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, May 10, 2016
6:30 P.M.
City Council Chambers
(corner of San Jacinto and Perris Boulevard)
101 North “D” Street
Perris, California

CLOSED SESSION: 5:30 P.M.

ROLL CALL:

Burke, Rabb, Rogers, Yarbrough, Busch

A. Conference with Legal Counsel - Potential Litigation - Government Code Section 54956.9 (d)(4) - 2 cases

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

2. ROLL CALL:

Burke, Rabb, Rogers, Yarbrough, Busch

3. INVOCATION:

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

Councilwoman 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. Proclamation in recognition of Community Action Partnership of Riverside County for the month of May 2016.

B. Proclamation proclaiming month of May as “Poppy Month.”

C. Presentation by The Youth Advisory Committee on Community Preservation.

D. Presentation by Veronica Arana, Counter Services Supervisor on the City of Perris Clean Up Day May 14, 2016.

E. Cynthia Mendez, Recreation Coordinator will announce the Senior Prom Event.

6. **APPROVAL OF MINUTES:**

A. Approve 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 Community Economic Development Corporation and Perris Joint Powers Authority held April 26, 2016.

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.


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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO (ANNEXATION NO. 22)**
B. Adopt Resolution Numbers (next in order) regarding Annexation of CUP 15-05056 to Maintenance District No. 84-1, located on the south side of 4th Street between “F” and “G” Streets. (Owner: Westmoreland Dynasty Limited Partnership).

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 MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF CUP 15-05056 INTO MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR ANNEXATION OF CUP 15-05056 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 15-05056 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON JULY 12, 2016
C. Adopt Resolution Numbers (next in order) regarding Annexation of CUP 15-05056 to Landscape Maintenance District No. 1 (LMD 1), located on the south side of 4th Street between “F” and “G” Streets. (Owner: Westmoreland Dynasty Limited Partnership).

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 118 (CUP 15-05056) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER’S REPORT FOR ANNEXATION OF CUP 15-05056 TO BENEFIT ZONE 118, 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 188, 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 188, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 15-05056 TO BENEFIT ZONE 118, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON JULY 12, 2016

D. Adopt Resolution Number (next in order) regarding Annexation of CUP 15-05056 to Flood Control MD No. 1, location on the south side of 4th Street between “F” and “G” Streets. (Owner: Westmoreland Dynasty Limited Partnership).
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 CUP 15-05056 TO BENEFIT ZONE 88, 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 JULY 12, 2016

E. Approve bid award to Bill and Dave's Landscape Maintenance, Inc. for the maintenance of Earthen Swales, Storm Channels, Outfalls and Trenches (Spec. #FCD 1-2016-17-01).

F. Approve fee waiver request from Restoring Hope Community Services for the use of Senior Center, Foss Field, the City Hall front lawn and Bob Glass Gym for a Community Health Fair event to be held on June 18, 2016 and June 17, 2017.


H. Approve Contract with Greer's Concrete and reject other bid regarding the Triple Crown Wall (Phase I).

I. Adopt Resolution Number (next in order) approving the California Infrastructure and Economic Development Bank (CIEDB) Sewer Loan Rate Stabilization Fund.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ADOPTING A RESERVATION OF FUND BALANCE TO CREATE A RATE STABILIZATION FUND IN THE SEWER ENTERPRISE FUND

J. Approve award of bid to SPEC Construction Co. for Commercial Seismic Retrofit on the Perris Theater located at 279 South "D" Street.

K. Receive and File the Façade Improvement Project Completion Report for 277 East 4th Street.
L. Receive and File the Façade Improvement Project Completion Report for 360 East 4th Street.

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 Number (next in order) regarding Annual Engineer’s Report for Maintenance District No. 84-1 (FY 2016/2017). Maintenance District 84-1 includes residential tracts and commercial developments throughout the City.

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


Introduced by: Habib Motlagh, City Engineer

PUBLIC COMMENT:

B. Consideration to adopt Resolution Number (next in order) regarding Annual Engineer’s Report for Landscape Maintenance District No. 1 (FY 2016/2017). Landscape Maintenance District No. 1 includes residential tracts and commercial developments throughout the City.

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


Introduced by: Habib Motlagh, City Engineer
C. Consideration to adopt Resolution Number (next in order) regarding Annual Engineer’s Report for Flood Control Maintenance District No. 1 (FY 2016/2017). Flood Control Maintenance District NO. 1 includes residential tracts and commercial developments throughout the City.

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


Introduced by: Habib Motlagh, City Engineer

PUBLIC COMMENT:

D. Consideration to introduce the First Reading of Ordinance Number (next in order) repealing Chapter 3.04 of the Perris Municipal Code, Emergency Water Reserve Fund.

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


Introduced by: Jennifer Erwin, Assistant Director of Finance

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 Council members 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 (951) 443-1029. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.
CITY COUNCIL/
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/
PERRIS PUBLIC FINANCE AUTHORITY/
PERRIS PUBLIC UTILITIES AUTHORITY/HOUSING
AUTHORITY/PERRIS JOINT POWERS AUTHORITY/PERRIS
COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
AGENDA SUBMITTAL

TO: The Honorable Mayor and Members of the City Council
FROM: Nancy Salazar, City Clerk
DATE: May 10, 2016
SUBJECT: Approval of Minutes

BACKGROUND: None.

FISCAL IMPACT: None.

• RECOMMENDATION: Motion to approve the Minutes of the Regular Joint Meeting held on April 26, 2016 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:
• Minutes of the Regular Joint Meeting held on April 26, 2016 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.
CITY OF PERRIS

MINUTES:

Date of Meeting: April 26, 2016
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: Yarbrough, Burke, Rabb, Rogers, Busch

Present: Yarbrough, Burke, Rabb, Rogers, Busch

Staff Members Present: City Manager Belmudez, City Attorney Dunn, City Engineer Motlagh, Assistant City Manager Carr, Deputy City Manager Madkin, Police Captain Ford, Fire Chief Barnett, Director of Development Services Miramontes, Information Technology Manager Cervantes, Assistant Director of Administrative Services Carlos, Assistant Director of Community Services and Housing Chavez, Assistant Finance Director Erwin, Assistant Director of Public Works Hartwill, Public Information Officer Vargo and City Clerk Salazar.

3. INVOCATION: ____________________________

The Invocation was given by Pastor Ted Norton, New Life Fellowship.

4. PLEDGE OF ALLEGIANCE:

Councilman Yarbrough led 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. Proclamation in observance of May is Mental Health Month.

B. Pastor Wade Forde, Lake Perris Church will give a presentation on the “Well One” program - a free preventative health care clinic.

C. Grid Alternatives presentation on their solar program.

D. Introduction of Stephen Ajobiewe, Finance Manager.
E. Hike and Bike Events presented by Sabrina Chavez, Assistant Director of Community Services and Housing.

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 Community Economic Development Corporation and Perris Joint Powers Authority held April 12, 2016.

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: Mark Yarbrough, Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch

NOES: 

ABSENT:

ABSTAIN:

7. CONSENT CALENDAR:

The Mayor called for Public Comment.

The following person spoke at Public Comment regarding Item 7.E.:

Jay Pierce

The Mayor closed Public Comment.

Councilmember Yarbrough requested that Item 7.E. be pulled for discussion.

A. Approved Summer/Holiday City Council Meeting Schedule.

B. Approved the “D” Street Traffic Calming Report prepared by RK Engineering and authorization to proceed with implementation of Option 1 “Road Diet” alternative which includes additional striping and signage and approve installation of 4-Way Stop at “D” Street and 1st Street.

C. Approved Final Parcel Map 37019 (16-05015), a proposal to subdivide 2.18 acres into two lots to facilitate a new commercial development with individual lot ownership located on the east side of Perris Boulevard and approximately 100 feet south of Hart Lane. (Applicant: Zach Lauterback, Evergreen Development)

D. Adopted Resolution Number 4986 approving a Summary Street Vacation 15-05118, to summarily vacate the 12 feet westerly portion of Murrieta Road, from Nuevo Road going north approximately 930 feet. To facilitate construction Clearwater Elementary School. (Applicant: Perris Elementary School District).
Resolution Number 4986 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, TO SUMMARILY VACATE THE 12 FEET WESTERLY PORTION OF MURRIETA ROAD, FROM NUEVO ROAD HEADING NORTHERLY 930 FEET, TO FACILITATE THE CLEARWATER ELEMENTARY SCHOOL, SUBJECT TO THE FINDINGS NOTED HEREIN

E. Adopted Resolution Number 4987 regarding an intent to override an inconsistency finding of the Riverside County Airport Land Use Commission and allowing a density of 12 units per acre with a maximum of 202 units, in accordance with the “infill” policy of the March Airport Land Use Compatibility Plan, for a multifamily residential development north of Orange Avenue, between Barrett Avenue and Perris Boulevard, with the March Air Reserve Base Land Use Plan. (Applicant: Peter Kulmatici (GPA 15-05205, ZC 15-05206, DPR 15-00014, TPM 15-052505 (TPM 37014).

Resolution Number 4987 is entitled:

This item was considered separately.

The following Councilmember's spoke:
Yarbrough
Burke
Rogers
Rabb
Busch

Direction was given to continue this item to a future date and to schedule a Worksession for additional information on this subject.

The Mayor called for a motion.

M/S/C: Moved by Mark Yarbrough, seconded by Rita Rogers to Approve Continuance of this item to a date in the future.
AYES: Mark Yarbrough, Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch

NOES:
ABSENT:
ABSTAIN:

F. Adopted Resolution Number 4988 regarding amendment to reallocate Community Development Block Grant (CDBG) funds from the FY 2015-2016 Action Plan Lead Based Paint Program to the Senior Home Repair Program to provide additional funding in the amount of $50,000 thereby closing the Lead Based Paint Program.

Resolution Number 4988 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING AN AMENDMENT TO THE FIVE YEAR CONSOLIDATED PLAN (2014-2019) AND FISCAL YEAR 015- 2016 ANNUAL ACTION PLAN BY REALLOCATING $50,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) UNEXPENDED FUNDS FROM THE FISCAL YEAR 2015-2016 ANNUAL ACTION PLAN LEAD BASED PAINT PROGRAM TO THE SENIOR HOME REPAIR PROGRAM

G. Approved the Check Register for March 2016.

The Mayor called for a motion.

M/S/C: Moved by Mark Yarbrough, seconded by Rita Rogers to Approve the Consent Calendar with the exception of Item 7.E.
AYES: Mark Yarbrough, Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch

NOES:
ABSENT:
ABSTAIN:

8. PUBLIC HEARINGS:

A. Adopted Resolution Number 4989 for the approval of the FY 2016-2017 Annual Action Plan Funding Recommendations for the Community Development Block Grant (CDBG) Program.

Resolution Number 4989 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING THE FY 2016-2017 ACTION PLAN WITH PROPOSED FUNDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL ENTITLEMENT PROGRAM

This item was presented by Grants Manager Cortez de Pavon.

The Mayor opened the Public Hearing at 7:18 p.m.
There was no Public Comment.
The Mayor closed the Public Hearing at 7:19 p.m.

The Mayor called for a motion.
M/S/C: Moved by Tonya Burke, seconded by Rita Rogers to Approve Resolution Number 4989 as presented.
AYES: Mark Yarbrough, Tonya Burke, David Starr Rabb, Rita Rogers, Daryl Busch
NOES:
ABSENT:
ABSTAIN:

9. BUSINESS ITEMS:

A. Grant Funding Update for the City of Perris.

This item was presented by Redevelopment Project Manager Miranda.

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

The following Councilmember's spoke:
Rogers
Busch

Mayor Pro Tem Rogers left the Council Chambers at 7:28 p.m. and returned at 7:30 p.m.
Councilmember Rabb left the Council Chambers at 7:30 p.m. and returned at 7:31 p.m.

B. Vector Control Update.

This item was introduced by Assistant City Manager Carr and turned over for presentation by Doug Osborn, Riverside County Department of Environmental Health.

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

The following Councilmember's spoke:
Rabb
Busch

10. PUBLIC COMMENT/CITIZEN PARTICIPATION:

The following people spoke at Public Comment:
Arlene Jackson

Michelle Lewis

11. COUNCIL COMMUNICATIONS:

The following Councilmember's spoke:
12. CITY MANAGER’S REPORT:

13. ADJOURNMENT:

There being no further business the Mayor adjourned the Regular City Council meeting at 8:27 p.m.

Respectfully submitted,

Nancy Salazar, City Clerk
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: May 10, 2016

SUBJECT: Annexation of APN 320-250-049 into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 22
Project: Fast5Xpress Car Wash
Owner: SFP E

REQUESTED ACTION: Adopt a Resolution of Intention to Annex Territory to CFD 2001-3

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION:

In early 2002, the City Council formed Community Facilities District 2001-3 (North Perris Public Safety) (the “Original District”), for the purpose of paying for additional public safety and fire protection services within the area services by the Original District. On June 10, 2002, the qualified electors within the Original District approved by more than a two-thirds (2/3) vote the proposition of levying a special tax within the Original District. The Original District encompassed certain developments, including the “Villages of Avalon” and “May Farms” developments. Subsequently, several other developments were annexed to the District and adopted the special taxes to be levied therein (the “Annexations” and, together with the Original District, the “District”). Other development and commercial projects in the City will be annexed to the District in the future. The City has held twenty-one prior annexation proceedings.

The property owner of the parcels listed on the map attached to the following Resolution has filed a petition requesting annexation to the District and waiving the notice and time periods for the election as permitted by the Mello-Roos Community Facilities Act of 1982.

This Resolution will commence the annexation process for the property described on the map attached to the resolution to the District. This resolution will set a public hearing for June 14, 2016 regarding the proposed annexation. An election will be held following the public hearing. At that time the landowner will vote on annexing their property to the District and levying special taxes within their District. The special tax levy for Fiscal Year 2016-17 is $329.86 for Single-Family Residential Units, $65.97 for Multi-Family Residential Units, and $1,319.48 per Acre for Non-Residential Parcels. For each subsequent fiscal year following Fiscal Year 2016-2017, the Maximum Special Tax may be increased by an amount not to exceed two percent (2.00%) per year.

BUDGET / FISCAL IMPACT:

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

Prepared by: Daniel Louie, Willdan Financial Services

City Attorney:
Asst. City Manager:

Consent: May 10, 2016
Resolution No. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS DECLARING ITS INTENTION TO ANNEX CERTAIN TERRITORY THERETO [ANNEXATION NO. 22]

WHEREAS, the City Council (the "Council") of the City of Perris, California (the "City"), on December 11, 2001, has adopted its resolution of intention (the "Resolution of Intention") stating its intention to form Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris (the "District") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, (the "Act") being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, within the territory described more fully on the map entitled “Boundary Map, County of Riverside, California, Community Facilities District No. 2001-3 (North Perris Public Safety) of the City of Perris,” a copy of which is on file with the City Clerk of the City of Perris; and

WHEREAS, on January 29, 2002, the Council adopted Resolution No. 2912 ("Resolution 2912") which established the District and called an election within the District on the proposition of levying a special tax; and

WHEREAS, on June 10, 2002, an election was held within the District at which the qualified electors approved by more than a two-thirds (2/3) vote the proposition of levying a special tax pursuant to a special tax formula (the "Rate and Method of Apportionment") as set forth in Resolution No. 2912 and attached hereto and incorporated herein as Exhibit "A", showing the tax levels in fiscal year 2005-06 and certain changes to indicate commencement of the levy the special tax; and

WHEREAS, the Council has heretofore adopted an Ordinance (the "Ordinance") which provided for the levying and collection of special taxes (the "Special Taxes") within the District, as provided in the Act and the Ordinance in accordance with the Rate and Method of Apportionment; and

WHEREAS, a petition (the "Petition") requesting the institution of proceedings for annexation to the District signed by the landowner within the proposed territory to be annexed (the "Property") as more fully described in Exhibit "B", attached hereto and incorporated herein, has been received, filed with and accepted by the City Clerk of the City of Perris; and

WHEREAS, the Council has duly considered the admissibility and necessity of instituting proceedings to annex the Property to the District under and pursuant to the terms and conditions and provisions of Article 3.5 of the Act, commencing with Government Code Section 53339; and
WHEREAS, the Council has determined to institute proceedings for the annexation of such Property to the District, and has determined to (a) set forth the boundaries of the territory which is proposed for annexation to the District, (b) state the public services to be provided in and for the Property, (c) specify the special taxes to be levied with the Property, and (d) set a date, time and place for a public hearing relating to the annexation of the Property to the District and the levy of special tax therein to pay for such public facilities.

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

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

Section 2. It is the intention of the Council, acting as the legislative body of the District, to annex the Property to the District under and pursuant to the terms and provisions of the Act. The boundaries of the Property proposed for annexation to the District are more particularly described and shown on that certain map entitled “Annexation Map No. 22 to Community Facilities District No. 2001-3 (North Perris Public Safety)” that has been filed with the City Clerk of the City and a copy of which, together with a legal description of such territory, is described in Exhibit “B”. The City Clerk is hereby authorized and directed to endorse the Certificate on said map evidencing the date and adoption of this resolution and is further authorized and directed to file said map with the County Recorder of the County of Riverside in accordance with the provisions of Section 3111 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution and not later than fifteen (15) days prior to the date of the public hearing as set forth in Section 5 hereof.

Section 3. It is the intention of the Council to order the financing of (1) fire protection and suppression services, and ambulance and paramedic services including all furnishings, equipment and supplies related thereto; (2) police protection services, including but not limited to criminal justice services, including all furnishings, equipment and supplies related thereto (collectively, the “Services”); and (3) the incidental expenses to be incurred in connection with financing the Services and forming and administering the District (the “Incidental Expenses”). The Services are public services that the City or a public agency is authorized by law to contribute revenue to or to provide. A description of the types of Services to be financed is set forth in Resolution No. 2912 and incorporated herein by reference. The Services to be financed by or on behalf of the District are necessary to meet increased demand upon the City and other public agencies as a result of development occurring within the boundaries of the Property. The Property, on a per unit basis, will share in the cost of the Services in the same proportion as units with the existing District pursuant to the Rate and Method of Apportionment.

The final nature and location of the Services will be determined upon the preparation of final plans and specifications which may show substitutes in lieu of, or modifications to, the proposed Services. Any such substitution shall not be deemed a
change or modification of the Services so long as the substitution provides a service substantially similar to the Services.

Section 4. It is the intention of the City Council that, except where funds are otherwise available, a special tax sufficient to pay for the Services and the Facilities, including the repayment of funds advanced to the District, annual administration expenses in determining, apportioning, levying and collecting such special taxes, secured by recordation of a continuing lien against all non-exempt real property within the boundaries of the Property, will be levied annually on land within the boundaries of the Property. The Rate and Method of Apportionment shall remain unchanged as a result of the proposed annexation, except that the conditions to commencement of the tax have been met. The Property will be subject to the Special Tax pursuant to the Rate and Method of Apportionment. The special tax as apportioned to each parcel within the Property is fairly apportioned as determined by the City Council and as permitted by Section 53339.3 of the Act, and the apportionment of the special tax is not on or based upon the value or ownership of real property.

Section 5. Notice is hereby given that on the 14th day of June 2016, at the hour of 6:30 p.m., or as soon thereafter as is practicable, in the chambers of the City Council of the City of Perris, 101 North "D" Street, Perris, California 92570, a public hearing will be held at which the City Council, as the legislative body of the District, shall consider the proposed annexation of the Property and all other matters as set forth in this Resolution of Intention. At the above-mentioned time and place for such public hearing, any persons interested, including all taxpayers, property owners and registered voters within the District and the Property proposed to be annexed, may appear and be heard, and such testimony for or against the proposed annexation will be heard and considered.

Section 6. Any protests may be made orally or in writing, except that any protests pertaining to the regularity or sufficiency of such proceedings shall be in writing and shall clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for such public hearing, and any written protest may be withdrawn in writing at any time before the conclusion of such public hearing. If written protests against the proposed annexation are filed by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the existing District, or by fifty percent (50%) or more of the registered voters, or six (6) registered voters, whichever is greater, residing within the Property proposed to be annexed, or by owners of one-half (1/2) or more of the area of land included within the existing District, or by owners of one-half (1/2) or more of the area of land proposed to be annexed to the District, the proceedings shall be abandoned as to those matters receiving a majority protest.

Section 7. If, following the public hearing described herein, the Council determines to annex the Property to the District and levy a special tax thereon, the Council shall then submit the annexation of the Property and levy of the special tax to the qualified voters of the Property. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, have been registered to vote within the
territory of the Property for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters residing within the Property, with each voter having one (1) vote. Otherwise, the vote shall be a mail ballot election, consistent with Section 53327.5 of the Act, by the landowners of the Property who are owners of record at the close of the public hearing, with each landowner having one (1) vote for each acre or portion of an acre of land owned within the Property. The number of votes to be voted by a particular landowner shall be specified on the ballot provided to that landowner.

Section 8. The City may accept advances of funds or work-in-kind from any sources, including, but not limited to, private persons or private entities, for any authorized purpose, including, but not limited to, paying the cost incurred in annexing the Property to the District. The District may enter into an agreement with the person or entity advancing the funds or work-in-kind, to repay all or a portion of the funds advanced, or to reimburse the person or entity for the value, or cost, whichever is less, of the work-in-kind, as determined by the Council, with or without interest.

Section 9. The City Clerk is hereby directed, to the extent that such notice is required, to publish a notice ("Notice") of the hearing pursuant to Section 6061 of the Government Code in a newspaper of general circulation published in the area of the proposed District. Such Notice shall contain the text of this Resolution, state the time and place of the hearing, a statement that the testimony of all interested persons or taxpayers will be heard, a description of the protest rights of the registered voters and landowners in the proposed District as provided in Section 53324 of the Act and a description of the proposed voting procedure for the election required by the Act. Such publication shall be completed at least seven (7) days prior to the date of the Hearing.

Section 10. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

______________________________________________
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 10th day of May, 2016, by the following called vote:

AYES: ____________________________________________________________

NOES: ____________________________________________________________

ABSENT: _________________________________________________________

ABSTAIN: _________________________________________________________

City Clerk, Nancy Salazar
Exhibit A

CITY OF PERRIS
COMMUNITY FACILITIES DISTRICT NO. 2001-3
NORTH PERRIS PUBLIC SAFETY

SPECIAL TAX RATE AND METHOD OF APPORTIONMENT

A. BASIS OF SPECIAL TAX LEVY

A Special Tax shall be levied on all Taxable Property in Community Facilities District No. 2001-3 ("District"), North Perris Public Safety of the City of Perris and collected each fiscal year commencing in Fiscal Year 2005/06 in an amount determined by the Council through the application of this Rate and Method of Apportionment of the Special Tax. All of the real property in the District unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

B. DEFINITIONS


Administrative Expenses means the costs incurred by the City to determine, levy and collect the Special Taxes, including salaries of City employees and the fees of consultants and the costs of collecting installments of the Special Taxes upon the general tax rolls; preparation of required reports, and any other costs required to administer the District as determined by the Finance Director.

Annual Cost(s) means for each fiscal year, the total of 1) the estimated cost of services provided through the Police & Fire Protection Program adopted by the City; 2) Administrative Expenses, and 3) any amounts needed to cure actual or projected delinquencies in Special Taxes for the current or previous fiscal year.

Annual Tax Escalation Factor means an increase in the Maximum Special Tax Rate each year following the Base Year in an amount not to exceed 2.00% annually.

Base Year means Fiscal Year ending June 30, 2006.

City means the City of Perris, California.

Council means the City Council of the City of Perris as the legislative body for the District under the Act.
County means the County of Riverside, California.

Developed Parcel means for each fiscal year, each Parcel for which a building permit for new construction or renovations was issued prior to March 1 of the previous fiscal year.

District means the Community Facilities District No. 2001-3, ("CFD 2001-3"), North Perris Public Safety of the City of Perris.

Exempt Parcel means any Parcel that is not a Residential Parcel or a Non-Residential Parcel. Exempt Parcels are exempt from the levy of Special Taxes.

Finance Director means the Finance Director for the City of Perris or his or her designee.

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

Maximum Special Tax means the greatest amount of Special Tax that can be levied against a Parcel in a given fiscal year calculated by multiplying the Maximum Annual Special Tax Rate by the relevant acres or units of the Parcel.

Maximum Special Tax Rate means the amount determined pursuant to Section D below, which will be used in calculating the Maximum Special Tax for a Parcel based on its land use classification. Each fiscal year following the Base Year, the Maximum Special Tax Rate shall be increased in accordance with the Annual Tax Escalation Factor and otherwise adjusted as provided in this Special Tax Rate and Method of Apportionment.

Maximum Special Tax Revenue means the greatest amount of revenue that can be collected in total from a group of Parcels by levying the Maximum Special Tax.

Multi-Family Residential Unit means each multi-family attached residential unit located on a Developed Parcel.

Non-Residential Acres means the acreage of a Non-Residential Parcel. The acreage assigned to such a Parcel shall be that shown on the County assessor’s parcel map.

Non-Residential Parcel means a Developed Parcel for which a building permit(s) was issued for private non-residential use. Non-Residential Parcels do not include Parcels that are intended to be, (1) publicly owned or owned by a regulated public utility, or (2) assigned minimal value or is normally exempt from the levy of general ad valorem property taxes under California law, including homeowners association property, public utility, public streets; schools; parks; and public drainage ways, public landscaping, greenbelts, and public open space.
Parcel means a lot or parcel shown on an assessor's parcel map with an assigned assessor's parcel number located in the District based on the last equalized tax rolls of the County.

Police & Fire Protection Program means a program adopted by the Council pursuant to Section 53313 of the Act for the provision, in a defined area of benefit, of police and fire protection services that are in addition to those services that would be provided to the area of the District if the District were not in existence.

Residential Parcel means a Developed Parcel for which a building permit(s) was issued for residential use.

Single-Family Residential Unit means a Developed Parcel used for single-family detached residential development.

Special Tax(es) means any tax levy under the Act in the District.

Taxable Property means every Residential Parcel and Non-Residential Parcel.

C. Duration of the Special Tax

Duration of Special Tax for Taxable Property in the District shall remain subject to the Special Tax in perpetuity.

D. Assignment of Maximum Special Taxes

1. Classification of Parcels

Each fiscal year, using the Definitions above, each Parcel of Taxable Property is to be classified as either a Residential Parcel or Non-Residential Parcel. Each Residential Parcel is to be further classified as either a Single-Family Unit or as the number of Multi-Family Units located on such Parcel.

2. Maximum Special Tax Rates

<table>
<thead>
<tr>
<th>Tax Status</th>
<th>Base Year Maximum Special Tax Rate</th>
<th>Tax Levy Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Residential Unit</td>
<td>$265.30</td>
<td>Per Unit</td>
</tr>
<tr>
<td>Multi-Family Residential Unit</td>
<td>$53.06</td>
<td>Per Unit</td>
</tr>
<tr>
<td>Non-Residential Parcel</td>
<td>$1,061.21</td>
<td>Per Acre</td>
</tr>
</tbody>
</table>
On July 1st of each fiscal year, commencing July 1, 2006, the Maximum Special Tax Rates shall be increased in accordance with the Annual Tax Escalation Factor.

E. **SETTING THE ANNUAL SPECIAL TAX LEVY**

The Special Tax levy for each Parcel of Taxable Property will be established annually as follows:

1. Compute the Annual Costs using the definitions in Section A.

2. Calculate the available special tax revenues by taxing each Parcel of Taxable Property at 100.00% of its Maximum Special Tax. If revenues are greater than the Annual Costs, reduce the tax proportionately against all Parcels until the tax levy is set at an amount sufficient to cover Annual Costs.

3. Levy on each Parcel of Taxable Property the amount calculated above. No Special Tax shall be levied on Exempt Parcels.

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

F. **ADMINISTRATIVE CHANGES AND APPEALS**

The Finance Director or designee has the authority to make necessary administrative adjustments to the Special Tax Rate and Method of Apportionment in order to remedy any portions of the Special Tax formula that require clarification.

Any taxpayer who feels that the amount of the Special Tax assigned to a Parcel is in error may file a notice with the Finance Director appealing the levy of the Special Tax. The Finance Director will then promptly review the appeal, and if necessary, meet with the applicant. If the Finance Director verifies that the tax should be modified or changed, a recommendation at that time will be made to the Council and, as appropriate, the Special Tax levy shall be corrected and, if applicable in any case, a refund shall be granted.

Interpretations may be made by Resolution of the Council for purposes of clarifying any vagueness or ambiguity as it relates to the Special Tax rate, the method of apportionment, the classification of properties, or any definition applicable to the District.

G. **MANNER OF COLLECTION**

The Special Tax will be collected in the same manner and at the same time as *ad valorem* property taxes; provided; however, the City or its designee may directly bill the Special Tax and may collect the Special Tax at a different time, such as on a monthly or other periodic basis, or in a different manner, if necessary to meet its financial obligation.
Resolution No. _______

Exhibit B

COMMUNITY FACILITIES DISTRICT NO. 2001-3 (NORTH PERRIS PUBLIC SAFETY) OF THE CITY OF PERRIS, ANNEXATION NO. 22

BOUNDARY MAP

[See Attached]
SUBJECT: Annexation of CUP 15-05056 to Maintenance District No. 84-1

REQUESTED ACTION:
1. Adoption of Resolution Ordering Preparation of the Engineer’s Report
2. Adoption of Resolution Preliminarily Approving Engineer’s Report
3. Adoption of Resolution of Intention to Annex CUP 15-05056 to Maintenance District No. 84-1 and setting a public hearing date of July 12, 2016

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: CUP 15-05056 is a 0.48-acre project located on the south side of 4th Street between F and G Streets. The project is under the ownership of Westmoreland Dynasty Limited Partnership, and, as a condition of approval, is required to annex into MD 84-1.

This district was formed to finance the annual maintenance of streetlights and traffic signals installed in conjunction with new development. The project specifically benefits from traffic signals located at the intersections of Perris Boulevard with G Street and 4th Street. The project also specifically benefits from a new streetlight to be constructed and maintained under MD 84-1.

BUDGET (or FISCAL) IMPACT:
The maximum annual assessment is $93.30, plus inflation factors not to exceed 1) the “Common Labor, Construction Cost Index”, as published by Engineering News Record in subsequent years, and 2) the Southern California Edison rate increase(s) effective in subsequent years.

Reviewed by:

Assistant City Manager

City Attorney

Attachments: 1. Resolution Ordering Preparation of the Engineer’s Report
2. Engineer’s Report
3. Resolution Preliminarily Approving Engineer’s Report
4. Resolution of Intention to Annex CUP 15-05056 to Maintenance District No. 84-1

Consent:
RESOLUTION NUMBER

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 MAINTENANCE DISTRICT NUMBER 84-1, AND FOR PROVIDING OTHER ENGINEERING SERVICES IN THE MATTER OF THE ANNEXATION OF CUP 15-05056 INTO MAINTENANCE DISTRICT NUMBER 84-1

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 of streetlights, traffic signals and other facilities set forth in Section 22525 of the Streets and Highways Code, State of California, and the maintenance thereof all within the boundaries of CUP 15-05056 and the incorporated boundaries of the City of Perris, California; and

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

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

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

Section 2. That CUP 15-05056 be defined as that area to be annexed to the City of Perris Maintenance District Number 84-1.

Section 3. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled “Diagram of Annexation of CUP 15-05056 to Maintenance District Number 84-1, City of Perris, County of Riverside, State of California.”
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 10th day of May, 2016, by the following called vote:

Ayes:
Noes:
Absent:
Abstain:

________________________________________
City Clerk, Nancy Salazar
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 10th day of May, 2016.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar
AGENCY:        City of Perris

PROJECT: Annexation of CUP 15-05056
            To Maintenance District No. 84-1

TO: City Council
    City of Perris
    State of California

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to the direction from the City Council, submitted herewith is the "Report," consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the STATE OF CALIFORNIA, being the "Landscaping and Lighting Act of 1972", as amended. This "Report" provides for the annexation into the District of additional parcels and the levy of assessments for the fiscal year commencing July 1, 2016 to June 30, 2017, for that area to be known and designated as:

"Annexation of CUP 15-05056
 to Maintenance District No. 84-1"

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

Executed this 10th day of May, 2016.

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 12th day of July 2016, 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 10th day of May 2016.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
PART 1. Plans and Specifications. Generally, the work to be performed consists of the annual energy and maintenance costs for a new streetlight. The street light to be maintained is identified on the map prepared by LN Civil Engineers, Consulting Civil Engineers, entitled "Precise Grading Plans for Little Caesars Drive-Thru".

The site of CUP 15-05056 is shown on the Diagram within Part 4. In addition to street lights, this area benefits from existing and future traffic signals. Of specific benefit are the traffic signals at the intersections of 4th Street with Perris Boulevard and G Street.

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

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

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

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

<table>
<thead>
<tr>
<th>Facility</th>
<th>Quantity</th>
<th>Annual Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Lights</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9500 Lumen</td>
<td>0</td>
<td>$148.32</td>
<td>$00.00</td>
</tr>
<tr>
<td>22000 Lumen</td>
<td>1</td>
<td>203.28</td>
<td>203.28</td>
</tr>
<tr>
<td>Traffic Signals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perris Boulevard and 4th Street</td>
<td>5.00%</td>
<td>8,367.55</td>
<td>418.38</td>
</tr>
<tr>
<td>Perris Boulevard and G Street</td>
<td>5.00%</td>
<td>8,367.55</td>
<td>418.38</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td>$1,040.04</td>
</tr>
<tr>
<td>Incidental Costs</td>
<td></td>
<td></td>
<td>208.00</td>
</tr>
<tr>
<td>City Contribution for Street Lights</td>
<td></td>
<td>-54.96</td>
<td>-54.96</td>
</tr>
<tr>
<td>Resolution 4897 Adjustment</td>
<td></td>
<td></td>
<td>-1,099.78</td>
</tr>
<tr>
<td>Balance to Assessment</td>
<td></td>
<td></td>
<td>$93.30</td>
</tr>
</tbody>
</table>
Zero costs will be incurred by the area within this annexation for the fiscal year commencing July 1, 2016 to June 30, 2017.

PART 3. The Assessment Roll shows the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the exterior boundaries of the Diagram, enclosed herein as Part 4.

Street lighting and the orderly circulation of traffic directly benefits the area to be annexed to Maintenance District No. 84-1. Any share of the benefits received that does not provide a special benefit to the assessed properties is a general benefit provided by the improvements. The cost of the general benefit is not to be assessed to the properties in the district.

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

Reference is made to the FY 2015/2016 annual proceedings for Maintenance District No. 84-1, as confirmed and set forth in Resolution 4897 approved on July 14, 2015. Under these proceedings, the benefit for the annual maintenance of streetlight and traffic signals is equal to $46.28 per Benefit Unit, or single family home. For the purposes of this report, this assessment determines the net specific street light and traffic signal benefit.

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

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

The improvements benefiting the property were required for the approval of, and as a consequence of, development of this area. The assessed acreage is the net acreage of CUP 15-05056.

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

\[
\begin{align*}
1.0 \text{ Assessed Acre} \times \$93.30 &= \quad \$46.28 \text{ per Benefit Unit} \\
4.2 \text{ Benefit Units} \times 0.48 \text{ AC} &=
\end{align*}
\]

Plus inflation factors not to exceed:
1) the "Common Labor, Construction Cost Index", as published by Engineering News Record in subsequent years, and
2) the Southern California Edison rate increase(s) effective in subsequent years.
The assessment, by assessor parcel number, is as follows:

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>Net Acreage</th>
<th>Benefit Units</th>
<th>Estimated Annual Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>310-052-030</td>
<td>0.16</td>
<td>0.672</td>
<td>$31.10</td>
</tr>
<tr>
<td>310-052-031</td>
<td>0.16</td>
<td>0.672</td>
<td>31.10</td>
</tr>
<tr>
<td>310-052-032</td>
<td>0.16</td>
<td>0.672</td>
<td>31.10</td>
</tr>
<tr>
<td>Totals</td>
<td>0.48</td>
<td>2.016</td>
<td>$93.30</td>
</tr>
</tbody>
</table>

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2016 to June 30, 2017, reference is made to the Assessment Roll included herein as Attachment No.1.

PART 4. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with the boundary of CUP 15-05056. Said boundary is designated as "Diagram of Annexation of CUP 15-05056 to Maintenance District No. 84-1, City of Perris, County of Riverside, State of California." The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of annexation and benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 5. A Consent and Waiver for Annexation to the District has been signed by the owners of the area within the proposed annexation. Said consent and waiver is included herein as Attachment No. 3.
Assessment Roll
Annexation of CUP 15-05056 to
Maintenance District No. 84-1
City of Perris

<table>
<thead>
<tr>
<th>Assessment Number</th>
<th>Assessor Parcel Number</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>310-052-030</td>
<td>1</td>
<td>2016/2017</td>
</tr>
<tr>
<td>1</td>
<td>310-052-031</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>310-052-032</td>
<td>$93.30</td>
<td>$00.00</td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

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

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

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

Dated: 2/25/2016

Signature

List Property Owner Name and Mailing Address

Westmoreland Dynasty Limited Partnership
3592 Rosemead Blvd. #835
Rosemead, CA 91770
CALIFORNIA ALL-PURPOSE
CERTIFICATE OF 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 Los Angeles
On 2/25/2016 before me, OH. Chu, Notary Public
personally appeared Stanley Huang,
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.

Notary Public Signature

NOTARY PUBLIC CALIFORNIA
Los Angeles County
My Comm. Expire June 12, 2019

H. Chu
Commission No. 2115948

INSTRUCTIONS FOR COMPLETING THIS FORM
This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law:

• State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
• Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
• The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
• Print the name(s) of document signer(s) who personally appear at the time of notarization.
• Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
• The notary seal impression must be clear and photographically reproducible.
• Impression must not cover text or lines. If seal impression smudges re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
• Signature of the notary public must match the signature on file with the office of the county clerk.
  • Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  • Indicate title or type of attached document, number of pages and date.
  • Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
• Securely attach this document to the signed document with a staple.

ATTACHMENT 3-2
EXHIBIT "A" TO CONSENT AND WAIVER FOR ANNEXATION OF CUP 15-05056 TO MAINTENANCE DISTRICT NO. 84-1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

LEGEND

--- ANNEXATION BOUNDARY
--- PARCEL BOUNDARY

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

ATTACHMENT 3-3
RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 15-05056 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, on the 10th day of May, 2016, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ___ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

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

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

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

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

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

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

Section 4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.
ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

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 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
RESOLUTION NUMBER

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO ORDER THE ANNEXATION TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, DECLARING THE WORK TO BE OF MORE LOCAL THAN ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREA TO BE ANNEXED TO MAINTENANCE DISTRICT NUMBER 84-1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 15-05056 TO MAINTENANCE DISTRICT NUMBER 84-1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON JULY 12, 2016

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

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

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

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

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

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

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

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain “Diagram of Annexation of CUP 15-05056 to Maintenance District Number 84-1” heretofore approved by the City Council of said City by Resolution No. ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

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

Section 4. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled “Engineer’s Report for Annexation of CUP 15-05056, to Maintenance District Number 84-1”, is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

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

Section 6. Time and Place of Public Hearing: Notice is hereby given that on July 12, 2016, at 6:30 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 City News is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

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

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

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

ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

Attest:

Mayor, Daryl R. Busch

City Clerk, Nancy Salazar

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  
CITY OF PERRIS

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
SUBJECT: Annexation of CUP 15-05056 to Landscape Maintenance District No. 1 (LMD 1)

REQUESTED ACTION:
1. Adoption of Resolution Ordering Preparation of the Engineer’s Report
2. Adoption of Resolution Preliminarily Approving Engineer’s Report
3. Adoption of Resolution of Intention to Annex CUP 15-05056 to LMD 1 and setting a public hearing date of July 12, 2016

CONTACT: Habib Mollahg, City Engineer

BACKGROUND/DISCUSSION: CUP 15-05056 is a 0.48-acre project located on the south side of 4th Street between F and G Streets. The project is under the ownership of Westmoreland Dynasty Limited Partnership.

The landscaping benefit includes maintenance of the irrigation system, landscaping, and appurtenances located within the 4th Street parkways bordering CUP 15-05056.

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 $1,088.58, plus inflation factors not to exceed 1) the “Common Labor, Construction Cost Index”, as published by Engineering News Record in subsequent years, 2) the Southern California Edison rate increase(s) effective in subsequent years, and 3) the Eastern Municipal Water District rate increase(s) effective in subsequent years.

Reviewed by:

Assistant City Manager

City Attorney

Attachments: 1. Resolution Ordering Preparation of the Engineer’s Report
               2. Engineer’s Report
               3. Resolution Preliminarily Approving Engineer’s Report
               4. Resolution of Intention to Annex CUP 15-05056 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 118 (CUP 15-05056) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

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

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

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

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

Section 2. That CUP 15-05056 be defined as that area to be annexed to Benefit Zone 118, City of Perris Landscape Maintenance District Number 1.

Section 3. That the lands to be specially charged for the installation, construction, and maintenance of the facilities shall be the area within the boundaries of the annexation to the district generally indicated on the map entitled “Diagram of Annexation of CUP 15-05056, to Benefit Zone 118, 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 10th day of May, 2016.

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 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_________________________________
City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of CUP 15-05056
To Benefit Zone 118, 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, 2016 to June 30, 2017, for that area to be known and designated as:

“Annexation of CUP 15-05056
To Benefit Zone 118, 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 10th day of May, 2016.

__________________________
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 12th day of July 2016, 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 10th day of May 2016.

__________________________
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 4th Street parkways bordering CUP 15-05056.

Reference is made to the landscaping plans and specifications prepared by Pacific Landscape Studio, that are entitled, “Landscape and Irrigation Plan for LMD Off-Site Landscape Plan, CUP 15-05056”. 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 LN Civil Engineers, Consulting Civil Engineers, entitled “Precise Grading Plans for Little Caesars Drive-Thru”.

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

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

PART 2. **An Estimate** of the cost for the improvements to be maintained and/or improved for a given fiscal year includes labor, water, electricity, materials and plant replacement, and appurtenances. 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.

Due to the soil, water, exposure, and pedestrian traffic, plant replacement is estimated at a 5% die-off rate at 2-feet on-center. Tree trimming is scheduled to occur every other 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 118.

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 $544.29.

The quantities and annual cost for the public improvements are listed on the next page.
The quantities and annual cost for the public improvements are estimated as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance</td>
<td>826</td>
<td>SF</td>
<td>$0.52</td>
<td>$429.52</td>
</tr>
<tr>
<td>Plant Replacement</td>
<td>7</td>
<td>Each</td>
<td>15.75</td>
<td>110.25</td>
</tr>
<tr>
<td>Tree Trimming</td>
<td>5</td>
<td>0.5 Each</td>
<td>80.00</td>
<td>200.00</td>
</tr>
<tr>
<td>Mulch Application</td>
<td>2.5</td>
<td>CY</td>
<td>30.00</td>
<td>75.00</td>
</tr>
<tr>
<td>Irrigation Repairs</td>
<td>165</td>
<td>SF</td>
<td>0.06</td>
<td>9.90</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td></td>
<td>$624.67</td>
</tr>
<tr>
<td>Contingency</td>
<td></td>
<td></td>
<td></td>
<td>82.46</td>
</tr>
<tr>
<td>Total Maintenance</td>
<td></td>
<td></td>
<td></td>
<td>$907.13</td>
</tr>
<tr>
<td>Incidentals</td>
<td></td>
<td></td>
<td></td>
<td>$181.45</td>
</tr>
<tr>
<td>Balance to Assessment</td>
<td></td>
<td></td>
<td></td>
<td>$1,088.58</td>
</tr>
</tbody>
</table>

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 118, for the fiscal year commencing July 1, 2016 to June 30, 2017, 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 118, as shown on the Diagram, enclosed herein as Part 4.

The area within CUP 15-05056 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 CUP 15-05056.

The method of assessment is based on units, with the benefit units assigned to the net area within CUP 15-05056. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities is equal to $2,287.875 per net acre.

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

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>Net Acreage/ Benefit Unit</th>
<th>Maximum Annual Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>310-052-030</td>
<td>0.16</td>
<td>$362.86</td>
</tr>
<tr>
<td>310-052-031</td>
<td>0.16</td>
<td>362.86</td>
</tr>
<tr>
<td>310-052-032</td>
<td>0.16</td>
<td>362.86</td>
</tr>
<tr>
<td>Totals</td>
<td>0.48</td>
<td>$1,088.58</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, 2016 to June 30, 2017, reference is made to the Assessment Roll included herein as Attachment No. 1.

PART 4. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with CUP 15-05056. Said boundary is designated as "Diagram of Annexation of CUP 15-05056 to Benefit Zone 118, Landscape Maintenance District No. 1, City of Perris, County of Riverside, State of California". The Diagram is included herein as Attachment No. 2, which shows the boundaries of the area of benefit. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the fiscal year to which the "Report" applies.

PART 5. A Consent and Waiver for Annexation to the District has been signed by the owners of the area within the proposed annexation. Said consent and waiver are included herein as Attachment No. 3.
Assessment Roll  
Annexation of CUP 15-05056 to  
Benefit Zone 118,  
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 2016/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>118</td>
<td>310-052-030</td>
<td>$1,088.58</td>
<td>$0.00</td>
</tr>
<tr>
<td>118</td>
<td>310-052-031</td>
<td></td>
<td></td>
</tr>
<tr>
<td>118</td>
<td>310-052-032</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>$1,088.58</td>
<td>$0.00</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.
CONSENT AND WAIVER TO ANNEXATION

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

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

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

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

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

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

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

Dated: 2/25/2016

Signature

List Property Owner Name and Mailing Address

Westmoreland Dynasty Limited Partnership
3542 Rosmead Blvd #835
Rosmead, CA 91770

H. CHU
Commission No.2115049
NOTARY PUBLIC-CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires JUNE 12, 2018

ATTACHMENT PAGE
CALIFORNIA ALL-PURPOSE
CERTIFICATE OF 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 Los Angeles
On 2/25/2016 before me, OH. Chu, Notary Public, personally appeared Stanley Huang, 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.

Notary Public Signature

INSTRUCTIONS FOR COMPLETING THIS FORM
This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is/were) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

- Securely attach this document to the signed document with a staple.

ATTACHMENT 3-2
EXHIBIT "A" TO CONSENT AND WAIVER FOR
ANNEXATION OF CUP 15-05056 TO BENEFIT ZONE 118
LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

NOT TO SCALE

LEGEND

- - - - - ANNEXATION 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, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF CUP 15-05056 TO BENEFIT ZONE 118, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, on the 10th day of May, 2016, the City Council of the City of Perris, County of Riverside, California ("the City Council") adopted its Resolution Number ____ directing the Engineer of Work to prepare and file with the City Clerk of said City a report in writing as required by the Landscaping and Lighting Act of 1972; and

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

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

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

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

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

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

Section 4. That said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed District.
ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

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 10th day of May, 2016, 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 118, 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 118, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF CUP 15-05056 TO BENEFIT ZONE 118, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO ON JULY 12, 2016

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

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

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

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

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

Section 2. Location of Work: The improvements to be maintained and serviced include the irrigation system, landscaping, and appurtenances benefiting CUP 15-05056. The improvements, located in public rights-of-way, are located in the 4th Street parkways bordering Benefit Zone 118.
Section 3. Description of Assessment District: That the contemplated work, in the opinion of said City Council, is of more local than ordinary public benefit, and this City Council hereby makes the expense of said work chargeable upon a District, which said District is assessed to pay the costs and expenses thereof, and which District is described as follows:

All that certain territory of the City of Perris included within the exterior boundary lines shown upon that certain “Diagram of Annexation of CUP 15-05056 to Benefit Zone 118, Landscape Maintenance District Number 1” heretofore approved by the City Council of said City by Resolution No ____, indicating by said boundary line the extent of the territory included within the proposed assessment district and which map is on file in the office of the City Clerk of said City.

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

Section 4. Report of Engineer: The City Council of said City by Resolution Number ____ has preliminarily approved the report of the Engineer of Work which report indicated the amount of the proposed assessment, the district boundaries, assessment zones, detailed description of improvements, and the method of assessment. The report titled “Engineer’s Report for Annexation of CUP 15-05056 to Benefit Zone 118, Landscape Maintenance District Number 1”, is on file in the office of the City Clerk of said City. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

Section 5. Collection of Assessments: The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with the City Council of said City and said City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined. That the annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the public landscaping and appurtenant facilities is equal to $2,267.875 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 July 12, 2016, at 6:30 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 10th day of May, 2016.

ATTEST:

Mayor, Daryl R. Busch

City Clerk, Nancy Salazar

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
CITY OF PERRIS

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
SUBJECT: Annexation of CUP 15-05056 to Flood Control MD No. 1

REQUESTED ACTION: Adoption of Resolution of Intention to Annex CUP 15-05056 to Flood Control Maintenance District No. 1 and set a public hearing date of July 12, 2016

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: CUP 15-05056 is a 0.48-acre project located on the south side of 4th Street between F and G Streets. The project is under the ownership of Westmoreland Dynasty Limited Partnership.

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 CUP 15-05056 from inundation. The public facilities include a contribution towards a catch basin, 6-inch storm drain pipe and a 15’ concrete swale.

BUDGET (or FISCAL) IMPACT: The maximum annual assessment is $454.62, plus inflation factors 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. Engineer’s Report
2. Resolution of Intention to Annex CUP 15-05056 to Flood Control MD No. 1

Consent:
AGENCY: City of Perris

PROJECT: Annexation of CUP 15-05056
To Benefit Zone 88, 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, 2016 to June 30, 2017, for that area to be known and designated as:

"Annexation of CUP 15-05056
To Benefit Zone 88, 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 10th day of May, 2016.

_____________________________
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 12th day of July 2016, 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 10th day of May 2016.

_____________________________
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 CUP 15-05056 from inundation. All improvements to be maintained are located in public rights-of-way and easements. These improvements consist of a catch basin, approximately 263 lineal feet of 6-inch pipe and approximately 95 lineal feet of a 15" concrete swale, including the 15" X 15" grated drop inlet.

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 the private on-site bio-treatment basin, detention system and storm drain facilities identified on the grading plan prepared by LN Civil Engineers, Consulting Civil Engineers, entitled "Precise Grading Plans for Little Caesars Drive-Thru" are to be maintained by the property owner and not the City of Perris.

PART 2. Plans and Specifications for the improvements 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 expenses 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 estimated annual cost for maintenance of the facilities and the assessed cost are listed below.

<table>
<thead>
<tr>
<th>Improvement</th>
<th>Total Cost</th>
<th>Percent</th>
<th>Assessed Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>6&quot; Storm Drain Pipe</td>
<td>$734.82</td>
<td>38.4%</td>
<td>$282.17</td>
</tr>
<tr>
<td>Concrete Swale</td>
<td>136.90</td>
<td>38.4%</td>
<td>52.57</td>
</tr>
<tr>
<td>Catch Basin</td>
<td>171.60</td>
<td>25.7%</td>
<td>44.10</td>
</tr>
<tr>
<td>Subtotal</td>
<td>$1,043.32</td>
<td></td>
<td>$378.84</td>
</tr>
<tr>
<td>Incidental Expenses</td>
<td></td>
<td></td>
<td>75.78</td>
</tr>
<tr>
<td>Total Assessed Cost</td>
<td></td>
<td></td>
<td>$454.62</td>
</tr>
</tbody>
</table>
The assessment levied will be based on the actual annual expenses incurred by Benefit Zone 88. 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. Zero costs will be incurred for the fiscal year commencing July 1, 2016 to June 30, 2017.

**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 CUP 15-05056. Any share of the benefits received that does not provide a special benefit to the annexed properties is not to be assessed to CUP 15-05056.

The storm drain pipe and the concrete swale benefit the area within CUP 15-05056 and the area within the .077-acre parcel adjacent to the east. Benefit Zone 88 was assessed its prorata share of these improvement costs based on its prorata share of the area benefited by the improvements ((0.48 acres/ (0.77 acres + 0.48 acres) = 38.4%).

The catch basin on the southwest corner of 4th and G Streets benefits Lots 1 through 12 of Block 10, S.D. Carpenter's Addition to Perris. This 1.87-acre area includes Assessor Parcel Numbers 310-052-024, -030 through -035 and -037. Benefit Zone 88 was assessed its prorata share of these improvement costs based on its prorata share of the area benefited by the improvements (0.48 acres/ 1.87 acres = 25.7%).

The method of assessment is based on units, with the benefit units assigned to the net area within CUP 15-05056. 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 $947.10 per net acre.

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

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>Net Acreage/ Benefit Unit</th>
<th>Maximum Annual Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>310-052-030</td>
<td>0.16</td>
<td>$151.54</td>
</tr>
<tr>
<td>310-052-031</td>
<td>0.16</td>
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<tr>
<td>310-052-032</td>
<td>0.16</td>
<td>151.54</td>
</tr>
<tr>
<td>Totals</td>
<td>0.48</td>
<td>$454.62</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, 2016 to June 30, 2017, 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 $227,31.

PART 5. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with CUP 15-05056. Said boundary is designated as “Diagram of Annexation of CUP 15-05056 to Benefit Zone 88, 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 CUP 15-05056 to
Benefit Zone 88,
Flood Control 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 2016/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>88</td>
<td>310-052-030</td>
<td></td>
<td></td>
</tr>
<tr>
<td>88</td>
<td>310-052-031</td>
<td></td>
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<tr>
<td>88</td>
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<td></td>
<td>$454.62</td>
<td>$00.00</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
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: 2/7/2006

Signature

List Property Owner Name and Mailing Address

Westernland Dynasty Limited Partnership
592 Rosemead Blvd 835
Rosemead, CA 91770

ATTACHMENT 3-1
CALIFORNIA ALL-PURPOSE CERTIFICATE OF 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 Los Angeles

On 2/25/2016 before me, H. Chu, Notary Public, personally appeared Stanley Huang, 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.

Notary Public Signature

H. CHU
Commission No. 2115049
NOTARY PUBLIC-CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires JUNE 12, 2019

INSTRUCTIONS FOR COMPLETING THIS FORM
This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate Californian notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e., he/she, they, is, are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible; impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
- Indicate title or type of attached document, number of pages and date.
- Indicate the capacity claimed by the signer, if the claimed capacity is a corporate officer, indicate the title (i.e., CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.
EXHIBIT "A" TO PETITION FOR
ANNEXATION OF CUP 15-05056 TO BENEFIT ZONE 88
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

NOT TO SCALE

LEGEND

--- ANNEXATION 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 CUP 15-05056 TO BENEFIT ZONE 88, 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 JULY 12, 2016

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 CUP 15-05056 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, Westmoreland Dynasty Limited Partnership, (the “Owners”) have presented signed petitions to the City Council requesting the annexation of CUP 15-05056 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 CUP 15-05056; 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 CUP 15-05056; and

WHEREAS, to accomplish such purposes, the City Council proposes to annex CUP 15-05056 to Benefit Zone 88, 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 CUP 15-05056 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 CUP 15-05056 to Benefit Zone 88, 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 12th day of July, 2016, at 6:30 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 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 10th day of May, 2016.

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 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
SUBJECT: Bid Award Maintenance of Earthen Swales, Storm Channels, Outfalls, and Trenches (Spec. # FCD 1-2016-17-01)

REQUESTED ACTION: Award Bid for maintenance of earthen swales, storm channels, outfalls and trenches to Bill and Dave’s Landscape Maintenance, Inc., and authorize the City Manager to execute a two-year Agreement subject to non-substantive changes from the City Attorney’s Office.

CONTACT: Michael Morales, Capital Improvements Project Manager

BACKGROUND/DISCUSSION:

Spec. #FCD 1-2016-17-01 was developed to provide the bid requirements associated with maintenance of earthen swales, storm channels, outfalls, and trenches. These services would occur at 25 flood control areas, both general fund and flood control benefit zones, throughout the City.

The City Clerk advertised, held a public bid opening on April 26, 2016, received and read bids from prospective contractors for the maintenance of earthen swales, storm channels, outfalls and trenches described earlier. Attached is a summary of the bids received. The Public Works Department-Engineering Administration Division analyzed the each proposal, and determined that the bid submitted by the recommended lowest responsible bidder met all the specified requirements for the project. Based on these criteria, the City Council may award a 2-year maintenance services agreement to Bill and Dave’s Landscape Maintenance, Inc., who proposed completing the maintenance services for an annual amount of $62,845.00. Please find attached a summary of the bids received.

If the bid is awarded by the City Council, Engineering Administration staff will review the required insurance certificates, insurance endorsements, and will seek the review and approval of the maintenance services contract from the City Attorney’s Office. Therefore, staff is recommending that the City Council authorize the City Manager to execute the Contract Services Agreement between the City of Perris and Bill and Dave’s Landscape Maintenance, Inc., in the amount of $62,845.00 subject to non-substantive changes by the City Attorney’s office.

BUDGET (or FISCAL) IMPACT:

Staff will propose a budget amendment to the FY 2016-2017 NPDES Budget (001-2024-Storm Drain & Catch Basin Maintenance) to cover approximately $44,495 of the Maintenance Services proposed in this Agreement. Staff will also propose a budget amendment to the FY 2016-2017 FCD #1 Budget (130-3000-Contract Services) to cover approximately $18,350 of the Maintenance Services proposed in this Agreement. The Services proposed in this Agreement will not begin until after July 1, 2016 and until the proposed amendments, in the amount of $62,845, are approved by City Council.

REVIEWED BY:

City Attorney: Pending
Assistant City Manager: 

Attachment(s): 1) Summary of Bids Received

Consent: X
Public Hearing:
Business Item:
Other:
CITY OF PERRIS
BID OPENING LOG SHEET

BID OPENING DATE:  April 26, 2016
PROJECT DESCRIPTION:  Maintenance of Earthen Swales.FCD #1-2016-17-01

<table>
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<th>BIDDER</th>
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<td>1 Bill &amp; Daves</td>
<td>$62,845.00</td>
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<td>2 Hernandez Landscape Co., Inc.</td>
<td>$75,880.00</td>
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Bid Officer:  Judy Haughney, Records Clerk
Witnesses:  Michael Morales
            Susan Almanza

Signed:  [Signature]
Dated:  04-26-16
SUBJECT: Restoring Hope Community Services, Inc. fee Waiver Request for the use of Senior Center, Foss Field, the City Hall front lawn, Bob Glass Gym (2017)

REQUESTED ACTION: That the City Council consider a waiver of rental and deposit fees, totaling $3,110.00, for the Restoring Hope Community Services, Inc. Community Health Fair event to be held on June 18, 2016 and June 17, 2017 at Senior Center, Foss Field, the City Hall front lawn, and Bob Glass Gym (2017)

CONTACT: Sabrina Chavez, Assistant Director of Community Services and Housing

BACKGROUND/DISCUSSION:

Restoring Hope Community Services, Inc. has planned an eye exam and community health fair at the Senior Center, Foss Field and the City Hall front lawn and Bob Glass Gym (2017), on June 18, 2016 and June 17, 2017, from 7:00am-8:00pm. The event provides eye exams by licensed optometrists to distribute recycled eyeglasses at no charge to participants and community health resources. Restoring Hope Community Services, Inc. is requesting that the City Council authorize the waiver of rental fees associated with the reservation of Senior Center, Foss Field, the City Hall front lawn, and Bob Glass Gym (2017). A copy of the letter request is attached with this submittal. The total value of the requested fee waiver is $3,110.00 ($650.00 for the Senior Center rental, $1,560.00 Bob Glass Gym rental (2017) and staff cost, $200.00 Foss Field rental plus deposit for $250.00) this fee is for 2016 and 2017.

FISCAL IMPACT: The requested waiver of rental fees for the Restoring Hope Community Services, Inc. event totals $3,110.00. This amount includes the reservation of the Senior Center, Foss Field, City Hall lawn, Bob Glass Gym (2017) staff cost and deposit for both 2016 and 2017.

Prepared by: Spencer Campbell, Recreation Supervisor II

Reviewed by: Darren Madkin, Deputy City Manager

Reviewed by: Ron Carr, Assistant City Manager

Attachments: Fee waiver request letter from Restoring Hope Community Services, Inc.

Consent: X
Public Hearing: Business Item:
January 13, 2016

Dear Honorable Mayor Busch and Council members,

Restoring Hope Community Services, Inc., a non-profit organization, has created a collaboration with Friends of Diabetics. We have the intent to host a Community Health Fair in the City of Perris on June 18, 2016. The goals and objectives of our health fair are to provide health screenings for the community, create awareness through education, promote exercise and encourage enrollment in health insurance, all creating a healthier community. We are proud to announce California Lions Friends in Sight has agreed to provide their services to our community again this year. Last year over 300 community residents were provided free vision screening and glasses which many were children.

To assist us we are requesting the use of and fee waivers of the Senior/Youth Center with the kitchen along with the lawn area in front of Bob Glass Gym and City Hall, as well as Foss Field Park with unrestricted use of all parking areas. Additionally, we request a waiver of the business license requirement for our event vendors.

Friends of Diabetics has provided this wonderful event for many years now and was instrumental as a partner in the success of your “Live Well Perris Campaign” in 2013 through her years of established relationships and expertise. In collaboration we would like to continue this event for years to come. If you consider this event to be a benefit to the community we would like your consideration in declaring this an annual event reserving Bob Glass Gym and the third Saturday in June for our use with all requested usages, waivers and considerations.

We all have the knowledge of the dangers presented with having undetected illnesses and we would like our event to continue to be the vessel that may help save a life. Various Riverside County Departments will be on-site which will include the Department of Mental Health. All departments will distribute service information and will have the opportunity to share time on stage to stress the importance of living healthier lifestyles and how their departments can aid community residents. Screenings for diabetics and hypertension, which are our focus, along with screenings for vision, dental and other illnesses, will be available. Additionally, the community will have the opportunity to receive health insurance information with enrollment opportunities.

Through increased awareness, education and screenings we hope to create a healthier community, especially in the lives of children, seniors and Veterans.

With today’s economy our community is still either under insured or uninsured which compromises family health. We need to get families in your area of responsibility linked to health care, connected to community resources and screenings for illnesses which impact lives.

We thank you for your time and consideration and look forward to you joining us in our excitement finding our request favorable for this worthy cause. Together we can all help to create a healthy community.

If you have any questions please call (951) 623-1505.

Respectfully,

Arlene Jackson
Founder/CEO, Restoring Hope Community Service, Inc.
(951) 990-2519

May you have blessings without numbers, Good things without end,
Working together, the best is yet to come
416 Dale Street, Perris, CA 92571 P: 951-943-0543 F: 951-657-1816
www.RestoringHopeCommunityServices.org
Meeting Date: May 10, 2016


REQUESTED ACTION: Approve the three-year contract for audit services with Teaman Ramirez and Smith, Inc.

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION:

The City of Perris is required by Federal, State and various local agencies to report financial activities for each fiscal year. The City’s financial statements include the financial activities for the City, the Perris Public Financing Authority, the Perris Public Utility Authority, the Perris Housing Authority, the Perris Joint Powers Authority, and the Perris Community Economic Development Corporation. These financial statements are currently audited by Teaman Ramirez and Smith, Inc. (TRS).

City staff and our current auditors, TRS, met with the Ways and Means Subcommittee on April 19, 2016 to review the audit services provided by TRS and presented in this three-year contract. A recommendation to bring this contract to the City Council was made by the Ways and Means Subcommittee.

City staff recommends that the City Council authorize the contract and scope of services presented.

BUDGET (or FISCAL) IMPACT: The total amount of the three-year contract is $316,900. The general fund incurs approximately 75% of that cost, with the remainder allocated to the funds used to account for the Perris Public Financing Authority, the Perris Public Utility Authority, the Perris Housing Authority, the Perris Joint Powers Authority, and the Perris Community Economic Development Corporation.

Reviewed by:
City Attorney
Assistant City Manager
Ron Carr

Attachments:
1. Contract Services Agreement

Consent
CITY OF PERRIS

CONTRACT SERVICES AGREEMENT FOR

AUDIT SERVICES

This Contract Services Agreement ("Agreement") is made and entered into this ___ day of ____________, 20__, by and between the City of Perris, a municipal corporation ("City"), and __________________________, a Teaman Ramirez & Smith, Inc., a California Corporation ("Consultant").

NOW, THEREFORE, the parties hereto agree as follows:

1.0 SERVICES OF CONSULTANT

1.1 Scope of Services. In compliance with all of the terms and conditions of this Agreement, Consultant shall perform the work or services set forth in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by reference. Consultant warrants that all work or services set forth in the Scope of Services will be performed in a competent, professional and satisfactory manner. Additional terms and conditions of this Agreement, if any, which are made a part hereof are set forth in the "Special Requirements" attached hereto as Exhibit "B" and incorporated herein by this reference. In the event of a conflict between the provisions of Exhibit "B" and any other provisions of this Agreement, the provisions of Exhibit "B" shall govern.

1.2 Compliance With Law. All work and services rendered hereunder shall be provided in accordance with all ordinances, resolutions, statutes, rules and regulations of the City and any federal, state or local governmental agency of competent jurisdiction.

1.3 Licenses, Permits, Fees and Assessments. Consultant shall obtain, at its sole cost and expense, such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement.

2.0 COMPENSATION

2.1 Contract Sum. For the services rendered pursuant to this Agreement, Consultant shall be compensated in accordance with the "Schedule of Compensation" attached hereto as Exhibit "A" and incorporated herein by this reference, but not exceeding the maximum contract amount of three hundred sixteen thousand nine hundred dollars ($316,900) ("Contract Sum").

2.2 Method of Payment. Provided that Consultant is not in default under the terms of this Agreement, Consultant shall be paid as work progresses.
3.0 COORDINATION OF WORK

3.1 Representative of Consultant. Richard A. Teaman is hereby designated as being the representative of Consultant authorized to act on its behalf with respect to the work or services specified herein and make all decisions in connection therewith.

3.2 Contract Officer. The City's City Manager is hereby designated as being the representative the City authorized to act in its behalf with respect to the work and services specified herein and make all decisions in connection therewith ("Contract Officer"). The City may designate another Contract Officer by providing written notice to Consultant.

3.3 Prohibition Against Subcontracting or Assignment. Consultant shall not contract with any entity to perform in whole or in part the work or services required hereunder without the express written approval of the City. Neither this Agreement nor any interest herein may be assigned or transferred, voluntarily or by operation of law, without the prior written approval of City. Any such prohibited assignment or transfer shall be void.

3.4 Independent Contractor. Neither the City nor any of its employees shall have any control over the manner, mode or means by which Consultant, its agents or employees, perform the services required herein, except as otherwise set forth on Exhibit "A". Consultant shall perform all services required herein as an independent contractor of City and shall remain under only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of City.

4.0 INSURANCE AND INDEMNIFICATION

4.1 Insurance. Consultant shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement including any extension thereof, the following policies of insurance:

(a) Commercial General Liability Insurance. A policy of commercial general liability insurance using Insurance Services Office "Commercial General Liability" policy form CG 00 01, with an edition date prior to 2004, or the exact equivalent. Coverage for an additional insured shall not be limited to its vicarious liability. Defense costs must be paid in addition to limits. Limits shall be no less than $1,000,000.00 per occurrence for all covered losses and no less than $2,000,000.00 general aggregate.

(b) Workers' Compensation Insurance. A policy of workers' compensation insurance on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than $1,000,000 per accident for all covered losses.

(c) Automotive Insurance. A policy of comprehensive automobile liability insurance written on a per occurrence basis in an amount not less than $1,000,000.00 per accident, combined single limit. Said policy shall include coverage for owned, non owned, leased and hired cars.
(d) **Professional Liability or Error and Omissions Insurance.** A policy of professional liability insurance in an amount not less than $1,000,000.00 per claim with respect to loss arising from the actions of Consultant performing professional services hereunder on behalf of the City.

All of the above policies of insurance shall be primary insurance. The general liability policy shall name the City, its officers, employees and agents ("City Parties") as additional insureds and shall waive all rights of subrogation and contribution it may have against the City and the City’s Parties and their respective insurers. All of said policies of insurance shall provide that said insurance may be not cancelled without providing thirty (30) days prior written notice by registered mail to the City. In the event any of said policies of insurance are cancelled or amended, Consultant shall, prior to the cancellation or amendment date, submit new evidence of insurance in conformance with this Section 4.1 to the Contract Officer. No work or services under this Agreement shall commence until Consultant has provided City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance or binders are approved by City.

Consultant agrees that the provisions of this Section 4.1 shall not be construed as limiting in any way the extent to which Consultant may be held responsible for the payment of damages to any persons or property resulting from Consultant’s activities or the activities of any person or persons for which Consultant is otherwise responsible.

The insurance required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated “A” or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the Risk Manager of the City due to unique circumstances.

In the event that the Consultant is authorized to subcontract any portion of the work or services provided pursuant to this Agreement, the contract between the Consultant and such subcontractor shall require the subcontractor to maintain the same policies of insurance that the Consultant is required to maintain pursuant to this Section 4.1.

4.2 **Indemnification.**

(a) **Indemnity for Professional Liability.** When the law establishes a professional standard of care for Consultant’s services, to the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless City and the City’s Parties from and against any and all losses, liabilities, damages, costs and expenses, including attorneys’ fees and costs to the extent same are caused in whole or in part by any negligent or wrongful act, error or omission of Consultant, its officers, agents, employees of subcontractors (or any entity or individual for which Consultant shall bear legal liability) in the performance of professional services under this Agreement.

(b) **Indemnity for Other Than Professional Liability.** Other than in the performance of professional services and to the full extent permitted by law, Consultant shall indemnify, defend and hold harmless City and City’s Parties from and against any liability
(including liability for claims, suits, actions, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys' fees and costs, court costs, defense costs and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Consultant or by any individual or entity for which Consultant is legally liable, including but not limited to officers, agents, employees or subcontractors of Consultant.

5.0 TERM

5.1 Term. Unless earlier terminated in accordance with Section 5.2 below, this Agreement shall continue in full force and effect for the services provided in auditing Fiscal Years ending 2016, 2017, and 2018 (see attached Exhibit “A”).

5.2 Termination Prior to Expiration of Term. Either party may terminate this Agreement at any time, with or without cause, upon thirty (30) days' written notice to the other party. Upon receipt of the notice of termination, the Consultant shall immediately cease all work or services hereunder except as may be specifically approved by the Contract Officer. In the event of termination by the City, Consultant shall be entitled to compensation for all services rendered prior to the effectiveness of the notice of termination and for such additional services specifically authorized by the Contract Officer and City shall be entitled to reimbursement for any compensation paid in excess of the services rendered.

6.0 MISCELLANEOUS

6.1 Covenant Against Discrimination. Consultant covenants that, by and for itself, its heirs, executors, assigns and all persons claiming under or through it, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, marital status, national origin or ancestry.

6.2 Non-liability of City Officers and Employees. No officer or employee of the City shall be personally liable to the Consultant, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to the Consultant or to its successor, or for breach of any obligation of the terms of this Agreement.

6.3 Conflict of Interest. No officer or employee of the City shall have any financial interest in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which affects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any state statute or regulation. The Consultant warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement. When requested by the Contract Officer, prior to the City’s execution of this Agreement, Consultant shall provide the City with an executed statement of economic interest.

6.4 Notice. Any notice or other communication either party desires or is required to give to the other party or any other person shall be in writing and either served
personally or sent by prepaid, first class mail, in the case of the City, to the City Manager and to the attention of the Contract Officer, City of Perris, 101 North “D” Street, Perris, CA 92570, and in the case of the Consultant, to the person at the address designated on the execution page of this Agreement.

6.5 Interpretation. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

6.6 Integration; Amendment. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and that this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by a writing signed by both parties.

6.7 Severability. In the event that part of this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining portions of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

6.8 Waiver. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

6.9 Attorneys' Fees. If either party to this Agreement is required to initiate, defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, shall be entitled to reasonable attorneys' fees, whether or not the matter proceeds to judgment.

6.10 Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

[SIGNATURES ON NEXT PAGE]
IN WITNESS WHEREOF, the parties have executed and entered into this Agreement as of the date first written above.

ATTEST:

"CITY"
CITY OF PERRIS

By: ____________________________  By: ____________________________
Nancy Salazar, City Clerk  Richard Belmudez, City Manager

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

________________________________________
Eric L. Dunn, City Attorney

"CONSULTANT"
TEAMAN RAMIREZ & SMITH, INC., a California Corporation

By: ____________________________  Signature

________________________________________
Print Name and Title

By: ____________________________  Signature

________________________________________
Print Name and Title

(Corporations require two signatures; one from each of the following: A. Chairman of Board, President, any Vice President; AND B. Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, or Chief Financial Officer.)

[END OF SIGNATURES]
EXHIBIT "A"

SCOPE OF SERVICES

[See Attached]
EXHIBIT "B"

SPECIAL REQUIREMENTS

[None]
Meeting Date: May 10, 2016

SUBJECT: Triple Crown Wall (Phase I)

REQUESTED ACTION: Approve Contract with Greer’s Concrete; Reject Other Bid; Approve $25,000 Expenditure to Remove Existing Wall; Authorize Construction Contingency of 15% and Start Bidding Process of 2nd Phase

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: First phase of Triple Crown Wall along Orange Avenue is proposed from Perris Boulevard east along Orange Avenue for a distance of 1000’ to intersection with Kingman Street. The project also includes removal and replacement of existing storm drain system in conflict with the wall, this item may be deleted from this contract and negotiated with others or eliminated all together.

At the bid opening on April 4, 2016, 2 bids were received (see attached). John Greer is a small local contractor with some experience with Perris projects. Due to Contractor’s limited experience with this type of work and complexity of the project, it is anticipated that implementation of this project require additional assistance from building, parks and engineering staff. The Building Division will be monitoring the wall construction, Parks will be responsible for removal of existing landscaping in conflict with the wall.

Additional cost to remove the existing wall is also recommended to be approved. The current specifications allows the Contractor at his option to remove only the interfering portions of the wall. This provision may create a situation that will cause City to be responsible for removal of the remaining sections at future date, the cost of this work is $25,000.

It is also recommended the Council authorize the start of the bidding process for 2nd phase of the project along Perris Boulevard starting at Orange Avenue and ending at Gallant Fox Street.

We anticipate start of construction late May, early June and completion within 60 days subject to utility clearance.

BUDGET (or FISCAL) IMPACT: This project is identified under CIP F034 and adequate funding is available to complete Phase I, plus $25,000 for existing wall removal and 15% construction contingency.
Reviewed by:
City Attorney
Assistant City Manager

Attachments:  CIP Sheet F034
             Bid Summary
             Exhibit

Consent: Yes
Public Hearing: 
Business Item: 
Other: 
CITY OF PERRIS
Capital Improvement Program Project Details

Project Title: Triple Crown Community Wall

Project Description: Phase I of the project will include making targeted repairs to the most dilapidated sections of the wall, including incidental repairs to public and private improvements. Phase II will involve design and construction of a permanent wall.

Project Number: F034
Managing Department(s)
Public Works - Eng Admin

Project Status:
- New
- Pending
- RFP Prepared
- In Design
- Out to Bid
- Under Construction

Impact on Future Operating Costs
- Increase
- Decrease
- Minimal

Project Statistics:
- Project related to: Safety & Health FY 14/15

Financial Requirements:
Initial Cost Estimate by Category

<table>
<thead>
<tr>
<th>Category</th>
<th>Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Acquisition / Right of Way</td>
<td></td>
</tr>
<tr>
<td>Engineering / Architecture</td>
<td></td>
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<tr>
<td>Internal Costs (staff &amp; operational Expenses)</td>
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<tr>
<td>Construction</td>
<td></td>
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<tr>
<td>Construction Mgmt / Inspection</td>
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<tr>
<td>Other - Specify</td>
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<tr>
<td>Total</td>
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Project Summary

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Total Funded</td>
<td>$1,300,000</td>
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<tr>
<td>Total Project Costs</td>
<td>$22,858</td>
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<tr>
<td>Sub-total</td>
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<tr>
<td>Restricted Funds</td>
<td></td>
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<td>Available Funds</td>
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Restricted Funding
- Yes

Funding Allocation

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<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>General Fund</td>
<td>154</td>
<td>650,000</td>
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<td>-</td>
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<tr>
<td>CEDC</td>
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<td>-</td>
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<td>-</td>
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<tr>
<td>Total</td>
<td></td>
<td>1,300,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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</tbody>
</table>

Initial Cost: Estimate
Remains Unfunded

Budget Amendment Notes

<table>
<thead>
<tr>
<th>Date</th>
<th>Description / Action</th>
<th>Adopted Budget</th>
<th>Amendment</th>
<th>Amended Budget</th>
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<tbody>
<tr>
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<td>$</td>
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<tr>
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<td>Original CEDC Budget</td>
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<td>$</td>
<td>1,300,000</td>
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</table>

As of 12/31/2015
### Triple Crown Residential Tract Wall Project

#### Post Date: 03/01/2016 17:14 PST

#### Due Date: 04/04/2016 before 14:00 PDT

#### Estimated Value: $320,000

<table>
<thead>
<tr>
<th>#</th>
<th>Name</th>
<th>Company</th>
<th>Address</th>
<th>Phone</th>
<th>Amount</th>
<th>Submitted</th>
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<td></td>
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<td></td>
<td>Perris, CA 92570</td>
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<td></td>
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<tr>
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<td></td>
<td>Perris, CA 92570</td>
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</tbody>
</table>
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date: May 10, 2016

SUBJECT: Approve California Infrastructure and Economic Development Bank (CIEDB) Sewer Loan Rate Stabilization Fund

REQUESTED ACTION: Authorize staff to create a rate stabilization fund in the Sewer Fund to satisfy the CIEDB loan covenants.

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION:
The City entered into an Enterprise Fund Installment Sale Agreement to fund various capital improvements for the City’s sewer system on July 23, 2002. One of the debt covenants of the agreement require that City maintain “Pledged Net System Revenues” to be at least equal to one hundred and ten percent (110%) of annual Debt Service for any fiscal year. If this debt covenant is not met, the agreement is considered to be in an “Event of Default” and City can cure this default by increasing sewer service rates, fees, or charges no later than 180 days following the date on which the Sewer Fund failed to meet this requirement. Upon notification of an event of default, CIEDB may declare the principal and accrued interest on all unpaid installments to be due and payable immediately or require a rate stabilization fund be created. The City’s Sewer Enterprise Fund did not meet this requirement for the fiscal year ended June 30, 2015 and the remaining principal balance of the loan is approximately $974,000.

On April 19, 2016, this item was reviewed by the Ways and Means Subcommittee. The recommendation to staff was to request City Council approval to set up a rate stabilization fund. With this recommendation, an Event of Default is avoided and an immediate payoff of the loan will not be required at this time. Per CIEDB, City Council approval of a resolution directing staff to set up a rate stabilization account sufficient to meet the debt service covenant is required. The amount required to be moved from unrestricted fund balance to restricted fund balance is $104,570.

Staff recommends that the City Council approve the rate stabilization fund resolution.

BUDGET (or FISCAL) IMPACT: The Sewer Fund unrestricted fund balance is sufficient to cover the $104,570.

Reviewed by:
Assistant City Manager
City Attorney

Consent
Attachments: Rate Stabilization Fund Resolution
RESOLUTION NUMBER ________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, ADOPTING A RESERVATION OF FUND BALANCE TO CREATE A RATE STABILIZATION FUND IN THE SEWER ENTERPRISE FUND

WHEREAS, the City of Perris entered into an Enterprise Fund Installment Sale Agreement with California Infrastructure and Economic Development Bank ("CIEDB") to fund capital improvements for the City’s sewer system on July 23, 2002; and

WHEREAS, the Enterprise Fund Installment Sale Agreement debt covenant requires the City’s Sewer Fund to maintain “Pledged Net System Revenues” of 110% of annual debt service payments due to CIEDB; and

WHEREAS, the City’s Sewer Fund did not meet the debt covenant of maintaining net revenues of 110% of annual debt service, which is considered an “Event of Default” in the Enterprise Fund Installment Sale Agreement; and

WHEREAS, the Enterprise Fund Installment Sale Agreement allows the City to create a rate stabilization fund to satisfy the debt covenant and to avoid the “Event of Default” or immediate call of the loan; and

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

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

Section 2. The City of Perris shall establish a rate stabilization account to satisfy the CIEDB sewer loan debt covenant by restricting fund balance in the amount of $104,570.

Section 3. The rate stabilization account is to be established to cause net revenues, as defined in the Enterprise Fund Installment Sale Agreement, plus the rate stabilization account to exceed or equal the debt covenant.

Section 4. The City of Perris Sewer fund has sufficient unrestricted fund balance available for a transfer of $104,570, the amount necessary to satisfy the debt covenant, to the rate stabilization fund account.

Section 5. The City Clerk shall certify as to the adoption of this Resolution.
ADOPTED, SIGNED, and APPROVED this 10th day of May, 2016.

Mayor, Daryl R. Busch

[SEAL]

ATTEST:

Nancy Salazar, City Clerk
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 ________ was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held on the 10th day of May, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

(SEAL)

________________________________________
Nancy Salazar, City Clerk
SUBJECT: Award of Bids to SPEC Construction Co. for Commercial Seismic Retrofit on the Perris Theater, at 279 S D Street.

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

CONTACT: Michael McDermott, Chief Operating Office

BACKGROUND/DISCUSSION:

The project was originally bid, February 18, 2016, using the informal procedures in Municipal Code Section 3.32.290 for public projects up to $175,000, because the project was estimated to be less than that amount.

The lowest responsible bid using the informal process was $249,299, so the project was re-bid using the formal procedures in Section 3.32.300, bids were due May 2, 2016. However, no bids were received at the bid opening date. According to Section 3.32.300(J), if no bids are received the project may be performed by employees of the City, or by the informal procedures in Section 3.32.290. Therefore, staff is recommending that the City Council award the project to SPEC Construction Co. at the amount bid previously under the informal bidding procedures.

BUDGET (or FISCAL) IMPACT:

The Project is a budgeted expense in the Perris CEDC budget.

Reviewed by:
Assistant City Manager:
Redevelopment and Economic Development Manager:
Attachments: Invitation to Bid, Project Information Sheet, Information for Bidders, Bid Form
Consent: XXX
CONTRACTOR'S FINAL BID RESULTS FOR 279 SOUTH D STREET/PERRIS THEATER SEISMIC RETROFIT PROJECT

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>BID AMOUNTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Spec Construction Company, Inc.</td>
<td>$249,299.00</td>
</tr>
<tr>
<td>2 Whipple Construction Services, Inc.</td>
<td>$249,337.00</td>
</tr>
<tr>
<td>3 KPRS Construction</td>
<td>No Bid</td>
</tr>
</tbody>
</table>
Invitation to Bid

DATE: January 21, 2016
FROM: Anthony Hurley, Construction Manager
REFERENCE: Perris Theater Seismic Retrofit Project
SITE ADDRESS: 279 South D Street, Perris, CA 92570
DUE DATE: February 16, 2016 - BEFORE 2:00 P.M.

Dear Contractor:

You are invited to submit a proposal for the Perris Theater Seismic Retrofit Project for the site referenced above.

This is an informal bid process, the Corporation at its sole discretion may accept or reject any bid, the Corporation may favor local contractors, and low bid will not automatically be accepted. Contractors, when submitting a bid, you acknowledge and accept these terms.

The modifications of this site are specified in the attached work write-up. Please note that change orders will not be accepted, unless the project findings are detrimental to applicants and their environment, and as authorized by the Program Administrator. All overhead, profit, and any addendum showing required work not covered on our Work Write-Up should be included in the total cost estimate. The property must be carefully examined, and quantities and field conditions verified.

In order to establish standards of quality, the detailed specification may refer to certain product by name and/or from a major manufacturer. This procedure is not to be construed for competition of other products of equal or better quality by other manufacturer. All items listed on work description, unless otherwise specified, shall include all patching, finish painting and/or staining, and site clean-up. The Contractor is responsible for obtaining all required building construction permits, fees, city business license, plans, etc. Contractor should have a current California State License, City of Perris Business License, Worker's Compensation Insurance, Commercial General Liability Insurance, Builder's All Risk Insurance, and Automotive Liability Insurance. Subcontractors are required to have the same insurance coverage unless they are named as an additional insured on the General Contractor's Policy.

Contractors are to submit their bids on the supplied Work Write-Up prior to the specified due date above. The Bid Docs, Contract Docs, Plans and Specs are included with this letter. Mandatory Pre-bid Job walk scheduled for February 01, 2016, at 11:00 a.m. The last day to submit for technical inquiries shall be no later than 2:00 p.m. on February 05, 2016. All requests for information shall be through email to: ahurley@cityofperris.org and discuss@cityofperris.org.
All construction work will be performed in accordance with the current California Building Code (2013 CBC, ASCE 7-10 Building Code). The contractor will provide property owner with all necessary written labor, material, and workmanship warranties and guarantees upon completion of job. The contractors shall also provide all pertinent unconditional lien releases and final building department sign off.

MINIMUM AND PREVAILING WAGES: Notice is hereby given that the Contractor must comply with the State's latest established wage decision.

COMPLIANCE WITH SB 854 DEPARTMENT OF INDUSTRIAL RELATIONS REGISTRATION: (1) No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code Section 1771.1(a)]; (2) No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. All bids must include current, valid verifications from the Department of Industrial Relations of their registration and qualification status; (3) This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) The contractor will be required to post job site notices regarding Labor Code compliance as described in Title 8 California Code of Regulation Section 16451(d); (5) Contractors must submit all certified payroll records (CPR's) directly to the Labor Commissioner.

Contractors must list and submit the dollar amount for each construction work line item; contractor is not allowed to deviate from the written work description. If at any time the contractor has any questions regarding this bid, call the City of Perris Community Economic Development Corporation staff person in charge of the project.

Start Date: March 08, 2016

Proposed Completion: August 08, 2016

Contractor (Company):

Representative/ Title:

Address & Telephone:

License Number:

Contractor Signature:

For the submittal of bids, the City uses Active Bidder (www.activebidder.com). Please submit bids through this website. You must register on the Active Bidder site to bid on City projects. Registration is free. E-mail submissions and faxes are not accepted.

The CORPORATION reserves the right to accept or reject any or all bids, to waive any irregularity and to take all bids under advisement for a period of sixty (60) days. If you have any questions regarding any of the items listed above, please contact our Project Manager at (951) 943-6504 (Dawn Fiscus), or Construction Manager at (951) 943-5003 x285 (Anthony Hurley). Thank you, City of Perris Community Economic Development Corporation
Project Information Sheet

Project: 279 South D Street/Perris Theater Seismic Retrofit Project

Out to Bid: Thursday, January 21, 2016, at 1:00 p.m.

Mandatory Pre-Bid Job Walk: February 01, 2016, at 11:00 a.m.

Bid Due Date: February 18, 2016, at 2:00 p.m.

Expected Bid Award Date: February 23, 2016

Mandatory Construction Start Date: March 08, 2016

Construction Time: 150 calendar days

Liquidated Damages: $500 per calendar day

Project Description: Commercial Seismic Retrofit

Contact Person for General Inquiries: Dawn Fiscus, Project Manager, (email only): dfiscus@cityofperris.org

Contact Person for Technical Inquiries: Anthony Hurley, Construction Manager, (email only): ahurley@cityofperris.org

Note: See contract provisions, plans and specifications for details regarding the above information.
INFORMATION FOR BIDDERS

279 SOUTH D STREET/PERRIS THEATER SEISMIC RETROFIT PROJECT

1. All Bids must be made on the required Bid Form, an unbound copy of which is provided herein for that purpose. All blank spaces for Bid prices must be filled in, in ink or typewritten, and the Bid form must be fully completed and executed when submitted. Only one copy of the Bid form is required.

2. Bidders must satisfy themselves of the character of the Work to be performed by Examination of the site and reviewed of the Drawings and Specifications, including Addenda, if any. After Bids have been submitted, the Bidder shall not assert that there was a misunderstanding concerning the nature of the Work to be done.

3. The Contract Documents contain the provisions required for the construction of the Project. Information obtained from an officer, agent, or employee of the Corporation or any other person shall not affect the risks or obligations assumed by the Contractor or relieve him from fulfilling any of the conditions of the Contract.

4. Bonds and Insurance Certificates must be in the form required by the Corporation (substitutions may be permitted at the Corporation’s discretion). The Bond Company must be authorized to do business in the State of California.

5. A Payment Bond and a Contract Performance Bond (on the required form), each in the amount of one hundred percent (100%) of the Contract Price, with a corporate surety approved by the Corporation, will be required for the faithful performance of the Contract.

6. Progress Payments will be made to the Contractor in accordance with the provisions of the Contract Agreement and on itemized estimates duly certified and approved by the Corporation, Project Manager submitted in accordance therewith, based on labor and materials incorporated into said work during the preceding month by the Contractor.

7. Attorneys-in-fact who sign Payment Bonds and Contract Performance Bonds must file with each Bond a certified and effective dated copy of their power of attorney.

8. The party to whom the Contract is awarded will be required to execute the Contract and submit the Payment Bond, Contract Performance Bond, and Insurance Certificates on the required forms within ten (10) calendar days from the date of the Notice of Award.

9. The Corporation, within ten (10) days of receipt of acceptable Labor and Material Payment Bond, Contract Performance Bond, Insurance Certificates, and Contract signed by the party to whom the Contract was awarded, shall sign the Contract and return to such party an executed duplicate of the Contract.

10. Notice to Proceed to start construction (mandatory) is February 8, 2018. Should there be reasons why the Notice to Proceed cannot be issued for this date by Corporation, the time may be extended by the Corporation. If the Notice to Proceed has not been issued within the forty-five (45) day period or within the period mutually agreed upon, the Contractor may terminate the Contract without further liability on the party.
11. The Corporation may make such investigations as it deems necessary to determine the ability of the Bidder to perform the Work, and the Bidder shall furnish to the Corporation all such information and data for this purpose as the Corporation may request. A conditional or qualified Bid will not be accepted.

12. All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over construction of the Project shall apply to the Contract throughout.

13. Each Bidder is responsible for inspecting the site and for reading and being thoroughly familiar with the Contract Documents. Failure or omission of any Bidder to do any of the foregoing shall in no way relieve any Bidder for any obligation in respect to his bid.

14. The Bidder agrees to abide by the requirements under Executive Order No. 11246 (Equal Employment Opportunity Clause), as amended, California Labor Code 1410 et. seq., California Labor Code 1777.6, and Implement Corporation regulations concerning equal opportunity for apprentices.

15. All Bidders shall supply the names and address of Subcontractors as set forth in the Bid.

16. Successful Bidder and Subcontractors shall obtain a City Business License prior to commencing any work within City limits. The license can be obtained at: 101 North "D" Street, Penis, CA 92570.

17. MINIMUM AND PREVAILING WAGES: Notice is hereby given that the Contractor must comply with the State's latest established wage decision.

18. COMPLIANCE WITH SB 854 DEPARTMENT OF INDUSTRIAL RELATIONS REGISTRATION: (1) No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code Section 1771.1(a)]; (2) No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. All bids must include current, valid verifications from the Department of Industrial Relations of their registration and qualification status; (3) This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations; (4) The contractor will be required to post job site notices regarding Labor Code compliance as described in Title 8 California Code of Regulation Section 16451(d); (5) Contractors must submit all certified payroll records (CPR's) directly to the Labor Commissioner.

19. The Director of the Department of Industrial Relations has ascertained the general prevailing rate of per diem wages and the general rate for holiday and overtime work in the locality in which the work is to be performed for each craft or type of workman needed to execute the contract or work as hereinafter set forth (see Labor Code 1770 et. seq.). Copies shall be made available to any interested party upon request. The successful Bidder shall post a copy of such determination at each job site. Attention is called to the fact that not less than the minimum salaries and wages shall be paid on this project by all Contractors and Subcontractors. As requested, the successful Bidder shall provide the Corporation with copies of certified payroll on forms provided by the Division of Labor Standards Enforcement, (213) 620-6330, or other approval forms.

20. Since time is of the essence, Bidder agrees to commence work under this Contract on or before the mandatory construction start date of March 8, 2016, and to fully complete all work on or before the 150 calendar day after this date. Bidder agrees with the Corporation that if the project is not fully completed within said time, he shall pay as liquidated damages the sum of $500.00 (five hundred dollars) for each consecutive calendar day thereafter until such completion and that this amount shall be presumed to be the amount of damages sustained by Corporation in the event of such a breach by Bidder, as it would be impracticable or extremely difficult to fix the actual damage.
BID FORM

279 South D Street/Perris Theater Seismic Retrofit Project

TO THE CITY OF PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION, hereinafter called the Corporation, the undersigned, as Bidder, declares that he has carefully examined the location of the project, that he has examined the plans and specifications and addenda (if any), and has read the information for Bidders, and hereby proposes and agrees, if this bid is accepted, to furnish all materials to do all work required to complete the said plans and specifications in the time and manner herein prescribed for the Bid Price set forth in the Schedule of Bid Items.

No separate payment will be made for any item that is not specifically set forth in the Schedule of Bid Items. All costs, therefore, shall be included in the prices named in the Schedule of Bid Items for the various appurtenant items of work. In case of discrepancy between words and figures, words shall prevail.

Upon receipt of the Notice of Award, Contractor shall submit to the Corporation for approval, a detailed breakdown of the Contractor’s cost estimate into the various elements of materials and construction operations. When approved, this breakdown will serve as a basis for the Corporation to determine partial payments.

If awarded this contract, the Bidder agrees to execute the Contract and submit the Labor and Materials Payment Bond, Contract Performance Bond, and Insurance Certificates on the required forms within ten (10) calendar days from the date of the Notice of Award. The Notice of Award shall be accompanied by the necessary Contract, Bond, and Insurance Certificate forms.
279 South D Street/Perris Theater Seismic Retrofit Project

Bidder (Company Name):

Contractor's Signature:

The contractor shall submit a lump sum bid to cover all costs including materials, labor, insurance, bonds, and other work as shown on the plans, calculations and specifications including fees for permits to complete the project within 150-calendar days. The Contractor shall also complete and submit sheet BF-3. These figures shall be used to evaluate change orders and any deductions and/or additions to the contract.

TOTAL LUMP SUM BID: $
# Bid Schedule

<table>
<thead>
<tr>
<th>BID ITEM NO.</th>
<th>LUMP SUM</th>
<th>ITEM DESCRIPTION</th>
<th>TOTAL (FIGURES)</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>L.S.</td>
<td>Mobilization</td>
<td>$____________</td>
</tr>
<tr>
<td>2.</td>
<td>L.S.</td>
<td>Demolition</td>
<td>$____________</td>
</tr>
<tr>
<td>3.</td>
<td>L.S.</td>
<td>Roof Truss Retrofit Framing (Hardware, rods, steel angles, channels, &amp; shoring)</td>
<td>$____________</td>
</tr>
<tr>
<td>4.</td>
<td>L.S.</td>
<td>Shear Wall Framing</td>
<td>$____________</td>
</tr>
<tr>
<td>5.</td>
<td>L.S.</td>
<td>Sail Sign Retrofit Framing (HSS steel &amp; hardware)</td>
<td>$____________</td>
</tr>
<tr>
<td>6.</td>
<td>L.S.</td>
<td>Equipment</td>
<td>$____________</td>
</tr>
<tr>
<td>7.</td>
<td>L.S.</td>
<td>Finishes</td>
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<tr>
<td>8.</td>
<td>L.S.</td>
<td>Combination Building Permits</td>
<td>$____________</td>
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</tbody>
</table>

TOTAL BID ITEMS (1 - 8): $ ______________ (Figures)

OVERHEAD & PROFIT: $ ______________ (Figures)

BONDS & INSURANCE: $ ______________ (Figures)

TOTAL ALL ITEMS: $ ______________ (Figures)
Please note the following regarding bids:

A. Bid shall include all sales tax, and all other taxes and fees.
B. Bid is for a project complete-in-place.
C. Quantities above are for the purpose of comparison only, and payments will be made on a basis of actual measurements of work completed (except where noted otherwise such as for lump sum work).
DESIGNATION OF SUBCONTRACTORS

The Bidder shall set forth below the name and location of the mill, shop or office of each Subcontractor and the portions of the work, which will be done by that Subcontractor.

<table>
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<th>Trade:</th>
<th>% of Work</th>
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279 South D Street/Pearl Theater Seismic Retrofit
BID FORM
BFS
LISTING OF MANUFACTURERS

The Contractor shall submit this sheet with his Bid, completed, to list the manufacturers of materials he intends to use. It shall be understood that where the Contractor elects not to use the material manufacturers called for in the Specifications, he will substitute only items of equal quality, durability, functional character and efficiency as determined by the Corporation. The Contractor should ascertain prior to bidding the acceptability of substitutes. Only one manufacturer shall be listed for each item.

| Item or Material: | Manufacturer or Supplier: |

No change shall be allowed of any material manufacturer listed after receipt of Bids unless the manufacturer so listed cannot furnish materials meeting the Specifications. Should such change be allowed by the Corporation, there will be no increase in the amount of the Bid originally submitted.
SUBJECT: Façade Improvement Project Completion Report - 277 E 4th St.

REQUESTED ACTION: The Board of Directors: 1) Receive & File.

CONTACT: Michael McDermott, Chief Operating Officer

BACKGROUND/DISCUSSION:

The Board of Directors at a recent Strategic Planning session identified the 4th Street Gateway Area as the primary target of the Façade Program, given the size and visibility of the 4th St properties the budget is variable and project specific.

On September 29, 2015 the Board approved a pre bid budget, including contingencies, of $60,000 inclusive of Demolition, Landscaping, New Signage, Paint & Varied Construction.

The project has been completed with construction expenditures totaling $57,872.

BUDGET (or FISCAL) IMPACT:
The amount is a budgeted expense within the Perris CEDC Downtown Commercial Façade Program budget.

Prepared by:
Reviewed by:
Redevelopment & Economic Development Manager
Asst. City Manager

Attachments:
Consent XXX
SUBJECT: Façade Improvement Project Completion Report - 360 E 4th St.

REQUESTED ACTION: The Board of Directors: 1) Receive & File.

CONTACT: Michael McDermott, Chief Operating Officer

BACKGROUND/DISCUSSION:

The Board of Directors at a recent Strategic Planning session identified the 4th Street Gateway Area as the primary target of the Façade Program, given the size and visibility of the 4th St properties the budget is variable and project specific.

On September 29, 2015 the Board approved a pre bid budget, including contingencies, of $54,000 inclusive of New Signage, Paint & Varied Construction.

Unforeseen conditions and needed design adjustments required that the budget be revised to $61,500, which the Board approved at the March 29, 2016 meeting.

The project has been completed with construction expenditures totaling $59,327.05.

BUDGET (or FISCAL) IMPACT:
The amount is a budgeted expense within the Perris CEDC Downtown Commercial Façade Program budget.

Prepared by:
Reviewed by:
Redevelopment & Economic Development Manager
Asst. City Manager
Attachments:
Consent XXX
CITY COUNCIL
AGENDA SUBMITTAL

Meeting Date May 10, 2016

SUBJECT: Annual Engineer’s Report for Maintenance District No. 84-1 (FY 2016/2017)

REQUESTED ACTION:
Open & Close Public Hearing and Adoption of Resolution Confirming the Assessments
under MD 84-1 for FY 2016/2017

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCussion: MD 84-1 includes residential tracts & commercial developments throughout the City as shown on the Assessment Diagram, Attachment 2. This District provides funding for the annual maintenance of street lights and traffic signals constructed in conjunction with new development.

In order to continue collecting assessments on the tax roll, each year certain proceedings are conducted by the City Council. On March 8, 2016, the City Council ordered preparation of the annual assessments and on April 12, 2016 approved a resolution stating the intention to levy annual assessments and hold a public hearing on May 10, 2016.

The annual assessment for a single family home (one benefit unit (BU)) is $46.28. At 4.2 BU per acre, the annual assessment for non-residential properties is $194.38 per acre.

BUDGET (or FISCAL) IMPACT: The total proposed assessment levy for FY 2016/2017 is $856,017.08. This funding will provide for the energy and maintenance expense of 3,750 street lights and 59 traffic signals.

Reviewed by:
Assistant City Manager

City Attorney

Attachments:
1. Resolution Confirming the Assessments, Maintenance District No. 84-1 for Fiscal Year 2016/2017
2. Assessment Diagram

Public Hearings:
RESOLUTION NUMBER


WHEREAS, the City Council of the City of Perris, County of Riverside, California ("the City Council"), on April 12, 2016, adopted its Resolution of Intention declaring its intention to continue the operation of City of Perris Maintenance District Number 84-1 (the "District") for the installation, construction, maintenance, servicing and operation of the public traffic signals and lighting and appurtenant facilities in the District; and

WHEREAS, the Engineer of Work has filed with the City Clerk his report (the "Engineer’s Report") containing the matters specified in Section 22567, et seq., of the Code; and

WHEREAS, the Engineer’s Report has been duly presented by the City Clerk to this City Council for consideration and has been fully considered by the City Council; and

WHEREAS, the proposed Resolution of Intention fixed May 10, 2016, at 6:30 p.m. in the City Council Chambers of the City of Perris, California, as the time and place for a hearing on the question of the continued operation of the District and the levy of assessments for Fiscal Year 2016-2017, and provided for notice of said hearing; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for publication of notice and this City Council hereby finds that notice was published as required by law; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for mailed notice and this City Council hereby finds that notice was mailed as required by law; and

WHEREAS, the hearing was duly opened and held by this City Council at the time and place for the hearing; and
WHEREAS, at the time and place fixed in such notice, a hearing was duly held by the City Council whereat all written appeals, protests or objections, if any, were duly presented and read, and all persons desiring to be heard thereon were heard, and this City Council gave all persons present an opportunity to be heard in respect of any matter relating to said assessment, to any act or determination of this City Council in relation thereto, to any matter in connection with said report, or to the correctness of the assessment or diagram, or to any other matters relating to these proceedings; and;

WHEREAS, the public interest and convenience require the continued installation, construction, maintenance, servicing and operation of traffic signals and public lighting and appurtenant facilities within the proposed District; and

WHEREAS, all the lots and lands within said District will be benefited by maintenance of the traffic signals and lighting.

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

Section 1. Protests. That said hearing has been duly held; that each and every step in the proceedings prior to and including said hearing has been duly and regularly taken; that the written protests received by the City Clerk at or before the hearing have been read and considered by the City Council.

Section 2. Necessity. That the public interest, convenience and necessity require the continued installation, construction, maintenance, servicing and operation of said public traffic signals and lighting improvements.

Section 3. Benefit. That all the land included within the boundaries of said District as shown on the diagram thereof will be benefited by said improvement and the maintenance, servicing and operation thereof; and that the proposed assessment of the total amount of the cost and expenses of said improvement upon the several parcels and subdivisions of land in said District is in proportion to the benefits to be received by such parcels and subdivisions, respectively, from the improvement and the maintenance, servicing and operation thereof.

Section 4. Boundaries. That the exterior boundaries of the District are as set forth in the diagram contained in the Engineer's Report on file with the City Clerk.
Section 5. Engineer’s Report. That the Engineer’s Report and the method of assessment and the diagram and assessment for Fiscal Year 2016-2017 as set forth in the Engineer’s Report, are hereby approved and confirmed, and the passage of this resolution shall continue the operation of City of Perris Maintenance District Number 84-1 and shall constitute the levy of an assessment for the Fiscal Year 2016-2017.

Section 6. Diagram and Assessment. 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 7. Collection of Assessment. That it is the intention of this City Council to collect annual assessments on the Riverside County assessment roll commencing in Fiscal Year 2016-2017 pursuant to the procedures set forth in Section 22620, et seq, of the Code.

ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

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 held the 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
City Clerk, Nancy Salazar
LEGEND

--- --- ---

CITY BOUNDARY

MAINTENANCE DISTRICT AND DEVELOPMENT BOUNDARY

(A)

ASSESSED (BENEFIT ZONE 1)

(NA)

NOT ASSESSED (BENEFIT ZONE 2)

CUP

CONDITIONAL USE PERMIT

DPR

DEVELOPMENT PLAN REVIEW

PM

PARCEL MAP

PPR

PLOT PLAN REVIEW

PUP

PUBLIC USE PERMIT

TT

TENTATIVE TRACT OR TRACT
SUBJECT: Annual Engineer’s Report for Landscape Maintenance District No. 1 (FY 2016/2017)

REQUESTED ACTION:
Open & Close Public Hearing and Adoption of Resolution Confirming the Assessments under LMD 1 for FY 2016/2017

CONTACT: Habib Mollahg, City Engineer

BACKGROUND/DIscussion: LMD 1 includes residential tracts and commercial developments throughout the City. For a specific location, reference is made to Attachment 2 for the actual location of these areas. This District provides funding for the annual maintenance of landscape improvements constructed in conjunction with new development.

In order to continue collecting assessments on the tax roll, an annual assessment is brought to the City Council for approval. On March 8, 2016, the City Council ordered the preparation of the annual assessments and on April 12, 2016 approved a resolution stating the Council’s intention to levy annual assessments and hold a public hearing on May 10, 2016.

BUDGET (or FISCAL) IMPACT: Eighty-three benefit zones (BZ) and twelve sub-zones for parks will be assessed for Fiscal Year 2016/2017. The FY 2016/2017 assessments total $2,168,770.89.

Reviewed by:

Assistant City Manager

City Attorney

Attachments:
1. Resolution Confirming the Assessments under Maintenance District No. LMD 1 for Fiscal Year 2016/2017
2. Assessment Diagram

Public Hearings:
RESOLUTION NUMBER


WHEREAS, the City Council of the City of Perris, County of Riverside, California ("the City Council"), on April 12, 2016, adopted its Resolution of Intention declaring its intention to continue the operation of City of Perris Landscape Maintenance District Number 1 (the "District") for the installation, construction, maintenance, servicing and operation of the public landscaping improvements and appurtenant facilities in the District; and

WHEREAS, the Engineer of Work has filed with the City Clerk his report (the "Engineer’s Report") containing the matters specified in Section 22567, et seq., of the Code; and

WHEREAS, the Engineer’s Report has been duly presented by the City Clerk to this City Council for consideration and has been fully considered by the City Council; and

WHEREAS, the proposed Resolution of Intention fixed May 10, 2016, at 6:30 p.m. in the City Council Chambers of the City of Perris, California, as the time and place for a hearing on the question of the continued operation of the District and the levy of assessments for Fiscal Year 2016-2017, and provided for notice of said hearing; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for publication of notice and this City Council hereby finds that notice was published as required by law; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for mailed notice and this City Council hereby finds that notice was mailed as required by law; and

WHEREAS, the hearing was duly opened and held by this City Council at the time and place for the hearing; and
WHEREAS, at the time and place fixed in such notice, a hearing was duly held by the City Council whereat all written appeals, protests or objections, if any, were duly presented and read, and all persons desiring to be heard thereon were heard, and this City Council gave all persons present an opportunity to be heard in respect of any matter relating to said assessment, to any act or determination of this City Council in relation thereto, to any matter in connection with said report, or to the correctness of the assessment or diagram, or to any other matters relating to these proceedings; and;

WHEREAS, the public interest and convenience require the continued installation, construction, maintenance, servicing and operation of public landscaping improvements and appurtenant facilities within the proposed District; and

WHEREAS, all the lots and lands within said District will be benefited by maintenance of the public landscaping improvements.

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

Section 1. Protests. That said hearing has been duly held; that each and every step in the proceedings prior to and including said hearing has been duly and regularly taken; that the written protests received by the City Clerk at or before the hearing have been read and considered by the City Council.

Section 2. Necessity. That the public interest, convenience and necessity require the continued installation, construction, maintenance, servicing and operation of said public landscaping improvements and appurtenant facilities.

Section 3. Benefit. That all the land included within the boundaries of said District as shown on the diagram thereof will be benefited by said improvement and the maintenance, servicing and operation thereof; and that the proposed assessment of the total amount of the cost and expenses of said improvement upon the several parcels and subdivisions of land in said District is in proportion to the benefits to be received by such parcels and subdivisions, respectively, from the improvement and the maintenance, servicing and operation thereof.

