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 27, 2015
6:00 P.M.
City Council Chambers
(corner of San Jacinto and Perris Boulevard)
101 North “D” Street
Perris, California

1. CALL TO ORDER: 6:00 p.m.

2. ROLL CALL:

Rabb, Rodriguez, Rogers, Burke, Busch

3. INVOCATION:

Pastor Jose Luis Ramirez
REAL Christian Community Church
57 Business Park Drive
Perris, CA 92571

4. PLEDGE OF ALLEGIANCE:

Councilman Rabb will lead the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

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

A. Recognition of Rosalinda Lopez upon her retirement of over 35 years of service with the City of Perris.
6. APPROVAL OF MINUTES:


7. CONSENT CALENDAR:

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

A. Adopt the Second Reading of Ordinance Number (next in order) regarding proposed CFD No. 2014-1 (Avelina) levying taxes with each of the three Improvement Areas of Community Facilities District No. 2014-1, in accordance with the respective Rate and Method of Apportionment. Property is bordered by Orange Avenue on the north and Evans Road on the east. Property includes Tract Nos. 30850, 30850-1, 30850-2, 30850-3, and 30850-4.

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


Introduced by: Eric Dunn, City Attorney

PUBLIC COMMENT:

B. Adopt Resolution Number (next in order) regarding Annexation of CUP 13-07-0010 to Maintenance District No. 84-1; a lumber yard being constructed on the property by JAR Commercial Investments, LLC, located on the southeast corner of Watson Road and Interstate 215.

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, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 13-07-0010 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 13-07-0010 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 31, 2015

C. Adopt Resolution Numbers (next in order) regarding Annexation of CUP 13-07-0010 to Landscape Maintenance District No. 1 (LMD 1); a lumber yard being constructed on the property by JAR Commercial Investments, LLC, located on the southeast corner of Watson Road and Interstate 215.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN
ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 109 (CUP 13-07-0010) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 109, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 109, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 31, 2015

D. Adopt Resolution Number (next in order) regarding Annexation of Parcel into CFD 1-S (South Perris Public Services District), Annexation No. 5 (Grove Lumber). (Applicant: JAR Commercial Investments LLC).

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

E. Approve bid award to Spec Construction Company for tenant improvements for 24 South "D" Street, Perris Station Apartments Commercial Space, Suites 100 and 102.

F. Adopt Resolution Number (next in order) regarding Street Vacation 13-09-0008, to summarily vacate a portion of 2nd Street, between D Street and the A.T.S.F. Railroad right-of-way, to facilitate access to the future Downtown Perris Metrolink Station. (Applicant: Riverside County Transportation Commission).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO SUMMARILY VACATE A PORTION OF 2ND STREET, BETWEEN D STREET AND THE A.T.S.F. RAILROAD RIGHT-OF-WAY TO FACILITATE ACCESS TO THE FUTURE DOWNTOWN PERRIS METROLINK STATION WITHIN THE DOWNTOWN SPECIFIC PLAN AREA, SUBJECT TO THE FINDINGS NOTED HEREIN

G. Approve Riverside County Transportation Commission Agreements related to the Comprehensive License Agreement, Conveyance of Museum Line Railroad Track Property, and License Agreements for Parking and Monumentation.


I. Approve Perris Valley Storm Drain Improvement Credit/Reimbursement Agreements with Stratford Ranch, LLC, Stratford Ranch Investors, LLC, and related entities for improvements to the Perris Valley Storm Drain and Line D/D-3 required for DPR 11-12-0004, located east of Redlands Avenue between Ramona Expressway and the northerly City limits.

J. Approve the fee waiver request from Perris Valley and Activities Committee for the use of the Bob Glass Gym and Foss Field Park for the Inland Empire African American Event to be held on February 28, 2015.

8. PUBLIC HEARINGS:

The public is encouraged to express your views on any matter set for public hearing. It is our procedure to first receive the staff report, then to ask for public testimony, first from those in favor of the project followed by testimony from those in opposition to it, and if there is opposition, to allow those in favor, rebuttal testimony only as to the points brought up in
opposition. To testify on the matter, you need to simply come forward to the speaker’s podium at the appropriate time, give your name and address and make your statement. After a hearing is closed, you may not further speak on the matter unless requested to do so or are asked questions by the Mayor or a Member of the City Council. Public comment is limited to three (3) minutes.

A. Consideration to introduce the First Reading of Ordinance Number (next in order) designating the time for Regular City Council Meetings to commence at a time established by resolution.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04 REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

Introduced by: Eric Dunn, City Attorney

PUBLIC COMMENT

B. Consideration to uphold the Planning Commission decision to certify the Environmental Impact Report and to adopt Resolution Numbers (next in order) to approve Tentative Parcel Map 36726 and Development Plan Review 14-02-0014 to develop a 43 gross acre site with a 864,000 square foot high distribution warehouse facility, located south of Nance Street, north of Markham Street and between Webster and Indian Avenues within the Perris Valley Commerce Center (PVCC) Specific Plan area. (Applicant: Russell Pierce, Integra Pacific 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, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2014051065) PREPARED FOR THE INTEGRA DISTRIBUTION CENTER PROJECT, AN 864,000 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY, BASED ON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING DEVELOPMENT PLAN REVIEW 14-02-0014 FOR THE CONSTRUCTION OF AN 864,000 SQUARE FOOT DISTRIBUTION WAREHOUSE BUILDING ON 43 ACRES, AND TENTATIVE PARCEL MAP 36726 TO MERGE SIX EXISTING PARCELS INTO ONE INDUSTRIAL LOT, LOCATED SOUTH OF NANCE STREET, NORTH OF MARKHAM STREET, BETWEEN WEBSTER AVENUE AND INDIAN AVENUE

Introduced by: Clara Miramontes, Director of Development Services

PUBLIC COMMENT:

9. 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 and changes to the Mayor Pro Tem, the various agencies and committees and City Commissions that represent the City.
(Continued from January 13, 2015 Council Meeting)

Introduced by: Mayor Daryl Busch

PUBLIC COMMENT:

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

This is the time when any member of the public may bring a matter to the attention of the Mayor and the City Council that is within the jurisdiction of the City Council. The Ralph M. Brown act limits the Mayor's, City Council's and staff's ability to respond to comments on non-agendized matters at the time such comments are made. Thus, your comments may be agendized for a future meeting or referred to staff. The City Council may discuss or ask questions for clarification, if desired, at this time. Public comment is limited to three (3) minutes.

11. COUNCIL COMMUNICATIONS:

(Committee Reports, Agenda Items, Meeting Requests and Review etc.)

This is an opportunity for the Mayor and City Councilmembers to report on their activities and the actions of the Committees upon which they sit, to bring a matter to the attention of the full Council and staff, and to request agenda items. Any matter that was considered during the public hearing portion is not appropriate for discussion in this section of the agenda. NO ACTION CAN BE TAKEN AT THIS TIME.
12. CITY MANAGER'S REPORT:

13. CLOSED SESSION:

A. Conference with Real Property Negotiators – Government Code Section 54956.8
   Property: 403 E. 4th Street, Perris, CA
   City Negotiator: Richard Belmonte, City Manager
   Negotiating Parties: California Department of Forestry
   Under Negotiation: Price and terms of payment

B. Conference with Real Property Negotiators – Government Code Section 54956.8
   Property: 227 North "D" Street, Perris, CA
   City Negotiator: Richard Belmonte, City Manager
   Negotiating Parties: Boys and Girls Club of Perris
   Southwest Veteran's Business Resource Center
   Under Negotiation: Price and terms of payment

14. ADJOURNMENT:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Building Official (951) 443-1029. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.
CITY COUNCIL/ SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/ PERRIS PUBLIC FINANCE AUTHORITY/ PERRIS PUBLIC UTILITIES AUTHORITY/HOUSING AUTHORITY/PERRIS JOINT POWERS AUTHORITY/PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION AGENDA SUBMITTAL

TO: The Honorable Mayor and Members of the City Council

FROM: Nancy Salazar, City Clerk

DATE: January 27, 2015

SUBJECT: Approval of Minutes

BACKGROUND: None.

FISCAL IMPACT: None.

• RECOMMENDATION: Motion to approve the Minutes of the Regular Joint Meeting held on January 13, 2015 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Joint Powers Authority and the Perris Community Economic Development Corporation

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

Attachments:

• Minutes of the Regular Joint Meeting held on January 13, 2015 of the City Council, Successor Agency to the Redevelopment Agency, Perris Public Finance Authority, Perris Public Utilities Authority, Housing Authority, Perris Joint Powers Authority and the Perris Community Economic Development Corporation
CITY OF PERRIS

MINUTES:

Date of Meeting: January 13, 2015
06:00 PM

Place of Meeting: City Council Chambers

1. CALL TO ORDER: 6:00 p.m.

Mayor Busch called the regular City Council meeting to order at 6:01 p.m.

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

Staff Members Present: City Manager Belmudez, City Attorney Dunn, City Engineer Motlagh, Assistant City Manager Carr, Deputy City Manager Madkin, Redevelopment & Economic Development Manager McDermott, Police Captain Judge, Director of Development Services Miramontes, Capital Improvement Project Manager Morales, Administrative Services Manager Carlos, Assistant Director of Community Services and Housing Chavez, Assistant Finance Director Erwin, Assistant Director of Public Works Hartwill and City Clerk Salazar.

3. INVOCATION: Pastor Benjamin Briggs Greater Light Community Church 3060 Barrett Avenue Perris, CA 92571

4. PLEDGE OF ALLEGIANCE:

Councilwoman Burke led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

A. Announcement of Recruitment for the Youth Advisory Committee.

B. Police Chief Michael Judge will introduce Chief Deputy Shelley Kennedy-Smith.

6. APPROVAL OF MINUTES:

A. Approval of the Minutes of the Joint Regular Meeting of the City Council, Successor Agency to the Redevelopment Agency, Perris Public Finance...
Authority, Perris Public Utility Authority, Housing Authority, Perris Joint Powers Authority and Perris Community Economic Development Corporation of the City of Perris held December 9, 2014.

The Mayor called for a motion.

M/S/C: Moved by Julio Rodriguez, seconded by David Starr Rabb to Approve the minutes as presented.
AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch
NOES:
ABSENT:
ABSTAIN:

7. CONSENT CALENDAR:

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

A. Approved one year Contract Extension Agreement with Landscape Dynamics for Special District Consulting Services.

B. Adopted Resolution Number 4790 regarding the submittal of an application for Housing-Related Parks Program Funding.

Resolution Number 4790 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOUSING-RELATED PARKS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME HOUSING-RELATED PARKS PROGRAM

C. Adopted Resolution Number 4791 regarding Biennial Review of Conflict of Interest Code.

Resolution Number 4791 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ADOPTING A CONFLICT OF INTEREST CODE

D. Approved Award of Contract to Community Works Design Group for Design Services on the Perris Valley Storm Channel Trail project.

E. Received and filed the City of Perris Community Facilities District Annual Report for the Fiscal Year ended June 30, 2014.
F. Adopted Resolution Number 4792 regarding Compliance with Developer Fee reporting requirements of Section 66006 (AB 1600) of the Government Code.

Resolution Number 4792 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO REAFFIRM THE NECESSITY OF DEVELOPER FEES

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Julio Rodriguez to Approve the Consent Calendar as presented.
AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch

NOES:
ABSENT:
ABSTAIN:

8. PUBLIC HEARINGS:

A. Adopted Resolution Numbers 4793 and 4794 regarding Annexation of Parcel into CFD 1-S (South Perris Public Services District) - Annexation No. 4 (Perris Pawn). (Applicant: Rogers Family Trust (Patrick T. Rogers, Trustee).

Resolution Number 4793 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1-S (SOUTH PERRIS PUBLIC SERVICES) OF THE CITY OF PERRIS, CALLING A SPECIAL ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS WITHIN PROPOSED ANNEXATION NO. 4 THE QUESTION OF ANNEXING SUCH TERRITORY AND LEVYING OF A SPECIAL TAX WITHIN THE AREA OF PROPOSED ANNEXATION NO. 4

Resolution Number 4794 is entitled:

This item was presented by Daniel Louie, Willdan Financial Services
The Mayor opened the Public Hearing at 6:18 p.m.
There was no Public Comment.
The Mayor closed the Public Hearing at 6:19 p.m.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Approve Resolution Number 4793 as presented.
AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch
NOES: 
ABSENT: 
ABSTAIN: 

The Mayor asked City Clerk Salazar to open the ballot.
City Clerk Salazar opened the ballot and announced that the ballot was marked YES.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Tonya Burke to Approve Resolution Number 4794 as presented.
AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch
NOES: 
ABSENT: 
ABSTAIN: 

B. Adopted Resolution Numbers 4795 and 4796 regarding Annexation of CUP 13-02-0014 to the City's Maintenance Districts, located on the southeast corner of 4th Street and Wilkerson Avenue. A 7-Eleven is being constructed on the property by Beldu Partners LLC.

Resolution Number 4795 is entitled:

Resolution Number 4796 is 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 CUP 13-02-0014 TO BENEFIT ZONE 106. CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL
OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT
FOR FISCAL YEAR 2014-2015

This item was presented by Roxanne Shepherd, Shepherd & Staats

The Mayor opened the Public Hearing at 6:27 p.m.
There was no Public Comment.
The Mayor closed the Public Hearing at 6:27 p.m.

The Mayor asked City Clerk Salazar to open the ballots.
City Clerk Salazar opened 2 ballots and announced that both ballots
were marked YES.

The Mayor called for a motion.

M/S/C: Moved by Julio Rodriguez, seconded by Davić Starr Rabb to
Approve Resolution Numbers 4795 and 4796 as presented.
AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita
Rogers, Daryl Busch

NOES:
ABSENT:
ABSTAIN:

C. Adopted Resolution Numbers 4797, 4798, 4799 and 4800 and introduced
the First Reading of Ordinance Number 1310 regarding proposed CFD No.
2014-1 (Avelina). Property is bordered by Orange Avenue on the north and
Evans Road on the east. Property includes Tract Nos. 30850, 30850-1,
30850-2, 30850-3, and 30850-4. (Owner/Developer: Centex Homes).

Resolution Number 4797 is entitled:
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS
APPROVING AND AUTHORIZING EXECUTION OF A FUNDING
AGREEMENT AND A JOINT COMMUNITY FACILITIES
AGREEMENT IN CONNECTION WITH THE FORMATION OF
COMMUNITY FACILITIES DISTRICT 2014-1 (AVELINA) OF THE
CITY OF PERRIS; AND MAKING FINDINGS AND
DETERMINATIONS IN CONNECTION THERewith

Resolution Number 4798 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS
DETERMINING THE VALIDITY OF PRIOR PROCEEDINGS,
ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2014-1
(AVELINA) OF THE CITY OF PERRIS COMPRISING OF
IMPROVEMENT AREA NO. 1, IMPROVEMENT AREA NO. 2 AND
IMPROVEMENT AREA NO. 3 THEREOF, AUTHORIZING THE LEVY
OF A SPECIAL TAX WITHIN EACH SUCH IMPROVEMENT AREA OF
COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA) OF THE
CITY OF PERRIS, ESTABLISHING AN APPROPRIATIONS LIMIT,

AND TAKING CERTAIN OTHER ACTIONS RELATING TO SAID DISTRICT

Resolution Number 4799 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2014-1 (AVELINA) OF THE CITY OF PERRIS, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED $5,000,000 WITHIN IMPROVEMENT AREA NO. 1, $5,000,000 WITHIN IMPROVEMENT AREA NO. 2, AND $5,000,000 WITHIN IMPROVEMENT AREA NO. 3 OF SAID DISTRICT; AND CALLING A SPECIAL ELECTION WITHIN EACH SUCH IMPROVEMENT AREA

Resolution Number 4800 is entitled:

The first reading of Ordinance Number 1310 is entitled:

This item was presented by Lutfi Kharuf, Aleshire & Wynder

The Mayor opened the Public Hearing at 6:33 p.m.
The following people spoke at Public Comment:
Julie Vargas
1 unidentified person spoke
The Mayor closed the Public Hearing at 6:37 p.m.

The Mayor asked City Clerk Salazar to open the ballots.
City Clerk Salazar opened 3 ballots and announced that all 3 ballots were marked YES.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Julio Rodriguez to Approve Resolution Numbers 4797, 4798 and 4799 as presented.
AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch
NOES:  
ABSENT:  
ABSTAIN:  

The Mayor called for a motion.

M/S/C: Moved by Julio Rodriguez, seconded by Tonya Burke to Approve Resolution Number 4800 and introduce the first reading of Ordinance 1310 as presented.

AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch

NOES:  
ABSENT:  
ABSTAIN:  

D. Adopted Resolution Numbers 4801 and 4802 regarding proposed CFD No. 2014-2 (Perris Valley Spectrum), formation of CFD NO. 2014-2 and determining the necessity to issue bonded indebtedness to refinance the district. CFD No. 91-1 is located at the northwest corner of Perris Boulevard and Orange Avenue.

Resolution Number 4801 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2014-2 (PERRIS VALLEY SPECTRUM) OF THE CITY OF PERRIS, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED $4,000,000 WITHIN SAID DISTRICT; AND CALLING A SPECIAL ELECTION

Resolution Number 4802 is entitled:

Mayor Pro Tem Rogers left the City Council Chambers at 6:43 p.m. and returned at 6:44 p.m.

This item was presented by Lutfi Kharuf, Aleshire & Wynder

The Mayor opened the Public Hearing at 6:48 p.m.
There was no Public Comment
The Mayor closed the Public Hearing at 6:48 p.m.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Approve Resolution Numbers 4801 and 4802 as presented.

AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch

NOES:

ABSENT:

ABSTAIN:

9. BUSINESS ITEMS:

Councilman Rodriguez left the City Council Chambers at 6:51 p.m. and returned at 6:52 p.m.

A. Consideration to the closure of Rider Street between Perris Boulevard and Perris Valley Channel. Introduced by: Habib Motlagh, City Engineer

PUBLIC COMMENT:

City Engineer Motlagh gave the presentation on this item.
Dennis Rice, Ridge Development gave a brief presentation.

The Mayor called for Public Comment.
The following people spoke at Public Comment:
Julie Vargas
Catherine Fields
Armando Hurtado

The following Councilmembers spoke:
Rodriguez
Rogers
Rabb
Burke
Busch

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Julio Rodriguez to Approve Option #2 with direction to staff to include RTA and local businesses in the notification process and to give 15 days notification to all concerned parties.

AYES: Tonya Burke, David Starr Rabb, Julio Rodriguez, Rita Rogers, Daryl Busch

NOES:

ABSENT:

ABSTAIN:
B. Consideration to change the start time of future City Council Meetings from 6:00 P.M. to 7:00 P.M. Introduced by: Richard Belmudez, City Manager
PUBLIC COMMENT:

This item was requested and presented by Councilman Rabb.

The Mayor called for Public Comment.
The following people spoke at Public Comment:
Catherine Fields
Julie Vargas

The following Councilmembers spoke:
Rabb
Rogers
Burke
Rodriguez
Busch

Direction was given to staff to begin the process of decoupling the start time of City Council meetings from the Ordinance, and allowing the time to be set by Resolution. Further direction was given to keep the start time of City Council meetings at 6:00 p.m. until March or April 2015.

