agreement”) by and between the City and the Developer, relating to the authorized facilities and authorized fees to be funded by the City from the Special Taxes and Bonds of Improvement Area No. 1 of the District pursuant to the Act; and

WHEREAS, attached hereto as Exhibit “B” is the Acquisition and Funding Agreement (the “IA 2 Funding Agreement”) by and between the City and the Developer, relating to the authorized facilities and authorized fees to be funded by the City from the Special Taxes and Bonds of Improvement Area No. 2 of the District pursuant to the Act; and

WHEREAS, attached hereto as Exhibit “C” is the Acquisition and Funding Agreement (the “IA 3 Funding Agreement”) by and between the City and the Developer, relating to the authorized facilities and authorized fees to be funded by the City from the Special Taxes and Bonds of Improvement Area No. 3 of the District pursuant to the Act; and

WHEREAS, attached hereto as Exhibit “D” is the Joint Community Facilities Agreement (the “EMWD Agreement”), among the City, the Developer, and Eastern Municipal Water District (“EMWD”); and

WHEREAS, the Developer has approved the IA 1 Funding Agreement, IA 2 Funding Agreement, IA 3 Funding Agreement, and EMWD Agreement; and

WHEREAS, the City has determined that it is necessary and desirable to enter into the IA 1 Funding Agreement, the IA 2 Funding Agreement, IA 3 Funding Agreement, and the EMWD Agreement, and that such agreements will be beneficial to the interests of the residents residing within the boundaries of the EMWD, the City and the District.

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. Capitalized terms not defined herein shall have the meaning set forth in the IA 1 Funding Agreement, IA 2 Funding Agreement, IA 3 Funding Agreement, or EMWD Agreement as applicable.

Section 2. That said forms of EMWD Agreement, the IA 1 Funding Agreement, the IA 2 Funding Agreement, and IA 3 Funding Agreement on file with the City Clerk be and are each hereby approved, with such changes as may be approved by the Mayor, City Manager, Deputy City Manager or Finance Director (each, an "Authorized Officer"), said Authorized Officer's execution thereof to constitute conclusive evidence of said Authorized Officer's approval of all such changes, and each of said Authorized Officers be and is hereby authorized, together or alone to execute and deliver said EMWD Agreement, said IA 1 Funding Agreement, said IA 2 Funding Agreement, and said IA 3 Funding Agreement. The City Clerk or a duly authorized Deputy or Assistant City Clerk is hereby authorized to attest to said Authorized Officer's signature.

ADOPTED, SIGNED and APPROVED this 9th day of January, 2024.

MAYOR OF THE CITY OF PERRIS

Attest:

CITY CLERK OF THE CITY OF PERRIS

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 9th day of January, 2024, by the following called vote:

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

Nancy Salazar, City Clerk

RESOLUTION NO. _____

EXHIBIT A

IA 1 FUNDING AGREEMENT

[ON FILE IN THE CITY CLERK'S OFFICE]

EXHIBIT B

IA 2 FUNDING AGREEMENT

[ON FILE IN THE CITY CLERK'S OFFICE]

EXHIBIT C

IA 3 FUNDING AGREEMENT

[ON FILE IN THE CITY CLERK'S OFFICE]

EXHIBIT D

JOINT COMMUNITY FACILITIES AGREEMENT

[ON FILE IN THE CITY CLERK'S OFFICE]

ATTACHMENT 10

Ordinance Authorizing Levy of Special Tax

Due to size the Exhibits to the Ordinance are on file in the City Clerk's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN IMPROVEMENT AREA NO. 1, IMPROVEMENT AREA NO. 2, AND IMPROVEMENT AREA NO. 3 OF SAID DISTRICT

WHEREAS, on November 14, 2023, the City Council (the “Council”) of the City of Perris, California (the “City”) adopted Resolution No. 6277 (the “Resolution of Intention”) declaring its intention to form Community Facilities District No. 2022-4 (Park West) of the City of Perris (the “District”) and Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 thereof (each an “Improvement Area” and, collectively, the “Improvement Areas”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code of the State of California (the “Act”); and

WHEREAS, on January 9, 2024, and in accordance with the Act, the Council opened a public hearing after providing all notice required relating to the formation of the District and Improvement Areas therein, and setting forth the rate and method of apportionment and manner of collection of the special tax to be levied within each Improvement Area, which will be used to pay principal and interest on bonds proposed to be authorized within each Improvement Area, the proceeds of which will be applied to finance (1) the purchase, construction, modification, expansion, improvement or rehabilitation of certain real or other tangible property, including all furnishings, equipment and supplies related thereto; (2) the payment of development and other fees for the acquisition or construction of public facilities (collectively, the “Facilities”), which Facilities have a useful life of five years or longer; and (3) the incidental expenses to be incurred in connection with financing the Facilities and forming and administering the District, as further described in the Resolution of Intention; and

