For further information on an agenda item, please contact the City at 101 North "D" Street, or call (951) 943-6100

AMENDED
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, October 13, 2015
6:30 P.M.
City Council Chambers
(corner of San Jacinto and Perris Boulevard)
101 North "D" Street
Perris, California

CLOSED SESSION: 6:00 P.M.

ROLL CALL:

Burke, Rabb, Rogers, Busch

A. Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(d)(1); 1 case:
   1. Lin v. City of Perris
B. Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(d)(2); 1 case

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

2. ROLL CALL:

Burke, Rabb, Rogers, Busch

3. INVOCATION:

Pastor Baylark
Good Hope Missionary Baptist Church
22876 Mountain Ave
Perris, CA 92570
4. **PLEDGE OF ALLEGIANCE:**

Mayor Pro Tem Burke 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. Isabel Carlos, Assistant Director of Administrative Services will present an update on the International Walk to School Day held, Wednesday, October 7, 2015.

B. Conner Smith, Administrative Pastor at Temple Baptist Church regarding Public Servant Appreciation Day, Sunday, October 18, 2015.

6. **APPROVAL OF MINUTES:**

A. Approval of the Minutes of the Regular 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 the Perris Community Economic Development Corporation of the City of Perris held September 29, 2015.

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 Resolution Number (next in order) regarding Annexation of Parcel 1, Parcel Map 36462 to Flood Control MD No. 1; located north of Rider Street between Indian Avenue and Perris Boulevard. (Ownership of: Duke Realty).

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, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO BENEFIT ZONE 84, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THEREETO ON DECEMBER 8, 2015.
B. Adopt Resolution Numbers (next in order) regarding Annexation of Clearwater Elementary School to Landscape Maintenance District No. 1 (LMD 1); located on the northwest corner of Nuevo Road and Murrieta Road. (Ownership of: Perris Elementary School District).

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, 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 114 (CLEARWATER ELEMENTARY SCHOOL) 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 CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 114, 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 114, 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 1124, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 114, 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 OF HEARING OBJECTIONS THERETO ON DECEMBER 8, 2015
C. Adopt Resolution Number (next in order) regarding Annexation of Clearwater Elementary School to Flood Control MD No. 1; located on the northwest corner of Nuevo Road and Murrieta Road. (Ownership of: Perris Elementary school District).

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

A RESOLUTION NOF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 83, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON DECEMBER 8, 2015

D. Approval of a one year Extension of Time No. 15-05150 for Tentative Tract Map 31367, located at the southwest corner of Avocado Avenue and Orchard Drive. (Applicant: Alejandra Zambrano).

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 adopt Resolution Numbers (next in order) regarding Annexation of Parcel Map 36540 to the City’s Maintenance Districts; location on the west side of Redlands Avenue between Nance and Markham Streets. (Ownership of: CI Perris 151, LLC).

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PARCEL MAP 36540 TO BENEFIT ZONE 113, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT,
AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

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 PARCEL MAP 36540 TO BENEFIT ZONE 82, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

Introduced by: Habib Motlagh, City Engineer

PUBLIC COMMENT:

9. BUSINESS ITEMS: (not requiring a “Public Hearing”):
   No Business Items

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.

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. ADJOURNMENT:
In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Building Official (931) 443-1029. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.
TO: The Honorable Mayor and Members of the City Council
FROM: Nancy Salazar, City Clerk
DATE: October 13, 2015
SUBJLCT: Approval of Minutes

BACKGROUND: None.

FISCAL IMPACT: None.

**RECOMMENDATION:** Motion to approve the Minutes of the Regular Joint Meeting held on September 29, 2015 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and Perris Joint Powers Authority.

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

Attachments:

CITY OF PERRIS

MINUTES:

Date of Meeting: September 29, 2015
06:30 PM

Place of Meeting: City Council Chambers

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

Mayor Busch called the Regular City Council meeting to order at 6:30 p.m.

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

Staff Members Present: City Manager Belmonte, City Attorney Dunn, City Engineer Motlagh, Assistant City Manager Carr, Deputy City Manager Madkin, Redevelopment & Economic Development Manager McDermott, Police Captain Judge, Fire Chief Barnett, Director of Development Services Miramontes, Capital Improvement Project Manager Morales, Information Technology Manager Cervantes, Administrative Services Manager Carlos, Assistant Finance Director Erwin, Assistant Director of Public Works Hartwill, Public Information Officer Vargo and City Clerk Salazar.

3. INVOCATION: Pastor Ted Norton New Life Fellowship of Perris
555 N. Perris Blvd. Perris, CA 92571

4. PLEDGE OF ALLEGIANCE:

Councilwoman Rogers led the Pledge of Allegiance.

5. PRESENTATIONS/ANNOUNCEMENTS:

A. Proclamation designating September as "Railroad Safety Month"

6. APPROVAL OF MINUTES:

A. Approved the Minutes of the Regular 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 the Perris Community Economic Development Corporation of the City of Perris held September 8, 2015.

The Mayor called for a motion.

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

7. CONSENT CALENDAR:

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

A. Adopted the Second Reading of Ordinance Number 1321 regarding Ordinance Amendment 15-050005; updating Title 16 of the Perris Municipal Code, Residential Rooftop Solar Systems.

The Second Reading of Ordinance Number 1321 is entitled:

B. Adopted the Second Reading of Ordinance Number 1322 amending Regulations of the Distribution of Handbills.

The Second Reading of Ordinance Number 1322 is entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING MUNICIPAL CODE CHAPTER 5.24 REGARDING REGULATIONS OF THE DISTRIBUTION OF HANDBILLS

C. Approved the First Amendment to Perris Valley Storm Drain Improvement Credit/Reimbursement Agreement with Duke Realty Limited Partnership for improvements to the Perris Valley Storm Drain and Line AB required for DPR 06-0417, located west of Perris Boulevard, north of Rider Street, east of Indian Avenue and south of Morgan Street.

D. Adopted Resolution Number 4918 urging the State to provide new sustainable funding for State and Local Transportation Infrastructure and consideration of joining the "Fix our Roads Coalition" requested by the League of California Cities.

Resolution Number 4918 entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, URGING THE STATE TO PROVIDE NEW SUSTAINABLE FUNDING FOR STATE AND LOCAL TRANSPORTATION INFRASTRUCTURE

E. Approved the 2015 Pavement Rehabilitation and Flood Benefit Zone Rehabilitation Project and award contract to American Asphalt South, Inc.

F. Approved Memorandum of Understanding (MOU) to establish a Countywide Collision Records System.

G. Approved the fee waiver request for Perris Family Resource Center Advisory Board to use the City of Perris Mobile Stage for the Community Resource Fair to be held on October 28, 2015.

H. Approved the sale of property regarding APN #310-082-009, 310-0980-013 and 310-090-014.

I. Approved the Payment Plan Policy for Utility Customers.

J. Approved the Sherman Road at Caltha Way All Way Stop Warrant Study.

K. Approved the award of Contract to Absolute International Security to provide Security Guard Services at the City of Perris City Hall Campus, Facilities and Parks.

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Rita Rogers to Approve the Consent Calendar as presented.

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

NOES:

ABSENT:

ABSTAIN:

8. PUBLIC HEARINGS:

A. Adopted Resolution Numbers 4919 and PJPA-018 regarding financing of bonds associated with CFD No. 2005-4 (Stratford Ranch), generally located in the northeast section of the City and is bordered by Murrieta Road on the west, Oleander Avenue on the north, Center Street on the east, Perry Street is to the south of the District boundary.

Resolution Number 4919 is entitled:
AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $3,200,000 TO FINANCE PUBLIC FACILITIES, PERMITTING THE PURCHASE OF SUCH BONDS BY THE PERRIS JOINT POWERS AUTHORITY, AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Resolution Number PJPA-018 is entitled:


This item was presented by Assistant City Attorney Hernandez. The Mayor opened the Public Hearing at 6:43 p.m. There was no Public Comment. The Mayor closed the Public Hearing at 6:43 p.m.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Tonya Burke to Approve Resolution Numbers 4919 and PJPA-018 as presented.

AYES: Rita Rogers, Tonya Burke, David Starr Rabb, Daryl Busch
NOES: 
ABSENT: 
ABSTAIN: 

9. BUSINESS ITEMS:

A. Approved Façade Improvement Projects.

This item was introduced by Chief Operating Officer McDermott. The Mayor called for Public Comment. There was no Public Comment. The following Councilmembers spoke:

Rabb
Rogers
Busch

The Mayor called for a motion.

