

**RESOLUTION NO. 4200**

***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AMENDMENT #11 TO THE JOINT EXERCISE OF POWERS AGREEMENT AND AMENDMENT #1 OF THE IMPLEMENTING AGREEMENT FOR THE RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY***

**WHEREAS**, these Amendments will be made by and between the COUNTY OF RIVERSIDE, the Cities of CORONA, HEMET, LAKE ELSINORE, MORENO VALLEY, MURRIETA, PERRIS, RIVERSIDE, and, 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 Riverside County Habitat Conservation Agency and an Implementing Agreement providing guidance for its execution; and

**WHEREAS**, the Cities of Menifee and Wildomar were recently incorporated; and,

**WHEREAS**, the Parties and the City of Menifee desire that City of Menifee become a member of the Riverside County Habitat Conservation Agency (“RCHCA”).

**WHEREAS**, the Parties and the City of Wildomar desire that City of Wildomar become a member of the Riverside County Habitat Conservation Agency.

**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. Environmental Review.** The City Council hereby determines that the project is exempt from further environmental review per §15378(b)(5) of 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 3. Eleventh Amendment to the Joint Exercise of Powers Agreement.** The City Council hereby approves the eleventh amendment to the Joint Exercise of Powers Agreement for the Riverside County Habitat Conservation Agency as follows:

- (a) Add City of Menifee as a member agency;
- (b) Add City of Wildomar as a member agency; and,
- (c) Revise Section 3.5 to read, “Public Agencies may be added consistent with the terms and conditions of the Implementing Agreement after formation of the Agency.”

**Section 4. First Amendment of the Implementing Agreement.** The City Council hereby approves the first amendment to the Implementing Agreement for the Riverside County Habitat Conservation Agency as follows:

- (a) Add City of Menifee as a member agency; and,
- (b) Add City of Wildomar as a member agency.

**Section 5. Other Provisions to Remain in Effect.** Except as set forth herein, all other provisions of the Agreements shall remain in full force and effect, and shall govern the actions of the parties hereto and the amended provisions set forth in this Resolution.

**Section 6. Effective Date.** This Resolution shall be effective on the date of its adoption. Notwithstanding the foregoing, amendment to the Agreements set forth herein shall not be effective unless and until it is authorized by the governing bodies of each party to the Agreement.

**Section 7.** 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 8.** The Mayor shall sign this Resolution and Amendment No. 11 to the Joint Exercise of Powers Agreement and Amendment #1 of the Implementing Agreement, and the City Clerk shall certify to the passage and adoption of this Resolution.

**ADOPTED, SIGNED, and APPROVED** this 31<sup>st</sup> day of March 2009.

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Mayor, Daryl R. Busch

Attest:

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City Clerk, Judy L. Haughney

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

I, Judy Haughney, duly elected CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 4200 was duly adopted by the Perris City Council at a regular meeting of said City Council on the 31<sup>st</sup> day of March 2009, and that it was so adopted by the following vote:

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

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City Clerk, Judy L. Haughney