WHEREAS, at the public hearing, all persons not exempt from the special tax desiring to be heard on all matters pertaining to the formation of the District, including the boundaries of the District and Improvement Areas, the special tax, and the Facilities, were heard and a full and fair hearing was held, and such matters were not precluded by a majority protest; and

WHEREAS, on January 9, 2024, following the close of the public hearing, the Council adopted a resolution establishing the District (the “Resolution of Formation”) and a resolution determining the necessity to incur bonded indebtedness of the District (the “Resolution to Incur Bonded Indebtedness”) each of which called a consolidated special election on January 9, 2024, within the Improvement Areas of the District on a proposition relating to the levying of special taxes, the incurring of bonded indebtedness and the establishment of an appropriations limit for each Improvement Area (the “Special Election”); and

WHEREAS, on January 9, 2024, the Special Election was held within each Improvement Area of the District at which the qualified electors of each Improvement Area, respectively, approved by more than a two-thirds vote the propositions labeled on the official ballot as “Proposition A-1”, “Proposition A-2”, and “Proposition A-3”, which generally authorized the levy of special taxes within Improvement Area No.1, Improvement Area No. 2, and Improvement Area No. 3, respectively, for the purposes described in the Resolution of Intention and the issuance of bonded indebtedness for the District as described in the Resolution to Incur Bonded Indebtedness; and

WHEREAS, on January 9, 2024, following its determination that the requisite two-thirds of votes cast at the Special Election were in favor of levying the special taxes, the City Council directed the City Clerk to execute and cause to be recorded in the office of the County Recorder of the County of Riverside a notice of special tax lien for each Improvement Area in the form required by the Act and Division 4.5 of the California Streets and Highways Code pursuant to Section 53328.3 of the Act.

THE CITY COUNCIL OF THE CITY OF PERRIS, IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2022-4 (PARK WEST) OF THE CITY OF PERRIS, DOES HEREBY ORDAIN AS FOLLOWS:

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

Section 2. By the passage of this Ordinance, the Council authorizes the levy of a special tax within each Improvement Area of the District at the maximum rate in accordance with the rate and method of apportionment for each Improvement Area set forth as Exhibit “A”, Exhibit “B”, and Exhibit “C” to the Resolution of Formation, and for reference purposes are attached hereto as Exhibit “A”, Exhibit “B”, and Exhibit “C” and incorporated herein by this reference (the “Rates and Methods”).

Section 3. The Council or its designee is hereby further authorized to determine, by ordinance, resolution, or by other action if permitted by then applicable law, on or before August 1 of each year, the specific special tax to be levied for the next ensuing fiscal year on each parcel of land in the applicable Improvement Area No. 1, Improvement Area No. 2, and Improvement Area No. 3 of the District. The special tax to be levied shall not exceed the maximum rates set forth in the Rates and Methods, respectively, but the special tax may be levied at a lower rate. The City Clerk is authorized and directed to file with the county auditor on or before the 10th day of August of each tax year a certified copy of such ordinance or resolution accompanied by a list of all parcels subject to the special tax levy with the tax to be levied on each parcel.

Section 3. Properties or entities of the state, federal or other local governments shall be exempt from the above-referenced and approved special taxes only to the extent set forth in Section 8 of the Rates and Methods, and otherwise shall be subject to the tax consistent with the provisions of Section 53317.3 and 53317.5 of the Act in effect as of the date of adoption of this Ordinance.

Section 4. All of the collections of the special taxes pursuant to the Rates and Methods shall be used only as provided for in the Act and Resolution of Formation. The special taxes shall be levied within the Improvement Areas only so long as needed to accomplish the purposes described in Resolution of Formation.

Section 5. The special taxes shall be collected pursuant to the Rates and Methods from time to time as necessary to meet the financial obligations of the District on the secured real property tax roll in the same manner as ordinary ad valorem taxes are collected, or other procedures as may be adopted by the Council. The City Manager, or his or her designee, is hereby authorized and directed to provide or to cause to be provided all necessary information to the auditor/tax collector of the County of Riverside and to otherwise take all actions necessary in order to effect proper billing and collection of the special taxes, so that the special taxes shall be levied and collected in sufficient amounts and at times necessary to satisfy the financial obligations of the District in each fiscal year until the bonds issued on the security of such special taxes (the "Bonds") are paid in full, the Facilities have been paid for, and provision has been made for payment of all of the administrative costs of District. The special taxes may be subject to the same penalties and the same procedure, sale and lien priority in cases of delinquency as provided for ad valorem taxes as such procedure may be modified by law or this City Council from time to time.

