

RESOLUTION NUMBER 5142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, PROPOSING THE SALE OF THE CITY OF PERRIS NORTH PERRIS WATER SYSTEM AND DOWNTOWN PERRIS WATER SYSTEM; CALLING FOR, AND GIVING NOTICE OF, THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2017, FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF THE CITY QUESTIONS RELATING TO THE SALE OF THE CITY OF PERRIS NORTH PERRIS WATER SYSTEM AND DOWNTOWN PERRIS WATER SYSTEM; AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF THE SPECIAL ELECTION

WHEREAS, the City of Perris (“City”) desires to sell the North Perris Water System and Downtown Perris Water System (collectively “Water Systems”); and

WHEREAS, California Public Utilities Code Section 10061 requires that (i) the City seek proposals from potential purchasers of the Water Systems; (ii) a public hearing be held to examine the submitted proposals, staff recommendations, and all testimony regarding the City’s proposed sale of the Water Systems; and (iii) after determining the best qualified purchaser that can provide equal or better service to customers of the Water Systems, the question of whether the Water Systems should be sold to such a qualified purchaser be placed on a ballot at the next regularly schedule election or special election called for that purpose; and

WHEREAS, the City sought proposals for the proposed sale of the Water Systems by issuing a request for proposals in February 2016 and has received proposals for the purchase of the Water Systems; and

WHEREAS, a notice of a public hearing to be held on July 11, 2017, regarding the proposed sale of the Water Systems was published in the Perris Progress and Perris City News on June 28, 2017 and July 5, 2017; and

WHEREAS, at the public hearing on July 11, 2017, the City Council received and considered the submitted proposals, staff recommendations, and all testimony concerning the proposed sale of the Water System; and

WHEREAS, after consideration of the submitted proposals, staff recommendations, and all testimony presented at the public hearing, the City Council has determined that Liberty Utilities is best qualified to continue providing equal or better service to the customers of the Water Systems and on terms that are just and reasonable which do not discriminate against the customers of the Water Systems; and

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a Special Municipal Election shall be held on November 7, 2017, for the submission to the qualified voters of the City of Perris questions relating to the sale of the Water Systems; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the County; and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Perris;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

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

Section 2. That the City Council proposes that the Water Systems be sold to Liberty Utilities, because Liberty Utilities will provide the customers of the Water Systems with equal or better service on terms that are just and reasonable which do not discriminate against the customers of the Water Systems.

Section 3. That pursuant to the requirements of the laws of the State of California relating to general law cities, including California Public Utilities Code section 10061, there is hereby called and ordered to be held in the City of Perris, California, on Tuesday, November 7, 2017, a Special Municipal Election for the purpose of submitting to the qualified voters a measure approving sale of the Water Systems to Liberty Utilities.

Section 4. That the City Council of the City of Perris, pursuant to its right and authority, hereby orders submitted to the qualified voters at the Special Municipal Election the following questions:

Shall the City of Perris sell the North Perris Water System and Downtown Water System to Liberty Utilities to retire Water System debt and use the remaining proceeds for park amenities, including athletic fields?	YES
	NO

Section 5. Pursuant to Section 10061 of California Public Utilities Code, the votes of a majority of all voters voting at the Special Municipal Election are necessary to authorize the sale of Perris Water Systems.

Section 6. Pursuant to the requirements of Sections 10402 and 10403 of the Elections Code, the Riverside County Board of Supervisors is hereby requested to consent and agree to the consolidation of the Special Municipal Election with the election conducted by Riverside County to be held on Tuesday, November 7, 2017, for the purposes of submitting a ballot measure as provided above.

Section 7. That the ballots to be used at the election shall be in form and content as required by law.

Section 8. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County of Riverside (“County”) to permit the County Election Department to prepare and furnish the services specified in Exhibit A of this Resolution.

Section 9. That the City Council of the City of Perris, pursuant to Elections Code Section 320, hereby designates Nancy Salazar, City Clerk, or her designee, as the City of Perris Elections Official for purposes of this election and its related process.

Section 10. The City of Perris recognizes that additional costs will be incurred by the County of Riverside by reason of this request, and agrees to reimburse the County of Riverside for services performed when the work is completed and upon presentation and proper approval of a detailed invoice to the City Clerk of the City of Perris.

Section 11. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

Section 12. That notice of time and place of holding said Election is given and the City Clerk is authorized, instructed and directed to give such further or additional notice of said Election, in time, form and manner as required by law.

Section 13. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the City of Perris; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of the City of Perris, in the minutes of the meeting at which same is passed and adopted.

ADOPTED, SIGNED and APPROVED this 11th day of July, 2017.

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 5142 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 11th day of July, 2017, and that it was so adopted by the following vote:

AYES: ROGERS, BURKE, CORONA, VARGAS
NOES: RABB
ABSENT: NONE
ABSTAIN: NONE

City Clerk, Nancy Salazar

EXHIBIT A

Detailed list of services to be provided by the Riverside County Registrar of Voters:

- 1) Prepare all up-to-date election process forms.
- 2) Provide signature verification services as needed.
- 3) Prepare sample ballot materials including translations for review by the City Clerk, prior to distribution.
- 4) Print and distribute sample ballots to all qualified City of Perris registered voters.
- 5) Establish polling places for voting precincts.
- 6) A listing of county precincts with number of registered voters in each, so the City may consolidate election precincts into City voting precincts, and maps of the voting precincts.
- 7) Provide voting equipment, ballot boxes, ballots, and all other necessary supplies and paraphernalia, for each established polling place.
- 8) Select, train and issue payment to poll workers and alternate poll workers as required by law for each polling place established. The City shall have the opportunity to review the final list of poll workers assigned to serve in City precincts.
- 9) Provide training for "Range Inspectors" hired by the County to provide technical support on Election Days.
- 10) Provide an alphabetical listing of each voter in the City, including their appropriate polling place location, on CD if available.
- 11) Provide the necessary voter registration lists for all polling locations.
- 12) Publish and post required notices regarding polling places and poll workers.
- 13) Provide the County tabulation equipment and the qualified and trained County personnel to operate the same.
- 14) Provide County personnel for security during the ballot counting and tabulation process.
- 15) Provide sufficient personnel to deliver, process, count and tabulate the ballots on the night of the general municipal election.
- 16) Distribute, receive and process all vote by mail ballots.
- 17) Distribute, receive and process all provisional ballots.
- 18) Prepare and deliver the election returns of the votes cast at the general municipal election to the Perris City Clerk, to enable the City Clerk to canvass the returns and declare the results.
- 19) Provide voting precinct maps for use by the City Clerk's Office and City poll workers, in assisting voters to determine their precinct polling locations.
- 20) Provide such other necessary election equipment, materials and assistance as needed according to state law.
- 21) Provide itemized written invoice no later than December 31, 2017.