C. Consideration to make appointments and changes to the Mayor Pro Tem, the various agencies and committees and City Commissions that represent the City. Introduced by: Mayor Daryl Busch PUBLIC COMMENT:

This item was introduced by Mayor Busch

The Mayor called for Public Comment.
The following people spoke at Public Comment:
Pastor Benjamin Briggs
Unidentified Speaker
Catherine Fields
Cindy Espinoza
Louis Armand
Virneia Green-Jordan
Brittney Vargas
Matthew Johnson

The following Councilmembers spoke:
Rodriguez
Rabb
Busch
The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by -1 to Approve to ratify the appointments made by Mayor Busch. The motion did not receive a second and was lost.
AYES:
NOES:
ABSENT:
ABSTAIN:

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

The following people spoke at Public Comment:
Cesar Santillana
Virniecia Green-Jordan
Matt Johnson
Socorro Nunez
Ron Crane
Jackie Ramos
Louis Armmand

11. COUNCIL COMMUNICATIONS:

The following Councilmembers spoke:
Rabb
Rogers
Rodriguez
Burke
Busch

12. CITY MANAGER’S REPORT:

13. CLOSED SESSION:

A. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(4) - 1 case

14. ADJOURNMENT:

The City Council meeting was adjourned to Closed Session at 8:56 p.m.
The City Council reconvened in open session at 10:02 p.m.
There was no reportable action. There being no further business the City Council meeting was adjourned at 10:03 p.m.

Respectfully Submitted,
Nancy Salazar, City Clerk
Meeting Date: January 27, 2015

SUBJECT: Community Facilities District No. 2014-1 (Avelina) of the City of Perris Ordinance Levying Taxes within each of the three Improvement Areas of Community Facilities District No. 2014-1 in accordance with the respective Rate and Method of Apportionment.

Property is bordered by Orange Ave. on the North and Evans Road on the East. Property includes tract Nos. 30850, 30850-1, 30850-2, 30850-3, and 30850-4.

REQUESTED ACTION: Conduct a Second Reading of the following Ordinance Levying Tax within District:


CONTACT: Ron Carr, Assistant City Manager and Finance Director

BACKGROUND/DISCUSSION:

On January 13, 2015, the City Council of the City of Perris ("City") held a public hearing and special tax election to form Community Facilities District No. 2014-1 (Avelina) of the City of Perris ("District"). The City formed the District, and established three Improvement Areas therein, after receiving a petition from Centex Homes, who is the developer of the District and at that time owned 100% of the property within the District.

Following the election forming the District and the Improvement Areas on January 13, 2015, the City Council first introduced the above-referenced Ordinance. The Ordinance authorizes the levy of a special tax within each Improvement Area of the District in accordance with the respective Rate and Method of Apportionment approved.
in connection with formation of the District and under the conditions specified therein, including beginning the levying in Fiscal Year 15/16.

Requested action: Second Reading of Ordinance authorizing the levy of a special tax within the District.

BUDGET (or FISCAL) IMPACT:

None. Funds provided for by special taxes levied in the District.

Reviewed by:

City Attorney
Assistant City Manager

Attachments: One Ordinance

Consent: ✓
Public Hearing:
Business Item:
Other:
ORDINANCE NO. ___


Section 1. By the passage of this ordinance, the City Council authorizes the levy of a special tax at the rate and formula set forth in Exhibit "A" for Improvement Area No. 1 of Community Facilities District No. 2014-1 (Avilena) of the City of Perris (the "District"), Improvement Area No. 2 of the District, and Improvement Area No. 3 of the District, to Resolution No. ___ (the "Resolution of Formation"), and which for reference purposes are attached hereto as Exhibits "1A", "1B", and "1C" and incorporated herein by this reference.

Section 2. The City 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 on each parcel of land in the applicable Improvement Area No. 1, Improvement Area No. 2, or Improvement Area No. 3 of the District. The special tax to be levied shall not exceed the maximum rates set forth in Exhibit "1A", "1B", or "1C", 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 Exhibit 1A, 1B or 1C hereto and otherwise shall be subject to the tax consistent with the provisions of Section 53317.3 of the Act in effect as of the date of adoption of this Ordinance.

Section 4. All of the collections of the special taxes shall be used only as provided for in the Act and Resolution of Formation. The special taxes shall be levied only so long as needed to accomplish the purposes described in Resolution of Formation.

Section 5. The special taxes shall be collected from time to time as necessary to meet the financial obligations of Community Facilities District No. 2014-1 (Avilena) of the City of Perris (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 City Council. The City Manager 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 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, 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, together with any penalties and other charges accruing under this ordinance, are not paid when due, the City Council may, not later than four 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 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 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 final passage by the City Council of this Ordinance.

Section 9. 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 10. The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published as required by law.
ADOPTED, SIGNED and APPROVED this 13th day of January, 2015.

MAYOR OF THE CITY OF PERRIS

Attest:

City Clerk
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 13th day of January, 2015, 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 January, 2015, by the following vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

By: ________________________________  
City Clerk
EXHIBIT “1A”

CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2014-1
(AVELINA)

RATE AND METHOD OF APPORTIONMENT FOR
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. 2014-1 (Avelina) of the City of Perris (“CFD No. 2014-1 IA1”) and collected each Fiscal Year commencing in Fiscal Year 2015-16, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD No. 2014-1 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:

“Acres” 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 Subdivision Map. An Acre means 43,560 square feet of land.


“Administrative Expenses” means the following actual or reasonably estimated costs related to the administration of CFD No. 2014-1 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. 2014-1 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. 2014-1 IA1, or any designee thereof complying with disclosure or reporting requirements of the City or CFD No. 2014-1 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. 2014-1 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. 2014-1 IA1 for any other administrative purposes of CFD No. 2014-1 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.

"Bonds" means any bonds or other Debt, as defined by the Act, of CFD No. 2014-1 IA1, whether in one or more series, secured by the levy of Special Taxes.

"Building Permit" means a building permit for the construction of one or more Residential Units within CFD No. 2014-1 IA1 issued by the City.

"Building Square Footage" means all of the square footage of usable area within the perimeter of a 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 Formation" means the date on which the Council approved the formation of CFD No. 2014-1 IA1 in accordance with the provisions of the Act.

"CFD No. 2014-1 IA1" means the Community Facilities District No. 2014-1 (Avelina) 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. 2014-1 IA1 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, for which a Building Permit was issued prior to April 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 Maximum 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.

"Final Subdivision Map" means a subdivision of property created by recordation of a final map or parcel map, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 1352 or lot line adjustment 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 Subdivision on which a Residential Unit can be constructed.

"Maximum Special Tax" means for each Assessor’s Parcel, the maximum Special Tax, determined in accordance with Section 3 below, which may be levied in a given Fiscal Year on such Assessor’s Parcel of Taxable Property.

"Outstanding Bonds" means all Bonds, which are deemed to be outstanding under the Indenture.

"Property Owner Association Property" means any Assessor’s Parcel within the boundaries of CFD No. 2014-1 IA1 owned in fee by a property owner association, including any master or sub-association.

"Property Tax Burden" means the ratio of (i) the total estimated amount of property taxes an owner of a Residential Unit would expect to pay in a Fiscal Year including ad valorem property taxes, special assessments, fees and charges placed on the County property tax bill (but excluding homeowner association dues, property owner association dues, or other non-governmental charges) divided by (ii) the sales price of such Residential Unit.

"Proportionately" or "Proportionate" means for Developed Property, that the ratio of the actual Special Tax levy to the Maximum 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.
“Public Property” means any property within the boundaries of CFD No. 2014-1 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 Unit" means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental, separate from adjacent residential dwelling units.

“Special Tax” means any special tax levied within CFD No. 2014-1 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. 2014-1 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 cause an increase in the Special Tax to be levied on Undeveloped Property; 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. 2014-1 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 2015-16, each Assessor’s Parcel within CFD No. 2014-1 IA1 shall be classified as Taxable Property or Exempt Property. In addition, all Taxable Property shall further be classified as Developed Property, Undeveloped 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 shall be further classified to its applicable Land Use Class based on its Building Square Footage.
3. MAXIMUM SPECIAL TAX RATES

A. Developed Property

The Maximum Special Tax applicable to an Assessor's Parcel classified as Developed Property for Fiscal Year 2015-16 shall be determined pursuant to Table 1 below.

<table>
<thead>
<tr>
<th>Land Use Class</th>
<th>Land Use Type</th>
<th>Building Square Footage</th>
<th>Maximum Special Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential Property</td>
<td>&gt; 3,150</td>
<td>$1,711 per Residential Unit</td>
</tr>
<tr>
<td>2</td>
<td>Residential Property</td>
<td>2,951 – 3,150</td>
<td>$1,523 per Residential Unit</td>
</tr>
<tr>
<td>3</td>
<td>Residential Property</td>
<td>2,751 – 2,950</td>
<td>$1,486 per Residential Unit</td>
</tr>
<tr>
<td>4</td>
<td>Residential Property</td>
<td>2,551 – 2,750</td>
<td>$1,369 per Residential Unit</td>
</tr>
<tr>
<td>5</td>
<td>Residential Property</td>
<td>2,351 – 2,550</td>
<td>$1,306 per Residential Unit</td>
</tr>
<tr>
<td>6</td>
<td>Residential Property</td>
<td>2,151 – 2,350</td>
<td>$1,206 per Residential Unit</td>
</tr>
<tr>
<td>7</td>
<td>Residential Property</td>
<td>1,951 – 2,150</td>
<td>$1,106 per Residential Unit</td>
</tr>
<tr>
<td>8</td>
<td>Residential Property</td>
<td>1,751 – 1,950</td>
<td>$969 per Residential Unit</td>
</tr>
<tr>
<td>9</td>
<td>Residential Property</td>
<td>≤ 1,750</td>
<td>$802 per Residential Unit</td>
</tr>
</tbody>
</table>

Each July 1, commencing July 1, 2016, the Maximum Special Tax for Developed Property shall be increased by two percent (2%) of the amount in effect in the prior Fiscal Year.

B. Provisional Property and Undeveloped Property

The Maximum Special Tax for Provisional Property and Undeveloped Property shall be $7,960 per Acre for Fiscal Year 2015-16. On July 1st of each Fiscal Year, commencing July 1, 2016, the Maximum Special Tax for Provisional Property and Undeveloped Property shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.
4. METHOD OF APPORTIONMENT

For each Fiscal Year, commencing Fiscal Year 2015-16, 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 at 100% of the applicable Maximum Special Tax;

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 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 against any Assessor’s Parcel as a consequence of delinquency or default by the owner of any other Assessor’s Parcel within CFD No. 2014-1 IA1 by more than ten percent (10%) above what would have been levied in the absence of delinquencies, except for those Assessor Parcel’s of whose owners are also delinquent or in default on their Special Tax payments for one or more properties within CFD No. 2014-1 IA1.

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 $2,735,638 in Fiscal Year 2015-16 dollars, which shall increase by 2% on July 1, 2016, and on each July 1 thereafter, 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. 2014-1 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 theIndenture to hold funds, which are currently available for expenditure to acquire or construct the facilities or pay fees.
“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 Developed Property, or Undeveloped Property for which a Building Permit has been 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. 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. 2014-1 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 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. 2014-1 IA1 assuming all Building Permits have been issued (build-out) within CFD No. 2014-1 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”).


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.

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. 2014-1 IA1, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2014-1 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. 2014-1 IA1.

The Prepayment Amount may be sufficient to redeem an amount other than a $5,000 increment of CFD No. 2014-1 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. 2014-1 IA1 Bonds to be used with the next prepayment of CFD No. 2014-1 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
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. 2014-1 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 Fiscal Years commencing with Fiscal Year 2015-16, 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. 2014-1 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 and (iv) Assessor’s Parcels with public utility easement by the restriction, as determined reasonably by the CFD Administrator, provided that no such classification would reduce the sum of all Taxable Property in CFD No. 2014-1 IA1 to less than 27.37 Acres. Assessor’s Parcels which cannot be classified as Exempt Property because such classification would reduce the sum of all Taxable Property in CFD No. 2014-1 IA1 to less than 27.37 Acres shall be classified as Provisional Property and will continue to be subject to the CFD No. 2014-1 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 twelve (12) 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, the CFD Administrator may amend the amount of the Special Tax levied on such Assessor’s Parcel. If following such consultation and action, if any, by the CFD Administrator, the landowner believes such error still exists, such person may file a written notice with the City Manager or designee of the City appealing the amount of the Special Tax levied on such Assessor’s Parcel. Upon the receipt of such notice, the City Manager or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. The City Manager or designee thereof shall interpret this Rate and Method of Apportionment of Special Tax and make determinations relative to the administration of the Special Tax and any landowner appeals as herein specified. The decision of the City Manager or designee shall be final and binding as to all persons.
EXHIBIT "1B"

CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2014-1
(ABELINA)

RATE AND METHOD OF APPORTIONMENT FOR
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. 2014-1 (Avelina) of the City of Perris ("CFD No. 2014-1 IA2") and collected each Fiscal Year commencing in Fiscal Year 2015-16, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD No. 2014-1 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 Subdivision Map. An Acre means 43,560 square feet of land.


"Administrative Expenses" means the following actual or reasonably estimated costs related to the administration of CFD No. 2014-1 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. 2014-1 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. 2014-1 IA2, or any designee thereof complying with disclosure or reporting requirements of the City or CFD No. 2014-1 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. 2014-1 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. 2014-1 IA2 for any other administrative purposes of CFD No. 2014-1 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.

"Bonds" means any bonds or other Debt, as defined by the Act, of CFD No. 2014-1 IA2, whether in one or more series, secured by the levy of Special Taxes.

"Building Permit" means a building permit for the construction of one or more Residential Units within CFD No. 2014-1 IA2 issued by the City.

"Building Square Footage" means all of the square footage of usable area within the perimeter of a 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 Formation" means the date on which the Council approved the formation of CFD No. 2014-1 IA2 in accordance with the provisions of the Act.

"CFD No. 2014-1 IA2" means the Community Facilities District No. 2014-1 (Avelina) 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. 2014-1 IA2 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, for which a Building Permit was issued prior to April 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 Maximum 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.

"Final Subdivision Map" means a subdivision of property created by recordation of a final map or parcel map, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 1352 or lot line adjustment 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 Subdivision on which a Residential Unit can be constructed.

"Maximum Special Tax" means for each Assessor's Parcel, the maximum Special Tax, determined in accordance with Section 3 below, which may be levied in a given Fiscal Year on such Assessor's Parcel of Taxable Property.

"Outstanding Bonds" means all Bonds, which are deemed to be outstanding under the Indenture.

"Property Owner Association Property" means any Assessor's Parcel within the boundaries of CFD No. 2014-I 1A2 owned in fee by a property owner association, including any master or sub-association.

"Property Tax Burden" means the ratio of (i) the total estimated amount of property taxes an owner of a Residential Unit would expect to pay in a Fiscal Year including ad valorem property taxes, special assessments, fees and charges placed on the County property tax bill (but excluding homeowner association dues, property owner association dues, or other non-governmental charges) divided by (ii) the sales price of such Residential Unit.

"Proportionately" or "Proportionate" means for Developed Property, that the ratio of the actual Special Tax levy to the Maximum 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.
“Public Property” means any property within the boundaries of CFD No. 2014-1 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 Unit" means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental, separate from adjacent residential dwelling units.

“Special Tax” means any special tax levied within CFD No. 2014-1 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. 2014-1 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 cause an increase in the Special Tax to be levied on Undeveloped Property; 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. 2014-1 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 2015-16, each Assessor’s Parcel within CFD No. 2014-1 IA2 shall be classified as Taxable Property or Exempt Property. In addition, all Taxable Property shall further be classified as Developed Property, Undeveloped 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 shall be further classified to its applicable Land Use Class based on its Building Square Footage.
3. MAXIMUM SPECIAL TAX RATES

A. Developed Property

The Maximum Special Tax applicable to an Assessor’s Parcel classified as Developed Property for Fiscal Year 2015-16 shall be determined pursuant to Table 1 below.

<table>
<thead>
<tr>
<th>Land Use Class</th>
<th>Land Use Type</th>
<th>Building Square Footage</th>
<th>Maximum Special Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential Property</td>
<td>&gt; 3,150</td>
<td>$1,711 per Residential Unit</td>
</tr>
<tr>
<td>2</td>
<td>Residential Property</td>
<td>2,951 – 3,150</td>
<td>$1,523 per Residential Unit</td>
</tr>
<tr>
<td>3</td>
<td>Residential Property</td>
<td>2,751 – 2,950</td>
<td>$1,486 per Residential Unit</td>
</tr>
<tr>
<td>4</td>
<td>Residential Property</td>
<td>2,551 – 2,750</td>
<td>$1,369 per Residential Unit</td>
</tr>
<tr>
<td>5</td>
<td>Residential Property</td>
<td>2,351 – 2,550</td>
<td>$1,306 per Residential Unit</td>
</tr>
<tr>
<td>6</td>
<td>Residential Property</td>
<td>2,151 – 2,350</td>
<td>$1,206 per Residential Unit</td>
</tr>
<tr>
<td>7</td>
<td>Residential Property</td>
<td>1,951 – 2,150</td>
<td>$1,106 per Residential Unit</td>
</tr>
<tr>
<td>8</td>
<td>Residential Property</td>
<td>1,751 – 1,950</td>
<td>$969 per Residential Unit</td>
</tr>
<tr>
<td>9</td>
<td>Residential Property</td>
<td>≤ 1,750</td>
<td>$802 per Residential Unit</td>
</tr>
</tbody>
</table>

Each July 1, commencing July 1, 2016, the Maximum Special Tax for Developed Property shall be increased by two percent (2%) of the amount in effect in the prior Fiscal Year.

B. Provisional Property and Undeveloped Property

The Maximum Special Tax for Provisional Property and Undeveloped Property shall be $7,933 per Acre for Fiscal Year 2015-16. On July 1st of each Fiscal Year, commencing July 1, 2016, the Maximum Special Tax for Provisional Property and Undeveloped Property shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.
4. METHOD OF APPORTIONMENT

For each Fiscal Year, commencing Fiscal Year 2015-16, 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 at 100% of the applicable Maximum Special Tax;

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 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 against any Assessor’s Parcel as a consequence of delinquency or default by the owner of any other Assessor’s Parcel within CFD No. 2014-1 IA2 by more than ten percent (10%) above what would have been levied in the absence of delinquencies, except for those Assessor Parcel’s of whose owners are also delinquent or in default on their Special Tax payments for one or more properties within CFD No. 2014-1 IA2.

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 $2,657,200 in Fiscal Year 2015-16 dollars, which shall increase by 2% on July 1, 2016, and on each July 1 thereafter, 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. 2014-1 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.
"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 Developed Property, or Undeveloped Property for which a Building Permit has been 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. 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. 2014-1 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 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. 2014-1 IA2 assuming all Building Permits have been issued (build-out) within CFD No. 2014-1 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”).


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.

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. 2014-1 IA2, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2014-1 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. 2014-1 IA2.