Notwithstanding the foregoing, the City Manager or the Finance Director may collect, or cause to be collected, one or more installments of the special taxes by means of direct billing by the District of the property owners within the applicable Improvement Area of the District, if, in the judgment of the City Manager or the Finance Director, such means of collection will reduce the administrative burden of the District in administering the District where it is otherwise appropriate in the circumstances. In such event, the special taxes shall become delinquent if not paid when due as set forth in any such respective billing to the property owners.

Whether the special taxes are levied in the manner provided in the first or the second preceding paragraph, the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent special tax payments.

Section 6. As a cumulative remedy, if any amount levied as a special tax for payment of bond interest or principal of any Bonds of the District, together with any penalties and other charges accruing under this ordinance, are not paid when due, the Council may, not later than four (4) years after the due date of the last installment of principal of the Bonds, order that the same be collected by an action brought in the superior court to foreclose the lien of such special tax.

Section 7. This Ordinance relating to the levy of the special taxes within the District shall take effect immediately upon its final passage in accordance with the provisions of Section 36937(a) of the Government Code, and the specific authorization for adoption is pursuant to the provisions of Section 53340 of the Government Code.

Section 8. The Mayor shall sign this Ordinance and the City Clerk shall attest to the Mayor's signature and then cause the same to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation published and circulated in the City.

Section 9. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City as required by law, and is hereby directed to perform all other acts which are required by the Act, this Ordinance or by law in order to accomplish the purpose of this Ordinance.

ADOPTED, SIGNED and APPROVED this 13th day of February, 2024.

MAYOR OF THE CITY OF PERRIS

Attest:

CITY CLERK OF THE CITY OF PERRIS

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 Ordinance Number _____ was duly introduced for first reading by the City Council of the City of Perris at a regular meeting of said Council on the 9th day of January, 2023, by the following vote:

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

and that it was adopted at a regular meeting of said Council on the 13th day of February, 2024, by the following vote:

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

By: _____
City Clerk

EXHIBIT "A"

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR IMPROVEMENT AREA NO. 1
OF COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

[ON FILE IN THE CITY CLERK'S OFFICE]

EXHIBIT "B"

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR IMPROVEMENT AREA NO. 2
OF COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

[ON FILE IN THE CITY CLERK'S OFFICE]

EXHIBIT "C"

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR IMPROVEMENT AREA NO. 3
OF COMMUNITY FACILITIES DISTRICT NO. 2022-4
(PARK WEST) OF THE CITY OF PERRIS**

[ON FILE IN THE CITY CLERK'S OFFICE]



12.A.

CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Appointments to City Committees and Commissions and Agencies.

REQUESTED ACTION: Mayor and City Council to make appointments to the various agencies and committees to represent the City.

CONTACT: Mayor Michael M. Vargas

BACKGROUND/DISCUSSION:

The terms for the various committee appointments are nearing expiration and it is now time to appoint delegates for 2024. A list of the committees/agency's requiring appointment is attached for consideration.

BUDGET (or FISCAL) IMPACT: There is no Budget Impact for this item.

Prepared by: Judy L. Haughney, Assistant City Clerk

REVIEWED BY:

City Attorney _____
Assistant City Manager WB
Deputy City Manager ER

Attachments: 1. 2023 City Council Appointment List

Consent:
Public Hearing:
Business Item: January 9, 2024
Presentation:
Other:

ATTACHMENT 1

2023 City Council Appointment List



CITY OF PERRIS

Office of the Mayor

Michael M. Vargas
101 North "D" Street
Perris, California 92570
Tel: (951) 943-6100
Fax: (951) 943-4246

On January 10, 2023, the following appointments were made and will be effective until December 31, 2023 and will be updated at the time that any new appointments or changes are made. This list was updated on 2/14/2023.