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

B. Approved the Restaurant Attraction/Incentive Package regarding Corky’s Homestyle Kitchen and Bakery.

This item was introduced by Chief Operating Officer McDermott.
The Mayor called for Public Comment. There was no Public Comment.
The following Councilmember spoke:
Rogers

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Rita Rogers to Approve the Restaurant Attraction/Incentive Package regarding Corky’s Homestyle Kitchen and Bakery.
AYES: Rita Rogers, Tonya Burke, David Starr Rabb, Daryl Busch
NOES: 
ABSENT: 
ABSTAIN: 

C. Approved the Restaurant Attraction/Incentive Package regarding La Gare Café and Coffee Roasters.

This item was introduced by Chief Operating Officer McDermott.
The Mayor called for Public Comment.
The following people spoke at Public Comment:
Ruben Arras
Laurel Rudy
Unidentified Team Member with La Gare

The following Councilmembers spoke:
Rabb
Rogers
Busch

The Mayor called for a motion.

M/S/C: Moved by David Starr Rabb, seconded by Rita Rogers to Approve the Restaurant Attraction/Incentive Package regarding La Gare Café and Coffee Roasters.
AYES: Rita Rogers, Tonya Burke, David Starr Rabb, Daryl Busch
NOES: 
ABSENT: 
ABSTAIN: 
10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

The following people spoke at Public Comment:
Bill Daigle
Cindy Espinoza
Sherry Kreissig
Pastor Abraham Capers
Olivia Balderrama
Joe Dapice
Mark Yarbrough
Allison Wright
Douglas Corona
Malcolm Corona

11. COUNCIL COMMUNICATIONS:

The following Councilmembers spoke:
Rogers
Burke
Rabb
Busch

12. CITY MANAGER'S REPORT:

13. ADJOURNMENT:

There being no further business the Mayor adjourned the Regular City Council meeting at 7:58 p.m. in memory of Isabelle Sbardellati.
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date October 13, 2015

SUBJECT: Annexation of Parcel 1, Parcel Map 36462 to Flood Control MD No. 1

REQUESTED ACTION: Adoption of Resolution of Intention to Annex Parcel 1, Parcel Map 36462 to Flood Control Maintenance District No. 1 and set a public hearing date of December 8, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: Parcel 1, Parcel Map 36462 is a 59.02-acre project located north of Rider Street between Indian Avenue and Perris Boulevard. The project is under the ownership of Duke Realty.

As a condition of approval, the project is required to annex into FCMD 1. This district provides revenue for the annual maintenance of interior streets (residential only) and flood control improvements installed in conjunction with new development.

The project will benefit from the maintenance and servicing of the public flood control facilities that protect Parcel 1, Parcel Map 36462, from inundation. The public facilities include catch basins, transition structures, 8-inch PVC in medians, 18-, 24- and 36-inch reinforced concrete pipe, and 1,800 lineal feet of reinforced concrete box culvert.

FISCAL IMPACT: The maximum annual assessment is $32,743.00, plus:

1) the “Common Labor, Construction Cost Index”, as published by Engineering

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. Engineer’s Report

2. Resolution of Intention to Annex Parcel 1, Parcel Map 36462 to Flood Control MD No. 1

Consent:
AGENCY: City of Perris

PROJECT: Annexation of Parcel 1, Parcel Map 36462
To Benefit Zone 84, Flood Control Maintenance District No. 1

TO: City Council
City of Perris
State of California

REPORT PURSUANT TO "BENEFIT ASSESSMENT ACT OF 1982"

Pursuant to the direction from the City Council of the City of Perris, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Part 1 of Division 2 of Title 5 of the Government Code of the STATE OF CALIFORNIA, being the "Benefit Assessment Act of 1982", as amended, commencing with Section 54703. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2015 to June 30, 2016, for that area to be known and designated as:

"Annexation of Parcel 1, Parcel Map 36462
To Benefit Zone 84, Flood Control 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 13th day of October, 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 8th day of December 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 13th day of October 2015.

______________________________
NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
Report

PART 1. A General Description of the flood control improvements includes facilities that will accommodate the storm flow impacting Parcel 1, Parcel Map 36462. These public improvements are generally described as catch basins, parkway catch basins with grates, storm drain pipe, reinforced concrete box culvert, transitions structures and appurtenances that convey the flow from the street to the Perris Valley Storm Drain Channel.

Maintenance and upkeep of these storm drainage facilities includes, but is not be limited to, general cleanup and debris removal, inspections, stenciling, replacement and repairs. Annual photo documentation is scheduled to take place, along with silt removal as required. Depending on that year’s storm drain flow and the level of debris in the flow, a system cleaning may be required after the first rain and again during or at the end of the rainy season.

PART 2. Plans and Specifications for the improvements to be maintained for a fiscal year have been approved by the City of Perris. There are two categories of improvements to be maintained.

The first category of improvements are identified on the plans and specifications prepared by Huitz-Zollars, Inc. that are entitled "Storm Drain Improvement Plans for Perris Ridge Commerce Center II, Indian Avenue, Rider Street & Perris Blvd., City of Perris, California".

Benefit Zone 84 specifically benefits from the improvements identified on these plan and specifications as Line A and Line C. The improvements labeled as Line B and Line D specially benefit other properties and are not to be maintained by or assessed to Benefit Zone 84. The first category of improvements to be maintained under Benefit Zone 84 is further described as follows:

Line A: catch basins, transitions structures, 8” PVC in medians, and 18”, 24” and 36” reinforced concrete pipes

Line C: catch basins, transitions structures, 8” PVC in medians, and 24” reinforced concrete pipes

It is noted that these improvements were previously designated to be maintained by Parcel 1, Parcel Map 36462 under Benefit Zone 79. Benefit Zone 84 supersedes and replaces Benefit Zone 79.

The second category of improvements are identified on the plans and specifications prepared by Thienes Engineering, Inc. for the Riverside County Flood Control and Water Conservation District that are entitled “Perris Valley MDP, Line “A-B”. The second category of improvements to be maintained under Benefit Zone 84 includes approximately 1,800 lineal feet of reinforced concrete box culvert, transitions structures and appurtenances. The laterals shown on these plans that are also to be maintained by the City of Perris specially benefit other properties and are not to be maintained by or assessed to Benefit Zone 84.
The plans and specifications have been approved by both the City Engineer for the City of Perris and the Chief Engineer for the Riverside County Flood Control and Water Conservation District and are on file in the City of Perris Office of Community Development. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements, and by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

PART 3

An Estimate of the cost for the public improvements to be maintained and/or improved for a given fiscal year includes labor, equipment, materials, and appurtenances. The estimated annual cost for maintenance of the facilities, by benefit zone, is listed below.

<table>
<thead>
<tr>
<th>Item</th>
<th>First Category</th>
<th>Second Category</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storm Facility Maintenance</td>
<td>$14,713</td>
<td>$12,348</td>
<td>$27,061</td>
</tr>
<tr>
<td>Contingency</td>
<td>1,471</td>
<td>1,235</td>
<td>2,706</td>
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<tr>
<td>Subtotal</td>
<td>$16,184</td>
<td>$13,583</td>
<td>$29,767</td>
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<tr>
<td>Incidentals</td>
<td>$1,518</td>
<td>$1,358</td>
<td>$2,976</td>
</tr>
<tr>
<td><strong>Total Annual Costs</strong></td>
<td><strong>$17,802</strong></td>
<td><strong>$14,941</strong></td>
<td><strong>$32,743</strong></td>
</tr>
</tbody>
</table>

Incidentals and contingency costs include annual engineering, legal, City Clerk, and finance expenses to the District, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

With service intervals and staggered maintenance operations, revenue requirements for maintenance will fluctuate year to year. Each year's maintenance operations will be funded by that year's assessment plus the fund balance remaining from prior year assessments.

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 are usually distributed by the County of Riverside the following January. A 6-month tax roll reserve for the current maintenance of the flood control facilities and incidental costs is estimated to be $16,371.50.

When the improvements are accepted, the City of Perris will assume the expenses of maintaining the improvements twelve months from the acceptance date. Zero costs will be incurred for the fiscal year commencing July 1, 2015 to June 30, 2016.

PART 4

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 5.

The improvements to be maintained will accommodate the storm flow impacting Parcel 1, Parcel Map 36462. The public flood control improvements to be maintained specifically benefits the area within the area of the annexation; and, the improvements are required for the approval of, and as a consequence of, development of this area.
It is noted that the maintenance of all storm drain facilities located within the inside property-line is the responsibility of the property owner.

The method of assessment is based on units, with one benefit unit assigned to Benefit Zone 84. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is $32,743, per benefit unit.

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.

Reference is made to the proceedings for the annexation of Parcel Map 36462 to Benefit Zone 79 (Parcel 1) and Benefit Zone 80 (Parcel 2), Flood Control Maintenance District No. 1, as confirmed and set forth in Resolution 4883 approved on May 12, 2015. Benefit Zone 84 supersedes and replaces Benefit Zone 79.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2015 to June 30, 2016, reference is made to the Assessment Roll included herein as Attachment No. 1.

PART 5. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with Parcel 1, Parcel Map 36462. Said boundary is designated as "Diagram of Annexation of Parcel 1, Parcel Map to Benefit Zone 84, Flood Control 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 6. A Petition for Annexation to the District has been signed by the owner of the area within the proposed annexation. Said petition is included herein as Attachment No. 3.
### Assessment Roll

Annexation of Parcel 1, Parcel Map 36462 to Benefit Zone 84, Flood Control Maintenance District No. 1, City of Perris

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<tr>
<th>Benefit Zone and Assessment Number</th>
<th>Assessor Parcel Number</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year 2015/2016</th>
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<td>83</td>
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<td>$00.00</td>
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</tbody>
</table>

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.
DIAGRAM OF ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO BENEFIT ZONE 84 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1 CITY OF PERRIS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

NOT TO SCALE

LEGEND

--- ANNEXATION AND BENEFIT ZONE BOUNDARY

--- PARCEL BOUNDARY

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

ATTACHMENT 2
PETITION FOR THE ANNEXATION TO A BENEFIT ASSESSMENT DISTRICT TO FINANCE THE MAINTENANCE OF CERTAIN PUBLIC IMPROVEMENTS

BEFORE THE CITY COUNCIL OF THE CITY OF PERRIS, STATE OF CALIFORNIA

In the matter of the proposed Annexation to City of Perris Flood Control Maintenance District No. 1

TO: The City Council of the City of Perris

We, the undersigned, hereby:

(1) Petition you to initiate and complete all necessary proceedings under the Benefit Assessment Act of 1982, Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code for the annexation to a benefit assessment district for the maintenance of certain flood control improvements which benefit the property described on Exhibit "A" attached hereto and incorporated herein by this reference to the Maintenance District.

(2) Certify that the proposed annexation to a benefit assessment district that will be subject to assessment for maintenance of such improvements, is that real property in the City of Perris, County of Riverside, State of California, generally described on Exhibit "A" attached hereto and incorporated herein by this reference to the Maintenance District.

(3) Certify that we constitute the owner(s), including mortgagees or beneficiaries under any existing mortgage or subject to assessment for the proposed annexation, of the property in the proposed annexation to a benefit assessment district, as shown by the last equalized assessment roll used by the County of Riverside at the time this Petition is filed and also constitute the owner(s) of sixty percent (60%) of the area of all assessable lands within the proposed annexation to a benefit assessment district.

(4) In order to expedite the project, agree to dedicate all necessary rights-of-way or easements as determined necessary for maintenance of the public improvements.

Dated: 8-17-15

Signature Chris Burns

List Property Owner Name and Mailing Address

Duke Realty LP
300 Spectrum Center Drive, suite 1450
PUE, CA 92618
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On August 17, 2015 before me, Lupe P. Soria
personally appeared Chris Burns

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

Signature of Notary Public

Place Notary Seal Above

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document:

Document Date: _______________________________ Number of Pages: ______

Signer(s) Other Than Named Above: _______________________________

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Corporate Officer — Title(s): _______________________________

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney In Fact

☐ Trustee ☐ Guardian or Conservator

Other: _______________________________

Signer is Representing: _______________________________

☐ Corporate Officer — Title(s): _______________________________

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney In Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _______________________________

Signer is Representing: _______________________________

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ATTACHMENT 3-2
EXHIBIT "A" TO PETITION FOR ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO BENEFIT ZONE 84 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

NOT TO SCALE

LEGEND

=-=-=-= ANNEXATION AND BENEFIT ZONE BOUNDARY

- - - - - - - - PARCEL BOUNDARY

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

ATTACHMENT 3-3
RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF PARCEL 1, PARCEL MAP 36462 TO BENEFIT ZONE 84, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THEREOF ON DECEMBER 8, 2015

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("this City Council"), wishes to provide continued financing for necessary maintenance of certain flood control and drainage improvements within the boundaries of Parcel 1, Parcel Map 36462 through the levy of benefit assessments pursuant to the provisions of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code commonly known as the "Benefit Assessment Act of 1982", (the "Act"); and

WHEREAS, Duke Realty, (the "Owners") have presented signed petitions to the City Council requesting the annexation of Parcel 1, Parcel Map 36462 to a benefit assessment district to finance the maintenance of those certain drainage and flood control improvements permitted pursuant to Sections 54710 and 54710.5 of the Act (the "Improvements") which benefit properties within Parcel 1, Parcel Map 36462; and

WHEREAS, the City Council now proposes to levy benefit assessments under the provisions of the Act to insure continued financing to maintain the Improvements pursuant to the Act, all for the benefit of parcels within Parcel 1, Parcel Map 36462; and

WHEREAS, to accomplish such purposes, the City Council proposes to annex Parcel 1, Parcel Map 36462 to Benefit Zone 84, Flood Control Maintenance District No. 1.

WHEREAS, on May 12, 2015, as confirmed and set forth in Resolution 4883, the parcels within the boundary of Benefit Zone 84 were originally annexed to Benefit Zone 79, Flood Control Maintenance District No.1. Benefit Zone 84 supersedes and replaces Benefit Zone 79.

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

Section 1. The public interest, convenience, and necessity require, and it is the intention of the City Council pursuant to the provisions of the Act to maintain the Improvements for the benefit of the properties within the area of benefit.
Section 2. Maintenance of the improvements will be of direct benefit to parcels within Parcel 1, Parcel Map 36462 which are hereby declared to be the properties benefited by the Improvements and to be assessed to pay the cost and expenses thereof. The area of benefit shall be all that part of the City within the boundaries shown on the map entitled “Diagram of Annexation of Parcel 1, Parcel Map 36462 to Benefit Zone 84, Flood Control Maintenance District Number 1” on file in the office of the City Clerk of the City of Perris, California.

Section 3. At least forty-five (45) days prior to the date set for the hearing on the proposed assessment, the Assessment Engineer is hereby directed to file with the City Clerk a written report (the “Engineer’s Report”) pursuant to the Act, Government Code Section 53753 and Article XIIIID of the Constitution of the State of California, containing the following:

a. A description of the service proposed to be financed through the revenue derived from the benefit assessments.

b. A description of each lot or parcel of property proposed to be subject to the benefit assessments. The assessor’s parcel number or Tract Map number shall be a sufficient description of the parcel.

c. The amount of the proposed assessment for each parcel.

d. The basis and schedule of the assessments.

e. Other such matters as the Assessment Engineer shall deem appropriate.

Section 4. On the 8th day of December, 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, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the annexation to the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

Section 5. The City Clerk is hereby directed to publish notice of the hearing on the proposed assessment and notice of the filing of the Engineer’s Report once a week for two successive weeks, with at least five days intervening between the respective publication dates, not counting such publication dates, in the Perris City News, a newspaper of general circulation within the area of benefit. The notice shall be 1/8 of a page in size and contain the following information:

a. The amount of the assessment.

b. The purpose of the assessment.

c. The total estimated assessments expected to be generated annually.

d. The method and frequency for collecting the assessment.

e. The date, time, and location of the public hearing.

f. The phone number and address of an individual that interested persons may contact to receive additional information about the assessment.
The notice shall be published at least forty-five (45) days prior to the public hearing.

Section 6. The City Clerk is also hereby instructed to give additional notice of the hearing and notice of the filing of the Engineer’s Report by posting a copy of this resolution in three public places within the City of Perris.

Section 7. Said notice shall be posted and first published at least forty-five (45) days before the date set for the public hearing.