The Prepayment Amount may be sufficient to redeem an amount other than a $5,000 increment of CFD No. 2014-1 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. 2014-1 IA2 Bonds to be used with the next prepayment of CFD No. 2014-1 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. 2014-1 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 Fiscal Years commencing with Fiscal Year 2015-16, 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. 2014-1 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 and (iv) Assessor’s Parcels with public utility easement by the restriction, as determined reasonably by the CFD Administrator, provided that no such classification would reduce the sum of all Taxable Property in CFD No. 2014-1 IA2 to less than 26.73 Acres. Assessor’s Parcels which cannot be classified as Exempt Property because such classification would reduce the sum of all Taxable Property in CFD No. 2014-1 IA2 to less than 26.73 Acres shall be classified as Provisional Property and will continue to be subject to the CFD No. 2014-1 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 twelve (12) 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, the CFD Administrator may amend the amount of the Special Tax levied on such Assessor’s Parcel. If following such consultation and action, if any, by the CFD Administrator, the landowner believes such error still exists, such person may file a written notice with the City Manager or designee of the City appealing the amount of the Special Tax levied on such Assessor’s Parcel. Upon the receipt of such notice, the City Manager or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. The City Manager or designee thereof shall interpret this Rate and Method of Apportionment of Special Tax and make determinations relative to the administration of the Special Tax and any landowner appeals as herein specified. The decision of the City Manager or designee shall be final and binding as to all persons.
EXHIBIT “1C”

CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2014-1
(avelina)

RATE AND METHOD OF APPORTIONMENT FOR
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. 2014-1 (Avelina) of the City of Perris (“CFD No. 2014-1 IA3”) and collected each Fiscal Year commencing in Fiscal Year 2015-16, in an amount determined by the CFD Administrator through the application of the procedures described below. All of the real property within CFD No. 2014-1 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 Subdivision Map. An Acre means 43,560 square feet of land.


“Administrative Expenses” means the following actual or reasonably estimated costs related to the administration of CFD No. 2014-1 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. 2014-1 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. 2014-1 IA3, or any designee thereof complying with disclosure or reporting requirements of the City or CFD No. 2014-1 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. 2014-1 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. 2014-1 IA3 for any other administrative purposes of CFD No. 2014-1 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.

“Bonds” means any bonds or other Debt, as defined by the Act, of CFD No. 2014-1 IA3, whether in one or more series, secured by the levy of Special Taxes.

“Building Permit” means a building permit for the construction of one or more Residential Units within CFD No. 2014-1 IA3 issued by the City.

“Building Square Footage” means all of the square footage of usable area within the perimeter of a 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 Formation” means the date on which the Council approved the formation of CFD No. 2014-1 IA3 in accordance with the provisions of the Act.

“CFD No. 2014-1 IA3” means the Community Facilities District No. 2014-1 (Avelina) 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. 2014-1 IA3 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, for which a Building Permit was issued prior to April 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 Maximum 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.

"Final Subdivision Map" means a subdivision of property created by recordation of a final map or parcel map, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or recordation of a condominium plan pursuant to California Civil Code 1352 or lot line adjustment 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 Subdivision on which a Residential Unit can be constructed.

"Maximum Special Tax" means for each Assessor's Parcel, the maximum Special Tax, determined in accordance with Section 3 below, which may be levied in a given Fiscal Year on such Assessor's Parcel of Taxable Property.

"Outstanding Bonds" means all Bonds, which are deemed to be outstanding under the Indenture.

"Property Owner Association Property" means any Assessor's Parcel within the boundaries of CFD No. 2014-1 IA3 owned in fee by a property owner association, including any master or sub-association.

"Property Tax Burden" means the ratio of (i) the total estimated amount of property taxes an owner of a Residential Unit would expect to pay in a Fiscal Year including ad valorem property taxes, special assessments, fees and charges placed on the County property tax bill (but excluding homeowner association dues, property owner association dues, or other non-governmental charges) divided by (ii) the sales price of such Residential Unit.

"Proportionately" or "Proportionate" means for Developed Property, that the ratio of the actual Special Tax levy to the Maximum 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.
“Public Property” means any property within the boundaries of CFD No. 2014-1 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 Unit" means each separate residential dwelling unit that comprises an independent facility capable of conveyance or rental, separate from adjacent residential dwelling units.

“Special Tax” means any special tax levied within CFD No. 2014-1 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. 2014-1 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 cause an increase in the Special Tax to be levied on Undeveloped Property; 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. 2014-1 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 2015-16, each Assessor’s Parcel within CFD No. 2014-1 IA3 shall be classified as Taxable Property or Exempt Property. In addition, all Taxable Property shall further be classified as Developed Property, Undeveloped 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 shall be further classified to its applicable Land Use Class based on its Building Square Footage.
3. MAXIMUM SPECIAL TAX RATES

A. Developed Property

The Maximum Special Tax applicable to an Assessor's Parcel classified as Developed Property for Fiscal Year 2015-16 shall be determined pursuant to Table 1 below.

<table>
<thead>
<tr>
<th>Land Use Class</th>
<th>Land Use Type</th>
<th>Building Square Footage</th>
<th>Maximum Special Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential Property</td>
<td>&gt; 3,150</td>
<td>$1,711 per Residential Unit</td>
</tr>
<tr>
<td>2</td>
<td>Residential Property</td>
<td>2,951 – 3,150</td>
<td>$1,523 per Residential Unit</td>
</tr>
<tr>
<td>3</td>
<td>Residential Property</td>
<td>2,751 – 2,950</td>
<td>$1,486 per Residential Unit</td>
</tr>
<tr>
<td>4</td>
<td>Residential Property</td>
<td>2,551 – 2,750</td>
<td>$1,369 per Residential Unit</td>
</tr>
<tr>
<td>5</td>
<td>Residential Property</td>
<td>2,351 – 2,550</td>
<td>$1,306 per Residential Unit</td>
</tr>
<tr>
<td>6</td>
<td>Residential Property</td>
<td>2,151 – 2,350</td>
<td>$1,206 per Residential Unit</td>
</tr>
<tr>
<td>7</td>
<td>Residential Property</td>
<td>1,951 – 2,150</td>
<td>$1,106 per Residential Unit</td>
</tr>
<tr>
<td>8</td>
<td>Residential Property</td>
<td>1,751 – 1,950</td>
<td>$969 per Residential Unit</td>
</tr>
<tr>
<td>9</td>
<td>Residential Property</td>
<td>≤ 1,750</td>
<td>$802 per Residential Unit</td>
</tr>
</tbody>
</table>

Each July 1, commencing July 1, 2016, the Maximum Special Tax for Developed Property shall be increased by two percent (2%) of the amount in effect in the prior Fiscal Year.

B. Provisional Property and Undeveloped Property

The Maximum Special Tax for Provisional Property and Undeveloped Property shall be $7,692 per Acre for Fiscal Year 2015-16. On July 1st of each Fiscal Year, commencing July 1, 2016, the Maximum Special Tax for Provisional Property and Undeveloped Property shall increase by two percent (2%) of the amount in effect in the prior Fiscal Year.
4. METHOD OF APPORTIONMENT

For each Fiscal Year, commencing Fiscal Year 2015-16, 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 at 100% of the applicable Maximum Special Tax;

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 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 against any Assessor’s Parcel as a consequence of delinquency or default by the owner of any other Assessor’s Parcel within CFD No. 2014-1 IA3 by more than ten percent (10%) above what would have been levied in the absence of delinquencies, except for those Assessor Parcel’s of whose owners are also delinquent or in default on their Special Tax payments for one or more properties within CFD No. 2014-1 IA3.

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 $2,817,944 in Fiscal Year 2015-16 dollars, which shall increase by 2% on July 1, 2016, and on each July 1 thereafter, 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. 2014-1 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.
“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 Developed Property, or Undeveloped Property for which a Building Permit has been 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. 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. 2014-1 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 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. 2014-1 IA3 assuming all Building Permits have been issued (build-out) within CFD No. 2014-1 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”).


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.

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. 2014-1 IA3, including the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2014-1 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. 2014-1 IA3.

The Prepayment Amount may be sufficient to redeem an amount other than a $5,000 increment of CFD No. 2014-1 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. 2014-1 IA3 Bonds to be used with the next prepayment of CFD No. 2014-1 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. 2014-1 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 Fiscal Years commencing with Fiscal Year 2015-16, 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. 2014-1 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 and (iv) Assessor’s Parcels with public utility easement by the restriction, as determined reasonably by the CFD Administrator, provided that no such classification would reduce the sum of all Taxable Property in CFD No. 2014-1 IA3 to less than 29.17 Acres. Assessor’s Parcels which cannot be classified as Exempt Property because such classification would reduce the sum of all Taxable Property in CFD No. 2014-1 IA3 to less than 29.17 Acres shall be classified as Provisional Property and will continue to be subject to the CFD No. 2014-1 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 twelve (12) 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, the CFD Administrator may amend the amount of the Special Tax levied on such Assessor’s Parcel. If following such consultation and action, if any, by the CFD Administrator, the landowner believes such error still exists, such person may file a written notice with the City Manager or designee of the City appealing the amount of the Special Tax levied on such Assessor’s Parcel. Upon the receipt of such notice, the City Manager or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. The City Manager or designee thereof shall interpret this Rate and Method of Apportionment of Special Tax and make determinations relative to the administration of the Special Tax and any landowner appeals as herein specified. The decision of the City Manager or designee shall be final and binding as to all persons.
SUBJECT: Annexation of CUP 13-07-0010 to Maintenance District No. 84-1

REQUESTED ACTION:
1. Adoption of Resolution Ordering Preparation of the Engineer’s Report
2. Adoption of Resolution Preliminarily Approving Engineer’s Report
3. Adoption of Resolution of Intention to Annex CUP 13-07-0010 to Maintenance District No. 84-1 and setting a public hearing date of March 31, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: CUP 13-07-0010 is a 9.04-acre project located on the southeast corner of Watson Road and Interstate 215. A lumber yard is being constructed on the property by JAR Commercial Investments, LLC. As a condition of approval, the project is required to annex into MD 84-1.

This district was formed to finance the annual maintenance of streetlights and traffic signals installed in conjunction with new development. Three streetlights that will be maintained under MD 84-1 benefit this project. The project also specifically benefits from a traffic signal located at the intersection of Trumble Road and Ethanac Road.

BUDGET (or FISCAL) IMPACT:
The maximum annual assessment is $1,757.16, plus inflation factors not to exceed 1) the “Common Labor, Construction Cost Index”, as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

Reviewed by:
Assistant City Manager

City Attorney

Attachments: 1. Resolution Ordering Preparation of the Engineer’s Report
2. Engineer’s Report
3. Resolution Preliminarily Approving Engineer’s Report
4. Resolution of Intention to Annex CUP 13-07-0010 to Maintenance District No. 84-1

Consent:
RESOLUTION NUMBER


WHEREAS, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation of streetlights, traffic signals and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof all within the boundaries of CUP 13-07-0010 and the incorporated boundaries of the City of Perris, California; and

WHEREAS, the City Council has heretofore appointed Habib Motlagh, the City Engineer for the City of Perris, as the “Engineer of Work” for Maintenance District Number 84-1 and Shepherd & Staats, Incorporated has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

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

Section 1. That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the streetlights, traffic signals and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California,

Section 2. That CUP 13-07-0010 be defined as that area to be annexed to the City of Perris Maintenance District Number 84-1.

Section 3. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled “Diagram of Annexation of CUP 13-07-0010 to Maintenance District Number 84-1, City of Perris, County of Riverside, State of California.”
RESOLUTION NUMBER

Section 4. That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

Section 5. That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed the "Engineer of Work" and all provisions of Division 15 applicable to the Engineer shall apply to said "Engineer of Work" and Shepherd & Staats, Incorporated, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

Section 6. That Habib Motlagh, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

Section 7. That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

Section 8. That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

__________________________
Mayor, Daryl R. Busch

ATTEST:

__________________________
City Clerk, Nancy Salazar
STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  §
CITY OF PERRIS  

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number ___ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 27th day of January, 2015, by the following called vote:

Ayes:
Noes:
Absent:
Abstain:

City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of CUP 13-07-0010
To Maintenance District No. 84-1

TO: City Council
   City of Perris
   State of California

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the STATE OF CALIFORNIA, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2014 to June 30, 2015, for that area to be known and designated as:

"Annexation of CUP 13-07-0010
to Maintenance District No. 84-1"

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefore and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 27th day of January, 2015

HABIB M. MOTLAGH, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 31st day of March 2015, by adoption of Resolution No._______ of the City Council.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 27th day of January 2015.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
AGENCY:  City of Perris

PROJECT:  Annexation of CUP 13-07-0010
          To Maintenance District No. 84-1

TO:  City Council
     City of Perris
     State of California

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the STATE OF CALIFORNIA, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2014 to June 30, 2015, for that area to be known and designated as:

"Annexation of CUP 13-07-0010
  to Maintenance District No. 84-1"

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefore and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 27th January, 2015

HABIB M. MOTLAGH, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 31st day of March 2015, by adoption of Resolution No.________ of the City Council.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 27th day of January 2015.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
PART 1. Plans and Specifications. Generally, the work to be performed consists of the annual energy and maintenance costs for streetlights and traffic signals. The street lights to be maintained are located on Watson Road, along the exterior boundaries of CUP 13-07-0010, as shown on the Diagram, enclosed herein as Part 4.

The street lights are further identified on the plans and specifications prepared by Thatcher Engineering & Associates, Inc. that is entitled “Offsite Street Improvement Plan, Grove Lumber, A.P.N. 329-250-014, CUP 13-07-0010”.

In addition to the street lights, this area benefits from existing and future traffic signals in the area. Of specific benefit are the traffic signals listed in the Estimate, enclosed herein as Part 2.

The plans and specifications for all facilities are or will be on file in the City of Perris Office of Community Development and, by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements.

The street light improvements are owned by SCE and, upon construction, will be as shown on the SCE Street Light Atlas Maps. The traffic signals are owned by the City of Perris and are shown on the City of Perris Traffic Signal Location Map. Said Map and Atlas are on file in the City of Perris Office of Community Development and are made a part of this report to the same extent as if said documents were attached hereto.

PART 2. An Estimate of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, materials, electricity, and appurtenances. Incidental costs include engineering, legal, City Clerk, and administration expenses, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

The estimated annual cost for maintenance of the facilities is as follows:

<table>
<thead>
<tr>
<th>Facility</th>
<th>Quantity</th>
<th>Annual Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Lights</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9500 Lumen</td>
<td>0</td>
<td>$152.76</td>
<td>$0.00</td>
</tr>
<tr>
<td>22000 Lumen</td>
<td>3</td>
<td>199.08</td>
<td>597.24</td>
</tr>
<tr>
<td>Traffic Signal at intersection of</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trumble Road &amp; Ethanac Road</td>
<td>20%</td>
<td>15,000.00</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td>$3,597.24</td>
</tr>
<tr>
<td>Incidental Costs</td>
<td></td>
<td></td>
<td>$719.45</td>
</tr>
<tr>
<td>City Contribution for Street Lights Resolution</td>
<td>3</td>
<td>-$46.32</td>
<td>-138.96</td>
</tr>
<tr>
<td>4745 Adjustment</td>
<td></td>
<td></td>
<td>-2,420.57</td>
</tr>
<tr>
<td>Balance to Assessment</td>
<td></td>
<td></td>
<td>$1,757.16</td>
</tr>
</tbody>
</table>
Zero costs will be incurred by the area within this annexation for the fiscal year commencing July 1, 2014 to June 30, 2015.

PART 3.

The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of the Diagram, enclosed herein as Part 4.

Street lighting and the orderly circulation of traffic directly benefits the area to be annexed to MD 84-1. Any share of the benefits received that does not provide a special benefit to the assessed properties is a general benefit provided by the improvements. The cost of the general benefit is not to be assessed to the properties in the district.

The cost of the general benefit is to be contributed by the City. This cost for lights is equal to the unit cost difference between a 9,500 lumen light and a 22,000 (or greater) lumen light. A 9,500 lumen light is the standard required on a local street. Other streets require a standard greater than 9,500 lumens in order to service a capacity greater than the local traffic.

Reference is made to the FY 2014/2015 annual proceedings for Maintenance District No. 84-1, as confirmed and set forth in Resolution 4745 approved on July 8, 2014. Under these proceedings, the benefit for the annual maintenance of streetlight and traffic signals is equal to $46.28 per Benefit Unit, or single family home. For the purposes of this report, this assessment determines the net specific street light and traffic signal benefit.

As a condition of approval, the developer is required by the City to provide certain standard street lighting for the area within the development, and the energy costs for the initial 18-month period. No newly annexed area or portion thereof is assessed prior to the completion of the initial 18-month period.

The method of assessment is based on units, with a residential dwelling or condominium equal to one benefit unit. The relationship between residential lots and non-residential development has been established at 4.2 residential lots to one assessed acre based on the general density of the City as a whole.

The current annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the improvements and appurtenant facilities is equal to $46.28 per benefit unit, shown as follows:

\[
\begin{align*}
\text{Assessed Acre} & \times \quad \$1,757.16 \\
4.2 \text{ Benefit Units} & \quad = \quad 9.04 \text{ AC} \\
\end{align*}
\]

Plus inflation factors not to exceed:

1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and

2) the Southern California Edison rate increase(s) effective in subsequent years.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2014 to June 30, 2015, reference is made to the Assessment Roll included herein as Attachment No.1.
PART 4. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with the boundary of CUP 13-07-0010. Said boundary is designated as "Diagram of Annexation of CUP 13-07-0010 to Maintenance District No. 84-1, City of Perris, County of Riverside, State of California." The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of annexation and benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 5. A Consent and Waiver for Annexation to the District has been signed by the owner of the area within the proposed annexation. Said consent and waiver is included herein as Attachment No. 3.
Assessment Roll
Annexation of CUP 13-07-0010 to
to Maintenance District No. 84-1
City of Perris

<table>
<thead>
<tr>
<th>Assessment Number</th>
<th>Assessor Parcel Number</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>329-250-014</td>
<td>329-250-014</td>
<td>$1,757.16</td>
<td>2014/2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$0.00</td>
<td>$00.00</td>
</tr>
</tbody>
</table>

The Estimated Annual Assessment amount is subject to inflation factors not to exceed:

1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and

2) the Southern California Edison rate increase(s) effective in subsequent years.
CONSENT AND WAIVER TO ANNEXATION

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the “Landscaping and Lighting Act of 1972” (the “Act”), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the “Maintenance Districts”); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer’s “Report” as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer’s “Report” pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer’s “Report” pertaining to the annexation of the undersigned’s property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

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

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit “A” attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer’s “Report” pertaining to such annexation.

Dated: 11-24-2014

RAYMOND CROO, MEMBER
Property Owner Name

JAR Commercial Investments, LLC
c/o Grove Lumber
1300 S. Campus Ave.
Ontario, CA 91761
Property Owner Address

Property Owner Name

Property Owner Address

ATTACHMENT 3-1
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF __San Bernardino___

On this _11-24-14_ before me, __Joyce Rybold___, a Notary Public,

personally appeared ____________ Raymond Croll ________________, who proved to me on
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument
the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature __Joyce Rybold___ (Seal)

Notary Public

JOYCE RYBOLD
COMM. #1975605
Notary Public - California
San Bernardino County
RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 13-07-0010 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, on the 27th day of January, 2015, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ___ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no portion of the report requires or should be modified in any respect.

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

Section 1. That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

Section 2. That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

Section 3. That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

Section 4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.
ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

Mayor, Daryl R. Busch

Attest:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  §
CITY OF PERRIS

I, Nancy Salazar, City CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 27th day of January, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 13-07-0010 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 31, 2015

The City Council of the City of Perris, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

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

Section 1. Description of Work: That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of streetlight and traffic signal facilities as authorized by Section 22525 of the Streets and Highways Code, State of California.

2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

Section 2. Location of Work: The improvements to be maintained and serviced consist of the streetlights and traffic signals within said annexation.

Section 3. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:
RESOLUTION NUMBER

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain "Diagram of Annexation of CUP 13-07-0010 to Maintenance District Number 84-1" heretofore approved by the City Council of said City by Resolution No. ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

Reference is hereby made to said map for a further, full, and more particular description of said assessment district, and the said map so on file shall govern for all details as to the extent of said assessment district.

Section 4. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report for Annexation of CUP 13-07-0010, to Maintenance District Number 84-1", is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 5. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the streetlights and traffic signals and appurtenant facilities is $46.28 per Benefit Unit (single family home), plus an inflation factor not to exceed 1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

Section 6. Time and Place of Public Hearing: Notice is hereby given that on March 31, 2015, at 6:00 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.
Section 7. Lardscaping and Lighting Act of 1972: All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Lardscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

Section 8. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published three times as required by Section 22626 and 22552 of the California Streets and Highways Code, with the first publication occurring no later than 45 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris City News is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

Section 9. Mailing of Notice: The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 53753 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 10. Designation of Contact Person: That this City Council does hereby designate, Habib Motlagh, City Engineer of the City of Perris, (951) 943-6504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

Section 11. Certification: The City Clerk shall certify to the adoption of this Resolution.
RESOLUTION NUMBER

ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

Attest:

Mayor, Daryl R. Busch

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 27th day of January, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
SUBJECT: Annexation of CUP 13-07-0010 to Landscape Maintenance District No. 1 (LMD 1)

REQUESTED ACTION:
1. Adoption of Resolution Ordering Preparation of the Engineer’s Report
2. Adoption of Resolution Preliminarily Approving Engineer’s Report
3. Adoption of Resolution of Intention to Annex CUP 13-07-0010 to LMD 1 and setting a public hearing date of March 31, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: CUP 13-07-0010 is a 9.04-acre project located on the southeast corner of Watson Road and Interstate 215. A lumber yard is being constructed on the property by JAR Commercial Investments, LLC.

The landscaping benefit includes maintenance of the irrigation system, landscaping, and appurtenances located within the Watson Road public rights-of-way along the north boundary of CUP 13-07-0010.

As a condition of approval, the project is required to annex into LMD 1. This district was formed to finance the annual maintenance of landscape improvements installed in conjunction with new development.

BUDGET (or FISCAL) IMPACT: The current maximum annual assessment is $2,807.74, plus inflation factors not to exceed 1) the “Common Labor, Construction Cost Index”, as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

Reviewed by:

Assistant City Manager

City Attorney

Attachments: 1. Resolution Ordering Preparation of the Engineer's Report
2. Engineer’s Report
3. Resolution Preliminarily Approving Engineer’s Report
4. Resolution of Intention to Annex CUP 13-07-0010 to LMD 1

Consent:
RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS, APPOINTING THE ENGINEER OF WORK, ORDERING THE PREPARATION OF A DISTRICT MAP INDICATING THE PROPOSED BOUNDARIES OF AN ANNEXATION TO THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF BENEFIT ZONE 109 (CUP 13-07-0010) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, it has been determined by the City Council of the City of Perris, County of Riverside, California, that the public interest, convenience and necessity requires the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof, all within the incorporated boundaries of the City of Perris, California; and

WHEREAS, the City Council has heretofore appointed Habib Motlagh, the City Engineer for the City of Perris, as the “Engineer of Work” for Landscape Maintenance District Number 1 and Shepherd & Staats, Incorporated has heretofore been appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, State of California.

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

Section 1. That the public interest, convenience and necessity, requires the annexation to a maintenance district for the purpose of installing, constructing and maintaining the installation and planting of landscape materials and the installation and construction of an irrigation system and other facilities authorized by Section 22525 of the Streets and Highways Code, State of California.

Section 2. That CUP 13-07-0010 be defined as that area to be annexed to Benefit Zone 109, City of Perris Landscape Maintenance District Number 1.

Section 3. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled “Diagram of Annexation of CUP 13-07-0010, to Benefit Zone 109, Landscape Maintenance District Number 1, City of Perris, County of Riverside, State of California.”
Section 4. That the proceedings are to be conducted for said annexation to the maintenance district under and in accordance with provisions of Division 15 of the Streets and Highways Code (Landscaping and Lighting Act of 1972) of the State of California.

Section 5. That Habib Motlagh, the City Engineer for the City of Perris, is hereby appointed the “Engineer of Work” and all provisions of Division 15 applicable to the Engineer shall apply to said “Engineer of Work” and Shepherd & Staats, Incorporated, is hereby appointed for the purpose of assisting in the preparation of the written report provided for in Section 22567 of said Division 15 of the Streets and Highways Code.

Section 6. That Habib Motlagh, the City Engineer for the City of Perris, is hereby designated to sign all papers and documents in connection with the proceedings for the annexation to said maintenance district, acting in the capacity of the Engineer of Work.

Section 7. That the cost of maintaining the facilities set forth herein in subject annexation to the district shall be borne by the property owners within the subject annexation to the district, said cost to be assessed and collected in accordance with said Landscaping and Lighting Act of 1972.

Section 8. That the Engineer of Work is hereby ordered to prepare a report in accordance with Article 4 of said maintenance act, and is hereby directed to prepare and file such report with the City Clerk.

ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar
STATE OF CALIFORNIA 
COUNTY OF RIVERSIDE 
CITY OF PERRIS

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 27th day of January, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of CUP 13-07-0010
To Benefit Zone 109, Landscape Maintenance District No. 1

TO: City Council
   City of Perris
   State of California

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the STATE OF CALIFORNIA, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2014 to June 30, 2015, for that area to be known and designated as:

"Annexation of CUP 13-07-0010
To Benefit Zone 109, Landscape Maintenance District No. 1"

I do hereby assess and apportion the total amount of the costs and expenses upon the several parcels of land within said designated area liable therefor and benefited thereby, in proportion to the estimated benefits that each parcel receives, respectively, from said maintenance works of improvement and appurtenances.

Executed this 27th day of January, 2015

HABIB M. MOTLAGH, City Engineer
CITY OF PERRIS
STATE OF CALIFORNIA

Final approval, confirmation and levy of the annual assessment and all matters relating to annexation and the Engineer's "Report" were made on the 31st day of March 2015, by adoption of Resolution No._______ of the City Council.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA

A copy of the Assessment Roll and Engineer's "Report" were filed in the Office of the City Clerk on the 27th day of January 2015.
PART 1.  Plans and Specifications for the improvements to be maintained and/or improved for a fiscal year are in the process of being designed for acceptance by the City of Perris. In general the landscaping, irrigation, and appurtenances to be maintained are within the public parkways along Watson Road bordering CUP 13-07-0010.

Reference is made to the landscaping plans and specification prepared by Thatcher Engineering & Associates, Inc. that is entitled “Offsite Landscape and Irrigation Plan, APN 329-250-014, City of Perris”.

For further information on the location of the improvements and the public right-of-way, reference is also made to the plans and specifications prepared by Thatcher Engineering & Associates, Inc. that is entitled “Offsite Street Improvement Plan, Grove Lumber, A.P.N. 329-250-014, CUP 13-07-0010”.

It is noted that the maintenance of all facilities located within the inside property-line is the responsibility of the property owner.

Upon final approval, plans and specifications for the improvements will be on file in the City of Perris Office of Community Development and, by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto. The plans and specifications will sufficiently show and describe the general nature, location and extent of all the improvements.

PART 2.  An Estimate of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, water, electricity, materials and plant replacement, and appurtenances. The annual cost for the public improvements is estimated as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance</td>
<td>3,465</td>
<td>SF</td>
<td>$0.52</td>
<td>$1,801.80</td>
</tr>
<tr>
<td>Plant Replacement</td>
<td>17</td>
<td>Each</td>
<td>15.75</td>
<td>267.75</td>
</tr>
<tr>
<td>Mulch Application</td>
<td>10</td>
<td>Each</td>
<td>15.00</td>
<td>150.00</td>
</tr>
<tr>
<td>subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$2,219.55</td>
</tr>
<tr>
<td>Contingency</td>
<td></td>
<td></td>
<td></td>
<td>221.96</td>
</tr>
<tr>
<td>Total Maintenance</td>
<td></td>
<td></td>
<td></td>
<td>$2,441.51</td>
</tr>
<tr>
<td>Incidentals</td>
<td></td>
<td></td>
<td></td>
<td>$366.23</td>
</tr>
<tr>
<td>Balance to Assessment</td>
<td></td>
<td></td>
<td></td>
<td>$2,807.74</td>
</tr>
</tbody>
</table>

The maximum annual assessment is based on the estimated cost of maintaining the improvements at maturity. The annual assessment levied will be based on the actual annual expenses incurred by Benefit Zone 109.

Due to the soil, water, exposure, and pedestrian traffic, plant replacement is estimated at a 3% die-off rate at 2-feet on-center. The mulch application is scheduled to occur every third year.

Incidental costs include annual engineering, legal, City Clerk, Finance Department, and Public Works expenses, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.
A 6-month tax roll reserve provides funding for the cost of servicing and maintenance prior to the receipt of tax collections from the County of Riverside. The fiscal year begins July 1 and the first installment from the tax roll collections is usually distributed by the County of Riverside the following January. A 6-month tax roll reserve, based on the annual cost of the improvements is $1,403.87.

The developer shall be responsible for the maintenance and upkeep of the public landscaping set forth herein for a period of one year after acceptance of the improvements by the City. Benefit Zone 109, for the fiscal year commencing July 1, 2014 to June 30, 2015, will incur zero costs.

**PART 3.**

The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of Benefit Zone 109, as shown on the Diagram, enclosed herein as Part 4.

The area within CUP 13-07-0010 specifically benefits from the maintenance of the parkways along the street that provides ingress and egress. The improvements benefiting the parcels were required as a condition of approval for CUP 13-07-0010.

The method of assessment is based on units, with one benefit unit assigned to the area within CUP 13-07-0010. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is equal to $2,807.74.

The annual assessments are subject to inflation factors not to exceed:

1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,

2) the Southern California Edison rate increase(s) effective in subsequent years, and

3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2014 to June 30, 2015, reference is made to the Assessment Roll included herein as Attachment No. 1.

**PART 4.**

A Diagram of the Annexation. The boundary of the area to be annexed is coincident with CUP 13-07-0010. Said boundary is designated as "Diagram of Annexation of CUP 13-07-0010 to Benefit Zone 109, Landscape Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

**PART 5.**

A Consent and Waiver for Annexation to the District has been signed by the owners of the area within the proposed annexation. Said consent and waiver are included herein as Attachment No. 3.
Assessment Roll
Annexation of CUP 13-07-0010 to Benefit Zone 109,
Landscape Maintenance District No. 1, City of Perris

<table>
<thead>
<tr>
<th>Benefit Zone</th>
<th>Assessment Number</th>
<th>Assessor Parcel Number</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year 2014/2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone 109</td>
<td>329-250-014</td>
<td>329-250-014</td>
<td>$2,807.74</td>
<td>$00.00</td>
</tr>
</tbody>
</table>

The Estimated Annual Assessment amount is subject to inflation factors not to exceed:

1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years,
2) the Southern California Edison rate increase(s) effective in subsequent years, and
3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.
DIAGRAM OF ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

LEGEND

- - - - - - - - ANNEXATION BOUNDARY
- - - - - - - - PARCEL BOUNDARY

REFERENCE THE RIVERSIDE COUNTY ASSESSOR MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS

ATTACHMENT 2
CONSENT AND WAIVER TO ANNEXATION

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA, has previously formed special maintenance districts pursuant to the terms of the “Landscaping and Lighting Act of 1972” (the “Act”), being Division 15, Part 2 of the Streets and Highways Code of the State of California, said special maintenance districts known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 and MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the “Maintenance Districts”); and,

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA to order the annexation of territory to the Maintenance Districts; and,

WHEREAS, the CITY COUNCIL of the CITY OF PERRIS, CALIFORNIA may, pursuant to said provisions of the Act, order the annexation of territory to the Maintenance Districts without notice and hearing or filing of an Engineer’s “Report” as would otherwise be required by the provisions of the Act if all of the owners of property within the territory proposed to be annexed, have given written consent to the proposed annexation; and,

WHEREAS, the undersigned, the owners of all property within the territory proposed to be annexed to the Maintenance Districts, acknowledge that pursuant to the provisions of the Act, the undersigned would be entitled to notice and hearing and the preparation of an Engineer’s “Report” pertaining to the annexation of the property, acknowledge that they are aware of the proposed annexation to the Maintenance Districts of the property owned by the undersigned, and waives any and all right which the undersigned may now have to notice and hearing or the filing of an Engineer’s “Report” pertaining to the annexation of the undersigned’s property to the Maintenance Districts.

NOW, THEREFORE, it is hereby declared by the undersigned property owners as follows:

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

SECTION 2. That the undersigned, constituting the owners of the property described in Exhibit “A” attached hereto and incorporated herein by this reference and further constituting all of the property within the territory proposed to be annexed to the Maintenance Districts, hereby consent to the proposed annexation of said property to the Maintenance Districts without notice and hearing or filing of an Engineer’s “Report” pertaining to such annexation.

Dated: 11/24/2014

[Signature]
Property Owner Name

JAR Commercial Investments, LLC
C/o Grove Lumber
1300 S. Campus Ave.
Ontario, CA 91761
Property Owner Address

Property Owner Name

Property Owner Address

ATTACHMENT 3-1
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF   San Bernardino

On this 11-24-14  before me,  Joyce Rybold , a Notary Public,

personally appeared  Raymond Croll , who proved to me on
the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the
within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity (ies); and that by his/her/their signature(s) on the instrument
the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  Joyce Rybold  (Seal)
Notary Public
RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, on the 27th day of January, 2015, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number _____ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, said Engineer of Work has prepared and filed with the City Clerk of said City a report (the "Engineer's Report") in writing as called for in said resolution and under and pursuant to said act, which report has been presented to this City Council for consideration; and

WHEREAS, said City Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that no portion of the report requires or should be modified in any respect.

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

Section 1. That the Engineer's estimate prepared by the City Engineer of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminary approved and confirmed.

Section 2. That the diagram showing the District referred to and described in said report, the boundaries of the subdivisions of the land within said District as the same existed at the time of passage of said Resolution, is hereby preliminarily approved and confirmed.

Section 3. That the proposed assessment upon the subdivisions of land in said District is in proportion to the estimated benefit to be received by said subdivision, respectively, from said work and of the incidental expenses thereof, as contained in said report is hereby preliminarily approved and confirmed.

Section 4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.
ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

STATE OF CALIFORNIA  )
COUNTY OF RIVERSIDE   ) ss
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 thereof held 27th day of January, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO BENEFIT ZONE 109, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO BENEFIT ZONE 109, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 13-07-0010 TO BENEFIT ZONE 109, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON MARCH 31, 2015

The City Council of the City of Perris, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

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

Section 1. Description of Work: That the public interest and convenience requires and it is the intention of the City Council of the City of Perris to order the following work be done, to wit:

1. Installation, construction, maintenance, and servicing of landscaping as authorized by Section 22525 of the Streets and Highways Code, State of California.

2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

Section 2. Location of Work: The improvements to be maintained and serviced include the irrigation system, landscaping, and appurtenances benefiting CUP 13-07-0010. These improvements, located in public rights-of-way and easements, include the Eatson Road parkways along the north boundary of CUP 13-07-0010.
Section 3. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain “Diagram of Annexation of CUP 13-07-0010 to Benefit Zone 109, Landscape Maintenance District Number 1” heretofore approved by the City Council of said City by Resolution No ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

Reference is hereby made to said map for a further, full, and more particular description of said assessment district, and the said map so on file shall govern for all details as to the extent of said assessment district.

Section 4. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled “Engineer’s Report for Annexation of CUP 13-07-0010 to Benefit Zone 109, Landscape Maintenance District Number 1”, is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 5. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the public landscaping and appurtenant facilities is equal to $2,807.74, plus inflation factors not to exceed 1) the “Common Labor, Construction Cost Index”, as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.
Section 6. **Time and Place of Public Hearing:** Notice is hereby given that on March 31, 2015, at 6:00 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed assessments. That any and all persons having any objections to the work or the extent of the annexation to the assessment district may appear and show cause why said work should not be done or carried out or why said annexation to the district should not be confirmed in accordance with this Resolution of Intention. City Council will consider all oral and written protests.

Section 7. **Landscaping and Lighting Act of 1972:** All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

Section 8. **Publication of Resolution of Intention:** The City Clerk shall cause this Resolution of Intention to be published three times as required by Section 22626 and 22552 of the California Streets and Highways Code, with the first publication occurring no later than 45 days prior to the public hearing at which the City Council will consider levying the proposed special assessments. The published notice will encompass one-eighth of a newspaper page. The Perris Progress is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

Section 9. **Mailing of Notice:** The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments. The notice shall be mailed no later than 45 days prior to the public hearing at which the City Council will consider levying the new or increased assessments and shall be at least in 10 point type. The form of said notice shall conform in all respects with the requirements of subdivision (b) of Section 54953 of the Government Code and pursuant to subdivision (c) of that section, each notice shall contain an assessment ballot whereon the property owner may indicate support or opposition to the proposed assessment.

Section 10. **Designation of Contact Person:** That this City Council does hereby designate, Habib Mollah, City Engineer of the City of Perris, (951) 943-5504 as the person to answer inquiries regarding the District and the proposed annexation thereto.

Section 11. **Certification:** The City Clerk shall certify to the adoption of this Resolution.
ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

ATTEST:

Mayor, Daryl R. Busch

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 thereof held 27th day of January, 2015, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

City Clerk, Nancy Salazar
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 27, 2015

SUBJECT: Annexation of Parcel into CFD 1-S (South Perris Public Services District) – Annexation No. 5 (Grove Lumber)
APNs: 329-250-014
Applicant: JAR Commercial Investments LLC

REQUESTED ACTION: Adopt a Resolution of Intention to Annex Territory to CFD 1-S

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS
ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES
DISTRICT NO. 1-S (SOUTH PERRIS PUBLIC SERVICES) OF THE CITY
OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN
TERRITORY THERETO [ANNEXATION NO. 5]

CONTACT: Eric Dunn, City Attorney

BACKGROUND/DISCUSSION:

In 2006, the City Council formed Community Facilities District 1-S (South Perris Public Services) (the “Original District”), for the purpose of paying for additional public services and fire protection services within the area services by the Original District. On October 10, 2006, 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. Subsequently, four 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 owner of the parcel(s) 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 March 10, 2015 regarding the proposed annexation. An election will be held following the public hearing. At that time the landowner will vote on annexing their property to the District and levying special taxes within their District. The special tax levy for Fiscal Year 2014-15 is $366.72 for Single-Family Residential Units, $183.36 for Multi-Family Residential Units, and $1,466.90 per Acre for Non-Residential Parcels. For each subsequent fiscal year following Fiscal Year 2014-2015, the Maximum Special Tax may be increased by an amount not to exceed two percent (2.00%) per year.

BUDGET / FISCAL IMPACT:

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

Prepared by: Daniel Louie, Wildan Financial Services

City Attorney:
Asst. City Manager: X

Consent: January 27, 2015
Resolution No. _____


WHEREAS, the City Council (the "Council") of the City of Perris, California (the "City"), on August 29, 2006, has adopted its resolution of intention (the "Resolution of Intention") stating its intention to form Community Facilities District No. 1-S (South Perris Public Services) 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. 1-S (South Perris Public Services) of the City of Perris," a copy of which is on file with the City Clerk of the City of Perris; and

WHEREAS, on October 10, 2006, the Council adopted Resolution No. 3783 ("Resolution 3783") which established the District and called an election within the District on the proposition of levying a special tax; and

WHEREAS, on October 10, 2006, 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. 3783 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. 5 to Community Facilities District No. 1-S (South Perris Public Services)” 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. 3783 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 10th day of March, 2015, at the hour of 6:00 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 27th day of January 2015.

______________________________
Mayor, Daryl R. Busch

ATTEST:

______________________________
City Clerk, Nancy Salazar

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  
CITY OF PERRIS

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number ____ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 27th day of January 2015, by the following called vote:

AYES: ________________________________

NOES: ________________________________

ABSENT: ________________________________

ABSTAIN: ________________________________

______________________________
City Clerk, Nancy Salazar
Resolution No. ________

Exhibit A

City of Perris
Community Facilities District No. 1-S, South Perris Public Services CFD

SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

A Special Tax shall be levied on all Taxable Property within the boundaries of the City of Perris Community Facilities District No. 1-S (South Perris Public Services) (the “District”) and collected each Fiscal Year commencing in Fiscal Year 2006/07 according to the tax liability determined by the Council, through the application of the rate and method of apportionment of the Special Tax set forth below. All Taxable Property shall be taxed to the extent and in the manner herein provided.

A. DEFINITIONS

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, parcel map, condominium plan, or other recorded County parcel map. An Acre means 43,560 square feet of land.


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 City.

Annual Cost(s) means for each Fiscal Year, the total of 1) the estimated cost of Services as determined 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% annually.

Assessor means the Assessor of the County of Riverside.
Resolution No. ________

**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 parcel(s) by Assessor’s Parcel Number(s).

**Assessor's Parcel Number** means the number assigned to an Assessor's Parcel by the County for purposes of identification.

**Base Year** means Fiscal Year ending June 30, 2006.

**CFD No. 1-S** means the City of Perris Community Facilities District No. 1-S (South Perris Public Services).

**CFD Administrator** means an official of the City, or designee thereof, responsible for determining the Annual Costs and for levying and collecting the Special Taxes.

**Council** means the City Council of the City of Perris which acts for the District under the Act.

**County** means the County of Riverside, California.

**Developed Property** means for each Fiscal Year, commencing with Fiscal Year 2006/07, each Assessor’s Parcel, for which a building permit for new construction was issued prior to May 1 of the previous Fiscal Year.

**Exempt Property** means an Assessor’s Parcel that is not classified as Taxable Property. Exempt Property is not subject to the Special Tax.

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

**Land Use Class** means any of the classes listed in Table 1 under Section C below.

**Maximum Annual Special Tax** means the greatest amount of Special Tax, determined in accordance with Section C below, which may be levied in any Fiscal Year on any Assessor’s Parcel.

**Multi-Family Unit** means all Developed Property for which building permits have been issued for attached residential units.

**Non-Residential Property** means all Developed Property for which a building permit(s) was issued for a non-residential use.

**Public Property** means any property within the boundaries of the District, the ownership of which is transferred to a public agency of the District, and is used for
Resolution No. ________

rights-of-way or any other purpose and 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 where the public agency has officially agreed to accept the offer of dedication; 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 of Developed Property for which a building permit has been issued for purposes of constructing one or more residential dwelling units.

Services means services, including 1) police protection services, 2) fire protection services and 3) park maintenance services that are in addition to those services that were provided within the boundaries of CFD 1-S at the time of formation of CFD 1-S.

Single-Family Unit means all Developed Property for which a building permit has been issued for single family detached residential development. Single Family Unit also includes mobile homes within a mobile home park or on other property.

Special Tax means any tax levied within the District pursuant to the Act and this rate and method of apportionment of Special Tax.

State means the State of California.

Taxable Property means all of the Assessor’s Parcels within the boundaries of CFD 1-S that are classified as Residential Property or Non-Residential Property.

B. LAND USE CLASSIFICATION

Each Fiscal Year, each Assessor’s Parcel within the boundaries of the District shall be classified as Taxable Property, Public Property or Exempt Property. Each Assessor’s Parcel of Taxable Property shall be classified as Residential Property or Non-Residential Property. Each Assessor’s Parcel of Residential Property shall be further classified as either a Single-Family Unit or the number of Multi-Family Units located on such Assessor’s Parcel.
C. **MAXIMUM SPECIAL TAX RATES**

### Table 1
Base Year
Maximum Special Tax Rates

<table>
<thead>
<tr>
<th>Land Use Class</th>
<th>Description</th>
<th>Maximum Special Tax</th>
<th>Special Tax Levy Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential Property</td>
<td>$313.00</td>
<td>per Unit</td>
</tr>
<tr>
<td></td>
<td>Single-Family Unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Residential Property</td>
<td>$156.50</td>
<td>per Unit</td>
</tr>
<tr>
<td></td>
<td>Multi-Family Unit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Non-Residential Property</td>
<td>$1,252.00</td>
<td>per Acre</td>
</tr>
</tbody>
</table>

1. **ESCALATION OF MAXIMUM SPECIAL TAX**

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 rate and method of apportionment.

2. **MULTIPLE LAND USE CLASSES**

In some instances an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax levied on an Assessor's Parcel shall be the sum of the Maximum Special Taxes for all Land Use Classes located on that Assessor's Parcel. For an Assessor's Parcel that contains both Residential Property and Non-Residential Property, the Acreage of such Assessor’s Parcel shall be allocated to each type of property based on the amount of Acreage designated for each Land Use Class as determined by reference to the site plan approved for such Assessor’s Parcel. The CFD Administrator’s allocation to each type of property shall be final.
D. METHOD OF APPORTIONMENT

For each Fiscal Year the Council shall determine the Annual Costs and levy the Special Tax, until the amount of Special Taxes equals the Annual Costs. The Special Tax shall be levied each Fiscal Year as follows:

First: Calculate the available Special Tax revenues by taxing each Assessor’s Parcel of Taxable Property at 100% of its Maximum Special Tax. If revenues are greater than the Annual Costs, then reduce the Special Tax proportionately against all Assessor’s Parcels until the tax levy is set at an amount sufficient to cover the Annual Costs.

Second: Levy on each Assessor’s Parcel of Taxable Property the amount calculated above. No Special Tax shall be levied on Exempt Property.

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

E. COLLECTION OF SPECIAL TAXES

Collection of the Special Tax shall be by the County in the same manner as ad valorem property taxes and the 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 other means of collecting the Special Tax if necessary to meet its financial obligations, including direct billings to the property owners.

F. ADMINISTRATIVE CHANGES AND 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 twelve 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, the CFD Administrator may
amend the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action, if any by the CFD Administrator, the landowner believes such error still exists, such person may file a written notice with the City Manager or designee of the City appealing the amount of the Special Tax levied on such Assessor's Parcel. Upon the receipt of such notice, the City Manager or designee may establish such procedures as deemed necessary to undertake the review of any such appeal. The City Manager or designee thereof shall interpret this Rate and Method of Apportionment and make determinations relative to the administration of the Special Tax and any landowner appeals. The decision of the City Manager or designee shall be final and binding as to all persons.

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. **TERM OF SPECIAL TAX**

The Special Tax shall be levied annually in perpetuity, unless terminated earlier by the Council.
Exhibit B

COMMUNITY FACILITIES DISTRICT NO. 1-S (SOUTH PERRIS PUBLIC SERVICES)
OF THE CITY OF PERRIS, ANNEXATION NO. 5

BOUNDARY MAP

[See Attached]
PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
AGENDA SUBMITTAL
January 27, 2015

SUBJECT: Award of Bids to Spec Construction Company for tenant improvements 24 South D St, Perris Station Apartments Commercial Space, Suites 100 and 102.

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

CONTACT: Michael McDermott, Chief Operating Officer

BACKGROUND/DISCUSSION:

The estimated combined cost of construction (pre-construction drawings) was $321,500. The project was let out for bid on January 8, 2015.

Bid Plan Sets were picked up by:

- Tri-R General Contractors – Perris
- California Builders - Perris
- Spec Construction Company – Ontario
- CB Construction - Riverside

Bids from a total of 3 bidders were opened on January 22, 2015; the results are shown in the bid summary below.

<table>
<thead>
<tr>
<th></th>
<th>Suite 100, $226,528</th>
<th>Suite 102, $222,792</th>
<th>Total: $449,320</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tri-R General Contractors –</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>California Builders – No Bid</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spec Construction Company –</td>
<td>Suite 100, $197,245</td>
<td>Suite 102, $190,960</td>
<td>Total: $387,405</td>
</tr>
<tr>
<td>CB Construction –</td>
<td>Suite 100, $224,229</td>
<td>Suite 102, $250,941</td>
<td>Total: $485,170</td>
</tr>
</tbody>
</table>

The low individual and combined bids are from Spec Construction Company for a total of $387,405.

There is a direct economic benefit to the City in populating the Downtown with businesses and creating a daytime population and foot traffic.

Suite 100 - Tri Lake Consultants
2025 square feet.
Rent years 1-3 $24,300 per year plus Common Area charges.
Rent years 4-5 $36,450 per year plus Common Area charges.
Option years 6-10 with appropriate CPI increase.
Tri Lake Consultants to pay $30,000 towards building improvements.
Suite 102 – Perris Housing Authority
1702 square feet.
Rent years 1-3 $20,424 per year plus Common Area charges.
Rent years 4-5 $30,636 per year plus Common Area charges.
Option years 6-10 with appropriate CPI increase.

BUDGET (or FISCAL) IMPACT:

Combined projects budget to be $387,405. Funding from Perris CEDC.

Reviewed by:
Assistant City Manager: R
Redevelopment & Economic
Development Manager:
Attachments:
Consent: XXX
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 27, 2015

SUBJECT: Street Vacation 13-09-0008 - to summarily vacate a portion of 2nd Street, between D Street and the A.T. S.F. railroad right-of-way, to facilitate access to the future Downtown Perris Metrolink Station. Applicant: Riverside County Transportation Commission.

REQUESTED ACTION: ADOPT a Resolution approving the summary vacation of a 125-foot portion of 2nd Street, between D Street and the A.T. & S.F. railway right-of-way to facilitate the Downtown Metrolink Station.

CONTACT: Clara Miramontes, Director of Development Services

BACKGROUND/DISCUSSION:

RCTC (Riverside County Transportation Commission) is requesting a Summary Vacation to vacate a portion of 2nd Street, starting at the railway right-of-way 125' feet easterly towards “D” Street within the Downtown area. The portion of 2nd Street to be vacated is unimproved and has never been used as a public road. As well, there are no plans to ever improve this portion of 2nd Street as a right-of-way. Once vacated, this portion of 2nd Street will provide pedestrian and vehicular access to the Downtown Metrolink Station platform and parking lot.

The proposed summary vacation complies with all required findings as follows: 1) The property is excess right-of-way and is not required for street purposes; 2) access to adjoining properties will not be affected; and 3) this portion of the 2nd Street has been impassable as a public road and no public funds have been expended on its maintenance for the last five years.

A letter was submitted by Socal Gas Co (dated Oct 31, 2013), requesting than an easement be reserved to ensure continued operation of the pipeline after the street vacation is recorded. According to RCTC, there is an existing licensing agreement in place to allow Socal Gas to maintain, operate, replace, remove or renew the existing service gas pipeline. A copy of the licensing agreement (between RCTC and Socal Gas) is attached to this report (Exhibit E).

The project is exempt from CEQA under Section 15061 (b) (3) in that the project has no possibility of having a significant effect on the environment. Therefore, no further CEQA review is required.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item, cost of construction and payment of impact fees are covered by the applicant.

REVIEWED BY: Clara Miramontes, Planning Manager
PREPARED BY: Nathan Perez, Associate Planner
City Attorney: N/A
Finance Director: Ron Carr

Consent: January 27, 2015

Attachments: City Council Resolution,
Exhibit A – Legal Description
Exhibit B – Vacation Exhibit
Exhibit C – Aerial
Exhibit D – APN Map
Exhibit E – Recorded Licensing agreement between RCTC and Socal Gas (Nov 10, 1980)
RESOLUTION NUMBER ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO SUMMARILY VACATE A PORTION OF 2ND STREET, BETWEEN D STREET AND THE A.T. S.F. RAILROAD RIGHT-OF-WAY, TO FACILITATE ACCESS TO THE FUTURE DOWNTOWN PERRIS METROLINK STATION WITHIN THE DOWNTOWN SPECIFIC PLAN AREA, SUBJECT TO THE FINDINGS NOTED HEREIN.

WHEREAS, on September 17, 2013 the applicant submitted and initiated a Summary Vacation (Street Vacation 13-09-0008) to summarily vacate a portion of 2nd Street located on 2nd Street starting at the A.T. & S.F. railway right-of-way 125’ feet easterly towards “D” Street herein referred to as Exhibits “A” and “B” (see attached Exhibits “A – Legal Description” and “B – Road Vacation”); and

WHEREAS, it has been determined there are no in-place public utilities or easements located in the unimproved section of 2nd Street that would be adversely affected by the vacation; and

WHEREAS, the City Council has determined that the requested Summary Vacation is in the public interest and convenience as the portion of 2nd Street to be vacated is unimproved and has never been used as a public road. In addition, there are no plans to ever improve this portion of 2nd Street as a right-of-way as it has already been envisioned to be designated for Public Facilities in the Downtown Specific Plan for train station development purposes; and

WHEREAS, the City Council has determined that the Summary Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following findings of fact can be made: 1) The property is excess right-of-way and is not required for street purposes; 2) access to adjoining properties will not be affected; and 3) this portion of the 2nd Street has been impassable as a public road and no public funds have been expanded on its maintenance for the last five years; and

WHEREAS, the City Council has determined that the Summary Vacation would be exempt from CEQA under Section 15061 (b) (3) in that it can be seen with certainty that there is no possibility that the vacation can have an impact on the environment for the reasons noted above; and

WHEREAS, Section 66451 of the California Government Code (Subdivision Map Act) vests in the legislative bodies of local agencies the regulation and control of the design of Summary Street Vacation; and

WHEREAS, Title 18 of the City of Perris Municipal Code (Subdivisions) implements the state Subdivision Map Act and authorizes the Council to take action on a Summary Street Vacation; and
WHEREAS, Chapter 19.54 of the City of Perris Municipal Code (Zoning Code, Authority and Review Procedures) authorizes the City to approve, conditionally approve, or deny requests for Summary Vacation; and

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

Section 1. The above recitals are all true and correct.

Section 2. The City Council finds and determines that the City has complied with the California Environmental Quality Act and that City Council determinations reflect the independent judgment of the City Council.

Section 3. Based upon the information contained within the City Council submittal and the accompanying attachments, with respect to the Summary Vacation, the City Council hereby finds the following:

1. The Summary Vacation will not affect health, safety, and welfare.

2. The proposed Summary Vacation is in compliance with the Subdivision Map Act.

3. The proposed Summary Vacation is exempt from CEQA under Section .

4. The Summary Vacation is in compliance with the applicable zoning ordinances.

5. The proposed Summary Vacation is consistent with the existing land uses, and zoning designations in the area.

6. The proposed Summary Vacation has been found to be consistent with city standards, ordinances, and policies.

7. The proposed Summary Vacation is consistent with the General Plan.

8. The Summary Vacation plan is safe, functional, and environmentally sensitive to surrounding properties.

9. The Summary Vacation is in accordance with California Streets and Highway Code Section 8330 in that the following finding of facts can be made a) the property is excess right-of-way and is not required for street purposes; b) access to adjoining properties will not be affected; and c) this portion of 2nd Street has been impassable as a public road and no public funds have been expended on its maintenance for the last five years.

Section 4. The City Council hereby directs that a Notice of Exemption be filed with the County Clerk pursuant to Section 15062 of CEQA.
Section 5. All actions heretofore taken by the officers of the City with respect to such street vacations are hereby approved, confirmed and ratified, and the Mayor and City staff are hereby authorized and directed to take any and all actions which they or the City Attorney may deem necessary or advisable in order to effectuate the purpose and intent of this Resolution (including, without limitation, confirmation of satisfaction of any of the conditions to the effectiveness of the street vacation).

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 the City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 27th day of January 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar

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

I, Nancy Salazar, duly elected CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number _____ was duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27th day of January 2015, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Nancy Salazar, City Clerk
EXHIBIT A
SECOND STREET VACATION

LEGAL DESCRIPTION

Real property situated in the City of Perris, County of Riverside, State of California, being a portion of that 300-foot Riverside County Transportation Commission ("RCTC") right-of-way, being described as Parcel 33, in that certain, "Grant Deed and Grant of Easement, (San Jacinto Subdivision (Riverside County))", recorded March 30, 1991, as Instrument No. 116807, in the Office of the County Recorder, Riverside County, being more particularly described as follows:

That portion of Second Street, a 50-foot right-of-way, as shown on that certain map entitled, "Map of Nances Addition to Perris", filed in Book 15 of Maps, at Page 708, in the Records of San Diego County, being the westerly prolongation of Second Street lying between Blocks A and B as shown on said map, bounded on the west by the westerly line of Parcel 1, a 125-foot strip of land being more particularly described under the "Perris Station and Excess at Perris" description in that certain, "Grant Deed, (Additional Parcels (Riverside County))", recorded March 30, 1993, as Instrument No. 116804, of Official Records, in said Office of the County Recorder, said westerly line also being the easterly line of that third tract of land, a 50-foot wide strip, as described in that certain grant deed recorded June 8, 2009, as Document No. 2009-0287854, in said Office of the County Recorder; and bounded on the east by the easterly line of said Parcel 33, described in Instrument No. 116807, in said Office of the County Recorder.

Containing an area of 6,250 square feet, more or less, or 0.14 acres, measured in ground distances, as shown on the Plat, Exhibit "B" to Accompany Legal Description, attached and made a part hereof.

END OF DESCRIPTION

RESERVING THEREFROM the rights of existing utilities within that portion described above of Second Street as it presently exists.

It is the intent of this deed to describe only that portion of Second Street lying completely within Parcel 33 of said Instrument No. 116807, being bounded on the west by the third parcel described in said Instrument No. 1993-0287854, and bounded on the east by the easterly line of said Parcel 33, regardless if a license or right-of-way agreement exists for a Second Street railroad crossing or not.

Prepared by: Michael A. Cusick, PLS
P.L.S. No. 7885

H:\Projects\SCR090461\Survey\Boundary\Legal Descriptions, 2nd St Vacation.DOC, 21-Aug-13
THIS LICENSE, Made this 10th day of November 1980,

between THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY,

a Delaware corporation (hereinafter called "Licensor"), party of the first part, and

SOUTHERN CALIFORNIA GAS COMPANY, a California corporation

(hereinafter, whether one or more, called "licensee"), party of the second part.

WITNESSETH, That the parties hereto for the considerations hereinafter expressed covenant and agree as follows:

1. Subject to the terms and conditions hereinafter set forth, Licensor licenses Licensee to construct and maintain one pipe line

(1) pipe line

(4) inches in diameter (hereinafter, whether one or more pipe lines, called the "PIPE LINE"), across or along the right of way of Licensor at or near the station of Perris, Riverside County, California, the exact location of the PIPE LINE being more particularly shown by red coloring upon the print hereto attached, No. 607-39745, dated November 3, 1980,

and shall not use it to carry any other commodity or for any other purpose whatsoever.

2. Licensee shall use the PIPE LINE solely for carrying natural gas and shall not use it to carry any other commodity or for any other purpose whatsoever.

3. Licensee shall pay Licensor as compensation for this license the sum of

One Hundred Fifty and No/100 Dollars ($150.00) one-time fee.

4. Licensee shall, at its own cost and subject to the supervision and control of Licensor's chief engineer, locate, construct and maintain the PIPE LINE in such a manner and of such material that it will not at any time be a source of danger to or interference with the present or future tracks, roadbed and property of Licensor, or the safe operation of its railroad. In cases where the Licensee is permitted under paragraph 2 hereof to use the PIPE LINE for oil, gas, petroleum products, or other flammable or highly volatile substances under pressure, the PIPE LINE shall be constructed, installed and thereafter maintained in conformity with the plans and specifications shown on print hereto attached in such cases, marked Exhibit B and made a part hereof. If at any time Licensee shall, in the judgment of Licensor, fail to perform properly its obligations under this paragraph, Licensor may, at its option, itself perform such work as it deems necessary for the safe operation of its railroad, and in such event Licensee agrees to pay, within fifteen (15) days after bill shall have been rendered therefor, the cost so incurred by Licensor, but failure on the part of Licensor to perform the obligations of Licensee shall not release Licensee from liability hereunder for loss or damage occasioned thereby.

5. Licensee shall reimburse Licensor for any expense incurred by Licensor for false work to support Licensor's tracks and for flagmen to protect its traffic during installation of the PIPE LINE and for any and all other expense incurred by Licensor on account of the PIPE LINE.

6. Licensee shall at all times indemnify and save harmless Licensor against and pay in full all loss, damage or expense that Licensor may sustain, incur or become liable for, resulting in any manner from the construction, maintenance, use, stow or repair, or presence of the PIPE LINE, including any such loss, damage or expense arising out of (a) loss of or damage to property, (b) injury to or death of persons, (c) mechanics' or other liens of any character, or (d) taxes or assessments of any kind.

7. If at any time Licensee shall fail or refuse to comply with or carry out any of the covenants herein contained, Licensor may at its election forthwith revoke this license.

Exhibit E
8. THIS LICENSE is given by Licensor and accepted by Licensee upon the express condition that the same may be terminated at any time by either party upon ten (10) days' notice in writing to be served upon the other party, stating therein the date that such termination shall take place, and that upon the termination of this license in this or any other manner herein provided, Licensor, upon demand of Licensee, shall abandon the use of the PIPE LINE and remove the same and restore the right of way and tracks of Licensor to the same condition in which they were prior to the placing of the PIPE LINE thereunder. In case Licensee shall fail to restore Licensor's premises as aforesaid within ten (10) days after the effective date of termination, Licensor may proceed with such work at the expense of Licensee. No termination hereof shall release Licensee from any liability or obligation hereunder, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date the PIPE LINE is removed and the right of way and track of Licensor restored as above provided.

9. In the case of the eviction of Licensee by anyone owning or obtaining title to the premises on which the PIPE LINE is located, or the sale or abandonment by Licensor of said premises, Licensor shall not be liable to Licensee for any damage of any nature whatsoever or to refund any payment made by Licensee to Licensor hereunder, except the proportionate part of any recurring rental charge which may have been paid hereunder in advance.

10. Any notice hereunder to be given by Licensor to Licensee shall be deemed to be properly served if it be deposited in the United States Mail, postage prepaid, addressed to Licensee at P. O. Box 3249, Terminal Annex, Los Angeles, CA 90051.

Any notice to be given hereunder by Licensee to Licensor shall be deemed to be properly served if the same be deposited in the United States Mail, postage prepaid, addressed to Licensor's General Manager at 5200 F. Sheilla Street Los Angeles, CA 90040.

11. In the event that two or more parties execute this instrument as Licensees, all the covenants and agreements of Licensee in this license shall be the joint and several covenants and agreements of such parties.

12. All the covenants and provisions of this instrument shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the parties to the same extent and effect as the same are binding upon and inure to the benefit of the parties hereto, but no assignment hereof by Licensee, its successors, legal representatives or assigns, or any subsequent assignee, shall be binding upon Licensor without the written consent of Licensor in each instance.

Attached hereto and made a part hereof is Rider "A" identified by the signature of J. H. Schwartz.

IN WITNESS WHEREOF, The parties have executed this agreement in duplicate the day and year first above written.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY (Licensor)

Approved as to Description:

[Signature]

Chief Engineer.

APPROVED AS TO FORM

[Signature]

Assistant General Attorney

SOUTHERN CALIFORNIA GAS COMPANY

[Signature]

Its Manager of Engineering Services

Approved

(Licensee)
RIDER "A"

RIDER to license agreement dated November 10, 1980
between THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY and
SOUTHERN CALIFORNIA GAS COMPANY

13. In cases where Licensee is permitted under Section 2 hereof to use the PIPELINE for non-flammable substances, the PIPELINE shall be constructed, installed and thereafter maintained in conformity with plans and specifications set forth in the American Railway Engineering Association, Specification for Pipeline Crossings Under Railway Track for Non-Flammable Substances, Revised 1954, or Specification for the Placement of Concrete Culvert Pipe, Revised 1966, whichever may apply.

14. Any work performed on Licensor's right of way by Licensee or Licensee's contractor shall be done in a satisfactory workmanlike manner and in accordance with plans and specifications approved by Licensor, including plans covering any falsework, bracing or cribbing that may be necessary to use over, under or adjacent to Licensor's track, and no work shall be permitted until said plans and specifications have been approved by Licensor.

15. Licensee or Licensee's contractor shall not be permitted to commence work on said Licensor's right of way without having first received written notification from Licensor's Division Superintendent of permission to proceed.

16. Any contractor or subcontractor performing work on or in connection with the PIPELINE shall for the purpose of this agreement, and particularly for the purposes of Section 6 of this agreement, be conclusively deemed to be the servant and agent of Licensee acting on behalf and within the scope of such contractor's or subcontractor's employment for Licensee.

Identified by [Signature]
EXHIBIT "A"

ATTACHED CONTRACT BETWEEN

THE ATCHISON, TOPEKA & SANTA FE RAILWAY CO.
AND
SOUTHERN CALIFORNIA GAS COMPANY

Los Angeles, Calif.

November 80

W. W. Taylor
A.G.M. - Engineering

Description Approved

Prop. New & Main

4" Gas Xing, ES, 5564 +
77.9 = M.P. 18 + 104.1

San Jacinto
Dist.
L.A. Div.

Scale: None

4" Gas Xing, ES, 5564 +
77.9 = M.P. 18 + 104.1

San Jacinto
Dist.
L.A. Div.

atlas sheet no. RCO 4137
scale: one inch = 4 feet

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<td>TEST PRESSURE</td>
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<td>BURY: (NOT BENEATH TRACKS)</td>
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<td>RY COMPANY DIVISION</td>
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<td>CITY</td>
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<tr>
<td>DRAW N.O.</td>
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AT PERREIS
RIVERSIDE COUNTY, CALIFORNIA

C.E.C. DRAWING NO.: 607-39745
October 31, 2013

City of Perris
Development Services Department,
Planning Division
135 North "D" Street
Perris, CA 92570-2200

Attn: Nathan Perez

Re: Case & No. Street Vacation 13-09-0008 (Second Street Vacation)

Southern California Gas Company owns and operates a gas pipeline beneath the portion of street that is proposed to be vacated. In accordance with Section No. 8330 of the Streets and Highways Code, The Gas Company hereby requests that an easement be reserved to ensure the continued operation of this pipeline.

The Gas Company is requesting a copy of the recorded vacation document upon its completion.

Your cooperation in this matter is greatly appreciated.

If you have any questions, please call Gertman Thomas at (909) 335-7733.

Sincerely,

[Signature]

Yolanda Alamillo
Regional Pipeline Project Manager
South Inland Region

ysa/dmm
Enclosures
SUBJECT: Riverside County Transportation Commission Agreements related to the Comprehensive License Agreement, Conveyance of Museum Line Railroad Track Property, and License Agreements for Parking and Monumentation

REQUESTED ACTIONS: That the City Council approve and authorize the Mayor or City Manager to execute the Amendment to the Comprehensive License Agreement, the Quitclaim Deed, Option to Purchase Agreement, and related license agreements for parking and monumentation

CONTACT: Eric Dunn, City Attorney

BACKGROUND/DISCUSSION:

The Riverside County Transportation Commission ("RCTC") owns or licenses parts of real property and railroad tracks commonly referred to as the "San Jacinto Branch Line." RCTC is currently engaged in a project to provide commuter rail service on the San Jacinto Branch Line tracks, commonly referred to as the "Perris Valley Line." RCTC also owns the property and the existing railroad tracks adjacent to the Perris Valley Line between the Perris Depot and 7th Street (the "Licensed Property"), as well as the tracks between 7th Street and Mapes Road connecting the Perris Depot with the Orange Empire Railway Museum (the "Museum Line Property").

Comprehensive License Agreement Amendment No. 1.

On or about March 9, 2013, RCTC and the City entered into a Comprehensive License Agreement ("License"), whereby RCTC licensed the Licensed Property to the City. The License also provided that RCTC would convey fee title of the Museum Line Property to the City, subject to certain restrictions and conditions set forth in the conveyance documents. The City has sublicensed the Licensed Property and the Museum Line Property to the Orange Empire Railway Museum ("OERM"), subject to certain restrictions and conditions contained in the License and the Museum Line Property conveyance documents.

Subsequent to the execution of the License, it was discovered that title to a portion of the Museum Line Property is not clear and RCTC may have only a license for the portion between 7th Street and 10th Street, and that conveyance of the Museum Line Property will require the approval of BNSF. To resolve that issue, RCTC and City staff have drafted an Amendment No. 1 to the License to provide that the Museum Line Property will be licensed to the City until such time as the ownership issues are resolved, and then conveyed to the City at that time via a Quitclaim Deed.

The conveyance documents include a Quitclaim Deed and an Option to Purchase Agreement. Upon approval of the conveyance documents by BNSF and recordation of the Quitclaim Deed, the Museum Line Property will no longer be included in the License but will instead be owned by the City. The Quitclaim Deed is conditioned on the use of the Museum
Line Property for museum train movement and other uses approved by RCTC. If the Museum Line Property is not used for authorized purposes, RCTC will have the right to terminate the Quitclaim Deed and revest the title in RCTC under the Option Agreement.

Parking License Agreements.

In May 2005, RCTC and the City entered into a license agreement for pedestrian and vehicle access on property near the Perris Depot. The proposed new Parking License Agreements will expand the pedestrian and vehicle license area to include the entire area between 1st Street and 4th Street between the tracks and the buildings that are west of D Street, as shown on the Exhibits attached to the Parking License Agreements. The licensed areas will be available for use by the City, business owners and the general public for parking to patronize the D Street businesses and the Perris Depot. The licensed area between 1st Street and 3rd Street may also be used by RCTC and other transportation agencies in connection with commuter rail and bus services related to the Perris Valley Line and the existing multimodal transportation services.

There are two separate Parking License Agreements. One Agreement provides for joint use of parking spaces between 1st Street and 3rd Street, as well as a walkway area for D Street businesses located between 1st Street and 2nd Street to move trash bins. The City will maintain the walkway; the City and RCTC will jointly maintain the parking spaces and determine cost sharing provisions for maintenance. The other Agreement provides for the City's use of parking spaces between 3rd Street and 4th Street. The City will be responsible for maintaining the parking area and associated improvements until such time as RCTC starts using the area for commuter rail services. At that time, RCTC and the City will determine cost sharing provisions for maintenance.

Monument Sign License Agreement

As part of the Perris Valley Line project, RCTC has agreed to install a number of monument signs and other improvements on property owned by RCTC, at no cost to the City. The signs and improvements are shown in the Exhibits attached to the Monument Sign License Agreement. The City will be responsible for maintaining the monument signs and improvements, and will also have the right to install additional improvements in the future.

BUDGET IMPACT:

The annual license fee for the Agreements is $1.00. Except as noted, all other costs for maintenance of the parking area, monument signs, and related improvements will be borne by the City.

Reviewed by:
City Attorney _x_
Assistant City Manager _x_

Attachments:
1. Amendment No. 1 to Comprehensive License Agreement
2. Quitclaim Deed and Option to Purchase Agreement
3. Parking and Walkway License Agreement – 1st Street to 3rd Street
4. Parking License Agreement – 3rd Street to 4th Street
5. Monumentation License Agreement

Consent: X
Public Hearing:
Business Item:

01006.0001/175209 2
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 27, 2015

SUBJECT: 2013-2014 CAFR and Financial Statements

REQUESTED ACTION: Receive and File the City’s Comprehensive Annual

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION:

The purpose of this report is to present the City’s Comprehensive Annual Financial Report (CAFR) and annual financial statements for the Council’s approval. Each year the City of Perris is required to have an audit of its financial statements. The scope of this audit includes the City itself, the Public Utility Authority, the Public Financing Authority, the Joint Powers Authority, and the Housing Authority. The period under review spans the previous fiscal year which, in this case, represents July 1, 2013 through June 30, 2014. The audit was conducted by the firm of Teaman, Ramirez, & Smith, Inc. (TRS), an independent CPA firm appointed by, and reporting directly to, the City Council. The purpose of the Audit is to provide a professional opinion with regards to the accuracy of the City’s stated financial position and results of operations.

After conducting the audit, TRS has issued the opinion that the City’s, the Public Utility Authority, the Public Financing Authority, the Joint Powers Authority, and the Housing Authority’s financial statements:

Present fairly, in all material respects, the financial position of the City of Perris, the Public Utility Authority, the Public Financing Authority, and the Housing Authority as of June 30, 2014, and the results of their operations for the year then ended in conformity with accounting principles generally accepted in the United States of America.

BUDGET (or FISCAL) IMPACT: No direct fiscal impact.

Reviewed by: Ron Carr, Assistant City Manager

Attached and Provided Under Separate Cover:
1. City CAFR and Financial Statements for the Public Utility Authority, Public Financing Authority, Joint Powers Authority, and Housing Authority for the year ended June 30, 2014
2. SAS-114 Conclusion Letter
3. Report on Appropriations Limit

Consent Item: X
December 29, 2014

City Council
City of Perris
Perris, CA

We have audited the financial statements of the governmental activities, business-type activities, the discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Perris (the “City”) for the year ended June 30, 2014. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, Government Auditing Standards and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 29, 2014. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies were not changed during 2014. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management’s knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Management’s estimate of the fair value of investments is based on information provided by financial institutions. We evaluated the key factors and assumptions used to develop the fair value of investments in determining that it is reasonable in relation to the financial statements taken as a whole.

Management’s estimate of capital assets depreciation is based on historical estimates of each capitalized item’s useful life. We evaluated the key factors and assumptions used to develop the property and equipment depreciation in determining that it is reasonable in relation to the financial statements taken as a whole.

Management’s estimate of net other postemployment benefits (OPEB) obligation is based on an actuarial valuation. We evaluated the key factors and assumptions used to develop the net OPEB obligation in determining that it is reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

The disclosure of the fair value of investments in Note 2 to the financial statements represents amounts susceptible to market fluctuation.
The disclosure of capital assets in Note 4 to the financial statements is based on historical information which could differ from actual useful lives of each capitalized item.

The disclosure of the City’s Employees Retirement Plan (Defined Benefit Pension Plan) in Note 12 to the financial statements is based on an actuarial valuation. Actuarial results could differ depending on key factors and assumptions used for the actuarial valuation.

The disclosure of other postemployment benefits and the net OPEB obligation in Note 13 to the financial statements represents management’s estimate based on an actuarial valuation. Actual results could differ depending on the key factors and assumptions used for the actuarial valuation.

The financial statement disclosures are neutral, consistent and clear.

**Difficulties Encountered in Performing the Audit**

We encountered no significant difficulties in dealing with management in performing and completing our audit.

**Corrected and Uncorrected Misstatements**

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The following material misstatements detected as a result of audit procedures were corrected by management: transactions relating to long-term debt and deferred inflows of resources.

**Disagreements with Management**

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors’ report. We are pleased to report that no such disagreements arose during the course of our audit.

**Management Representations**

We have requested certain representations from management that are included in the management representation letter dated, December 29, 2014.

**Management Consultations with Other Independent Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to the City’s financial statements or a determination of the type of auditors’ opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

**Other Audit Findings or Issues**

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City’s auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.
Other Matters

We applied certain limited procedures to management’s discussion and analysis, and the required supplementary information section, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the supplementary information section, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements.

We were not engaged to report on the introductory and statistical section, which are not RSI. We did not audit or perform other procedures on this other information and do not express an assurance on it.

Restriction on Use

This information is intended solely for the use of the City Council and management of the City, and should not be used by anyone other than these specified parties.

Very truly yours,

Truman & Smith, Inc.
INDEPENDENT ACCOUNTANT’S REPORT ON AGREED-UPON PROCEDURES
APPLIED TO APPROPRIATIONS LIMIT WORKSHEETS

City Council
City of Perris
Perris, California

We have performed the procedures enumerated below to the accompanying Appropriations Limit documents of the City of Perris, California, for the year ended June 30, 2014. These procedures, which were agreed to by the City of Perris, California and the League of California Cities (as presented in the publication entitled Agreed-upon Procedures Applied to the Appropriations Limitation Prescribed by Article XIIIB of the California Constitution), were performed solely to assist the City in meeting the requirements of Section 1.5 of Article XIIIB of the California Constitution. The City of Perris’ management is responsible for the Appropriations Limit worksheet and annual adjustment factors included in those adopted by resolution of the City Council. We also mentioned documents to those that were selected by a

added last year’s limit to total adjustments and agreed the

accompanying Appropriations Limit worksheet to the other

procedures.

Presented in the accompanying Appropriations Limit worksheet to the prior year appropriations limit adopted by the City Council during the prior year.

Finding: No exceptions were noted as a result of our procedures.

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on the accompanying Appropriations Limit worksheet. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you. No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by Article XIIIB of the California Constitution.

This report is intended solely for the use of the City Council and management of the City of Perris, California and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

Truman, Ramirez & Smith, Inc.

December 29, 2014
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<tr>
<td>2013 - 2014 Appropriations Amended Limit*</td>
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<td>($34,392,866 x 1.06181712)</td>
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*The 2012-2013 Appropriations Limit was amended on June 25, 2013 as part of the calculation for the 2013-2014 Appropriations Limit.*
SUBJECT: Perris Valley Storm Drain Improvement Credit/Reimbursement Agreements with Stratford Ranch, LLC, Stratford Ranch Investors, LLC, and related entities for improvements to the Perris Valley Storm Drain and Line D/D-3 required for DPR 11-12-0004, located east of Redlands Avenue between Ramona Expressway and the northerly City limits

REQUESTED ACTION: That the City Council approve and authorize the Mayor or City Manager to execute the Agreements in a form approved by the City Attorney

CONTACT: Eric Dunn, City Attorney

BACKGROUND/DISCUSION:

The Perris Municipal Code establishes “Area Drainage Plan” (“ADP”) Fees to be paid as a condition of developing land within the Perris Valley Master Area Drainage Plan. Similar to the TUMF program administered by the City and WRCOG, the Municipal Code includes a local mechanism for providing credits and reimbursements to developers who construct eligible drainage improvements.

Stratford Ranch, LLC and Stratford Ranch 1, LLC are limited liability companies owned and/or controlled by IDI Gazeley (the “Developer”). Stratford Ranch Investors, LLC is a limited liability company owned and/or controlled by Mission Pacific Land Company (the “Landowner”). The Developer owns approximately 87 acres of real property located east of Redlands Avenue, adjacent to the Perris Valley Storm Drain (“PVSD”) and between Ramona Expressway and the northern city limits (“Developer Property”). The Landowner owns approximately 159 acres east of the PVSD (“Adjacent Property”). Markham Business Center East, LLC (“Markham”) is another limited liability company owned or controlled by the Developer. Markham owns approximately 24.5 acres west of the PVSD at the southwest corner of Markham and Redlands (“Markham Property”).

The Developer received entitlements for an industrial project on the Developer Property pursuant to DPR 11-12-0004, EIR 11-09-0016, SPA 11-12-0005, and GPA 12-02-0001 (the “Project”). Among other conditions of development, the Developer is required to construct certain portions of PVSD improvements as well as certain portions of Line D and Lateral D-3 drainage improvements to alleviate potential storm drain impacts. The Developer’s total ADP Fee obligation for the Project is approximately $677,865.

Markham will be pursuing entitlements for the Markham property. Markham’s total ADP Fee obligation for the Markham Property is estimated to be $190,910.

The Landowner has executed irrevocable offers of dedication for rights of way required by the Riverside County Flood Control District for the construction and maintenance of the PVSD, and Landowner has begun to process entitlements for a residential tract on a portion of the Adjacent Property. Landowner’s total ADP Fee obligation for the Landowner Property is estimated to be $1,150,200.
Some of the improvements constructed and to be constructed by Developer and the rights of way dedicated by Landowner are identified in the ADP report and are eligible for ADP Fee credit and/or reimbursement. The total amount of Estimated Credit is $1,038,691. The Estimated Credit will be apportioned among the Developer and Landowner pursuant to the attached agreements and depending on the nature of the improvements. Developer will be assigned $677,865 Estimated Credit for the Developer Property for Line D/D-3 improvements. Markham will be assigned $190,910 Estimated Credit for the Markham Property for Line D/D-3 improvements. Landowner will be assigned $169,916 Estimated Credit for the Adjacent Property for the Developer’s PVSD improvements and Landowner’s right of way dedication.

The actual amount of the credit will be reconciled after completion of the improvements when actual costs are known. The Developer and/or Landowner may also be entitled to reimbursement of ADP Fees if the actual eligible costs of construction exceed the amount of the actual credit. The source of funds for reimbursement will be limited solely to ADP Fees collected from development within the Perris Valley Master Drainage Plan.

The attached agreements are modeled after the TUMF, DIF, and RBBD credit/reimbursement agreements previously approved by the City. The agreements are attached in draft form, and minor text changes to the draft and exhibits will likely be required following final review by the Developer, Landowner, and the City Engineer’s office. If the City Council approves the agreement, the City Attorney’s office will incorporate any minor changes and finalize the agreements for execution. If any substantive changes are required, the agreements will be brought back to the City Council for further consideration.
BUDGET (or FISCAL) IMPACT:

None to the City. The agreement implements the credit and reimbursement authorized under the ADP Program.

Reviewed by:

City Attorney X
Assistant City Manager □

Attachments:

1. Improvement Credit/Reimbursement Agreement – Master Drainage Fee Program – Line D/D-3
2. Improvement Credit/Reimbursement Agreement – Master Drainage Fee Program – Perris Valley Channel

Consent: X
Public Hearing:
Business Item:
Other:
CITY COUNCIL  
AGENDA SUBMITTED  

Meeting Date: January 27, 2015  

SUBJECT:  
Perris Valley Arts and Activities Committee request for a fee waiver for use of the Bob Glass Gym and Foss Field Park  

REQUESTED ACTION:  
That the City Council consider a waiver of rental fees for Inland Empire African American Event to be held on February 28, 2015 requested by the Perris Valley Arts and Activities Committee  

CONTACT:  
Darren Madkin, Deputy City Manager  

BACKGROUND/DISCUSSION:  
Perris Valley Arts and Activities Committee is a non-profit organization. They will be hosting an Inland Empire African American Event to be held on February 28, 2015. The purpose of the Inland Empire African American Event is to celebrate Black History Month with a talent show and evening concert.  
Perris Valley Arts and Activities Committee are requesting the City of Perris City Council authorize the waiver of rental fees associated with the reservation of the Bob Glass Gym and Foss Field Park for the Inland Empire African American Event. A copy of the letter request is attached with this submittal. The total value of the requested fee waiver is $1400.00 (refundable deposit $250.00 and $950.00 for rental and staff cost for Bob Glass Gym) (Foss Field Park rental $200.00).  

FISCAL IMPACT: The fees for use of Bob Glass Gym and Foss Field Park is $1400.00. This amount includes the rental and deposit fees.  

Prepared by: Spencer Campbell, Recreation Supervisor II  

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

City Attorney:  
Assistant City Manager: Ron Carr  

Attachments: Perris Valley Arts and Activities Committee
January 12, 2015

To: City Council of the City of Perris

From: Vriniecia Green-Jordan, Executive Director

Re: Facility Fee Waivers

Dear City Council:

The Perris Valley Arts and Activities Committee (PVAAC), a California non-profit organization that has served the Perris Valley for over 51 years, is requesting facility fee waivers as per past events, i.e., 2012 Juneteenth, various past Black History Parade, Expos, and etc. PVAAC is planning an Inland Empire African American Event which includes a talent show along with an evening concert. Thus, we need the usage of the gymnasium, community room, basketball courts, and baseball field.

Thank you in advance for your serious consideration.

If you have further questions, please contact our organization at: (951) 943-2601.

Sincerely,

Vriniecia Green-Jordan
PVAAC Executive Director

Enriching Lives Through Arts And Activities
Over 51 years of Community Service
City of Perris Community Services Department  
101 North D St.  
Perris, CA 92570  
Phone: (951) 943-6100  
FAX: –  
Email: –

Company: Perris Valley Arts & Activities Committee  
250 W. First Street  
Perris, CA 92570

Agent: Vimiela Davis

Permit #9000844, Pending approval  
Jan 20, 2015 8:37 AM  
Expires Mar 7, 2015

Customer Type: Non-Profit/ Resident  
Prepared By: Spencer Campbell

Home: (951) 443-9247

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**RESERVATIONS**

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<td>Bob Glass Complex</td>
<td>Bob Glass Gymnasium</td>
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<tr>
<td>101 North D St</td>
<td>Perris, CA 92570</td>
<td>(951) 943-6603</td>
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**Days Requested**

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<td>4½ hours</td>
<td>Feb 28, 2015 at 4:30 PM</td>
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Summary

Total Number of Dates: 1  
Total Time: 4½ hours

**CHARGES**

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<td>Rental - Staff Hourly Fee</td>
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**CUSTOM QUESTIONS**

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<td>Has Certificate of Insurance naming The City of Perris as an additional insured been provided?</td>
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<tr>
<td>Customer Remitted Deposit?</td>
<td>No</td>
</tr>
<tr>
<td>Will your event use the following?</td>
<td>Disc Jockey</td>
</tr>
<tr>
<td>Is your organization a Non-Profit?</td>
<td>Yes</td>
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</table>
Do you have a Letter of Determination from the I.R.S.? Yes
Enter Tax ID number: 33-0451688
Will your event require Security? No
Will the event be open to the public? Yes
List additional equipment used for Event: Tables, Chairs

City of Perris Facility Policies and Procedures
Due Date: Feb 28, 2015

Applicant hereby agrees that, if the reservation or permit is granted, applicant will defend, indemnify and hold the City of Perris, their officers, employees and agents from all damages, costs and expenses in law and equity, including costs of suit and attorney’s fees, which may arise out of the use or exercise of the reservation or permit applied for herein. To the extent occasional thereby, and in respect to the culpable party, this agreement to indemnify, defend, and hold harmless shall not extend to damages, costs or expenses arising out of an act or omission attributable to the city.

A copy of the City of Perris policies and procedures is attached for your information.

Facility Policies and Procedures

Waiver Signed

Terms & Conditions: This Agreement, when signed by the applicant and a representative of the City of Perris Community Services, constitutes a contractual agreement binding both parties to certain obligations. The applicant agrees to observe and obey all Rules and Regulations. In addition, it shall be the responsibility of the applicant to pay the required fee at the time of reservation. Balance due must be paid before the scheduled event. The City of Perris Community Services agrees to maintain the facility, to assure that the facility is prepared properly for the agreed-upon event, and to provide adequate sanitation facilities, subject to available equipment, resources, weather conditions and time of year.
City of Perris Community Services Department
101 North D St.
Perris, CA 92570
Phone: (951) 943-6100
FAX: –
Email: –

Company: Perris Valley Arts & Activities Committee
250 W. First Street
Perris, CA 92570

Agent: Vmiecia Davis

 Permit #9000845, Pending approval
 Jan 20, 2015 8:43 AM
 Expires Mar 7, 2015

Customer Type: Non-Profit/ Resident
Prepared By: Spencer Campbell

Home: (951) 443-9247

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Below is the RESERVATIONS section:

**Event**
- Inland Empire African American Event
- Type: Special Event - Park
- Attend/Qty: 200

**Resource**
- Foss Field Park - BBall Field

**Center**
- Foss Field Park
  - 138 North Perris Blvd
  - Perris, CA 92570
  - (951) 943-6603

**Days Requested**
- Day: Saturday
- Date: Feb 28, 2015
- Event Begins: 11:00 AM
- Duration: 9½ hours
- Event Ends: Feb 28, 2015 at 8:30 PM

**Summary**
- Total Number of Dates: 1
- Total Time: 9½ hours

Below is the CHARGES section:

**Description**
- Rental Fee - Fields

**Event / Resource**
- Inland Empire African American Event #9000845
- Foss Field Park - BBall Field

**Unit Fee**
- $200.00

**Units**
- 1.00

**Tax**
- –

**Charge**
- $200.00

Below is the CUSTOM QUESTIONS section:

**Question**
- Has Certificate of Insurance naming The City of Perris as an additional insured been provided?
- Answer: No
- Customer Remitted Deposit?
- Answer: No
- Will your event use the following?
- Answer: Live Band
- Is your organization a Non-Profit?
- Answer: Yes
- Do you have a Letter of Determination from the I.R.S.?
- Answer: Yes
- Enter Tax ID number:
- Answer: 33-0451688

https://activenet008.active.com/perris/servlet/PermitDetail.sdo?id=1012&new_window=yes
WAIVERS

City of Perris Facility Policies and Procedures
Due Date: Feb 28, 2015

Applicant hereby agrees that, if the reservation or permit is granted, applicant will defend, indemnify and hold the City of Perris, their officers, employees and agents from all damages, costs and expenses in law and equity, including costs of suit and attorney’s fees, which may arise out of the use or exercise of the reservation or permit applied for herein. To the extent occasional thereby, and in respect to the culpable party, this agreement to indemnify, defend, and hold harmless shall not extend to damages, costs or expenses arising out of an act or omission attributable to the city.

A copy of the City of Perris policies and procedures is attached for your information.

Facility Policies and Procedures

Waiver Signed

Terms & Conditions: This Agreement, when signed by the applicant and a representative of the City of Perris Community Services, constitutes a contractual agreement binding both parties to certain obligations. The applicant agrees to observe and obey all Rules and Regulations. In addition, it shall be the responsibility of the applicant to pay the required fee at the time of reservation. Balance due must be paid before the scheduled event. The City of Perris Community Services agrees to maintain the facility, to assure that the facility is prepared properly for the agreed-upon event, and to provide adequate sanitation facilities, subject to available equipment, resources, weather conditions and time of year.
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 27, 2015

SUBJECT: Ordinance Designating the Time for Regular City Council Meetings to Commence at a Time Established by Resolution

REQUESTED ACTION:

That the City Council consider introducing Ordinance No. __ (next in order) entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04 REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

CONTACT: Eric Dunn, City Attorney

Background/Discussion:

On January 13, 2015, the City Council directed the City Attorney to prepare an ordinance amending the Municipal Code to authorize a change in the start time of City Council Meetings.

Pursuant to Chapter 2.04 of the Municipal Code, regular meetings of the City Council are to be held at 6:00 p.m. on the second and last Tuesday of each month. Government Code section 54954 allows regular City Council Meeting times to be set by either ordinance or resolution. The proposed ordinance would amend Chapter 2.04 to state that the time for regular meetings to commence will be established by resolution. This will allow any future changes to scheduling regular meeting times to be done without amending the Municipal Code.

The attached ordinance contains recitals and findings in support of amending Chapter 2.04 of the Municipal Code to authorize the City Council to designate the time for Council Meetings by resolution.

Budget (or Fiscal) Impact:
None.

Reviewed by:
City Attorney __ X__
Assistant City Manager __ X__

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

01006/001/239403.2 1006/001/55395 v1
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 2.04 REGARDING CITY COUNCIL MEETINGS, TO DESIGNATE THE TIME FOR REGULAR CITY COUNCIL MEETINGS TO COMMENCE BY RESOLUTION

WHEREAS, Government Code Section 54954(a) requires the City Council to provide by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by the City, the time and place for holding regular meetings; and

WHEREAS, Perris Municipal Code Section 2.04 codifies the City Council Meeting specifics, including the time and place for holding regular meetings; and

WHEREAS, the City Council desires to amend Chapter 2.04 and establish the days and times of regular meetings of the City Council by resolution.

THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals Incorporated. The foregoing Recitals are incorporated herein as if set forth in full.

Section 2. Amendment to Chapter 2.04 of the Perris Municipal Code. Chapter 2.04 (CITY COUNCIL) of the Perris Municipal Code is hereby deleted and replaced in its entirety to read as follows:

"Section 2.04.010 Meetings.

A. The city council shall meet at the City Hall, 101 North “D” Street, Perris, California. The city council shall, from time to time, adopt a resolution prescribing the date and time for all regular meetings.

B. Work sessions are optional. Work sessions may be called when deemed appropriate.

“Section 2.04.020 Mayor pro tempore.

The city council shall meet the Tuesday after the general municipal election and choose one of its members as mayor pro tempore. The mayor pro tempore shall serve at the pleasure of the city council.”

Section 3. No Repeal of other Provisions. Unless expressly modified or added herein, all provisions of Chapter 2.04 remain in full force and effect.
Section 4. **Effective Date.** This Ordinance shall take effect 30 days after its adoption.

Section 5. **Severability.** If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 6. **Certification.** 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 of Perris.

ADOPTED, SIGNED and APPROVED this ___ day of __________, 2015.

__________________________
Daryl R. Busch, Mayor

ATTEST:

__________________________
City Clerk
STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  
CITY OF PERRIS  

I, ________________, City Clerk of the City of Perris that the foregoing Ordinance Number ____ was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the ___ day of __________, 2015, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:

___________________________________________
City Clerk
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 27, 2015

SUBJECT: Appeal Case No. 14-00103 by the California Clean Energy Committee to the City Council regarding Planning Commission Approval on December 17, 2014 of the following cases: Certification of Environmental Impact Report (SCH No. 2014051065) 14-06-0005, and Approval of Development Plan Review (DPR) 14-02-0014 and Tentative Parcel Map (TPM 36726) 14-03-0020 to develop a 43 gross acre site with a 864,000 square foot high distribution warehouse facility. The project includes a Tentative Parcel Map to merge six existing parcels into one industrial lot located south of Nance Street, north of Markham Street, and between Webster and Indian Avenues within the Perris Valley Commerce Center (PVCC) Specific Plan area. Applicant: Russell Pierce, Integra Pacific LLC.

REQUESTED ACTION: Uphold the Planning Commission’s Decision to Certify the Environmental Impact Report, based on the findings in the Statement of Facts and Findings and Statement of Overriding Considerations and to adopt a Resolution (next in order) to approve: 1) Tentative Parcel Map 36726; and 2) Development Plan Review 14-02-0014, based on the findings contained in the staff report, and subject to the Conditions of Approval.

CONTACT: Clara Miramontes, Director of Development Services

BACKGROUND/DISCUSSION:

On December 29, 2014, the City received an appeal request from the California Clean Energy Committee based in Davis, California, for the Integra Perris distribution center project approved by the Planning Commission on December 17, 2014. An EIR was certified, and DPR 14-02-0014 and Tentative Parcel Map 36726 were approved for an 864,000 s.f. high cube/e-commerce distribution facility on 43 acres located south of Nance Street, north of Markham Street, and between Webster and Indian Avenues within the Perris Valley Commerce Center Specific Plan (PVCCSP) area, south of the March Air Reserve Base. Tentative Parcel Map (TPM) 36726 would merge six existing parcels into one parcel to facilitate this project.

The project is an allowed use within the General Industrial land use designation of the Perris Valley Commerce Center Specific Plan. The project is located within Accident Potential Zone 1 of the March Airport Land Use Plan, and subject to conditions of approval concerning the March Air Reserve Base as included in the PVCCSP. The facility includes 173 truck loading docks on opposite sides of the building facing Nance Street and Markham Street. These areas are set back from the right of way 320 feet and 260 feet, respectively, and both truck courts will be screened by a 14-foot high decorative screen wall with a 6-foot high landscaped berm to reduce the visible height of the wall to eight feet. The project includes extensive perimeter landscaping, water quality basins, shaded parking and safety lighting. Employee amenities include: outdoor covered lunch areas, horseshoe pits and enclosed bicycle storage lockers. Indoor amenities include showers and half-court basketball hoops. The developer will pursue the equivalent of LEED Silver certification for the building’s sustainability features.

