

**RESOLUTION NO. 4198**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING AMENDMENT NUMBER 3 TO THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY***

**WHEREAS**, this third Amendment will be made by and between the COUNTY OF RIVERSIDE, the Cities of BANNING, BEAUMONT, CALIMESA, CANYON LAKE, CORONA, HEMET, LAKE ELSINORE, MORENO VALLEY, MURRIETA, NORCO, PERRIS, RIVERSIDE, SAN JACINTO, TEMECULA, hereinafter sometimes referred to collectively as the “Parties”, and the CITY OF MENIFEE and the CITY OF WILDOMAR.

**WHEREAS**, the Parties, and each of them, have executed a Joint Exercise of Powers Agreement Creating the Western Riverside County Regional Conservation Authority (“Agreement”); and

**WHEREAS**, section 5(C) of the Agreement states that the Agreement may be amended to add new parties provided there is mutual consent by the governing bodies of each of the Parties to the Agreement; and

**WHEREAS**, the Parties and the City of Menifee desire that City of Menifee become a member of the Western Riverside Regional Conservation Authority (“RCA”).

**WHEREAS**, the Parties and the City of Wildomar desire that City of Wildomar become a member of the Western Riverside Regional Conservation Authority (“RCA”).

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

**Section 1. Incorporation of Recitals.** The Recitals set forth above are true and correct as set forth herein.

**Section 2. Approval of Third Amendment.** The City Council hereby approves the following amendment to the Joint Exercise of Powers Agreement for the Regional Conservation Authority:

- A. *Add City of Menifee.* The City of Menifee shall become a member of the RCA upon the Effective Date as defined in Section 4 of this Third Amendment.
- B. *Add City of Wildomar.* The City of Wildomar shall become a member of the RCA upon the Effective Date as defined in Section 4 of this Third Amendment.

- C. *Quorum and Voting.* Revise the first sentence of Section 7(C)(III) of the Agreement regarding Quorum and Voting as follows. “The item shall be approved by Board members present at the meeting who represent Cities representing a majority of an equal combination of 1) the population of the county living in incorporated areas within the boundaries of the MSHCP Plan area, and 2) the number of acres currently within the Criteria Area in the incorporated areas as follows: Banning – 78 acres; Beaumont – 10,098 acres; Calimesa – 3,380 acres; Canyon Lake – 303 acres; Corona – 2,315 acres; Hemet – 1,158 acres; Lake Elsinore – 13,917 acres; Menifee – 249 acres; Moreno Valley – 2,325 acres; Murrieta – 8,722 acres; Norco – 681 acres; Perris – 3,181 acres; Riverside – 1,201 acres; San Jacinto – 4,224 acres; Temecula – 3,903 acres; and Wildomar – 4,152 acres.”
- D. *Notice Addresses.* Revise Section 24 of the Agreement to add Notice address for City of Menifee and the City of Wildomar.
- City of Menifee  
City Manager  
29683 New Hub Drive, Suite C  
Menifee, CA 92586  
(951) 672-6777
  - City of Wildomar  
City Manager  
23738 Clinton Keith Rd  
Wildomar, CA 92595  
(951) 677-7751

***Section 3. Other Provisions to Remain in Effect.*** Except as set forth herein, all provisions of the Agreement shall remain in full force and effect, and shall govern the actions of the parties hereto and the amended provisions set forth in this Third Amendment.

***Section 4. Effective Date.*** This Resolution shall be effective on the date of its adoption. Notwithstanding the foregoing, the amendment to the JPA set forth herein shall not be effective unless and until it is authorized by all of the governing bodies of each party to the Agreement.

***Section 5. Environmental Review.*** The City Council hereby determines that the project is exempt from further environmental review per the California Environmental Quality Act (CEQA), specifically finding that:

- (a) The City has complied with the California Environmental Quality Act; and
- (b) This determination reflects the independent judgment of the City.

**Section 6.** The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

**Section 7.** The Mayor shall sign this Resolution and Amendment No. 3 to the Joint Exercise of Powers Agreement attached hereto as Exhibit A and the City Clerk shall certify to the passage and adoption of this Resolution.

**ADOPTED, SIGNED, and APPROVED** this 10<sup>th</sup> day of March 2009.

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Mayor, Daryl R. Busch

Attest:

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City Clerk, Judy L. Haughney

Attachment: Amendment Number 3 of the Joint Exercise of Powers Agreement

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

I, Judy L. Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 4198 was duly adopted by the Perris City Council at a regular meeting of said City Council on the 10<sup>th</sup> day of March 2009, and that it was so adopted by the following vote:

AYES:	COUNCILMEMBERS:	Yarbrough, Landers, Evans, Rogers, Busch
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

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City Clerk, Judy L. Haughney