Section 8. The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments, including the Owners. 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 9. 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.

ADOPTED, SIGNED and APPROVED this 13th day of October, 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 13th day of October, 2015, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:  

City Clerk, Nancy Salazar
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date October 13, 2015

SUBJECT: Annexation of Clearwater Elementary School 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 Clearwater Elementary School to LMD 1 and setting a public hearing date of December 8, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: Clearwater Elementary School is a 14.16-acre project located on the northwest corner of Nuevo Road and Murrieta Road. The project is under the ownership of Perris Elementary School District.

The landscaping benefit includes maintenance of the irrigation system, landscaping, and appurtenances located within the Nuevo Road medians accommodating ingress and egress to Clearwater Elementary School; and, the Nuevo Road and Murrieta Road parkways bordering Clearwater Elementary School.

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 $3,508.10 for medians and $13,003.87 for parkways, ($16,511.97 total), 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 Clearwater Elementary School 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 114 (CLEARWATER ELEMENTARY SCHOOL) 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 Clearwater Elementary School be defined as that area to be annexed to Benefit Zone 114, 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 Clearwater Elementary School, to Benefit Zone 114, 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 13th day of October, 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 13th day of October, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of Clearwater Elementary School
To Benefit Zone 114, 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, 2015 to June 30, 2016, for that area to be known and designated as:

"Annexation of Clearwater Elementary School
To Benefit Zone 114, 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 13th day of October, 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 8th day of December 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 13th day of October 2015.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
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 medians, easements and parkways bordering Clearwater Elementary School. The median is located in Nuevo Road and the easements and parkways are located along Nuevo and Murrieta Roads.

Reference is made to the landscaping plans and specification prepared by Silver Bar Studio that is entitled, "LMD Conceptual Off-site Irrigation & Planting Plans, Clearwater Elementary School".

For further information on the location of the improvements and the public right-of-way, reference is made to the plans and specifications prepared by Epic Engineers that is entitled, "Street Improvement Plan, Perris Elementary School District, Clearwater Elementary School".

Reference is also made to the Site Plan prepared by HMC Architects that is entitled, "Clearwater Elementary School, 1640 Murrieta Road, Perris, CA 92571".

It is noted that the maintenance of all facilities located within the inside property-line is the responsibility of the property owner and not the City of Perris.

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. 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.

The quantities and annual cost for the public improvements are listed on the following page.

Due to the soil, water, exposure, and pedestrian traffic, annual plant replacement is estimated at a 5% die-off rate at 2-feet on-center. Tree trimming is scheduled to occur every other year. Mulch will be applied and hardscape repair in the median will occur every third year. Funds will also be set aside to provide for replacing irrigation parts in the fifth year.

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 114.
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 $8,255.98.

The quantities and annual cost for the public improvements are estimated as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Medians</th>
<th>Easements/Parkways</th>
<th>Medians</th>
<th>Easements/Parkways</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nuevo Road Greenscape</td>
<td>5,850</td>
<td>6,723</td>
<td>19</td>
<td>20</td>
</tr>
<tr>
<td>Nuevo Road Hardscape</td>
<td>376</td>
<td>00</td>
<td>00</td>
<td>00</td>
</tr>
<tr>
<td>Murrieta Road</td>
<td>00</td>
<td>4,765</td>
<td>00</td>
<td>23</td>
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<tr>
<td><strong>Totals</strong></td>
<td>6,326</td>
<td>11,488</td>
<td>19</td>
<td>43</td>
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</table>

<table>
<thead>
<tr>
<th>Quantity Assessed</th>
<th>Estimated Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Medians</td>
</tr>
<tr>
<td>Maintenance</td>
<td>2,976</td>
</tr>
<tr>
<td>Plant Replacement</td>
<td>24</td>
</tr>
<tr>
<td>Tree Trimming</td>
<td>5</td>
</tr>
<tr>
<td>Mulch Application</td>
<td>9</td>
</tr>
<tr>
<td>Hardscape</td>
<td>57</td>
</tr>
<tr>
<td>Irrigation Repairs</td>
<td>595</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td></td>
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<td>Contingency</td>
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</tr>
<tr>
<td><strong>Total Maintenance</strong></td>
<td></td>
</tr>
</tbody>
</table>

| Incidents              |         |                     |      |       | $457.58   | $1,695.17       | $2,152.75 |
| Balance to Assessment  |         |                     |      |       | $3,508.10 | $13,003.87      | $16,511.97 |

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 114, for the fiscal year commencing July 1, 2015 to June 30, 2016, 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 114, as shown on the Diagram, enclosed herein as Part 4.

The area within Clearwater Elementary School specifically benefits from the maintenance of the medians and parkways along the streets that provide ingress and egress to all parcels. The improvements benefiting the parcels were required as a condition of approval for Clearwater Elementary School.

The method of assessment is based on units, with the benefit units assigned to the net area within Clearwater Elementary School. 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 $1,166.10 per net acre.
The Benefit Units assigned, and corresponding current maximum annual assessment, per parcel, are listed as follows:

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>Net Acreage</th>
<th>Benefit Unit</th>
<th>Maximum Annual Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>320-320-001</td>
<td>4.72</td>
<td>4.72</td>
<td>$5,503.99</td>
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<tr>
<td>320-320-002</td>
<td>4.72</td>
<td>4.72</td>
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<td>320-320-003</td>
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<tr>
<td>Total</td>
<td>14.16</td>
<td>14.16</td>
<td>$16,511.97</td>
</tr>
</tbody>
</table>

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, 2015 to June 30, 2016, 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 Clearwater Elementary School. Said boundary is designated as "Diagram of Annexation of Clearwater Elementary School to Benefit Zone 114, 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 Clearwater Elementary School to Benefit Zone 114, Landscape Maintenance District No. 1, City of Perris

<table>
<thead>
<tr>
<th>Benefit Zone and Assessment Number</th>
<th>Assessor Parcel Number</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year 2015/2016</th>
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<td>$5,503.99</td>
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<tr>
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<td>320-320-002</td>
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<tr>
<td>114</td>
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<tr>
<td>Totals</td>
<td></td>
<td>$16,511.97</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 CLEARWATER ELEMENTRY SCHOOL TO BENEFIT ZONE 114 LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

LEGEND

- = ANNEXATION BOUNDARY
--- = PARCEL BOUNDARY
320-320-001 = ASSESSOR PARCEL NUMBER

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 consisting of 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 8-19-15

[Signature]

[Print Name]

PERRIS ELEMENTARY SCHOOL DISTRICT
143 East 1st Street
Perris, CA 92570

ATTACHMENT 3-1
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

This acknowledgment is made and executed by person(s) to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are within instrument and acknowledged to me that he/she/they executed the same in authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or any 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 of Notary Public

Pace Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to another intended document.

Description of Attached Document

Title or Description of Document: ______________________________ Document Date: ______________________________

Number of Pages: ___________ Signer(s) Other Than Named Above: ______________________________

Capacity(ies) Claimed by Signer(s)

Signer's Name: ______________________________

Corporate Officer — Title(s): ______________________________

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: ______________________________

Signer Is Representing: ______________________________

Signer's Name: ______________________________

Corporate Officer — Title(s): ______________________________

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: ______________________________

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ATTACHMENT 3-2
EXHIBIT "A" TO CONSENT AND WAIVER FOR ANNEXATION OF CLEARWATER ELEMENTRY SCHOOL TO BENEFIT ZONE 114 LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

LEGEND

- - - ANNEXATION BOUNDARY
- - PARCEL BOUNDARY
320-320-001 ASSessor PARCEL NUMBER

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

ATTACHMENT 3-3
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 CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 114, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, on the 13th day of October, 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.
RESOLUTION NUMBER

ADOPTED, SIGNED and APPROVED this 13th day of October, 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 13th day of October, 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 114, 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 114, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 114, 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 THEREETO ON DECEMBER 8, 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 Clearwater Elementary School. The improvements, located in public rights-of-way, are located in the Nuevo Road medians accommodating ingress and egress to Benefit Zone 114; and, the Nuevo Road and Murrieta Road parkways bordering Benefit Zone 114.

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 Clearwater Elementary School to Benefit Zone 114, 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 Clearwater Elementary School to Benefit Zone 114, 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 $1,166.10 per Benefit Unit, 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 December 8, 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 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.

ADOPTED, SIGNED and APPROVED this 13th day of October, 2015.