CITY COUNCIL APPOINTMENTS 2023

Mayor Pro Tem Marisela Nava

RIVERSIDE TRANSIT AGENCY

*Councilman Malcolm Corona, Delegate
Councilwoman Rita Rogers, Alternate*

*December 2023
December 2023*

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

*Councilwoman Rita Rogers, Representative
Mayor Pro Tem Marisela Nava, Alternate*

*December 2023
December 2023*

WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY

*Councilman David Starr Rabb, Delegate
Councilman Malcolm Corona, Alternate*

*December 2023
December 2023*

MARCH JOINT POWERS AUTHORITY COMMISSION

*Mayor Michael M. Vargas, Representative
Councilwoman Rita Rogers, Representative
Councilman Malcolm Corona, Alternate*

*December 2023
December 2023
December 2023*

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Mayor Pro Tem Marisela Nava, Delegate

December 2023

WESTERN COMMUNITY ENERGY JOINT POWERS AUTHORITY

*Councilwoman Rita Rogers, Delegate
Mayor Pro Tem Marisela Nava, Alternate*

*December 2023
December 2023*

EAST-WEST CORRIDOR COMMITTEE

*Councilman David Starr Rabb, Representative
Councilwoman Rita Rogers, Alternate*

*December 2023
December 2023*

CITY COUNCIL APPOINTMENTS 2023

RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY

Mayor Michael M. Vargas, Representative
Mayor Pro Tem Marisela Nava, Alternate

December 2023
December 2023

RIVERSIDE COUNTY LIBRARY SYSTEM ZONE ADVISORY BOARD

Mayor Pro Tem Marisela Nava

December 2023

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

Mayor Michael M. Vargas, Representative
Councilwoman Rita Rogers, Alternate

December 2023
December 2023

RIVERSIDE COUNTY OFFICE ON AGING ADVISORY BOARD

Councilman David Starr Rabb, Representative

December 2023

TUMF ZONE COMMITTEE

Councilwoman Rita Rogers, Representative
Councilman David Starr Rabb, Alternate

December 2023
December 2023

****CITY COUNCIL WORKING COMMITTEES****

WAYS & MEANS COMMITTEE

Councilwoman Rita Rogers, Chair
Mayor Pro Tem Marisela Nava

December 2023
December 2023

PUBLIC WORKS COMMITTEE

Councilman Malcolm Corona, Chair
Councilman David Starr Rabb

December 2023
December 2023

PARKS & RECREATION COMMITTEE

Councilman Malcolm Corona, Chair
Councilwoman Rita Rogers

December 2023
December 2023

SCHOOL DISTRICT LIAISON COMMITTEE

Mayor Pro Tem Marisela Nava, Chair
Councilman Malcolm Corona

December 2023
December 2023

SENIOR CITIZEN COMMITTEE

*Councilwoman Rita Rogers, Chair
Mayor Michael M. Vargas*

*December 2023
December 2023*

PUBLIC SAFETY COMMITTEE

*Mayor Michael M. Vargas, Chair
Councilman David Starr Rabb*

*December 2023
December 2023*

ECONOMIC DEVELOPMENT COMMITTEE

*Mayor Michael M. Vargas, Chair
Councilman David Starr Rabb*

*December 2023
December 2023*

HOMELESS TASK FORCE COMMITTEE

*Councilman Malcolm Corona, Chair
Mayor Pro Tem Marisela Nava*

*December 2023
December 2023*

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COMMITTEE

*Mayor Michael M. Vargas, Chair
Councilwoman Rita Rogers*

*December 2023
December 2023*

HUMAN RESOURCES COMMITTEE

*Mayor Michael M. Vargas, Chair
Mayor Pro Tem Marisela Nava*

*December 2023
December 2023*

WATER UTILITY AD HOC

*Councilwoman Rita Rogers, Chair
Mayor Michael M. Vargas
Councilman David Starr Rabb, Alternate*

*December 2023
December 2023
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BEAUTIFICATION COMMITTEE

*Mayor Michael M. Vargas, Chair
Mayor Pro Tem Marisela Nava*

*December 2023
December 2023*



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: January 9, 2024

SUBJECT: Appointment of the Mayor Pro Tem

REQUESTED ACTION: Mayor and City Council to make appointment of the Mayor Pro Tem.

CONTACT: Mayor Michael M. Vargas

BACKGROUND/DISCUSSION:

The Mayor and City Council shall select one member to serve as the Mayor Pro Tem for the year 2024.

BUDGET (or FISCAL) IMPACT: There is no Budget Impact for this item.

Prepared by: Judy L. Haughney, Assistant City Clerk

REVIEWED BY:

City Attorney _____
 Assistant City Manager *MB*
 Deputy City Manager *ER*

Attachments: None

Consent:
 Public Hearing:
 Business Item: January 9, 2024
 Presentation:
 Other: