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, March 26, 2019
6:30 P.M.

City Council Chambers
(Corner of San Jacinto and Perris Boulevard)
101 North “D” Street
Perris, California

CLOSED SESSION: 6:00 P.M.

ROLL CALL:

Corona, Rabb, Rogers, Magaña, Vargas

A. Conference with Real Property Negotiators – Government Code Section 54956.8

| Property: | APN 312-272-005 |
| City Negotiator: | Richard Belmudez, City Manager |
| Negotiating Parties: | Julian and Clementina Rubalcava |
| Under Negotiation: | Price and Terms of Payment |
1. **CALL TO ORDER:** 6:30 P.M.

2. **ROLL CALL:**
Corona, Rabb, Rogers, Magaña, Vargas

3. **INVOCATION:**
Pastor Conner Smith
Temple Baptist Church
745 N. Perris Blvd.
Perris, CA 92571

4. **PLEDGE OF ALLEGIANCE:**
Councilmember Corona will lead the Pledge of Allegiance.

5. **REPORT ON CLOSED SESSION ITEMS:**

6. **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. Introduction of New City Employees.

7. **APPROVAL OF MINUTES:**

| A. Approve the Minutes of the Regular Joint Meeting held on March 12, 2019 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority. |

8. **CONSENT CALENDAR:**

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

| A. Approve Final Parcel Map (FPM) 37304 to consolidate fourteen (14) lots into two (2) parcels to facilitate construction of two industrial buildings (1 million square feet and 61,200 square feet) on 55 vacant acres located at the southeast corner of Perris Boulevard and Markham Street. (Applicant: Adam Schmidt, Duke Realty) |
B. Adopt Resolution (next in order) regarding the annexation of parcels into CFD 2001-3 (North Perris Public Safety District) – Annexation Number 29. Project: 1st Perry Logistics (DPR 16-00013) (Owner: First Industrial, L.P.)

The Proposed Resolution (next in order) is entitled:


C. Adopt Resolutions (next in order) regarding the annexation of DPR 16-00013 to Maintenance District Number 84-1 and set a Public Hearing Date of May 14, 2019. DPR-16-00013 is a 10.95 acre industrial development located at the southwest corner of Redlands Avenue and Perry Street. Perry Street is located on the north boundary of the project and Redlands Avenue is located to the east of the project. (Owner: First Industrial, L.P.)

The Proposed Resolutions (next in order) are entitled:


A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF DPR 16-00013 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 DPR 16-00013 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 MAY 14, 2019.

D. Adopt Resolutions (next in order) regarding the annexation of DPR 16-00013 to Landscape Maintenance District Number 1 (LMD 1) and set a Public Hearing Date of May 14, 2019. DPR-16-00013 is a 10.95 acre industrial development located at the southwest corner of Redlands Avenue and Perry Street. Perry Street is located on the north boundary of the project and Redlands Avenue is located to the east of the project. (Owner: First Industrial, L.P.)

The Proposed Resolutions (next in order) are entitled:


A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, OF PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR ANNEXATION OF DPR 16-00013 TO BENEFIT ZONE 142, 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 142, 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 142, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 16-00013 TO BENEFIT ZONE 142, 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 MAY 14, 2019.
E. Adopt Resolutions (next in order) to annex DPR 16-00013 to Flood Control Maintenance District Number 1 (FCMD 1) and set a Public Hearing Date of May 14, 2019. DPR-16-00013 is a 10.95 acre industrial development located at the southwest corner of Redlands Avenue and Perry Street. Perry Street is located on the north boundary of the project and Redlands Avenue is located to the east of the project. (Owner: First Industrial, L.P.)

The Proposed Resolution (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 DPR 16-00013 TO BENEFIT ZONE 108, 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 MAY 14, 2019.

F. Adopt the Traffic Report prepared by RK Engineering and Authorize Implementation for the intersections of Redlands Avenue & Jarvis Street and Redlands Avenue & Citrus Avenue.

G. Adopt Resolution (next in order) authorizing the purchase of 2.85 acres of vacant land identified as Assessor’s Parcel Number 326-073-001, located south of West Metz Road for the future Enchanted Hills Park Project and budget amendment request to allocate $304,000.00 to include closing costs from Industrial Park Development Impact Fund to Enchanted Hills Park Project Fund. (Owners: Hector and Maricela Valladolid)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS APPROVING THE AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS FOR 2.85 ACRES VACANT LAND IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 326-073-001 FOR THE FUTURE ENCHANTED HILLS PARK PROJECT LOCATED ON THE 1300 BLOCK OF WEST METZ ROAD IN THE ENCHANTED HILLS COMMUNITY IN PERRIS.

H. Approve a one-year Extension of Time (19-05029) for Tentative Tract Map 33900 until April 29, 2020 to subdivide 116 acres into 198 residential lots. The project site is located at the southeast corner of Ethanac Road and McPherson Road, north of the San Jacinto River. (Applicant: Brian Hardy, Richland Communities, Inc.)
I. Approve Change Order Number Two (2) with Rincon Consultants, Inc. for Regulatory Permitting Services for the Nuevo Road Bridge Replacement Project (CIP #S076), and authorize the City Manager to execute the Change Order.

J. Approve the 2018 Annual Progress Report for the Housing Element.

K. Approve First Amendment to Western Community Energy Joint Powers Agreement.


M. Approve the City of Perris Monthly Check Register for February 2019.

9. 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. Approve Resolution Number (next in order) to provide findings and adopt Mitigated Negative Declaration #2340, and approve Development Plan Review 17-00005 to facilitate a 141-unit age-restricted senior housing apartment complex and Introduce First Reading of Ordinance Number (next in order) to provide findings and approve Zone Change 17-05148 to change 4.21 acres from Community Commercial to R-6,000-SHO (Senior Housing Overlay). (Applicant: Greg Lansing, Lansing Properties)

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, APPROVING NEGATIVE DECLARATION (2340), AND DEVELOPMENT PLAN REVIEW 17-00005 FOR THE PERRIS-ELLIS SENIOR APARTMENT COMPLEX PROJECT LOCATED AT THE NORTHWEST CORNER OF ELLIS AVENUE AND PARK AVENUE (APN: 313-222-002), AND MAKING FINDINGS IN SUPPORT THEREOF.

The Proposed Ordinance Number (next in order) is entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 17-05148 TO CHANGE THE ZONING DESIGNATION FROM “CC” COMMERCIAL COMMUNITY TO “R-6000-SHO” ON 4.2 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF A STREET AND ELLIS AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF.

Introduced By: Dr. Grace Williams, Director of Planning and Economic Development

PUBLIC COMMENT:

B. Introduce First Reading of Ordinance Number (next in order) to amend Animal Control Ordinance Number 1168 in its entirety.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING TITLE 8 OF THE PERRIS MUNICIPAL CODE CONCERNING REGULATION OF ANIMALS WITHIN THE CITY.

Introduced By: Daryl Hartwill, Director of Public Works

PUBLIC COMMENT:

10. BUSINESS ITEMS: (not requiring a “Public Hearing”):

Public comment will be called for each non-hearing item. Please keep comments brief so that everyone who wishes to speak has the opportunity to do so. After public comment is closed, you may not further speak on the matter unless the Mayor or City Council requests further clarification of your statement. Public Comment is limited to three (3) minutes.

A. Youth Advisory Committee (YAC) Recruitment Presentation
    Presented by: Sabrina Chavez, Community Services Director

PUBLIC COMMENT:

11. 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.
12. **COUNCIL COMMUNICATIONS:**

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

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

13. **CITY MANAGER’S REPORT:**

14. **ADJOURNMENT:**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Hall at (951) 943-6100. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.
MEETING DATE: March 26, 2019

SUBJECT: Approval of Minutes

REQUESTED ACTION: Approve the Minutes of the Regular Joint City Council Meeting held on March 12, 2019

CONTACT: Nancy Salazar, City Clerk

BACKGROUND/DISCUSSION: None

BUDGET (or FISCAL) IMPACT: None

Prepared by: Judy L. Haughney, CMC, Assistant City Clerk

REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director

Attachments:

Consent:
Public Hearing:
Business Item:
Presentation:
Other: Approval of Minutes
CITY OF PERRIS

MINUTES:

Date of Meeting: March 12, 2019
06:30 PM
Place of Meeting: City Council Chambers

CLOSED SESSION

Mayor Vargas called the Closed Session to order at 6:00 p.m.

ROLL CALL

Present: Magaña, Corona, Rabb, Rogers, Vargas

Staff Present: City Manager Belguedez, City Attorney Dunn and City Clerk Salazar

A. Conference with Real Property Negotiators – Government Code Section 54956.8
   Property: APN 326-073-001 City Negotiator: Richard Belguedez, City Manager
   Negotiating Parties: Mr. Hector Valladolid and Ms. Maricela Martinez Under
   Negotiation: Price and terms of payment

The City Council adjourned to Closed Session at 6:01 p.m.

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

   Mayor Vargas called the Regular City Council meeting to order at 6:33 p.m.

2. ROLL CALL: Magaña, Corona, Rabb, Rogers, Vargas

   Present: Magaña, Corona, Rabb, Rogers, Vargas

   Staff Members Present: City Manager Belguedez, City Attorney Dunn, City
   Engineer Motlagh, Assistant City Manager Miramontes, Assistant City Manager
   Carlos, Police Captain Fellows, Chief Information Officer Cervantes, Director of
   Planning and Economic Development Williams, Director of Community Services
   Chavez, Director of Finance Erwin, Director of Public Works Hartwill and City
   Clerk Salazar.

3. INVOCATION: Pastor Carlos Reyes Rock of Generations 180
   Yosemite Avenue Perris, CA 92570

4. PLEDGE OF ALLEGIANCE:

   Mayor Pro Tem Magaña led the Pledge of Allegiance.

5. REPORT ON CLOSED SESSION ITEMS:

http://perris.granicus.com/MinutesViewer.php?clip_id=1336&doc_id=a0ae31b-4675-11e9-ae3-0050569183fa
City Attorney Dunn reported that the City Council met in Closed Session to discuss the items listed on the agenda. He noted that an update was given, direction was given to staff, but no reportable action was taken.

6. PRESENTATIONS/ANNOUNCEMENTS:
   A. Presentation of Certificates to Boy Scouts of Pack 374.
   B. Presentation by Perris Valley Youth Association Junior All American Pee Wee Division Football Team and Board Member Larry Mills.

7. APPROVAL OF MINUTES:
   A. Approved the Minutes of the Special Joint City Council and Planning Commission Worksession held February 19, 2019 and the Regular Joint City Council Meeting held on February 26, 2019 of the City Council, Successor Agency to the Redevelopment Agency, Public Finance Authority, Public Utility Authority, Housing Authority, Perris Community Economic Development Corporation and the Perris Joint Powers Authority.

   Councilmember's Rabb and Corona noted that they would be abstaining from the Minutes of February 19, 2019.

   The Mayor called for a motion.

   M/S/C: Moved by Rita Rogers, seconded by Marisela Magana to Approve the minutes, as presented, with Councilmember's Rabb and Corona abstaining from the minutes of February 19, 2019.

   AYES: Marisela Magana, Malcolm Corona, David Starr Rabb, Rita Rogers, Michael Vargas

   NOES:

   ABSENT:

   ABSTAIN:

8. CONSENT CALENDAR:

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


   Resolution Number 5449 is entitled:
   A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2019/2020 IN THE CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT.
Resolution Number 5450 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2019/2020 IN THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT.

Resolution Number 5451 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2019/2020 IN THE CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1 PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; APPOINTING THE ENGINEER OF WORK, AND ORDERING PREPARATION OF AN ENGINEER'S REPORT.

B. Approved Extension to the Annual Contract with RK Engineering for Traffic Services.

C. Adopted Resolution Number 5452 approving the vacation of a two-foot wide strip of unimproved street on the west side of Redlands Avenue, south of Perry Street and approximately 635 feet north of Ramona Expressway subject to the attached findings.

Resolution Number 5452 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING STREET VACATION 18-05245 TO VACATE A TWO-FOOT WIDE STRIP OF UNIMPROVED STREET LOCATED ON THE WEST SIDE OF REDLANDS AVENUE, SOUTH OF PERRY STREET AND APPROXIMATELY 635 FEET NORTH OF RAMONA EXPRESSWAY, SUBJECT TO THE FINDINGS NOTED HEREIN.

D. Adopted Resolution Number 5453 authorizing the City Manager to appoint an Interim Director of Finance and approving the Employment Agreement.

Resolution Number 5453 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO APPOINT AN INTERIM DIRECTOR OF FINANCE AND APPROVING RESPECTIVE EMPLOYMENT AGREEMENT.

E. Approved Settlement Agreements for the Acquisition of Real Property Interests for the Widening of Nuevo Road. (APN Numbers 320-430-018; 310-180-045; 320-430-005) and authorized the City Manager to execute the same in a form approved by the City Attorney.

F. Approved Settlement Agreements for the Acquisition of Real Property Interests for the Widening of Nuevo Road. (APN Numbers 310-180-006;
310-180-050; 310-180-051) and authorized the City Manager to execute the same in a form approved by the City Attorney.

G. Approved payment for Emergency Asphalt Repairs on Indian Avenue, Nevada Road, Goetz Road and Case Road.

H. Approved Purchase of four (4) replacement Compressed Natural Gas (CNG) Trucks for Public Works and two (2) alternative fuel vehicles utilizing Air Quality Management District (AQMD) funds.

I. Authorized the City Manager to execute the contract with HDL Software LLC for a new web-based interactive business license software and to provide business license services for the City.

J. Adopted Resolution Number 5454 authorizing the approval of a Purchase and Sale Agreement of 0.18 acre vacant land identified as Assessor's Parcel Number 326-072-004, located south of West Metz Road for the future Enchanted Hills Park.

The Proposed Resolution Number 5454 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, APPROVING THE AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCRROW INSTRUCTIONS FOR 0.18 ACRE VACANT LAND IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 326-072-004 FOR THE FUTURE ENCHANTED HILLS PARK PROJECT LOCATED ON THE 1300 BLOCK OF WEST METZ ROAD IN THE ENCHANTED HILLS COMMUNITY IN PERRIS.

The Mayor called for a motion.

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

AYES: Marisela Magana, Malcolm Corona, David Starr Rabb, Rita Rogers, Michael Vargas

NOES: 

ABSENT: 

ABSTAIN: 

9. PUBLIC HEARINGS:

A. Adopted Resolution Numbers 5455, 5456 and 5457 ordering the Annexation of PM 35268 (Rider 3) to the City’s Maintenance Districts, giving final approval to the Engineer’s Reports and the Levying of the 2018-2019 Assessments. PM 35268 (Rider 3) is a 28.15 acre industrial project located north of Rider Street and west of Redlands Avenue. (Owner: IDIG Rider Distribution Center, LLC).

Resolution Number 5455 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE WORK IN CONNECTION WITH ANNEXATION OF PM 35268 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, GIVING FINAL APPROVAL OF THE ENGINEER’S REPORT, AND

Resolution Number 5456 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING
THE WORK IN CONNECTION WITH ANNEXATION OF PM 35268
TO BENEFIT ZONE 137, CITY OF PERRIS LANDSCAPE
MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL
OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT

Resolution Number 5457 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING
THE WORK IN CONNECTION WITH ANNEXATION OF PM 35268
TO BENEFIT ZONE 104, CITY OF PERRIS FLOOD CONTROL
MAINTENANCE DISTRICT NUMBER 1, GIVING FINAL APPROVAL
OF THE ENGINEER’S REPORT, AND LEVYING THE ASSESSMENT

Daniel Louie of Willdan Financial Services gave the presentation on
this item.

The Mayor opened the Public Hearing at 6:57 p.m. There was no
Public Comment.
The Mayor closed the Public Hearing at 6:57 p.m.

The Mayor asked the City Clerk to open the Ballots. City Clerk
Salazar opened the 3 Ballots and reported that they were all marked
YES.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Marisela Magana to Approve
Resolution Numbers 5455, 5456 and 5457, as presented.
AYES: Marisela Magana, Malcolm Corona, David Starr Rabb, Rita
Rogers, Michael Vargas
NOES: 
ABSENT: 
ABSTAIN:

B. Adopted Resolution Numbers 5458, 5459 and 5460 ordering the
Annexation of DPR 06-0635 (Rider 1) to the City’s Maintenance Districts,
giving Final Approval to the Engineer’s Reports, and the Levying of the
2018-2019 Assessments. DPR 06-0635 (Rider 1) is a 16.24 acre industrial
project located south of Rider Street and west of Redlands Avenue.
(Owner: IDIG Rider Distribution Center, LLC).

Resolution Number 5458 is entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING
THE WORK IN CONNECTION WITH ANNEXATION OF DPR 06-0635
TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1.

Resolution Number 5459 is entitled:

Resolution Number 5460 is entitled:

Daniel Louie of Willdan Financial Services gave the presentation on this item.

The Mayor opened the Public Hearing at 7:00 p.m. There was no Public Comment.
The Mayor closed the Public Hearing at 7:00 p.m.

The Mayor asked the City Clerk to open the Ballots. City Clerk Salazar opened the 3 Ballots and reported that they were all marked YES.

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by David Starr Rabb to Approve Resolution Numbers 5458, 5459 and 5460, as presented.
AYES: Marisela Magana, Malcolm Corona, David Starr Rabb, Rita Rogers, Michael Vargas

NOES:
ABSENT:
ABSTAIN:

C. Introduced the First Reading of Ordinance Number 1380 to amend Animal Control Ordinance Number 1168 in its entirety.

The First Reading of Ordinance Number 1380 is entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING TITLE 8 OF THE PERRIS MUNICIPAL CODE CONCERNING REGULATION OF ANIMALS WITHIN THE CITY.

The Mayor called for a motion.
M/S/C: Moved by Malcolm Corona, seconded by Marisela Magana to Approve the First Reading of Ordinance Number 1380, as presented.
AYES: Marisela Magana, Malcolm Corona, David Starr Rabb, Rita Rogers, Michael Vargas

NOES: 
ABSENT: 
ABSTAIN: 

Director of Public Works Hartwill gave the presentation on this item.

The Mayor opened the Public Hearing at 7:04 p.m. There was no Public Comment.
The Mayor closed the Public Hearing at 7:04 p.m.

10. BUSINESS ITEMS:

A. Approved the Mid-Year Budget and Capital Improvement Program Review.

Director of Finance Erwin gave the presentation on this item.

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

The following Councilmember's spoke:
Corona
Rogers
Rabb
Vargas

The Mayor called for a motion.

M/S/C: Moved by Rita Rogers, seconded by Marisela Magana to Approve the Mid Year Budget, as presented.
AYES: Marisela Magana, Malcolm Corona, David Starr Rabb, Rita Rogers, Michael Vargas

NOES: 
ABSENT: 
ABSTAIN: 

11. PUBLIC COMMENT/CITIZEN PARTICIPATION:

There was no Public Comment.

12. COUNCIL COMMUNICATIONS:

The following Councilmember's spoke:
Rabb
Corona
Rogers

http://perris.granicus.com/MinutesViewer.php?clip_id=1336&doc_id=a0a8e31b-4675-11e9-aee3-0050569183fa
Magaña
Vargas

13. CITY MANAGER’S REPORT:

14. ADJOURNMENT:

There being no further business, Mayor Vargas adjourned the Regular City Council meeting at 7:38 p.m.

Respectfully Submitted,

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Nancy Salazar, City Clerk
MEETING DATE: March 26, 2019

SUBJECT: Final Parcel Map (FPM) 37304 - A final parcel map to consolidate fourteen (14) lots into two (2) parcels to facilitate construction of two industrial buildings (1 million square feet and 61,200 square feet) on 55 vacant acres located at the southeast corner of Perris Boulevard and Markham Street. Applicant: Adam Schmidt, Duke Realty

REQUESTED ACTION: Approve Final Parcel Map 37304

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development

BACKGROUND/DISCUSSION:

On August 28, 2018, the City Council voted (3 ayes, 2 noes) to approve Development Plan Review 17-00002, Tentative Parcel Map 37304 (TPM 17-05060) and Specific Plan Amendment 17-05074 to enable construction of two industrial buildings (1 million square feet and 61,200 square feet) on 55 vacant acres located on east side of Perris Boulevard between Markham Street and Perry Street. Subsequent to the approval, a user, Coronado Stone, was identified for Building 2 and that use (stone products manufacturing both indoor and outdoor) requires a Conditional Use Permit (CUP). On October 11, 2018, the applicant, Duke Realty, submitted applications to process a Conditional Permit (18-0271) to allow Coronado Stone to operate on the smaller building/parcel site and a Minor Modification (19-05032) for a reduction in the size of Building 1 from the originally-approved 1,106,030 sq. ft. to 1,009,869 sq. ft., architectural elevations approval for Building 2, two additional driveways to provide Building 2 with its own access, and a revision to TPM 37304 (18-05270) to create two separate parcels.

On February 20, 2019, The Planning Commission approved Minor Modification 19-05032, Tentative Parcel Map 37304, and Conditional Use Permit 18-05271 (4 ayes, 0 noes, 1 recusal, and 1 absence) to revise the original DPR 17-00002. The applicant is now processing the Final Map, so the smaller parcel can be transferred to Coronado Stone and development could proceed with all the proper dedications in order.

The Final Map has been reviewed by the City Engineer's office and is consistent with the Tentative Parcel Map approved by the Planning Commission on February 20, 2019. Also, all associated engineering fees are paid and all bonds are posted. The applicant has also complied with all Planning Division requirements related to the Conditions of Approval for Minor Modification 19-05032, Conditional Use Permit 18-05271, and Tentative Parcel Map 37304 prior to recordation of Final Parcel Map.
BUDGET (or FISCAL) IMPACT: Cost for processing of this application is borne by the applicant.

Prepared by: Nathan Perez, Associate Planner
Reviewed by: Kenneth K. Phung, Planning Manager

REVIEWED BY:

City Attorney
Assistant City Manager
Finance Director

Attachments:
1. Final Parcel Map 37304
2. Conditions of Approval (Planning, Engineering, Fire & Public Works)

Consent: X
Public Hearing:
Business Item:
Presentation:
Other:
SURVEYOR'S NOTES


FASIMON NOTES

\(x\) EASING NOTES FOR PUBLIC UTILITIES AND INCIDENT PURPOSES, RECORDING MARCH 20, 1993 AS BOOK 1484, PAGE 440, LEGAL REASONS IN CWR-acm OF CALIFORNIA ELECTRIC POWER COMPANY.

\(x\) EASING NOTES OF EASMENTS ON EASMENTS ON PARCEL MAP 11922 RECORDED NOVEMBER 26, 1979 AS BOOK 70, PAGE 9, EASMENTS FOR PUBLIC UTILITIES AND INCIDENT PURPOSES.

\(x\) EASMENTS FOR PUBLIC UTILITIES AND INCIDENT PURPOSES, RECORDING MARCH 5, 1988 AS INSTRUMENT NO. 135-1166 OF OFFICE BUSINESS IN FAYETTE COUNTY, EASMENTS FOR PUBLIC UTILITIES AND INCIDENT PURPOSES.

\(x\) EASING NOTES OF EASMENTS ON EASMENTS ON PARCEL MAP 15366 RECORDED JANUARY 24, 1985 AS BOOK 97, PAGE 82, EASMENTS FOR PUBLIC UTILITIES AND INCIDENT PURPOSES.

\(x\) EASING NOTES OF EASMENTS ON EASMENTS ON PARCEL MAP 37304 RECORDED JANUARY 25, 1993 AS BOOK 1484, PAGE 440, LEGAL REASONS IN CWR-acm OF CALIFORNIA ELECTRIC POWER COMPANY.

\(x\) EASING NOTES OF EASMENTS ON EASMENTS ON PARCEL MAP 11922 RECORDED NOVEMBER 26, 1979 AS BOOK 70, PAGE 9, EASMENTS FOR PUBLIC UTILITIES AND INCIDENT PURPOSES.

\(x\) EASING NOTES OF EASMENTS ON EASMENTS ON PARCEL MAP 15366 RECORDED JANUARY 24, 1985 AS BOOK 97, PAGE 82, EASMENTS FOR PUBLIC UTILITIES AND INCIDENT PURPOSES.

\(x\) EASING NOTES OF EASMENTS ON EASMENTS ON PARCEL MAP 37304 RECORDED JANUARY 25, 1993 AS BOOK 1484, PAGE 440, LEGAL REASONS IN CWR-acm OF CALIFORNIA ELECTRIC POWER COMPANY.
CITY OF PERRIS  
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  

CONDITIONS OF APPROVAL  

Addendum No. 1 to Final Environmental Impact Report (FEIR) 17-05100  
Conditional Use Permit (CUP) 18-05271  
Revised Tentative Parcel Map 37304 (TPM) 18-05270  

Planning Commission Meeting: February 20, 2019  

Project: Addendum No. 1 to FEIR 17-05100, CUP 18-05271, and TPM 18-05270 (37304) Proposal to develop a single shell high-cube warehouse building totaling approximately 1,009,869 square feet on approximately 47 acres and an approximately 62,095 square foot building used for stone products manufacturing on approximately 8 acres on a 55-acre site. The CUP includes analysis of minor proposed site plan changes and architectural elevations. The Revised Tentative Parcel Map creates two lots. The Project is located on Perris Blvd., south of Markham Street, north of Perry Street, and west of Redlands Avenue within the Perris Valley Commerce Center (PVCC) Specific Plan area. Applicant: Duke Realty  

GENERAL CONDITIONS:  

1. **Environmental Impact Report Mitigation Monitoring Program.** The project shall fully comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP) of the certified Environmental Impact Report (SCH NO. 2017081059). The Mitigation Monitoring and Reporting Program (MMRP) Checklist is attached to reduce potential traffic, noise, and air quality impacts, and shall be implemented in accordance with the timeline, reporting and monitoring intervals listed.  

2. **Specific Plan Compliance.** The project shall conform to the Light Industrial (LI) zone standards of the Perris Valley Commerce Center Specific Plan (PVCCSP).  

3. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.  

4. **Phasing.** Any phasing plan shall be reviewed and approved by the Development Services Department and the City Engineer. Each phase of the project shall provide adequate drainage and at least two points of paved access to both lots.  

5. **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.  

6. **Conformance to Approved Plans.** Development of the project site, building elevations, and conceptual landscaping shall conform substantially to the set of plans approved by Planning Commission on February 20, 2019, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.
7. **Approval Period for Development Plan Review 17-00002.** In accordance with P.M.C. Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of City Council approval. Within three years, the applicant shall demonstrate the beginning of substantial construction as approved, which shall thereafter be diligently pursued to completion or substantial utilization. If this does not occur, a maximum of three (3) one-year extensions may be requested. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Development Plan Review.

8. **Approval Period for Tentative Parcel Map.** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the City Council approval, unless an automatic extension is granted by the State of California. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for an extension shall be submitted to the Planning Division at least thirty (30) days prior to the initial (and any subsequent extensions) expiration of Tentative Parcel Map approval.

9. **Building Official/Fire Marshal.** The project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Fire Marshal, and a fire access and fire underground plan shall be submitted for approval prior to submittal of construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (as applicable) shall be shown on the final set of construction plans.

10. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).

11. **City Engineer.** The project shall adhere to the requirements of the City Engineer as indicated in the attached Engineering Conditions of Approval dated **March 26, 2018, Revised January 21, 2019.** On and off-site improvement plans shall be submitted for review and approval by the City Engineer.

12. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City concerning this project. The City shall promptly notify the applicant of any claim, action, or proceeding for which indemnification is sought and cooperate fully in the defense of the action.

13. **Southern California Edison (SCE).** The developer/owner shall contact Southern California Edison SCE area service planner (951 928-8323) to complete the required forms prior to commencement of construction. No grading permits shall be issued until a letter from SCE is received by the City Engineer indicating electrical service will be placed underground.

14. **Waste Hauling and Disposal.** The project shall use only the City-approved waste hauler for
all construction and other waste disposal.

15. **Property Maintenance.** The project shall comply with the Perris Municipal Code Chapter 7.42 regarding Property Maintenance. The site shall be maintained graffiti-free state at all times. Any graffiti located on the site shall be removed within 48 hours.

16. **On-site & Off-site Utilities.** All utilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping or physical barrier such as a wall.

17. **Performance Standards.** The applicant shall comply with all Performance Standards listed in Chapter 19.44.070.

18. **Glazing.** Highly-reflective glass shall not be used for architectural elevations.

19. **Roof Parapets.** The height of the roof parapet shall fully screen any roof-mounted equipment. All vent pipes and similar devices shall be painted to match the building.

20. **Downspouts.** Exterior downspouts are not permitted on building elevations facing the public right of way. Interior downspouts are required for these elevations.

21. **Payment of Fish and Game Fee.** Within three (3) days of Planning Commission approval, the applicant shall submit a check to the City Planning Division, payable to “Riverside County Clerk-Recorder”, in the amount of $3,218.00 for payment of State Fish and Game fees and the County documentary handling fees. In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.

22. **Signage.** The project approval does not include signage. All monument signs are required to include the Perris Valley Commerce Center logo (per PVCCSP Chapter 4.2.5). Any proposed wall or monument sign will require a sign application and shall be reviewed and approved by the Planning Division prior of building permit issuance.

23. **Final Water Quality Management Plan (FWQMP).** To mitigate impacts related to pollutant loading to receiving waters and/or increased erosion/siltation resulting from the long-term operation of the project, the applicant shall develop, receive approval from the City, and implement a FWQMP. The FWQMP shall contain measures that will effectively treat all pollutants of concern and hydrologic conditions of concern, consistent with the Preliminary WQMP and developed in compliance with the MS4 permit. The FWQMP shall specifically identify pollution prevention, source control, treatment control measures, and other Best Management Practices (BMPs) that shall be used on site to control predictable pollutant runoff to reduce impacts to water quality to the maximum extent practicable. The FWQMP shall substantially comply with site design, source control and treatment control BMPs proposed in the approved Preliminary Water Quality Management Plan (PWQMP).

24. **Construction Practices.** To reduce potential traffic, noise, and air quality impacts, the mitigation measures listed in the EIR Mitigation Monitoring and Reporting Plan (MMRP) shall be listed and included with the "General Notes" on the construction drawings, and
implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP.

25. **Vehicle Parking.** Parking for high-occupancy vehicles (HOV) and rideshare vans, and for High-Efficiency Vehicles (HEV) and other fuel-efficient vehicles shall be provided as required by the Mitigation Monitoring and Reporting Plan (MMRP). Design of parking stalls shall comply with PMC 19.69.030C.5b ("double-striping"). All designated parking stalls shall be marked as required.

26. **Employee Amenities.** The following amenities are required for Building 1:

   a. Indoor 2,500 to 3,000 square foot gymnasium with exercise equipment and locker facilities
   b. Outdoor sand volleyball or bocce ball court
   c. Outdoor half-court basketball court
   d. Outdoor shaded break areas in two locations near offices

27. **LEED Certification.** The buildings shall be designed to achieve the equivalent of LEED™ "Certified" rating under the US Green Building Council 2012 Core and Shell Development standards, and would be built in compliance with those plans. The design, construction, and operation of the proposed building would incorporate a series of green building strategies to achieve this certification level.

28. **Contribution to Working Scholars Program and Additional Park Funding.** A $1 million contribution to the working scholars program and an additional $1 million in parks/recreation funding shall be made within 5 days of closing on the remainder land (aka, the land use designation of 35 acres of site from Business Professional Office to Light Industrial).

**PRIOR TO THE ISSUANCE OF GRADING PERMITS**

29. **Precise Grading Plans.** Precise grading plans shall be submitted to the City Engineer for review and approval. Grading plans shall be consistent with approved development plans.

30. **Traffic Control Plan.** A Traffic Control Plan shall be submitted for approval to the City Engineer.

**TPM 37304 - FINAL MAP RECORDATION**

31. **Application.** The Final Map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval concurrently with the application to the City Engineer. The Final Map application shall include all necessary road dedications, appropriate easements and street vacations.

31. **Map Recordation.** Prior to recordation of the Final Map, the developer shall obtain the following clearances, approvals or actions:

   a. Verification from the Planning Division that all pertinent conditions of approval have
been met, as mandated by the Perris Municipal Code.

b. The landowner shall convey an avigation easement to the March Inland Port Airport Authority. Contact the March Joint Powers Authority at (951) 656-7000.

c. Any other required approval from an outside agency.

PRIOR TO THE ISSUANCE OF BUILDING PERMITS

33. Final Parcel Map Submittal. Prior to the issuance of the first building permit, Tentative Parcel Map 37304 shall be submitted for Final Map approval to the Planning Department and the City Engineer’s Department, and be recorded with the County of Riverside, with proof of recording provided to the City Planning Division and Engineering Division. The Final Map shall conform substantially to the approved Tentative Map.

34. Landscaping Plans. Prior to issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval accompanied by the appropriate filing fee. The plans shall be prepared by a California-registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The following treatments, consistent with the conceptual landscape plan or as conditioned herein, are required:

a. Water Quality Basins and Large Swales. Tiered landscaping with mature trees (24” to 36” box) shall be planted in these areas, including berms.

b. Accent Landscaping. Large trees (24” to 36” box) shall be included in the landscape design at all driveway entrances to the project site.

c. Passenger Vehicle Parking Areas. A minimum of 30% of trees shall be 36-inch box or larger in passenger vehicle parking areas. Also, a minimum of one 24-inch box tree per 6 parking stalls shall be provided.

d. Parking Area Berms at Right of Way. A minimum 4-foot high landscaped berm is required to screen all non-truck parking areas from view of the Perris Blvd. and Markham Street public-right-of-ways.

e. Landscape Berms at Screen Wall. Screen walls along Markham Street shall include a minimum 6-foot high 4:1 sloped landscape berm to visually reduce the screen wall height to eight feet or less.

f. Street Trees. All street trees within the public right of way on Perris Blvd., Markham Street and Perry Street shall be 24-inch box size or larger, and planted a maximum of 30 feet on center within the parkway.

g. Employee Amenity Areas. Outdoor employee break areas shall be landscaped to include shade trees and shade structures architecturally similar in colors and materials to the warehouse building.

h. Enhanced Pavement. Decorative pavement treatments (accent colors, textures, and patterns) should be used for driveway entrances and pedestrian pathways.

i. BMPs for Water Quality. All BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.

j. Water Conservation. Rain sensing override devices and soil moisture sensors shall be required on all irrigation systems. Landscaping shall comply with Zoning Code Chapter 19.70 (www.cityofperris.org) for mandated water conservation.

k. Maintenance. All landscaping shall be maintained in a viable growth condition.

l. Landscape Inspections. The project applicant shall inform the on-site project
manager and the landscape contractor of their responsibility to call for final landscape inspection after installation of all landscaping and irrigation system is completely operational. Before calling for a final inspection, the City’s "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner. The project planner shall sign off the "Certificate of Compliance" to signify code compliance and acceptance.

35. **Screen Walls and Fencing.** Decorative screen walls shall screen views into truck courts from the public right of way (Markham Street and Perry Street) and adjacent uses. Plans and details for the screen walls shall be included in the landscape plan check submittal package for review and approval by the Planning Division for both Buildings 1 and 2. The following shall apply:

a. **Decorative Screen Walls.** Decorative screen walls along Markham Street and Perry Street shall be 14 feet in height with landscaped berm, incorporate pilasters every 100 linear feet and include a decorative cap, subject to the review and approval of the Planning Division.

b. **Interior Walls.** The 14-foot tall screen walls shall return from both Markham Street and Perry Street frontage to the easternmost interior property boundary a minimum of 120 feet, and then may step down to minimum 8-foot high tubular steel fencing before stepping up to the 14-foot return for 120 feet approaching Perry Street.

c. **Additional Screen Wall Required.** A 14-foot tall screen wall shall be added at the northeast corner of the northeast office corner to extend east as far as necessary to screen the truck and trailer storage area to the north from Perry Street. **A 10 to 14-foot tall screen wall shall also be added to screen the loading area for Building 2.**

d. **Gates.** All tubular steel gates in public view shall be a minimum of nine feet in height, and be screened by a high quality view-obscuring material, subject to Planning review and approval.

e. **Graffiti.** All block/tilt-up walls shall be treated with a graffiti-resistant coat.

f. **Knox boxes** are required for all gates, and shall be approved by the Fire Marshal and issued by the Building Division.

36. **Building Plan Requirements.** The following shall be shown on the building plan check set for Planning staff review and approval:

a. **Charging Stations.** The applicant shall install two charging stations for light-duty vehicles, and the station locations and specifications shall be included on the building plans.

b. **Parking stalls** for passenger vehicles shall be striped in accordance with Chapter 19.69.030C.5b of the Zoning Code (double striping).

37. **Site Lighting Plan.** A site lighting plan shall be approved that complies with the City’s Outdoor Lighting Regulations and Mount Palomar Observatory’s Dark Sky Ordinance. The lighting plan shall include photometrics, fixture details and light standard elevations. High efficiency fixtures with full-cut off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. At least one foot-candle of light shall be provided in all parking lot and pedestrian areas for safety and security.

38. **March Air Reserve Base.** As required by the Perris Valley Commerce Center Specific Plan,
the following measures shall be implemented to address the project’s location within Airport Overlay Zone D:

a. Prior to issuance of building permits, the landowner shall have conveyed an avigation easement to the March Inland Port Airport Authority.

b. Any outdoor lighting installed shall be shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

c. The following uses shall be prohibited:

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

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

iii) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, composting operations, production of cereal grains, sunflower and row crops, trash transfer stations that are open on one or more sides, recycling centers contain putrescible wastes, construction and demolition debris facilities, and incinerators.)

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

d. A “Notice of Airport in the Vicinity” shall be provided to all potential purchasers of the property and tenants of the building, and shall be recorded as a deed notice.

e. All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.

f. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communication could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

g. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

h. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

i. FAA and TERPS. The development shall undergo FAA (Federal Aviation Administration) and TERPS (Terminal Instrument Procedures) review prior to issuance of building permits.

j. Landscaping Plans. The landscaping plan will require review by the MARB. The landscaping plan will not include fruit trees that could be an attractant for birds.

39. Construction Plans. All Planning Division and Engineering Department Conditions of Approval, proposed employee amenities, and the Mitigation Monitoring Plan shall be
reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Each Condition shall be annotated on the construction plans for ease of reference (i.e., sheet and detail numbers).

40. **Fees.** The developer shall pay the following fees prior to the issuance of building permits:

   a. Stephen's Kangaroo Rat Mitigation Fees of $500.00 per acre;
   b. Multiple Species Habitat Conservation Plan fees currently in effect;
   c. Current statutory school fees to all appropriate school districts;
   d. Any outstanding liens and development processing fees owed to the City;
   e. Appropriate Road and Bridge Benefit District fees.

41. **City Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:

   Landscape Maintenance District No. 1;
   Flood Control Maintenance District No. 1;
   Maintenance District No. 84-1; and
   North Perris Road and Bridge Benefit District

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

42. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning Staff shall verify that all Conditions of Approval have been met.

43. **Bicycle Lanes.** Appropriate Striping for Class II Bicycle Lanes shall be provided on Perris Boulevard and Markham Street according to the Trails Master Plan subject to the approval of the Planning Division and the City Engineer's office.

44. **Occupancy Clearance.** The applicant shall have all required paving, parking, screen walls, colors and materials (per approved elevation plans), site lighting, landscaping and automatic irrigation installed and in good condition.

45. **Off-site Landscaping Plans.** Similar to onsite landscape submittal, three copies of conceptual Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division accompanied by the appropriate filing fee. These plans will be forwarded to Public Works Administration for review and approval. The landscape plans shall be prepared by a California-registered landscape architect and conform to the requirements of Chapter 19.70 of the Zoning Code. The location, number, genus, species, and container size of the plants shall be shown. This landscape plan shall be titled “LMD Conceptual Off-site Landscape Plan 17 00002” and exclude private on-site landscaping, unless intended to be included in
landscape easement and annexation. The Conceptual Landscape Plan shall include but not be limited to:

a. **Landscape Limits** – Limits of right-of-way areas or easement areas, defined by concrete mow curb and fully dimensioned, to be annexed into the Landscape Maintenance District. A planting palette and hardscape plan intended to meet the design intent of the Landscape Guidelines in effect for the area, or if no such guidelines exist, the design intent of neighboring development as determined by the Engineering Administration and Special Districts Division.

b. **Irrigation** – A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers, an ET based controller with weather station (Hunter or equal), Sentry Guard Cable Guard and Union Guard, and backflow Wilkens Model 375 (or equal) (if one is not already in place).

c. **Benefit Zone Quantities** – Include a Benefit Zone quantities table (i.e., SF of planting areas, turf, number of trees, SF of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain.

d. **Meters** – If landscape system will be separate from on-site meter water and power, provide new water meter and electrical service. If system is separate, system and accounts to be turned over to landscape district, and district will assume costs for water and power. Each district is required to be metered separately. Show locations of water and electrical meter for landscape district.
CONDITIONS OF APPROVAL

P8-1307
March 26, 2018, Revised January 21, 2019
Developer Plan Review 17-00002, PM 37304
PLN 18-05270, Coronado Stone – Coronado Stone

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q’s and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements for Phase I as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer’s office.

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.

2. The project’s grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements shall be obtained from effected property owners or if within this site, shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.

3. The incremental increase in runoff between developed and undeveloped stage (100-year) and the nuisance runoff shall be retained within onsite private detention basins and connected to existing Flood Control Line “D”. This proposal is deviating from adopted Master Plan. The applicant shall be required to submit on and offsite drainage reports and storm drain design to RCFC for their review and approval.
4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.

5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all on and offsite landscaping with exception of median improvements which will be included in landscape maintenance. The proposed streetlights and portions of existing signal at intersections of Perris Blvd. with Perry and Perris Blvd. with Markham shall be maintained by City and partial cost paid for by the property owners through annexation to lighting and landscaping districts. In the event RCFC does not maintain the proposed offsite drainage facilities, it shall be annexed to Flood Control District for maintenance.

6. Existing power poles within the project site or along the project boundary (under 66kv), if any, shall be removed and cables underground. All other utility poles, if any, shall be removed and utilities undergrounded.

7. Streetlights shall be installed along perimeter streets adjacent to this site as approved by City Engineer per City of Perris standards. Street lights shall be prepared by Electric Engineer and shall be LS3, LED.

8. This project is located within EMWD’s water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.

9. The applicant shall submit to City Engineer the following for his review:

   a. Street Improvement Plans
   b. Singing, Striping and Signal Plans
   c. Onsite Grading Plans, SWPPP, and Erosion Control Plan
   d. Water & Sewer Plans
   e. Drainage Plans, Hydrology and Hydraulic Reports
   f. Streetlight Plan
   g. Final WQMP

The project’s design shall be in compliance with EMWD and Riverside County Standards and coordinated with approved plans for adjacent developments.

10. All pads shall be graded to be a minimum of 1’ above 100-year calculated water surface or adjacent finished grade.

11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans.
12. 6’ concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.

13. Catch basins and minimum 18” laterals shall be installed at all existing intersections adjacent to the site and all new/existing driveways.

14. All onsite drainage runoff shall be collected via onsite underground facilities and conveyed to proposed master planned facilities.

15. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities.

16. Markham Street from Perris Blvd. to easterly property line shall be improved with minimum of 60’ of new paving, curb/gutter and sidewalk located 32’ on either side of centerline within 92’ full width dedicated right-of-way. The improvements shall include widening the intersection of Perris and Markham to ultimate standards at all corners and relocating / upgrading of existing signal.

At the direction of City Engineer, the existing pavement if complies with structural section may be grind/overlay.

17. Perry Street from Perris Boulevard to easterly property line shall be improved to provide for minimum 36’ of new paving with curb/gutter and sidewalk located 20’ on either side of centerline within 60’ full width right-of-way. The intersection of Perry Street and Perris Boulevard shall be improved to provide for ultimate improvements at all corners including relocation / upgrading of existing signal poles.

18. Perris Boulevard adjacent to the site shall be improved along the east side to provide for ultimate improvements including dedicated right turn lanes within minimum of 64’ 1/2-width right-of-way.

19. Traffic index of 10.5 shall be used for any work on Perris Boulevard and 9.0 for Perry Street and Markham Street.

20. The intersection of Markham with Perris Boulevard and Ferris Boulevard with Perry Street shall be improved with concrete section to withstand the truck traffic.

21. Right-of-way acquisition. All right-of-way property area necessary for construction of the street and traffic improvements including any utility and construction easements, not under Applicant’s ownership shall be acquired by the Applicant, at Applicant’s sole cost.
applicant is unsuccessful in negotiating any right-of-way acquisition with third party owners after a 30-day period, then City shall conduct the necessary analysis to determine in its sole discretion whether to attempt to acquire the right-of-way by exercise of its power of eminent domain; provided, however, that nothing herein shall be deemed a prejudgment or commitment with respect to condemnation.

22. Reimbursement of costs. Applicant and City shall cooperate to ensure that Applicant receives, to the greatest extent practicable, reimbursement for all of Applicant’s eligible costs of constructing all of the street and traffic improvements. Reimbursement agreement or some similar agreement between Applicant and the City and/or establishment of a RBBD community facilities district or other assessment district that will fund the costs of such construction. Notwithstanding the forgoing, City shall have no obligation to reimburse or credit Applicant from any source of City funding other than under the local Development Impact Fee program as adopted by the City. Other sources of reimbursement future developers who benefit from the improvements constructed by the Applicant, and/or participants in a community facilities or assessment district created to fund such improvements and other improvements in the vicinity of Applicant’s project.

23. Driveways shall be installed per Riverside County Standard No 207A.

24. Minimum of one RTA stop with City/RTA standard shelter shall be provided along Markham and/or Perris as determined by the City Engineer and RTA.

25. Prior to issuance of any permit, final map shall be recorded and bonds posted. Existing road dedications in conflict with the proposed project shall be vacated subject to utility clearance.

26. Truck access to this site shall be limited to and from I-215 interchange and Harley Knox Boulevard, to Indian Avenue and continue on Markham Avenue.

27. Truck traffic on Perris Boulevard shall be prohibited and the Applicant’s Traffic Engineer shall implement a design to prohibit truck access to and from Perris Boulevard.

28. Street improvement plans shall include a class II/III bike lane in accordance with the Perris Trails Master Plan, subject to the approval of the City Engineer.

29. Prior to issuance of occupancy permit, the applicant shall pay the City $500,000 for their contribution toward implementation of interim and ultimate improvements to I-215 / Ramona Expressway, Placentia / I-215 interchange, and other citywide infrastructure improvements. This one time contribution is above and beyond RBBD and other City fees and is not reimbursable.

DEPARTMENT OF ENGINEERING
24 SOUTH "D" STREET, SUITE 100, PERRIS, CA 92570
TEL.: (951) 943-6504 - FAX: (951) 943-8416
30. Improvements to I-215 / Harley Knox Interchange shall be deferred and implemented by City / County and others.

31. The final map shall be submitted to City Engineer for review and approval.

Habib Motlagh  
Habib Motlagh  
City Engineer
CITY OF PERRIS  
PUBLIC WORKS DEPARTMENT  
101 North D Street  
Perris, California 92570  
951-657-3280  

MEMORANDUM

Date: November 1st, 2018

To: Planning Department

From: Public Works

Subject: Public Works Comments – PLN 18-05270 & 18-05271

<table>
<thead>
<tr>
<th>Case No./Project Description</th>
<th>Location</th>
<th>Comments</th>
</tr>
</thead>
</table>
| PLN 18-05270 & 18-05271 | East of Perris Blvd. between Markham and Perry Streets. | - Annexation into Special Districts is required; Landscape Maintenance, Flood Control, and 84-1, pending Engineering's conditions/comments.  
- Irrigation and landscape plans are required for review and approval, identify irrigation source.  
- Plans should reflect specifications for sidewalks, curb and gutter, pending Engineer's conditions/comments.  
- Detention basin required on-site for surface flow water mitigation, pending Engineer’s conditions/comments.  
- Identify any easements.  
- Confirm Landscaping on Fly-Zone area is acceptable.  
- Block wall required on East side of property. |
January 18, 2019

City of Perris  
Attn: Cathy Perring  
135 N. D Street  
Perris, CA 92570-2200

Subject: Development Review for DPR17-00002

As requested a review of the subject property was completed. Please apply the following conditions:

1. Prior to the issuance of a grading permit, provide a fire flow report from the hydrant closest to the property. A City of Perris Water Availability/Fire Flow Form shall be completed.

2. Prior to the issuance of a grading permit a fire department access plan shall be submitted to the city of Perris for review and approval. The fire department access plan shall comply with the requirements specified by the City of Perris Guideline for Fire Department Access & Water Requirements for Commercial & Residential Development, and the California Fire Code, Chapter 5.

3. Fire department access doors shall be provided in the warehouse area every 100 feet or fraction thereof as measure center of door to center of door.

4. A fire department access road complying with the CFC, Chapter 5 and the approved fire department access plans shall be installed prior to building construction.

5. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.

6. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3-feet shall be maintained.

7. The permanent building address shall be provided and either internally or externally lighted during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.

6550 Van Buren Blvd, Ste E, Riverside, CA 92503  
(951) 218-5482 * (951) 772-0007
8. Prior to construction a temporary address sign shall be posted and clearly visible from the street.

9. City of Perris approval shall be obtained prior to the storage and/or use of hazardous materials as defined by the California Fire Code.