____________________________
Mayor, Daryl R. Busch

ATTEST:

____________________________
City Clerk, Nancy Salazar

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

I, Nancy Salezar, 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 13th day of October, 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________________
City Clerk, Nancy Salazar
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date October 13, 2015

SUBJECT: Annexation of Clearwater Elementary School to Flood Control MD No. 1

REQUESTED ACTION: Adoption of Resolution of Intention to Annex Clearwater Elementary School to Flood Control Maintenance District No. 1 and set a public hearing date of December 8, 2015

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: Clearwater Elementary School is a 14.16-acre project located on the northwest corner of Nuevo Road and Murrieta Road. The project is under the ownership of Perris Elementary School District.

As a condition of approval, the project is required to annex into FCMD 1. This district provides revenue for the annual maintenance of interior streets (residential only) and flood control improvements installed in conjunction with new development.

The project will benefit from the maintenance and servicing of the public flood control facilities that protect the Clearwater Elementary School from inundation. The public facilities include a catch basin and 24-inch reinforced concrete pipe.

Reviewed by:

Assistant City Manager

City Attorney

Attachments: 1. Engineer’s Report
2. Resolution of Intention to Annex Clearwater Elementary School to Flood Control MD No. 1

Consent:
AGENCY: City of Perris

PROJECT: Annexation of Clearwater Elementary School
To Benefit Zone 83, Flood Control Maintenance District No. 1

TO: City Council
City of Perris
State of California

REPORT PURSUANT TO “BENEFIT ASSESSMENT ACT OF 1982”

Pursuant to the direction from the City Council of the City of Perris, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Part 1 of Division 2 of Title 5 of the Government Code of the STATE OF CALIFORNIA, being the "Benefit Assessment Act of 1982", as amended, commencing with Section 54703. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2015 to June 30, 2016, for that area to be known and designated as:

"Annexation of Clearwater Elementary School
To Benefit Zone 83, Flood Control 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 13th day of October, 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 8th day of December 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 13th day of October 2015.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
PART 1. A General Description of the flood control improvements includes facilities that will accommodate the storm flow and protect Clearwater Elementary School from inundation. These improvements channel, contain and convey the storm flow to Line L located in Nuevo Road. These improvements are generally described as a catch basin and 24-inch reinforced concrete pipe.

Maintenance and upkeep of these storm drainage facilities includes, but is not limited to, general cleanup and debris removal, inspections, stenciling, replacement and repairs. Annual photo documentation is scheduled to take place, along with silt removal as required. Depending on that year’s storm drain flow and the level of debris in the flow, a system cleaning may be required after the first rain and again during or at the end of the rainy season.

It is noted that all storm drain facilities located on-site and not within the public right-of-way are to be maintained by the property owner and not the City of Perris.

PART 2. Plans and Specifications for the improvements to be maintained for a fiscal year were prepared by Epic Engineers and are entitled, “Street Improvement Plan, Perris Elementary School District, Clearwater Elementary School”.

The plans and specifications have been approved by both the City Engineer for the City of Perris and the Chief Engineer for the Riverside County Flood Control and Water Conservation District and are on file in the City of Perris Office of Community Development. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements, and by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

PART 3. An Estimate of the cost for the public improvements to be maintained and/or improved for a given fiscal year includes labor, equipment, materials, and appurtenances. Incidental costs include annual engineering, legal, City Clerk, and finance expenses to the District, including the processing of payments and the submittal of billings to the Riverside County Auditor for placement on the tax roll.

The annual assessment levied will be based on the actual expenses incurred by Benefit Zone 83. With service intervals and staggered maintenance operations, revenue requirements for maintenance will fluctuate year to year. Each year’s maintenance operations will be funded by that year’s assessment plus the fund balance remaining from prior year assessments.

When the improvements are accepted, the City of Perris will assume the expenses of maintaining the improvements twelve months from the acceptance date. Zero costs will be incurred for the fiscal year commencing July 1, 2015 to June 30, 2016.
The estimated annual cost for maintenance of the facilities is listed below.

**Storm Drain Facilities**
- Catch Basin: $149.10
- Storm Drain: $293.76
- Subtotal: $442.86
- Contingency: $44.20
- Total Maintenance Costs: $487.15

- Incidental Expenses: $46.80
- Total Amount Assessed: $536.95

**PART 4**

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 5.

The storm drainage facilities will accommodate the storm flow specifically impacting Clearwater Elementary School. These improvements specifically benefit the area within the annexation; and, the improvements were required for the approval of, and as of consequence of, development of this area.

The method of assessment is based on units, with the benefit units assigned to the net area within Clearwater Elementary School. 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 $37.85 per net acre.

The Benefit Units assigned, and corresponding current maximum annual assessment, per parcel, are listed as follows:

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>Net Acreage</th>
<th>Benefit Unit</th>
<th>Maximum Annual Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>320-320-001</td>
<td>4.72</td>
<td>4.72</td>
<td>$178.65</td>
</tr>
<tr>
<td>320-320-002</td>
<td>4.72</td>
<td>4.72</td>
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<td>178.65</td>
</tr>
<tr>
<td>Total</td>
<td>14.16</td>
<td>14.16</td>
<td>$535.95</td>
</tr>
</tbody>
</table>

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, 2015 to June 30, 2016, reference is made to the Assessment Roll included herein as Attachment No. 1.
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 are usually distributed by the County of Riverside the following January. A 6-month tax roll reserve for the current maintenance of the flood control facilities and incidental costs is estimated to be $267.97.

PART 5. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with Clearwater Elementary School. Said boundary is designated as "Diagram of Annexation of Clearwater Elementary School to Benefit Zone 83, Flood Control 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 6. A Petition for Annexation to the District has been signed by the owners of the area within the proposed annexation. Said petitions are included herein as Attachment No. 3.
Assessment Roll

Annexation of Clearwater Elementary School to
Benefit Zone 83,
Flood Control Maintenance District No. 1, City of Perris

<table>
<thead>
<tr>
<th>Benefit Zone and Assessment Number</th>
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<th>Estimated Annual Assessment</th>
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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.
PETITION FOR THE ANNEXATION TO A BENEFIT ASSESSMENT DISTRICT TO FINANCE THE MAINTENANCE OF CERTAIN PUBLIC IMPROVEMENTS

BEFORE THE CITY COUNCIL OF THE CITY OF PERRIS, STATE OF CALIFORNIA

In the matter of the proposed Annexation to City of Perris Flood Control Maintenance District No. 1

TO: The City Council of the City of Perris

We, the undersigned, hereby:

(1) Petition you to initiate and complete all necessary proceedings under the Benefit Assessment Act of 1982, Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code for the annexation to a benefit assessment district for the maintenance of certain flood control improvements which benefit the property described on Exhibit “A” attached hereto and incorporated herein by this reference to the Maintenance District.

(2) Certify that the proposed annexation to a benefit assessment district that will be subject to assessment for maintenance of such improvements, is that real property in the City of Perris, County of Riverside, State of California, generally described on Exhibit “A” attached hereto and incorporated herein by this reference to the Maintenance District.

3 Certify that we constitute the owners(s), including mortgagees or beneficiaries under any existing mortgage or subject to assessment for the proposed annexation, of the property in the proposed annexation to a benefit assessment district, as shown by the last equalized assessment roll used by the County of Riverside at the time this Petition is filed and also constitute the owner(s) of sixty percent (60%) of the area of all assessable lands within the proposed annexation to a benefit assessment district.

4 In order to expedite the project, agree to dedicate all necessary rights-of-way or easements as determined necessary for maintenance of the public improvements

Dated. 8-19-15

Signature

Print Name

PERRIS ELEMENTARY SCHOOL DISTRICT
143 East 1st Street
Perris, CA 92570

ATTACHMENT 3-1
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

AUGUST 19, 2015

BEFORE ME, MARYLTA BETH FERNADEZ, NOTARY PUBLIC, APPOINTED FOR THE COUNTY OF RIVERSIDE, CALIFORNIA, PERSON APPEARED TINA LAVIGNE, AND IT IS CERTIFIED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS HEREIN ATTACHED AND ACKNOWLEDGED TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN THE AUTHORIZED CAPACITY(IES), AND THAT BY HIS/ HER/ THEIR SIGNATURE(S) ON THE INSTRUMENT, 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.

MARYLTA BETH FERNADEZ

Signature of Notary Public

Place Notary Seal Above

Optional

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: ___________________________ Document Date: ___________________________

Number of Pages: ____________ Signer(s) Other Than Named Above: ___________________________

Capacity(ies) Claimed by Signer(s)

Signer’s Name: ___________________________ Signer’s Name: ___________________________

Corporate Officer — Title(s): ___________________________ Corporate Officer — Title(s): ___________________________

Partner — Limited General ___________________________ Partner — Limited General ___________________________

Individually — Attorney in Fact ___________________________ Individually — Attorney in Fact ___________________________

Trustee — Guardian or Conservator ___________________________ Trustee — Guardian or Conservator ___________________________

Other: ___________________________ Other: ___________________________

Signer Is Representing: ___________________________ Signer Is Representing: ___________________________

______________________________

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ATTACHMENT 3-2
EXHIBIT "A" TO PETITION FOR ANNEXATION OF CLEARWATER ELEMENTRY SCHOOL TO BENEFIT ZONE 83 FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

LEGEND

- - - ANNEXATION BOUNDARY

--- PARCEL BOUNDARY

320-320-001 ASSessor PARCEL NUMBER

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

ATTACHMENT 3-3
RESOLUTION NUMBER XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO AUTHORIZE LEVYING ASSESSMENTS UPON CERTAIN PARCELS OF REAL PROPERTY, TO ORDER ANNEXATION OF CLEARWATER ELEMENTARY SCHOOL TO BENEFIT ZONE 83, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON DECEMBER 8, 2015

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("this City Council"), wishes to provide continued financing for necessary maintenance of certain flood control and drainage improvements within the boundaries of Clearwater Elementary School through the levy of benefit assessments pursuant to the provisions of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code commonly known as the "Benefit Assessment Act of 1982", (the "Act"); and

WHEREAS, Perris Elementary School District, (the "Owners") have presented signed petitions to the City Council requesting the annexation of Clearwater Elementary School to a benefit assessment district to finance the maintenance of those certain drainage and flood control improvements permitted pursuant to Sections 54710 and 54710.5 of the Act (the "Improvements") which benefit properties within Clearwater Elementary School; and

WHEREAS, the City Council now proposes to levy benefit assessments under the provisions of the Act to insure continued financing to maintain the Improvements pursuant to the Act, all for the benefit of parcels within Clearwater Elementary School; and

WHEREAS, to accomplish such purposes, the City Council proposes to annex Clearwater Elementary School to Benefit Zone 83, Flood Control Maintenance District No. 1.

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

Section 1. The public interest, convenience, and necessity require, and it is the intention of the City Council pursuant to the provisions of the Act to maintain the Improvements for the benefit of the properties within the area of benefit.
Section 2. Maintenance of the improvements will be of direct benefit to parcels within Clearwater Elementary School which are hereby declared to be the properties benefited by the Improvements and to be assessed to pay the cost and expenses thereof. The area of benefit shall be all that part of the City within the boundaries shown on the map entitled "Diagram of Annexation of Clearwater Elementary School to Benefit Zone 83, Flood Control Maintenance District Number 1" on file in the office of the City Clerk of the City of Perris, California.

Section 3. At least forty-five (45) days prior to the date set for the hearing on the proposed assessment, the Assessment Engineer is hereby directed to file with the City Clerk a written report (the "Engineer's Report") pursuant to the Act, Government Code Section 53753 and Article XIIIID of the Constitution of the State of California, containing the following:

a. A description of the service proposed to be financed through the revenue derived from the benefit assessments.
b. A description of each lot or parcel of property proposed to be subject to the benefit assessments. The assessor's parcel number or Tract Map number shall be a sufficient description of the parcel.
c. The amount of the proposed assessment for each parcel.
d. The basis and schedule of the assessments.
e. Other such matters as the Assessment Engineer shall deem appropriate.

Section 4. On the 8th day of December, 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, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the annexation to the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

Section 5. The City Clerk is hereby directed to publish notice of the hearing on the proposed assessment and notice of the filing of the Engineer's Report once a week for two successive weeks, with at least five days intervening between the respective publication dates, not counting such publication dates, in the Perris City News, a newspaper of general circulation within the area of benefit. The notice shall be 1/8 of a page in size and contain the following information:

a. The amount of the assessment.
b. The purpose of the assessment.
c. The total estimated assessments expected to be generated annually.
d. The method and frequency for collecting the assessment.
e. The date, time, and location of the public hearing.
f. The phone number and address of an individual that interested persons may contact to receive additional information about the assessment.
RESOLUTION NUMBER

The notice shall be published at least forty-five (45) days prior to the public hearing.

Section 6. The City Clerk is also hereby instructed to give additional notice of the hearing and notice of the filing of the Engineer's Report by posting a copy of this resolution in three public places within the City of Perris.

Section 7. Said notice shall be posted and first published at least forty-five (45) days before the date set for the public hearing.

Section 8. The City Clerk shall also give notice by a first-class mailing to all owners of property subject to any new or increased assessments, including the Owners. 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 9. 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.

ADOPTED, SIGNED and APPROVED this 13th day of October, 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 13th day of October, 2015, by the following called vote:

AVES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
EXTENSION OF TIME NO. 15-05150 FOR TENTATIVE TRACT MAP 31367, LOCATED AT THE SOUTHWEST CORNER OF AVOCA AVE AND ORCHARD DR. APPLICANT: ALEJANDRA ZAMBRANO

REQUESTED ACTION: APPROVE a (1) year Extension of Time (EOT 15-05150) for Tract Map 31367, until October 13, 2016, to subdivide 6 lots totaling .93 acre into 8 residential lots for single family residential development.

CONTACT: Clara Miramontes, Planning Manager

BACKGROUND/DISCUSSION:

On August 30, 2005, the City Council approved Tentative Tract Map 31367 (05-0096) to subdivide 6 lots totaling 0.93 acres of vacant land into 8 single family home lots located on the southwest corner of Avocado Ave. and Orchard Rd. (APN 320-130-010, -011, -012, 013; 320-133-005, -006). The average lot size is 5,038 square feet.

The final map for Tentative Tract Map 31367 has not been submitted for processing. The applicant is requesting a second Extension of Time for a period of one year, extending the expiration of Tentative Tract Map 31367 to October 13, 2016. The Map is eligible for (3) additional one year extension. If the subject map is not recorded or has not applied for an extension prior to the new expiration date, a new Tentative Tract Map application must be filed and approved by the City Council in addition to payment of the appropriate filing fees.

FISCAL IMPACT: Cost for staff preparation of this item is covered by the applicant.

PREPARED BY: Brian Muhu, Development Services Assistant

City Attorney: N/A
Assistant City Manager: Ron Carr
Attachments: Tentative Tract Map 31367, Planning and Engineering Conditions of Approval
Consent: October 13, 2015
CITY OF PERRIS
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

FINAL CONDITIONS OF APPROVAL

Tentative Tract Map 31367 (05-0096)  August 30, 2005
Variance 05-0097

PROJECT: Proposal to subdivide 6 lots totaling .93 acres into eight lots for single family
residential development in the MFR-14 Zone, in addition to a Variance for a reduced lot depth on
all lots. Applicant: Jerry Larsen
(Modified by Planning Commission 7-6-05)

1. Approval Period. In accordance with the Subdivision Map Act, the recordation of the
final map shall occur within two (2) years from the approval date unless an extension is
granted. The applicant may apply for a maximum of five (5) one-year extensions, to
permit additional time to record the final map. A written request for extension shall be
submitted to the Department of Planning and Community Development at least thirty (30)
days prior to the expiration of Tentative Map approval.

2. Final Map Submittal. A final map application shall be submitted to the Planning
Division with payment of appropriate fees for review and approval concurrently with
application to the City Engineer.

3. City Codes. The project shall comply with all disabled access requirements in
accordance with the State of California, Title 14, and Federal American with Disabilities
Act (ADA), and all local requirements of the City of Perris Municipal Code Titles 18 and
19, including all of the following MFR-14 zoning district regulations (except for lot depth
with a Variance request):
- Minimum Lot Size: 3,000 square feet
- Maximum Lot Coverage: 40 percent (Lots > than 6,000 sq. ft.) 60 percent (Lots <
than 6,000 sq. ft.)
- Minimum Lot Width: 35 feet
- Minimum Lot Depth: 85 feet (Lots < than 4,500 sq. ft.) 100 feet (Lots > than 4,500
sq. ft.)
- Minimum Lot Frontage: 35 feet (Lots < than 4,500 sq. ft.) 50 feet (Lots > than 4,500
sq. ft.)
- Minimum Lot Frontage (cul-de-sac/knuckle): 35 feet, with the width not less than 45
feet as measure from the front setback line
(Modified by Planning Commission 7-6-05)
4. City Engineer. The proposed project shall adhere to the requirements of the City Engineer as indicated in the in the Conditions of Approval dated July 1, 2005. *(Modified by Planning Commission 7-6-05)*

5. School District. The proposed project shall adhere to the standard requirements of the Val Verde School District.

6. Building Official/Fire Marshal. The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official.

7. Southern California Edison. Prior to issuance of building permits, the applicant shall contact the area service planner (951 928-8323, Art Alvarado) for Southern California Edison (SCE) to complete the required forms prior to commencement of construction.

8. Residential Use and Development Restrictions. The physical development of all lots shall be reviewed and approved by the city. Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such. Placement of any sales trailer or a model home shall require separate review and approval by the City.

9. Compatibility with March Air Reserve Base (March ARB). The project is located in March ARB Airport Influence Zone II and shall, therefore, comply with the following measures:

   A. Avigation Easement. The applicant shall grant to the City of Perris and to the March Inland Port Authority an avigation easement in the form and manner approved by the City Attorney and shall cause such easement to be duly recorded in the office of the County Recorder.

   B. Notice of Airport in the Vicinity. A Notice of Airport in the Vicinity and aerial photograph identifying the location of March ARB and the project site shall be displayed and distributed in model homes at the project site. The following statement is required for distribution.

   **NOTICE OF AIRPORT IN VICINITY**

   "This property is located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”
C. Disclosure. The applicant shall provide full disclosure of the Avigation Easement and Notice of Airport in the Vicinity prior to the sale of individual properties within the project.

D. Prohibited Uses:

a. Any use which would direct a steady light or flashing light of red, white, green or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following take off or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

2. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

3. Any use which would generate excessive smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation in the area.

4. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

5. Any use involving the unlawful storage of explosives or flammable materials.


10. Required Approvals. Prior to recordation of the Final Map, the developer shall obtain the following clearances or approvals:

a. Verification from the Planning Division that all pertinent conditions of approval have been met, including any Administrative Development Plan Review approvals, as mandated by the Perris Municipal Code;

b. Any other required approval from an outside agency.

11. Plans. Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:

a. Public improvement plans to the City Engineer. These plans shall include but not be limited to street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18.
b. Grading plans to the City Engineer, demonstrating compliance with National Pollution Discharge Elimination System requirements. The plans shall include a Storm Water Pollution Prevention Plan detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff. The applicant shall identify measures specified in Supplement A of the Riverside County Drainage Area Management Plans New Development Guidelines or other equally effective standard for implementing project BMPs, assignment of long-term maintenance responsibilities (specifying the developer, parcel owner, lessee, etc.) and shall reference the location(s) of structural BMPs.

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

13. Landscaping. Prior to issuance of building permits, the developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to the Department of Planning and Community Development, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus species, and container size of the plants. Plants shall be consistent with Section 19.70 of the Perris Municipal Code. The cover page shall identify the total square footage of the landscaped area and note that it shall maintained in accordance with Section 19.70 of the City Code. Use of water efficient fixtures and drought tolerant plants is encouraged. Required landscape areas specific to this project include front yards of all lots, side yards of all corner lots, and parkways along Citrus Avenue, Orchard Drive, and Avocado Avenue.

14. Landscape Inspections. The project applicant shall be aware and inform the on-site project or construction manager and the landscape contractor of their responsibility to call for landscape inspections. A minimum of three (3) landscape inspections are required in the following order, and the landscape inspection card shall be signed by the City's landscape inspector/architect, planner and public works inspector to signify approval at the following stages of landscape installation:

a. At installation of irrigation equipment, when the trenches are still open;

b. After soil preparation, when plant materials are positioned and ready to plant; and,

c. At final inspection, when all plant materials are installed and the irrigation system is fully operational.

15. Walls and Fences. Prior to issuance of building permits, the developer shall submit and obtain approval for the Department of Planning and Community Development of a block wall/vinyl fence plan. At a minimum, this plan shall include the following items:

a. A six-foot high, decorative block wall on all property lines where side or rear yards adjoin a public street.
b. A six-foot high block wall for the rear property lines of all lots adjacent to the commercial center directly west where not existing.

c. Six-foot high, UV protected vinyl fences on all other side and rear property lines throughout the project.

16. Fees. The developer shall pay the following fees according to the timeline noted herein:

a. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of $500.00 per acre;

b. Prior to the issuance of building permits, the applicant shall pay City Development Impact Fees in effect at the time of development;

c. Prior to the issuance of building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;

d. Prior to issuance of building permits, the applicant will pay the statutory school fees in effect at issuance of building permits to all appropriate school districts;

e. The applicant shall pay any outstanding development processing fees.

f. The developer shall pay all development impact fees, including parks and recreation fees in accordance with Ordinance Number 953. Such fees shall be based on a ratio of five acres per thousand residents. Per said ordinance the City reserves the right to utilize fair market value of the land based on qualified appraisal.

17. Construction Practices. To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:

a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m., on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g., interior painting) are not subject to these restrictions.

b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.

c. Construction routes are limited to City of Perris designated truck routes.

d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases
to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.

e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.

18. **Energy Conservation.** To improve local air quality, the applicant is encouraged to incorporate any or all of the following energy-conservation features into the project:

- Low NO\textsubscript{x} water heaters per specifications in the Air Quality Attainment Plan;
- Heat transfer modules in furnaces;
- Light colored water-based paint and roofing materials;
- Passive solar cooling/heating; and,
- Energy efficient appliances and lighting.

19. **Underground Utilities.** All utilities such as cable TV and electrical distribution lines (including those which provide direct service to the project site and/or currently exist along public right-of-ways) adjacent to the site shall be placed underground, except for electrical utility lines rated at 65kv or larger.

20. **Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Department of Planning and Community Development and the Police Department.

21. **Assessment Districts.** Prior to recordation of the Final Map, the applicant shall sign consent and waiver forms to join the following City of Perris assessment and maintenance districts [as appropriate]:

- a. The North Perris Community Facilities Assessment District
- b. The Landscape Maintenance District
- c. The Street Lighting Maintenance District
- d. The Flood Control Maintenance District
- e. The Park Maintenance District
- f. The future Street Maintenance Community Facilities District

22. **Disclosure Statements – Dam Inundation/March Air Reserve Base.** Developer shall record a disclosure on each lot and provide a disclosure to the purchaser of each lot that the project is within a dam inundation area and is subject to flooding in the event of a dam failure and shall provide an acknowledgement of this disclosure by each purchaser to the City. A similar disclosure shall be recorded and provided to each purchaser regarding potential noise impacts from March Air Reserve Base and the aviation easement granted to the City of Perris and to the March Inland Port Airport Authority.
23. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

24. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.

25. **Street Improvement Plan.** Two copies of street improvement plans shall be concurrently submitted to the Planning Division for reference purposes.

26. **Lots 1, 2, and 6.** Lots 1, 2, and 6 shall be restricted to sole access from Orchard Drive.

27. **Lots 7 and 8.** Vehicular turn-around facilities shall be provided for lots 7 and 8 as they take access from Citrus Avenue, a collector Street. These vehicular turn-around facilities shall be reviewed and approved by the Planning Division under the Administrative Development Plan Review.
SUBJECT: Annexation of Parcel Map 36540 to the City’s Maintenance Districts

REQUESTED ACTION:
Open and Close of Public Hearing, Open 3 Ballot and Adoption of 3 Resolutions Ordering the Annexation of Parcel Map 36540 to the City’s Maintenance Districts, Giving Final Approval to the Engineer’s Reports, and the Levying of the 2015-2016 Assessments

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: Parcel Map 36540 is a 31.11-acre project located on the west side of Redlands Avenue between Nance and Markham Streets. The project is under the ownership of CI Perris 151, LLC.

On August 11, 2015, resolutions were approved stating the City Council’s intention to annex this project into the City’s maintenance districts and set a Public Hearing for October 13, 2015.