On June 18, 2014, the Planning Commission held a scoping meeting to review, discuss, and receive comments regarding the proposed project for preparation of the Environmental Impact Report. BonTerra Psomas completed the Environmental Impact Report and the Draft EIR was circulated for a 45-day public review period from August 8, 2014 to September 22, 2014. During the DEIR review period, staff received six comment letters, and another two letters (including one from the California Clean Energy Committee) after the review period. All comments were addressed in the Final EIR. Although some comments resulted in clarification or revision to the mitigation measures, no change was significant enough to require recirculation of the EIR.
Except for impacts associated with air quality (operational and cumulative), greenhouse gas emissions (cumulative), traffic (cumulative intersection, roadway segment, freeway segment and ramp impacts), and agricultural resources, all other potential impacts are insignificant or have been reduced to less than significant with mitigation. For significant and non-mitigatable environmental impacts, a Statement of Overriding Considerations (SOC) is required to be adopted by the Lead Agency prior to approving the project. The Findings of Fact and the Statement of Overriding Considerations are included in the FEIR, which outlines the benefits of the project against the unavoidable effects and finds the unmitigated impacts to be acceptable in view of the overriding considerations.

The CCEC appeal letter references only the items identified in its original comment letter dated September 29, 2014. These items were fully addressed in the City’s response, as part of the Final EIR. The Project’s Mitigation and Monitoring Program fully addresses CCEC’s concerns, and additional sustainable measures have since been added (after Planning Commission approval) to the project based on the terms of another settlement. The appeal letter fails to acknowledge any of the City’s responses. Further, a representative of CCEC spoke briefly at the Planning Commission hearing on December 17, 2015 and vaguely stated that more sustainable measures should be incorporated into the project. He did not specifically express opposition to the project. Also to be noted, the appellant has attempted to contact the appellant to address their concerns, even though the appeal letter does not specify any particular concern. The appellant has not responded to any of the applicant’s contact attempts.

The proposed project complies with the requirements of the Perris Valley Commerce Center Specific Plan, of which a key objective is to promote sustainable development and to encourage the use of “green” technologies. In addition to complying with the California Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings and the Title 24 California Green Building Standards Code (CALGreen Code), the proposed project would be designed and built to achieve the equivalent of a minimum LEED Silver rating. A LEED Silver rating represents up to a 15% to 30% reduction in energy and water use. The project will also salvage or recycle as much construction waste as is feasible, but in no case less than 50% by weight of such waste. All the Project’s sustainable measures are incorporated into the Mitigation and Monitoring Program, and a summary of these measures is provided in Attachment 4, Summary of Comments and Responses.

A new response has been prepared addressing the appeal letter (Attachment 4), which generally reiterates the previous response contained in the Final EIR. Staff is recommending that the City Council deny the appeal and uphold the decisions of the Planning Commission, thereby certifying the EIR and approving the project.

BUDGET (or FISCAL) IMPACT: Cost for staff preparation of this item, cost of construction and payment of development impact fees are borne by the applicant.

Prepared by:   Diane Shardellati, Associate Planner

City Attorney:   Asst City Manager:   

Public Hearing: January 27, 2015

Attachments:
1. Resolutions with Exhibits (Statement of Overriding Considerations and Statement of Findings; Conditions of Approval from Planning Division and Department of Engineering, revised December 17, 2014)
2. Exhibits: Aerial View, Site Plan and Elevations
4. Applicant Response Letter (from Allen Matkins, Attorneys at Law) dated January 20, 2015 with attached FEIR Letter H (CCEC Comment Letter with City Response), and Summary of Comments and Responses
5. Planning Commission Packet from December 17, 2014
RESOLUTION No. ___ (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2014051065) PREPARED FOR THE INTEGRA DISTRIBUTION CENTER PROJECT, AN 864,000 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY, BASED ON THE STATEMENT OF FACTS AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the Integra Distribution Center ("Project") proposes the development of a high-cube or e-commerce distribution warehouse facility of 864,000 square feet with associated parking and other site improvements, and on- and off-site infrastructure improvements, on approximately 43 acres located south of Nance Street, north of Markham Street, between Webster Avenue and Indian Avenue; and

WHEREAS, Tentative Parcel Map 36726 (TPM 14-03-0020) is a proposal to merge six existing parcels into one lot in compliance with the requirements of the Subdivision Map Act to facilitate the proposed development; and

WHEREAS, Environmental Impact Report (EIR) EIR 14-06-0005 for the Integra Distribution Center Project was certified, and Development Plan Review 14-02-0014 and Tentative Parcel Map 14-03-0020 were unanimously approved (7-0) by the Planning Commission at a regularly scheduled hearing on December 17, 2014; and

WHEREAS, the Planning Commission decision regarding the Integra Project was appealed by the California Clean Energy Committee (CCEC) on December 29, 2014; and

WHEREAS, the City Council is the hearing body to review the appeal within 30 days of the filing of the Planning Commission's decision; and

WHEREAS, CCEC references its comment letter dated December 23, 2014 as the basis for its appeal, and the City responded in detail to this letter (Letter H) in Section 2.0 of the Final EIR; and

WHEREAS, the applicant has responded to these comments in the attached letter and attachments from Allen Matkins, Attorneys at Law, dated January 20, 2015; and

WHEREAS, the Integra Project would augment the City's economic base, create employment-generating opportunities for the citizens of the City and surrounding communities, provide a modern, industrial distribution center adjacent to regional transportation corridors that will provide for the storage and distribution of various goods due to the Project's location; and

WHEREAS, proposed Development Plan Review 14-02-0014 and Tentative Parcel Map 36726 (TPM 14-03-0020), are considered a "project" as defined by the California Environmental Quality Act ("CEQA"); and
WHEREAS, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

WHEREAS, the City, as lead agency, determined that an Environmental Impact Report ("EIR") should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

WHEREAS, a Notice of Preparation ("NOP") and Initial Study ("IS") identifying the scope of environmental issues were distributed to numerous State, federal, and local agencies and organizations starting on May 21, 2014 for a period of 30 days ending June 20, 2014, pursuant to State CEQA Guidelines sections 15082(a), 15103 and 15375. Relevant comments received in response to the NOP/IS were incorporated into the DEIR; and

WHEREAS, a joint public workshop/public scoping meeting was held with the Planning Commission at the Perris City Hall Council Chambers on June 18, 2104 and no representative of any responsible agency or member of the general public elected to speak at the scoping meeting; and

WHEREAS, a Notice of Completion was sent with the DEIR to the State Clearinghouse on August 8, 2014; and

WHEREAS, the DEIR was distributed for a 45-day public review period beginning August 8, 2014, with the comment period ending on September 22, 2014. Eight comment letters were received from Federal, State and local agencies, and private groups during the public comment period. The general and specific responses to comments are included in the Final EIR ("Final EIR"); and

WHEREAS, public notice of this City Council Appeal hearing was duly provided through publication on January 16, 2015; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project’s environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the proposed findings and conclusions recommended by this Resolution are based upon the oral and written evidence presented to the City Council as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be less than significant and to not require mitigation are described in the Statement of Facts and Findings and Statement of Overriding Considerations are attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures identified in the Final EIR and set forth therein are described in the
WHEREAS, the project level and cumulative environmental impacts identified in the Final EIR which the City Council finds cannot be mitigated to a level of less than significance despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth therein are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, the potential for growth inducing impacts described in the Draft EIR which the City Council finds to be less than significant are described in the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, irreversible environmental impacts as a result of the project’s impacts to air quality, greenhouse gas emissions, traffic, and agricultural resources are identified in the Draft EIR, which the City Council approves for the reasons described in Section 7 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Exhibit A and incorporated herein by reference as if set forth in full; and

WHEREAS, the Mitigation Monitoring and Reporting Program to address project level and cumulative environmental impacts identified in the Draft EIR which the City Council finds to be mitigated to a level of less than significant through the imposition of feasible mitigation measures are set forth therein and described in Section 4.0 of the Final EIR attached hereto as Exhibit B and incorporated herein by reference as if set forth in full; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts of the project are set forth therein and described in Section 5.4 of the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

WHEREAS, a public appeal hearing was duly noticed and held on January 27, 2015, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record, including the Final EIR and all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, the City Council’s certification of the Final EIR reflects its independent judgment and analysis; and

WHEREAS, no comments made in the public hearings conducted by the City Council or any additional information submitted to the City Council have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS does resolve as follows:
Section 1. The above recitals are all true and correct and incorporated herein by reference.

Section 2. Appeal 14-000103 is denied, and the Planning Commission decisions of December 17, 2014 to certify EIR 14-06-0005, and approve DPR 14-02-0014 and TPM 14-03-0020 are upheld.

Section 3. The majority of potentially significant environmental impacts of the Project identified in the Final EIR have been determined to be less than significant or mitigated to a level of less than significance.

Section 4. Certain impacts associated with air quality (operational and cumulative), greenhouse gas emissions (cumulative), traffic (cumulative intersection, roadway segment, freeway segment and ramp impacts), and agricultural resources (project and cumulative impacts related to conversion of Farmland to non-agricultural use) identified in the Final EIR have been determined to be significant and unavoidable. The specific impacts are set forth in the Statement of Facts and Findings and Statement of Overriding Considerations (see Attachment 5 - Planning Commission Packet). Based on specific economic, social, technical and/or other considerations, the City Council finds those effects acceptable with adoption of the Statement of Facts and Findings and Statement of Overriding Considerations.

Section 5. The City Council finds that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and certifies the Final EIR as complete and adequate.

Section 6. The City Council hereby adopts the Statement of Facts and Findings and Statement of Overriding Considerations attached hereto as Exhibit "A" and incorporated herein by reference as if set forth in full.

Section 7. The City Council hereby adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit "B" and incorporated herein by reference as if set forth in full.

Section 8. Based on the above findings, the City Council hereby certifies the Final EIR for the Project (SCH# 2014051065).

Section 9. 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 9. The Mayor shall sign this Resolution and the Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

ATTEST:

Daryl R. Busch, Mayor

Nancy Salazar, City Clerk

STATE OF CALIFORNIA )

01005.0005/39871.1
I, Nancy Salazar, City Clerk of the City of Perris do hereby certify that the foregoing Resolution Number ___ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 27th day of January 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nancy Salazar, City Clerk

Attachments: Exhibit A - Statement of Facts and Findings and Statement of Overriding Considerations
Exhibit B - Mitigation Monitoring and Reporting Program
RESOLUTION NO. ___ (next in order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING DEVELOPMENT PLAN REVIEW 14-02-0014 FOR THE CONSTRUCTION OF AN 864,000 SQUARE FOOT DISTRIBUTION WAREHOUSE BUILDING ON 43 ACRES, AND TENTATIVE PARCEL MAP 36726 TO MERGE SIX EXISTING PARCELS INTO ONE INDUSTRIAL LOT, LOCATED SOUTH OF NANCE STREET, NORTH OF MARKHAM STREET, BETWEEN WEBSTER AVENUE AND INDIAN AVENUE

WHEREAS, the Integra Distribution Center ("Project") proposes the development of a high-cube or e-commerce distribution warehouse facility of 864,000 square feet with associated parking and other site improvements, and on- and off-site infrastructure improvements, on approximately 43 acres located south of Nance Street, north of Markham Street, between Webster Avenue and Indian Avenue; and

WHEREAS, Tentative Parcel Map 36726 (TPM 14-03-0020) is a proposal to merge six existing parcels into one lot in compliance with the requirements of the Subdivision Map Act to facilitate the proposed development; and

WHEREAS, proposed Development Plan Review 14-02-0014 and Tentative Parcel Map 36726 (TPM 14-03-0020), are considered a “project” as defined by the California Environmental Quality Act (“CEQA”); and

WHEREAS, Environmental Impact Report (EIR) EIR 14-06-0005 for the Integra Distribution Center Project was certified, and Development Plan Review 14-02-0014 and Tentative Parcel Map 14-03-0020 were approved unanimously (7-0) by the Planning Commission at a regularly scheduled hearing on December 17, 2014; and

WHEREAS, the Planning Commission decision regarding the Integra Project was appealed by the California Clean Energy Committee (CCEC) on December 29, 2014; and

WHEREAS, the City Council is the designated hearing body to review the appeal within 30 days of the filing of the Planning Commission’s decision; and

WHEREAS, CCEC references its comment letter dated December 23, 2014 as the basis for its appeal, and the City responded in detail to this letter (Letter H) in Section 2.0 of the Final EIR; and

WHEREAS, the applicant has responded to these comments in the letter and attachments from Allen Matkins, Attorneys at Law, dated January 20, 2015; and

WHEREAS, the City Council reviewed the Final EIR and accompanying attachments; and

WHEREAS, public notice of this City Council Appeal hearing was duly provided through publication on January 16, 2015; and

01006.0005/239870.1
WHEREAS, on January 27, 2015, the City Council conducted a duly noticed public hearing on Appeal No. 14-00103 concerning the EIR 14-06-0005, Development Plan Review 14-02-0014 and Tentative Parcel Map 36726, considering testimony and materials in the staff report and accompanying documents; and

WHEREAS, the public hearing scheduled for January 27, 2015 was held before the City Council, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, and/or reviewed all of the information and data which constitutes the administrative record for the above-mentioned approvals, including all oral and written evidence presented to the City during all Project meetings and hearings; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS does resolve as follows:

Section 1. The above recitals are all true and correct and incorporated herein by reference.

Section 2. Appeal 14-000103 is denied, and the Planning Commission decisions of December 17, 2014 to certify EIR 14-06-0005 and approve DPR 14-02-0014 and TPM 14-03-0020 are upheld.

Section 3. City Council Resolution No. ___ found that all the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines and the City's Local CEQA Guidelines have been satisfied in the EIR, which is sufficiently detailed so that all of the significant environmental effects of the Project have been adequately evaluated.

Section 4. The City Council further finds, based upon the information contained within the staff report and accompanying attachments, with respect to the Integra Distribution Center Project, the following regarding Development Plan Review 14-02-0014 and Tentative Parcel Map 36726:

1) The location, size, design, density and intensity of the proposed development and improvements are consistent with the Perris Valley Commerce Center Specific Plan and the City's General Plan, the purposes and provisions of this Title, the purposes of the Zone in which the site is located, and the development policies and standards of the City.
2) The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.
3) The proposed development and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to
properties or improvements in the vicinity.
4) The architecture proposed is compatible with community standards and protects
the character of adjacent development.
5) The landscaping plan ensures visual relief and provides an attractive
environment for the public’s enjoyment.
6) The safeguards necessary to protect the public health, safety and general
welfare have been required for the proposed project.

Section 5. The City Council hereby approves Development Plan Review
14-02-0014 and Tentative Parcel Map 36726 (14-03-0020) for the Integra Distribution Center
Project, based on the information and findings presented in the staff report and supporting
exhibits, and subject to the attached Conditions of Approval.

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 the City Clerk shall
certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 27th day of January, 2015.

____________________________
Daryl R. Busch, Mayor

ATTEST:

____________________________
Nancy Salazar, City Clerk

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

I, Nancy Salazar, City Clerk of the City of Perris do hereby certify that the foregoing Resolution
Number ____ was duly and regularly adopted by the City Council of the City of Perris at a
regular meeting thereof held on the 27th day of January 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________________
Nancy Salazar, City Clerk

Attachments: Exhibit A - Planning Division and Engineering Department (revised Planning
Commission meeting 12-17-2014) Conditions of Approval
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: January 27, 2015

SUBJECT: Appointments to Committees and City Commissions, Agencies and Mayor Pro Tem

REQUESTED ACTION: Mayor and City Council to make appointments to the various agencies and committees to represent the City.

CONTACT: City Council and City Manager

BACKGROUND/DISCUSSION: The terms for the various committee appointments are nearing expiration and it is now time to appoint delegates for 2015. A list of the committees/agencies requiring appointment is attached for consideration.

BUDGET (or FISCAL) IMPACT: None

Reviewed by:

City Attorney: N/A
Assistant City Manager:

Attachments: Council Appointments

Consent: 
Public Hearing: 
Business Item: January 27, 2015
Other:
On August 26, 2014, the following appointments were made and will be effective until December 31, 2014.

COUNCIL APPOINTMENTS

Mayor Pro Tem Rita Rogers

DEPARTMENT OF COMMUNITY ACTION-COMMUNITY ACTION COMMISSION

Mayor Pro Tem Rita Rogers  December 2014
Staff Member Cynthia Quintero

RIVERSIDE COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Councilmember Raul (Mark) Yarbrough, Delegate  December 2014
Councilmember Al Landers, Alternate  December 2014

RIVERSIDE TRANSPORTATION AGENCY

Councilmember Raul (Mark) Yarbrough, Delegate  December 2014
Mayor pro Tem Rita Rogers, Alternate  December 2014

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

Mayor Pro Tem Rita Rogers, Representative  December 2014
Councilmember Al Landers, Alternate  December 2014

RIVERSIDE COUNTY REGIONAL CONSERVATION AGENCY

Councilmember Raul (Mark) Yarbrough, Delegate  December 2014
Councilmember Al Landers, Alternate  December 2014

MARCH AIR FORCE BASE REALIGNMENT JOINT POWERS AUTHORITY

Mayor Daryl Busch, Representative  December 2014
Councilmember Raul (Mark) Yarbrough, Representative  December 2014
Councilmember Al Landers, Alternate  December 2014
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

Vacant

EAST-WEST CORRIDOR COMMITTEE

Councilmember Al Landers, Representative
Councilmember Raul (Mark) Yarbrough, Alternate

RIVERSIDE COUNTY HABITAT CONSERVATION AUTHORITY

Councilmember Mark Yarbrough, Representative
Councilmember Al Landers, Alternate

RIVERSIDE COUNTY LIBRARY SYSTEM ZONE ADVISORY BOARD

Mayor Pro Tem Rita Rogers, Representative

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

Mayor Daryl Busch, Representative
Councilmember Al Landers, Alternate

COUNTY FREE LIBRARY ADVISORY COMMITTEE

Mayor Pro Tem Rita Rogers, Delegate

RIVERSIDE COUNTY OFFICE ON AGING ADVISORY BOARD

Mayor Pro Tem Rita Rogers, Representative

TUMF ZONE COMMITTEE

Mayor Pro Tem Rita Rogers, Representative
Councilmember Al Landers, Alternate

REGIONAL FAMILY, YOUTH AND HEALTH TASK FORCE

Mayor Pro Tem Rita Rogers
Councilmember Al Landers
SIX WORKING COMMITTEES

WAYS & MEANS
Councilmember Raul (Mark) Yarbrough
Councilmember Al Landers

PUBLIC WORKS
Councilmember Raul (Mark) Yarbrough
Councilmember Al Landers

PARKS & RECREATION
Mayor Pro Tem Rita Rogers
Councilmember Al Landers

AD HOC SCHOOL DISTRICT LIAISON
Mayor Pro Tem Rita Rogers
Councilmember Raul (Mark) Yarbrough

SENIOR CITIZEN AD HOC
Mayor Pro Tem Rita Rogers
Councilmember Raul (Mark) Yarbrough

PUBLIC SAFETY AD HOC
Councilmember Al Landers
Councilmember Raul (Mark) Yarbrough

Updated: 08/27/2014