10. Prior to the issuance of a Certificate of Occupancy the building shall be provided with an emergency radio communication enhancement system. The emergency radio communication enhancement system shall meet the requirements of CFC § 510 and all applicable subsection. The system shall be installed and inspected by the City of Perris Building Department before the Certificate of Occupancy is issued. The requirement can be waived by the Fire Marshal if the building is evaluated by an Emergency Radio Communication Specialist who certifies the building meets the emergency communications capability as specified by the California Fire Code § 510. The certification shall be in the form of a written report which outlines the analysis used in determining the building meets the emergency communications without an enhancement system.

Respectfully,

Dennis Grubb, CFPE
CITY OF PERRIS
CITY COUNCIL
AGENDA SUBMITTAL

MEETING DATE: March 26, 2019
SUBJECT: Annexation of parcels into CFD 2001-3 (North Perris Public Safety District) – Annexation No. 29
Project: 1st Perry Logistics (DPR 16-00013)
Owner(s): First Industrial LP
APN: 302-130-042

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

CONTACT: Stephen Ajobieme, Finance Manager

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 property owners 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 May 14, 2019 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 2019-20 is $350.05 for Single-Family Residential Units, $70.01 for Multi-Family Residential Units, and $1,400.24 per Acre for Non-Residential Parcels. For each subsequent fiscal year following Fiscal Year 2019-2020, the Maximum Special Tax may be increased by an amount not to exceed two percent (2.00%) per year.
BUDGET (or 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

REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director

Attachments:
Perris CFD 2001-3 Annex 29 Resolution of Intention

Consent: x
Public Hearing:
Business Item:
Presentation:
Other:
PUBLIC NOTICE TRANSMITTAL
TO CITY CLERK'S OFFICE

DATE: ______________________ DEPARTMENT ______ City Clerk ________

CONTACT _______ Judy Haughney ______ PHONE/EXTENSION____________________

ITEMS SUBMITTED: Annexation of parcels into CFD 2001-3 (North Perris Public Safety
District), Annexation No. 29

MEETING DATE: March 26, 2019

Check One: ■ City Council  □ Planning Commission  □ RDA

□ Other____________________________________

ATTACHMENTS:

□ Public Hearing Notice — 45 Day Notice
■ Public Hearing Notice — 7 Day Notice prior to May 14, 2019 Public Hearing
□ Property Owner Mailing Labels
□ Notice Inviting Bids
□ Notice of Special Meeting / Cancellation of Meeting
□ Other: ____________________________

SERVICE(S) REQUESTED:

■ Advertising 1 time  Date of Publication: No later than May 7th, 2019 (7 days prior to
May 14, 2019 Public Hearing)
□ Mailing (Number of Labels _________) Note:
□ Other: ____________________________________________

SPECIAL INSTRUCTIONS: Notice to be sent to City Clerk following Council approval
at the Intent Meeting

Delivered by ___________________________ Date ___________________________

Received by ___________________________ Date ___________________________
RESOLUTION NUMBER XXXX

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. 29]

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. 29 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 May 2019, 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 26th day of March, 2019.

__________________________________________
Mayor, Michael M. Vargas

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 26th day of March 2019, by the following called vote:

AYES:_____________________________________________________

NOES:_____________________________________________________

ABSENT:___________________________________________________

ABSTAIN:__________________________________________________

___________________________________________________________
City Clerk, Nancy Salazar
Resolution No. ______.

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.
Resolution No. ______

**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.
Resolution No. ______

**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 1**
   Maximum Special Tax Rate for Developed Property in Community Facilities District No. 2001-3
   Fiscal Year 2005/06

<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. 29

BOUNDARY MAP

[See Attached]
BACKGROUND/DISCUSSION: DPR 16-00013 (First Perry Industrial) is a 10.95-acre industrial development located at the southwest corner of Redlands Avenue and Perry Street under the ownership of First Industrial L.P. Perry Street is located on the north boundary of the project and Redlands Avenue is located to the east of the project. As a condition of approval, the project is required to annex into MD 84-1.

This district was formed to finance the annual maintenance of streetlights and traffic signals installed in conjunction with new development. The project specifically benefits from street lights on Perry Street and Redlands Avenue, and from existing and future traffic signals.

BUDGET (or FISCAL) IMPACT: The current maximum annual assessment is $2,128.42. Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Prepared by: Daniel Louie, Willdan Financial Services

REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director
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 DPR 16-00013 to Maintenance District No. 84-1

Consent: x
Public Hearing:
Business Item:
Presentation:
Other:
RESOLUTION NUMBER XXXX

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 DPR 16-00013 INTO MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, the City Council of the City of Perris (the “City”) 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, including the special maintenance district known and designated as MAINTENANCE DISTRICT NO. 84-1 (the “District”); and

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 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 Willdan Financial Services 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. The above recitals are true and correct, and are incorporated herein by this reference.

Section 2. 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 3. That DPR 16-00013 be defined as that area to be annexed to the City of Perris Maintenance District Number 84-1.
Section 4. 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 DPR 16-00013 to Maintenance District Number 84-1, City of Perris, County of Riverside, State of California.”

Section 5. 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 6. 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 Willdan Financial Services, 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 7. 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 8. 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 9. 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 26th day of March, 2019.

Mayor, Michael M. Vargas
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 26th day of March, 2019, by the following called vote:

Ayes:
Noes:
Absent:
Abstain:

______________________________
City Clerk, Nancy Salazar
RESOLUTION NUMBER XXXX

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 DPR 16-00013 TO CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1

WHEREAS, the City Council of the City of Perris (the "City") 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, including the special maintenance district known and designated as MAINTENANCE DISTRICT NO. 84-1 (the "District"); and

WHEREAS, on the 26th day of March, 2019, 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 Act in connection with the annexation of DPR 16-00013; 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. The above recitals are true and correct, and are incorporated herein by this reference.

Section 2. 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 3. 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 4. 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 5. 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 26th day of March, 2019.

Mayor, Michael M. Vargas

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 26th day of March, 2019, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
City Clerk, Nancy Salazar
RESOLUTION NUMBER XXXX

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 DPR 16-00013 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 MAY 14, 2019

WHEREAS, the City Council of the City of Perris (the "City") 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, including the special maintenance district known and designated as MAINTENANCE DISTRICT NO. 84-1 (hereinafter referred to as the "District"); and

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the City Council to order the annexation of territory to the District; and

WHEREAS, on the 26th day of March, 2019, 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 Act; 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 the Engineer's Report and each and every part thereof, and has found that each and every part of the Engineer's Report is sufficient, and that no portion of the report requires or should be modified in any respect; and

WHEREAS, the City now desires to declare its intention to annex certain property into the District, pursuant to the Act and, more specifically, Section 22587 thereof, and to take certain other actions as required by the Act;
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Perris, California, as follows:

Section 1.  Recitals. The Recitals set forth above are true and correct, and are incorporated herein by this reference.

Section 2.  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 annex DPR 16-00013 to the District, and 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 3.  Location of Work: The improvements to be maintained and serviced consist of the streetlights and traffic signals within said annexation.

Section 4.  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 DPR 16-00013 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 5.  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 DPR 16-00013, 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 6. 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). Each year the current maximum annual assessment shall be increased by an amount equal to the “Common Labor, Construction Cost Index”, as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison rate increase projected for the upcoming fiscal year.

Section 7. Time and Place of Public Hearing: Notice is hereby given that on May 14, 2019, 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 8. 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 9. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published one time as required by Section 22552 of the California Streets and Highways Code, occurring no later than 10 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 10. 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 11. 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 12. Certification: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 26th day of March, 2019.

Mayor, Michael M. Vargas

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 26th day of March, 2019, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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 26th day of March, 2019, by the following called vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of DPR 16-00013
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, 2019 to June 30, 2020, for that area to be known and designated as:

"Annexation of DPR 16-00013
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 26th day of March, 2019.

HABIB M. MOTLAĞH, 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 14th day of May 2019, by adoption of Resolution _____ 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 26th day of March, 2019.

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

PART 1. Plans and Specifications. Generally, the work to be performed consists of the annual energy and maintenance costs for seven (7) new streetlights and nine (9) existing streetlights. The streetlights to be installed and maintained are shown on the plans and specifications prepared by Albert A Webb Associates, and entitled, “Street Light Location Plan for First Industrial, Plot Plan No. 16-00013, in the City of Perris, California”.

In addition to the streetlights, this area benefits from existing and future traffic signals. Of specific benefit are the traffic signals at the intersections of Redlands Avenue with Harley Knox Boulevard and Redlands Avenue with Ramona Expressway.

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 streetlight improvements are owned by Southern California Edison (SCE) and, upon construction will be 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.

It is noted that the City of Perris is transitioning ownership of the streetlights from SCE to the City of Perris. This pending change in ownership and LED conversion in no manner negates the benefit received.

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 listed 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>9,500 Lumen</td>
<td>0</td>
<td>$150.32</td>
<td>$00.00</td>
</tr>
<tr>
<td>22,000 Lumen</td>
<td>16</td>
<td>$204.28</td>
<td>3,268.48</td>
</tr>
<tr>
<td>Traffic Signals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Redlands Avenue and Harley Knox Blvd</td>
<td>10%</td>
<td>8,367.55</td>
<td>836.76</td>
</tr>
<tr>
<td>Redlands Avenue and Ramona Expwy</td>
<td>10%</td>
<td>8,367.55</td>
<td>836.76</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td></td>
<td>$4,942.00</td>
</tr>
<tr>
<td>Incidental Costs</td>
<td></td>
<td></td>
<td>$741.30</td>
</tr>
<tr>
<td>City Contribution for Street Lights</td>
<td>16</td>
<td>-53.96</td>
<td>-863.36</td>
</tr>
<tr>
<td>Resolution No. 5307</td>
<td></td>
<td></td>
<td>-2,691.52</td>
</tr>
<tr>
<td>Balance to Assessment</td>
<td></td>
<td></td>
<td>$2,128.42</td>
</tr>
</tbody>
</table>

**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 local street light and an arterial street light. A local street light is the standard required on a local street. Arterial streets require a higher output street light in order to service a capacity greater than the local traffic.

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 assessed acreage is the net acreage of the area to be annexed.

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:

\[
\begin{align*}
1.0 \text{ Assessed Acre} & \times \quad $2,128.42 = \quad $46.28 \text{ per Benefit Unit} \\
4.2 \text{ Benefit Units} & \quad \times \quad 10.95 \text{ AC} & \quad \text{Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison rate percent increase projected for the upcoming fiscal year.}
\end{align*}
\]
Reference is made to the FY 2018/2019 annual proceedings for Maintenance District No. 84-1, as confirmed and set forth in Resolution 5307 approved on June 12, 2018. 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 streetlight and traffic signal benefit.

With the construction of streetlights, 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.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2019 to June 30, 2020, 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 DPR 16-00013. Said boundary is designated as "Diagram of Annexation of DPR 16-00013 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 DPR 16-00013
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 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>302-130-042</td>
<td>$2,128.42</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Each year the current maximum annual assessment shall be increased by an amount equal to the “Common Labor, Construction Cost Index”, as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison rate percent increase projected for the upcoming fiscal year.

ATTACHMENT 1
REFERENCE THE RIVERSIDE COUNTY ASSESSOR’S MAPS FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH lots OR PARCELS.

ATTACHMENT 2
CONSENT AND WAIVER TO ANNEXATION

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

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

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

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

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

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

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

Dated: 8/17/18

Signature

List Property Owner Name and Mailing Address
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 Riverside

On August 17, 2018 before me, Zona L. Lee, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature (Seal)
Exhibit "A"

Legal Description

APN: 302-130-042

Real property in the City of Perris, County of Riverside, State of California, described as follows:

LOT 1 IN BLOCK 12 IN RIVERSIDE TR, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER RECORDED IN BOOK 14 OF MAPS, PAGE 668 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
MEETING DATE: March 26, 2019

SUBJECT: Annexation of DPR 16-00013 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 DPR 16-00013 and setting a public hearing date of May 14, 2019

CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: DPR 16-00013 (First Perry Industrial) is a 10.95-acre industrial development located at the southwest corner of Redlands Avenue and Perry Street under the ownership of First Industrial L.P. Perry Street is located on the north boundary of the project and Redlands Avenue is located to the east of the project.

In general, the landscaping, irrigation, and appurtenances to be maintained are within the Perry Street parkways and Redlands Avenue parkways and medians along the frontage of DPR 16-00013.

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 $20,796.41. Each year the current maximum annual assessment shall be increased by an amount equal to the “Common Labor, Construction Cost Index”, as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Prepared by: Daniel Louie, Willdan Financial Services
REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director

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 DPR 16-00013 to Landscape Maintenance District No. 1

Consent:
Public Hearing:
Business Item:
Presentation:
Other:
RESOLUTION NUMBER XXXX

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 142 (DPR 16-00013) TO LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, the City Council of the City of Perris (the "City") 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, including the special maintenance district known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 (the "District"), and created BENEFIT ZONE 142 therein (hereinafter referred to as the "Benefit Zone 142"); and

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 Willdan Financial Services 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. The above recitals are true and correct, and are incorporated herein by this reference.

Section 2. 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 3. That DPR 16-00013 be defined as that area to be annexed to Benefit Zone 142, City of Perris Landscape Maintenance District Number 1.

Section 4. 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 DPR 16-00013, to Benefit Zone 142, Landscape Maintenance District Number 1, City of Perris, County of Riverside, State of California."

Section 5. 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 6. 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 Willdan Financial Services, 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 7. 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 8. 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 9. 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 26th day of March, 2019.

Mayor, Michael M. Vargas

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 26th day of March, 2019, by the following called vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

____________________________________
City Clerk, Nancy Salazar
RESOLUTION NUMBER XXXX

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 DPR 16-00013 TO BENEFIT ZONE 142, CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1

WHEREAS, the City Council of the City of Perris (the "City") 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, including the special maintenance district known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 (the "District"), and created BENEFIT ZONE 142 therein (hereinafter referred to as the "Benefit Zone 142"); and

WHEREAS, on the 26th day of March 2019, 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 Act in connection with the annexation of DPR 16-00013 to Benefit Zone 142; 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. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. 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, preliminarily approved and confirmed.

Section 3. 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 4. 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 5. 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 26th day of March, 2019.

Mayor, Michael M. Vargas

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 26th day of March, 2019, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________
City Clerk, Nancy Salazar
RESOLUTION NUMBER XXXX

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 142, 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 142, LANDSCAPE MAINTENANCE DISTRICT NUMBER 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID ANNEXATION AS ANNEXATION OF DPR 16-00013 TO BENEFIT ZONE 142, 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 MAY 14, 2019

WHEREAS, the City Council of the City of Perris (the "City") 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, including the special maintenance district known and designated as LANDSCAPE MAINTENANCE DISTRICT NO. 1 (the "District"), and created BENEFIT ZONE 142 therein (hereinafter referred to as the "Benefit Zone 142"); and

WHEREAS, the provisions of Article II of Chapter 2 of the Act authorize the City Council to order the annexation of territory to the District; and

WHEREAS, on the 26th day of March 2019, 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 Act; 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 the Engineer's Report and each and every part thereof, and has found that each and every part of the Engineer's Report is sufficient, and that no portion of the report requires or should be modified in any respect; and
WHEREAS, the City now desires to declare its intention to annex certain property into Benefit Zone 142 of the District, pursuant to the Act and, more specifically, Section 22587 thereof, and to take certain other actions as required by the Act;

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

Section 1. Recitals. The Recitals set forth above are true and correct, and are incorporated herein by this reference.

Section 2. 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 annex DPR 16-00013 to Benefit Zone 142 of the District, and 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 3. Location of Work: The improvements to be maintained and serviced include the irrigation system, landscaping, and appurtenances benefiting DPR 16-00013. The landscaping, irrigation, and appurtenances to be maintained are within the Perry Street and Redlands Avenue parkways and medians along the frontage of DPR 16-00013.

Section 4. 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 DPR 16-00013 to Benefit Zone 142, 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 5. 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 DPR 16-00013 to Benefit Zone 142, 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 6. 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 $20,796.41 per Benefit Unit. Each year the current maximum annual assessment shall be increased by an amount equal to the “Common Labor, Construction Cost Index”, as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Section 7. Time and Place of Public Hearing: Notice is hereby given that on May 14, 2019, 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 8. 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 9. Publication of Resolution of Intention: The City Clerk shall cause this Resolution of Intention to be published one time as required by 22552 of the California Streets and Highways Code, with the publication occurring no later than 10 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
RESOLUTION NUMBER XXXX

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 10. 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 11. 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 12. Certification: The City Clerk shall certify to the adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 26th day of March, 2019.

__________________________
Mayor, Michael M. Vargas

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 26th day of March, 2019, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

______________________________

City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of DPR 16-00013
To Benefit Zone 142, 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, 2019 to June 30, 2020, for that area to be known and designated as:

"Annexation of DPR 16-00013
To Benefit Zone 142, 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 26th day of March, 2019.

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 14th day of May 2019, by adoption of Resolution _____ of the City Council.

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 26th day of March, 2019.

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 have been or will be designed for acceptance by the City of Perris. In general, there are two categories of improvements to be maintained.

The first category of improvements to be maintained includes the landscaping, irrigation, and appurtenances within the Perry Street and Redlands Avenue parkways along the frontage of DPR 16-00013. The property owner shall be responsible for the maintenance and upkeep of the public parkway landscaping set forth herein as the first category of improvements for a period of one year after acceptance of the improvements by the City of Perris.

For the first category of improvements, reference is made to the landscaping plan and specifications prepared by Scott Peterson Landscape Architect, Inc., that is entitled, "First Perry Logistics (Off-Site LMD)." Additional information on the location of the right-of-way and the improvements, further reference is made to the plans and specifications that are entitled, "Street Improvement Plans for First Perry Logistics, in the City of Perris, County of Riverside – PLN 16-00013", as prepared by Albert A. Webb Associates.

The second category of improvements to be maintained includes the landscaping, irrigation, and appurtenances within the Redlands Avenue medians along the frontage of DPR 16-00013.

For the second category of improvements, reference is made to the landscaping plan and specifications prepared under Benefit Zone 125 for the annexation of Parcel Map 36469 to Landscape Maintenance District No. 1. These plans, as prepared by Hunter Landscape, are entitled, "Landscape Improvement Plans for IDI, LLC, Redlands Avenue, Perris, California. Additional information on the location of the right-of-way and the improvements, further reference is made to the plans and specifications that are entitled, "Street Improvement Plans for Stratford Ranch – Parcel Map 36469, Amended DPR 11-12-0004, City of Perris California", as prepared by Albert A. Webb Associates.

Upon final approval, plans and specifications for the improvements 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 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 in medians is estimated at a 3% die-off rate at 2.5-feet on-center. Plant replacement in parkways is estimated at a 2% die-off rate at 2.5-feet on-center. Tree trimming is scheduled to occur every other year. Mulch is applied every three years and irrigation replacement/repairs are scheduled to occur every fifth year. Within the medians, the cost estimate also provides for the repair/replacement of the safety edge over a ten-year period.
The property owner shall be responsible for the maintenance and upkeep of the public parkway landscaping set forth herein as the first category of improvements for a period of one year after acceptance of the improvements by the City of Perris. The annual costs of the second category of public improvements will be assessed after the construction of the improvements and their acceptance by the City. The maximum annual assessment is based on the estimated cost of maintaining the plants at maturity. The annual assessment levied will be based on the actual expenses incurred by Benefit Zone 142.

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

<table>
<thead>
<tr>
<th>First Category of Improvements</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Estimated Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perry Street and Redlands Avenue Parkways</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance</td>
<td>10,176</td>
<td>SF</td>
<td>$0.54</td>
<td>$5,495.04</td>
</tr>
<tr>
<td>Plant Replacement</td>
<td>33</td>
<td>each</td>
<td>15.75</td>
<td>519.75</td>
</tr>
<tr>
<td>Tree Trimming</td>
<td>31</td>
<td>0.5</td>
<td>150.00</td>
<td>2,325.00</td>
</tr>
<tr>
<td>Irrigation Repair &amp; Replacement Fund</td>
<td>2,035</td>
<td>SF</td>
<td>0.06</td>
<td>122.10</td>
</tr>
<tr>
<td>30% Mulch</td>
<td>28</td>
<td>CY</td>
<td>30.00</td>
<td>840.00</td>
</tr>
<tr>
<td><strong>Total Parkway Maintenance Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$9,301.89</strong></td>
</tr>
</tbody>
</table>

| Second Category of Improvements |          |      |           |                       |
| Redlands Avenue Medians        |          |      |           |                       |
| Maintenance                    | 7,200    | SF   | $0.54     | $3,888.00             |
| Plant Replace                  | 35       | each | 15.75     | 551.25                |
| Tree Trimming                  | 13       | 0.5  | 150.00    | 975.00                |
| Irrigation Repair & Replacement Fund | 1,440    | SF   | 0.06      | 86.40                 |
| 30% Mulch                      | 20       | CY   | 30.00     | 600.00                |
| Safety Edge Replacement Fund   | 1,224    | 0.1  | 15.75     | 1,927.80              |
| **Total Median Maintenance Costs** |          |      |           | **$8,028.45**         |

Incidentals

3,466.07

Balance to Assessment

$20,796.41

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 all the improvements is $10,398.20.

The property owner 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 of Perris. Benefit Zone 142, for the fiscal year commencing July 1, 2019 to June 30, 2020, 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 142, as shown on the Diagram, enclosed herein as Part 4.
The area within Benefit Zone 142 specifically benefits from the maintenance of the easements, parkways and medians along the streets that provide ingress and egress to Benefit Zone 142. DPR 16-00013 is conditioned for the improvement of certain easements and parkways as a requirement for development.

The method of assessment is based on units, with one benefit unit assigned to the net area within Benefit Zone 142. The current maximum annual assessment reflecting the reasonable cost of providing for the maintenance and servicing of the public improvements and appurtenant facilities within Benefit Zone 142 is equal to $20,796.41 per benefit unit.

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2019 to June 30, 2020, 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 DPR 16-00013. Said boundary is designated as "Diagram of Annexation of DPR 16-00013 to Benefit Zone 142, 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 owner of the area within the proposed annexation. Said consent and waiver are included herein as Attachment No. 3.
Assessment Roll
Annexation of DPR 16-00013
To Benefit Zone 142,
Landscape Maintenance District No. 1, City of Perris

<table>
<thead>
<tr>
<th>Benefit Zone and Assessment Number</th>
<th>Assessor Parcel Numbers</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>142</td>
<td>302-130-042</td>
<td>$20,796.41</td>
<td>$00.00</td>
</tr>
</tbody>
</table>

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.
DIAGRAM OF ANNEXATION OF
DPR 16-00013 TO BENEFIT ZONE 142
LANDSCAPE MAINTENANCE DISTRICT NO. 1

CITY OF PERRIS
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA

REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

ATTACHMENT 2
CONSENT AND WAIVER TO ANNEXATION

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

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

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

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

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

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

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

Dated: 8/17/18

Signature

List Property Owner Name and Mailing Address
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 Riverside

On August 17, 2018 before me, Zona L Lee, Notary Public

(insert name and title of the officer)

personally appeared Michael Goodwin

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

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

WITNESS my hand and official seal.

Signature (Seal)
Exhibit "A"

Legal Description

APN: 302-130-042

Real property in the City of Perris, County of Riverside, State of California, described as follows:

LOT 1 IN BLOCK 12 IN RIVERSIDE TR, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER RECORDED IN BOOK 14 OF MAPS, PAGE 668 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
MEETING DATE:  March 26, 2019

SUBJECT:  Annexation of DPR 16-00013 to Flood Control MD No. 1

REQUESTED ACTION:  Adoption of Resolution of Intention to Annex DPR 16-00013 to Flood Control Maintenance District No. 1 and set a public hearing date of May 14, 2019.

CONTACT:  Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION:  DPR 16-00013 (First Perry Industrial) is a 10.95-acre industrial development located at the southwest corner of Redlands Avenue and Perry Street under the ownership of First Industrial L.P. Perry Street is located on the north boundary of the project and Redlands Avenue is located to the east of the project. As a condition of approval, the project is required to annex into FCMD 1. This district provides revenue for the annual maintenance of flood control improvements installed in conjunction with new development.

The project will benefit from the maintenance and servicing of public flood control facilities that protect the project from inundation. These public improvements channel, contain and convey the storm flow to the Perris Valley Storm Drain Channel (PVSDC).

BUDGET (or FISCAL) IMPACT:  The maximum annual assessment is $12,071.31. Each year the current maximum annual assessment shall be increased by an amount equal to the “Common Labor, Construction Cost Index”, as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

Prepared by:  Daniel Louie, Willdan Financial Services

REVIEWED BY:
City Attorney  
Assistant City Manager  
Finance Director  

Attachments:
1. Engineer's Report
2. Resolution of Intention to Annex DPR 16-00013 to Flood Control MD No. 1

Consent: x
Public Hearing:
Business Item:
Presentation:
Other:
RESOLUTION NUMBER XXXX

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 DPR 16-00013 TO BENEFIT ZONE 108, FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THEREETO ON MAY 14, 2019

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 DPR 16-00013 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, First Industrial L.P. (the "Owner") has presented signed petitions to the City Council requesting the annexation of DPR 16-00013 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 DPR 16-00013; 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 DPR 16-00013; and

WHEREAS, to accomplish such purposes, the City Council proposes to annex DPR 16-00013 to Benefit Zone 108, 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 DPR 16-00013 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 DPR 16-00013 to Benefit Zone 108, 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 XIIID 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 14th day of May, 2019, at 5:30 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 City News, a newspaper of general circulation within the area of benefit. The notice shall be 1/8 of a page in size and contain the following information:

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

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. 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
RESOLUTION NUMBER XXXX

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 8. 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 26th day of March, 2019.

__________________________________________
Mayor, Michael M. Vargas

ATTEST:

__________________________________________
City Clerk, Nancy Salazar
RESOLUTION NUMBER XXXX

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 26th day of March, 2019, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

________________________________________
City Clerk, Nancy Salazar
AGENCY: City of Perris

PROJECT: Annexation of DPR 16-00013
To Benefit Zone 108, 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, 2019 to June 30, 2020, for that area to be known and designated as:

"Annexation of DPR 16-00013
To Benefit Zone 108, 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 26th day of March 2019.

HABIB M. MOTALGH, 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 14th day of May 2019, by adoption of Resolution _____ 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 26th day of March 2019.

NANCY SALAZAR, City Clerk
CITY OF PERRIS
STATE OF CALIFORNIA
PART 1.

A General Description of the flood control improvements to be maintained includes facilities that will accommodate the storm flow and protect Benefit Zone 108 from inundation. These public improvements channel, contain and convey the storm flow to the Perris Valley Storm Drain Channel.

There are two categories of improvements to be maintained under Benefit Zone 108. The first category of improvements includes a catch basin, 18-, 24- and 30-inch reinforced concrete (RCP) storm drain pipe; and, appurtenances, all located within the public right-of-way. Improvements within the first category are to be maintained by Benefit Zone 108 in perpetuity.

The second category of improvements includes 36-inch RCP and a 6-foot wide concrete channel leading from the 30-inch RCP to the Perris Valley Storm Drain Channel. Improvements within the second category are to be maintained on an interim basis pending the completion of certain master plan facilities. At that time, it is anticipated that the channel will be abandoned.

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

It is noted that all private on-site storm drainage facilities and basins identified within the property line are to be maintained by the property owner and not the City of Perris.

PART 2.

Plans and Specifications for the improvements to be maintained for a fiscal year have been approved by the City of Perris. The improvements are identified on the plans and specifications prepared by Albert A. Webb Associates that are entitled:

- “Street Improvement Plans for First Perry Logistics, in the City of Perris, County of Riverside – PLN 16-00013” and,
- “Street Improvement Plans for Stratford Ranch – Parcel Map 36469, Amended DPR 11-12-0004, City of Perris California”.

The plans and specifications have been approved by both the City Engineer for the City of Perris and the Chief Engineer for the Riverside County Flood Control and Water Conservation District (RCFC&WCD) and are on file in the City of Perris Office of Community Development. The plans and specifications sufficiently show and describe the general nature, location and extent of the improvements, and by reference, are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.
PART 3.

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

The maximum annual assessment is based on the estimated cost of maintaining the facilities. The estimated annual cost for maintenance of the facilities, by category, is listed below.

<table>
<thead>
<tr>
<th>First Category of Improvements</th>
<th>Unit</th>
<th>Total Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catch Basin</td>
<td>Lump Sum</td>
<td>133.00</td>
</tr>
<tr>
<td>RCP Storm Drain Pipe</td>
<td>Lump Sum</td>
<td>4,893.49</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td>5,026.49</td>
</tr>
<tr>
<td>Incidental</td>
<td></td>
<td>1,005.30</td>
</tr>
</tbody>
</table>

Annual Cost of Maintaining First Category of Improvements $6,031.79

<table>
<thead>
<tr>
<th>Second Category of Improvements</th>
<th>Unit</th>
<th>Total Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Headwall, Outlet</td>
<td>Lump Sum</td>
<td>393.00</td>
</tr>
<tr>
<td>RCP Storm Drain Pipe</td>
<td>Lump Sum</td>
<td>1,045.50</td>
</tr>
<tr>
<td>Channel</td>
<td>Lump Sum</td>
<td>3,594.43</td>
</tr>
<tr>
<td>Subtotal</td>
<td></td>
<td>5,032.93</td>
</tr>
<tr>
<td>Incidental</td>
<td></td>
<td>1,006.59</td>
</tr>
</tbody>
</table>

Annual Cost of Maintaining Second Category of Improvements $6,039.52

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 assessed to Benefit Zone 108 for the fiscal year commencing July 1, 2019 to June 30, 2020.

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 Benefit Zone 108. These improvements specifically benefit the area within the annexation; and, the improvements were required for the approval of, and as of consequence of, development of this area.
The method of assessment is based on units, with one benefit unit assigned to the net area within Benefit Zone 108. The current maximum annual assessment, under Benefit Zone 108, reflecting the reasonable cost of providing for the maintenance and servicing of the improvements and appurtenant facilities, is equal to $12,071.31 per Benefit Unit, as follows:

\[
\text{Annual Cost of First Category + Annual Cost of Second Category} = \text{One Benefit Unit}
\]

\[
\$6,031.79 + 6,039.52 = \$12,071.31 \text{ per Benefit Unit}
\]

Each year the current maximum annual assessment shall be increased by an amount equal to the "Common Labor, Construction Cost Index", as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.

For the current maximum annual assessment and the assessment for the fiscal year commencing July 1, 2019 to June 30, 2020, 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 $6,035.65.

PART 5. A Diagram of the Annexation. The boundary of the area to be annexed is coincident with DPR 16-00013. Said boundary is designated as "Diagram of Annexation of DPR 16-00013 to Benefit Zone 108, 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 DPR 16-00013
To Benefit Zone 108,
Flood Control Maintenance District No. 1, City of Perris

<table>
<thead>
<tr>
<th>Benefit Zone and Assessment Number</th>
<th>Assessor Parcel Numbers</th>
<th>Estimated Annual Assessment</th>
<th>Fiscal Year 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>108</td>
<td>302-130-042</td>
<td>$12,071.31</td>
<td>$00.00</td>
</tr>
</tbody>
</table>

Each year the current maximum annual assessment shall be increased by an amount equal to the “Common Labor, Construction Cost Index”, as published by Engineering News Record. If a deficit is projected for the upcoming fiscal year, the assessment can be further increased by an amount equal to the Southern California Edison and the Eastern Municipal Water District rate percent increase(s) projected for the upcoming fiscal year.
REFERENCE THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.
PETITION FOR THE ANNEXATION TO A BENEFIT ASSESSMENT DISTRICT TO FINANCE THE MAINTENANCE OF CERTAIN PUBLIC IMPROVEMENTS

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

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

TO: The City Council of the City of Perris

We, the undersigned, hereby:

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

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

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

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

Dated: 8/17/18

Signature

List Property Owner Name and Mailing Address

ATTACHMENT 3-1
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 Riverside

On August 17, 2018 before me, Zona L Lee, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature (Seal)

ATTACHMENT 3-2
Exhibit “A”

Legal Description

APN: 302-130-042

Real property in the City of Perris, County of Riverside, State of California, described as follows:

LOT 1 IN BLOCK 12 IN RIVERSIDE TR, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER RECORDED IN BOOK 14 OF MAPS, PAGE 668 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ATTACHMENT 3-3
CITY OF PERRIS
CITY COUNCIL
AGENDA SUBMITTAL

MEETING DATE: March 26, 2019
SUBJECT: Traffic Signal at Intersections of Redlands with Jarvis & Citrus
REQUESTED ACTION: Adopt the Traffic Report Prepared by RK Engineering and Authorize Implementation
CONTACT: Habib Motlagh, City Engineer

BACKGROUND/DISCUSSION: At the request of the Mayor, we evaluated the intersections of Redlands & Jarvis and Redlands & Citrus Avenue to determine if they meet the warrant for signals. These intersections are currently controlled by all way stop signs.

According to the attached report prepared by RK Engineering dated March 7, 2019, each intersection meets with at least 3 of the 8 warrants needed to implement the signal (see page 5 of the report).

Page 8 of the said report recommends installation of the signals as well as routine maintenance of existing signing & striping.

BUDGET (or FISCAL) IMPACT: Adequate budget is included in CIP to implement both signals within the next 18 months.

Prepared by:

REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director

Attachments: RK Engineering Report Dated March 7, 2019

Consent: Yes
Public Hearing: Business Item
Presentation: Other:
REDLANDS AVE, AT JARVIS ST, & REDLANDS AVE, AT CITRUS AVE. TRAFFIC SIGNAL WARRANT ANALYSIS
City of Perris, California
March 7, 2019

Mr. Habib Motlagh  
CITY OF PERRIS  
24 South “D” Street, Suite 100  
Perris, CA 92570

**Subject:** Redlands Avenue at Jarvis Street & Redlands Avenue at Citrus Avenue  
Traffic Signal Warrant Analysis, City of Perris, CA

Dear Mr. Motlagh:

**Introduction**

RK ENGINEERING GROUP, INC. (RK) is pleased to submit this review of the intersections of Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue in the City of Perris. The analysis location is shown in Exhibit A.

The purpose of this analysis is to develop recommendations to further improve current and future operations at the study intersections. The analysis will determine if the existing study intersections meet the warrants for a traffic signal based upon existing conditions. The recommended improvements are included in the **Conclusions** section of this report.

**Existing Conditions**

The location of the study intersections are shown in Exhibit A. Both study intersections of Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue are currently all-way stop-controlled intersections. Palms Elementary School is located to the west of the intersection of Redlands Avenue at Jarvis Street. The existing posted speed limit along the major street, Redlands Avenue, is 45 miles per hour.

Existing traffic volumes and pedestrian volumes for the study intersection were compiled for RK in February 2019. The vehicle and pedestrian traffic count worksheets are included in Appendix A. A summary of the hourly traffic counts for Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue are included in Table 1 and Table 2, respectively.
# Table 1

Existing Hourly Traffic Counts - Redlands Avenue at Jarvis Street

**Thursday, February 28, 2019**

<table>
<thead>
<tr>
<th>End Time</th>
<th>Redlands Avenue</th>
<th>Jarvis Street</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NB</td>
<td>SB</td>
<td>Subtotal NB + SB</td>
</tr>
<tr>
<td>1:00 AM</td>
<td>50</td>
<td>31</td>
<td>81</td>
</tr>
<tr>
<td>2:00 AM</td>
<td>30</td>
<td>23</td>
<td>53</td>
</tr>
<tr>
<td>3:00 AM</td>
<td>23</td>
<td>19</td>
<td>42</td>
</tr>
<tr>
<td>4:00 AM</td>
<td>28</td>
<td>37</td>
<td>65</td>
</tr>
<tr>
<td>5:00 AM</td>
<td>66</td>
<td>130</td>
<td>196</td>
</tr>
<tr>
<td>6:00 AM</td>
<td>88</td>
<td>170</td>
<td>258</td>
</tr>
<tr>
<td>7:00 AM</td>
<td>257</td>
<td>246</td>
<td>503</td>
</tr>
<tr>
<td><strong>8:00 AM</strong></td>
<td><strong>418</strong></td>
<td><strong>650</strong></td>
<td><strong>1,068</strong></td>
</tr>
<tr>
<td>9:00 AM</td>
<td>257</td>
<td>333</td>
<td>590</td>
</tr>
<tr>
<td>10:00 AM</td>
<td>227</td>
<td>300</td>
<td>527</td>
</tr>
<tr>
<td>11:00 AM</td>
<td>312</td>
<td>281</td>
<td>593</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>308</td>
<td>307</td>
<td>615</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>402</td>
<td>296</td>
<td>698</td>
</tr>
<tr>
<td>2:00 PM</td>
<td>380</td>
<td>327</td>
<td>707</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>446</td>
<td>480</td>
<td>926</td>
</tr>
<tr>
<td>4:00 PM</td>
<td>467</td>
<td>485</td>
<td>952</td>
</tr>
<tr>
<td>5:00 PM</td>
<td>514</td>
<td>461</td>
<td>975</td>
</tr>
<tr>
<td>6:00 PM</td>
<td>538</td>
<td>412</td>
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<tr>
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<tr>
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<td>208</td>
</tr>
<tr>
<td>12:00 AM</td>
<td>73</td>
<td>43</td>
<td>116</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>6,275</strong></td>
<td><strong>6,039</strong></td>
<td><strong>12,314</strong></td>
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</tbody>
</table>
# TABLE 2
Existing Hourly Traffic Counts - Redlands Avenue at Citrus Avenue
Thursday, February 28, 2019

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<th>Redlands Avenue</th>
<th>Citrus Avenue</th>
<th>Grand Total</th>
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</thead>
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<tr>
<td></td>
<td>NB</td>
<td>SB</td>
<td>Subtotal NB + SB</td>
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<tr>
<td>1:00 AM</td>
<td>32</td>
<td>27</td>
<td>59</td>
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<tr>
<td>2:00 AM</td>
<td>17</td>
<td>19</td>
<td>36</td>
</tr>
<tr>
<td>3:00 AM</td>
<td>8</td>
<td>9</td>
<td>17</td>
</tr>
<tr>
<td>4:00 AM</td>
<td>13</td>
<td>17</td>
<td>30</td>
</tr>
<tr>
<td>5:00 AM</td>
<td>50</td>
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<td>120</td>
</tr>
<tr>
<td>6:00 AM</td>
<td>80</td>
<td>108</td>
<td>188</td>
</tr>
<tr>
<td>7:00 AM</td>
<td>149</td>
<td>134</td>
<td>283</td>
</tr>
<tr>
<td><strong>8:00 AM</strong></td>
<td><strong>298</strong></td>
<td><strong>298</strong></td>
<td><strong>596</strong></td>
</tr>
<tr>
<td>9:00 AM</td>
<td>154</td>
<td>195</td>
<td>349</td>
</tr>
<tr>
<td>10:00 AM</td>
<td>156</td>
<td>191</td>
<td>347</td>
</tr>
<tr>
<td>11:00 AM</td>
<td>138</td>
<td>178</td>
<td>316</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>167</td>
<td>179</td>
<td>346</td>
</tr>
<tr>
<td>1:00 PM</td>
<td>168</td>
<td>172</td>
<td>340</td>
</tr>
<tr>
<td>2:00 PM</td>
<td>215</td>
<td>197</td>
<td>412</td>
</tr>
<tr>
<td>3:00 PM</td>
<td>232</td>
<td>285</td>
<td>517</td>
</tr>
<tr>
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<td>255</td>
<td>337</td>
<td>592</td>
</tr>
<tr>
<td>5:00 PM</td>
<td>258</td>
<td>312</td>
<td>570</td>
</tr>
<tr>
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<td>290</td>
<td>263</td>
<td>553</td>
</tr>
<tr>
<td>7:00 PM</td>
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<tr>
<td>10:00 PM</td>
<td>99</td>
<td>107</td>
<td>206</td>
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<tr>
<td>11:00 PM</td>
<td>55</td>
<td>72</td>
<td>127</td>
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<td>12:00 AM</td>
<td>35</td>
<td>28</td>
<td>63</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3,398</strong></td>
<td><strong>3,817</strong></td>
<td><strong>7,215</strong></td>
</tr>
</tbody>
</table>
RK has obtained collision data from the California Highway Patrol for 2016, 2017, and 2018. According to the collision data, there have been a total of eight (8) reported collisions that have occurred within 250 feet of the study intersections listed below:

### TABLE 3
**Study Intersection Collision Summary**
**2016 - 2018**

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Year</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2016</td>
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</tr>
<tr>
<td>Redlands Avenue at Jarvis Street</td>
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<td>Redlands Avenue at Citrus Avenue</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>3</strong></td>
<td><strong>1</strong></td>
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</tbody>
</table>

A copy of the collision data is included in Appendix B. A full copy of the collision data is included in RK’s files.

**Traffic Signal Warrant**

The study intersections of Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue have been evaluated for traffic signal warrants using the Caltrans traffic signal warrants criteria. A copy of the Caltrans traffic signal warrant criteria is included in Appendix C. The Caltrans traffic signal warrants worksheet is provided in Appendix D.

The following criteria are applicable for this analysis:

- Minimum volumes
- Peak hour volumes
- Pedestrian volumes and school crossings
- Coordinated signal system
- Collisions
- Roadway network characteristics
The specific Caltrans Traffic Signal Warrants have been tabulated and listed below:

### TABLE 4

<table>
<thead>
<tr>
<th>Warrant</th>
<th>Description</th>
<th>Results</th>
<th>Redlands Avenue at Jarvis Street</th>
<th>Redlands Avenue at Citrus Avenue</th>
</tr>
</thead>
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<tr>
<td>1</td>
<td>Eight Hour Vehicular Volume</td>
<td>Warrant Satisfied</td>
<td>Does Not Satisfy</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Four Hour Vehicular Volume</td>
<td>Warrant Satisfied</td>
<td>Warrant Satisfied</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Peak Hour</td>
<td>Warrant Satisfied</td>
<td>Warrant Satisfied</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Pedestrian Volume</td>
<td>Does Not Satisfy</td>
<td>Does Not Satisfy</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>School Crossing</td>
<td>Does Not Satisfy</td>
<td>Does Not Satisfy</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Coordinated Signal System</td>
<td>Does Not Satisfy</td>
<td>Does Not Satisfy</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Crash Warrant</td>
<td>Does Not Satisfy</td>
<td>Does Not Satisfy</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Roadway Network</td>
<td>Warrant Satisfied</td>
<td>Warrant Satisfied</td>
<td></td>
</tr>
</tbody>
</table>

**Warrant 1 – Eight Hour Vehicular Volume**

Warrant 1 states that a traffic signal could be implemented at an intersection if both of the following conditions are met for the duration of the peak eight hours:

- There is a large volume of intersecting traffic, and
- The volume of traffic on the major street is so heavy that the minor street approach experiences a conflict or an excessive delay in entering the intersection.

If the minimum required volumes for Warrant 1 are not satisfied, the intersection must at least meet both conditions for 80% of the required minimum volumes.

Based on the analysis, the intersection of Redlands Avenue at Jarvis Street satisfies both Condition A and Condition B. The intersection of Redlands Avenue at Citrus Avenue satisfies only Condition A to 80% of the required volumes. Hence, Warrant 1 is satisfied for the intersection of Redlands Avenue at Jarvis Street only.
**Warrant 2 – Four Hour Vehicular Volume**

Warrant 2 states that a traffic signal could be implemented at an intersection if the minimum required volumes are met for the duration of the peak four hours.

Based on the analysis, both study intersections exceed the required minimum traffic volumes.

Hence, Warrant 2 is satisfied for both study intersections.

**Warrant 3 – Peak Hour**

Warrant 3 states that a traffic signal could be implemented at an intersection where an excessive delay is experienced for a minimum of one-hour of an average delay. There are two parts to which an intersection could satisfy Warrant 3. In Part A, three criterion related to delay must be met in order to satisfy Warrant 3.

Both study intersections, which are all-way stop-controlled, do not experience excessive delays of more than four hours, and therefore only meet two of the three criterion.

Hence, the both study intersections do not meet Part A.

In Part B, a plot is created for vehicles per hour and the corresponding volume for both approaches of the major street, and the higher volume approach of the minor street. If the plotted points fall above the applicable curves in MUTCD Figure 4C-3 and 4C-4, Part B is satisfied.

The recorded volumes of both intersections satisfy Part B, and therefore, Warrant 3 is satisfied for both intersections.

**Warrant 4 – Pedestrian Volume**

Warrant 4 states four different requirements that must all be met with respect to pedestrian volumes at the study intersection.

Since both study intersections satisfy only two of the four requirements, Warrant 4 is not satisfied.
**Warrant 5 – School Crossing**

Warrant 5 states that a traffic signal could be implemented at locations where school-age children cross the major street. Both Part A and Part B must be met in order for Warrant 5 to be satisfied. Part A is met if the number of gaps in traffic flow along the major street are less than the number of minutes the crossing is used by the children, and if there are more than 20 school-age pedestrians per hour utilizing the crossing. Part B is met if the nearest controlled crossing is more than 600 feet away from the study intersection.

Both study intersections do not meet Part A or Part B, and therefore, Warrant 5 is not satisfied.

**Warrant 6 – Coordinated Signal System**

Warrant 6 is intended for intersections where installation of a traffic signal is needed to maintain the progressive movement and proper platooning of vehicles along a roadway with a coordinated signal system.

Since both study intersections do not need a traffic signal to help maintain the traffic flow characteristics of the roadway, Warrant 6 is not satisfied.

**Warrant 7 – Crash Warrant**

Warrant 7 lists several requirements relating to the frequency of conflicts and collisions at an unsignalized intersection that may be remedied should a traffic signal be installed.

The study intersection must experience a minimum of five (5) collisions in order to satisfy Warrant 7. Both study intersections have experienced less than five (5) collisions during a single 12-month period.

Therefore, Warrant 7 is not satisfied for either study intersection.

**Warrant 8 – Roadway Network**

Warrant 8 relates to the characteristics of the roadways at the study intersection. All parts must be fulfilled to satisfy the warrant.
Both study intersections meet the minimum weekday peak hour volume requirements. Both study intersections also include roadways that are characteristic of major routes within the City of Perris.

Therefore, Warrant 8 is satisfied for both study intersections.

**Conclusions**

The study intersections of Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue have been evaluated for full traffic signal warrants using the Caltrans traffic signal warrants criteria. The traffic signal warrants worksheets are included in Appendix D.

The intersection of Redlands Avenue at Jarvis Street meets warrants 1, 2, 3, and 8. The intersection of Redlands Avenue at Citrus Avenue meets warrants 2, 3, and 8. Therefore, both study intersections are warranted for a traffic signal based upon the Caltrans traffic signal warrants criteria.

The following items are recommended:

1. Install a traffic signal at the intersections of Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue.

2. Monitor sight distance at both study intersections for obstructions due to existing vegetation.

3. Continue to trim and maintain existing foliage to improve sight distance at both study intersections.

4. Refresh all existing crosswalks at both study intersections.

It is recommended that the study intersections be monitored annually for an increase in traffic volumes and sufficient sight distance. With additional area growth and other development in the area, additional traffic signal warrants could be met in the future.
RK ENGINEERING GROUP, INC. is pleased to provide this traffic signal warrant analysis for the intersections of Redlands Avenue at Jarvis Street and Redlands Avenue at Citrus Avenue in the City of Perris. If you have any questions regarding this analysis or need further review, please do not hesitate to call us at (949) 474-0809.

Sincerely,
RK ENGINEERING GROUP, INC.

Robert Kahn, P.E.
Founding Principal

Jethro Jay Narciso, E.I.T.
Engineer II

Attachments
JN: sl/rk15176 doc
JN: 0352-2019-03
Exhibits
Legend:

- = Study Area Intersection
Appendix A

Vehicle & Pedestrian Counts
### Counts Unlimited, Inc.

**City of Parris
N/S: Redlands Avenue
E/W: Jarvis Street
24 Hour Entering Volume Count**

**Address:** PO Box 1178, Corona, CA 92878
**Phone:** (951) 268-6268
**Email:** counts@countsunlimited.com
**Site Code:** 105-19104

<table>
<thead>
<tr>
<th>Start Time</th>
<th>28-Feb-19 Northbound</th>
<th>Hour Totals</th>
<th>Southbound</th>
<th>Hour Totals</th>
<th>Combined Totals</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Afternoon</td>
<td>Morning</td>
<td>Afternoon</td>
<td>Morning</td>
</tr>
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<td>69</td>
<td>14</td>
<td>67</td>
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<td>11:45</td>
</tr>
</tbody>
</table>

| Total      | 2064    | 4211     | 2064    | 4211      | 2527    | 3512     | 2527    | 3512     | 4591    | 7723     |
| Combined Total | 6275   | 6275     | 6039    | 6039      | 12314   | 12314    | 12314   | 12314    | 12314   | 12314    |
| AM Peak    | 07:00   | -        | 07:00   | -         | 07:00   | -        | 07:00   | -        | 07:00   | -        |
| Vol.       | 418     | -        | 418     | -         | 850     | -        | 850     | -        | 850     | -        |
| P.H.F.     | 0.959   | -        | 0.959   | -         | 0.780   | -        | 0.780   | -        | 0.780   | -        |
| PM Peak    | 04:45   | -        | 04:45   | -         | 03:15   | -        | 03:15   | -        | 03:15   | -        |
| Vol.       | -       | 553      | -       | 506       | -       | -        | -       | -        | -       | -        |
| P.H.F.     | 0.960   | -        | 0.960   | -         | 0.786   | -        | 0.786   | -        | 0.786   | -        |

<p>| Percentage | 32.8%   | 67.1%    | 41.8%   | 55.2%     | 32.8%   | 67.1%    | 41.8%   | 55.2%     | 32.8%   | 67.1%     |
| ADT/AADT   | ADT 12,314 | AADT 12,314 | ADT 12,314 | AADT 12,314 | ADT 12,314 | AADT 12,314 | ADT 12,314 | AADT 12,314 | ADT 12,314 | AADT 12,314 |</p>
<table>
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<th>Afternoon</th>
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<th>Morning</th>
<th>Afternoon</th>
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| 1:15 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
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| 2:45 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
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| 3:15 PM | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
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- Vol: 206 - 386
- P.H.F: 0.746 - 0.772
- PM Peak: 03:45 - 02:30
- Vol: 293 - 234
- P.H.F: 0.882 - 0.900

Percentages
- ADT/AADT: 26.5% - 73.5% - 44.3% - 55.7%
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Caures Unlimited, Inc.
PO Box 1178
Corona, CA 92878
951-268-6158
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Counts Unlimited, Inc.
PO Box 1178
Corona, CA 92878
951-268-6168
Appendix B

SWITRS Collision Data
### CHEROKEE RD
- **Primary Coll. Factor**: IMPROPER TURN
- **Coll. Type**: BROADSIDE
- **Weather**: DRY
- **Vehicle Involved**: OTHER MV
- **Race**: HNBD
- **Age**: 39
- **Sex**: F
- **Dir**: LFT TURN
- **Time**: 1030
- **Date**: THU
- **Collision Date**: 20160908
- **Post撞 Prefix**: 3290
- **Post撞**: 3290
- **Severity**: N
- **Injured**: 0
- **Tow Away**: N
- **Total Count**: 429

### CHEROKEE RD
- **Primary Coll. Factor**: IMPROPER TURN
- **Coll. Type**: BROADSIDE
- **Weather**: DRY
- **Vehicle Involved**: OTHER MV
- **Race**: HNBD
- **Age**: 37
- **Sex**: M
- **Dir**: PROW ST
- **Time**: 1030
- **Date**: THU
- **Collision Date**: 20160908
- **Post撞 Prefix**: 3290
- **Post撞**: 3290
- **Severity**: N
- **Injured**: 0
- **Tow Away**: N
- **Total Count**: 429

### CLAPPER ST
- **Primary Coll. Factor**: IMPROPER TURN
- **Coll. Type**: BROADSIDE
- **Weather**: DRY
- **Vehicle Involved**: OTHER MV
- **Race**: HNBD
- **Age**: 36
- **Sex**: M
- **Dir**: MSMDNR
- **Time**: 2030
- **Date**: FRI
- **Collision Date**: 20160902
- **Post撞 Prefix**: 4126
- **Post撞**: 4126
- **Severity**: N
- **Injured**: 0
- **Tow Away**: N
- **Total Count**: 429

### COCHISE RD
- **Primary Coll. Factor**: IMPROPER TURN
- **Coll. Type**: ELECTRICAL POLE
- **Weather**: DRY
- **Vehicle Involved**: OTHER MV
- **Race**: HNBD
- **Age**: 58
- **Sex**: M
- **Dir**: PROW ST
- **Time**: 1239
- **Date**: MON
- **Collision Date**: 20160328
- **Post撞 Prefix**: N3558
- **Post撞**: N3558
- **Severity**: N
- **Injured**: 0
- **Tow Away**: N
- **Total Count**: 429

### CREEKWOOD CT
- **Primary Coll. Factor**: IMPROPER TURN
- **Coll. Type**: SIDEWALK
- **Weather**: DRY
- **Vehicle Involved**: PKD MV
- **Race**: HNBD
- **Age**: 37
- **Sex**: M
- **Dir**: PROW ST
- **Time**: 0009
- **Date**: WED
- **Collision Date**: 20160330
- **Post撞 Prefix**: 3552
- **Post撞**: 3552
- **Severity**: N
- **Injured**: 0
- **Tow Away**: Y
- **Total Count**: 429

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This report is accepted subject to the Terms of Use. Due to collision records processing hiccups, SWATRS data is typically seven months behind. Data requested for dates seven months prior to the current date will be incomplete.
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**Jurisdiction(s): Riverside County**

**Report Run On: 02/11/2019**

**Total Count: 463**

This report is subject to the Terms of Use. Due to collision records processing backlogs, HH data is typically seven months behind. Data requested for dates seven months prior to the current date will be incomplete.
Appendix C

CA MUTCD Traffic Signal Warrant Conditions
CHAPTER 4C. TRAFFIC CONTROL SIGNAL NEEDS STUDIES

Section 4C.01 Studies and Factors for Justifying Traffic Control Signals

Standard:

01 An engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at a particular location.

02 On State highways, the engineering study shall include consideration of a roundabout (yield control). If a roundabout is determined to provide a viable and practical solution, it shall be studied in lieu of, or in addition to a traffic control signal.

Guidance:

03 On local streets and highways, the engineering study should include consideration of a roundabout (yield control). If a roundabout is determined to provide a viable and practical solution, it should be studied in lieu of, or in addition to a traffic control signal.

Support:

04 Refer to Caltrans' website (http://www.dot.ca.gov/hq/traffops/liaisons/ice.html) for more information on the Traffic Operations Policy Directive 13-02, Intersection Control Evaluation (ICE), and other resources for the evaluation of intersection traffic control strategies.

05 The investigation of the need for a traffic control signal shall include an analysis of factors related to the existing operation and safety at the study location and the potential to improve these conditions, and the applicable factors contained in the following traffic signal warrants:

- Warrant 1, Eight-Hour Vehicular Volume
- Warrant 2, Four-Hour Vehicular Volume
- Warrant 3, Peak Hour
- Warrant 4, Pedestrian Volume
- Warrant 5, School Crossing
- Warrant 6, Coordinated Signal System
- Warrant 7, Crash Experience
- Warrant 8, Roadway Network
- Warrant 9, Intersection Near a Grade Crossing

06 The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

Support:

07 Sections 8C.09 and 8C.10 contain information regarding the use of traffic control signals instead of gates and/or flashing-light signals at highway-rail grade crossings and highway-light rail transit grade crossings, respectively.

Guidance:

08 A traffic control signal should not be installed unless one or more of the factors described in this Chapter are met.

09 A traffic control signal should not be installed unless an engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection.

10 A traffic control signal should not be installed if it will seriously disrupt progressive traffic flow.

11 The study should consider the effects of the right-turn vehicles from the minor-street approaches. Engineering judgment should be used to determine what, if any, portion of the right-turn traffic is subtracted from the minor-street traffic count when evaluating the count against the signal warrants listed in Paragraph 2.

12 Engineering judgment should also be used in applying various traffic signal warrants to cases where approaches consist of one lane plus one left-turn or right-turn lane. The site-specific traffic characteristics should dictate whether an approach is considered as one lane or two lanes. For example, for an approach with one lane for through and right-turning traffic plus a left-turn lane, if engineering judgment indicates that it should be considered a one-lane approach because the traffic using the left-turn lane is minor, the total traffic volume approaching the intersection should be applied against the signal warrants as a one-lane approach.
approach should be considered two lanes if approximately half of the traffic on the approach turns left and the
left-turn lane is of sufficient length to accommodate all left-turn vehicles.

10 Similar engineering judgment and rationale should be applied to a street approach with one through/left-turn
lane plus a right-turn lane. In this case, the degree of conflict of minor-street right-turn traffic with traffic on the
major street should be considered. Thus, right-turn traffic should not be included in the minor-street volume if the
movement enters the major street with minimal conflict. The approach should be evaluated as a one-lane
approach with only the traffic volume in the through/left-turn lane considered.

11 At a location that is under development or construction and where it is not possible to obtain a traffic count
that would represent future traffic conditions, hourly volumes should be estimated as part of an engineering study
for comparison with traffic signal warrants. Except for locations where the engineering study uses the
satisfaction of Warrant 9 to justify a signal, a traffic control signal installed under projected conditions should
have an engineering study done within 1 year of putting the signal into stop-and-go operation to determine if the
signal is justified. If not justified, the signal should be taken out of stop-and-go operation or removed.

12 For signal warrant analysis, a location with a wide median, even if the median width is greater than 30 feet,
should be considered as one intersection.

Option:

13 At an intersection with a high volume of left-turn traffic from the major street, the signal warrant analysis
may be performed in a manner that considers the higher of the major-street left-turn volumes as the “minor-
street” volume and the corresponding single direction of opposing traffic on the major street as the “major street”
volume volume of the major-street left-turn volumes plus the higher volume minor-street approach as the “minor street”
volume and both approaches of the major street minus the higher of the major-street left-turn volume as “major street”
volume.

14 For signal warrants requiring conditions to be present for a certain number of hours in order to be satisfied,
any four sequential 15-minute periods may be considered as 1 hour if the separate 1-hour periods used in the
warrant analysis do not overlap each other and both the major-street volume and the minor-street volume are for
the same specific one-hour periods.

15 For signal warrant analysis, bicyclists may be counted as either vehicles or pedestrians.

Support:

16 When performing a signal warrant analysis, bicyclists riding in the street with other vehicular traffic are
usually counted as vehicles and bicyclists who are clearly using pedestrian facilities are usually counted as
pedestrians.

Option:

17 Engineering study data may include the following:
A. The number of vehicles entering the intersection in each hour from each approach during 12 hours of an
   average day. It is desirable that the hours selected contain the greatest percentage of the 24-hour traffic
   volume.
B. Vehicular volumes for each traffic movement from each approach, classified by vehicle type (heavy trucks,
   passenger cars and light trucks, public-transit vehicles, and, in some locations, bicycles), during each 15-
   minute period of the 2 hours in the morning and 2 hours in the afternoon during which total traffic entering
   the intersection is greatest.
C. Pedestrian volume counts on each crosswalk during the same periods as the vehicular counts in Item B and
   during hours of highest pedestrian volume. Where young, elderly, and/or persons with physical or visual
disabilities need special consideration, the pedestrians and their crossing times may be classified by general
observation.
D. Information about nearby facilities and activity centers that serve the young, elderly, and/or persons with
disabilities, including requests from persons with disabilities for accessible crossing improvements at the
location under study. These persons might not be adequately reflected in the pedestrian volume count if the
absence of a signal restrains their mobility.
E. The posted or statutory speed limit or the 85a-percentile speed on the uncontrolled approaches to the
   location.
F. A condition diagram showing details of the physical layout, including such features as intersection
   geometrics, channelization, grades, sight-distance restrictions, transit stops and routes, parking conditions,
pavement markings, roadway lighting, driveways, nearby railroad crossings, distance to nearest traffic control signals, utility poles and fixtures, and adjacent land use.
G. A collision diagram showing crash experience by type, location, direction of movement, severity, weather, time of day, date, and day of week for at least 1 year.
  18 The following data, which are desirable for a more precise understanding of the operation of the intersection, may be obtained during the periods described in Item B of Paragraph 17:
  A. Vehicle-hours of stopped time delay determined separately for each approach.
  B. The number and distribution of acceptable gaps in vehicular traffic on the major street for entrance from the minor street.
  C. The posted or statutory speed limit or the 85th-percentile speed on controlled approaches at a point near to the intersection but unaffected by the control.
  D. Pedestrian delay time for at least two 30-minute peak pedestrian delay periods of an average weekday or like periods of a Saturday or Sunday.
  E. Queue length on stop-controlled approaches.

**Standard:**
  19 Delay, congestion, approach conditions, driver confusion, future land use or other evidence of the need for right of way assignment beyond that which could be provided by stop sign shall be demonstrated.

**Support:**
  20 Figure 4C-101(CA) and 4C-103(CA) are examples of warrant sheets.

**Guidance:**
  21 Figure 4C-103(CA) should be used only for new intersections or other locations where it is not reasonable to count actual traffic volumes.

**Section 4C.02 Warrant 1, Eight-Hour Vehicular Volume**

**Support:**
  01 The Minimum Vehicular Volume, Condition A, is intended for application at locations where a large volume of intersecting traffic is the principal reason to consider installing a traffic control signal.
  02 The Interruption of Continuous Traffic, Condition B, is intended for application at locations where Condition A is not satisfied and where the traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or conflict in entering or crossing the major street.
  03 It is intended that Warrant 1 be treated as a single warrant. If Condition A is satisfied, then Warrant 1 is satisfied and analyses of Condition B and the combination of Conditions A and B are not needed. Similarly, if Condition B is satisfied, then Warrant 1 is satisfied and an analysis of the combination of Conditions A and B is not needed.

**Standard:**
  04 The need for a traffic control signal shall be considered if an engineering study finds that one of the following conditions exist for each of any 8 hours of an average day:
  A. The vehicles per hour given in both of the 100 percent columns of Condition A in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection; or
  B. The vehicles per hour given in both of the 100 percent columns of Condition B in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection.

In applying each condition the major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of these 8 hours.

**Option:**
  05 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 70 percent columns in Table 4C-1 may be used in place of the 100 percent columns.

**Guidance:**
  06 The combination of Conditions A and B is intended for application at locations where Condition A is not satisfied and Condition B is not satisfied and should be applied only after an adequate trial of other alternatives that could cause less delay and inconvenience to traffic has failed to solve the traffic problems.
Standard:

- The need for a traffic control signal shall be considered if an engineering study finds that both of the following conditions exist for each of any 8 hours of an average day:
  
  A. The vehicles per hour given in both of the 80 percent columns of Condition A in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection; and
  
  B. The vehicles per hour given in both of the 80 percent columns of Condition B in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection.

  These major-street and minor-street volumes shall be for the same 8 hours for each condition; however, the 8 hours satisfied in Condition A shall not be required to be the same 8 hours satisfied in Condition B. On the minor street, the higher volume shall not be required to be on the same approach during each of the 8 hours.

Option:

- If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 56 percent columns in Table 4C-1 may be used in place of the 80 percent columns.

Section 4C.03 Warrant 2, Four-Hour Vehicular Volume

Support:

- The Four-Hour Vehicular Volume signal warrant conditions are intended to be applied where the volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

Standard:

- The need for a traffic control signal shall be considered if an engineering study finds that, for each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) all fall above the applicable curve in Figure 4C-1 for the existing combination of approach lanes. On the minor street, the higher volume shall not be required to be on the same approach during each of these 4 hours.

Option:

- If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-2 may be used in place of Figure 4C-1.

Section 4C.04 Warrant 3, Peak Hour

Support:

- The Peak Hour signal warrant is intended for use at a location where traffic conditions are such that for a minimum of 1 hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street.

Standard:

- This signal warrant shall be applied only in unusual cases, such as office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time.

- The need for a traffic control signal shall be considered if an engineering study finds that the criteria in either of the following two categories are met:
  
  A. If all three of the following conditions exist for the same 1 hour (any four consecutive 15-minute periods) of an average day:
    
    1. The total stopped time delay experienced by the traffic on one minor-street approach (one direction only) controlled by a STOP sign equals or exceeds: 4 vehicle-hours for a one-lane approach or 5 vehicle-hours for a two-lane approach; and
    
    2. The volume on the same minor-street approach (one direction only) equals or exceeds 100 vehicles per hour for one moving lane of traffic or 150 vehicles per hour for two moving lanes; and
3. The total entering volume serviced during the hour equals or exceeds 650 vehicles per hour for intersections with three approaches or 800 vehicles per hour for intersections with four or more approaches.

B. The plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4C-3 for the existing combination of approach lanes.

Option:
- If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-4 may be used in place of Figure 4C-3 to evaluate the criteria in the second category of the Standard.
- If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal may be operated in the flashing mode during the hours that the volume criteria of this warrant are not met.

**Guidance:**
- If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal should be traffic-actuated.

**Section 4C.05 Warrant 4, Pedestrian Volume**

Support:
- The Pedestrian Volume signal warrant is intended for application where the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street.

Standard:
- The need for a traffic control signal at an intersection or midblock crossing shall be considered if an engineering study finds that one of the following criteria is met:
  A. For each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) all fall above the curve in Figure 4C-5; or
  B. For 1 hour (any four consecutive 15-minute periods) of an average day, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) falls above the curve in Figure 4C-7.

Option:
- If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 35 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-6 may be used in place of Figure 4C-5 to evaluate Criterion A in Paragraph 2, and Figure 4C-8 may be used in place of Figure 4C-7 to evaluate Criterion B in Paragraph 2.

Standard:
- The Pedestrian Volume signal warrant shall not be applied at locations where the distance to the nearest traffic control signal or STOP sign controlling the street that pedestrians desire to cross is less than 300 feet, unless the proposed traffic control signal will not restrict the progressive movement of traffic.
- If this warrant is met and a traffic control signal is justified by an engineering study, the traffic control signal shall be equipped with pedestrian signal heads complying with the provisions set forth in Chapter 4E.

**Guidance:**
- If this warrant is met and a traffic control signal is justified by an engineering study, then:
  A. If it is installed at an intersection or major driveway location, the traffic control signal should also control the minor-street or driveway traffic, should be traffic-actuated, and should include pedestrian detection.
  B. If it is installed at a non-intersection crossing, the traffic control signal should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs, and should be pedestrian-actuated. If the traffic control signal is installed at a non-intersection crossing, at least one of the signal faces should be over the traveled way for each approach, parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the crosswalk or site.

Chapter 4C – Traffic Control Signal Needs Studies
Part 4 – Highway Traffic Signals

November 7, 2014
accommodations should be made through curb extensions or other techniques to provide adequate sight distance, and the installation should include suitable standard signs and pavement markings.

C. Furthermore, if it is installed within a signal system, the traffic control signal should be coordinated.

Option:

07 The criterion for the pedestrian volume crossing the major street may be reduced as much as 50 percent if the 15th-percentile crossing speed of pedestrians is less than 3.5 feet per second.

08 A traffic control signal may not be needed at the study location if adjacent coordinated traffic control signals consistently provide gaps of adequate length for pedestrians to cross the street.

Section 4C.06 Warrant 5, School Crossing

Support:

01 The School Crossing signal warrant is intended for application where the fact that schoolchildren cross the major street is the principal reason to consider installing a traffic control signal. For the purposes of this warrant, the word “schoolchildren” includes elementary through high school students.

Standard:

02 The need for a traffic control signal shall be considered when an engineering study of the frequency and adequacy of gaps in the vehicular traffic stream as related to the number and size of groups of schoolchildren at an established school crossing across the major street shows that the number of adequate gaps in the traffic stream during the period when the schoolchildren are using the crossing is less than the number of minutes in the same period (see Section 7A.03) and there are a minimum of 20 schoolchildren during the highest crossing hour.

03 Before a decision is made to install a traffic control signal, consideration shall be given to the implementation of other remedial measures, such as warning signs and flashers, school speed zones, school crossing guards, or a grade-separated crossing.

04 The School Crossing signal warrant shall not be applied at locations where the distance to the nearest traffic control signal along the major street is less than 300 feet, unless the proposed traffic control signal will not restrict the progressive movement of traffic.

Guidance:

05 If this warrant is met and a traffic control signal is justified by an engineering study, then:

A. If it is installed at an intersection or major driveway location, the traffic control signal should also control the minor-street or driveway traffic, should be traffic-actuated, and should include pedestrian detection.

B. If it is installed at a non-intersection crossing, the traffic control signal should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs, and should be pedestrian-actuated. If the traffic control signal is installed at a non-intersection crossing, at least one of the signal faces should be over the traveled way for each approach, parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the crosswalk or site accommodations should be made through curb extensions or other techniques to provide adequate sight distance, and the installation should include suitable standard signs and pavement markings.

C. Furthermore, if it is installed within a signal system, the traffic control signal should be coordinated.

Section 4C.07 Warrant 6, Coordinated Signal System

Support:

01 Progressive movement in a coordinated signal system sometimes necessitates installing traffic control signals at intersections where they would not otherwise be needed in order to maintain proper platooning of vehicles.

Standard:

02 The need for a traffic control signal shall be considered if an engineering study finds that one of the following criteria is met:

A. On a one-way street or a street that has traffic predominantly in one direction, the adjacent traffic control signals are so far apart that they do not provide the necessary degree of vehicular platooning.

B. On a two-way street, adjacent traffic control signals do not provide the necessary degree of platooning and the proposed and adjacent traffic control signals will collectively provide a progressive operation.
Guidance:
  o) The Coordinated Signal System signal warrant should not be applied where the resultant spacing of traffic control signals would be less than 1,000 feet.

Section 4C.08 Warrant 7, Crash Experience

Support:
  o) The Crash Experience signal warrant conditions are intended for application where the severity and frequency of crashes are the principal reasons to consider installing a traffic control signal.

Standard:
  o) The need for a traffic control signal shall be considered if an engineering study finds that all of the following criteria are met:
     A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
     B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period, each crash involving personal injury or property damage apparently exceeding the applicable requirements for a reportable crash; and
     C. For each of any 8 hours of an average day, the vehicles per hour (vph) given in both of the 80 percent columns of Condition A in Table 4C-1 (see Section 4C.02), or the vph in both of the 80 percent columns of Condition B in Table 4C-1 exists on the major-street and the higher-volume minor-street approach, respectively, to the intersection, or the volume of pedestrian traffic is not less than 80 percent of the requirements specified in the Pedestrian Volume warrant. These major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of the 8 hours.

Option:
  o) If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 56 percent columns in Table 4C-1 may be used in place of the 80 percent columns.

Section 4C.09 Warrant 8, Roadway Network

Support:
  o) Installing a traffic control signal at some intersections might be justified to encourage concentration and organization of traffic flow on a roadway network.

Standard:
  o) The need for a traffic control signal shall be considered if an engineering study finds that the common intersection of two or more major routes meets one or both of the following criteria:
     A. The intersection has a total existing, or immediately projected, entering volume of at least 1,000 vehicles per hour during the peak hour of a typical weekday and has 5-year projected traffic volumes, based on an engineering study, that meet one or more of Warrants 1, 2, and 3 during an average weekday; or
     B. The intersection has a total existing or immediately projected entering volume of at least 1,000 vehicles per hour for each of any 5 hours of a non-normal business day (Saturday or Sunday).
  o) A major route as used in this signal warrant shall have at least one of the following characteristics:
     A. It is part of the street or highway system that serves as the principal roadway network for through traffic flow.
     B. It includes rural or suburban highways outside, entering, or traversing a city.
     C. It appears as a major route on an official plan, such as a major street plan in an urban area traffic and transportation study.

Section 4C.10 Warrant 9, Intersection Near a Grade Crossing

Support:
  o) The Intersection Near a Grade Crossing signal warrant is intended for use at a location where none of the conditions described in the other eight traffic signal warrants are met, but the proximity to the intersection of a

Chapter 4C – Traffic Control Signal Needs Studies
Part 4 – Highway Traffic Signals
grade crossing on an intersection approach controlled by a STOP or YIELD sign is the principal reason to consider installing a traffic control signal.

Guidance:
- This signal warrant should be applied only after adequate consideration has been given to other alternatives or after a trial of an alternative has failed to alleviate the safety concerns associated with the grade crossing. Among the alternatives that should be considered or tried are:
  A. Providing additional pavement that would enable vehicles to clear the track or that would provide space for an evasive maneuver, or
  B. Reassigning the stop controls at the intersection to make the approach across the track a non-stopping approach.

Standard:
- The need for a traffic control signal shall be considered if an engineering study finds that both of the following criteria are met:
  A. A grade crossing exists on an approach controlled by a STOP or YIELD sign and the center of the track nearest to the intersection is within 140 feet of the stop line or yield line on the approach; and
  B. During the highest traffic volume hour during which rail traffic uses the crossing, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the minor-street approach that crosses the track (one direction only, approaching the intersection) falls above the applicable curve in Figure 4C-9 or 4C-10 for the existing combination of approach lanes over the track and the distance D, which is the clear storage distance as defined in Section 1A.13.

Guidance:
- The following considerations apply when plotting the traffic volume data on Figure 4C-9 or 4C-10:
  A. Figure 4C-9 should be used if there is only one lane approaching the intersection at the track crossing location and Figure 4C-10 should be used if there are two or more lanes approaching the intersection at the track crossing location.
  B. After determining the actual distance D, the curve for the distance D that is nearest to the actual distance D should be used. For example, if the actual distance D is 95 feet, the plotted point should be compared to the curve for D = 90 feet.
  C. If the rail traffic arrival times are unknown, the highest traffic volume hour of the day should be used.

Option:
- The minor-street approach volume may be multiplied by up to three adjustment factors as provided in Paragraphs 6 through 8.
- Because the curves are based on an average of four occurrences of rail traffic per day, the vehicles per hour on the minor-street approach may be multiplied by the adjustment factor shown in Table 4C-2 for the appropriate number of occurrences of rail traffic per day.
- Because the curves are based on typical vehicle occupancy, if at least 2% of the vehicles crossing the track are buses carrying at least 20 people, the vehicles per hour on the minor-street approach may be multiplied by the adjustment factor shown in Table 4C-3 for the appropriate percentage of high-occupancy buses.
- Because the curves are based on tractor-trailer trucks comprising 10% of the vehicles crossing the track, the vehicles per hour on the minor-street approach may be multiplied by the adjustment factor shown in Table 4C-4 for the appropriate distance and percentage of tractor-trailer trucks.

Standard:
- If this warrant is met and a traffic control signal at the intersection is justified by an engineering study, then:
  A. The traffic control signal shall have actuation on the minor street;
  B. Preemption control shall be provided in accordance with Sections 4D.27, 8C.09, and 8C.10; and
  C. The grade crossing shall have flashing-light signals (see Chapter 8C).

Guidance:
- If this warrant is met and a traffic control signal at the intersection is justified by an engineering study, the grade crossing should have automatic gates (see Chapter 8C).
Section 4C.101(CA) Criterion for School Crossing Traffic Signals

- Standard:
  
  A. The signal shall be designed for full-time operation.
  
  B. Pedestrian signal faces of the International Symbol type shall be installed at all marked crosswalks at signalized intersections along the "Suggested Route to School."
  
  C. If an intersection is signalized under this guideline for school pedestrians, the entire intersection shall be signalized.
  
  D. School area traffic signals shall be traffic actuated type with push buttons or other detectors for pedestrians.

Option:

- Non-intersection school pedestrian crosswalk locations may be signalized when justified.
Figure 4C-1. Warrant 2, Four-Hour Vehicular Volume

*Note: 115 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 80 vph applies as the lower threshold volume for a minor-street approach with one lane.

Figure 4C-2. Warrant 2, Four-Hour Vehicular Volume (70% Factor)

*Note: 80 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 60 vph applies as the lower threshold volume for a minor-street approach with one lane.
**Figure 4C-3. Warrant 3, Peak Hour**

- **MINOR STREET HIGHER-VOLUME APPROACH - VPH**
- **MAJOR STREET - TOTAL OF BOTH APPROACHES - VEHICLES PER HOUR (VPH)**

*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.*

---

**Figure 4C-4. Warrant 3, Peak Hour (70% Factor)**

- **MINOR STREET HIGHER-VOLUME APPROACH - VPH**
- **MAJOR STREET - TOTAL OF BOTH APPROACHES - VEHICLES PER HOUR (VPH)**

*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.*
Figure 4C-5. Warrant 4, Pedestrian Four-Hour Volume

TOTAL OF ALL PEDESTRIANS CROSSING MAJOR STREET PEDESTRIANS PER HOUR (PPH)

MAJOR STREET—TOTAL OF BOTH APPROACHES—VEHICLES PER HOUR (VPH)

*Note: 107 pph applies as the lower threshold volume.

Figure 4C-6. Warrant 4, Pedestrian Four-Hour Volume (70% Factor)

TOTAL OF ALL PEDESTRIANS CROSSING MAJOR STREET PEDESTRIANS PER HOUR (PPH)

MAJOR STREET—TOTAL OF BOTH APPROACHES—VEHICLES PER HOUR (VPH)

*Note: 75 pph applies as the lower threshold volume.
Figure 4C-7. Warrant 4, Pedestrian Peak Hour

*Note: 133 pph applies as the lower threshold volume.

Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)

*Note: 93 pph applies as the lower threshold volume.
Appendix D

Traffic Signal Warrants Worksheet
### Traffic Signal Warrants Worksheet

<table>
<thead>
<tr>
<th>Jurisdiction:</th>
<th>CITY OF PERRIS</th>
<th>CALC JN</th>
<th>DATE 3/6/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major Street:</td>
<td>REDLANDS AVENUE</td>
<td>CHK RK</td>
<td>DATE 3/6/2019</td>
</tr>
<tr>
<td>Minor Street:</td>
<td>JARVIS STREET</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traffic Condition:</td>
<td>EXISTING CONDITIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Critical speed of major street =</td>
<td>45 mph</td>
<td>Rural (R)</td>
<td>Major Approach Lanes = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minor Approach Lanes = 1</td>
<td></td>
</tr>
</tbody>
</table>

#### WARRANT 1 - Eight Hour Vehicular Volume

**Condition A - Minimum Vehicle Volume**

- Minimum Major Approach Volume = 420, 100% SATISFIED = YES
- Minimum Minor Approach Volume = 105

<table>
<thead>
<tr>
<th>Minimum Requirements (80% shown in Brackets)</th>
<th>U</th>
<th>R</th>
<th>U</th>
<th>R</th>
<th>Hr 1</th>
<th>Hr 2</th>
<th>Hr 3</th>
<th>Hr 4</th>
<th>Hr 5</th>
<th>Hr 6</th>
<th>Hr 7</th>
<th>Hr 8</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approach Lanes</td>
<td>1</td>
<td>2 or More</td>
<td>8-9</td>
<td>1-2</td>
<td>2-3</td>
<td>3-4</td>
<td>4-5</td>
<td>5-6</td>
<td>6-7</td>
<td>7-8</td>
<td>Satisfy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both Approaches</td>
<td>500</td>
<td>(400)</td>
<td>600</td>
<td>(480)</td>
<td>420</td>
<td></td>
<td>1068</td>
<td>698</td>
<td>707</td>
<td>926</td>
<td>952</td>
<td>975</td>
<td>950</td>
</tr>
<tr>
<td>Major Street</td>
<td></td>
<td></td>
<td>350</td>
<td>(280)</td>
<td></td>
<td></td>
<td>193</td>
<td>152</td>
<td>137</td>
<td>237</td>
<td>189</td>
<td>196</td>
<td>183</td>
</tr>
<tr>
<td>Highest Approach</td>
<td>150</td>
<td>(120)</td>
<td>200</td>
<td>(160)</td>
<td>140</td>
<td></td>
<td>193</td>
<td>152</td>
<td>137</td>
<td>237</td>
<td>189</td>
<td>196</td>
<td>183</td>
</tr>
<tr>
<td>Minor Street</td>
<td></td>
<td></td>
<td>105</td>
<td>(84)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Condition B - Interruption of Continuous Traffic**

- Minimum Major Approach Volume = 630, 100% SATISFIED = YES
- Minimum Minor Approach Volume = 53

<table>
<thead>
<tr>
<th>Minimum Requirements (80% shown in Brackets)</th>
<th>U</th>
<th>R</th>
<th>U</th>
<th>R</th>
<th>Hr 1</th>
<th>Hr 2</th>
<th>Hr 3</th>
<th>Hr 4</th>
<th>Hr 5</th>
<th>Hr 6</th>
<th>Hr 7</th>
<th>Hr 8</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approach Lanes</td>
<td>1</td>
<td>2 or More</td>
<td>8-9</td>
<td>1-2</td>
<td>2-3</td>
<td>3-4</td>
<td>4-5</td>
<td>5-6</td>
<td>6-7</td>
<td>7-8</td>
<td>Satisfy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both Approaches</td>
<td>750</td>
<td>(600)</td>
<td>900</td>
<td>(720)</td>
<td>630</td>
<td></td>
<td>1068</td>
<td>698</td>
<td>707</td>
<td>926</td>
<td>952</td>
<td>975</td>
<td>950</td>
</tr>
<tr>
<td>Major Street</td>
<td></td>
<td></td>
<td>525</td>
<td>(420)</td>
<td></td>
<td></td>
<td>193</td>
<td>152</td>
<td>137</td>
<td>237</td>
<td>189</td>
<td>196</td>
<td>183</td>
</tr>
<tr>
<td>Highest Approach</td>
<td>75</td>
<td>(60)</td>
<td>100</td>
<td>(80)</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Street</td>
<td></td>
<td></td>
<td>53</td>
<td>(42)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Traffic Signal Warrants Worksheet

Combination of Conditions A & B

<table>
<thead>
<tr>
<th>REQUIREMENT</th>
<th>WARRANT</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>TWO WARRANTS SATISFIED 80%</td>
<td>1. MINIMUM VEHICULAR VOLUME</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>2. INTERRUPTION OF CONTINUOUS TRAFFIC</td>
<td>YES</td>
</tr>
</tbody>
</table>

WARRANT 2 - Four Hour Vehicular Volume

SATISFIED = YES

Record hourly vehicular volumes for four hours.

<table>
<thead>
<tr>
<th>APPROACH LANES</th>
<th>Number of Lanes</th>
<th>8-9</th>
<th>5-6</th>
<th>3-4</th>
<th>4-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Approaches - Major Street</td>
<td>2</td>
<td>1068</td>
<td>975</td>
<td>926</td>
<td>952</td>
</tr>
<tr>
<td>Highest Approach - Minor Street</td>
<td>1</td>
<td>193</td>
<td>196</td>
<td>237</td>
<td>189</td>
</tr>
</tbody>
</table>

WARRANT 3 - Peak Hour

PART A or PART B SATISFIED = YES

PART A

SATISFIED = NO

(All parts 1, 2, and 3 below must be satisfied)

1. The total delay experienced for traffic on one minor street approach controlled by a STOP sign equals or exceeds four vehicle-hours for a one-lane approach and five vehicle-hours for a two-lane approach; AND

2. The volume on the same minor street approach equals or exceeds 100 vph for one moving lane of traffic or 150 vph for two moving lanes; AND

3. The total entering volume serviced during the hour equals or exceeds 800 vph for intersections with four or more approaches or 650 vph for intersections with three approaches.

PART B

SATISFIED = YES

<table>
<thead>
<tr>
<th>Approach Lanes</th>
<th>Number of Lanes</th>
<th>8-9</th>
<th>5-6</th>
<th>3-4</th>
<th>4-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Approaches - Major Street</td>
<td>2</td>
<td>1068</td>
<td>975</td>
<td>926</td>
<td>952</td>
</tr>
<tr>
<td>Highest Approach - Minor Street</td>
<td>1</td>
<td>193</td>
<td>196</td>
<td>237</td>
<td>189</td>
</tr>
</tbody>
</table>

The plotted points for vehicles per hour on major streets (both approaches) and the corresponding per hour higher volume vehicle minor street approach (one direction only) for one hour (any consecutive 15 minute period) fall above the applicable curves in MUTCD Figure 4C-3 or 4C-4.

3/6/2019
Traffic Signal Warrants Worksheet

WARRANT 4 - Pedestrian Volume

100% SATISFIED = NO

(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>REQUIREMENT</th>
<th>Fulfilled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian volume crossing the major street is 100 or more for each of any four hours OR is 190 or more during any one hour;</td>
<td>N</td>
</tr>
<tr>
<td>ANY. There are less than 60 gaps per hour in the major street traffic stream of adequate length for pedestrians to cross,</td>
<td>N</td>
</tr>
<tr>
<td>AND. The distance to the nearest traffic signal along the major street is greater than 90m (300ft);</td>
<td>Y</td>
</tr>
<tr>
<td>AND. The new traffic signal will not seriously disrupt progressive traffic flow on the major street.</td>
<td>Y</td>
</tr>
</tbody>
</table>

The satisfaction of a warrant is not necessarily justification for a signal. Delay, congestion, confusion, or other evidence of the need for right-of-way assignment must be shown.

WARRANT 5 - School Crossing

100% SATISFIED = NO

(All Parts Must Be Satisfied)

**PART A**

<table>
<thead>
<tr>
<th>EACH OF TWO HOURS-------------</th>
<th>7-8</th>
<th>2-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gaps vs Minutes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minutes Children Using Crossing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of Adequate Gaps</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>School Age Pedestrians Crossing Street</td>
<td>52</td>
<td>42</td>
</tr>
</tbody>
</table>

GAPS < MINUTES SATISFIED = NO

CHILDREN > 20/HR SATISFIED = YES

**PART B**

Is Nearest Controlled Crossing More Than 180 m (600 ft) away?  N
Traffic Signal Warrants Worksheet

WARRANT 6 - Coordinated Signal System
(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>MINIMUM REQUIREMENTS</th>
<th>DISTANCE TO NEAREST SIGNAL</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;300 m (1000 ft)</td>
<td>North 3260 ft South 655 ft</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>East 0 ft West 2655 ft</td>
<td></td>
</tr>
</tbody>
</table>

On one way isolated streets or streets with one way traffic significance and adjacent signals are so far apart that necessary platooning and speed control would be lost. NO

On 2-way streets where adjacent signals do not provide necessary platooning and speed control proposed signals could constitute a progressive signal syste.

WARRANT 7 - Crash Warrant
(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>WARRANT</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Warrant Satisfied</td>
<td>Warrant 1 - Minimum Vehicular Volume OR Warrant 2 - Interruption of Continuous Traffic</td>
<td>Y</td>
</tr>
<tr>
<td>80%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signal will not seriously disrupt progressive traffic flow. Y

Adequate Trial of Less Restrictive Remedies Has Failed to Reduce Accident Frequency Y

Acc. Within a 12 Month Period Susceptible for Corr. & Involving Injury or ≥ $500 Damage

<table>
<thead>
<tr>
<th>MINIMUM REQUIREMENTS</th>
<th>NUMBER OF ACCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or More</td>
<td>1</td>
</tr>
</tbody>
</table>
### Traffic Signal Warrants Worksheet

#### WARRANT 8 - Roadway Network
(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>MINIMUM VOLUME REQUIREMENTS</th>
<th>ENTERING VOLUMES - ALL APPROACHES</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 Veh/Hr</td>
<td>During Typical Weekday Peak Hour</td>
<td><strong>YES</strong></td>
</tr>
<tr>
<td></td>
<td>1378 Veh/Hr.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>During Each of Any 5 Hrs. of a Sat. and/or Sun</td>
<td>0 Veh/Hr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHARACTERISTICS OF MAJOR ROUTES</th>
<th>MAJOR ST.</th>
<th>MINOR ST.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hwy System Serving as Principal Network for Through Traffic</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
</tr>
<tr>
<td>Rural or Suburban Highway Outside Of, Entering, or Traversing a City</td>
<td><strong>N</strong></td>
<td><strong>N</strong></td>
</tr>
<tr>
<td>Appears as Major Route on an Official Plan</td>
<td><strong>Y</strong></td>
<td><strong>Y</strong></td>
</tr>
</tbody>
</table>

Any Major Route Characteristics Met, Both Streets

100% SATISIFIED = **YES**
Traffic Signal Warrants Worksheet

Jurisdiction: CITY OF PERRIS
Major Street: REDLANDS AVENUE
Minor Street: CITRUS AVENUE
Traffic Condition: EXISTING CONDITIONS

Critical speed of major street = 45 mph
Roadway Class: Rural (R)

Major Approach Lanes = 2
Minor Approach Lanes = 1

WARRANT 1 - Eight Hour Vehicular Volume

Condition A - Minimum Vehicle Volume

Minimum Major Approach Volume = 420
Minimum Minor Approach Volume = 105

100% SATISFIED = NO
80% SATISFIED = YES

Minimum Requirements (80% shown in Brackets)

<table>
<thead>
<tr>
<th>Approach Lanes</th>
<th>U</th>
<th>R</th>
<th>U</th>
<th>R</th>
<th>Hr 1</th>
<th>Hr 2</th>
<th>Hr 3</th>
<th>Hr 4</th>
<th>Hr 5</th>
<th>Hr 6</th>
<th>Hr 7</th>
<th>Hr 8</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Approaches</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>596</td>
<td>340</td>
<td>412</td>
<td>517</td>
<td>592</td>
<td>570</td>
<td>553</td>
<td>496</td>
<td>80%</td>
</tr>
<tr>
<td>Major Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(480)</td>
<td>(336)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highest Approach</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(80)</td>
<td>(112)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>355</td>
<td>185</td>
<td>205</td>
<td>226</td>
<td>287</td>
<td>278</td>
<td>250</td>
<td>269</td>
<td>100%</td>
</tr>
</tbody>
</table>

Condition B - Interruption of Continuous Traffic

Minimum Major Approach Volume = 630
Minimum Minor Approach Volume = 53

100% SATISFIED = NO
80% SATISFIED = NO

Minimum Requirements (80% shown in Brackets)

<table>
<thead>
<tr>
<th>Approach Lanes</th>
<th>U</th>
<th>R</th>
<th>U</th>
<th>R</th>
<th>Hr 1</th>
<th>Hr 2</th>
<th>Hr 3</th>
<th>Hr 4</th>
<th>Hr 5</th>
<th>Hr 6</th>
<th>Hr 7</th>
<th>Hr 8</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Approaches</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>596</td>
<td>340</td>
<td>412</td>
<td>517</td>
<td>592</td>
<td>570</td>
<td>553</td>
<td>496</td>
<td>NONE</td>
</tr>
<tr>
<td>Major Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(480)</td>
<td>(504)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highest Approach</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>355</td>
<td>185</td>
<td>205</td>
<td>226</td>
<td>287</td>
<td>278</td>
<td>250</td>
<td>269</td>
<td>100%</td>
</tr>
<tr>
<td>Minor Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>75</td>
<td>53</td>
<td>100</td>
<td>70</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3/6/2019
Traffic Signal Warrants Worksheet

Combination of Conditions A & B

<table>
<thead>
<tr>
<th>REQUIREMENT</th>
<th>WARRANT</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>TWO WARRANTS SATIFIED 80%</td>
<td>MINIMUM VEHICULAR VOLUME</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>INTERRUPTION OF CONTINUOUS TRAFFIC</td>
<td>NO</td>
</tr>
</tbody>
</table>

WARRANT 2 - Four Hour Vehicular Volume

SATISFIED = YES

Record hourly vehicular volumes for four hours.

<table>
<thead>
<tr>
<th>APPROACH LANES</th>
<th>Number of Lanes</th>
<th>8-9</th>
<th>4-5</th>
<th>5-6</th>
<th>6-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Approaches - Major Street</td>
<td>2</td>
<td>596</td>
<td>592</td>
<td>570</td>
<td>553</td>
</tr>
<tr>
<td>Highest Approach - Minor Street</td>
<td>1</td>
<td>355</td>
<td>287</td>
<td>278</td>
<td>250</td>
</tr>
</tbody>
</table>

WARRANT 3 - Peak Hour

PART A or PART B SATISFIED = YES

PART A

(All parts 1, 2, and 3 below must be satisfied)

1. The total delay experienced for traffic on one minor street approach controlled by a STCP sign equals or exceeds four vehicle-hours for a one-lane approach and five vehicle-hours for a two-lane approach; AND

2. The volume on the same minor street approach equals or exceeds 100 vph for one moving lane of traffic or 150 vph for two moving lanes; AND

3. The total entering volume serviced during the hour equals or exceeds 800 vph for intersections with four or more approaches or 650 vph for intersections with three approaches.

PART B

SATISFIED = YES

<table>
<thead>
<tr>
<th>Approach Lanes</th>
<th>Number of Lanes</th>
<th>8-9</th>
<th>4-5</th>
<th>5-6</th>
<th>6-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Both Approaches - Major Street</td>
<td>2</td>
<td>596</td>
<td>592</td>
<td>570</td>
<td>553</td>
</tr>
<tr>
<td>Highest Approach - Minor Street</td>
<td>1</td>
<td>355</td>
<td>287</td>
<td>278</td>
<td>250</td>
</tr>
</tbody>
</table>

The plotted points for vehicles per hour on major streets (both approaches) and the corresponding per hour higher volume vehicle minor street approach (one direction only) for one hour (any consecutive 15 minute period) fall above the applicable curves in MUTCD Figure 4C-3 or 4C-4.

3/6/2019
**Traffic Signal Warrants Worksheet**

### WARRANT 4 - Pedestrian Volume

(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>REQUIREMENT</th>
<th>Fulfilled</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian volume crossing the major street is 100 or more for each of any four hours OR is 190 or more during any one hour;</td>
<td>N</td>
</tr>
<tr>
<td>AND, There are less than 60 gaps per hour in the major street traffic stream of adequate length for pedestrians to cross;</td>
<td>N</td>
</tr>
<tr>
<td>AND, The distance to the nearest traffic signal along the major street is greater than 90m (300ft);</td>
<td>Y</td>
</tr>
<tr>
<td>AND, The new traffic signal will not seriously disrupt progressive traffic flow on the major street.</td>
<td>Y</td>
</tr>
</tbody>
</table>

The satisfaction of a warrant is not necessarily justification for a signal. Delay, congestion, confusion, or other evidence of the need for right-of-way assignment must be shown.

### WARRANT 5 - School Crossing

(All Parts Must Be Satisfied)

**PART A**

<table>
<thead>
<tr>
<th>EACH OF TWO HOURS</th>
<th>7-8</th>
<th>8-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gaps vs Minutes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minutes Children Using Crossing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of Adequate Gaps</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>School Age Pedestrians Crossing Street</td>
<td>11</td>
<td>10</td>
</tr>
</tbody>
</table>

GAPS < MINUTES SATISFIED = NO

CHILDREN > 20/HR SATISFIED = NO

### PART B

Is Nearest Controlled Crossing More Than 180 m (600 ft) away? N
### Traffic Signal Warrants Worksheet

**WARRANT 6 - Coordinated Signal System**

100% SATISFIED = NO

(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>MINIMUM REQUIREMENTS</th>
<th>DISTANCE TO NEAREST SIGNAL</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>&gt;300 m (1000 ft)</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>North</td>
<td>2645 ft</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>2650 ft</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>0 ft</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>2650 ft</td>
<td></td>
</tr>
</tbody>
</table>

On one way isolated streets or streets with one way traffic significance and adjacent signals are so far apart that necessary platooning and speed control would be lost. NO

On 2-way streets where adjacent signals do not provide necessary platooning and speed control proposed signals could constitute a progressive signal syste.

**WARRANT 7 - Crash Warrant**

100% SATISFIED = NO

(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>REQUIREMENTS</th>
<th>WARRANT</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Warrant</td>
<td>Warrant 1 - Minimum Vehicular Volume</td>
<td>Y</td>
</tr>
<tr>
<td>Satisfied</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>80%</td>
<td>Warrant 2 - Interruption of Continuous Traffic</td>
<td></td>
</tr>
</tbody>
</table>

Signal will not seriously disrupt progressive traffic flow. Y

Adequate Trial of Less Restrictive Remedies Has Failed to Reduce Accident Frequency Y

Acc. Within a 12 Month Period Susceptible for Corr. & Involving Injury or ≥ $500 Damage N

<table>
<thead>
<tr>
<th>MINIMUM REQUIREMENTS</th>
<th>NUMBER OF ACCIDENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 or More</td>
<td>3</td>
</tr>
</tbody>
</table>

3/6/2019
## Traffic Signal Warrants Worksheet

**WARRANT 8 - Roadway Network**

(All Parts Must Be Satisfied)

<table>
<thead>
<tr>
<th>MINIMUM VOLUME REQUIREMENTS</th>
<th>ENTERING VOLUMES - ALL APPROACHES</th>
<th>FULFILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1000 Veh/Hr</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>During Typical Weekday Peak Hour</td>
<td>1151 Veh/Hr.</td>
</tr>
<tr>
<td></td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>During Each of Any 5 Hrs. of a Sat. and/or Sun</td>
<td>0 Veh/Hr.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHARACTERISTICS OF MAJOR ROUTES</th>
<th>MAJOR ST.</th>
<th>MINOR ST.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hwy System Serving as Principal Network for Through Traffic</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Rural or Suburban Highway Outside Of, Entering, or Traversing a City</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Appears as Major Route on an Official Plan</td>
<td>Y</td>
<td>Y</td>
</tr>
</tbody>
</table>

Any Major Route Characteristics Met, Both Streets | YES |

3/6/2019
MEETING DATE: March 26, 2019

SUBJECT: Adopt a Resolution authorizing approval of a Purchase and Sale Agreement of vacant land identified as Assessor’s Parcel Number 326-073-001, located south of West Metz Road for the future Enchanted Hills Park

REQUESTED ACTION: That the City Council adopt a Resolution authorizing the purchase of 2.85 acres of vacant land identified as Assessor’s Parcel Number 326-073-001, located south of West Metz Road for the future Enchanted Hills Park Project; and a budget amendment request to allocate $304,000.00, to include closing costs from Industrial Park Development Impact Fund to Enchanted Hills Park Project Fund

CONTACT: Sabrina Chavez, Community Services Director

BACKGROUND/DISCUSSION:

The Enchanted Hills area was identified as a park deficient community. After a series of public meetings to gather community input, a group of nine (9) vacant parcels located on the 1300 block of West Metz Road, north of West San Jacinto Avenue and Navajo Road was selected as the preferred park site for the future Enchanted Hills Park. The park project area is comprised of a total 22.5 acres of vacant land.

Currently, the City of Perris owns three lots, and an additional four lots are pending escrow. At this time, another vacant lot identified as Assessor’s Parcel Number (“APN”) 326-073-001, located within the park project area, is for sale by property owners, Mr. and Mrs. Hector and Maricela Valladolid.

On February 27, 2019, Staff briefed the Parks and Recreation Committee on the sale of this 2.85 acres vacant lot, and was recommended that acquiring this vacant lot would add community value to the future Enchanted Hills Park project. Further, staff presented this proposed acquisition in closed session at the March 12, 2019 City Council meeting, and received direction on the purchase price. City staff and sellers reached an agreement for the purchase of the property in subject at a sales price of $300,000.
It is recommended that the City Council review the attached, Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions, for consideration in the purchase of property in subject (APN 326-073-001) in the amount of $300,000 plus closing costs, with escrow to close no later than 30 days; adopt the attached Resolution authorizing the purchase of the property in subject as presented in the staff report and attached agreement; and approve a budget amendment to allocate $304,000 to the Enchanted Hills Park Project Fund for the purchase and estimated closing costs.

BUDGET (or FISCAL) IMPACT:

Costs associated for the purchase of property in subject (APN 326-073-001) requires City Council approval of a budget amendment in Fiscal Year 2018-2019, allocating a total amount of $304,000 ($300,000 for the purchase, plus closing costs), from the Industrial Park Development Impact Fund to Enchanted Hills Park Project Fund (CIP P034).

REVIEWED BY:

City Attorney
Assistant City Manager
Finance Director

Attachments: Resolution
Draft Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions

Consent: x
RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, APPROVING THE AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS FOR 2.85 ACRES VACANT LAND IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 326-073-001 FOR THE FUTURE ENCHANTED HILLS PARK PROJECT LOCATED ON THE 1300 BLOCK OF WEST METZ ROAD IN THE ENCHANTED HILLS COMMUNITY IN PERRIS.

WHEREAS, the Enchanted Hills area was identified as a park deficient community;

WHEREAS, after considering multiple locations and site plans; and following a series of public meetings to gather community input, the Enchanted Hills neighborhood between West Metz Road on the north and Weston Road on the south was selected as the preferred park site; and

WHEREAS, the City of Perris owns three vacant land parcels identified as APN 326-071-002 (5.08 acres), 326-072-003 (0.18 acres), and 326-072-002 (0.18 acres) located within the Enchanted Hills Park project area;

WHEREAS, the City of Perris is in escrow to acquire additional four vacant land parcels identified as 326-062-017 (2.86 acres), 326-071-001 (0.68 acres), 326-072-005 (4.97 acres), and 326-072-004 (0.18 acres) located within the Enchanted Hills Park project area;

WHEREAS, one vacant land parcel identified as APN 326-073-001 (2.85 acres) located within the Enchanted Hills Park project area for a purchase price of $300,000;

NOW, THEREFORE, based on the evidence presented to the, including the written staff report and oral testimony on this matter, the City Council do hereby find, determine and resolve as follows:

Section 1. The above recitals are all true and correct and are hereby adopted as findings.

Section 2. Based on the information contained within the Staff Report and the accompanying attachments and exhibits, the City Council hereby approves a Resolution authorizing the purchase of Property in Subject.

Section 3. The City Council hereby approves the Resolution and the instruments referenced therein, a copy of which is on file in the office of the City Clerk.

Section 4. The City Manager of the City of Perris is authorized and directed to take such actions and execute such documents as may be necessary to implement and effect this Resolution on behalf of the City Council of the City of Perris.

Section 4. The City Clerk shall certify to the passage and adoption hereof.
ADOPTED, SIGNED and APPROVED this 26th day of March, 2019.

___________________________
Michael M. Vargas, Mayor

ATTEST:

______________________________
Nancy Salazar, City Clerk

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE  ss
CITY OF PERRIS  

I, ____________, 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 thereof held on the 26th day of March 2019, by the following called vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

______________________________
Nancy Salazar, City Clerk
AGREEMENT FOR PURCHASE AND SALE
OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS
[APN 326-073-001]

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY AND
JOINT ESCROW INSTRUCTIONS ("Agreement") is made this ___ day of ______, 2019
("Effective Date") by and between THE CITY OF PERRIS, a municipal corporation ("Buyer"),
and HECTOR VALLADOLID and MARICELA VALLADOLID, husband and wife as joint
tenants ("Seller"), collectively the "Parties."

RECITALS:

Seller is the owner of approximately 124,146 square feet of unimproved real property
located in the City of Perris, County of Riverside, State of California, referred to as Assessor's
Parcel Number ("APN") 326-073-001 and which is legally described on Exhibit "A" and
depicted on Exhibit "B" attached hereto and incorporated herein by this reference ("Property")

Seller desires to sell and Buyer desires to purchase the Property (further defined below)
pursuant to the terms and conditions of this Agreement.

DEFINITIONS:

"Business Days" - shall mean calendar days excluding weekends and holidays.

"Buyer" - shall mean the City of Perris, a municipal corporation.

"Calendar Days" - shall mean consecutive calendar days excluding recognized federal
and state holidays.

"City" - shall mean the City of Perris, a municipal corporation formed and existing under
the laws of the State of California. The term City also includes any assignee of, or successor to,
its rights, powers, and responsibilities.

"Closing" - shall mean the exchange of money and documents, and shall be deemed to
have occurred when all conditions to closing have been satisfied or waived, Seller's Deed to
Buyer has been recorded, the Escrow Holder holds and can record and deliver the remaining
documents described in the Agreement, the Title Company is irrevocably and unconditionally
committed to issue the Title Policy, and Buyer has delivered the Purchase Price in immediately
available funds to Escrow Holder.

"Escrow Holder" - shall mean Fidelity National Title Insurance Company National
Commercial Services, 3237 E. Guasti Rd., Suite 105, Ontario, CA 91761, (909) 978-3020,
Marylou.adame@fnf.com.
“Property” - shall mean that certain Seller-owned real property, referred to as Assessor’s Parcel Number (“APN”) 326-073-001, and consisting of approximately 124,146 square feet, and more particularly described in Exhibit “A” of this Agreement.

“Seller” shall mean Hector Valladolid and Maricela Valladolid husband and wife as joint tenants.

“Title Company” - shall mean Fidelity National Title Insurance Company National Commercial Services, 555 S. Flower, Suite 4420, Los Angeles, CA 90071, 951-710-5941, steven.gomez@fnf.com.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the parties hereto agree as follows:

TERMS AND CONDITIONS

1. PURCHASE AND SALE OF PROPERTY.

For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and subject to and on the terms and conditions herein set forth, Buyer hereby agrees to purchase from Seller, and Seller agrees to sell, assign and convey to Buyer the Property herein described, together with:

(a) All privileges, rights, easements, appurtenances belonging to the Property excepting any dedications, easements or other rights-of-way reserved to or required by Seller or other entity as set forth in the Deed and/or approved title exceptions;

(b) All development rights and air rights relating to the Property; and

(c) All minerals, oil, gas, and other hydrocarbon substances on and under the Property subject to any exceptions set forth on the Deed or recorded against Property; all right, title and interest of Seller in and to any streets, alleys, passages, water and sewer taps, sanitary or storm drain capacity or reservations and rights under utility agreements subject to Section 1(a) above, and other easements and rights-of-way including in, adjacent to or used in connection with the beneficial use and enjoyment of the Property.

Seller shall sell, assign, and convey to Buyer the Property in its condition, AS-IS, WHERE IS, at the Close of Escrow. Should a conflict arise between this Agreement and the Grant Deed, the provision or term most restrictive and beneficial to Seller shall prevail.

2. OPENING OF ESCROW.

Within three (3) business days after Seller’s receipt of a copy of the fully executed (by both Buyer and Seller) Agreement, the parties shall open an escrow (“Escrow”) with the Escrow Holder by causing an executed copy of this Agreement to be deposited with Escrow Holder. Escrow shall be deemed open on the date the executed Agreement is delivered to Escrow Holder (“Opening of Escrow”). The Escrow Holder shall be Fidelity National Title Insurance Company.
3. **PAYMENT OF PURCHASE PRICE.**

3.1 **Deposit.**

Upon execution of this Agreement, Buyer shall make a deposit of Six Hundred Dollars and No Cents ($600.00) ("Deposit") into Escrow within five (5) business days of the Effective Date. Should Buyer terminate this Agreement for any reason during the Due Diligence Period, Buyer shall be entitled to a refund of the Deposit, less reasonable Escrow fees. However, upon completion of the Due Diligence Period, the Deposit shall become non-refundable such that should Escrow terminate as the result of any Buyer default, the Deposit shall be paid to Seller as liquidated damages or compensation, as the case may be, under this Agreement and such payment to Seller shall be the sole and exclusive remedy of or compensation to Seller, as the case may be, as a result of the Buyer’s default under or termination of this Agreement. Should Seller default in performance of this Agreement, Buyer shall be entitled to a refund of the Deposit, and Seller shall be responsible for any Escrow fees. Should Escrow close, the Deposit shall be applied towards the Purchase Price.

3.2 **Amount of Purchase Price.**

The purchase price for the Property shall be Three Hundred Thousand Dollars and No Cents ($300,000.00) ("Purchase Price").

3.3 **Payment of Purchase Price.**

On the day preceding Close of Escrow, Buyer shall deposit the balance of the Purchase Price with Escrow Holder in "good funds." "Good funds" shall mean a wire transfer of funds, cashier’s or certified check drawn on or issued by the offices of a financial institution located in the State of California, or cash. Escrow Holder shall disburse the cash amount of the Purchase Price to Seller after recordation of the grant deed transferring title to the Property. The total compensation to be paid by Buyer to Seller is all-inclusive of Seller’s interest in the Property.

4. **ADDITIONAL FUNDS AND DOCUMENTS REQUIRED FROM BUYER AND SELLER.**

4.1 **Buyer.**

Buyer agrees that on or before 12:00 noon on the date preceding the Closing Date, Buyer will deposit with Escrow Holder all additional funds and/or documents (executed and acknowledged, if appropriate) which are necessary to comply with the terms of this Agreement.

4.2 **Seller.**

Seller agrees that on or before 12:00 noon on the business day preceding the Closing Date, Seller will deposit with Escrow Holder an executed and recordable grant deed ("Grant
Deed"), substantially in the form as provided in Exhibit "C", conveying the Property to Buyer, together with such funds and other items and instruments as may be necessary in order for the Escrow Holder to comply with this Agreement. Escrow Holder will cause the Grant Deed to be recorded when (but in no event after the date specified in Section 5.1 below) it can issue the Title Policy in the form described in Article 6 below, and holds for the account of Seller the items described above to be delivered to Seller through Escrow, less costs, expenses and disbursements chargeable to Seller pursuant to the terms hereof.

5. **CLOSING DATE; TIME OF ESSENCE.**

5.1 **Closing Date.**

The Parties desire that the Escrow close no later than forty-five (45) days following the Opening of Escrow unless otherwise extended by mutual written agreement. The terms "Close of Escrow" and/or "Closing" and/or "Closing Date" are used herein to mean the time that Seller's Grant Deed is filed for recording by the Escrow Holder in the Office of the County Recorder of Riverside County, California.

5.2 **Possession.**

Possession and occupancy shall be delivered to Buyer at 5:00 p.m. on the Closing Date.

5.3 **Time of Essence.**

Buyer and Seller specifically understand that time is of the essence and Buyer and Seller each specifically agrees to strictly comply and perform its obligations herein in the time and manner specified and waives any and all rights to claim such compliance by mere substantial compliance with the terms of this Agreement.

6. **TITLE POLICY.**

6.1 **Approval of Title.**

Promptly following execution of this Agreement, but in no event later than ten (10) calendar days following Opening of Escrow, Seller shall furnish Buyer with a Preliminary Title Report ("PTR") issued through the Title Company, describing the state of title of the Property, together with copies of all exceptions specified therein and a map plotting all easements specified therein. The Title Company shall be Fidelity National Title Insurance Company National Commercial Services, 555 S. Flower, Suite 4420, Los Angeles, CA 90071. The Title Officer shall be Steven Gomez, who can be contacted at 951-710-5941, steven.gomez@fnf.com, and/or other appropriate personnel of the Title Company authorized and qualified to provide title services. Buyer shall notify Seller in writing ("Buyer's Title Notice") of Buyer's approval of all matters contained in the PTR or of any objections Buyer may have to title exceptions or other matters ("Disapproved Exceptions") contained in the PTR within ten (10) calendar days of receiving the PTR. If Buyer fails to deliver Buyer's Title Notice within said period, Buyer shall be conclusively deemed to have approved the PTR and all matters shown therein.
(a) In the event Buyer delivers Buyer's Title Notice rejecting certain title matters contained in the PTR, Seller shall have a period of ten (10) calendar days after receipt of Buyer's Title Notice in which to notify Buyer of Seller's election to either (i) agree to attempt to remove the Disapproved Exceptions prior to the Close of Escrow; or (ii) decline to remove any such Disapproved Exceptions ("Seller's Notice"), provided, however, if the exception was caused by Seller or can be removed by Seller at no or minimal cost, Seller shall remove the Exception. Seller's failure to deliver Seller's Notice within said ten (10) calendar day period shall be deemed Seller's election to decline to remove the Disapproved Exceptions. If Seller notifies Buyer of its election to decline to remove the Disapproved Exceptions, if Seller is deemed to have elected to decline to remove the Disapproved Exceptions, or if Seller is unable to remove the Disapproved Exceptions, Buyer may elect either to terminate this Agreement and the Escrow or to accept title to the Property subject to the Disapproved Exception(s). Buyer shall exercise such election by delivery of written notice to Seller and Escrow Holder within five (5) calendar days following the earlier of (i) the date of written advice from Seller that such Disapproved Exception(s) cannot be removed; or (ii) the date Seller declines or is deemed to have declined to remove such Disapproved Exception(s).

(b) Upon the issuance of any amendment or supplement to the PTR which adds additional exceptions, the foregoing right of review and approval shall also apply to said amendment or supplement, provided, however, that Buyer's initial period of review and approval or disapproval of any such additional exceptions shall be limited to ten (10) calendar days following receipt of notice of such additional exceptions. Notwithstanding the foregoing, Buyer's Title Notice and Review period shall automatically terminate three (3) business days prior to Close of Escrow and Buyer's failure to tender Buyer's Title Notice to Seller shall be deemed Buyer's automatic and conclusive approval of the PTR.

6.2 Title Policy.

At the Close of Escrow, the Escrow Holder shall furnish Buyer with an American Land Title Association ("ALTA") Owner's Policy of Title Insurance ("Title Policy") for the Buyer's interest, wherein the Title Company shall insure that title to the Property shall be vested in Buyer, containing no exception to such title which has not been approved or waived by Buyer in accordance with this Section. The Title Policy shall include any available title insurance, extended coverage or endorsements that Buyer has reasonably requested. Seller shall pay the cost that would be required for a California Land Title Association Title Policy. Buyer shall pay the additional cost for the ALTA Title Policy and survey. The premiums for any extended title coverage or endorsements requested by Buyer shall be borne solely by Buyer.

7. DUE DILIGENCE.

7.1 Review of Documents.

Within ten (10) calendar days of Opening of Escrow, Seller shall make available to Buyer true, correct and complete copies of all contracts which relate to the Property (together with any amendments or modifications thereto); the PTR including underlying documents; all reports or other documents in Seller's possession respecting the physical condition of or prior uses of the Property, if any, including, but not limited to, building plans, site plans, ALTA survey, soils and
geotechnical studies, and structural studies; and any other information in Seller’s possession or control reasonably requested by Buyer regarding the Property. Seller’s failure to provide Buyer with a complete copy of each document required to be delivered to Buyer pursuant to this Section shall automatically toll the Due Diligence Period (described below) one day for each day that Seller fails to satisfy its obligations set forth in this Section. Seller’s failure to provide the documents referenced herein to Buyer within the Due Diligence Period shall vest with Buyer the option to terminate this Agreement as set forth in Section 10.5 and thus be entitled to a full refund of the Deposit.

7.2 **Scope of Due Diligence.**

Buyer, until the date that is forty (40) days after Effective Date (“Due Diligence Period”), shall have the right to make an analysis of the Property including such engineering, feasibility studies, soils tests, environmental studies, surveys and other investigations as Buyer in its sole discretion may desire, to permit Buyer to determine the suitability of the Property for Buyer's contemplated uses and to conduct such other review and investigation which Buyer deems appropriate to satisfy itself to acquire the Property. Buyer shall further have the right to make an examination of all permits, approvals and governmental regulations which affect the Property, including zoning and land use issues and conditions imposed upon the Property by governmental agencies.

7.3 **Entry for Investigation.**

(a) Subject to the conditions hereafter stated, Seller grants to Buyer, its agents and employees a limited license to enter upon any portion of the Property for the purpose of conducting engineering surveys, soil tests, investigations or other studies reasonably necessary to evaluate the condition of the Property, which studies, surveys, investigations and tests shall be done at Buyer’s sole cost and expense.

(b) As a condition to Buyer’s entry, inspection or testing, Buyer shall keep the Property free and clear of all materialmen’s liens, lis pendens and other liens arising out of the entry and work performed under this Agreement.

(c) Buyer shall obtain or cause its consultants to obtain, at Buyer’s sole cost and expense prior to commencement of any investigative activities on the Property, a policy of commercial general liability insurance covering any and all liability of Buyer and Seller with respect to or arising out of any investigative activities. Such insurance policy shall name Seller, its successors and assigns as an additional insured.

7.4 **Approval of Due Diligence Matters.**

Buyer shall notify Seller in writing ("Buyer’s Due Diligence Notice") on or before expiration of the Due Diligence Period of Buyer’s approval or disapproval of the condition of the Property and Buyer’s investigations with respect thereto (excluding title matters which are to be approved or disapproved pursuant to Section 6.1 above), which approval may be withheld in Buyer's sole and absolute discretion. Buyer's failure to deliver Buyer's Due Diligence Notice on or before expiration of the Due Diligence Period shall be conclusively deemed Buyer's approval thereof. Buyer's written disapproval of said matters shall vest in the Buyer, in its sole and
absolute discretion, the option of terminating this Agreement as set forth in Section 10.5 of this Agreement.

7.5 Condition and Delivery of Premises.

Upon Close of Escrow and completion of Buyer’s Due Diligence, the Property will be purchased and delivered in an AS-IS, WHERE IS condition.

8. CONDITIONS PRECEDENT TO CLOSE OF ESCROW.

8.1 Condition to Buyer's Obligations.

The obligations of Buyer under this Agreement shall be subject to the satisfaction or written waiver, in whole or in part, by Buyer of each of the following conditions precedent:

(a) Title Company will issue the ALTA Title Policy as required by Section 6 of this Agreement insuring title to the Property vested in Buyer.

(b) Buyer has approved in writing the condition to title of the Property on or before the date provided in Section 6.1 above.

(c) Buyer has approved in writing all Due Diligence matters on or before the expiration of the Due Diligence Period.

(d) Escrow Holder holds and will deliver to Buyer the instruments and funds, if any, accruing to Buyer pursuant to this Agreement.

(e) Seller has deposited an executed and recordable Grant Deed into Escrow.

8.2 Condition to Seller's Obligations.

The obligations of Seller under this Agreement shall be subject to the satisfaction or written waiver, in whole or in part, by Seller of the following condition precedent:

(a) Escrow Holder holds and will deliver to Seller the instruments and funds accruing to Seller pursuant to this Agreement.

8.3 Termination for Failure of a Condition.

If Buyer's closing conditions or Seller's closing conditions, as the case may be, have not been previously approved or waived, this Agreement may be terminated by the party in whose favor the closing conditions run by written notice to the other. If this Agreement is so terminated, the parties shall have no further obligation or liability under this Agreement, except as provided that Escrow Holder must return all amounts deposited by Buyer into Escrow, to Buyer. Any cancellation fee or other costs of the Escrow Holder and Title Company shall be borne equally by Buyer and Seller and each party shall pay its own expenses.

9. REPRESENTATIONS AND WARRANTIES.
9.1 Representations and Warranties - Buyer.

(a) Buyer hereby warrants and represents that, as of the Effective Date, this Agreement and the performance of Buyer's obligations under it and all the documents executed by Buyer that are to be delivered to Seller at the Closing are, or on the Closing Date shall be, duly authorized, executed, and delivered by Buyer and are, or at the Closing Date shall be, legal, valid, and binding obligations of Buyer, and do not, and on the Closing Date shall not, violate any provisions of any agreement or judicial order to which Buyer is a party or to which Buyer or the Property is subject. No consent of any partner, shareholder, creditor, investor, judicial or administrative body, government agency, or other party is required for Buyer to enter into or to perform Buyer's obligations under this Agreement, except as has already been obtained.

(b) Until the Closing, Buyer shall not do anything which would impair Seller's title to any of the Property.

9.2 Effect of Representations and Warranties.

Each representation and warranty in this Article 9: (a) is material and being relied on by the party to which the representation and warranty is made; (b) is true in all respects as of the Effective Date; (c) shall be true in all respects on the Closing Date; and (d) shall survive the Closing, except as otherwise provided in this Agreement.

10. ESCROW PROVISIONS.

10.1 Escrow Instructions.

This Agreement, when signed by Buyer and Seller, shall also constitute Escrow instructions to Escrow Holder. If required by Escrow Holder, Buyer and Seller agree to execute Escrow Holder's standard escrow instructions, provided that the same are consistent with and do not conflict with the provisions of this Agreement. In the event of any such conflict, the provisions of this Agreement shall prevail.

10.2 General Escrow Provisions.

Escrow Holder shall deliver the Title Policy to the Buyer and instruct the Riverside County Recorder to mail the Grant Deed to Buyer at the address set forth in Section 14.4 after recordation. All funds received in this Escrow shall be deposited in one or more general escrow accounts of the Escrow Holder with any bank doing business in Riverside County, California, and may be disbursed to any other general escrow account or accounts. All disbursements shall be made by Escrow Holder's check. This Agreement and any modifications, amendments, or supplements thereto may be executed in counterparts and shall be valid and binding as if all of the parties' signatures were on one document.

10.3 Proration of Real Property Taxes.

All non-delinquent general and special real property taxes shall be pro-rated to the Close of Escrow on the basis of a thirty (30) day month and a three hundred sixty (360) day year.
10.4 **Payment of Costs.**

Seller shall pay documentary transfer fees and taxes, the premium charges for the CLTA Title Policy, the cost for preparation of a Natural Hazard Zone Disclosure ("NHD") report, the cost to record the Grant Deed, if any, and one-half of the Escrow fees. Buyer shall pay one-half of the Escrow fees and any non-standard coverage, including ALTA premiums or endorsements, requested by Buyer. If Buyer may in its sole discretion desire extended coverage under the Title Policy, Buyer shall pay the additional premiums for such coverage. All other costs of Escrow not otherwise specifically allocated by this Agreement shall be apportioned between the parties in a manner consistent with the custom and usage of Escrow Holder.

10.5 **Termination and Cancellation of Escrow.**

Time is of the essence in this Agreement. If Escrow fails to close as provided above, Escrow shall terminate automatically without further action by Escrow Holder or any party, and Escrow Holder is instructed to return all funds, plus accrued interest, and documents then in Escrow to the respective depositor of the same with Escrow Holder. Cancellation of Escrow, as provided herein, shall be without prejudice to whatever legal rights Buyer or Seller may have against each other arising from the Escrow or this Agreement.

10.6 **Information Report.**

Escrow Holder shall file and Buyer and Seller agree to cooperate with Escrow Holder and with each other in completing any report ("Information Report") and/or other information required to be delivered to the Internal Revenue Service pursuant to Internal Revenue Code Section 6045(e) regarding the real estate sales transaction contemplated by this Agreement, including without limitation, Internal Revenue Service Form 1099-S as such may be hereinafter modified or amended by the Internal Revenue Service, or as may be required pursuant to any regulation now or hereinafter promulgated by the Treasury Department with respect thereto. Buyer and Seller also agree that Buyer and Seller, their respective employees and attorneys, and Escrow Holder and its employees, may disclose to the Internal Revenue Service, whether pursuant to such Information Report or otherwise, any information regarding this Agreement or the transactions contemplated herein as such party reasonably deems to be required to be disclosed to the Internal Revenue Service by such party pursuant to Internal Revenue Code Section 6045(e). The parties further agree that neither Buyer nor Seller shall seek to hold the other party liable for the disclosure to the Internal Revenue Service of any such information.

11. **BROKERAGE COMMISSIONS.**

Buyer and Seller each represent and warrant to the other that no third party is entitled to a broker's commission and/or finder's fee with respect to the transaction contemplated by this Agreement. Buyer and Seller each agree to indemnify and hold the other party harmless from and against all liabilities, costs, damages and expenses, including, without limitation, attorneys' fees, resulting from any claims or fees or commissions, based upon agreements by it, if any, to pay a broker's commission and/or finder's fee.

12. **RISK OF PHYSICAL LOSS.**
Risk of physical loss to the Property shall be borne by Seller prior to the Close of Escrow and by Buyer thereafter. In the event that the Property shall be damaged by fire, flood, earthquake or other casualty, Buyer shall have the option to terminate this Agreement, provided notice of such termination is delivered to Seller within thirty (30) days following the date Buyer learns of the occurrence of such casualty or Close of Escrow, whichever occurs sooner. If Buyer fails to terminate this Agreement pursuant to the foregoing sentence within said period, Buyer shall complete the acquisition of the Property, in which case Seller shall assign to Buyer the interest of Seller in all insurance proceeds relating to such damage. Seller shall consult with Buyer regarding any proposed settlement with the insurer and Buyer shall have the reasonable right of approval thereof. Seller shall hold such proceeds until the Close of Escrow. In the event this Agreement is terminated for any reason, Buyer shall have no right to any insurance proceeds.

13. **DEFAULT.**

13.1 **Buyer's Default.**

Buyer shall be deemed to be in Default under this Agreement if Buyer fails, for any reason other than Seller's default under this Agreement or the failure of a condition precedent to Buyer's obligation to perform under this Agreement, to meet, comply with, or perform any covenant, agreement, or obligation required on its part within the time limits and in the manner required in this Agreement, or a material breach shall have occurred of any representation or warranty (made by Buyer) by reason of Buyer's actual fraud or intentional misrepresentation; provided, however, that no such Default shall be deemed to have occurred unless and until Seller has given Buyer written notice of the Default, and Buyer has failed to cure such Default within five (5) days after the receipt of such notice (but in any event before the Closing Date, unless such Default occurs after Closing).

13.2 **Seller's Default.**

Seller shall be deemed to be in Default under this Agreement if Seller fails, for any reason other than Buyer's Default under this Agreement or the failure of a condition precedent to Seller's obligation to perform under this Agreement, to meet, comply with, or perform any covenant, agreement, or obligation required on its part within the time limits and in the manner required in this Agreement, or a material breach shall have occurred of any representation or warranty (made by Seller) because of Seller's actual fraud or intentional misrepresentation; provided, however, that no such Default shall be deemed to have occurred unless and until Buyer has given Seller written notice of the Default, and Seller has failed to cure such Default within five (5) days after receipt of such notice (but in any event before the Closing Date, unless such Default occurs after Closing).

14. **MISCELLANEOUS.**

14.1 **No Conflict of Interest.**

No officer or employee of the Seller shall have any financial interest, direct or indirect, 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. Buyer 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.

14.2 Assignment.

Buyer shall not have the right to assign this Agreement or any interest or right hereunder or under the Escrow without the prior written consent of the Seller at Seller’s absolute and sole discretion. Subject to the foregoing, this Agreement shall be binding upon and shall inure to the benefit of Buyer and Seller and their respective heirs, personal representatives, successors and assigns. Buyer will provide written notice to Seller and Escrow Holder of any assignment and/or vesting designation as may be required so as to not delay Close of Escrow.

14.3 Attorneys' Fees.

In any action between the parties hereto seeking enforcement of any of the terms and provisions of this Agreement or the Escrow, or in connection with the Property, the prevailing party in such action shall be entitled to have and to recover from the other party its reasonable attorneys' fees and other reasonable expenses in connection with such action or proceeding, in addition to its recoverable court costs.

14.4 Notices.

Any notice which either party may desire to give to the other party or to the Escrow Holder must be in writing and may be given by personal delivery, facsimile or by mailing the same by U.S. mail to the party to whom the notice is directed at the address of such party hereinafter set forth, or such other address and to such other persons as the parties may hereinafter designate:

To Buyer: The City of Perris
101 North D Street
Perris, CA 92570
Attn: City Manager

Copy To: Aleshire & Wynder, LLP
3880 Lemon Street, Suite 520
Riverside, California 92501
Attn: Eric L. Dunn, Esq.

To Seller: Hector Valladolid and Maricela Valladolid
21600 Bailly St.
Perris, CA 92570

14.5 Interpretation; Governing Law.

This Agreement shall be construed according to its fair meaning and as if prepared by both parties hereto. This Agreement shall be construed in accordance with the laws of the State
of California in effect at the time of the execution of this Agreement. Titles and captions are for convenience only and shall not constitute a portion of this Agreement. As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others wherever and whenever the context so dictates.

14.6 No Waiver.

No delay or omission by either party hereto in exercising any right or power accruing upon the compliance or failure of performance by the other party hereto under the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof. A waiver by either party hereto of a breach of any of the covenants, conditions or agreements hereof to be performed by the other party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions hereof.

14.7 Modifications.

Any alteration, change or modification of or to this Agreement, in order to become effective, shall be made by written instrument or endorsement thereon and in each such instance executed on behalf of each party hereto.

14.8 Extensions

Seller and Buyer may authorize extensions of any deadline under this Agreement by written mutual agreement with a copy delivered to Escrow Holder. The City Manager of Buyer is authorized to execute any extensions on behalf of Buyer.

14.9 Severability.

If any term, provision, condition or covenant of this Agreement or the application thereof to any party or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this instrument, or the application of such term, provisions, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

14.10 Merger of Prior Agreements and Understandings.

This Agreement and other documents incorporated herein by reference contain the entire understanding between the parties relating to the transaction contemplated hereby and all prior to contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect.

14.11 No Withholding Because Non-Foreign Seller.

Seller represents and warrants to Buyer that Seller is not, and as of the Close of Escrow will not be, a foreign person within the meaning of Internal Revenue Code Section 1445 or an out-of-state seller under California Revenue and Tax Code Section 18662 and that it will deliver to Buyer on or before the Close of Escrow (i) a non-foreign affidavit on Escrow Holder’s
standard form pursuant to Internal Revenue Code Section 1445(b)(2) and the Regulations promulgated thereunder and (ii) a California Form 590.

14.12 Time.

Time is of the essence in the performance of the Parties’ respective obligations under this Agreement.

14.13 Non-Liability of Officials or Employees.

No officer, official or employee of either party shall be personally liable to the other, or any successor in interest of such other party, in the event of any default or breach or for any amount which may become due hereunder, or on any obligations under the terms of this Agreement.


Each party shall execute and deliver such other reasonable documents requested by the other party or by Escrow Holder to consummate the transactions described herein.

14.15 Execution in Counterparts.

This Agreement may be executed in several counterparts, and all so executed shall constitute one agreement binding on all parties hereto, notwithstanding that all parties are not signatories to the original or the same counterpart.

[SIGNATURES ON FOLLOWING PAGE]
IN WITNESS WHEREOF, the parties hereto have executed this Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions as of the date set forth above.

"BUYER"

THE CITY OF PERRIS

By: Richard Belmudez
Its: City Manager

ATTEST:

Nancy Salazar, City Clerk

APPROVED AS TO FORM:

Aleshire & Wynder, LLP

Eric L. Dunn
City Attorney

"SELLER"

HECTOR VALLADOLID

MARICELA VALLADOLID
EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

That certain real property in the City of Perris, County of Riverside, State of California legally described as follows:

LOTS 17 THROUGH 31, INCLUSIVE, BLOCK "J" OF ALTURA ENCANTADA, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 17, PAGE 51 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXHIBIT "B"

MAP OF THE PROPERTY
**SUBJECT PROPERTY:** 326-073-001

**PROPERTY OWNERS:** Hector Valladolid and Maricela Valladolid

**PROPOSAL:** Acquisition of subject property totaling 2.85 acres of vacant land for the future development of the Enchanted Hills Project. The park project area is comprised of a total of 22.5 Acres of vacant land located on the 1300 block of west Metz Road, North of west San Jacinto Ave and Navajo Road in the Enchanted Hills Community.
EXHIBIT "C"

GRANT DEED

FREE RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

City of Perris
101 North D Street
Attn: Judy Haughney, Assistant City Clerk

GRANT DEED

FOR A VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, HECTOR VALLADOLID and MARICELA VALLADOLID, husband and wife as joint tenants ("Grantor"), hereby grant(s) to the CITY OF PERRIS, a municipal corporation and general law city ("Grantee"), the fee simple interest in that certain 124,146 square feet of real property located in the City of Perris, County of Riverside, State of California, which is referred to as Assessor’s Parcel Number ("APN") 326-073-001, that is identified and described in the Legal Description attached hereto and incorporated herein as Exhibit “A” and depicted on the map attached hereto and incorporated herein as Exhibit “B.”

IN WITNESS WHEREOF, Grantor and Grantee have caused this instrument to be executed on their behalf by their respective officers or agents hereunto as of the date first above written.

“GRANTOR”:

Date: __________________________  By: __________________________
HECTOR VALLADOLID

Date: __________________________  By: __________________________
MARICELA VALLADOLID

01006.0012.378482 5
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

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 __________________________

On __________________________ before me, __________________________

Here, insert Name and Title of Officer

personally appeared ___________________________________________

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

Signature of Notary Public
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

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 _________________  )

On _________________ before me, _________________________________

Here, insert Name and Title of Officer

personally appeared _________________________________

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

_______________________________
Signature of Notary Public
CERTIFICATE OF ACCEPTANCE

Pursuant to Government Code Section 27281 this is to certify that the interest in real property conveyed from HECTOR VALLADOLID and MARICELA VALLADOLID, husband and wife as joint tenants, by Grant Deed to the CITY OF PERRIS is hereby accepted by the undersigned officer and agent of the CITY OF PERRIS, and the CITY OF PERRIS consents to the recording of the Grant Deed.

Signed and dated in Perris, California on ________________, 2019.

“GRANTEE”

CITY OF PERRIS

Date: ________________

By: __________________________
Richard Belmudez, City Manager

ATTEST:

By: __________________________
Nancy Salazar, City Clerk
MEETING DATE: March 26, 2019

SUBJECT: Extension of Time No. 19-05029 for Tentative Tract Map 33900 generally located at the southeast corner of Ethanac Road and McPherson Road. Applicant: Brian Hardy, Richland Communities Inc.

REQUESTED ACTION: APPROVE a one-year Extension of Time (19-05029) for Tentative Tract Map 33900, until April 29, 2020 to subdivide 116 acres into 198 residential lots

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development

BACKGROUND/DISCUSSION:

On April 29, 2008, the Perris City Council approved Tentative Tract Map 33900 to subdivide 116 acres into 198 residential lots, thirteen (13) lettered lots and two (2) open space lots, subject to the enclosed Conditions of Approval. The project site is located at the southeast corner of Ethanac Road and McPherson Road, north of the San Jacinto River. The applicant is now requesting the third of five maximum allowed extensions of time for a period of one year, extending the expiration of time to April 29, 2020.

TENTATIVE TRACT MAP EXTENSION:

Pursuant to Section 18.12.090(a) of the municipal code, the approval or conditional approval of a tentative map shall expire twenty-four (24) months from the date the map was approved or conditionally approved by the City Council, which would have set an initial expiration date for the map at April 29, 2010. In 2011, 2013, 2015 and 2017 the City recognized and granted map extensions per Senate Bill 1185 and State Assembly Bills 333, 208 and 116, which authorized automatic extensions of approved tentative maps due to the economic downturn. The bills provided an overall extension of seven (7) years to the maps; thereby extending the expiration date for TTM 33900 to April 29, 2017. In 2017 and 2018 the applicant obtained City approval of the second extension of time, extending the expiration date to May 8, 2018. A summary of the applicant filed EOTs and state extensions are summarized on the following page:

➢ Original Approval Date: April 29, 2008 – April 29, 2010 – Approved by City Council; start of initial 2-year life per subdivision map act.

➢ Automatic Extension for 1 year SB 1185: April 29, 2010 – April 29, 2011

➢ Automatic Extension for 2 years AB 333: April 29, 2011– April 29, 2013

➢ Automatic Extension for 2 years AB 208: April 29, 2013– April 29, 2015

➢ Automatic Extension for 2 years AB 116: April 29, 2015– April 29, 2017
First Extension: April 29, 2017 – April 29, 2018 – EOT 17-05063 was approved on July 13, 2017 by City Council

Second Extension: April 29, 2018 – April 29, 2019 – EOT 18-05014 was approved on May 8, 2018 by City Council

STAFF REVIEW AND RECOMMENDATION:

As the original map was considered more than ten years ago, staff evaluated the project design as it pertains to incumbent environmental standards and current planning practices. The project site is undeveloped with rolling hills and elevations ranging from 1380-feet to 1460-feet above sea level and abuts the San Jacinto River to the north, directly south of Ethanac Road. The unique topography of the site yielded parcel and street layout designs that minimized grading activities to the extent possible; as such, the curvilinear street layouts are environmentally and aesthetically desirable. As part of the original entitlement an Initial Study and Mitigated Negative Declaration (No. 2265) were completed with a Mitigation Monitoring Reporting Program. The proposed time extension would not modify the original tract map and as surrounding site conditions have not changed, no further environmental assessments are required pursuant to Section 15162 of the CEQA Guidelines which states that no further CEQA is needed when a Mitigated Negative Declaration has been adopted and the proposal does not trigger substantial changes from a previously approved project.

Staff recommends that the City Council finds the proposal compliant with CEQA pursuant to Section 15162 and no further environmental action is required, and approve a one-year Extension of Time (19-05029) to April 29, 2020 for Tentative Tract Map 33990. If the subject Tentative Tract Map is not recorded prior to the new expiration date, a new Tentative Tract Map application must be filed for a separate consideration by the City Council in addition to payment of the appropriate filing fees.

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

Prepared by: Nathan Perez, Associate Planner
Reviewed by: Kenneth Phung, Planning Manager

REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director

Attachments: 1. Conditions of Approval (Planning and Engineering)
2. TTM 33990 exhibit

Consent: March 26, 2019
CITY OF PERRIS
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

CONDITIONS OF APPROVAL

Tentative Tract Map No. 33900 (06-0022) March 19, 2008

PROJECT: Tentative Tract Map for a 198 single-family residential lot subdivision on approximately 116 acres (2.7 dwelling units/gross acre), located north and west of San Jacinto River, east of McPherson Road, and south of Ethanac Road. Applicant: Albert A. Webb & Associates.

ENVIRONMENTAL:

1. Environmental. Within three days of City Council approval, applicant shall submit a check to the City, payable to Riverside County, in the amount of $1,940.75 for payment of State Fish and Game fees and County documentary handling fee. In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.

STANDARD CONDITIONS OF APPROVAL:

2. Tentative Tract Map 33900. The Final Map shall conform to the R-6000 zoning regulations, the requirements of Title 18 (Subdivisions) and 19 (Zoning) of the Perris Municipal Code, the requirements of the City Engineer’s conditions of approval dated February 15, 2008, and in substantial compliance with the approved Tentative Tract Map dated February 13, 2008.

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

4. City Codes. The project shall comply with all disabled access requirements of the American with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Perris Municipal Code Titles 18 and 19, including R-6000 zoning development standards. Development of the premises, building elevations, colors and materials shall be subject to a subsequent Administrative Development Review.

5. City Engineer. The proposed project shall adhere to the requirements of the City
Engineer as indicated in the engineering conditions of approval dated February 15, 2008.

6. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Building Official. The applicant shall submit a fire access and fire underground plan prior to construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (if applicable) must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval shall be included on building plans. See City of Perris website, Office of the Fire Marshal for examples and relevant information for access and underground plan available at: [http://www.cityofperris.org](http://www.cityofperris.org).

7. **Residential Use and Development Restrictions.** Any use, activity, and/or development occurring on the site without appropriate city approvals shall constitute a code violation and shall be treated as such. Placement of any construction trailer or sales office shall require separate review and approval by the City. Development of the premises, building elevations, colors and materials shall conform substantially to the approved set of plans, or as amended by these conditions. Any deviation shall require the appropriate Planning Division review and approval.

8. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.

9. **Utilities.** All utility facilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.

10. **Mechanical Equipment.** All mechanical equipment, including air conditioning units, pool equipment, etc., shall be located behind the front yard setback and be screened from the public right-of-way by a view obscuring fence, wall, or landscaping to the satisfaction of the Planning Division.

11. **Energy Conservation.** To improve local air quality, the applicant is encouraged to incorporate any or all of the following energy-conservation features into the project:
   a. Low NOx water heaters per specifications in the Air Quality Attainment Plan;
   b. Heat transfer modules in furnaces;
   c. Light colored water-based paint and roofing materials;
   d. Passive solar cooling/heating; and,
   e. Energy efficient appliances and lighting.

12. **Phasing.** Any Phasing Plan shall be reviewed and approved by the Development Services Department and the City Engineer. Each Phase of the project shall provide adequate drainage and at least two points of access to all lots. A phasing plan shall be
submitted with the Administrative Development Plan Review application.

13. **Window Treatments.** All units abutting a public street, tract boundary, or a downhill slope having an elevation change in excess of 20 feet shall provide for window treatment 360 degree around the dwelling.

14. **Spark Arresters.** Spark arresters shall be provided for each unit and shall be screened by sheet metal enclosures, or other material acceptable to the City Building Official, and painted to match the main stucco building color.

15. **Tract Identification.** The developer shall provide community entry statements, including theme walls, monumentation and enhance landscaping at each entrance to the tract. Theme walls and monuments shall not occur within the public right-of-way. The design of entry statements shall be subject to the review and approval of the Planning Division.

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

17. **Administrative Development Plan Review.** Prior to final map, the applicant shall obtain approval of an Administrative Development Plan Review (ADPR) for the review of building architecture, unit plotting, conceptual landscape and fencing of all production units within the tract. The applicant shall also include at least one single-story product type which shall be plotted on corners and at regular intervals throughout the tract (i.e., every fourth or fifth unit). Side entry garages are encouraged and shall be incorporated as feasible and as approved through the development plan review process. Also, the majority of units in the tract (other than corner lots) shall locate the wider side yard and the curb-cut/driveway on the same side of the lot to allow for RV parking.

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

   a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the City.

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

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

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

f. Project applicants shall provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

g. All development projects greater than 19 single-family residential units shall apply paints using either high volume low pressure (HVLP) spray equipment or by hand application.

19. **Final Water Quality Management Plan (WQMP).** Prior to the issuance of grading permits the owner shall submit for review and approval, along with the appropriate filing fee; a Final Water Quality Management Plan to the Department of Public Works Engineering Administration Division which substantially complies with the site design, source control and treatment control Best Management Plans proposed in the approved Preliminary Water Quality Management Plan.

20. **Indemnification/Hold Harmless.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City. City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

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

22. **Exterior Downspouts.** Exterior downspouts are not permitted on the front or side elevations of any building, or where exposed to public view.

23. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
a. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of $500.00 per acre;
b. Prior to the issuance of Certificate of Occupancy (including temporary occupancy), the applicant shall pay City Development Impact Fees in effect at the time of development;
c. Prior to the issuance of building permits, the applicant shall pay Multi-Species Habitat Conservation Plan fees in effect at that time;
d. Prior to issuance of building permits, the applicant will pay the statutory school fees in effect at issuance of building permits to all appropriate school districts;
e. The applicant shall pay any outstanding development processing fees; and
f. Prior to the issuance of Certificate of Occupancy (including temporary occupancy), the developer shall pay Transportation Uniform Mitigation Fees (TUMF) in effect at the time of development.

PRIOR TO ISSUANCE OF BUILDING PERMITS:

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

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

26. Landscaping. Prior to Issuance of Building Permits submit three (3) copies of construction landscaping and irrigation plans to the Planning Department for approval and shall be accompanied by the appropriate filing fee. A registered landscape architect shall prepare the landscaping and irrigation plans. The location, number, genus species, and container size of the plants shall be shown. These plants shall be consistent with Section 19.70 of the Perris Municipal Code. The plans shall also address landscaping, irrigation and fencing of parkways along all perimeter and entry streets. The cover page shall identify the total square footage of the landscaped area for the site. Landscaping shall be provided and maintained in accordance with Chapter 19.70 of the Perris Development Code. The use of water efficient fixtures, drought tolerant landscaping and reclaimed water is encouraged. The developer shall provide front-yard landscaping for all lots, at a minimum consistent with the requirements of Chapter 19.70.

PRIOR TO RECORDATION OF FINAL MAP:

27. Land within MSHCP Conservation Corridor and Lettered Lot. The developer shall provide an irrevocable offer of dedication to the City of Perris the conservation area within the MSHCP conservation corridor. In addition, a Lettered Lot shall be created for the engineered slopes, emergency road, and water quality basins to be annexed into the Landscaped Maintenance District.

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

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

   a. Verification from the Planning Division that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code;
   b. Planning Commission approval of all proposed street names; and,
   c. Any other required approval from an outside agency.

30. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The Developer shall complete all actions required to complete such annexation prior to the recordation of the Final Map (or issuance of a certificate of occupancy if a Final Map is not required). This condition shall apply only to districts existing at the time the Final Map is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:

   a. Landscape Maintenance District No. 1;
   b. Flood Control Maintenance District No. 1 (may include Streets);
   c. Maintenance District No. 84-1 (Street Lights and Traffic Signals);
   d. North or South Perris Public Safety Community Facilities District (Police and Fire);
   e. Ramona Mobility Group District (Transportation Improvements);
   f. Road and Bridge Benefit District (Transportation Improvements); and
   g. Future Fire Protection Community Facilities District

31. **Plans and CC&Rs.** Prior to recordation of the Final Map, the developer shall submit and obtain approvals on the following items:

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

SPECIAL CONDITIONS:

32. **Sewer Lift Station.** The Eastern Municipal Water District (EMWD) sewer lift station shall be secured by a decorative block wall and wrought iron gate with view obstructing metal mesh. Also, a landscape plan with trees around the perimeter of the property shall be used to screen the EMWD equipments from the street, and shall be submitted to the Community Development Director for review and approval prior to installation. In addition, EMWD equipments or structures 6-feet or taller shall be enclosed by a structure, and the design of the structure shall be subject to the review and approval of the Community Development Director.

33. **Walls and Fencing.** A six-foot high, decorative block wall shall be constructed around the perimeter of the tract with pilaster columns located on the property line between two properties. A pilaster column may skip a property line if the lot width is less than 50-feet. The wall shall be continued along entry drives to the tract in a manner that creates a tract entry statement. Block walls shall be provided for all front and street side yard fencing visible from a public street. A wall/fencing plan showing compliance with requirements for streetscape design shall be submitted for Planning approval. Adjacent to open space areas the perimeter wall shall be a combination of decorative “knee” wall and tubular steel fence with decorative block pilasters.

34. **Landscape Slopes.** Slopes in the rear and side yards with greater than to 2 to 1 slopes or greater than 6-feet in height are required to be landscaped and irrigated.

35. **Disclosure Statements.** The developer shall record a disclosure and provide an acknowledgement of the disclosure to potential tenants/owners prior to the lease or sale of property indicating the following:

   a. The project site is in a dam inundation area and may be subject to flooding in an event of a dam failure.
   b. The project site has street grade and driveways slopes of upwards to 15-percent. The steepness of the slopes may make it difficult for older vehicles to drive and for vehicles with typical suspension to clear driveway slopes.

36. **Riverside County Flood Control and Water Conservation District.** Any improvement that includes the District’s right of way, easements, or facilities is required to be coordinated with the District’s Operation and Maintenance Division at 951-955-1280.

37. **Parkway Sidewalk.** Right-of-way 66-feet and greater shall have parkway sidewalks.
MITIGATION MONITORING:

38. **Mitigation Monitoring Program.** The proposed project shall comply with all provisions of the adopted project Mitigation Monitoring Program found in the Initial Study.
CONDITIONS OF APPROVAL

P8-935
Tract 33900 (Case # 06-0022)

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q’s and that their omission may require the master plan to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer’s office.

Due to existing topography, construction of the subdivision as proposed requires significant grading to create minimum usable pads. Typically grading on hill side will require contour grading to minimize impact. However due to numbers of proposed units, this technique is not feasible. Along the significant slopes, the developer is responsible to install irrigation and provide access for the homeowners to maintain the slopes within their property. Construction of retaining wall adjacent to streets will be required to minimize slope and pavement erosion as determined by City Engineer.

The tentative map as submitted also exhibits several lots with driveways at 15% slopes. The proposed grading at back of some lots requires installation of private concrete drainage facilities. No cross lot drainage is accepted. Homeowners shall be responsible to maintain these channels.

1. Drainage and flood control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District and the City of Perris requirements
and standards. The following drainage related conditions are the requirements of this project:

a. Onsite drainage facilities outleting sump conditions if approved by the City Engineer shall be designed to convey the tributary 100-year storm flows. Additional emergency escape for the storm flows shall also be provided.

b. The property’s street and onsite grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted. Minimum onsite grading shall be 0.5%. Minimum grade at curb returns shall be 0.7%.

c. Drainage easements shall be obtained from the affected property owners for the release of concentrated or diverted storm flows onto the adjacent property. A copy of the drainage easement shall be submitted to the City for review prior to its recordation.

d. All drainage facilities with the exception of nuisance drainage improvements shall be designed to convey the 100-year storm runoff. To eliminate nuisance runoff from all intersections with cross gutter, minimum 18" storm drain and catch basins along all the interior and perimeter streets with cross gutter shall be installed and connected to the proposed onsite or offsite drainage facilities.

e. A detailed hydrology report and hydraulic calculation shall be submitted to the City and RCFC for review and approval. The report shall address the offsite flow, accumulative onsite runoff and the impact to adjacent downstream properties. At discretion of City Engineer, the report and back up documents may have to be reviewed and approved by RCFC.

f. All grading and drainage improvements shall comply with NPDES and Best Management Practices and the approved preliminary WQMP. Erosion control plans shall be prepared and submitted to Water Quality Board and the City of Perris as part of the grading plans.

g. Prior to issuance of a grading permit, the Developer shall obtain NPDES, WQMP permit and prepare SWPPP. Erosion control plans shall be prepared and submitted to the City Engineer as part of the grading plans. All onsite generated runoff must be treated prior to discharge in compliance with WQMP and Water Quality Standards.
h. Onsite drainage facilities shall be collected via onsite underground facilities and conveyed to San Jacinto River or other appropriate outlets as determined by the City Engineer. Connection to San Jacinto River shall require approval by Flood Control.

i. The City Council has adopted Resolution 3403 requiring development within San Jacinto River Flood Plain to comply with certain conditions and payment of fees. This developer shall comply with all such requirements as appropriate and approved by City Council. That portion of the property shown as San Jacinto River Corridor setback area shall be shown as separate lot and dedicated to City for future extension of San Jacinto River.

j. The proposed WQMP basins are located in 100-year flood plain and may not function as water quality basin during moderate to heavy rainfall. The WQMP shall address this issue. The basins shall be designed and landscaped to Planning and Public Works Department Standards. Appropriate concrete ramp to maintain the basin shall be installed. The basins shall be discharged to San Jacinto River via underground pipe.

2. Ethanac Road from McPherson Road to easterly property boundary along the south side shall be improved with concrete curb, gutter, located 67' south of centerline and minimum of 65' of new pavement within 92', 1/2-width dedicated right-of-way including 14' wide landscape median.

Ethanac Road along the north side within the same reach shall be improved to provide for minimum of 30' of new pavement including a minimum of 150' long left turn pocket at "L" & McPherson Road within dedicated right-of-way. Ethanac Road from the easterly boundary to existing improvements east of San Jacinto River, shall be improved within dedicated right-of-way with a minimum of 40' of new pavement including construction of 5 year crossing over San Jacinto River. At the option of the developer, construction of 100-year ultimate crossing with appropriate DIF/TUMF credit shall be accepted. Traffic signals may be required at intersection of Ethanac and McPherson. Prior to recordation of final map, the applicant shall submit a report so show the warrant for the signal and install as appropriate.

3. McPherson Street from Ethanac Road to southerly tract boundary shall be improved along east side to provide for curb, gutter, located 22' west of centerline and 20' of new pavement within 33', 1/4-width dedicated right-of-way. McPherson Street along the west
side within the same reach shall be improved with all new pavement to provide for a left turn pocket at all intersections and one 15' wide southbound lane. The intersection of McPherson Street with Ethanac Road shall be improved to provide for left turn pocket (150’ long) and one right turn and one north bound lane.

4. Traffic index of 11 for Ethanac Road shall be used.

5. The intersection of Ethanac and “L” Street shall be designed and constructed with a concrete structural section a minimum of 100’ from BCR/ECR.

6. Existing power poles within the project site or along the project boundary (under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.

7. On and offsite street, drainage, water, sewer, striping, signing, signals, streetlight, grading, paving and erosion control plans along with hydrology and hydraulic reports shall be submitted to the City Engineer’s office for review and approval.

8. Access shall be restricted along Ethanac Road, McPherson except as shown on the tentative map.

9. 6’ wide concrete sidewalk, handicap ramps, and driveways adjacent to the site shall be installed pursuant to ADA and Riverside County standards. All driveway approaches shall be constructed per Riverside County Standards for Residential Driveway (Std. 207) and comply with the ADA requirements. Parkway sidewalk shall be installed on all streets within 66’ or greater right-of-way width.

10. Streetlights shall be installed along all perimeter streets as approved by the City Engineer per Riverside County and Southern California Edison standards.

11. The proposed development is in the service area of Eastern Municipal Water District. The applicant shall provide water and sewer facilities to this development and comply with EMWD, Fire Department, and Health Department's requirements.

12. Prior to issuance of building permit for commercial/industrial projects and prior to recordation of final map for residential projects, the developer shall sign the consent and waiver forms to join the Landscaping, Onsite Street, Flood Control, Public Safety, and Lighting Districts and pay the 18-month advanced energy charges for streetlights. All storm drain facilities (except as noted
above) including catch basins and pipes shall be annexed to Flood Control District. In the event, RCFC does not maintain any of the proposed offsite storm drain facilities and other offsite drainage facilities proposed shall be annexed to Flood Control District for maintenance.

13. "L" Street shall be improved along both sides with minimum of 52' of pavement, curb and gutter located 28' on either side of centerline within 78' dedicated right-of-way including landscaped median at entrance with Ethanac Road. All other interior streets shall be improved with curb/gutter located 20' on either side of centerline within 60' dedicated right-of-way. Proposed cul-de-sac ("C" Street) exceeds the maximum length and will require Fire Marshall's approval.

14. To provide for secondary access, River Road, McPherson Avenue and "L" Street shall be extended north including Mapes Road and improved with minimum of 30' paved road and connected to "A" Street within dedicated right-of-way. To provide for secondary access, "L" Street from Ethanac Road shall be extended north to Mapes and Mapes to "A" Street and shall be improved with minimum of 30' new paving within dedicated right-of-way.

15. This project shall be coordinated with all proposed and existing adjacent developments.

16. Phasing of improvements shall be limited to onsite improvements only. All improvements along Ethanac (on and offsite including crossing at San Jacinto River) and extension of River Road, McPherson or "L" Street north of the site shall be part of Phase I.

Habib Motlagh
Habib Motlagh
City Engineer
BACKGROUND/DISCUSSION:

On February 27, 2018, the City Council awarded a two-year Contract Services Agreement to Rincon Consultants, Inc., including a 20% contingency fund, for environmental regulatory permitting services for the Nuevo Road Widening and Bridge Replacement (CIP # S-076). The original Agreement was awarded for a total of $32,275. However, due a City initiated change in project boundaries, which increased the environmental permitting services required, staff issued Change Order #1 in the amount of $6,505.40. This brought the Contract total to $38,780.40, and exhausted the contingency amount previously approved by Council. Any additional compensation must be approved by the City Council.

On February 12, 2019, the City received a comment letter from the United States Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW), concerning the City’s MSHCP “Determination of Biologically Equivalent or Superior Preservation” (DBESP). During their allotted review period, the Wildlife Agencies maintain their authority to comment on the consistency of the City’s Mitigation Strategy with the MSHCP, which could impact the issuance of the Streambed Alteration Agreement issued through the CDFW. However, in this instance CDFW exceeded their allotted review period and issued an “Operation of Law Letter,” which grants the City of Perris the right, by law, to proceed with the project as described in the DBESP prepared by the City of Perris.

That notwithstanding, City staff believe it is in the City’s best interest to take into consideration the comments received by USFWS and CDFW, especially with respect to their opinions concerning the adequacy of the narrow endemic plant species survey conducted by the City’s original consulting firm, LSA. Among several concerns, the Wildlife Agencies have stated unequivocally, that in their opinion, the City must conduct additional surveys to determine the existence of any rare plant species. To avoid any potential challenge by these Wildlife Agencies,
ensure that the City is in full compliance with their internal MSHCP process and procedures, avoid future delays should other rare species be found, and expedite remaining procedures associated with permitting; City staff is recommending that the City Council approve Change Order #2, in the amount of $30,229.25, and authorize the City Manager to execute the Change Order.

BUDGET (or FISCAL) IMPACT:

Change Order #2 to the Rincon Consultants, Inc. Contract for Regulatory Permitting Services would be $30,229.25. Adequate funding for the original contract and Change Order #2 has been provided in the approved budget for the Nuevo Road Bridge Replacement Project (CIP #S076), and no additional funds are required at this time.

Prepared by:  Michael Morales, Capital Improvement Project Manager

REVIEWED BY:

City Attorney
Assistant City Manager
Finance Director

Attachments:  Change Order #2

Consent:  x
Public Hearing:
Business Item:
Presentation:
Other:
March 26, 2019

Rincon Consultants, Inc.
C/O Christina McAdams, Senior Project Manager
301 9th Street, Suite 109
Redlands, CA 92374

CHANGE ORDER

Sheet #1 of 7

Order No. 2 Date: March 26, 2019

Contract Date: February 27, 2018

Project: Contract Services Agreement For Regulatory Permitting Services For The Nuevo Bridge Widening and Road Improvements Project- CIP # S-076

Contractor: Rincon Consultants, Inc.

This Change Order #2 changes the Agreement between the City of Perris and Rincon Consultants, Inc. for the Regulatory Permitting Services For The Nuevo Bridge Widening and Road Improvements Project- CIP # S-076 Contract Services Agreement please read it carefully.

The following changes are hereby made to the Agreement:

Nature of Change: Increase scope of work for Phase 3 Regulatory Permit Acquisition, due to comments received from California Department of Fish and Wildlife concerning MSHCP Consistency Analysis.

Original Contract Price Phase 3 $10,160.00

Current Contract Price Phase 3 [Adjusted by previous change order(s)] $10,160.00

Contract Price Phase 3 Will be Increased: (Due to this change order) $27,639.25

New Contract Price Phase 3 Including This Change Order: $37,799.25 (thirty-seven thousand seven hundred ninety-nine and 25/100 dollars)
Statement of Work: As per Paragraph 1.1, "Scope of Services," of the original Agreement, and Exhibit A Scope of Services Phase III "Regulatory Permit Acquisition" which are hereby amended with the following additional task:

The Section Phase III "Regulatory Permit Acquisition" is amended by adding the following language in **bold italics**, after the end of the last sentence in the fourth paragraph after the last sentence:

...Contractor assumes that no additional technical studies or other documents will be needed to support the process, and anticipates that responses to comments, red-line corrections or requests for additional information can be addressed with the original scope of the Phase 2 Technical Studies noted in the preceding paragraphs.

In the event that additional information or response is required, Contractor shall consult with City Staff regarding status of permits, additional conference calls, and follow-up with agencies to address initial comments received by RWCQB concerning "absence of adequate mitigation plan"; and US Army Corp of Engineers concerning "absence of Attachment 7." Provide initial analysis of comments, and additional consultation with City concerning status of Streambed Alteration Agreement and MSHCP Consistency following CDFW letter dated February 12, 2019.

In the event that additional support services, technical studies, plan revisions, additional information or response to comments are required, sub-tasks may include, but are not limited to the following:

3.1 Coordination with Wildlife Agencies (USFWS & CDFW): The City received a comment letter from the Wildlife Agencies on February 12, 2019, which will require coordination time with the agencies to address the agencies comments. The original proposal assumed that the Wildlife Agencies would approve the MSHCP reports and as such, did not include coordination time and associated report revisions. Sub-tasks include:

- Preparation for and attendance at in-person meeting on March 6, 2019
- Up to 10 hours for Senior Botanist, 10 hours for Project Manager and 2 hours for Principal
- Follow-up correspondence regarding MSHCP Consistency Analysis, DBESP and mitigation
- Up to 10 hours for Senior Botanist, 10 hours for Project Manager and 2 hours for Principal

Assumptions:

- Follow-up correspondence is assumed to occur via conference call(s)
• Coordination time may vary depending on the number and length of meetings required to reach an agreement. If additional time beyond that noted above is required, this work can be provided under separate scope and cost.

3.2 Conduct Focused Rare Plant Surveys:
As detailed in the comment letter, the Wildlife Agencies have requested that the City conduct focused rare plant surveys for NEPSSA-3A, CAPSSA-3A, and Section 6.1.2 rare plant species during the appropriate blooming period. Sub-tasks include:

• Research and check reference populations for bloom periods to validate survey timeframe
• Up to 16 hours for Senior Botanist and 2 hours for Project Manager
• Early season rare plant survey (April or May)
• Up to 8 hours for Senior Botanist and 1 hour for Project Manager
• Late season rare plant survey (June) (if needed)
• Up to 8 hours for Senior Botanist and 1 hour for Project Manager

Assumptions:
• Senior Botanist will conduct up to two site visits to check reference populations
• Senior Botanist will conduct up to two rare plant surveys (one early season and one late season)

3.3 Update MSHCP Consistency Analysis & DBESP:
The City received a comment letter from the Wildlife Agencies on February 12, 2019, which will require additional time to revise the MSHCP reports to incorporate the results of the rare plant surveys as well as revisions associated with classification of project impacts. The original proposal assumed that the Wildlife Agencies would approve the MSHCP reports and as such, did not include associated report revisions. Sub-tasks include:

• Incorporation of results of rare plant survey(s)
• Up to 4 hours for Senior Botanist, 2 hours for Project Manager and 1 hour for Principal
• Update reports and figures regarding temporary, permanent, and beneficial impacts
• Up to 2 hours for Senior Botanist, 20 hours for Project Manager, 4 hours for GIS/Graphics and 1 hour for Principal

Assumptions:
• Revisions to reports assume project design and project description does not change from that originally proposed. If design changes occur, additional time and budget may be needed to incorporate such changes into the revised reports.
• Plan revisions may vary depending on the level of agency comments and the number and length of revisions required to reach an agreement. If additional time beyond that noted above is required, this can be provided under separate scope and cost.

3.4 Preparation of Mitigation Strategy & Coordination with RCA: (if Needed)
As detailed in the comment letter, the Wildlife Agencies have requested that the City provide on-site and/or off-site mitigation for the project’s temporary and permanent impacts. Preparation of a Mitigation Strategy and coordination with RCA will be required to fulfill mitigation requirements. Sub-tasks include:
• Preparation of Mitigation Strategy (to be incorporated into DBESP)
• Up to 10 hours for Biologist, 2 hours for Project Manager, 1 hour for Principal, and 2 hours for GIS/Graphics
• Coordination with Wildlife Agencies & RCA
• Up to 10 hours for Project Manager and 1 hour for Principal to coordinate with Wildlife Agencies/RCA and revise as needed

Assumptions:
• Correspondence is assumed to occur via conference call(s)
• Coordination time and associated report revisions may vary depending on the level of agency comments and the number and extent of revisions required to receive agency approval. If additional time beyond that noted above is required, this can be provided under separate scope and cost.
• The City will be responsible for payment of mitigation fees

3.5 Preparation Burrowing Owl Protection and Conservation Plan (if needed):
As detailed in the comment letter, the City will be required to prepare a Burrowing Owl Protection and Conservation Plan if burrowing owls are identified during the pre-construction survey. Sub-tasks include:
• Preparation of Burrowing Owl Protection and Conservation Plan
• Up to 10 hours for Biologist, 2 hours for Project Manager, 1 hour for Principal, and 2 hours for GIS/Graphics
• Coordination with Wildlife Agencies for Plan approval
• Up to 10 hours for Project Manager and 1 hour for Principal to coordinate with Wildlife Agencies and revise Plan as needed
Assumptions:
- Correspondence is assumed to occur via conference call(s)
- Coordination time and associated Plan revisions may vary depending on the level of agency comments and the number and length of revisions required to receive agency approval. If additional time beyond that noted above is required, this can be provided under separate scope and cost.
- Does not include relocation of owls as cost will depend on the location and number of owls that need to be relocated. If owl relocation is required, this work can be provided under separate scope and cost.

3.6 Preparation of USACE Draft Memorandum for Record (optional task):
The USACE has requested for Rincon to complete the Draft Memorandum for Record (MFR) for the City’s Section 404 permit to expedite the permitting process. Preparation of the MFR is the responsibility of the USACE and as such, was not included in Rincon’s original scope of work. If approved, Rincon will complete the MFR to assist the USACE in expediting the project permit. Sub-tasks include:
- Preparation of Draft MFR for USACE Section 404 Permit
- Up to 16 hours for Regulatory Permitting Specialist, 2 hours for Project Manager, and 1 hour for Principal

Assumptions:
- If additional time is required beyond that noted above, this work can be provided under separate scope and cost.

Nature of Change: Increase scope of work for Phase 5 “Project Management,” to include additional time required to address the revised scope of work items detailed in Phase 3.

Original Contract Price Phase 5 $2,930.00

Current Contract Price Phase 5 [Adjusted by previous change order(s)] $2,930.00

Contract Price Phase 5 Will be Increased: $2,590.00 (Due to this change order)

New Contract Price Phase 5 Including This Change Order: $5,520.00 (five thousand five hundred twenty and 00/100 dollars)

Statement of Work: As per Paragraph 1.1, “Scope of Services,” of the original Agreement, and Exhibit A Scope of Services Phase 5 “Project Management” which are hereby amended with the following additional task:
The Section Phase 5 is amended by adding the following language in *bold italics*, and the end of the first sentence:

...This task includes overall coordination/meetings with the City of Perris through the duration of the project as well as coordination of Contractor's staff. *In addition, the City received a comment letter from the Wildlife Agencies on February 12, 2019, which will require coordination time with the agencies to address the agencies comments.*

**Nature of Change:** Amend Paragraph 2.0 COMPENSATION of the Contract Services Agreement between the City of Perris and Rincon Consultants, Inc. to reflect remaining balances and new increased scope of services costs

**Statement of Work:** Paragraph 2.0 COMPENSATION of the Contract Services Agreement between the City of Perris and Rincon Consultants, Inc. is hereby amended as follows: Strike existing language and replace with the following language:

2.1 *Contract Sum.*

For the services rendered pursuant to this Agreement, the Contractor shall be compensated in accordance with the “Schedule of Compensation” attached hereto as Exhibit “B” and incorporated herein by this reference, but not exceeding the maximum contract amount of **sixty-nine thousand nine and 65/100 dollars ($69,009.65)** (herein “Contract Sum”), except as provided in Section 1.4. For the services rendered pursuant to this Agreement, the Contractor shall be compensated in accordance with the “Schedule of Compensation” attached hereto as Exhibit “B” and incorporated herein by this reference, but not exceeding the maximum contract amount for each phase as follows: Phase 1, **one thousand four hundred and 00/100 dollars ($1,400.00)**; Phase 2 **thirteen thousand four hundred eighty and 00/100 dollars ($13,480.00)**; Phase 3 **nineteen thousand nine hundred and 00/100 dollars ($19,900.00)**; Phase 4 **thirty-seven thousand seven hundred ninety-nine and 25/100 dollars ($37,799.25)**; Phase 5 **five thousand five hundred twenty and 00/100 dollars ($5,520.00)**; and Reimbursables for all phases combined, at cost, but not to exceed **one thousand three hundred and 40/100 dollars ($1,300.40)** (herein “Phase Contract Sum”), except as provided in Section 1.4. The method of compensation shall include: (i) payment for time and materials for Phases 1 through 5 based upon the Contractor’s rates as specified in the Schedule of Compensation, but not exceeding the Phase Contract Sum; and (ii) payment for reimbursables at cost including mileage, overnight mailing, renderings/graphics, blueprints or Xerox copies, rental
equipment and fees, and commercial delivery services. The Contract Sum shall include the attendance of Contractor at all project meetings reasonably deemed necessary by the City (See Exhibit A); Contractor shall not be entitled to any additional compensation for attending said meetings.

**Nature of Change:**
Amend Schedule of Compensation to reflect changes in Phase 3, and Phase 5, for new increased scope of services costs.

**Statement of Work:**
Exhibit "B" Schedule of Compensation is hereby amended by revising the maximum hours and maximum not to exceed totals for Phases 3 and 5 of the Project. The revised amounts are in **Bold Italic** and shall read as follows:

### PHASE III-REGULATORY PERMIT ACQUISITION

<table>
<thead>
<tr>
<th>Phase</th>
<th>Maximum Hours</th>
<th>Maximum Hourly Fee in ($)</th>
<th>Estimated Total (in $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>74</td>
<td>*</td>
<td><strong>$10,601.25</strong> 10,160.00</td>
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<tr>
<td>Sub-Task 3.1</td>
<td>44</td>
<td>*</td>
<td><strong>$6,808.00</strong></td>
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<tr>
<td>Sub-Task 3.2</td>
<td>36</td>
<td>*</td>
<td><strong>$6,295.00</strong></td>
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<td>Sub-Task 3.3</td>
<td>34</td>
<td>*</td>
<td><strong>$4,460.00</strong></td>
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<tr>
<td>Sub-Task 3.4</td>
<td>36</td>
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<td><strong>$3,270.00</strong></td>
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<tr>
<td>Sub-Task 3.5</td>
<td>36</td>
<td>*</td>
<td><strong>$3,270.00</strong></td>
</tr>
<tr>
<td>Sub-Task 3.6</td>
<td>19</td>
<td>*</td>
<td><strong>$3,095.00</strong></td>
</tr>
</tbody>
</table>

PHASE III TOTAL = **$37,799.25** $40,160.00

### PHASE V-PROJECT MANAGEMENT

<table>
<thead>
<tr>
<th>Phase</th>
<th>Maximum Hours</th>
<th>Maximum Hourly Fee in ($)</th>
<th>Estimated Total (in $)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>22</td>
<td>*</td>
<td><strong>$5,520.00</strong> 2,930.00</td>
</tr>
</tbody>
</table>

PHASE III TOTAL = **$5,520.00** 2,930.00

**APPROVAL REQUIRED:**

To be effective, this change order must be approved by the City of Perris and Rincon Consultants, Inc.

**RINCON CONSULTANTS, INC.**

Signature: ____________________________________________  Date: __________

Typed Name: Michael P. Gialketsis  ____________________________________________

Title: _____ President ____________________________________________

Signature: ____________________________________________  Date: __________

Typed Name: Lacrissa Davis  ____________________________________________

Title: _____ Vice President ____________________________________________

**CITY OF PERRIS:**

Signature: ____________________________________________  Date: __________

Typed Name: Richard Belmudez  ____________________________________________

Title: _____ City Manager ____________________________________________

Attachment(s): None

End of Change Order #1
Nothing Follows
CITY OF PERRIS
CITY COUNCIL
AGENDA SUBMITTAL

<table>
<thead>
<tr>
<th>MEETING DATE:</th>
<th>March 26, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBJECT:</td>
<td>City of Perris General Plan Housing Element, 2018 Annual Progress Report</td>
</tr>
<tr>
<td>REQUESTED ACTION:</td>
<td>That the City Council approve the 2018 Annual Progress Report for the General Plan Housing Element.</td>
</tr>
<tr>
<td>CONTACT:</td>
<td>Dr. Grace I. Williams, Director of Planning and Economic Development</td>
</tr>
</tbody>
</table>

BACKGROUND/DISCUSSION:

On August 27, 2013, the City Council adopted the General Plan Housing Element for the planning period 2014-2021. The Housing Element establishes policies, procedures and incentives in its land use planning and redevelopment activities to guide the development, redevelopment and preservation of a balanced housing supply to adequately accommodate households currently living and expected to live in Perris. The Housing Element also outlines the City's housing action plan, which is a series of actions and programs to be implemented through 2018 in order to meet its fair share contribution of housing needs for all income groups established by Regional Housing Needs Allocation (RHNA).

The City is required to prepare an annual report each year detailing the progress it has made during the prior year in meeting its Housing Element goals, pursuant to State law (Government Code Section 65400(b)). The annual progress report must be submitted to the California State Department of Housing and Community Development (HCD) and to the Governor's Office of Planning and Research (OPR). The City's 2018 annual progress report is attached, which further details the goals, policies, programs and implementation actions implemented in that year. The annual progress report covers the three areas of information outlined by HCD, which are listed as follows:

1) **Progress in meeting regional housing needs.** The City of Perris Housing Authority proposes to construct a new single family unit with three (3) bedroom two (2) bathrooms and detached garage. This project will be funded through Neighborhood Stabilization Program (NSP) funds. The home will be rented by the City of Perris to either an extremely low, very low, or low income household to meet the City's NSP and LH25 (funds targeted for households whose incomes are at or under 50% area median income) requirement under HUD regulations.
2) **The effectiveness of the Housing Element in attainment of the community’s goals and objectives.** Attached Annual Progress Report provides a status of goals and actions set forth within the Housing Element.

3) **Progress towards mitigating governmental constraints identified in the Housing Element.** As the City did not receive or engage in new affordable housing projects in 2018, City staff did not identify any governmental constraints in implementing the Housing Element.

City Staff recommends that the City Council approve the attached 2018 Annual Progress Report, and direct the Housing Authority to submit the report to California Department of Housing and Community Development (HCD).

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**BUDGET (or FISCAL) IMPACT:** No cost is associated with the preparation of this report.

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Prepared by:  Rebecca Rivera, Project Manager

**REVIEWED BY:**

City Attorney  
Assistant City Manager  [Signature]  
Finance Director  

Attachments: Annual Progress Report

Consent: March 26, 2019
<table>
<thead>
<tr>
<th>Housing Program</th>
<th>Program Action 2014-2021</th>
<th>Implementing Entity</th>
<th>Time Frame for Implementation</th>
<th>Status as of 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Goal 1: Promote and maintain a variety of housing types for all economic segments of the City.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Action 1.1:</td>
<td>Review and update the General Plan periodically (if an update is needed) to ensure that growth trends are addressed.</td>
<td>Planning Department</td>
<td>Ongoing Implementation</td>
<td>No new updates are required at this time</td>
</tr>
<tr>
<td>Action 1.2:</td>
<td>Encourage opportunities for development of housing in lower density land use designations through various Overlay Zone alternatives (Senior Housing, Planned Development, Downtown Design) or with the density bonus incentives.</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing Implementation</td>
<td>The City continues to promote lower density land use designations. No proposed projects requesting these incentives were submitted in 2018.</td>
</tr>
<tr>
<td>Action 1.3:</td>
<td>The Perris Housing Authority will utilize funding, if available, and/or CDBG allocations to provide the following incentives which may be applied to an affordable housing project: 1) Lease or purchase of City owned property at low rates; 2) Provision of off-site improvements.</td>
<td>Housing Authority</td>
<td>Completed in 2015</td>
<td></td>
</tr>
<tr>
<td>Action 1.4:</td>
<td>Require a mixture of diverse housing types and densities in new developments, guided by specific plans, around the downtown and throughout the City. Focus development activity within the Downtown Specific Plan area where suitably zoned underutilized land and the potential for mixed-use projects exists for the development of affordable housing.</td>
<td>Housing Authority / Planning Department</td>
<td>Continued Implementation</td>
<td>In 2018, City of Perris staff partnered with EstolanoleSar.com to form a developer meeting to discuss the City of Perris' vision for infill development throughout their Downtown area, starting with positioning two City-owned parcels as future AHSC award-winning projects. The idea is to use these two parcels to catalyze the revitalization of downtown Perris as a mixed-use, transit-oriented, walkable community.</td>
</tr>
<tr>
<td>Action 1.5:</td>
<td>Support the use of innovative building techniques and construction materials for residential development, such as energy efficient buildings that utilize solar panels and sustainable building materials that are recyclable.</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing Implementation</td>
<td>In 2018, the Building &amp; Safety Division issued 2,403 permits to homeowners for the installation of solar panels on the roofs of their homes.</td>
</tr>
<tr>
<td>Action 1.6:</td>
<td>Work with Habitat for Humanity to identify and acquire vacant infill lots for single-family development to provide housing for lower and moderate-income families and individuals.</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing Implementation</td>
<td>No vacant infill lots acquired in 2018.</td>
</tr>
<tr>
<td>Action 1.7:</td>
<td>Utilize the State HOME Investment Partnership Grant Program Funds to assist in rehabilitating lower-income households to correct code violations and make exterior improvements.</td>
<td>Housing Authority</td>
<td>Ongoing Implementation</td>
<td>No HOME investment Partnership Grant funding was available in 2018. In June, 2018, the City of Perris submitted a grant application for HOME investment</td>
</tr>
<tr>
<td>Action 1.8:</td>
<td>Continue to track affordable housing units city-wide. This includes monitoring the method by which units remain affordable to lower-income households (i.e. covenants, deed restrictions, loans, etc.).</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing</td>
<td>Partnership Grant and awarded $500,000 for the First Time Homebuyer Program in February 2019. CC&amp;Rs are recorded with the Riverside County Clerk’s Office on properties that were funded through the First Time Homebuyer Program (FTHB), Verano, Mercado, and Perris Station apartments. Staff maintains file of recorded documents for each property, including an affordable housing database monitored by Housing Authority Staff.</td>
</tr>
<tr>
<td>Action 1.9:</td>
<td>Provide a progress report on the 2014-2021 Housing Element programs and quantified objectives as part of the annual General Plan status reports to the State.</td>
<td>Planning Department</td>
<td>Annual reporting</td>
<td>The 2018 Annual Progress report was completed and will be submitted to HCD by April 1, 2019.</td>
</tr>
<tr>
<td>Action 1.10:</td>
<td>The Planning Division will utilize design, development, impact fee, processing and streamlining incentives, such as reductions in setbacks, parking requirements, and other standards, to encourage residential uses and to promote more intense residential development in the Downtown Specific Plan area. Information on these financial and regulatory incentives will be made available on the City’s website and in public places at City Hall.</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing Implementation</td>
<td>City Municipal Code, General Plans, Specific Plans, development applications and fees are made available to the public at the department counter and City’s website. The City will continue to encourage and promote residential development in downtown Perris.</td>
</tr>
<tr>
<td>Action 1.11:</td>
<td>Reduce parking standards for senior and affordable housing developments that are located in proximity to transit stops.</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing Implementation</td>
<td>In 2018, the City did not receive any applications for new housing development near transit stops.</td>
</tr>
<tr>
<td>Action 1.12:</td>
<td>To encourage the development of residential and mixed-use projects within the Downtown Specific Plan area, the City will offer incentives such as a reduction in development standards (i.e. lot size, parking, and open space requirements) and with assistance from the Perris Housing Authority, subsidize a portion of development fees to encourage lot consolidation and to promote more intense residential and mixed-use development on vacant and underutilized sites within the Downtown Specific Plan area. While the City is more than able to accommodate the remaining RHNA allocation for the planning period on sites larger than one acre, this program allows for the City to begin planning for the future by encouraging property owners to consolidate adjacent properties to develop larger projects.</td>
<td>Housing Authority / Planning Department</td>
<td>Ongoing Implementation</td>
<td>City will continue to promote and encourage residential and mixed-use development in the downtown area. No proposed project requesting these incentives were submitted in 2018.</td>
</tr>
</tbody>
</table>

**Goal 2: Promote and preserves suitable and affordable housing for persons with special needs, including lower income households, large families, single parent households, the disabled, senior citizens and shelter for the homeless.**

<p>| Action 2.1: | Utilize resources such as HOME funds, California Housing Finance Agency single-family and multi-family programs, HUD Section 208/811 loans, and HOPE I and III Homeownership programs to stimulate private developer and non-profit entity efforts in the development and financing of housing for lower and moderate-income households. | Housing Authority | Ongoing | The City partner with Credit.org provided the “Pathway to Homeownership Program” for Homeownership for low to moderate income households. The program had two tracks that provided four (4) weeks of classes. The classes were: 1) Power of Paycheck Planning; 2) Understanding your Credit Report and Score; 3) Debt Management, and 4) Preparing. |
| Action 2.2: | The Perris Housing Authority should facilitate discussions between developers and local banks to meet their obligations pursuant to the California Community Reinvestment Act (C CRA) providing favorable financing to developers involved in projects designed to provide lower and moderate-income housing opportunities. | Housing Authority | Ongoing | City will continue to provide incentives to encourage affordable housing to meet the City’s fair share housing needs. |</p>
<table>
<thead>
<tr>
<th>Action 2.3: Consider pursuing a program through the Perris Housing Authority, if funding is available, or through interested CHDO’s and/or non-profit organizations, to purchase affordability covenants on existing multi-family units, subject to restrictions that the affordability covenants would be in effect for not less than 30 years, and that at least 20 percent of the units would be affordable to extremely low- and very low-income households.</th>
<th>Housing Authority</th>
<th>Ongoing</th>
<th>No proposed program was provided in 2018. City will continue to require that multi-family complexes consist of units with affordability covenants ensuring that the units remain affordable.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action 2.4: To comply with Senate Bill 2, the City has amended Zoning Code Section 19.44, Industrial Zones, to permit emergency shelters by right in the General Industrial (GI) zone, excluding Specific Plan areas, without a conditional use permit or other discretionary permit. The City will continue to monitor the inventory of sites appropriate to accommodate emergency shelters and will work with appropriate organizations to ensure the needs of the homeless population whenever possible.</td>
<td>Housing Authority</td>
<td>Ongoing Implementation</td>
<td>No sites for emergency shelters were identified in 2018. However, the City continues to work with Social Work Action Group (SWAG). SWAG is a service agency that provides supportive services to the homeless population within the City’s limits.</td>
</tr>
<tr>
<td>Action 2.5: The City will maintain a list of mortgage lenders participating in the California Housing Finance Agency (CHFA) program and refer the program to builders or corporations interested in developing housing in the City.</td>
<td>Housing Authority</td>
<td>Ongoing</td>
<td>No HOME investment Partnership Grant (HOME) funding was available in 2018; therefore, the City of Perris did not maintain a list of mortgage lenders.</td>
</tr>
<tr>
<td>Action 2.6: Continue cooperation with the Riverside County Housing Authority to provide Section 8 rental assistance and work with property owners to encourage expansion of rental projects participating in the program, as well as provision of at least 20 units of public housing within the City.</td>
<td>Housing Authority and Riverside County Housing Authority</td>
<td>Completed in 2018</td>
<td>City will continue to support the Riverside County Housing Authority to provide rental assistance in Perris. In 2018, 418 families were assisted with section 8. Of the 418 assisted participants; 18 were veterans; 155 were disabled; and/or elderly (62+), and 245 were families.</td>
</tr>
<tr>
<td>Action 2.7: Provide incentives for development of lower income housing through the density bonus program. Actively promote its use in conjunction with mixed-use projects in the Downtown, for senior housing, and within Specific Plans.</td>
<td>Planning Department/Housing Authority</td>
<td>Continued Implementation</td>
<td>The City will continue to provide density bonus to housing projects in accordance with Municipal Development Code, Chapter 19.57.</td>
</tr>
<tr>
<td>Action 2.8: Continue to support the City’s effort of encouraging multi-family developments with affordability covenants on units through offering development incentives. These incentives could include reduction in development standards, and expedited permit processing.</td>
<td>Housing Authority</td>
<td>Continued Implementation</td>
<td>City will continue to provide development incentives to encourage multi-family developments that include affordability covenants on units.</td>
</tr>
<tr>
<td>Action 2.9: Pursuant to Government Code Section 65583, the City of Perris is obligated to remove potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. To address the needs of this population, the City amended the Zoning Code to adopt formal reasonable accommodation procedures. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. The City will provide information regarding the City’s reasonable accommodation ordinance and make information on the program more widely available to residents.</td>
<td>Planning Department</td>
<td>Continued Implementation</td>
<td>City will continue to support reasonable accommodation procedures through the Senior Housing Overlay Zone.</td>
</tr>
<tr>
<td>Action 2.10: Prioritize resources such as HOME funds, California Housing Finance Agency single-family and multi-family programs, HUD Section 208/811 loans, and HOPE II and III Homeownership</td>
<td>Planning Department/Housing Authority</td>
<td>Ongoing</td>
<td>No HOME Investment Partnership Grant funding was available in 2018. In June, 2018, the City of Perris submitted a grant application for HOME investment</td>
</tr>
<tr>
<td>Action 2.11:</td>
<td>Planning Department</td>
<td>Continued Implementation</td>
<td></td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>To facilitate development of affordable housing to accommodate the 1,707 lower-income RHNA, the City adopted the Downtown Specific Plan in 2012 and identified approximately 95 acres of underutilized and vacant land. The Downtown Specific Plan utilizes a form based approach to regulate land uses. This form based Regulating Code focuses attention on the form, placement, and appropriate use of buildings (i.e. mass, height, site lay out) rather than traditional development standards such as minimum and maximum densities. Its design standards and guidelines promote an attractive and pedestrian-oriented environment. To demonstrate adequate sites for the City’s 4th cycle housing element update, the City included an adequate sites program (Action 2.11) to rezone sites within the Downtown Specific Plan for higher density residential uses. As these sites were to be rezoned to accommodate the City’s lower-income need the rezoned sites were required to be consistent with Sections 65583.2(h) and (i) and 65583(c)(1) (AB 2348) as follows: Require a minimum density of 20 units per acre; Ensure at least 50 percent of the lower-income need accommodated on sites designated for residential use only; and Permit owner-occupied and rental multifamily uses by-right, without a conditional use or other discretionary review or approval. While sites were rezoned, not all of statutory requirements of the adequate sites program requirements were addressed. To comply with AB 2348, at least 50 percent of the remaining lower income need (854 units) will be accommodated on sites designated for exclusively residential uses allowing a minimum 20 dwelling units per acre. To address this requirement the City has identified approximately 45 acres within the Urban Village district which can accommodate approximately 1,575 units and will be zoned exclusively for residential uses as identified in Appendix A, Map 4. To address minimum density requirements the City will ensure sites A through L, as identified in Section VII Housing Resources, as well as exclusively residential Urban Village district sites identified in Map 4 of Appendix A, are developed at a minimum density of 20 units per acre. If a parcel is developed at less than 20 units per acre, pursuant to Government Code Section 56863, the City will immediately identify and zone an alternative site with established minimum density requirements consistent with GC Section 65583.2(h) and (i). The City will report on the progress of development in the Downtown Specific Plan area in its annual progress reports required pursuant to Government Code Section 65400 and due on April 1st of each year. The inventory of available sites will also be made available to the development community through various outreach methods.</td>
<td>The City will pursue affordable housing projects to provide housing opportunities and meet RHNA fair share of City’s housing units.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Action 3.1:</td>
<td>The City shall expedite and prioritize development processing time of applications for new construction or rehabilitation of housing for lower and moderate-income households and seniors. Expedited permit processing would allow complete development applications to be reviewed at an accelerated rate by City Staff in order to ensure that permit processing times do not create a potential constraint on the development of affordable units by adding to the overall cost of the project.</td>
<td>Planning Department</td>
<td>Continued Implementation</td>
</tr>
<tr>
<td>Action 3.2:</td>
<td>Extremely low-income households and households with special needs have limited housing options. Housing types appropriate for these groups include transitional and supportive housing. To accommodate this population and comply with Senate Bill 2, the City amended Zoning Code Chapters 19.21 through 19.28, R-20,000 through MFR-22 and Section 19.34, R-5 Districts (Mobilehome Subdivisions), to allow transitional and supportive housing as a permitted use without a conditional use permit or other discretionary permit, subject only to those regulations that apply to other residential uses of the same type in the same zone. To ensure consistency with the Perris Valley Airport Land Use Compatibility Plan, areas designated Airport Area I and II and within Compatibility Zones A, B1, B2 and C of the Airport Influence Area as mapped at <a href="http://www.rcaluc.org">www.rcaluc.org</a>, will allow transitional and supportive housing subject to all applicable restrictions places on other residential uses permitted within those areas. The City will continue to monitor the inventory of sites appropriate to accommodate transitional and supportive housing and will work with the appropriate organizations to ensure the needs of extremely low-income residents are met. The City is committed to prioritizing funding and other available incentives for projects that provide housing for extremely low-income residents whenever possible.</td>
<td>Planning Department</td>
<td>Ongoing Implementation</td>
</tr>
<tr>
<td>Action 3.3:</td>
<td>To accommodate the needs of extremely low-income households and households with special needs and comply with Senate Bill 2, the City amended Zoning Code Section 19.21 through 19.28, R-20,000 through MFR-22 and Section 19.34, R-5 Districts (Mobilehome Subdivisions), all residential zones of the City, to allow Single Room Occupancy (SRO) housing as a permitted use without a conditional use permit or other discretionary permit, except within Airport Area I as mapped at <a href="http://www.rcaluc.org">www.rcaluc.org</a> and within Compatibility Zones A, B1, and B2 of the Airport Influence Area of Perris Valley Airport, in effect as of July 1, 2011. The City will continue to monitor the inventory of sites appropriate to accommodate single-room occupancy units and will work with the appropriate organizations to ensure the needs of extremely low-income residents are met.</td>
<td>Planning Department</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Action 3.4:</td>
<td>Continue to permit manufactured housing on permanent foundations in residential zones if it meets compatibility criteria.</td>
<td>Planning Department</td>
<td>Continued Implementation</td>
</tr>
<tr>
<td>Action 3.5:</td>
<td>In accordance with Government Code Section 65589.7 as revised in 2005, immediately following City Council adoption, the City must deliver a copy of the 2014-2021 Housing Element to all public</td>
<td>Planning Department</td>
<td>Completed in 2015</td>
</tr>
<tr>
<td><strong>Goal 4: Provide increased opportunities for homeownership.</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Action 4.1:</strong> Continue to provide favorable home purchasing options to lower and moderate-income households, when funds are available, through the County of Riverside's First Time Homebuyers Down Payment Assistance Program and homeownership assistance with the County Mortgage Credit Certificate (MCC) program.</td>
<td>Housing Authority/Planning Department</td>
<td>Ongoing</td>
<td>The City of Perris supports the Mortgage Credit Certificate (MCC) and information about this program is available in the Housing Authority. In 2018, two (2) families were assisted with the MMC program.</td>
</tr>
<tr>
<td><strong>Action 4.2:</strong> Continue to work with Habitat for Humanity in the development of single-family homes for lower income families. Continue to work with the Workforce Investment Act (WIA), formerly known as the Jobs Training Partnership Act (JTPA), in the provision of single-family homes for lower income households.</td>
<td>Housing Authority</td>
<td>Continued Implementation</td>
<td>No projects with Habitat for Humanity were conducted in 2018.</td>
</tr>
<tr>
<td><strong>Action 4.3:</strong> The Perris Housing Authority shall provide support to the California Housing Finance Agency (CHFA) program, which supports construction of new owner-occupied units in conjunction with non-profit organizations and/or private developers through advertisement and referral to the program.</td>
<td>Housing Authority</td>
<td>Ongoing Implementation</td>
<td>City will continue to support CHFA and encourage construction of residential developments.</td>
</tr>
<tr>
<td><strong>Action 4.4:</strong> The City shall establish relationships with local lenders, developers and other constituencies such as realtors, and non-profit organizations through community outreach workshops that emphasize specific ideas, issues, and expectations for future development in Perris.</td>
<td>Housing Authority</td>
<td>Ongoing Program</td>
<td>The City refers potential homebuyers to Riverside Fair Housing Council for HUD-approved homebuyer education workshops at no charge to the public at the City Senior Center.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Goal 5: Enhance the quality of existing residential neighborhoods in Perris, through maintenance and preservation, while minimizing displacement impacts.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Action 5.1:</strong> As a means of further leveraging housing assistance, the City will cooperate with the Riverside County Housing Authority to promote resident awareness and application for County-run housing assistance programs. These programs include: 1) Home Improvement Program; 2) Rental Rehabilitation Program; 3) Enhanced Senior Home Repair Program and 4) Department of Community Action (DCA) Utilities and Weatherization Program. The County offers a variety of housing assistance programs that can supplement the City’s current housing programs. As the City has little control over how the County’s programs are administered the City will be responsible for providing program information on the City’s website, in the City’s newsletter and at City Hall.</td>
</tr>
<tr>
<td><strong>Action 5.2:</strong> Maintain code compliance to ensure building safety and integrity of residential neighborhoods. Enforce the building code through issuance of a permit prior to construction, repair, addition to, or relocation of any residential structure.</td>
</tr>
<tr>
<td><strong>Action 5.3:</strong> Monitor the substandard dwellings which cannot be economically repaired and remove when necessary and feasible.</td>
</tr>
<tr>
<td>Action 6.1:</td>
</tr>
<tr>
<td>Action 6.2:</td>
</tr>
<tr>
<td>Action 6.3:</td>
</tr>
<tr>
<td>Action 6.4:</td>
</tr>
</tbody>
</table>

**Goal 7: Equal housing opportunity for all residents of Perris, regardless of race, religion, sex, marital status, ancestry, national origin, color, or handicap.**

<p>| Action 7.1: | The City, in conjunction with the Riverside County Fair Housing Council, shall support efforts dedicated to working towards the elimination of the discrimination of housing by actively pursuing any complaints of housing discrimination within the City. Information detailing fair housing practices will be made available at City Hall and on the City’s website. Additionally, the City will participate with the Riverside County Fair Housing Council to conduct workshops and seminars about landlord and tenant responsibilities and rights. | Housing Authority/Riverside County Fair Housing Council | Ongoing Implementation | City supports the activities of Fair Housing Council of Riverside County, and activities are contracted through the CDBG program. |
| Action 7.2: | The housing needs of persons with developmental disabilities are typically not addressed by Title 24 Regulations, and requires in addition to basic affordability, slight modifications to existing units, and in some instances, a varying range of supportive housing facilities. To accommodate residents with developmental disabilities, the City will seek State and Federal monies, as funding becomes available, in support of housing construction and rehabilitation targeted for persons with developmental disabilities. Perris will also provide regulatory incentives, such as expedited permit processing, and fee waivers and deferrals, to projects targeted for persons with developmental disabilities. To further facilitate the development of units to accommodate persons with developmental disabilities, the City shall reach out annually to developers of supportive housing to encourage development of projects targeted for special needs groups. Finally, as housing is developed or identified, Perris will work with the Inland Regional Center to implement an outreach program informing families within the City of housing and services available for persons with developmental disabilities. Information will be made available on the City’s website. | Housing Division/Development Services Department | Ongoing Implementation | In 2018, City of Perris staff partnered with EstolaneSor.com to form a developer round table to discuss the City of Perris plan to apply for Affordable Housing Sustainable Communities Program (AHSC) funding to accommodate persons with disabilities. |</p>
<table>
<thead>
<tr>
<th><strong>General Information</strong></th>
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<tr>
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<td>Perris</td>
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<tr>
<td>Reporting Calendar Year</td>
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</tr>
</tbody>
</table>

<table>
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<th><strong>Contact Information</strong></th>
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</tr>
</thead>
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<tr>
<td>First Name</td>
<td>Rebecca</td>
</tr>
<tr>
<td>Last Name</td>
<td>Rivera</td>
</tr>
<tr>
<td>Title</td>
<td>Project Manager</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:rrivera@cityofperris.org">rrivera@cityofperris.org</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Mailing Address</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td>101 North D Street</td>
</tr>
<tr>
<td>City</td>
<td>Perris</td>
</tr>
<tr>
<td>Zipcode</td>
<td>92570</td>
</tr>
</tbody>
</table>

**Submittal Instructions**

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. **Online Annual Progress Reporting System (Preferred)** - This enters your information directly into HCD’s database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.

2. **Email** - If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.
| Prior APR | Current APR | Street Address | Project Name* | Local Jurisdiction Tracking ID* | Unit Category (SF, SP, O=4.5+, ADU,MHR) | Tenure | Very Low-Income | Affordability by Household Incomes - Completed Entitlement | Affordability by Household Incomes - Completed Entitlement | Affordability by Income | Entitlement Date Approved | # of Units Issued | Very Low-Income | Very Low-Income | Very Low-Income | Very Low-Income | Very Low-Income | Very Low-Income |
|-----------|-------------|----------------|---------------|-------------------------------|--------------------------------------|-------|---------------|------------------------------------------------|------------------------------------------------|-----------------|------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| 1         | 2           | 3              | 4             | 5                             | 6                                     | 7     |               | 8                                           | 9                                           | 10              | 11               | 12             | 13             | 14             | 15             | 16             | 17             | 18             | 19             |
|           |             |                |               |                               |                                       |       |               |                                              |                                              |                 |                  |                |                |                |                |                |                |                |                |
|           |             |                |               |                               |                                       |       |               |                                              |                                              |                 |                  |                |                |                |                |                |                |                |                |

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<th>9</th>
<th>10</th>
<th>Affordability by Household Incomes - Certificates of Occupancy</th>
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<td></td>
<td>Very Low-Income Non Deed Restricted</td>
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Note: Entry Below
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<th>Infill</th>
<th>Housing with Financial Assistance and/or Deed Restrictions</th>
<th>Housing without Financial Assistance or Deed Restrictions</th>
<th>Term of Affordability or Deed Restrictions</th>
<th>Demolished/Destroyed Units</th>
<th>Notes</th>
</tr>
</thead>
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<tr>
<td>Current APN</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Street Address</td>
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<td>Project Name</td>
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<tr>
<td>How many of the units were Extremely Low Income?</td>
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<td></td>
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<tr>
<td>Was Project APPROVED using GC 68913.403?</td>
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<td></td>
<td></td>
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<td>Units Y/N</td>
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<td></td>
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</tr>
<tr>
<td>Assistance Program for Each Development (see instructions)</td>
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<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Deed Restriction Type (see instructions)</td>
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<td></td>
</tr>
<tr>
<td>Financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Term of Affordability or Deed Restriction (years) (if affordable in perpetuity, enter 1000)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Number of Demolished Destroyed Units</td>
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</tr>
<tr>
<td>Demolished Destroyed Units</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
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</tr>
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<td>Income Level</td>
<td>SHNA Allocation by Income Level</td>
<td>2013</td>
<td>2014</td>
<td>2015</td>
<td>2016</td>
<td>2017</td>
<td>2018</td>
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<td>------</td>
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<td>------</td>
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</tr>
<tr>
<td>Very Low</td>
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<td>Non-Deed Restricted</td>
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<td>222</td>
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<td>Total RHNA</td>
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<td>4280</td>
<td>222</td>
<td>222</td>
<td>701</td>
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</tbody>
</table>

Note: units serving extremely low-income households are included in the very low-income permitted units totals. Cells in grey contain auto-calculation formulas.
<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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</thead>
<tbody>
<tr>
<td><strong>Name of Program</strong></td>
<td></td>
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<tr>
<td><strong>Objective</strong></td>
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<td><strong>Timeframe in H.E</strong></td>
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<tr>
<td><strong>Status of Program Implementation</strong></td>
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</tr>
</tbody>
</table>
# Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)(2)

This table is optional. Jurisdictions may list (for informational purposes only) units that do not count toward RHNA, but were substantially rehabilitated, acquired or preserved. To enter units in this table as progress toward RHNA, please contact HCD at APR@hcd.ca.gov. HCD will provide a password to unlock the grey fields. Units may only be credited in the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in Government Code section 65583.1(c)(2).

<table>
<thead>
<tr>
<th>Activity Type</th>
<th>Units that Do Not Count Towards RHNA* Listed for Informational Purposes Only</th>
<th>Units that Count Towards RHNA* Note: Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Extremely Low-Income*</td>
<td>Very Low-Income*</td>
</tr>
<tr>
<td>Rehabilitation Activity</td>
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<td></td>
</tr>
<tr>
<td>Preservation of Units At-Risk</td>
<td></td>
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<tr>
<td>Acquisition of Units</td>
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</tr>
<tr>
<td>Total Units by Income</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1*
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Perris</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Year</td>
<td>2018 (Jan. 1 - Dec. 31)</td>
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</table>

**Entitled Units Summary**

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Deed Restricted</th>
<th>Non-Deed Restricted</th>
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<tbody>
<tr>
<td>Very Low</td>
<td>0</td>
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<tr>
<td>Low</td>
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<td>0</td>
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<td>Moderate</td>
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<td>Above Moderate</td>
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<tr>
<td>Total Units</td>
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Note: units serving extremely low-income households are included in the very low-income permitted units totals.

**Submitted Applications Summary**

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<th>Value</th>
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<td>Total Housing Applications Submitted:</td>
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</tr>
<tr>
<td>Number of Proposed Units in All Applications Received:</td>
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</tr>
<tr>
<td>Total Housing Units Approved:</td>
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</tr>
<tr>
<td>Total Housing Units Disapproved:</td>
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</tr>
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</table>

**Use of SB 35 Streamlining Provisions**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Number of Applications for Streamlining</td>
<td>0</td>
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<tr>
<td>Number of Streamlining Applications Approved</td>
<td>0</td>
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<tr>
<td>Total Developments Approved with Streamlining</td>
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<tr>
<td>Total Units Constructed with Streamlining</td>
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</tbody>
</table>

**Units Constructed - SB 35 Streamlining Permits**

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Rental</th>
<th>Ownership</th>
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<tbody>
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<tr>
<td>Moderate</td>
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<td>Total</td>
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</tr>
</tbody>
</table>

Cells in grey contain auto-calculation formulas.
BACKGROUND/DISCUSSION:

At the June 12, 2018 City Council meeting, the City Council adopted a resolution and entered into a Western Community Energy WCE Joint Powers agreement for participation in the Community Choice Aggregation (CCA) Program. The following changes are proposed under this amendment:

Section 2.12 Executive Director. The Executive Director shall be the chief administrative officer of the Western Riverside Council of Governments, or whomever is appointed by the Board thereafter. Compensation shall be fixed by the Board, except in cases where their services are provided through contract with WRCOG. The powers and duties of the Executive Director shall be subject to the authority of the Board.

Section 2.13 Initial Administration of Authority. The Authority will be initially administered by the Western Riverside Council of Governments ("WRCOG"), which shall provide Executive Director, staff, and consultant services to the Authority pursuant to an implementation and management services agreement between the WRCOG and the Authority. WRCOG shall provide administrative services for three years from the Effective Date of this Agreement pursuant to a services agreement. The term and conditions of the administrative services agreement may be terminated or extended by mutual agreement of WRCOG and the Authority without further amendment of this Agreement, as set forth in the administrative services agreement.

Section 5.2 Right to Withdraw Prior to Program Launch. After receiving bids from power suppliers, the Authority must provide to the Member Agencies the report from the electrical utility consultant retained by the Authority that compares the total estimated electrical rates that the Authority will be charging to customers as well as the estimated greenhouse gas emissions rate and the amount of estimated renewable energy used with that of the incumbent utility. If the report provides that the Authority is unable to provide total electrical rates, as part of its baseline offering, to the customers that are equal to or lower than the incumbent utility or to provide power in a manner that has a lower greenhouse gas emissions rate or uses more renewable energy than the incumbent utility, a Member
Agency may immediately withdraw its membership in the Authority without any financial obligation, as long as the Member Agency provides written notice of its intent to withdraw to the Authority Board no more than thirty (30) days after receiving the report. In addition to the rights set forth in Section 5.1, a Member Agency may immediately withdraw its membership in the Authority without any financial obligation, at any time prior the Authority entering into initial energy contracts to serve load.

Staff is recommending that the City Council approve the attached amendment to the Western Community Energy Joint Powers Agreement.

**BUDGET (or FISCAL) IMPACT:** None.

---

Prepared by: Clara Miramontes, Assistant City Manager

**REVIEWED BY:**

City Attorney
Assistant City Manager
Finance Director

Consent: March 26, 2019
Public Hearing:
Business Item:
Presentation:
Other:

Attachment: First Amendment to the Western Community Energy Joint Powers Agreement.
FIRST AMENDMENT TO WESTERN COMMUNITY ENERGY JOINT POWERS AGREEMENT

This First Amendment ("First Amendment") to the Western Community Energy Joint Powers Agreement ("JPA Agreement") is made and entered into as of the 26th day of March, 2019, by and among the Cities of Norco, Jurupa Valley, Wildomar, Eastvale, Hemet, Perris, and Canyon Lake.

RECITALS

1. Western Community Energy ("Authority") is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Act") and the JPA Agreement entered into on August 23, 2018, as may be amended from time to time. The Authority is a public entity separate and apart from its Member Agencies.

2. The Authority is established to collectively study, promote, develop, conduct, operate, and manage energy programs, and exercise any powers common to the Authority's members to further these purposes. Each member has adopted an ordinance electing to implement through the Authority a community choice aggregation program pursuant to California Public Utilities Code Section 366.2.

3. Pursuant to Section 5.4 of the JPA Agreement, any amendment to the JPA Agreement must be in writing with the approval of not less than two-thirds (2/3) of a vote of its members.

4. Participating Member Agencies as set out in Exhibit "A" now wish to execute this First Amendment to the JPA Agreement to amend provisions with respect to the Executive Director, the Initial Administration of Authority, and the Right to Withdraw Prior to Program Launch.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions hereinafter set forth, it is agreed by and among the Member Agencies as follows:

A. Section 2.12 of the JPA Agreement shall be revised as follows (new language is underlined, removed language is struck):

"2.12 Executive Director. The Executive Director shall be the chief administrative officer. Compensation shall be fixed by the Board, except in cases where there services are provided through contract with WRCOG. The powers and duties of the Executive Director shall
be subject to the authority of the Board.”

B. Section 2.13 of the JPA Agreement shall be revised as follows:

“2.13 Initial Administration of Authority. The Authority will be initially administered by the Western Riverside Council of Governments ("WRCOG"), which shall provide Executive Director, staff, and consultant services to the Authority pursuant to an implementation and management services agreement between the WRCOG and the Authority. WRCOG shall provide administrative services for three years from the Effective Date of this Agreement pursuant to a services agreement. The term and conditions of the administrative services agreement may be terminated or extended by mutual agreement of WRCOG and the Authority without further amendment of this Agreement, as set forth in the administrative services agreement.”

C. Section 5.2 of the JPA Agreement shall be revised as follows:

“5.2 Right to Withdraw Prior to Program Launch. In addition to the rights set forth in Section 5.1, a Member Agency may immediately withdraw its membership in the Authority without any financial obligation, at any time prior to the Authority entering into initial energy contracts to serve load.

D. This First Amendment shall be effective when approved pursuant to Section 6.4 of the JPA Agreement

E. Except as amended by this First Amendment, all provisions of the JPA Agreement shall remain in full force and effect and shall govern the actions of the parties to this First Amendment.

[Signatures on following page]
SIGNATURE PAGES FOR FIRST AMENDMENT TO WESTERN COMMUNITY ENERGY JOINT POWERS AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment of the JPA Agreement as of the Effective Date.

ATTEST:

City Clerk
City of Canyon Lake

By: ____________________
Dated: ____________________

By: ____________________
Mayor

CITY OF CANYON LAKE

ATTEST:

City Clerk
City of Eastvale

By: ____________________
Dated: ____________________

By: ____________________
Mayor

CITY OF EASTVALE

ATTEST:

City Clerk
City of Hemet

By: ____________________
Dated: ____________________

By: ____________________
Mayor

CITY OF HEMET

ATTEST:

City Clerk
City of Jurupa Valley

By: ____________________
Dated: ____________________

By: ____________________
Mayor

CITY OF JURUPA VALLEY
ATTEST:

City Clerk
City of Norco

By: ______________________  
Dated: ______________________

CITY OF NORCO

By: ______________________  
Mayor

ATTEST:

City Clerk
City of Perris

By: ______________________  
Dated: ______________________

CITY OF PERRIS

By: ______________________  
Mayor

ATTEST:

City Clerk
City of Wildomar

By: ______________________  
Dated: ______________________

CITY OF WILDOMAR

By: ______________________  
Mayor
MEETING DATE: March 26, 2019

SUBJECT: 2017-2018 Perris Community Economic Development Corporation Tax Returns

REQUESTED ACTION: Receive and File the Perris Community Economic Development Corporation (CEDC) State and Federal Tax Returns for 2017-18

CONTACT: Stephen Ajobiewe, Finance Manager

BACKGROUND/DISCUSSION:
The purpose of this item is to present the Perris Community Economic Development Corporation (CEDC) state and federal tax returns for fiscal year 2017-2018. The CEDC is recognized as a tax-exempt, nonprofit organization under the IRS Code Section 501(c)(3). Even though as a tax-exempt, nonprofit organization, the CEDC does not pay federal taxes (i.e. “tax-exempt”), it is required to file an informational return with the IRS and the State of California. The tax returns were prepared by the firm of Teaman, Ramirez, & Smith, Inc. (TRS), an independent CPA firm appointed by, and reporting directly to, the City Council.

The information contained in the attached tax returns is reported as of June 30, 2018, including the list of officers and directors. Each year at June 30, any changes to those positions will be reflected in the new tax returns.

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

Prepared by: Stephen Ajobiewe, Finance Manager

Reviewed By:
City Attorney  
Assistant City Manager  
Director of Finance  

Attachment: Perris Community Economic Development Corporation Tax Returns

Consent Item: X
2017 Exempt Org. Return
prepared for:

PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
101 N D STREET
PERRIS, CA 92570

Teaman, Ramirez & Smith, Inc.
4201 Brockton Ave. Suite 100
Riverside, CA 92501
March 7, 2019

PERRIS COMMUNITY ECONOMIC DEVELOPMENT
CORPORATION
101 N. D STREET
PERRIS, CA 92570

Dear Client:

Your 2017 Federal Return of Organization Exempt from Income Tax will be electronically filed with the Internal Revenue Service upon receipt of a signed Form 8879-EO - IRS e-file Signature Authorization. No tax is payable with the filing of this return.

Your 2017 California Exempt Organization Annual Information Return will be electronically filed with the State of California upon receipt of a signed Form 8453-EO. There is a balance due of $10 payable by May 15, 2019. Mail your California payment voucher, Form 3586, on or before May 15, 2019 to:

FRANCHISE TAX BOARD
P.O. BOX 942857
SACRAMENTO, CA 94257-0531

Please be sure to call us if you have any questions.

Sincerely,

Richard A. Teaman, CPA
Form 8879-EO

IRS e-file Signature Authorization for an Exempt Organization

For calendar year 2017, or fiscal year beginning \_7/01\_2017, and ending \_6/30\_2018

Do not send to the IRS. Keep for your records.

Go to www.irs.gov/Form8879EO for the latest information.

2017

Department of the Treasury
Internal Revenue Service

Name of exempt organization
PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION

Employer identification number
47-2300185

Name and title of officer
RICHARD BELMUDEZ EXECUTIVE DIR.

Part I Type of Return and Return Information (Whole Dollars Only)

Check the box for the return for which you are using this Form 8879-EO and enter the applicable amount, if any, from the return. If you check the box on line 1a, 2a, 3a, 4a, or 5a, below, and the amount on that line for the return being filed with this form was blank, then leave line 1b, 2b, 3b, 4b, or 5b, whichever is applicable, blank (do not enter -0-). But, if you entered -0- on the return, then enter -0- on the applicable line below. Do not complete more than one line in Part I.

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td>Form 990 check here</td>
<td>X</td>
</tr>
<tr>
<td>1b</td>
<td>Total revenue, if any (Form 990, Part VIII, column (A), line 12)</td>
<td>80,923</td>
</tr>
<tr>
<td>2a</td>
<td>Form 990-EZ check here</td>
<td>X</td>
</tr>
<tr>
<td>2b</td>
<td>Total revenue, if any (Form 990-EZ, line 9)</td>
<td>80,923</td>
</tr>
<tr>
<td>3a</td>
<td>Form 1120-POL check here</td>
<td>X</td>
</tr>
<tr>
<td>3b</td>
<td>Total tax (Form 1120-POL, line 22)</td>
<td>80,923</td>
</tr>
<tr>
<td>4a</td>
<td>Form 990-PF check here</td>
<td>X</td>
</tr>
<tr>
<td>4b</td>
<td>Tax based on investment income (Form 990-PF, Part VI, line 5)</td>
<td>80,923</td>
</tr>
<tr>
<td>5a</td>
<td>Form 8868 check here</td>
<td>X</td>
</tr>
<tr>
<td>5b</td>
<td>Balance Due (Form 8868, line 3c)</td>
<td>80,923</td>
</tr>
</tbody>
</table>

Part II Declaration and Signature Authorization of Officer

Under penalties of perjury, I declare that I am an officer of the above organization and that I have examined a copy of the organization's 2017 electronic return and accompanying schedules and statements and to the best of my knowledge and belief, they are true, correct, and complete.

I further declare that the amount in Part I above is the amount shown on the copy of the organization's electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the organization's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the organization's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the organization's electronic return and, if applicable, the organization's consent to electronic funds withdrawal.

Officer's PIN: check one box only

X I authorize TEAMAN, RAMIREZ & SMITH, INC. to enter my PIN 02089 as my signature

on the organization's tax year 2017 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS FedState program, I also authorize the aforementioned ERO to enter my PIN on the return's disclosure consent screen.

As an officer of the organization, I will enter my PIN as my signature on the organization's tax year 2017 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS FedState program, I will enter my PIN on the return's disclosure consent screen.

Officer's signature ▶ Date ▶

Part III Certification and Authentication

ERO's EFIN/PIN. Enter your six-digit electronic filing identification number (EFIN) followed by your five-digit self-selected PIN 33229647224

I certify that the above numeric entry is my PIN, which is my signature on the 2017 electronically filed return for the organization indicated above. I confirm that I am submitting this return in accordance with the requirements of Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

ERO's signature ▶ RICHARD A. TEAMAN, CPA ▶ Date ▶

Do not submit this Form to the IRS unless requested to do so

BAA For Paperwork Reduction Act Notice, see instructions.
Application for Automatic Extension of Time To File an Exempt Organization Return

File a separate application for each return. Information about Form 8868 and its instructions is at www.irs.gov/form8868.

Electronic filing (e-file). You can electronically file Form 8868 to request a 6-month automatic extension of time to file any of the forms listed below with the exception of Form 8870. Information Return for Transfers Associated With Certain Personal Benefit Contracts, for which an extension request must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit www.irs.gov/efile, click on Charities & Non-Profits, and click on e-file for Charities and Non-Profits.

Automatic 6-Month Extension of Time. Only submit original (no copies needed).

All corporations required to file an income tax return other than Form 990-T (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to extend an extension of time to file income tax returns.

Enter filer's identifying number, see instructions

<table>
<thead>
<tr>
<th>Type or print</th>
<th>Employer identification number (EIN) or Social security number (SSN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION</td>
<td>47-2300185</td>
</tr>
<tr>
<td>101 N. D STREET</td>
<td></td>
</tr>
<tr>
<td>PERRIS, CA 92570</td>
<td></td>
</tr>
</tbody>
</table>

Enter the Return Code for the return that this application is for (file a separate application for each return) 01

<table>
<thead>
<tr>
<th>Application</th>
<th>Return Code</th>
<th>Application</th>
<th>Return Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is For</td>
<td></td>
<td>Is For</td>
<td></td>
</tr>
<tr>
<td>Form 990 or Form 990-EZ</td>
<td>01</td>
<td>Form 990-T (corporation)</td>
<td>07</td>
</tr>
<tr>
<td>Form 990-BL</td>
<td>02</td>
<td>Form 1041-A</td>
<td>08</td>
</tr>
<tr>
<td>Form 4720 (individual)</td>
<td>03</td>
<td>Form 4720 (other than individual)</td>
<td>09</td>
</tr>
<tr>
<td>Form 990-PF</td>
<td>04</td>
<td>Form 5227</td>
<td>10</td>
</tr>
<tr>
<td>Form 990-T (section 401(a) or 408(a) trust)</td>
<td>05</td>
<td>Form 6069</td>
<td>11</td>
</tr>
<tr>
<td>Form 990-T (trust other than above)</td>
<td>06</td>
<td>Form 8870</td>
<td>12</td>
</tr>
</tbody>
</table>

- The books are in the care of STEPHEN AJOBIWE

- Telephone No. 951-943-4610

- If the organization does not have an office or place of business in the United States, check this box

- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box . . . . . . If it is for part of the group, check this box . . . . and attach a list with the names and EINs of all members the extension is for.

1 I request an automatic 6-month extension of time until 5/15/19, 2019, to file the exempt organization return for the organization named above. The extension is for the organization's return for:

- calendar year 20   or
- 1 tax year beginning 1/01/19, 20 17, and ending 6/30/19, 20 18

2 If the tax year entered in line 1 is for less than 12 months, check reason: Initial return Final return Change in accounting period

3 a If this application is for Forms 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions 3a $ 0 .

3 b If this application is for Forms 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit 3b $ 0 .

3 c Balance due. Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFITPS (Electronic Federal Tax Payment System). See instructions 3c $ 0 .

Caution: If you are going to make an electronic funds withdrawal (direct debit) with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

BAA For Privacy Act and Paperwork Reduction Act Notice, see instructions.
Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public.

Go to www.irs.gov/Form990 for instructions and the latest information.

A For the 2017 calendar year, or tax year beginning 7/01, 2017, and ending 6/30, 2018

B Check if applicable:
- C

PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
101 N. D STREET
PERRIS, CA 92570

D Employer identification number
47-2301785

E Telephone number
951-943-4610

F Name and address of principal officer:

G Gross receipts $ 80,923.

H(a) Is this a group return for subsidiaries? Yes

H(b) Are all subsidiaries included? Yes

I Year of formation: 2014

J Website: N/A

K Form of organization: Corporation

L State of legal domicile: CA

Part I Summary

1 Briefly describe the organization's mission or most significant activities: THE PRIMARY PURPOSE OF THE ORG. IS TO PROVIDE PHYSICAL, ECONOMIC AND EDUCATIONAL DEVELOPMENT AND REVITALIZATION EFFORTS RESULTING IN EXPANDED EMPLOYMENT, ECONOMIC PROSPERITY AND BUSINESS AND HOUSING OPPORTUNITIES FOR BUSINESSES AND RESIDENTS IN THE CITY OF PERRIS.

2 Check this box □ if the organization discontinued its operations or disposed of more than 25% of its net assets.

3 Number of voting members of the governing body (Part VI, line 1a)
5

4 Number of independent voting members of the governing body (Part VI, line 1b)
5

5 Total number of individuals employed in calendar year 2017 (Part V, line 2a)
5

6 Total number of volunteers (estimate if necessary)
0

7a Total unrelated business revenue from Part VIII, column (C), line 12
0

7b Net unrelated business taxable income from Form 990-T, line 34
0

8 Contributions and grants (Part VIII, line 1b)

9 Program service revenue (Part VIII, line 2g)

10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)

11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)

12 Total revenue — add lines 8 through 11 (must equal Part VIII, column (A), line 12)
90,800.00

13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)

14 Benefits paid to or for members (Part IX, column (A), line 4)

15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)

16a Professional fundraising fees (Part IX, column (A), line 11e)

b Total fundraising expenses (Part IX, column (D), line 25)

17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)

18 Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)
1,948,739.00

19 Revenue less expenses. Subtract line 18 from line 12
-1,857,939.00

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

EXECUTIVE DIR.

RICHARD BELMUIDEZ

Date

Paid Preparer Use Only

RICHARD A. TEAMAN, CPA

DATE

Check if self-employed

P00047224

Phone (951) 274-9500

Form 990 (2017)
1. Briefly describe the organization's mission:

SEE SCHEDULE O

2. Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?  
   □ Yes  ☒ No
   If 'Yes,' describe these new services on Schedule O.

3. Did the organization cease conducting, or make significant changes in how it conducts, any program services?  
   □ Yes  ☒ No
   If 'Yes,' describe these changes on Schedule O.

4. Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:  ) (Expenses $988,591, including grants of $ ) (Revenue $ )

THE PERRIS CEDC ACHIEVEMENTS INCLUDE COMMUNITY SPONSORSHIP EVENTS, ECONOMIC DEVELOPMENT ACTIVITY, AND BUILDING IMPROVEMENTS.

4b (Code:  ) (Expenses $ , including grants of $ ) (Revenue $ )

4c (Code:  ) (Expenses $ , including grants of $ ) (Revenue $ )

4d Other program services (Describe in Schedule O.)

(Expenses $ including grants of $ ) (Revenue $ )

4e Total program service expenses $988,591.
Part IV Checklist of Required Schedules

1. Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A .................................................................................................................................................................................. 1  X

2. Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)? .................................................................................................................................................................................. 2  X

3. Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I .................................................................................................................................................................................. 3  X

4. Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II .................................................................................................................................................................................. 4  X

5. Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III .................................................................................................................................................................................. 5  X

6. Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I .................................................................................................................................................................................. 6  X

7. Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II .................................................................................................................................................................................. 7  X

8. Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III .................................................................................................................................................................................. 8  X

9. Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV .................................................................................................................................................................................. 9  X

10. Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If "Yes," complete Schedule D, Part V .................................................................................................................................................................................. 10  X

11. If the organization's answer to any of the following questions is "Yes", then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable.
   a. Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI .................................................................................................................................................................................. 11a  X
   b. Did the organization report an amount for investments – other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII .................................................................................................................................................................................. 11b  X
   c. Did the organization report an amount for investments – program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII .................................................................................................................................................................................. 11c  X
   d. Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX .................................................................................................................................................................................. 11d  X
   e. Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X .................................................................................................................................................................................. 11e  X
   f. Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D, Part X .................................................................................................................................................................................. 11f  X

12a. Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII .................................................................................................................................................................................. 12a  X
   b. Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered 'No' to line 12a, then completing Schedule D, Parts XI and XII is optional .................................................................................................................................................................................. 12b  X

13. Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E .................................................................................................................................................................................. 13  X

14a. Did the organization maintain an office, employees, or agents outside of the United States? .................................................................................................................................................................................. 14a  X
   b. Did the organization have aggregate revenues or expenses of more than $10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at $100,000 or more? If "Yes," complete Schedule F, Parts I and IV .................................................................................................................................................................................. 14b  X

15. Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants or other assistance to or for any foreign organization? If "Yes," complete Schedule F, Parts I and IV .................................................................................................................................................................................. 15  X

16. Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants to or for foreign individuals? If "Yes," complete Schedule F, Parts III and IV .................................................................................................................................................................................. 16  X

17. Did the organization report a total of more than $15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I (see instructions). .................................................................................................................................................................................. 17  X

18. Did the organization report more than $15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II .................................................................................................................................................................................. 18  X

19. Did the organization report more than $15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III .................................................................................................................................................................................. 19  X
## Part IV: Checklist of Required Schedules (continued)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>20a Did the organization operate one or more hospital facilities? If &quot;Yes,&quot; complete Schedule H</td>
<td></td>
<td>20a X</td>
</tr>
<tr>
<td>b If &quot;Yes&quot; to line 20a, did the organization attach a copy of its audited financial statements to this return?</td>
<td></td>
<td>20b</td>
</tr>
<tr>
<td>21 Did the organization report more than $5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 17? If &quot;Yes,&quot; complete Schedule I, Parts I and II.</td>
<td></td>
<td>21 X</td>
</tr>
<tr>
<td>22 Did the organization report more than $5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 27? If &quot;Yes,&quot; complete Schedule I, Parts I and III.</td>
<td></td>
<td>22 X</td>
</tr>
<tr>
<td>23 Did the organization answer &quot;Yes&quot; to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? If &quot;Yes,&quot; complete Schedule J.</td>
<td></td>
<td>23 X</td>
</tr>
<tr>
<td>24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than $100,000 as of the last day of the year, that was issued after December 31, 2002? If &quot;Yes,&quot; answer lines 24b through 24d and complete Schedule K. If No, &quot;go to line 25a.</td>
<td></td>
<td>24a X</td>
</tr>
<tr>
<td>b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?</td>
<td></td>
<td>24b</td>
</tr>
<tr>
<td>c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?</td>
<td></td>
<td>24c</td>
</tr>
<tr>
<td>d Did the organization act as an &quot;on behalf of&quot; issuer for bonds outstanding at any time during the year?</td>
<td></td>
<td>24d</td>
</tr>
<tr>
<td>25a Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? If &quot;Yes,&quot; complete Schedule L, Part I.</td>
<td></td>
<td>25a X</td>
</tr>
<tr>
<td>b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If &quot;Yes,&quot; complete Schedule L, Part I.</td>
<td></td>
<td>25b X</td>
</tr>
<tr>
<td>26 Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? If &quot;Yes,&quot; complete Schedule L, Part II.</td>
<td></td>
<td>26 X</td>
</tr>
<tr>
<td>27 Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? If &quot;Yes,&quot; complete Schedule L, Part III.</td>
<td></td>
<td>27 X</td>
</tr>
<tr>
<td>28 Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a A current or former officer, director, trustee, or key employee? If &quot;Yes,&quot; complete Schedule L, Part IV.</td>
<td></td>
<td>28a X</td>
</tr>
<tr>
<td>b A family member of a current or former officer, director, trustee, or key employee? If &quot;Yes,&quot; complete Schedule L, Part IV.</td>
<td></td>
<td>28b X</td>
</tr>
<tr>
<td>c An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? If &quot;Yes,&quot; complete Schedule L, Part IV.</td>
<td></td>
<td>28c X</td>
</tr>
<tr>
<td>29 Did the organization receive more than $25,000 in non-cash contributions? If &quot;Yes,&quot; complete Schedule M.</td>
<td></td>
<td>29 X</td>
</tr>
<tr>
<td>30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? If &quot;Yes,&quot; complete Schedule M.</td>
<td></td>
<td>30 X</td>
</tr>
<tr>
<td>31 Did the organization liquidate, terminate, or dissolve and cease operations? If &quot;Yes,&quot; complete Schedule N, Part I.</td>
<td></td>
<td>31 X</td>
</tr>
<tr>
<td>32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If &quot;Yes,&quot; complete Schedule N, Part II.</td>
<td></td>
<td>32 X</td>
</tr>
<tr>
<td>33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If &quot;Yes,&quot; complete Schedule R, Part I.</td>
<td></td>
<td>33 X</td>
</tr>
<tr>
<td>34 Was the organization related to any tax-exempt or taxable entity? If &quot;Yes,&quot; complete Schedule R, Part II, III, or IV, and Part V, line 1.</td>
<td></td>
<td>34 X</td>
</tr>
<tr>
<td>35a Did the organization have a controlled entity within the meaning of section 512(b)(13).</td>
<td></td>
<td>35a X</td>
</tr>
<tr>
<td>b If &quot;Yes&quot; to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If &quot;Yes,&quot; complete Schedule R, Part V, line 2.</td>
<td></td>
<td>35b X</td>
</tr>
<tr>
<td>36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? If &quot;Yes,&quot; complete Schedule R, Part V, line 2.</td>
<td></td>
<td>36 X</td>
</tr>
<tr>
<td>37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? If &quot;Yes,&quot; complete Schedule R, Part VI.</td>
<td></td>
<td>37 X</td>
</tr>
<tr>
<td>38 Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? Note. All Form 990 filers are required to complete Schedule O.</td>
<td></td>
<td>38 X</td>
</tr>
<tr>
<td>Question</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
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</tr>
<tr>
<td>1a Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable.</td>
<td>1a</td>
<td>0</td>
</tr>
<tr>
<td>b Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable.</td>
<td>1b</td>
<td>0</td>
</tr>
<tr>
<td>c Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?</td>
<td>1c</td>
<td></td>
</tr>
<tr>
<td>2a Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return.</td>
<td>2a</td>
<td>0</td>
</tr>
<tr>
<td>b If at least one is reported on line 2a, did the organization file all required federal employment tax returns?</td>
<td>2b</td>
<td></td>
</tr>
<tr>
<td>Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3a Did the organization have unrelated business gross income of $1,000 or more during the year?</td>
<td>3a</td>
<td>X</td>
</tr>
<tr>
<td>b If &quot;Yes,&quot; has it filed a Form 990-T for this year? If &quot;No&quot; to line 3b, provide an explanation in Schedule O.</td>
<td>3b</td>
<td></td>
</tr>
<tr>
<td>4a At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?</td>
<td>4a</td>
<td>X</td>
</tr>
<tr>
<td>b If &quot;Yes,&quot; enter the name of the foreign country:</td>
<td>4b</td>
<td></td>
</tr>
<tr>
<td>See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).</td>
<td>4c</td>
<td></td>
</tr>
<tr>
<td>5a Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?</td>
<td>5a</td>
<td>X</td>
</tr>
<tr>
<td>b Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?</td>
<td>5b</td>
<td>X</td>
</tr>
<tr>
<td>c If &quot;Yes,&quot; to line 5a or 5b, did the organization file Form 8886-T?</td>
<td>5c</td>
<td></td>
</tr>
<tr>
<td>6a Does the organization have annual gross receipts that are normally greater than $100,000, and did the organization solicit contributions that were not tax deductible as charitable contributions?</td>
<td>6a</td>
<td>X</td>
</tr>
<tr>
<td>b If &quot;Yes,&quot; did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?</td>
<td>6b</td>
<td></td>
</tr>
<tr>
<td>7 Organizations that may receive deductible contributions under section 170(c).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Did the organization receive a payment in excess of $75 made partly as a contribution and partly for goods and services provided to the payor?</td>
<td>7a</td>
<td>X</td>
</tr>
<tr>
<td>b If &quot;Yes,&quot; indicate the number of Forms 8282 filed during the year.</td>
<td>7b</td>
<td></td>
</tr>
<tr>
<td>c Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?</td>
<td>7c</td>
<td>X</td>
</tr>
<tr>
<td>d If &quot;Yes,&quot; indicate the number of Forms 8282 filed during the year.</td>
<td>7d</td>
<td></td>
</tr>
<tr>
<td>e Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?</td>
<td>7e</td>
<td>X</td>
</tr>
<tr>
<td>f Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?</td>
<td>7f</td>
<td>X</td>
</tr>
<tr>
<td>g If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?</td>
<td>7g</td>
<td></td>
</tr>
<tr>
<td>h If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?</td>
<td>7h</td>
<td></td>
</tr>
<tr>
<td>8 Sponsoring organizations maintaining donor advised funds. Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>9 Sponsoring organizations maintaining donor advised funds.</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>a Did the sponsoring organization make any taxable distributions under section 4966?</td>
<td>9a</td>
<td></td>
</tr>
<tr>
<td>b Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?</td>
<td>9b</td>
<td></td>
</tr>
<tr>
<td>10 Section 501(c)(7) organizations. Enter:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Initiation fees and capital contributions included on Part VII, line 12.</td>
<td>10a</td>
<td></td>
</tr>
<tr>
<td>b Gross receipts, included on Form 990, Part VII, line 12, for public use of club facilities</td>
<td>10b</td>
<td></td>
</tr>
<tr>
<td>11 Section 501(c)(12) organizations. Enter:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Gross income from members or shareholders</td>
<td>11a</td>
<td></td>
</tr>
<tr>
<td>b Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)</td>
<td>11b</td>
<td></td>
</tr>
<tr>
<td>12a Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?</td>
<td>12a</td>
<td></td>
</tr>
<tr>
<td>b If &quot;Yes,&quot; enter the amount of tax-exempt interest received or accrued during the year.</td>
<td>12b</td>
<td></td>
</tr>
<tr>
<td>13 Section 501(c)(29) qualified nonprofit health insurance issuers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Is the organization licensed to issue qualified health plans in more than one state?</td>
<td>13a</td>
<td></td>
</tr>
<tr>
<td>Note. See the instructions for additional information the organization must report on Schedule O.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans.</td>
<td>13b</td>
<td></td>
</tr>
<tr>
<td>c Enter the amount of reserves on hand</td>
<td>13c</td>
<td></td>
</tr>
<tr>
<td>14a Did the organization receive any payments for indoor tanning services during the tax year?</td>
<td>14a</td>
<td>X</td>
</tr>
<tr>
<td>b If &quot;Yes,&quot; has it filed a Form 720 to report these payments? If &quot;No,&quot; provide an explanation in Schedule O.</td>
<td>14b</td>
<td></td>
</tr>
</tbody>
</table>

BAA

TEEA0165L 08/18/17

Form 990 (2017)
Section A. Governing Body and Management

1a Enter the number of voting members of the governing body at the end of the tax year.
   If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O.
   Enter the number of voting members included in line 1a, above, who are independent.

2 Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?

3 Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, or trustees, or key employees to a management company or other person?

4 Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?

5 Did the organization become aware during the year of a significant diversion of the organization's assets?

6 Did the organization have members or stockholders?

7a Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?
   Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?

8 Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:
   The governing body?
   Each committee with authority to act on behalf of the governing body?

9 Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If 'Yes,' provide the names and addresses in Schedule O.

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

10a Did the organization have local chapters, branches, or affiliates?
   If 'Yes,' did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?

11a Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?
   Describe in Schedule O the process, if any, used by the organization to review this Form 990.

12a Did the organization have a written conflict of interest policy?
   If 'No,' go to line 13.
   Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?
   Did the organization regularly and consistently monitor and enforce compliance with the policy?

13 Did the organization have a written whistleblower policy?

14 Did the organization have a written document retention and destruction policy?

15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?
   The organization's CEO, Executive Director, or top management official.
   Other officers or key employees of the organization.
   If 'Yes' to line 15a or 15b, describe the process in Schedule O (see instructions).

16a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?
   If 'Yes,' did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?

Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed.

18 Section 6104 requires an organization to make its Forms 1023 or 1024 (or 1024-A if applicable), 990 and 990-T (Section 501(c)(3) only) available for public inspection. Indicate how you made these available. Check all that apply.

19 Describe in Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.

20 State the name, address, and telephone number of the person who possesses the organization's books and records.

STEPHEN AJOBIEHE 101 N. D STREET PERRIS CA 92570 951-943-4610

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TEEA0106L 090517
Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1. Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's current officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter '0' in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's current key employees, if any. See instructions for definition of 'key employee.'
- List the organization's five current highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 4 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than $100,000 from the organization and any related organizations.
- List all of the organization's former officers, key employees, and highest compensated employees who received more than $10,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's former directors or trustees that received, in the capacity as a former director or trustee of the organization, more than $10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

- Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

<table>
<thead>
<tr>
<th>(A) Name and Title</th>
<th>(B) Average hours per week (list any hours for related organizations below dotted line)</th>
<th>(C) Problem (do not check more than one box, unless person is both an officer and a director/trustee)</th>
<th>(D) Reportable compensation from the organization (W-2/1099-MISC)</th>
<th>(E) Reportable compensation from related organizations (W-2/1099-MISC)</th>
<th>(F) Estimated amount of other compensation from the organization and related organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) MICHAEL M. VARGAS CHAIRMAN</td>
<td>0</td>
<td>X X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>2) TONYA BURKE BOARD MEMBER</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>3) RITA ROGERS BOARD MEMBER</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>4) DAVID STARR RABB BOARD MEMBER</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>5) MALCOLM CORONA BOARD MEMBER</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>6) RICHARD BELMUEDEZ EXECUTIVE DIR.</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>7) NANCY SALAZAR SECRETARY</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
<td>0.</td>
</tr>
<tr>
<td>8) JENNIFER ERWIN TREASURER</td>
<td>0</td>
<td>X</td>
<td>0.</td>
<td>0.</td>
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<td>9)</td>
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</tbody>
</table>

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<table>
<thead>
<tr>
<th>(A) Name and title</th>
<th>(B) Average hours per week (list any hours for related organizations below dotted line)</th>
<th>(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)</th>
<th>(D) Reportable compensation from the organization (W-2/1099 MISC)</th>
<th>(E) Reportable compensation from related organizations (W-2/1099 MISC)</th>
<th>(F) Estimated amount of other compensation from the organization and related organizations</th>
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<td></td>
<td></td>
</tr>
<tr>
<td>(24)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(25)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1a Sub-total: 0 0 0
1c Total from continuation sheets to Part VII, Section A: 0 0 0
1d Total (add lines 1b and 1c): 0 0 0

2 Total number of individuals (including but not limited to those listed above) who received more than $100,000 of reportable compensation from the organization: 0

3 Did the organization list any former officer, director, or trustee, key employee, or highest compensated employee on line 1a? If "Yes," complete Schedule J for such individual: X

4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than $150,000? If "Yes," complete Schedule J for such individual: X

5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? If "Yes," complete Schedule J for such person: X

Section B. Independent Contractors
1 Complete this table for your five highest compensated independent contractors that received more than $100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

<table>
<thead>
<tr>
<th>(A) Name and business address</th>
<th>(B) Description of services</th>
<th>(C) Compensation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2 Total number of independent contractors (including but not limited to those listed above) who received more than $100,000 of compensation from the organization: 0
## Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII.

<table>
<thead>
<tr>
<th>(A) Total revenue</th>
<th>(B) Related or exempt function revenue</th>
<th>(C) Unrelated business revenue</th>
<th>(D) Revenue excluded from tax under sections 512-514</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>1a Federated campaigns</th>
<th>1b Membership dues</th>
<th>1c Fundraising events</th>
<th>1d Related organizations</th>
<th>1e Government grants (contributions)</th>
<th>1f All other contributions, gifts, grants, and similar amounts not included above</th>
<th>1g Nontax contributions included on lines 1a-1f</th>
<th>1h Total Add lines 1a-1f</th>
</tr>
</thead>
</table>

### Program Service Revenue

<table>
<thead>
<tr>
<th>2a</th>
<th>2b</th>
<th>2c</th>
<th>2d</th>
<th>2e</th>
<th>2f All other program service revenue</th>
<th>2g Total Add lines 2a-2f</th>
</tr>
</thead>
</table>

### Investment Income

<table>
<thead>
<tr>
<th>3</th>
<th>Investment income (including dividends, interest and other similar amounts)</th>
</tr>
</thead>
</table>

### Income from Investment of Tax-Exempt Bond Proceeds

<table>
<thead>
<tr>
<th>4</th>
<th>Income from investment of tax-exempt bond proceeds</th>
</tr>
</thead>
</table>

### Royalties

<table>
<thead>
<tr>
<th>5</th>
<th>Royalties</th>
</tr>
</thead>
</table>

#### Gross Rents

<table>
<thead>
<tr>
<th>6a</th>
<th>Gross rents</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>Less: rental expenses</td>
</tr>
<tr>
<td>c</td>
<td>Rental income or (loss)</td>
</tr>
<tr>
<td>d</td>
<td>Net rental income or (loss)</td>
</tr>
</tbody>
</table>

### Other Royalties

<table>
<thead>
<tr>
<th>7a</th>
<th>Gross amount from sales of assets other than inventory</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>Less: cost or other basis and sales expenses</td>
</tr>
<tr>
<td>c</td>
<td>Gain or (loss)</td>
</tr>
<tr>
<td>d</td>
<td>Net gain or (loss)</td>
</tr>
</tbody>
</table>

### Other Revenue

<table>
<thead>
<tr>
<th>8a</th>
<th>Gross income from fundraising events (not including: $ of contributions reported on line 1c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>Less: direct expenses</td>
</tr>
<tr>
<td>c</td>
<td>Net income or (loss) from fundraising events</td>
</tr>
</tbody>
</table>

### Gross Income from Gaming Activities

<table>
<thead>
<tr>
<th>9a</th>
<th>Gross income from gaming activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>Less: direct expenses</td>
</tr>
<tr>
<td>c</td>
<td>Net income or (loss) from gaming activities</td>
</tr>
</tbody>
</table>

### Gross Sales of Inventory, Less Returns and Allowances

<table>
<thead>
<tr>
<th>10a</th>
<th>Gross sales of inventory, less returns and allowances</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>Less: cost of goods sold</td>
</tr>
<tr>
<td>c</td>
<td>Net income or (loss) from sales of inventory</td>
</tr>
</tbody>
</table>

### Miscellaneous Revenues

<table>
<thead>
<tr>
<th>11a</th>
<th>MISCELLANEOUS REVENUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>c</td>
</tr>
<tr>
<td>d</td>
<td>All other revenue</td>
</tr>
<tr>
<td>e</td>
<td>Total Add lines 11a-11d</td>
</tr>
<tr>
<td>f</td>
<td>2,322.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12</th>
<th>Total revenue. See instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>b</td>
</tr>
</tbody>
</table>

### Business Code

**BAA**

**TEEA0109L 08/08/17**

Form 990 (2017)
### Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX.

<table>
<thead>
<tr>
<th>Do not include amounts reported on lines 6b, 7b, 8b, 9b, 10b of Part VIII.</th>
<th>(A) Total expenses</th>
<th>(B) Program service expenses</th>
<th>(C) Management and general expenses</th>
<th>(D) Fundraising expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Grants and other assistance to domestic individuals. See Part IV, line 22.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Benefits paid to or for members</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Compensation of current officers, directors, trustees, and key employees</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7 Other salaries and wages</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Other employee benefits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Payroll taxes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Fees for services (non-employees):</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Legal</td>
<td>174,706</td>
<td>174,706</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c Accounting</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d Lobbying</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e Professional fundraising services. See Part IV, line 17</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f Investment management fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g Other. (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses or Schedule O.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Advertising and promotion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Office expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 Information technology</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 Royalties</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Occupancy</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Travel</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Payments of travel or entertainment expenses for any federal, state, or local public officials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 Conferences, conventions, and meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 Interest</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 Payments to affiliates</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22 Depreciation, depletion, and amortization</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23 Insurance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)</td>
<td>891,929</td>
<td>891,929</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a ECONOMIC DEVELOPMENT</td>
<td>891,929</td>
<td>891,929</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b COMMUNITY SPONSORSHIPS &amp; EVENT</td>
<td>67,000</td>
<td>67,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c PROPERTY TAXES</td>
<td>21,487</td>
<td>21,487</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d BUILDING IMPROVEMENTS</td>
<td>8,175</td>
<td>8,175</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e All other expenses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25 Total functional expenses. Add lines 1 through 24e</td>
<td>1,163,297</td>
<td>988,591</td>
<td>174,706</td>
<td>0</td>
</tr>
</tbody>
</table>

26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation.

Check here □ if following SOP 98-2 (ASC 958-720).  

BAA
### Balance Sheet

Check if Schedule O contains a response or note to any line in this Part X.

<table>
<thead>
<tr>
<th>(A) Beginning of year</th>
<th>(B) End of year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cash</strong> - non-interest-bearing</td>
<td>1</td>
</tr>
<tr>
<td><strong>Savings and temporary cash investments</strong></td>
<td>4,336,001.</td>
</tr>
<tr>
<td><strong>Pledges and grants receivable, net</strong></td>
<td>3</td>
</tr>
<tr>
<td><strong>Accounts receivable, net</strong></td>
<td>10,125.</td>
</tr>
<tr>
<td><strong>Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L</strong></td>
<td>5</td>
</tr>
<tr>
<td><strong>Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions). Complete Part II of Schedule L</strong></td>
<td>6</td>
</tr>
<tr>
<td><strong>Notes and loans receivable, net</strong></td>
<td>7</td>
</tr>
<tr>
<td><strong>Inventories for sale or use</strong></td>
<td>8</td>
</tr>
<tr>
<td><strong>Prepaid expenses and deferred charges</strong></td>
<td>9</td>
</tr>
<tr>
<td><strong>Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D.</strong></td>
<td>10</td>
</tr>
<tr>
<td><strong>Less: accumulated depreciation</strong></td>
<td>10a</td>
</tr>
<tr>
<td><strong>B</strong></td>
<td>10c</td>
</tr>
<tr>
<td><strong>Investments - publicly traded securities</strong></td>
<td>11</td>
</tr>
<tr>
<td><strong>Investments - other securities. See Part IV, line 11.</strong></td>
<td>12</td>
</tr>
<tr>
<td><strong>Investments - program-related. See Part IV, line 11.</strong></td>
<td>13</td>
</tr>
<tr>
<td><strong>Intangible assets.</strong></td>
<td>14</td>
</tr>
<tr>
<td><strong>Other assets. See Part IV, line 11.</strong></td>
<td>15</td>
</tr>
<tr>
<td><strong>Total assets. Add lines 1 through 15 (must equal line 34).</strong></td>
<td>16</td>
</tr>
<tr>
<td><strong>Accounts payable and accrued expenses</strong></td>
<td>17</td>
</tr>
<tr>
<td><strong>Grants payable</strong></td>
<td>18</td>
</tr>
<tr>
<td><strong>Deferred revenue</strong></td>
<td>19</td>
</tr>
<tr>
<td><strong>Tax-exempt bond liabilities</strong></td>
<td>20</td>
</tr>
<tr>
<td><strong>Escrow or custodial account liability. Complete Part IV of Schedule D.</strong></td>
<td>21</td>
</tr>
<tr>
<td><strong>Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L</strong></td>
<td>22</td>
</tr>
<tr>
<td><strong>Secured mortgages and notes payable to unrelated third parties</strong></td>
<td>23</td>
</tr>
<tr>
<td><strong>Unsecured notes and loans payable to unrelated third parties</strong></td>
<td>24</td>
</tr>
<tr>
<td><strong>Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D.</strong></td>
<td>25</td>
</tr>
<tr>
<td><strong>Total liabilities. Add lines 17 through 25.</strong></td>
<td>26</td>
</tr>
<tr>
<td><strong>Organizations that follow SFAS 117 (ASC 958), check here X and complete lines 27 through 29, and lines 33 and 34.</strong></td>
<td>27</td>
</tr>
<tr>
<td><strong>Unrestricted net assets</strong></td>
<td>28</td>
</tr>
<tr>
<td><strong>Temporarily restricted net assets</strong></td>
<td>29</td>
</tr>
<tr>
<td><strong>Permanently restricted net assets.</strong></td>
<td>30</td>
</tr>
<tr>
<td><strong>Organizations that do not follow SFAS 117 (ASC 958), check here and complete lines 30 through 34.</strong></td>
<td>31</td>
</tr>
<tr>
<td><strong>Capital stock or trust principal, or current funds</strong></td>
<td>32</td>
</tr>
<tr>
<td><strong>Paid-in or capital surplus, or land, building, or equipment fund</strong></td>
<td>33</td>
</tr>
<tr>
<td><strong>Retained earnings, endowment, accumulated income, or other funds.</strong></td>
<td>34</td>
</tr>
<tr>
<td><strong>Total net assets or fund balances</strong></td>
<td>35</td>
</tr>
<tr>
<td><strong>Total liabilities and net assets/fund balances</strong></td>
<td>36</td>
</tr>
</tbody>
</table>

**BAA**

---

**Form 990 (2017)**
### Part XI  Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI:

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total revenue (must equal Part VIII, column (A), line 12)</td>
<td>80,923</td>
</tr>
<tr>
<td>2</td>
<td>Total expenses (must equal Part IX, column (A), line 25)</td>
<td>1,163,297</td>
</tr>
<tr>
<td>3</td>
<td>Revenue less expenses: Subtract line 2 from line 1</td>
<td>-1,082,374</td>
</tr>
<tr>
<td>4</td>
<td>Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))</td>
<td>4,298,512</td>
</tr>
<tr>
<td>5</td>
<td>Net unrealized gains (losses) on investments</td>
<td>7,731</td>
</tr>
<tr>
<td>6</td>
<td>Donated services and use of facilities</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Investment expenses</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Prior period adjustments</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Other changes in net assets or fund balances (explain in Schedule O)</td>
<td>0</td>
</tr>
<tr>
<td>10</td>
<td>Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 33, column (B))</td>
<td>3,223,869</td>
</tr>
</tbody>
</table>

### Part XII  Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII:

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Accounting method used to prepare the Form 990: Cash [ ]  Accrual [X] Other [ ]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If the organization changed its method of accounting from a prior year or checked 'Other,' explain in Schedule O.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2a</td>
<td>Were the organization's financial statements compiled or reviewed by an independent accountant?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[ ] Separate basis [ ] Consolidated basis [ ] Both consolidated and separate basis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2b</td>
<td>Were the organization's financial statements audited by an independent accountant?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[X] Separate basis [ ] Consolidated basis [ ] Both consolidated and separate basis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2c</td>
<td>If 'Yes' to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3a</td>
<td>As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3b</td>
<td>If 'Yes,' did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BAA
Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

Go to www.irs.gov/Form990 or Form 990-EZ.

Name of the organization: PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION

Employer Identification number: 47-2300185

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

1. A church, convention of churches, or association of churches described in section 170(b)(1)(A)(i).
2. A school described in section 170(b)(1)(A)(ii). (Attach Schedule E (Form 990 or 990-EZ).)
3. A hospital or a cooperative hospital service organization described in section 170(b)(1)(A)(iii).
4. A medical research organization operated in conjunction with a hospital described in section 170(b)(1)(A)(iii). Enter the hospital's name, city, and state:

5. An organization operated for the benefit of a college or university owned or operated by a governmental unit described in section 170(b)(1)(A)(iv). (Complete Part II.)

6. A federal, state, or local government or governmental unit described in section 170(b)(1)(A)(v).

7. An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in section 170(b)(1)(A)(vii). (Complete Part II.)

8. A community trust described in section 170(b)(1)(A)(vii). (Complete Part II.)

9. An agricultural research organization described in section 170(b)(1)(A)(vi) operated in conjunction with a land-grant college or university or a non-land-grant college of agriculture (see instructions). Enter the name, city, and state of the college or university:

10. An organization that normally receives:

- (1) more than 33-1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions—subject to certain exceptions, and
- (2) no more than 33-1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Complete Part III.)


12. An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more public supported organizations described in section 509(a)(1) or section 509(a)(2). See section 509(a)(3). Check the box in lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g:

a. Type I. A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. You must complete Part IV, Sections A and B.

b. Type II. A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). You must complete Part IV, Sections A and C.

c. Type III functionally integrated. A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). You must complete Part IV, Sections A, D, and E.

d. Type III non-functionally integrated. A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). You must complete Part IV, Sections A and D, and Part V.

e. Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.

f. Enter the number of supported organizations:

(0) Name of supported organization (d) EIN (e) Type of organization (f) I am the organization listed in your governing document? (g) Amount of monetary support (h) Amount of other support

<table>
<thead>
<tr>
<th>(A)</th>
<th>(B)</th>
<th>(C)</th>
<th>(D)</th>
<th>(E)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total

BAA For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.
Part II  Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)  

(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2013</th>
<th>(b) 2014</th>
<th>(c) 2015</th>
<th>(d) 2016</th>
<th>(e) 2017</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Gifts, grants, contributions, and membership fees received (Do not include any unusual gifts)</td>
<td></td>
<td>498,044</td>
<td></td>
<td></td>
<td></td>
<td>498,044</td>
</tr>
<tr>
<td>2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>3 The value of services or facilities furnished by a governmental unit to the organization without charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>4 Total. Add lines 1 through 3</td>
<td></td>
<td>498,044</td>
<td></td>
<td></td>
<td></td>
<td>498,044</td>
</tr>
<tr>
<td>5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>6 Public support. Subtract line 5 from line 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>498,044</td>
</tr>
</tbody>
</table>

Section B. Total Support

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2013</th>
<th>(b) 2014</th>
<th>(c) 2015</th>
<th>(d) 2016</th>
<th>(e) 2017</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 Amounts from line 4</td>
<td></td>
<td>498,044</td>
<td></td>
<td></td>
<td></td>
<td>498,044</td>
</tr>
<tr>
<td>8 Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources</td>
<td>56,440</td>
<td>176,911</td>
<td>90,600</td>
<td>78,601</td>
<td>402,552</td>
<td></td>
</tr>
<tr>
<td>9 Net income from unrelated business activities, whether or not the business is regularly carried on</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>11 Total support. Add lines 7 through 10</td>
<td></td>
<td></td>
<td></td>
<td>2,322</td>
<td></td>
<td>2,532</td>
</tr>
<tr>
<td>12 Gross receipts from related activities, etc. (see instructions)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>903,128</td>
</tr>
<tr>
<td>13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>[x]</td>
</tr>
</tbody>
</table>

Section C. Computation of Public Support Percentage

14 Public support percentage for 2017 (line 6, column (f) divided by line 11, column (f)) | 14 % |
15 Public support percentage from 2016 Schedule A, Part II, line 14 | 15 % |

16a 33-1/3% support test—2017. If the organization did not check the box on line 13, and line 14 is 33-1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization.  

16b 33-1/3% support test—2016. If the organization did not check a box on line 13 or 16a, and line 15 is 33-1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization.  

17a 10% facts-and-circumstances test—2017. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the 'facts-and-circumstances' test, check this box and stop here. Explain in Part VI how the organization meets the 'facts-and-circumstances' test. The organization qualifies as a publicly supported organization.  

17b 10% facts-and-circumstances test—2016. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the 'facts-and-circumstances' test, check this box and stop here. Explain in Part VI how the organization meets the 'facts-and-circumstances' test. The organization qualifies as a publicly supported organization.  

18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions.  

BAA
## Part III  Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 10 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

### Section A. Public Support

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2013</th>
<th>(b) 2014</th>
<th>(c) 2015</th>
<th>(d) 2016</th>
<th>(e) 2017</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Gifts, grants, contributions, and membership fees received. (Do not include any &quot;unusual grants.&quot;)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Gross receipts from activities that are not an unrelated trade or business under section 513.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 The value of services or facilities furnished by a governmental unit to the organization without charge</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Total. Add lines 1 through 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7a Amounts included on lines 1, 2, and 3 received from disqualified persons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of $5,000 or 1% of the amount on line 13 for the year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7c Add lines 7a and 7b</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Public support. (Subtract line 7c from line 6)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section B. Total Support

<table>
<thead>
<tr>
<th>Calendar year (or fiscal year beginning in)</th>
<th>(a) 2013</th>
<th>(b) 2014</th>
<th>(c) 2015</th>
<th>(d) 2016</th>
<th>(e) 2017</th>
<th>(f) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Amounts from line 6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10a Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10c Add lines 10a and 10b</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Total support. (Add lines 9, 10c, 11, and 12)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Section C. Computation of Public Support Percentage

15 Public support percentage for 2017 (line 8, column (f) divided by line 13, column (f)) | 15 % |
16 Public support percentage from 2016 Schedule A, Part III, line 15 | 16 % |

### Section D. Computation of Investment Income Percentage

17 Investment income percentage for 2017 (line 10c, column (f) divided by line 13, column (f)) | 17 % |
18 Investment income percentage from 2016 Schedule A, Part III, line 17 | 18 % |
19a 33-1/3% support tests—2017. If the organization did not check the box on line 14, and line 15 is more than 33-1/3%, and line 17 is not more than 33-1/3%, check this box and stop here. The organization qualifies as a publicly supported organization |  |
19b 33-1/3% support tests—2016. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33-1/3%, and line 18 is not more than 33-1/3%, check this box and stop here. The organization qualifies as a publicly supported organization |  |
20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions |  |
Section A. All Supporting Organizations

1. Are all of the organization's supported organizations listed by name in the organization's governing documents? If 'No,' describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.

2. Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If 'Yes,' explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).

3a. Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If 'Yes,' answer (b) and (c) below.

b. Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(3)? If 'Yes,' describe in Part VI when and how the organization made the determination.

c. Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If 'Yes,' explain in Part VI what controls the organization put in place to ensure such use.

4a. Was any supported organization not organized in the United States (foreign supported organization)? If 'Yes' and if you checked 12a or 12b in Part I, answer (b) and (c) below.

b. Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If 'Yes,' describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.

c. Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If 'Yes,' explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.

5a. Did the organization add, substitute, or remove any supported organizations during the tax year? If 'Yes,' answer (b) and (c) below (if applicable). Also, provide detail in Part VI, including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).

b. Type I or Type II only. Was any added or substituted supported organization part of a class already designated in the organization's organizing document?

c. Substitutions only. Was the substitution the result of an event beyond the organization's control?

6. Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? If 'Yes,' provide detail in Part VI.

7. Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If 'Yes,' complete Part I of Schedule L (Form 990 or 990-EZ).

8. Did the organization make a loan to a disqualified person (as defined in section 4958) not described in line 7? If 'Yes,' complete Part I of Schedule L (Form 990 or 990-EZ).

9a. Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If 'Yes,' provide detail in Part VI.

b. Did one or more disqualified persons (as defined in line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If 'Yes,' provide detail in Part VI.

c. Did a disqualified person (as defined in line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If 'Yes,' provide detail in Part VI.

10a. Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type I supporting organizations, and all Type III non-functionally integrated supporting organizations)? If 'Yes,' answer 10b below.

b. Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)
### Part IV: Supporting Organizations (continued)

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Has the organization accepted a gift or contribution from any of the following persons?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. A person who directly or indirectly controls, either alone or together with persons described in (b) and (c) below, the governing body of a supported organization?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>b. A family member of a person described in (a) above?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>c. A 35% controlled entity of a person described in (a) or (b) above? If 'Yes' to a, b, or c, provide detail in Part VI.</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

### Section B. Type I Supporting Organizations

1. Did the directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? If No, describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.  

### Section C. Type II Supporting Organizations

1. Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? If No, describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).

### Section D. All Type III Supporting Organizations

1. Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?  

### Section E. Type III Functionally Integrated Supporting Organizations

1. Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions).  
   - [ ] The organization satisfied the Activities Test. Complete line 2 below.  
   - [ ] The organization is the parent of each of its supported organizations. Complete line 3 below.  
   - [ ] The organization supported a governmental entity. Describe in Part VI how you supported a government entity (see instructions).  

2. Activities Test. Answer (a) and (b) below.  
   a. Did substantially all of the organization’s activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? If ‘Yes,’ then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.  
   b. Did the activities described in (a) constitute activities that, but for the organization’s involvement, one or more of the organization’s supported organization(s) would have been engaged in? If ‘Yes,’ explain in Part VI the reasons for the organization’s position that its supported organization(s) would have engaged in these activities but for the organization’s involvement.  

3. Parent of Supported Organizations. Answer (a) and (b) below.  
   a. Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? Provide details in Part VI.  
   b. Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? If ‘Yes,’ describe in Part VI the role played by the organization in this regard.
### Part V  Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations

1. Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

#### Section A – Adjusted Net Income

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>(A) Prior Year</th>
<th>(B) Current Year (optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Net short-term capital gain</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Recoveries of prior-year distributions</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Other gross income (see instructions)</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Add lines 1 through 3.</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Depreciation and depletion</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Other expenses (see instructions)</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Adjusted Net Income (subtract lines 5, 6, and 7 from line 4).</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

#### Section B – Minimum Asset Amount

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>(A) Prior Year</th>
<th>(B) Current Year (optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Average monthly value of securities</td>
<td>1a</td>
<td></td>
</tr>
<tr>
<td>b</td>
<td>Average monthly cash balances</td>
<td>1b</td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Fair market value of other non-exempt-use assets</td>
<td>1c</td>
<td></td>
</tr>
<tr>
<td>d</td>
<td>Total (add lines 1a, 1b, and 1c)</td>
<td>1d</td>
<td></td>
</tr>
<tr>
<td>e</td>
<td>Discount claimed for blockage or other factors (explain in detail in Part VI):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Acquisition indebtedness applicable to non-exempt-use assets</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Subtract line 2 from line 1d.</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Cash deemed held for exempt use. Enter 1-1/2% of line 3 (for greater amount, see instructions).</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Net value of non-exempt-use assets (subtract line 4 from line 3)</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Multiply line 5 by .035.</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Recoveries of prior-year distributions</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Minimum Asset Amount (add line 7 to line 6)</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

#### Section C – Distributable Amount

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Adjusted net income for prior year (from Section A, line 8, Column A)</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Enter 85% of line 1.</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Minimum asset amount for prior year (from Section B, line 8, Column A)</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Enter greater of line 2 or line 3.</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>Income tax imposed in prior year</td>
<td>5</td>
</tr>
<tr>
<td>6</td>
<td>Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions).</td>
<td>6</td>
</tr>
</tbody>
</table>

7. Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions).

---

BAA  Schedule A (Form 990 or 990-EZ) 2017
**Schedule A (Form 990 or 990-EZ) 2017**

**PART V**

**Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations (continued)**

<table>
<thead>
<tr>
<th>Section D – Distributions</th>
<th>Current Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Amounts paid to support organizations to accomplish exempt purposes</td>
<td></td>
</tr>
<tr>
<td>2. Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity</td>
<td></td>
</tr>
<tr>
<td>3. Administrative expenses paid to accomplish exempt purposes of supported organizations</td>
<td></td>
</tr>
<tr>
<td>4. Amounts paid to acquire exempt-use assets</td>
<td></td>
</tr>
<tr>
<td>5. Qualified set-aside amounts (prior IRS approval required)</td>
<td></td>
</tr>
<tr>
<td>6. Other distributions (describe in Part VI). See instructions.</td>
<td></td>
</tr>
<tr>
<td>7. Total annual distributions. Add lines 1 through 6.</td>
<td></td>
</tr>
<tr>
<td>8. Distributions to alternative supported organizations to which the organization is responsive (provide details in Part VI). See instructions.</td>
<td></td>
</tr>
<tr>
<td>9. Distributable amount for 2017 from Section C, line 6</td>
<td></td>
</tr>
<tr>
<td>10. Line 8 amount divided by line 9 amount</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section E – Distribution Allocations (see instructions)</th>
<th>(i) Excess Distributions</th>
<th>(ii) Underdistributions Pre-2017</th>
<th>(iii) Distributable Amount for 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Distributable amount for 2017 from Section C, line 6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Underdistributions, if any, for years prior to 2017 (reasonable cause required – explain in Part VI). See instructions.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Excess distributions carryover, if any, to 2017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b From 2013</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c From 2014</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d From 2015</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e From 2016</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f Total of lines 3a through e</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g Applied to underdistributions of prior years</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>h Applied to 2017 distributable amount</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i Carryover from 2012 not applied (see instructions)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>j Remainder. Subtract lines 3g, 3h, and 3i from 3f.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Distributions for 2017 from Section D, line 7:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Applied to underdistributions of prior years</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Applied to 2017 distributable amount</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c Remainder. Subtract lines 4a and 4b from 4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Remaining underdistributions for years prior to 2017, if any. Subtract lines 3g and 4a from line 2. For result greater than zero, explain in Part VI. See instructions.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Remaining underdistributions for 2017. Subtract lines 3h and 4b from line 1. For result greater than zero, explain in Part VI. See instructions.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Excess distributions carryover to 2018. Add lines 3j and 4c.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Breakdown of line 7:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a Excess from 2013</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Excess from 2014</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c Excess from 2015</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d Excess from 2016</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e Excess from 2017</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BAA

Schedule A (Form 990 or 990-EZ) 2017
**Part VI** Supplemental Information. Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a, and 3b; Part V, line 1; Part V, Section B, line 1e; Part V, Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information.

(See instructions.)

**Part II, Line 10 - Other Income**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Miscellaneous Revenues</td>
<td>$ 2,322</td>
<td>$ 200</td>
<td>$ 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$ 2,322</td>
<td>$ 200</td>
<td>$ 10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Part I. Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

<table>
<thead>
<tr>
<th></th>
<th>Donor advised funds</th>
<th>Funds and other accounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total number at end of year</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Aggregate value of contributions to (during year)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Aggregate value of grants from (during year)</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Aggregate value at end of year</td>
<td></td>
</tr>
</tbody>
</table>

5. Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control?  
   - Yes  
   - No

6. Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit?  
   - Yes  
   - No

**Part II. Conservation Easements.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 7.

1. Purpose(s) of conservation easements held by the organization (check all that apply).
   - Preservation of land for public use (e.g., recreation or education)
   - Preservation of natural habitat
   - Preservation of open space
   - Preservation of a historically important land area
   - Preservation of a certified historic structure

2. Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year.

<table>
<thead>
<tr>
<th>Held at the End of the Tax Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2a Total number of conservation easements</td>
</tr>
<tr>
<td>2b Total acreage restricted by conservation easements</td>
</tr>
<tr>
<td>2c Number of conservation easements on a certified historic structure included in (a)</td>
</tr>
<tr>
<td>2d Number of conservation easements included in (c) acquired after 7/25/06, and not on a historic structure listed in the National Register</td>
</tr>
</tbody>
</table>

3. Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year

4. Number of states where property subject to conservation easement is located

5. Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?  
   - Yes  
   - No

6. Staff and volunteer hours devoted to monitoring, inspecting, handling of violations, and enforcing conservation easements during the year

7. Amount of expenses incurred in monitoring, inspecting, handling of violations, and enforcing conservation easements during the year

8. Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)?  
   - Yes  
   - No

9. In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements.

**Part III. Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 8.

1a. If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items:

   - Revenue included on Form 990, Part VIII, line 1
   - Assets included in Form 990, Part X

1b. If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items:

   - Revenue included on Form 990, Part VIII, line 1
   - Assets included in Form 990, Part X

2a. If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items:

   - Revenue included on Form 990, Part VIII, line 1
   - Assets included in Form 990, Part X
Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):
   a Public exhibition
   b Scholarly research
   c Preservation for future generations
   d Loan or exchange programs
   e Other

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? □ Yes □ No

Part IV Escrow and Custodial Arrangements. Complete if the organization answered 'Yes' on Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? □ Yes □ No

b If 'Yes,' explain the arrangement in Part XIII and complete the following table:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>c Beginning balance</td>
<td></td>
</tr>
<tr>
<td>d Additions during the year</td>
<td></td>
</tr>
<tr>
<td>e Distributions during the year</td>
<td></td>
</tr>
<tr>
<td>f Ending balance</td>
<td></td>
</tr>
</tbody>
</table>

2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? □ Yes □ No

b If 'Yes,' explain the arrangement in Part XIII. Check here if the explanation has been provided on Part XIII.

Part V Endowment Funds. Complete if the organization answered 'Yes' on Form 990, Part IV, line 10.

1a Beginning of year balance

1b Contributions

1c Net investment earnings, gains, and losses

1d Grants or scholarships

1e Other expenditures for facilities and programs

1f Administrative expenses

1g End of year balance

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:

   a Board designated or quasi-endowment ▶ %
   b Permanent endowment ▶ %
   c Temporarily restricted endowment ▶ %

   The percentages on lines 2a, 2b, and 2c should equal 100%.

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

   i) Unrelated organizations

   ii) Related organizations

3b If 'Yes' on line 3a(i), are the related organizations listed as required on Schedule R? □ Yes □ No

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment.

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11a. See Form 990, Part X, line 10.

<table>
<thead>
<tr>
<th>Description of property</th>
<th>(a) Cost or other basis (investment)</th>
<th>(b) Cost or other basis (other)</th>
<th>(c) Accumulated depreciation</th>
<th>(d) Book value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Buildings</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c Leasehold improvements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d Equipment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total. Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (b), line 10c.) ▶ 0.
**Part VII Investments - Other Securities.**

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11b. See Form 990, Part X, line 12.

<table>
<thead>
<tr>
<th>(a) Description of security or category (including name of security)</th>
<th>(b) Book value</th>
<th>(c) Method of valuation: Cost or end-of-year market value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Financial derivatives</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Closely-held equity interests</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3) Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(A)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(B)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(C)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(E)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(F)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(G)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(H)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(I)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total. (Column (b) must equal Form 990, Part X, column (b) line 12.)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Part VIII Investments - Program Related.**

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

<table>
<thead>
<tr>
<th>(a) Description of investment</th>
<th>(b) Book value</th>
<th>(c) Method of valuation: Cost or end-of-year market value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td></td>
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<tr>
<td>(5)</td>
<td></td>
<td></td>
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<tr>
<td>(6)</td>
<td></td>
<td></td>
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<tr>
<td>(7)</td>
<td></td>
<td></td>
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<tr>
<td>(8)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total. (Column (b) must equal Form 990, Part X, column (b) line 13.)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Part IX Other Assets.**

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

<table>
<thead>
<tr>
<th>(a) Description</th>
<th>(b) Book value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
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<tr>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>Total. (Column (b) must equal Form 990, Part X, column (b) line 15.)</td>
<td></td>
</tr>
</tbody>
</table>

**Part X Other Liabilities.**

Complete if the organization answered 'Yes' on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

<table>
<thead>
<tr>
<th>(a) Description of liability</th>
<th>(b) Book value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Federal income taxes</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
</tr>
<tr>
<td>(9)</td>
<td></td>
</tr>
<tr>
<td>(10)</td>
<td></td>
</tr>
<tr>
<td>(11)</td>
<td></td>
</tr>
<tr>
<td>Total. (Column (b) must equal Form 990, Part X, column (b) line 25.)</td>
<td></td>
</tr>
</tbody>
</table>

2. Liability for uncertain tax positions. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII.

BAA

TEEA333L 08/10/17

Schedule D (Form 990) 2017
### Part XI  Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total revenue, gains, and other support per audited financial statements</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Amounts included on line 1 but not on Form 990, Part VIII, line 12:</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Net unrealized gains (losses) on investments:</td>
<td>2a</td>
</tr>
<tr>
<td>b</td>
<td>Donated services and use of facilities</td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Recoveries of prior year grants</td>
<td></td>
</tr>
<tr>
<td>d</td>
<td>Other (Describe in Part XIII.)</td>
<td></td>
</tr>
<tr>
<td>e</td>
<td>Add lines 2a through 2d</td>
<td>2e</td>
</tr>
<tr>
<td>3</td>
<td>Subtract line 2e from line 1</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Amounts included on Form 990, Part VIII, line 12, but not on line 1:</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Investment expenses not included on Form 990, Part VIII, line 7b</td>
<td>4a</td>
</tr>
<tr>
<td>b</td>
<td>Other (Describe in Part XIII.)</td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Add lines 4a and 4b</td>
<td>4c</td>
</tr>
<tr>
<td>5</td>
<td>Total revenue. Add lines 3 and 4c. (This must equal Form 990, Part I, line 12.)</td>
<td>5</td>
</tr>
</tbody>
</table>

### Part XII  Reconciliation of Expenses per Audited Financial Statements With Expenses per Return

Complete if the organization answered 'Yes' on Form 990, Part IV, line 12a.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total expenses and losses per audited financial statements</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Amounts included on line 1 but not on Form 990, Part IX, line 25:</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Donated services and use of facilities</td>
<td>2a</td>
</tr>
<tr>
<td>b</td>
<td>Prior year adjustments</td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Other losses</td>
<td></td>
</tr>
<tr>
<td>d</td>
<td>Other (Describe in Part XIII.)</td>
<td></td>
</tr>
<tr>
<td>e</td>
<td>Add lines 2a through 2d</td>
<td>2e</td>
</tr>
<tr>
<td>3</td>
<td>Subtract line 2e from line 1</td>
<td>3</td>
</tr>
<tr>
<td>4</td>
<td>Amounts included on Form 990, Part IX, line 25, but not on line 1:</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Investment expenses not included on Form 990, Part VIII, line 7b</td>
<td>4a</td>
</tr>
<tr>
<td>b</td>
<td>Other (Describe in Part XIII.)</td>
<td></td>
</tr>
<tr>
<td>c</td>
<td>Add lines 4a and 4b</td>
<td>4c</td>
</tr>
<tr>
<td>5</td>
<td>Total expenses. Add lines 3 and 4c. (This must equal Form 990, Part I, line 18.)</td>
<td>5</td>
</tr>
</tbody>
</table>

### Part XIII  Supplemental Information

Provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.
FORM 990, PART III, LINE 1 - ORGANIZATION MISSION

THE PRIMARY PURPOSE OF THE ORG. IS TO PROVIDE PHYSICAL, ECONOMIC AND EDUCATIONAL DEVELOPMENT AND REVITALIZATION EFFORTS RESULTING IN EXPANDED EMPLOYMENT, ECONOMIC PROSPERITY AND BUSINESS AND HOUSING OPPORTUNITIES FOR BUSINESSES AND RESIDENTS IN THE CITY OF PERRIS.

FORM 990, PART VI, LINE 11B - FORM 990 REVIEW PROCESS


FORM 990, PART VI, LINE 12C - EXPLANATION OF MONITORING AND ENFORCEMENT OF CONFLICTS

THE BOARD OF DIRECTORS CONSISTS OF THE CITY OF PERRIS CITY COUNCIL. THE CITY COUNCIL IS REQUIRED TO ANNUALLY FILL OUT FORM 700S FOR ANY POSSIBLE CONFLICTS OF INTEREST. THOSE FORMS ARE ALSO ANNUALLY REVIEWED BY THE ORGANIZATION.

FORM 990, PART VI, LINE 18 - EXPLANATION OF OTHER MEANS FORMS AVAILABLE FOR PUBLIC INSPECTION

DISCLOSURES OF GOVERNING DOCUMENTS, POLICIES, AND FINANCIAL STATEMENTS ARE PROVIDED WHEN FORMALLY REQUESTED.

FORM 990, PART VI, LINE 19 - OTHER ORGANIZATION DOCUMENTS PUBLICLY AVAILABLE

DISCLOSURES OF GOVERNING DOCUMENTS, POLICIES, AND FINANCIAL STATEMENTS ARE PROVIDED WHEN FORMALLY REQUESTED.
## Part I: Identification of Disregarded Entities

<table>
<thead>
<tr>
<th>(a) Name, address, and EIN (if applicable) of disregarded entity</th>
<th>(b) Primary activity</th>
<th>(c) Legal domicile (state or foreign country)</th>
<th>(d) Total income</th>
<th>(e) End-of-year assets</th>
<th>(f) Direct controlling entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Part II: Identification of Related Tax-Exempt Organizations

<table>
<thead>
<tr>
<th>(a) Name, address, and EIN of related organization</th>
<th>(b) Primary activity</th>
<th>(c) Legal domicile (state or foreign country)</th>
<th>(d) Exempt Code section</th>
<th>(e) Public charity status (if section 501(c)(3))</th>
<th>(f) Direct controlling entity</th>
<th>(g) Sec 512(b)(13) controlled entity?</th>
</tr>
</thead>
</table>
| (1) CITY OF PERRIS  
101 N. D STREET  
PERRIS, CA 92570  
95-6000761 | CITY GOVERNMENT | CA |  | N/A |  | X |
| (2) |  |  |  |  |  |  |
| (3) |  |  |  |  |  |  |
| (4) |  |  |  |  |  |  |

BAA For Paperwork Reduction Act Notice, see the Instructions for Form 990.
### Part III: Identification of Related Organizations Taxable as a Partnership
Complete if the organization answered 'Yes' on Form 990, Part IV, line 34, because it had one or more related organizations treated as a partnership during the tax year.

<table>
<thead>
<tr>
<th>Name, address, and EIN of related organization</th>
<th>Primary activity</th>
<th>Legal domicile (state or foreign country)</th>
<th>Predominant income (related, unrelated, excluded from tax under sections 512-514)</th>
<th>Share of total income</th>
<th>Share of end-of-year assets</th>
<th>Disproportionate allocations?</th>
<th>Code V-UBI amount in box 20 of Schedule K-1 (Form 1065)</th>
<th>General or managing partner?</th>
<th>Percentage ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Part IV: Identification of Related Organizations Taxable as a Corporation or Trust
Complete if the organization answered 'Yes' on Form 990, Part IV, line 34, because it had one or more related organizations treated as a corporation or trust during the tax year.

<table>
<thead>
<tr>
<th>Name, address, and EIN of related organization</th>
<th>Primary activity</th>
<th>Legal domicile (state or foreign country)</th>
<th>Direct controlling entity</th>
<th>Type of entity (C corp, S corp, or trust)</th>
<th>Share of total income</th>
<th>Share of end-of-year assets</th>
<th>Percentage ownership</th>
<th>Sec 512(b)(13) controlled entity?</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Part V Transactions With Related Organizations.** Complete if the organization answered 'Yes' on Form 990, Part IV, line 34, 35b, or 36.

1. During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II-IV?

   - Receipt of (i) interest, (ii) annuities, (iii) royalties, or (iv) rent from a controlled entity
   - Gift, grant, or capital contribution to related organization(s)
   - Gift, grant, or capital contribution from related organization(s)
   - Loans or loan guarantees to or for related organization(s)
   - Loans or loan guarantees by related organization(s)
   - Dividends from related organization(s)
   - Sale of assets to related organization(s)
   - Purchase of assets from related organization(s)
   - Exchange of assets with related organization(s)
   - Lease of facilities, equipment, or other assets to related organization(s)
   - Lease of facilities, equipment, or other assets from related organization(s)
   - Performance of services or membership or fundraising solicitations for related organization(s)
   - Performance of services or membership or fundraising solicitations by related organization(s)
   - Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)
   - Sharing of paid employees with related organization(s)
   - Reimbursement paid to related organization(s) for expenses
   - Reimbursement paid by related organization(s) for expenses
   - Other transfer of cash or property to related organization(s)
   - Other transfer of cash or property from related organization(s)

2. If the answer to any of the above is 'Yes,' see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.

<table>
<thead>
<tr>
<th>(a) Name of related organization</th>
<th>(b) Transaction type (a-s)</th>
<th>(c) Amount involved</th>
<th>(d) Method of determining amount involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(6) BAA</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*TEEX003L 11/29/17*

Schedule R (Form 990) 2017
**Part VI** __Unrelated Organizations Taxable as a Partnership.__ Complete if the organization answered 'Yes' on Form 990, Part IV, line 37.

Provide the following information for each entity taxed as a partnership through which the organization conducted more than five percent of its activities (measured by total assets or gross revenue) that was not a related organization. See instructions regarding exclusion for certain investment partnerships.

<table>
<thead>
<tr>
<th>Name, address, and EIN of entity</th>
<th>Primary activity</th>
<th>Legal domicile (state or foreign country)</th>
<th>Predominant income (related, unrelated, excluded from tax under sections 512-514)</th>
<th>Are all partners section 501(c)(3) organizations?</th>
<th>Share of total income</th>
<th>Share of end-of-year assets</th>
<th>Disproportionate allocations?</th>
<th>Code V-UBI amount in box 20 of Schedule K-1 (Form 1065)</th>
<th>General or managing partner?</th>
<th>Percentage ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(4)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(5)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(6)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(7)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>(8)</td>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

BAA
**Part VII Supplemental Information.**

Provide additional information for responses to questions on Schedule R. See instructions.
Voucher at bottom of page.

DO NOT MAIL A PAPER COPY OF THE CORPORATE OR EXEMPT ORGANIZATION TAX RETURN WITH THE PAYMENT VOUCHER. If the amount of payment is zero, do not mail this voucher.

WHERE TO FILE: Using black or blue ink, make check or money order payable to the Franchise Tax Board. Write the corporation number or FEIN and "2017 FTB 3586" on the check or money order. Detach voucher below. Enclose, but do not staple, payment with voucher and mail to:

FRANCHISE TAX BOARD
PO BOX 942687
SACRAMENTO CA 94257-0531

Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

WHEN TO FILE: Corporations – File and Pay by the 15th day of the 4th month following the close of the taxable year.
S corporations – File and Pay by the 15th day of the 3rd month following the close of the taxable year.
Exempt organizations – File and Pay by the 15th day of the 5th month following the close of the taxable year.

When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.

Due to the federal Emancipation Day holiday on April 16, 2018, tax returns filed and payments mailed or submitted on April 17, 2018, will be considered timely.

ONLINE SERVICES: Corporations can make payments online with Web Pay for Businesses. Corporations can make an immediate payment or schedule payments up to a year in advance. Go to ftb.ca.gov/pay for more information.

 Payment Voucher for Corporations and Exempt Organizations e-filed Returns

<table>
<thead>
<tr>
<th>TAXABLE YEAR</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>3671421</td>
<td>PERR 47-2300185 000000000000 17 FORM 3</td>
</tr>
<tr>
<td>TYB 07-01-17</td>
<td>TYE 06-30-18</td>
</tr>
<tr>
<td>PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION</td>
<td></td>
</tr>
<tr>
<td>STEPHEN AJOBIWE</td>
<td></td>
</tr>
<tr>
<td>101 N D STREET</td>
<td></td>
</tr>
<tr>
<td>PERRIS</td>
<td></td>
</tr>
<tr>
<td>CA 92570</td>
<td></td>
</tr>
<tr>
<td>951-943-4610</td>
<td></td>
</tr>
</tbody>
</table>

AMOUNT OF PAYMENT 10.

059 6181176 CACA12017 120517 FTB 3586 2017
**TAXABLE YEAR 2017**

**California Exempt Organization Annual Information Return**

**Form 199**

**California corporation number**

PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION

**CA**

**State**

92570

**Zip code**

47-2300185

**FBN no.**

California corporation number 92570

**Street address**

101 N. D STREET

**City**

**State**

**Zip code**

**FBN no.**

**Address**

**City**

**State**

**Zip code**

**Foreign country name**

PERRIS

**City**

**State**

CA

**Zip code**

92570

**State**

**Zip code**

**Foreign country name**

**Foreign postal code**

**Foreign country name**

**Foreign postal code**

---

**Part I Complete Part I unless not required to file this form. See General Information B and C.**

| Receipts and Revenues | 1 Gross sales or receipts from other sources. From Side 2, Part II, line 8. | 2 Gross dues and assessments from members and affiliates | 3 Gross contributions, gifts, grants, and similar amounts received | 4 Total gross receipts for filing requirement test. Add line 1 through line 3. This line must be completed. If the result is less than $50,000, see General Information B. | 5 Cost of goods sold | 6 Cost or other basis, and sales expenses of assets sold | 7 Total costs. Add line 5 and line 6 | 8 Total gross income. Subtract line 7 from line 4. | 9 Total expenses and disbursements. From Side 2, Part II, line 18 | 10 Excess of receipts over expenses and disbursements. Subtract line 9 from line 8. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 80,923. | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 1,163,297. | 10 | -1,082,374. |

<table>
<thead>
<tr>
<th>Filing Fee</th>
<th>11 Total payments</th>
<th>12 Use tax. See General Information K.</th>
<th>13 Payments balance. If line 11 is more than line 12, subtract line 12 from line 11</th>
<th>14 Use tax balance. If line 12 is more than line 11, subtract line 11 from line 12</th>
<th>15 Filing fee $10 or $25. See General Information F.</th>
<th>16 Penalties and Interest. See General Information J.</th>
<th>17 Balance due. Add line 12, line 15, and line 16. Then subtract line 11 from the result</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td></td>
<td>12</td>
<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
</tr>
</tbody>
</table>

**Signature of officer**

**Title**

**Date**

EXECUTIVE DIR.

**Telephone**

951-943-4610

**Paid Preparer's Use Only**

**Preparer's signature**

RICHARD A. TEAMAN, CPA

**Date**

**Check if self-employed**

**PTIN**

00047224

**FIRN**

TEAMAN, RAMIREZ & SMITH, INC.

**Date**

4201 BROCKTON AVE. SUITE 100

RIVERSIDE, CA 92501

**Telephone**

951-363-6462

(951) 274-9500

**May the FTB discuss this return with the preparer shown above? See instructions.**

Yes No

---

**Form 199 2017**

**Side 1**
### Schedule L

**Balance Sheet**

<table>
<thead>
<tr>
<th>Assets</th>
<th>Beginning of taxable year</th>
<th>End of taxable year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Cash</td>
<td>4,336,001</td>
<td>3,555,258</td>
</tr>
<tr>
<td>2 Net accounts receivable</td>
<td>10,125</td>
<td>28,350</td>
</tr>
<tr>
<td>3 Net notes receivable</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Inventories</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Federal and state government obligations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Investments in other bonds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Investments in stock</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Mortgage loans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Other investments. Attach schedule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10a Depreciable assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b Less accumulated depreciation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Land</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Other assets. Attach schedule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Total assets</td>
<td>4,356,537</td>
<td>3,588,874</td>
</tr>
</tbody>
</table>

**Liabilities and net worth**

| Liabilities and net worth                                           |                            |                     |
| 14 Accounts payable                                                 | 42,778                     | 336,655             |
| 15 Contributions, gifts, or grants payable                          |                            |                     |
| 16 Bonds and notes payable                                           |                            |                     |
| 17 Mortgages payable                                                |                            |                     |
| 18 Other liabilities. Attach schedule                                |                            |                     |
| 19 Capital stock or principal fund                                  | 4,298,512                  | 3,223,869           |
| 20 Paid-in or capital surplus. Attach reconciliation                |                            |                     |
| 21 Retained earnings or income fund                                 |                            |                     |
| 22 Total liabilities and net worth                                   | 4,356,537                  | 3,588,874           |

### Schedule M-1

**Reconciliation of income per books with income per return**

Do not complete this schedule if the amount on Schedule L, line 13, column (d), is less than $50,000.

| 1 Net income per books                                               | -1,082,374                 |                     |
| 2 Federal income tax                                                 |                            |                     |
| 3 Excess of capital losses over capital gains                        |                            |                     |
| 4 Income not recorded on books this year. Attach schedule             |                            |                     |
| 5 Expenses recorded on books this year not deducted in this return. Attach schedule | -1,082,374. |                     |
| 6 Total. Add line 1 through line 5                                   | -1,082,374                 |                     |
| 7 Income recorded on books this year not included in this return. Attach schedule | 78,601. |                     |
| 8 Deductions in this return not charged against book income this year. Attach schedule | 2,322. |                     |
| 9 Total. Add line 7 and line 8                                        | 80,923.                    |                     |
| 10 Net income per return                                              | -1,082,374                 |                     |
| Subtract line 9 from line 6                                           |                            |                     |
IF PAID ELECTRONICALLY: DO NOT FILE THIS FORM

WHERE TO FILE: Using black or blue ink, make check or money order payable to the Franchise Tax Board. Write the California corporation number, FEIN, or CA SOS file number and 2017 FTB 3539 on the check or money order. Detach form below. Enclose, but do not staple, payment with the form and mail to:

FRANCHISE TAX BOARD
PO BOX 942557
SACRAMENTO CA 94257-0531

Make all checks or money orders payable in U.S. dollars and drawn against a U.S. financial institution.

WHEN TO FILE: Calendar year C corporations -- File and Pay by April 17, 2018
Calendar year S corporations -- File and Pay by March 15, 2018
Calendar year exempt organizations -- File and Pay by May 15, 2018
Employees' trust and IRA -- File and Pay by April 17, 2018
Fiscal year filers -- See instructions

When the due date falls on a weekend or holiday, the deadline to file and pay without penalty is extended to the next business day.

Due to the federal Emancipation Day holiday on April 16, 2018, tax returns filed and payments mailed or submitted on April 17, 2018, will be considered timely.

ONLINE SERVICES: Make payments online using Web Pay for Businesses. Corporations or exempt organizations can make an immediate payment or schedule payments up to a year in advance. Go to ftb.ca.gov/pay for more information.

DETACH HERE _______________ IF NO PAYMENT IS DUE, DO NOT MAIL THIS FORM _______________ DETACH HERE

CAUTION: You may be required to pay electronically, see instructions.

TAXABLE YEAR: 2017

Payment for Automatic Extension
for Corporations and Exempt Organizations

3539 (CORP)

3671421 PERR 47-2300185 000000000000 17 FORM 3
TYB 07-01-2017 TYE 06-30-2018
PERRIS COMMUNITY ECONOMIC DEVELOPMENT CORPORATION
STEPHEN AJOBIWE
101 N D STREET
PERRIS CA 92570
951-943-4610

AMOUNT OF PAYMENT 10.
### Statement 1
**Form 199, Part II, Line 7**
**Other Income**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miscellaneous Revenues</td>
<td>$2,322</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$2,322</td>
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</tbody>
</table>

### Statement 2
**Form 199, Part II, Line 11**
**Compensation of Officers, Directors, Trustees and Key Employees**

#### Current Officers:

<table>
<thead>
<tr>
<th>Name and Address</th>
<th>Title and Average Hours Devoted</th>
<th>Total Compensation</th>
<th>Contribution to EBP &amp; DC</th>
<th>Expense Account/Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael M. Vargas</td>
<td>Chairman</td>
<td>$0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tonya Burke</td>
<td>Board Member</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rita Rogers</td>
<td>Board Member</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>David Starr Rabb</td>
<td>Board Member</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malcolm Corona</td>
<td>Board Member</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Belmudez</td>
<td>Executive Dir.</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nancy Salazar</td>
<td>Secretary</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jennifer Erwin</td>
<td>Treasurer</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>101 N. D Street, Perris, CA 92570</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Statement</td>
<td>Description</td>
<td>Amount</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>--------------------------------------</td>
<td>------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Building Improvements</td>
<td>8,175</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community Sponsorships &amp; Event</td>
<td>67,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Economic Development</td>
<td>891,929</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Legal Fees</td>
<td>174,706</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Property Taxes</td>
<td>21,487</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>1,163,297</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Statement</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Interest Receivable</td>
<td>5,266</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>5,266</strong></td>
</tr>
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<th>Statement</th>
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<tbody>
<tr>
<td>5</td>
<td>Deferred Revenue</td>
<td>28,350</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>28,350</strong></td>
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</tbody>
</table>
# California e-file Return Authorization for Exempt Organizations

**Form 8453-EO**

**TAXABLE YEAR**

2017

**Exempt Organization name**

PERRIS COMMUNITY ECONOMIC DEVELOPMENT

**Identifying number**

47-2300185

## Part I  Electronic Return Information (whole dollars only)

| Description                                                                 | Amount  |
|----------------------------------------------------------------------------|
| Total gross receipts (Form 199, line 4)                                     | 80,923. |
| Total gross income (Form 199, line 8)                                      | 80,923. |
| Total expenses and disbursements (Form 199, Line 9)                        | 1,163,297. |

## Part II  Settle Your Account Electronically for Taxable Year 2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electronic funds withdrawal</td>
<td></td>
</tr>
<tr>
<td>Amount</td>
<td></td>
</tr>
<tr>
<td>Withdrawal date (mm/dd/yyyy)</td>
<td></td>
</tr>
</tbody>
</table>

## Part III  Banking Information

Have you verified the exempt organization's banking information?

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banking Information</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routing number</td>
<td></td>
</tr>
<tr>
<td>Account number</td>
<td></td>
</tr>
<tr>
<td>Type of account: Checking</td>
<td></td>
</tr>
<tr>
<td>Savings</td>
<td></td>
</tr>
</tbody>
</table>

## Part IV  Declaration of Officer

I authorize the exempt organization's account to be settled as designated in Part II. If I check Part II, Box 4, I authorize an electronic funds withdrawal for the amount listed on line 4a.

Under penalties of perjury, I declare that I am an officer of the above exempt organization and that the information provided to my electronic return originator (ERO), transmitter, or intermediate service provider and the amounts in Part I above agree with the amounts on the corresponding lines of the exempt organization's 2017 California electronic return. To the best of my knowledge and belief, the exempt organization's return is true, correct, and complete. If the exempt organization is filing a balance due return, I understand that if the Franchise Tax Board (FTB) does not receive full and timely payment of the exempt organization's fee liability, the exempt organization will remain liable for the fee liability and all applicable interest and penalties. I authorize the exempt organization return and accompanying schedules and statements to be transmitted to the FTB by the ERO, transmitter, or intermediate service provider. If the processing of the exempt organization's return or refund is delayed, I authorize the FTB to disclose to the ERO or intermediate service provider, the reason(s) for the delay.

**Sign Here**

Signature of officer  Date

EXECUTIVE DIR.

## Part V  Declaration of Electronic Return Originator (ERO) and Paid Preparer

See instructions.

I declare that I have reviewed the above exempt organization's return and that the entries on form FTB 8453-EO are complete and correct to the best of my knowledge. (If I am only an intermediate service provider, I understand that I am not responsible for reviewing the exempt organization's return. I declare, however, that form FTB 8453-EO accurately reflects the data on the return.) I have obtained the organization officer's signature on form FTB 8453-EO before transmitting this return to the FTB; I have provided the organization officer with a copy of all forms and information that I will file with the FTB, and I have followed all other requirements described in FTB Pub. 1345, 2017 e-file Handbook for Authorized e-file Providers. I will keep form FTB 8453-EO on file for four years from the due date of the return or four years from the date the exempt organization return is filed, whichever is later, and I will make a copy available to the FTB upon request. If I am also the paid preparer, under penalties of perjury, I declare that I have examined the above exempt organization's return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I make this declaration based on all information of which I have knowledge.

**ERO's signature**

**Richard A. Teaman, CPA**

TEAMAN, RAMIREZ & SMITH, INC.

4201 BICKERTON AVE. SUITE 100

RIVERSIDE, CA

95-3636462

**Date**

**Check if I am paid preparer**

**Check if self-employed**

**EROS PTIN**

P00047224

Under penalties of perjury, I declare that I have examined the above organization's return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I make this declaration based on all information of which I have knowledge.

**Paid Preparer signature**

**Paid Preparer's PTIN**

**Date**

**Check if self-employed**

**ZIP code**

92501

For Privacy Notice, get FTB 1131 ENG/SP.
RENTAL INCOME WORKSHEET
FORM 990

GROSS RENTAL INCOME ................................................................. $ 78,601.
EXPENSES ..................................................................................
TOTAL EXPENSES ........................................................................ $ 0.

NET RENTAL INCOME OR LOSS $ 78,601.

FORM 990, PART III, LINE 4E
PROGRAM SERVICES TOTALS

<table>
<thead>
<tr>
<th>PROGRAM SERVICES</th>
<th>TOTAL</th>
<th>FORM 990</th>
<th>SOURCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL EXPENSES</td>
<td>988,591</td>
<td>988,591</td>
<td>PART IX, LINE 25, COL. B</td>
</tr>
<tr>
<td>GRANTS</td>
<td>0</td>
<td>0</td>
<td>PART IX, LINES 1-3, COL. B</td>
</tr>
<tr>
<td>REVENUE</td>
<td>0</td>
<td>0</td>
<td>PART VIII, LINE 2, COL. A</td>
</tr>
</tbody>
</table>
MEETING DATE: March 26, 2019
SUBJECT: Check Register for February 2019
REQUESTED ACTION: Approve the City’s Monthly Check Register for February 2019
CONTACT: Stephen Ajobiewe, Finance Manager

BACKGROUND/DISCUSSION:

The check register for the month of February 2019 is presented for City Council approval.

BUDGET (or FISCAL) IMPACT:

None.

Prepared by: Stephen Ajobiewe

REVIEWED BY:
Assistant City Manager
Director of Finance

Consent Item: X
<table>
<thead>
<tr>
<th>CK NUMBER</th>
<th>DATE ISSUED</th>
<th>VENDOR</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>135068</td>
<td>02/21/2019</td>
<td>BRANDON WILLIAMS</td>
<td>GAME OFFICIAL 2013/19</td>
<td>50.00</td>
</tr>
<tr>
<td>135069</td>
<td>02/27/2019</td>
<td>AMERICAN FORENSIC NURSES LLC</td>
<td>BLOOD DRAWS</td>
<td>110.00</td>
</tr>
<tr>
<td>135070</td>
<td>02/27/2019</td>
<td>AMERIPRISE SERVICES INC.</td>
<td>UNIFORM RENTALS</td>
<td>972.17</td>
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<tr>
<td>135071</td>
<td>02/27/2019</td>
<td>CAMERON WELDING SUPPLY</td>
<td>WELDING SUPPLIES</td>
<td>61.32</td>
</tr>
<tr>
<td>135072</td>
<td>02/27/2019</td>
<td>FULL THROTTLE</td>
<td>GRAFFITI ABATEMENT SERVICES</td>
<td>2,291.00</td>
</tr>
<tr>
<td>135073</td>
<td>02/27/2019</td>
<td>HOME DEPOT CREDIT SERVICES</td>
<td>MATERIALS: COMMUNITY SERVICES/JACINTO TRAIL/COUNCIL CHAMBERS FIRE STATION</td>
<td>2,810.00</td>
</tr>
<tr>
<td>135074</td>
<td>02/27/2019</td>
<td>PACIFIC CODE COMPLIANCE</td>
<td>EMERGENCY SERVICES/JACINTO TRAIL JAN 2019</td>
<td>3,306.00</td>
</tr>
<tr>
<td>135075</td>
<td>02/27/2019</td>
<td>RK ENGINEERING GROUP INC</td>
<td>TRAFFIC IMPACT STUDY</td>
<td>1,317.50</td>
</tr>
<tr>
<td>135076</td>
<td>02/27/2019</td>
<td>RMI TECH, INC</td>
<td>MONITORS FOR CODE ENFORCEMENT</td>
<td>320.00</td>
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<tr>
<td>135077</td>
<td>02/27/2019</td>
<td>TRI-LAKE CONSULTANT LLC</td>
<td>ETHANOL ROPPLACENIA MIDWEBBING/LV BRIDGE</td>
<td>38,513.70</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PERRIS VALLEY AFRICAN AMERICAN HISTORY/MARGARET BRIGGS</td>
<td>SPONSORSHIP EVENT FEB 23, 2019</td>
<td>3,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>TOTAL REGISTER</td>
<td>$ 3,158,964.82</td>
</tr>
</tbody>
</table>
MEETING DATE: March 26, 2019

SUBJECT: Development Plan Review (DPR) 17-00005 and Zone Change (ZC) 17-05148 - Proposal for a Zone Change from Community Commercial (CC) to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age-restricted senior housing apartment complex with clubhouse and recreational amenities with a density of 33 dwelling units per acre on a 4.21-acre parcel located at the northwest corner of "A" Street & Ellis Avenue. Applicant: Greg Lansing, Lansing Properties.

REQUESTED ACTION: Approve Resolution (next in order) to provide findings and adopt Mitigated Negative Declaration #2340, and approve Development Plan Review 17-00005 to facilitate a 141-unit age-restricted senior housing apartment complex.

Introduce First Reading of Ordinance No. (next in order) to provide findings and approve Zone Change 17-05148 to change 4.21 acres from Community Commercial to R-6,000-SHO (Senior Housing Overlay).

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development

BACKGROUND/DISCUSION:

On February 20, 2019, the Planning Commission unanimously voted to recommend to the City Council approval of the Ellis Senior Housing project located at the northwest corner of “A” Street and Ellis Avenue, subject to an additional Condition requiring the proposed elevators to be ADA compliant for seniors. The proposal involves construction of a 141-unit age-restricted senior housing apartment complex requiring the following applications: 1) Zone Change to change the 4.21 acre property from Community Commercial to R-6,000-SHO; 2) Development Plan Review to approve the site layout and architecture; and 3) Mitigated Negative Declaration (#2340) to assess environmental impacts. A General Plan Amendment is not required. as the zone change will result in consistency with the current R-6,000 General Plan designation, and the SHO may be applied to any residential or commercial zoned property.