BUDGET (or FISCAL) IMPACT: The proposed annual maximum assessments are subject to Standard Inflation Factors for labor, energy and water. The current annual assessments, by district, are as follows:

<table>
<thead>
<tr>
<th>Maintenance District</th>
<th>Annual Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance District No. 84-1</td>
<td>$ 6,046.94</td>
</tr>
<tr>
<td>Landscape Maintenance District 1 (medians)</td>
<td>3,754.04</td>
</tr>
<tr>
<td>Landscape Maintenance District 1 (parkways)</td>
<td>19,598.68</td>
</tr>
<tr>
<td>Flood Control MD 1</td>
<td>2,742.04</td>
</tr>
<tr>
<td>Total Annual Assessment</td>
<td>$32,141.70</td>
</tr>
</tbody>
</table>

Reviewed by:
Assistant City Manager
City Attorney

Attachments:
1. Location Map
2. Resolution Ordering the Annexation of Parcel Map 36540 to MD 84-1, Giving Final Approval to the Engineer’s Report, and the Levying of the 2015-2016 Assessments.
3. Resolution Ordering the Annexation of Parcel Map P 36540 to LMD 1, Giving Final Approval to the Engineer’s Report, and the Levying of the 2015-2016 Assessments.
4. Resolution Ordering the Annexation of Parcel Map P 36540 to FCMD 1, Giving Final Approval to the Engineer’s Report, and the Levying of the 2015-2016 Assessments.

Public Hearing:
RESOLUTION NUMBER

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 PARCEL MAP 36540 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("the City Council") did on the 11th day of August 2015, adopt its Resolution of Intention Number 4905 to order the therein described work in connection with the annexation and assessment procedures in the City of Perris Maintenance District Number 84-1 (the "District"), which Resolution of Intention Number 4905 was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Resolution of Intention on file in the office of the City Clerk; and

WHEREAS, after the adoption thereof, notice of the adoption of the Resolution of Intention, a Notice of Public Hearing and an Assessment Ballot were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention Number 4905, according to the names and addresses of such owners as the same appears on the last equalized assessment roll for taxes of the County of Riverside or more recent information available to the City of Perris, which said documents were duly mailed in the time, form, and manner as required by law, as appears from the Affidavit of Mailing on file in the office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in this proceedings and concerning the necessity for the contemplated work and the benefits to be derived therefrom and said City Council having now acquired jurisdiction to order the proposed maintenance work; and

WHEREAS, said City Council has determined that a majority protest does not exist.

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

Section 1. That the public interest and convenience requires the annexation to the district and levying assessments for maintenance, and said City Council hereby orders that the work, as set forth and described in said Resolution of Intention Number 4905, be done and made.
Section 2.       Be it further resolved that:

A.  The Riverside County assigned fund number for the Maintenance District No. 84-1 and the annexation thereto, is 68-2651.

B.  The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 53750 et seq. of the State of California Government Code.

C.  The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 22500 et seq. of the State of California Streets and Highways Code Code.

D.  The assessments are levied without regard to the property value.

E.  The purpose of the assessments is to provide for the energy and maintenance of streetlights and traffic signals that will benefit the parcels being assessed.

Section 3.      That the report filed by the Engineer is hereby finally approved; and

Section 4.      That pursuant to Sections 22640 and 22641 of the Code, the City Clerk shall file a certified copy of the diagram and assessment with the Riverside County Auditor-Controller not later than the third Monday in August.

Section 5.      Be it finally resolved that the method of assessment in the Engineer’s Report is hereby approved and the assessments for Fiscal Year 2015-2016 are hereby levied.

ADOPTED, SIGNED and APPROVED this 13th day of October 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 13th day of October 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, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PARCEL MAP 36540 TO BENEFIT ZONE 113, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER'S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("the City Council") did on the 11th day of August 2015, adopt its Resolution of Intention Number 4908 to order the therein described work in connection with the annexation and assessment procedures in the City of Perris Landscape Maintenance District Number 1 (the "District"), which Resolution of Intention Number 4908 was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Resolution of Intention on file in the office of the City Clerk; and

WHEREAS, after the adoption thereof, notice of the adoption of the Resolution of Intention, a Notice of Public Hearing and an Assessment Ballot were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention Number 4908, according to the names and addresses of such owners as the same appears on the last equalized assessment roll for taxes of the County of Riverside or more recent information available to the City of Perris, which said documents were duly mailed in the time, form, and manner as required by law, as appears from the Affidavit of Mailing on file in the office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in this proceedings and concerning the necessity for the contemplated work and the benefits to be derived therefrom and said City Council having now acquired jurisdiction to order the proposed maintenance work; and

WHEREAS, said City Council has determined that a majority protest does not exist.

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

Section 1. That the public interest and convenience requires the annexation to the district and levying assessments for maintenance, and said City Council hereby orders that the work, as set forth and described in said Resolution of Intention Number 4908, be done and made.
Section 2. Be it further resolved that.

A. The Riverside County assigned fund number for the Landscape Maintenance District No. 1 and the annexation thereto, is 68-2652.

B. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 53750 et seq. of the State of California Government Code.

C. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 22500 et seq. of the State of California Streets and Highways Code Code.

D. The assessments are levied without regard to the property value.

E. The purpose of the assessments is to provide landscape maintenance on those lands that will benefit the parcels being assessed.

Section 3. That the report filed by the Engineer is hereby finally approved; and

Section 4. That pursuant to Sections 22640 and 22641 of the Code, the City Clerk shall file a certified copy of the diagram and assessment with the Riverside County Auditor-Controller not later than the third Monday in August.

Section 5. Be it finally resolved that the method of assessment in the Engineer's Report is hereby approved and the assessments for Fiscal Year 2015-2016 are hereby levied.

ADOPTED, SIGNED and APPROVED this 13th day of October 2015.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar
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 13th day of October 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, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PARCEL MAP 36540 TO BENEFIT ZONE 82, CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT FOR FISCAL YEAR 2015-2016

WHEREAS, the City Council of the City of Perris, County of Riverside, California ("the City Council") did on the 11th day of August 2015, adopt its Resolution of Intention Number 4909 to order the therein described work in connection with the annexation and assessment procedures in the City of Perris Flood Control Maintenance District Number 1 (the "District"), and which a Notice of Public Hearing was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Notice on file in the office of the City Clerk; and

WHEREAS, after the adoption of Resolution Number 4909, said Resolution was duly posted in the time, form and manner as required by law, shown by the Affidavit of Posting on file in the office of the City Clerk; and

WHEREAS, after the adoption thereof, notice of the adoption of the Resolution of Intention, a Notice of Public Hearing and an Assessment Ballot were duly mailed to all persons owning real property proposed to be assessed for the improvements described in said Resolution of Intention Number 4909, according to the names and addresses of such owners as the same appears on the last equalized assessment roll for taxes of the County of Riverside or more recent information available to the City of Perris, which said documents were duly mailed in the time, form, and manner as required by law, as appears from the Affidavit of Mailing on file in the office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in this proceedings and concerning the necessity for the contemplated work and the benefits to be derived therefrom and said City Council having now acquired jurisdiction to order the proposed maintenance work; and

WHEREAS, said City Council has determined that a majority protest does not exist.
NOW, THEREFORE, BE IT RESOLVED, ADOPTED, SIGNED and APPROVED by the City Council of the City of Perris, California, as follows:

Section 1. That the public interest and convenience requires the annexation to the district and levying assessments for maintenance, and said City Council hereby orders that the work, as set forth and described in said Resolution of Intention Number 4909, be done and made.

Section 2. Be it further resolved that:

A. The Riverside County assigned fund number for the Flood Control Maintenance District No. 1 and the annexation thereto, is 68-2657.

B. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 53750 et seq. of the State of California Government Code.

C. The assessments are in compliance with all laws pertaining to the levy of assessments in accordance with Section 22500 et seq. of the State of California Streets and Highways Code Code.

D. The assessments are levied without regard to the property value.

E. The purpose of the assessments is to provide flood control facility maintenance on those lands that will benefit the parcels being assessed.

Section 3. That the report filed by the Engineer is hereby finally approved; and

Section 4. Be it finally resolved that the method of assessment in the Engineer's Report is hereby approved and the assessments for Fiscal Year 2015-2016 are hereby levied.
ADOPTED, SIGNED and APPROVED this 13th day of October 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 13th day of October 2015, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________
City Clerk, Nancy Salazar