Section 4. Boundaries. That the exterior boundaries of the District are as set forth in the diagram contained in the Engineer’s Report on file with the City Clerk.
Section 5. Engineer's Report. That the Engineer's Report and the method of assessment and the diagram and assessment for Fiscal Year 2016-2017 as set forth in the Engineer's Report, are hereby approved and confirmed, and the passage of this resolution shall continue the operation of City of Perris Landscape Maintenance District Number 1 and shall constitute the levy of an assessment for the Fiscal Year 2016-2017.

Section 6. Diagram and Assessment. 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 7. Collection of Assessment. That it is the intention of this City Council to collect annual assessments on the Riverside County assessment roll commencing in Fiscal Year 2016-2017 pursuant to the procedures set forth in Section 22620, et seq, of the Code.

ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Nancy Salazar
RESOLUTION NUMBER

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

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number XXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 10th day of May, 2016, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

________________________________________
City Clerk, Nancy Salazar
DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2016/2017

SEE SHEET 4
SEE SHEET 5
SEE SHEET 6
SEE SHEET 7
SEE SHEET 8
SEE SHEET 9
SEE SHEET 10
SEE SHEET 11

DUEMBRIS CHANNEL
SACRAMENTO RIVER
PLACENTIA AVENUE
ORANGE AVENUE
HUEVO ROAD
MOUNTAIN AVENUE
GETZ ROAD
HOLAHOLI ROAD

NOT TO SCALE

PREPARED BY SHEPHERD & STAATS, INC. (760) 639-8124

SHEET 2 OF 11
DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2016/2017
DIAGRAM OF
LANDSCAPE MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2016/2017

SEE SHEET 9

NOT TO SCALE

PREPARED BY SHEPHERD & STAATS, INC. (760) 639-4124

SHEET 11 OF 11
SUBJECT: Annual Engineer’s Report for Flood Control Maintenance District No. 1 (FY 2016/2017)

REQUESTED ACTION: 
Open & Close Public Hearing and Adoption of Resolution Confirming the Assessments under FCMD 1 for FY 2016/2017

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: FCMD 1 includes residential tracts and commercial developments throughout the City. For a specific location, reference is made to Attachment 2 for the actual location of these areas. This District provides funding for the annual maintenance of street and flood control improvements constructed in conjunction with new development.

In order to continue collecting assessments on the tax roll, an annual assessment is brought to the City Council for approval. On March 8, 2016, the City Council ordered the preparation of the assessments for FCMD 1 and on April 12, 2016 approved a resolution stating the Council’s intention to levy annual assessments and hold a public hearing on May 10, 2016.

BUDGET (or FISCAL) IMPACT: Fifty-seven benefit zones (FCBZ) will be assessed in Fiscal Year 2016/2017. The assessments for FY 2016/2017 total $1,540,197.26.

Reviewed by:

Assistant City Manager ____________________________

City Attorney ____________________________

Attachments:

1. Resolution Confirming the Assessments under Maintenance District No. FCMD 1 for Fiscal Year 2016/2017
2. Assessment Diagram

Public Hearings:
RESOLUTION NUMBER


WHEREAS, the City Council of the City of Perris, County of Riverside, California ("the City Council"), on April 12, 2016, adopted its Resolution of Intention declaring its intention to continue the operation of City of Perris Flood Control Maintenance District Number 1 (the "District") for the installation, construction, maintenance, servicing and operation of the public flood control improvements, streets and appurtenant facilities in the District; and

WHEREAS, the Engineer of Work has filed with the City Clerk his report (the "Engineer’s Report") containing the matters specified in Section 54703, et seq., of the Government Code; and

WHEREAS, the Engineer’s Report has been duly presented by the City Clerk to this City Council for consideration and has been fully considered by the City Council; and

WHEREAS, the proposed Resolution of Intention fixed May 10, 2016, at 6:30 p.m. in the City Council Chambers of the City of Perris, California, as the time and place for a hearing on the question of the continued operation of the District and the levy of assessments for Fiscal Year 2016-2017, and provided for notice of said hearing; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for publication of notice and this City Council hereby finds that notice was published as required by law; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for posting of notice and this City Council hereby finds that notice was posted as required by law; and

WHEREAS the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for mailed notice and this City Council hereby finds that notice was mailed as required by law; and

WHEREAS, the hearing was duly opened and held by this City Council at the time and place for the hearing; and
WHEREAS, at the time and place fixed in such notice, a hearing was duly held by the City Council whereat all written appeals, protests or objections, if any, were duly presented and read, and all persons desiring to be heard thereon were heard, and this City Council gave all persons present an opportunity to be heard in respect of any matter relating to said assessment, to any act or determination of this City Council in relation thereto, to any matter in connection with said report, or to the correctness of the assessment or diagram, or to any other matters relating to these proceedings; and;

WHEREAS, the public interest and convenience require the continued installation, construction, maintenance, servicing and operation of public flood control improvements, streets, and appurtenant facilities within the proposed District; and

WHEREAS, all the lots and lands within said District will be benefited by maintenance of the public flood control improvements and streets.

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

Section 1. Protests. That said hearing has been duly held; that each and every step in the proceedings prior to and including said hearing has been duly and regularly taken; that the written protests received by the City Clerk at or before the hearing have been read and considered by the City Council.

Section 2. Necessity. That the public interest, convenience and necessity require the continued installation, construction, maintenance, servicing and operation of said public flood control improvements, streets, and appurtenant facilities.

Section 3. Benefit. That all the land included within the boundaries of said District as shown on the diagram thereof will be benefited by said improvement and the maintenance, servicing and operation thereof; and that the proposed assessment of the total amount of the cost and expenses of said improvement upon the several parcels and subdivisions of land in said District is in proportion to the benefits to be received by such parcels and subdivisions, respectively, from the improvement and the maintenance, servicing and operation thereof.

Section 4. Boundaries. That the exterior boundaries of the District are as set forth in the diagram contained in the Engineer’s Report on file with the City Clerk.

Section 5. Engineer’s Report. That the Engineer’s Report and the method of assessment and the diagram and assessment for Fiscal Year 2016-2017 as set forth in the Engineer’s Report, are hereby approved and confirmed, and the passage of this resolution shall continue the operation of City of Perris Flood Control Maintenance District Number 1 and shall constitute the levy of an assessment for the Fiscal Year 2016-2017.
Section 6. Collection of Assessment. That it is the intention of this City Council to collect annual assessments on the Riverside County assessment roll commencing in Fiscal Year 2016-2017.

ADOPTED, SIGNED and APPROVED this 10th day of May, 2016.

__________________________
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 held the 10th day of May, 2016, by the following called vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN:

__________________________
City Clerk, Nancy Salazar
FLOOD CONTROL SHEET INDEX

FC 01 TT 19893 SHEET 7
FC 02 TT 20538 SHEET 7
FC 03 TT 24499 SHEET 6
FC 04 TT 24715 SHEET 8
FC 05 TT 24809 SHEET 8
FC 06 PM 27544 SHEET 7
FC 07 PM 26618 SHEET 5
FC 08 DPR 98/94 SHEET 8
FC 09 DPR 99/0174 SHEET 5
FC 10 PUP 99/0079 SHEET 5
FC 11 CUP 99-0185 SHEET 9
FC 12 CUP 98-0081 SHEET 5
FC 13 DPR 97/0111 SHEET 5
FC 14 TT 30380 SHEET 6
FC 14 TT 29654 SHEET 6
FC 14 TT 29993 SHEET 6
FC 14 TT 29994 SHEET 6
FC 14 TT 22631 SHEET 6
FC 15 TT 29986 SHEET 10
FC 16 TT 24111 SHEET 7
FC 17 TT 30382 SHEET 9
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FC 18 TT 31683 SHEET 7
FC 19 TT 26386 SHEET 9
FC 20 DPR 98-0071 SHEET 9
FC 21 TT 30751 SHEET 7
FC 22 TT 30490 SHEET 6
FC 22 TT 30518 SHEET 6
FC 23 TT 31114 SHEET 9
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FC 25 TT 30682 SHEET 10
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FC 26 TT 31678 SHEET 9
FC 27 TT 31226 SHEET 8
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FC 29 TT 31178 SHEET 6
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FC 32 TT 30773 SHEET 6
FC 32 TT 31416 SHEET 6
FC 33 DPR 01/0123 SHEET 5
FC 34 TT 32262 SHEET 6
FC 35 TT 33227 SHEET 6
FC 35 AMND 22832 SHEET 6
FC 35 AMND 22633 SHEET 6
FC 36 TRIPLE CROWN ELEMENTARY SHEET 7
FC 37 DPR 04-0343 SHEET 5
FC 38 SKYVIEW ELEMENTARY SCHOOL SHEET 9

FC 39 DPR 05-0192 SHEET 5
FC 40 TT 32739 & 33720 SHEET 6
FC 41 PM 31832 SHEET 5
FC 42 PM 31743 SHEET 5
FC 43 TT 32769 SHEET 8
FC 44 TT 32707 & 32708 SHEET 6
FC 45 TT 30780 SHEET 6
FC 46 TT 32249 SHEET 6
FC 47 TT 31912 SHEET 8
FC 48 CUP 06-0158 SHEET 8
FC 49 TT 31660 SHEET 6
FC 50 TT 32428 SHEET 7
FC 51 TT 31926 SHEET 10
FC 52 PM 35676 SHEET 5
FC 53 TT 31650 & 32406 SHEET 8
FC 54 TT 31651 SHEET 9
FC 55 TT 31240 SHEET 9
FC 56 PM 33266 SHEET 11
FC 57 PM 34082 SHEET 11
FC 58 TT 34073 SHEET 8
FC 59 DPR 05-0279 SHEET 8
FC 60 DPR 04-0314 SHEET 7
FC 61 PM 34199 SHEET 4
FC 63 PM 31677 SHEET 5
FC 64 DPR 04-0464 SHEET 5
FC 65 DPR 06-0365 SHEET 5
FC 66 TT 33549 SHEET 8
FC 67 DPR 10-03-0009 SHEET 8
FC 68 DPR 10-03-0009 SHEET 8
FC 69 DPR 07-0045 SHEET 8
FC 70 AQUATICS CENTER SHEET 11
FC 71 PM 33587 SHEET 5
FC 72 PM 36010 SHEET 5
FC 73 PM 34131 SHEET 7
FC 74 CUP 12-04-0015 SHEET 9
FC 75 LOTS 27 & 28, TT 24045-1 SHEET 5
FC 76 SOUTHEAST HIGH SCHOOL SHEET 6
FC 77 TRACT 30850 SHEET 6
FC 78 DPR 12-05-0013 SHEET 8
FC 79 SUPERCEDED BY FC 84
FC 80 PARCEL 2, PM 36462 SHEET 5
FC 81 PM 36469 SHEET 5
FC 82 PM 35540 SHEET 5
FC 83 CLEARWATER ELE SCHOOL SHEET 7
FC 84 PARCEL 1, PM 36462 SHEET 5
FC 85 DPR 07-09-0018 SHEET 5
DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2016/2017

PREPARED BY SHEPHERD & SIEKINS, INC. (760) 693-4524
DIAGRAM OF
FLOOD CONTROL MAINTENANCE DISTRICT NO. 1
CITY OF FERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FISCAL YEAR 2016/2017

SEE SHEET 8

SEE SHEET 11

NOT TO SCALE

PREPARED BY SHEPHERD & STAATS, INC. (760) 639-5124
Meeting Date: May 10, 2016


REQUESTED ACTION: Introduce for first reading of Ordinance No. ___ to repeal Chapter 3.04 of the Municipal Code of the City of Perris established by Ordinance No. 153 in 1950

CONTACT: Jennifer Erwin, Assistant Director of Finance

BACKGROUND/DISCUSSION:
At the March 16, 2016 Ways and Means Subcommittee meeting, a recommendation to review the City's Municipal Code for outdated chapters was made to staff. The City Council approved this recommendation on March 29, 2016 at its regularly scheduled meeting.

In 1950, Ordinance No. 153 was adopted and created Chapter 3.04 of the City of Perris Municipal Code. This ordinance was reviewed with the Ways and Means Subcommittee on April 19, 2016 and determined to be outdated.

Staff recommends the City Council approve the repeal of this ordinance. A second reading will occur at the next regularly schedule City Council meeting.

BUDGET (or FISCAL) IMPACT: None

Reviewed by:
City Attorney
Assistant City Manager

Attachments:
1. City of Perris Ordinance Repealing Chapter 3.04 of the Municipal Code
2. City of Perris Ordinance No. 153 Creating Chapter 3.04 of the Municipal Code

Consent
ORDINANCE NO. _____


WHEREAS, on March 3, 1950, the City Council adopted Ordinance No. 153, which enacted Sections 3.04.010 and 3.04.020 of Chapter 3.04 of the City of Perris Municipal Code; and

WHEREAS, the City Council has determined to repeal old ordinances and sections of the Municipal Code that are no longer applicable.

WHEREAS, the City Council now desires to repeal these sections.

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

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

Section 2. No Repeal of other Provisions. Ordinance 153 is hereby repealed. Unless expressly modified or added herein, all provisions of Title 3 remain in full force and effect.

Section 3. Effective Date. This Ordinance shall take effect 30 days after its adoption.

Section 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 5. Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.
ADOPTED, SIGNED and APPROVED this ___ day of __________, 2016.

___________________________
Daryl R. Busch, Mayor

ATTEST:

______________________________

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

I, Nancy Salazar, City Clerk of the City of Perris that the foregoing Ordinance Number ___ was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the ___ day of __________, 2016, and that it was so adopted by the following vote:

AYES:  
NOES:  
ABSENT:  

__________________________________  
Nancy Salazar, City Clerk
ORDINANCE NO. 153
AN ORDINANCE OF THE CITY OF PERRIS, CALIFORNIA, CREATING AN "EMERGENCY WATER RESERVE FUND" AND PROVIDING FOR EXPENDITURES THEREFROM.

The City Council of the City of Perris, California, does ordain as follows:

SECTION 1. There is hereby created in said City a fund which shall be entitled "Emergency Water Reserve Fund", into which there shall be deposited a minimum of $250.00 from the revenues of the city water system each month, commencing February 1, 1950, and such other or additional moneys as the Council may from time to time determine by order or resolution.

SECTION 2. Expenditures from said fund shall be made only upon a four-fifths vote of the Council and shall be used only for extensions, repairs, replacements and improvements of major importance within the city waterworks system.

SECTION 3. The City Clerk shall certify to the adoption of this ordinance and cause the same to be published according to law.

I, Mildred B. Martin, City Clerk of the City of Perris, California, hereby certify that the foregoing ordinance was duly and regularly introduced by the Council of said City at an adjourned regular meeting held on February 24, 1950, and was adopted by said Council at a regular meeting held on March 3, 1950, by the following vote:

Ayes: Councilmen Coppel, Cutler, Holloway, Jahns, Martin.
Noes: None
Absent: None

/s/ MILDRED B. MARTIN (SEAL)
City Clerk
City of Perris, California

I hereby approve the foregoing ordinance on March 3, 1950.

/s/ R. E. HOLLOWAY
Mayor
City of Perris, California

ATTEST:

/s/ MILDRED B. MARTIN (SEAL)
City Clerk,
City of Perris, California

I, Mildred B. Martin, City Clerk of the City of Perris, California, hereby certify that the foregoing is a true and correct copy of Ordinance No. 153 of said City, and that same has been published pursuant to law.

/s/ Mildred B. Martin (SEAL)
City Clerk
City of Perris, California