The project provides for the development of a 141-unit age-restricted senior housing apartment complex consisting of 52 studios and 89 one-bedroom units, with a 1,515 sq. ft. recreation/clubhouse building located at the northwest corner of “A” Street and Ellis Avenue. The project will provide amenities such as a Clubhouse, pocket park, swimming pool, spa, amenities room, multi-purpose room, benches, gazebo, picnic area, barbeque grills, and exercise courtyards. A total of 166 parking spaces are provided (e.g., 136
covered and 30 uncovered spaces) throughout the project site. Access will be provided from "A" Street and Park Avenue onto the property.

The Airport Land Use Commission (ALUC) determined the project to be consistent with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB ALUCP) and the Perris Valley Airport Land Use Compatibility Plan (PV ALUCP) on May 10, 2018.

An Initial Study was prepared for the project in accordance with the City's guidelines implementing the California Environmental Quality Act and made available for public review for a twenty (20) day period from January 30, 2019, to February 18, 2019. No comments were received from affected agencies or members of the public during that time. Staff has concluded that all potentially significant effects on the environment can be reduced to a less than significant level through mitigation measures, the design of the development, the zoning code and standard requirements of the City, therefore a Mitigated Negative Declaration (no. 2340) has been prepared. As of the writing of this report, no comments have been received.

As such, per the Planning Commission recommendation, staff is recommending that the City Council adopt the mitigated negative declaration and approve the project, with the addition of Condition No. 20 requiring ADA compliant elevators for seniors.

---

**BUDGET (or FISCAL) IMPACT:** Costs for staff preparation of this item are borne by the applicant

Prepared by: Mary Blais, Contract Planner  
REVIEWED BY: Kenneth Phung, Planning Manager

City Attorney  
Assistant City Manager  
Finance Director

Attachments:

- Attachment 1 - City Council Resolution 19- (Next in Order) to Adopt MND and Approve DPR 17-00005 (includes Planning, Engineering, Public Works, Building and ALUC conditions)
- Attachment 2 - City Council Ordinance 19- (Next in Order) to Approve ZC 17-05148
- Attachment 3 - Planning Commission Report Packet Dated February 20, 2019

Consent:  
Public Hearing: x  
Business Item:  
Presentation:  
Other:
RESOLUTION NUMBER (Next in Order)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING NEGATIVE DECLARATION (2340), AND DEVELOPMENT PLAN REVIEW 17-00005 FOR THE PERRIS-ELLIS SENIOR APARTMENT COMPLEX PROJECT LOCATED AT THE NORTHWEST CORNER OF ELLIS AVENUE AND PARK AVENUE (APN: 313-222-002), AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, an Initial Study has been prepared for Development Plan Review 17-00005 (the Perris-Ellis Senior Apartments), and based upon the environmental information staff finds that the project could not have significant effects on the environment because required mitigation measures for the project have been agreed to by the project proponent, therefore a Mitigated Negative Declaration (2340) has been prepared; and

WHEREAS, the property for the proposed Development Plan Review 17-00005 is more particularly described as Assessor Parcel Number 313-222-002; and

WHEREAS, Development Plan 17-00005 would allow for the construction of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities at a density of 33 dwelling units per acre.

WHEREAS, the Perris-Ellis Senior Apartments application was filed by the applicant to construct a 141-unit senior apartment complex under the Senior Overlay provisions of Section 19.86 of the Zoning Code on July 25, 2017; and

WHEREAS, the Perris-Ellis Senior Apartments provides desirable senior housing in a quality environment and residents will have both Major and Minor recreational amenities, an RTA Bus Stop and a private shuttle service to the local community including the Multi-Modal Transit Center in downtown Perris; and

WHEREAS, the proposed project is located in the March Air Reserve Base (MARB) Compatibility Zone E, and Perris Valley Airport (PVA) Compatibility Zone E, was reviewed and heard by the ALUC Board on May 10, 2018 and the FAA OES on May 31, 2018 and Zone Change 17-05148 was deemed consistent with the MARB and PVA Land use Compatibility Plans and DPR 17-0005 was found conditionally consistent with MARB and PVA Land use Compatibility Plans, subject to standard conditions which will be incorporated as part of the project approval; and

WHEREAS, the project complies with all provisions of PMC Section 19.86, Senior Housing Overlay, and PMC Section 19.70, Landscaping; and

Attachment 1
WHEREAS, the Initial Study/MND were publically reviewed for a twenty-day period on accordance with CEQA, from January 30, 2019 to February 18, 2019 and the Development Plan Review 17-00005 has been duly noticed; and

WHEREAS, on February 20, 2019, the Planning Commission conducted a legally noticed public hearing on the Development Plan Review 17-00005, and Initial Study/MND and considered public testimony and materials in the staff reports and accompanying document and exhibit, and, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred; and

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

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

Section 2. The City Council has reviewed and considered the environmental documentation for the project prior to taking action on the applications. Based on the analysis contained in the Initial Study and the accompanying environmental information, the City Council finds that:

1. There is no substantial evidence of potentially significant environmental impacts and a Negative Declaration (2340) has been prepared.

2. The City has complied with the California Environmental Quality Act (CEQA).

3. Determinations of the Planning Commission reflect the independent judgment of the City.

Section 3. Based on the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council finds in regards to the Development Plan Review (17-00005), as follows:

1. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City’s General Plan, the purposes and provisions of this Title, the purposes of the zone in which the site is located, and the development policies and standards of the City.

The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land use designation. The General Plan land use designation contemplates residential uses on the site and encourages the application of the SHO zoning overlay on any residential or
commercially zoned site in order to facilitate the development of senior housing; therefore the proposed project is consistent with the City's General Plan.

This proposed zoning classification (R-6,000-SHO) permits multi-family senior housing uses at an increased density of 50 dwelling units per gross acre. Since the proposed project proposes a density of 33 dwelling units per acre, it is in compliance with the zoning regulations and the General Plan. The site is designed in conformance with the R-6,000-SHO policies, development and design standards and criteria.

The proposed project conforms to the goals of the General Plan and Zoning Code by complying with the developments standards of the R-6,000-SHO zoning providing superior site design and building architecture. The project is consistent with General Plan Policy I.A of the General Plan Land Use Element to promote variety in dwelling types, densities and locations to satisfy changing demands of the community as it evolves and matures. Finally, as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land use designation, and the R-6,000-SHO zoning classification and overlay.

2. The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.

The subject site is a rectangular shaped property of approximately 4.21-acres located at the Northwest Corner of “A” Street & Ellis Avenue. The site is bounded by the southerly extension of Park Avenue on the west and “A” Street on the east, single-family residential homes to the north and vacant land on the south. The site is undeveloped and unimproved and is relatively flat, with elevated rock outcropping in the western half of the site. Site access to the project would be one full access ingress/egress at “A” Street and one full access ingress/egress at the southerly extension of Park Avenue, which is consistent with City policies and regulations. The site is physically suitable to accommodate the proposed development and required improvements and meets applicable development standards in terms of size, shape and access. Nearby utility service connections are available to service the site and will be designed, installed and maintained consistent with City and service agency requirements. As such, the site is physically suitable for the proposed project, in terms of size, shape, access and services.

3. The proposed development and the conditions under which it would be operated or maintained is compatible with the zoning code and will therefore not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As conditioned, the proposed Senior Housing project will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City. The project is designed in conformance with the City's Zoning Ordinance so that it integrates into the existing neighborhood fabric and offers alternative modes of transportation for residents through the installation of a new RTA bus stop,
establishment of a private shuttle bus service and pedestrian connections to the adjacent public sidewalk systems, thus helping to alleviate impacts to roadways.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

As conditioned, the proposed architecture meets or exceeds the intent of the more onerous SHO architectural design standards, which require consistent use of colors, human scale and proportion, the use of durable and low maintenance materials, and accommodation for private and community open space and the installation of support structures (e.g., laundry, recreation, clubhouse/leasing, etc.). It provides a modern architecture style, with an articulated façade and the application of a palette of architectural features, such as varying neutral colors and stone finishes that change the surface planes, effectively breaking up monotonous spans of the building. Additionally, the proposed architecture will be compatible with and protect the character of the existing neighborhood fabric, through the application of enhanced development standards, landscaping, setbacks, site design and improvements, which aesthetically enhance the site, while providing privacy and screening for future and existing adjacent residents.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public’s enjoyment.

As conditioned, the proposed project meets or exceeds the on-site and off-site landscape standards for multi-family development outlined in Section 19.70.060(D), as well as those specified in the SHO (Section 19.86.080(G)(21)). It provides a mix of specimen native and drought tolerant trees, shrubs, ground cover and annual color throughout the site to ensure visual relief and effectively frame, soften and embellish access points, building entries, parking areas, trash enclosures and recreational areas. As required, all areas not covered by structures, drive aisles, parking or hardscape have been landscaped, which will provide an attractive environment for the public’s enjoyment

6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

The proposed project provides the safeguards necessary to protect the public health, safety and general welfare through the conditions or approval and mitigation measures, which will ensure that the project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment and sensitive land uses

Section 4. Based on the foregoing, the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby adopts Negative Declaration (2340) and approves Development Plan Review 17-00005 based on the information and findings presented in the staff report.
Section 5. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

Section 6. The Mayor shall sign this resolution and the City Clerk shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED and APPROVED this 26th day of March, 2019.

Michael M. Vargas

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 (next in order) was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 26th day of March, 2019, by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________________________________________
City Clerk, Nancy Salazar

Attachment: Final Conditions of Approval
CITY OF PERRIS
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

FINAL CONDITIONS OF APPROVAL
CITY COUNCIL

DEVELOPMENT PLAN REVIEW 17-00005
ZONE CHANGE 17-05148 March 26, 2019

PROJECT: Zone Change 17-05148 and Development Plan Review 17-00005 - Proposal for a Zone Change from Community Commercial (CC) to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities with a density of 33 dwelling units per acre on a 4.21-acre parcel located at the northwest corner of “A” Street & Ellis Avenue. Applicant: Greg Lansing, Lansing Properties.

(As Revised by Planning Commission 2.20.2019)

General Requirements:

1. Mitigation Monitoring and Reporting Program. The project shall fully comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP). The Mitigation Monitoring and Reporting Program (MMRP) Checklist is attached to reduce potential impacts. The MMRP shall be implemented in accordance with the timeline, reporting and monitoring intervals listed.

2. Approvals. The following approvals are required for the proposed 141-unit, age restricted senior housing project at the NWC of Ellis Avenue and Park Avenue:

   a) Approval of Zone Change 17-05148 to change the zoning of the project site from CC to R-6,000-SHO (Senior Housing Overlay); and
   b) Approval of Development Plan Review 17-00005 for 141 senior apartments, and other improvements as described above on 4.21 acres.

3. Development Standards. The project shall conform to all requirements of Perris Municipal Code Title 19, including all provisions of Chapter 19.86, the Senior Housing Overlay.

4. Conformance to Approved Plans. Development of the premises, building elevations, colors and materials shall conform substantially to the approved set of plans dated December 17, 2018 or as amended by these conditions. Any deviation shall require the appropriate Planning Division review and approval.

5. Residential Use and Development Restrictions. The physical development of all structures shall be reviewed and approved by the City. Any use, activity, and/or development occurring on the site without appropriate City approvals shall constitute a

Attachment 1
code violation and shall be treated as such. Placement of any temporary leasing trailer shall require separate review and approval by the City.

6. **Expansion of Use.** Any future expansion of use will require Planning review and approval.

7. **Term of Approval.** This approval shall be used within three (3) years of approval date; otherwise it shall become null and void. By use is meant the beginning of substantial construction contemplated by this approval within the three (3) year period, which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval. A maximum of three (3) one-year time extensions shall be permitted.

8. **Phasing.** Any proposed phasing plan shall be reviewed and approved by the Planning Division and the City Engineer. Each phase of the project shall provide adequate drainage and at least two points of access to each building.

9. **Building Official/Fire Marshal.** The proposed project shall adhere to all requirements of the Building Official/Fire Marshal and including the Building Dept. conditions of approval issued September 11, 2017 and the Fire Department Development Review Conditions issued by Grubb & Associates on November 15, 2018. Fire hydrants shall be located on the project site pursuant to the Building Official. The applicant shall submit a fire access and fire underground plan prior to construction drawings. Water, gas, sewer, electrical transformers, power vaults and fire/water supply lines must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval issued by the Fire and Mitigation Measures shall be reproduced on the building plans, and cross-referenced for ease of confirmation of City plan inspection staff.

10. **Traffic Impact Analysis & City Engineer Conditions.** The project shall comply with all requirements of the City Engineer as indicated in the Engineering Conditions of Approval dated January 25, 2019.

11. **Public Works Conditions.** The project shall comply with all requirements of the Public Works Department Conditions of Approval dated January 28, 2019.

12. **ALUC Conditions.** The project shall comply with the conditions of approval issued by ALUC dated June 11, 2018.

13. **SCE.** The applicant shall contact the Southern California Edison (SCE) area service planner (951 928-8323) to discuss energy conservation opportunities for the project and to complete the required forms prior to commencement of construction.

    Unit Identification. Each building in the development shall include a lighted address fixture on all four sides. There must also be directional signs showing unit number...
RESOLUTION NUMBER ____

intervals. Fixtures shall allow for replacement of light bulbs, and shall be reviewed and approved by the Planning Division.

14. **Exterior Downspouts.** Exterior downspouts are not permitted on the front or side elevations of any building. Interior downspouts shall be incorporated.

15. **Utilities.** All utility facilities attached to buildings, including meters and utility boxes, shall be enclosed within cabinets, as appropriate, and/or painted to match the building to which they are affixed.

16. **Screening of Roof-Mounted Equipment.** Parapet walls shall prevent public views of roof-mounted equipment on all elevations of the building.

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

18. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.

19. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning Approval of Zone Change 17-05148 to change the zoning of the project site from CC to R-6,000-SHO (Senior Housing Overlay) and Development Plan Review 17-0005 for 141 senior apartments, and other facilities as described above on 4.21 acres. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

20. **ADA Compliant Elevator.** The elevator(s) for the project shall be ADA compliant to meet the needs of the senior residents.

**Construction Practices:**

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

- Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct,
demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the City. If these requirements are in conflict with the UWIG Mitigation Measures, the more restrictive shall apply.

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

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

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

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

- Project applicants shall provide construction site electrical hook-ups for electric hand tools such as saws, drills, and compressors; to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

22. **Ordinance 1253 Regarding Severe Fire Hazard Area.** All construction shall comply with the provisions of Ordinance 1253 and adhere to **California Building Code** Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure.

23. **Blasting.** Blasting for rock removal shall occur as outlined in the MMR program adopted as part of the Mitigated Negative Declaration as incorporated herein, and as may be modified by these conditions.

24. **Construction Plans.** All Planning Division and Engineering Department Conditions of Approval, Mitigation Monitoring Plan, Security Plan and Landscape Plan Requirements shall be reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Applicant shall annotate each Condition on the construction plans to indicate the manner by which each condition has been met (i.e., sheet and detail numbers).

**Project-Specific Requirements:**
25. **Parking.** The project shall provide a minimum of 166 standard sized stalls, 136 of which are covered with an architecturally integrated carport structure, 30 uncovered guest and employee parking and 8 disabled access stalls. One Shuttle bus and maintenance vehicles shall be parked overnight on-site.

26. **Mandatory Requirements for Residents.** Residents shall comply with the following:

   a. **Pets.** All pet cats shall be kept indoors at all times, and pet dogs shall be leashed at all times when outdoors, unless within the confines of the Bark Park.

   a. **Car Washing Prohibited Onsite.** Residents shall not be permitted to wash vehicles on the premises.

   Golf Carts. Use of golf carts or similar vehicles on the premises is limited to managers and maintenance personnel only.

27. **Ellis Apartment Amenities.** A final, detailed amenities plan shall be submitted to Planning for review and approval, which shows the location and extent of all major and minor amenities and includes the following along the pedestrian path, park and courtyard areas:

   a. dog clean-up stations

   b. trash receptacles

   c. covered seating areas

28. **Caution Signs.** Caution signs shall be placed where danger of slippage is present.

29. **Dog feces Maintenance.** Dog feces shall be picked up daily.

30. **City Ordinances.** The applicant shall maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license. In addition, the project shall comply with Perris Municipal Code (PMC) 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance. Moreover, all provisions of PMC Chapter 19.86, the Senior Housing Overlay, shall be maintained.

31. **Preliminary Water Quality Management Plan (PWQMP).** On July 10, 2018, the Perris-Ellis Senior Apartment Complex PWQMP was determined to be in substantial compliance, in concept, with the requirements of the Riverside County WQMP Manual. The project shall comply with the following requirements:

   The development shall be subject to all provisions of the City of Perris Ordinance No. 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions or ordinances pertaining thereto.

   The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP that includes plans and details for the elevations, slopes, and details for the proposed structural BMPs including the infiltration basin and porous pavement. The Public Works Department shall
review and approve the final WQMP text, plans and details.

Prior to Building Permit Issuance:

32. **Management Plan.** A Management Plan shall be submitted to the Planning Division detailing the names and contact information for the person or persons at Perris-Ellis Senior Apartment Complex responsible for emergencies, maintenance, operations, etc.

33. **Security Plan.** A Security Plan shall be developed per Section 19.86.080, Development Criteria, Security Considerations, shall be submitted to the Planning Division for review and approval. The applicant is encouraged to work with the Perris Police and Sheriff Department to develop the required Security Plan.

34. **Site Lighting Plan.** The applicant shall submit a final lighting plan that includes a photometric plan to the Planning Division for review and approval. Full cutoff, low sodium fixtures shall be used to prevent light and glare above the horizontal plan of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas. The lighting plan shall adhere to the UWIG requirements of the Mitigation Monitoring Program.

35. **Landscaping Plans.** Prior to issuance of building permits, the developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to the Planning Division, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus species, and container size of the plants. Landscaping shall be maintained in accordance with Section 19.70 of the Municipal Code. Use of water efficient fixtures and drought tolerant plants is required. Additional landscape requirements include the following:

a. Landscaping plans shall substantially conform to the approved conceptual landscape plans, except as described herein. Landscape plans shall be submitted to the City of Perris Water District for approval after the City’s approval, and comply with required Perris Water District inspections. Contact (951) 928-3777.

b. Invasive plants shall not be used in the project landscape.

c. Landscaping and irrigation of the parkway along the frontage of the site on Ellis Avenue, Park Avenue and “A” Street will include installation of street trees no more than 25 feet on center with shrubs and groundcover. All street trees shall be minimum 36" box size.

d. All open parking areas shall have landscape borders perpendicular to parking stalls at least seven (6) feet wide. Vehicular overhang will not be permitted across walkways. Where necessary the standard depth (19 feet) of parking stalls may be reduced by two (2) feet for overhang in landscaped areas. Landscape fingers are not required in open parking areas.

e. The applicant shall enter into a landscape maintenance agreement with the City of Perris for the public right of way. The developer shall maintain the landscaped parkways for a period of one (1) year. The one-year period shall commence when
the landscape improvements pass inspection by the Planning Division and the
Public Works Department.

f. Trees lining the main entry roadway into complex and at the front of the
community center shall be 36” box size or as shown on the concept landscaping
plan.

g. A minimum of one tree per 6 parking stalls, or the number of trees necessary to
ensure 50% shade cover in parking areas within five (5) years, based on the
species, shall be provided. In addition, 75% of carport and open parking trees
shall be 24” box size trees. The balance of parking lot trees and other landscaping
trees may be 15-gallon size or larger.

h. Each building shall provide covered trash enclosures constructed to the City
standard under permit. The trash enclosure shall be easily accessible to all tenants,
and be screened by landscaping from the public view. The trash enclosure shall be
treated with an overhead trellis treatment, and elevations shall be included on
final landscape and fencing plans for review and approval by the Planning
Division.

i. Accent landscaping featuring tiered California native, drought-resistant
landscaping planting and 36” box or larger trees shall be provided at project
entrances.

j. Water Quality BMPs (vegetated swales, detention basins, etc.) shall be indicated
on the landscape plans with appropriate planting and irrigation.

k. A non-potable water source shall be used for landscape irrigation, including
public areas. If not yet available at the location, appropriate irrigation equipment
(“purple pipe”) shall be installed for future conversion and connection to the
reclaimed water source.

Plans for Walls, Fences and Gates. Building plans shall include the site location,
elevations, and construction details for these items. These plans shall be included
and reviewed with the landscape plan check application submittal and approved
by the Planning Division. The wall and fencing plan shall be consistent with the
conceptual landscaping and site plan, and consist of the following:

a. A six-foot tall decorative slump stone block wall along the northern property line.

b. A six-foot tall wrought iron fence with decorative columns that compliment the
building architecture around the in-ground pool and spa for security, as well as the
private park area and along the “A” street frontage.

36. **Decorative Trellises.** Decorative lattice trellises are provided in various locations
throughout the site as a focal feature for walkways and amenities and to provide added
screening for parking areas along Ellis as shown on the attached site plan. No fencing
walls or decorative lattice trellises are proposed along Park Avenue to help create a more
open environment. Screening for the parking area along Park Avenue is accomplished
through multiple layers of landscaping, including specimen sized trees.

Plans for Trash Enclosure, Gazebo & Other Structures. Building plans shall include
the site location, architectural elevations, and construction details for these items. These plans shall be included and reviewed with the landscape plan check application submittal and approved by the Planning Division.

37. **Decorative Paving.** Decorative pavement is required in the following areas:

a. Driveway entrances  
b. Pedestrian walkway system  
c. Other appropriate areas at the discretion of the developer.

**Fees and Assessments:**

38. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:

a. Landscape Maintenance District No. 1;  
b. Flood Control Maintenance District No. 1;  
c. Maintenance District No. 84-1;  
d. South Perris Community Facilities Assessment District;

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

a. Prior to the issuance of building permits, the applicant shall pay Stephen’s Kangaroo Rat Mitigation Fees of $500.00 per acre;  
b. Prior to the issuance of building permits, the applicant shall pay City Development Impact Fees in effect at the time of development, excluding Park Impact Fees, which are waived for senior housing pursuant to Municipal Code 19.86.070(2);  
c. Prior to the issuance of building permits, the applicant shall pay Multiple Species Habitat Conservation Plan fees;  
d. Prior to issuance of building permits, the applicant will pay statutory school fees in effect at issuance of building permits to all appropriate school districts; and  
e. Prior to issuance of Certificate of Occupancy, the developer shall pay Transportation Uniform Mitigation Fees (TUMF); and  
f. Any outstanding processing fees or property liens owed to the City of Perris.

40. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant
shall further inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.

Prior to the issuance of grading permits, the developer shall obtain the following clearances or approvals:

a. **Final Water Quality Management Plan.** The applicant shall submit a final WQMP including, but not limited to, plans and details providing the elevations, slopes, and other details for the proposed structural source control BMPs, vegetative swales, underground storm chamber and canopy cover for trash enclosure areas. The Public Works Department shall review and approve the final WQMP plans, and details.

b. Verification from the Planning Division that all pertinent Conditions of Approval have been met;

c. Public improvement plans will be submitted to the City Engineer that include, but not be limited to, street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18; and

d. Grading plans will be submitted to the City Engineer demonstrating compliance with National Pollution Discharge Elimination System requirements and the approved WQMP detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff.

**Prior to Issuance of Occupancy Permits:**

41. **Age and Affordability Restrictions.** The following items shall be recorded against the property:
   a. At least one member of the household shall be 55 years of age or older at time of lease.
   b. Per Zoning Code Section 19.86.050.B, for projects not in a Redevelopment Area, at least 3% of the dwelling units shall be available at affordable housing cost to persons of low and moderate income, and at least 40% of these units shall be available at affordable housing cost to persons of very low income. Therefore, 4 of the 141 units shall be set aside for affordable housing (low and moderate income), and two units shall be available to persons of very low income.

42. **Planning Inspection.** The applicant shall have complied with all pertinent Conditions of Approval and have all required parking, lighting, fencing, landscaping and automatic irrigation installed and in good condition. The irrigation system and landscaping shall conform to the approved landscaping and irrigation plans.
ORDINANCE NUMBER (Next in Order)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING ZONE CHANGE NO. 17-05148 TO CHANGE THE ZONING DESIGNATION FROM “CC” COMMERCIAL COMMUNITY TO “R-6000-SHO” ON 4.2 ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF A STREET AND ELLIS AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City Council adopted a Zoning Ordinance establishing zoning designations and development standards for the City of Perris; and,

WHEREAS, said proposal is consistent with the General Plan Amendment; and,

WHEREAS, on February 20, 2019, the Planning Commission conducted duly noticed public hearings on the proposed Rezoning, considered testimony and materials in the staff report and accompanying documents, and recommended approval of the proposed project; and,

WHEREAS, on March 26, 2019, the City Council conducted a duly noticed public hearing on the proposed projects, considered testimony and materials in the staff reports, accompanying documents and exhibits; and,

WHEREAS, all legal prerequisites for the adoption of this resolution have occurred.

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

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

Section 2. Based on the information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby finds that:

Zone Change 17-05148

1. The proposed zoning is consistent with the General Plan Land Use Map and Airport Overlay Zoning Map and applicable General Plan objectives, policies, and programs.

The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land use designation. The General Plan land use designation contemplates residential uses on the site
and encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing; therefore the proposed project is consistent with the City's General Plan. It conforms to the goals of the General Plan by complying with the zoning code development standards, which implements the General Plan goals, objectives and policies. Additionally, the project provides for superior site design and building architecture and will extend roadway and utility infrastructure to improve service in the area. The project was also determined to be consistent with the Airport Overlay Map by the Riverside County Airport Land Use Commission.

The project is consistent with General Plan Policy I.A of the General Plan Land Use Element to promote variety in dwelling types, densities and locations to satisfy changing demands as the community evolves and matures. The project is also consistent with Goal 1 of the Housing Element to promote and maintain a variety of housing types for all economic segments of the City and Goal 2 to promote and preserve suitable and affordable housing for persons with special needs, including lower income households, large families, single parent households, large families, the disabled and senior citizens. Finally, as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land use designation.

2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.

The proposed zoning is compatible with the underlying General Plan designation and provides adequate buffering to adjoining uses, as the buildings are placed further away from the existing single-family to the north with a buffer consisting of enhanced landscaping, a carport parking row and a drive aisle. Further, the Zoning Code encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing, which is a needed housing option in the City. As designed and conditioned the site provides adequate building setbacks in combination with enhanced landscaping to provide a buffer and privacy screen between the proposed development and existing residential uses to the north.

3. The proposed zoning is a logical extension of the existing zoning pattern.

The proposed R-6,000 SHO zoning logically extends the existing residential pattern to the north by applying a Senior Housing overlay to the property, which is encouraged by the Zoning Code and contemplated by the City's General Plan, in order to provide an affordable, age restricted housing option for senior citizens. The project is designed in conformance with the City's Zoning Code to ensure that it integrates into the existing residential neighborhood fabric.

Senior Housing Overlay

1. The proposed project is in compliance with the requirements set forth in section 19.86.030, which identify the eligibility of the project.
The proposed senior housing project is in compliance with the SHO eligibility requirements set forth in Section 19.86.030, in that it meets the acreage, underlying zoning, surrounding land use compatibility and health and safety requirements specified.

2. The proposed project is a use permitted in Section 19.86.040, meets the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively.

The proposed project is in compliance with Section 19.86.040 as it proposes the development of a multifamily senior housing apartment complex, which is a permitted use. The proposed project also meets the affordability requirements established in Sections 19.86.050, as 3% of the units are available at an affordable housing cost to persons and families of low and moderate income and 40% of the 3% of the dwelling units are intended to be affordable to very low-income households. The project also meets the age restriction requirements set forth in Section 19.86.060, as the project is conditioned to ensure that at least one household member is 55 or older in age.

3. The proposed project is designed such that it has created a senior community that is compatible with its surroundings and has achieved a design that is superior to that which would otherwise be allowed under the underlying conventional zoning.

The proposed project is designed to create a senior community that is compatible and integrated into the existing neighborhood fabric through the application of high quality architecture, landscaping, amenities and site design principles, which exceed the minimum development and design criteria specified by the City’s SHO regulations, and together create a project that is superior to that which would otherwise be allowed under the conventional underlying zoning district.

4. The project incorporates the required amenities and design guidelines set forth in 19.86.080.

The proposed project incorporates the required amenities and design characteristics outlined in Section 19.86.080 of the City’s Municipal Code, in that the proposed amenities exceed the minimum required and the existing the project design meets or exceeds all of the design criteria specified in Section 19.86.080.

5. The existing or proposed circulation system is adequate to accommodate projected traffic volume.

As conditioned, the proposed project is adequate to accommodate the projected traffic volume as evidenced by the project Traffic Impact Study, which was approved by the City.

5. The existing or proposed infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the city.

As conditioned the existing and proposed infrastructure improvements are adequate to meet city requirements without compromising capacity in other areas of the city as evidenced by the Initial Study and Mitigated Negative Declaration (2340).
7. The overall project is keeping with the purpose and intent of the SHO Zone and creates a project that serves the unique needs of seniors while creating a high-quality development, which benefits the overall community.

The overall project meets the purpose and intent of the SHO zone by creating a project that serves the unique needs of seniors, while creating a high-quality development through the incorporation of high quality materials and application of design principles, which meet or exceed development and design criteria outlined in the City’s SHO regulations and that serve to create a project that easily integrates into the existing neighborhood and provides connectivity to city services, public facilities and amenities.

Section 3. Based on the foregoing information contained in the agenda submittal and supporting exhibits and all oral and written presentations and testimony made by City Staff and members of the public, the City Council hereby amends the Zoning Map.

Section 4. The City Council declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

Section 5. The Mayor shall sign this Ordinance and the City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

ADOPTED, SIGNED and APPROVED this 26th day of March, 2019

Michael M. Vargas

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 Ordinance Number (next in order) was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 26th day of March 2019 by the following called vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

City Clerk, Nancy Salazar
CITY OF PERRIS
PLANNING COMMISSION
AGENDA SUBMITTAL

MEETING DATE: February 20, 2019

SUBJECT: Development Plan Review (DPR) 17-00005 and Zone Change (ZC) 17-05148 - Proposal for a Zone Change from Community Commercial (CC) to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities with a density of 33 dwelling units per acre on a 4.21-acre parcel located at the northwest corner of “A” Street & Ellis Avenue. Applicant: Greg Lansing, Lansing Properties.

REQUESTED ACTION: Approve Resolution No. 19-01 recommending the City Council Adopt Mitigated Negative Declaration #2340 and Approve Zone Change 17-05148 and Development Plan Review 17-00005 to facilitate the development of a 141-unit age restricted senior housing apartment complex, based on the findings and subject to the Conditions of Approval.

CONTACT: Dr. Grace Williams, Director of Planning and Economic Development

BACKGROUND/DISCUSSION:

The applicant is proposing a zone change from CC (Community Commercial) to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age-restricted senior housing apartment community, with a 1,515 sq. ft. recreation/clubhouse building located at the northwest corner of “A” Street and Ellis Avenue. A General Plan Amendment is not required, as the zone change will result in consistency with the current R-6,000 General Plan designation, and the SHO may be applied to any residential or commercial zoned property.

The project will provide amenities such as: a Clubhouse, pocket park, swimming pool, spa, amenities room, multi-purpose room, benches, gazebo, picnic area, barbeque grills and exercise courtyards. A total of 166 parking spaces are provided (e.g., 136 covered and 30 uncovered spaces) throughout the project site. Access will be provided from “A” Street and Park Avenue onto the property.

On May 10, 2018, the Airport Land Use Commission (ALUC) determined the project to be consistent with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (MARB ALUCP) and the Perris Valley Airport Land use Compatibility Plan (PV ALUCP).

An Initial Study was prepared for the project in accordance with the City's guidelines implementing the California Environmental Quality Act. Staff has concluded that all potential significant effects on the environment can be reduced to a less than significant level through mitigation measures, the design of the development, the zoning code and standard requirements of the City, therefore a Mitigated Negative Declaration (no. 2340) has been prepared. Detailed project information is provided in the attached staff report, initial study, and conditions of approval.
BUDGET (or FISCAL) IMPACT: Costs for staff preparation of this item are borne by the applicant

Prepared by: Mary Blais, Contract Planner

REVIEWED BY: Kenneth Phung, Planning Manager

Attachments: Staff Report
Exhibit A – Conditions of Approval (Engineering, Planning, Public Works, Fire, Building & ALUC)
Exhibit B – Aerial View
Exhibit C – Existing Zoning Map
Exhibit D – Site Plan, Landscaping Plan, Architecture
Exhibit E – PC Resolution 19-01

MND 2340, Initial Study and Associated Studies are on file at the Planning Department and available online at:
http://www.cityofperris.org/city-hall/departments/development/planning.html
CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

PROJECT REPORT

CASE(s): Zone Change 17-05148
Development Plan Review 17-00005

Environmental Determination: An Initial Study has been prepared for the proposed project, which determined that, subject to mitigation measures, there is no substantial evidence of adverse environmental effects; therefore, a Mitigation Negative Declaration (MND) No. 2340 has been prepared.

Date: February 20, 2019

Project Planner: Mary Blais, Contract Planner

Applicant: Mr. Greg Lansing
Lansing Companies
12671 High Bluff Drive, Suite 150
San Diego, CA 92130

Owner: Everest at Perris, LLC
12671 High Bluff Drive, Suite 150
San Diego, CA 92130

Location: Northwest Corner of “A” Street & Ellis Avenue

PROJECT DESCRIPTION: Proposal for a Zone Change from CC to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities with a density of 33 dwelling units per acre. The project includes one, single-story clubhouse office building and three, three-story apartment buildings that are 44 feet in height at the ridgeline. The three apartment buildings provide a mix of 52 studio apartments (approximately 36%) that are a minimum of 482 square feet in size and 89, one-bedroom apartments (approximately 64%) that are a minimum of 527 square feet in size, 166 on-site parking stalls and other required on and off-site improvements on a 4.21-acre parcel (APN: 313-222-002)

Acreage: 4.21-acre

Related Cases: N/A
EXISTING ZONING AND LAND USE:

Current Zoning: CC (Community Commercial)
Surrounding Zoning: R-6,000 to the north, MFR-14 to the south, R-10,000 to the west and DTSP to the east.
Existing Land Use: Vacant, undeveloped land
Surrounding Land Uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North/Northwest</td>
<td>Single Family Homes and 13th street</td>
</tr>
<tr>
<td>South</td>
<td>Westward extension of Ellis Avenue and vacant land</td>
</tr>
<tr>
<td>East</td>
<td>“A” Street and Rotary Park</td>
</tr>
<tr>
<td>West</td>
<td>Single family homes and vacant land</td>
</tr>
</tbody>
</table>

ANALYSIS & REVIEW:

PROJECT BACKGROUND/DESCRIPTION:

The applicant is proposing a zone change from CC (Community Commercial) to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age-restricted senior housing apartment community, with a 1,515 sq. ft. recreation/clubhouse building located at the northwest corner of “A” Street and Ellis Avenue. A General Plan Amendment is not required, as the zone change will result in consistency with the current R-6,000 General Plan designation, and the SHO may be applied to any residential or commercial zoned property. A total of 166 parking spaces are provided (e.g., 136 covered and 30 uncovered spaces) throughout the project site. The 141-unit development consists of: 52 Studio apartments (approximately 36%) and 89, one-bedroom apartments (approximately 64%). There are three separate, three-story apartment buildings with varied floor plans for each unit type. Studio apartments range in size from 482 sq. ft. to 483 sq. ft. and one-bedroom apartments range from 527 square feet to 555 square feet.

The senior housing community proposes various site amenities, including a Clubhouse, pocket park, swimming pool, spa, amenities room, multi-purpose room, outdoor pedestrian exercise route, benches, a gazebo, picnic areas, barbeque grills and exercise courtyards.

The project is bounded by the southerly extension of Park Avenue on the west and “A” Street on the east, single-family residential homes to the north and vacant land on the south. The project site is currently undeveloped and unimproved and is relatively flat, with elevated rock outcropping in the western half of the site.

The project is required to dedicate right of way and install road improvements along all frontages including new paving, curb, gutter and sidewalk. A raised median will also be constructed on Ellis Avenue and an RTA bus stop will be provided on “A” Street.
PLANNING AREA:

The project is located in Planning Area 7 of the City’s General Plan (2030) and designated as R-6,000 by the City’s General Plan Land Use Map. Planning Area 7 is identified as “Westside Residential” and is located on the western boundary of the City between Nuevo Road to the north and Mapes Road to the South. It is west of Downtown Specific Plan. A small area of commercial development is located at the intersection of Navajo Road and 4th Street/Hwy 74. The 715-acre Mott Rimrock Reserve is located in the northwest section of the Planning Area. The proposed senior housing project will extend and improve existing infrastructure, including installation of street, bus stop and drainage improvements to serve the area.

PROJECT ANALYSIS:

GENERAL PLAN AND ZONING CONSISTENCY

Currently, the project has a General Plan designation of R-6,000, per the City of Perris General Plan (2030) Land Use Element. The current zoning district designation is CC per the Zoning Map. The applicant is proposing a zone change to re-designate the site zoning from CC to R-6,000-SHO, so that it is consistent with the existing R-6,000 General Plan (2030) Land Use designation, and allow for application of the Senior Housing Overlay as set forth in Municipal Code §19.86.

The Senior Housing Overlay (SHO) provision of the Zoning Code is designed to be overlain onto any residential or commercial zone in Perris to encourage the development of good quality and affordable senior housing that is compatible with the surrounding area. The SHO also provides for incentives in the form of a density bonus, park fee waiver and reduced parking requirements in exchange for superior architecture and recreational amenities.

The project proposes 33 units per acre. The proposed underlying zone district, R-6,000 allows for a density between 4-7 dwelling units per acre; however the SHO overlay provides for increased densities of up to 50 dwelling units per gross acre when the overlay criteria and standards are met. However the applicant’s project is seeking a density of only 33 units per net acre, which is well below the allowable density. Therefore, the proposed project is consistent with the R-6,000/SKO zoning classification.

The proposed project meets or exceeds the Senior Housing Overlay (SHO) development criteria and standards and as such it is consistent with the R-6,000-SHO zoning classification and the existing R-6,000 General Plan (2030) land use designation.

MARB AIRPORT LAND USE COMPATIBILITY PLAN

The project site is located within airport compatibility zones of two different airports, including: Zone E of the Perris Valley Airport (PVA) and Zone E of the March Air Reserve Base Inland Port Airport (MARBP). Residential densities are not restricted in Zone E of either March Air Reserve Base Inland Port Airport or the Perris Valley Airport Influence Areas. The proposed project does not include any uses specifically prohibited in Compatibility Zone E of either March Air Reserve Base Inland Port Airport or the Perris Valley Airport.
On May 10, 2018, the Riverside County Airport Land Use Commission (ALUC) found the proposed zone change (ZC 17-05148) to be "Consistent" with the 2010/2011 Perris Valley Airport Land Use Compatibility Plan (ALUP) and the 2014 March Air Reserve Base Inland Port Airport Land Use Compatibility Plan and the proposed Development Plan Review (DPR 17-00005) to be "Conditionally Consistent," subject to conditions. On May 31, 2018, the proposed project was also considered by the FAA OES (Aeronautical Study Number 2018-AWP-7829-OE) and determined that it would not be a hazard to air navigation and markings and lighting were not required for aviation safety.

DEVELOPMENT STANDARDS

Development Criteria

The applicant is proposing to rezone the site from CC to R-6,000-SHO in order to develop an age-restricted, affordable senior housing complex at a higher density than would otherwise be allowed under the R-6,000 residential zoning district. The SHO overlay designation is intended to promote the development of residential uses that are appropriate to seniors by adding requirements to enhance the quality of living for senior citizens.

To qualify for the SHO, the project had to meet the eligibility requirements established by Section 19.86.030, which included having a lot area of at least two acres, an underlying residential or commercial zoning district and providing an environment for seniors that is compatible with current and projected surrounding land uses.

The project also had to meet the age restriction (i.e., 55+) and affordability requirements, including setting aside as least 3% of the units (e.g., 5 units) at an affordable housing cost to persons of low and moderate income and, setting aside 40% of the 3% (e.g., 2 units) for very low income persons. The applicant has agreed to the affordability requirements and the project has been conditioned to ensure the appropriate numbers of units are set aside for costs in each of these affordability brackets.

Setbacks and Lot Coverage

The project site is subject to the SHO and R-6,000 development standards. Where the SHO provisions differ from the R-6,000 development standards, the SHO provisions govern. Table 1 shows how the proposed project complies with the SHO development standards.

<table>
<thead>
<tr>
<th>Table 1: SHO Development Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development Standard</strong></td>
</tr>
<tr>
<td>Min. Lot Size</td>
</tr>
<tr>
<td>Max Density</td>
</tr>
<tr>
<td>Structure Height</td>
</tr>
<tr>
<td><strong>Frontage Setbacks</strong></td>
</tr>
<tr>
<td>Building setbacks along all street frontages shall be equal to one-half the height of the building wall but in no case shall it be less than 20 feet.</td>
</tr>
<tr>
<td>Side Setback (North Property Line)</td>
</tr>
<tr>
<td>Rear Setback</td>
</tr>
</tbody>
</table>

As the above Table 1 shows, the project complies with lot size, density, maximum structure height, and setback requirements of the SHO.

Unit Design

The 141-unit development consists of: 52 Studio apartments (approximately 36%) and 89, one-bedroom apartments (approximately 64%). There are three separate, three-story apartment buildings with varied floor plans for each unit type. Studio apartments range in size from 482 sq. ft. to 483 sq. ft. and one-bedroom apartments range from 527 square feet to 555 square feet.

The SHO requires apartment units to be clustered in groups of four or less to avoid the creation of long corridors and to facilitate accessibility. The units have been laid out to meet this requirement, as well as to provide strong architectural elements to emphasize unit entrances. In addition to the unit layout requirements, the SHO requires senior living spaces to be designed using “Universal Design” principles (also known as Age In Place), which is a design method that creates living areas that are usable and accessible regardless of age or physical condition. Universal design principles call for:

- Main story living spaces
- Central heat and air
- Securable storage closet space not less than 100CF in volume;
- Balcony and patio recreation areas of 100 SF min.
- 24-hr monitoring
- Household appliances including washers and dryers

The proposed project meets the Universal Design principles established in the SHO.

Project Amenities

In exchange for allowing higher densities and relaxed development standards, such as building height and parking standards, Section 19.86.80 of the SHO Design Guidelines call for senior housing projects to provide both open and enclosed recreational amenities, which are categorized as “Minor” and “Major” and distributed throughout the project.

The applicant has proposed both “Minor” and “Major,” recreational amenities, which are designed to take advantage of available sunlight and provide shelter from the noise and traffic of adjacent street and complement one another as intended by the SHO design criteria. In addition,
the project provides focal points to amenities, such as the pedestrian system and park, through the use of decorative trellises, which is also required by the SHO design guidelines.

Table 2 below summarizes the “Minor” and “Major” amenities provided, which exceeds the minimum required.

<table>
<thead>
<tr>
<th></th>
<th>Standard</th>
<th>Required</th>
<th>Provided</th>
<th>Type</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Major Amenity</strong></td>
<td>2,000 sq. ft.</td>
<td>6,645+ sq. ft.</td>
<td>Recreation &amp; Mgmt. office building</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0-150 units)</td>
<td></td>
<td>In-ground Swimming pool/spa</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Park</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Outdoor pedestrian exercise route</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Bldg. A Indoor Multipurpose Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bldg. C Amenities Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minor Amenity</strong></td>
<td>625 Sq. ft.</td>
<td>2,275+ sq. ft.</td>
<td>Park benches</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0-150 units)</td>
<td></td>
<td>Picnic &amp; barbecue area</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Gazebo</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Exercise Courtyards (shaded)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Dog Clean up/ trash receptacle station</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In addition, per the SHO requirements, each ground-level unit provides a minimum of 100 sq. ft. of private open space and upper levels provide a balcony that is at least 70 sq. ft. Each unit is also equipped with the following amenities:

- Central heating and air conditioning
- Built-in dishwashers
- Fully enclosed, secureable storage closet not less than 100 CF in volume, located preferably adjacent to unit balcony or patio
- Clothes washer and dryer electrical and gas hookups for standard washer and dryer appliances, and a bachelor/studio unit may provide facilities for stackable washer/dryer appliances
- Call system with capability of 24-hour monitoring

Decorative lighting fixtures and way-finding signs are dispersed throughout the project to provide direction, lighting and security along all the common space areas, parking lot areas, and walkway areas.

**On-site Parking**

Parking requirements for the proposed Senior Housing Project are governed by the SHO overlay provisions, which are found in Section 19.86.070(1). As noted earlier, parking requirements have been relaxed in the SHO as a development incentive, in exchange for high quality design and affordability. Table 3 on following page provides a summary of the project’s parking requirements.
Table 3: SHO Parking Requirements

<table>
<thead>
<tr>
<th>SHO Standard</th>
<th>Proposed D.U's</th>
<th>Spaces Required</th>
<th>Spaces Provided</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.15 spaces/D.U.</td>
<td>141</td>
<td>163</td>
<td>166</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Overall, the proposal exceeds the off-street parking requirement for both covered parking and total required parking per the Zoning Code.

Resident parking spaces are within 150' of building entrances, as required, and covered by carport structures, which have been architecturally integrated with the main buildings.

Employee and guest parking is located at entrances and near the clubhouse as intended by the SHO design criteria. All parking stalls and drive aisles are conditioned to meet the requirements of Section 19.69.30 of the Municipal Code.

CONCEPTUAL LANDSCAPING

The landscape plan includes a conceptual design for both on-site and off-site landscaping. The proposed on-site landscaping meets or exceeds the standards for multi-family development outlined in Section 19.70.060, as well as those specified in the SHO (Section 19.86.080(G). It provides a mix of specimen native and drought tolerant trees, shrubs, ground cover and annual color throughout the site to effectively frame, soften and embellish access points, building entries, parking areas, trash enclosures and passive and active recreational areas. As required, areas not covered by structures, drive aisles, parking or hardscape have been landscaped. Required landscape islands have been provided at required intervals in parking areas (e.g., 1 per 6 parking spaces) and between buildings, carport structures. In addition, landscaped areas at least 15' wide have been provided along all street frontages and accent landscaping is proposed at driveway entrances, which includes large, specimen-size trees.

Rock forms that are excavated will be preserved and integrated into the landscape design for the project, as shown on the conceptual landscape plan and provided for in the conditions of approval. On-site bio-retention basins are proposed for the main water quality BMPs and a preliminary WQMP was approved for the project. All BMPs and water quality basins will provide landscape and irrigation to include a 24-inch & 36-inch box trees with shrubs or combination with ground cover.

Stamped concrete entryways will be flanked with 24-inch & 36-inch box trees and a combination of shrubs and ground cover to further accentuate the entries. The proposed on-site landscaping area totals approximately 33%.

Off-site landscaping is provided along each road frontage (e.g., “A” Street, Ellis and Park Avenue) using a combination of 36” box drought tolerant trees, at specified intervals, water-wise shrubs and accent groundcover to shade and frame the public side walk and street frontages and provide additional screening and privacy for the project. Off-site landscape totals approximately
8%. Street trees are intended to complement one another and meet the intended theme for each designated roadway.

All landscaping is conditioned to comply with AB 325 standards for water conservation that require drought-resistant and California-climate friendly tree and plant material.

PERIMETER WALL AND FENCING

Perimeter security fencing is not required by the SHO guidelines, so the applicant is proposing a more open fencing concept that will provide security in critical areas, while promoting openness and connectivity internally and to adjacent public facilities. To achieve this, the applicant proposes a six-foot-high tan slump stone block wall along the northern boundary to provide privacy, screening and security for the proposed project and the existing adjacent single-family homes and six-foot-high black wrought iron fencing with decorative slump stone columns spaced every 30 feet around the in-ground pool, spa and private park area adjacent to “A” street. A three-foot retaining wall is provided at the corner of Ellis Avenue of “A” Street and Ellis Avenue as part of the water quality basin design and three retaining is provided at the northeast corner of the property around water quality Basin E. The perimeter block along the northern boundary shall also include graffiti resistant coating.

Decorative lattice trellises are provided in various locations throughout the site as focal features for walkways and open space amenities. They are also placed strategically to help screen parking areas from adjacent right-of-ways. No fencing is proposed along Park Avenue to facilitate accessibility and openness. To screen parking areas adjacent to Park Avenue, multiple layers of landscape screening is proposed including clusters of 36-inch and 24-inch box trees.

ARCHITECTURE

The proposed architecture utilizes a modern urban architecture style, incorporating different colors, materials and architectural features to distinguish base, body and cap of the building. The design elements of the building utilize a combination of varying rooflines, decorative cornice treatment, decorative trellis canopies and stone veneer to create a modern, less complicated design and form with linear elements. The color palate consists of a combination of sage green, cream and white, accented by Sweet Gum painted wood siding and stone and gray tile veneer accents. The buildings are capped with a Deep Charcoal concrete tile roof.

The proposed architecture meets or exceeds the intent of the SHO architectural design standards, which require consistent use of colors, human scale and proportion, the use of durable and low maintenance materials, accommodation for private and community open space and the installation of support structures (e.g., laundry, recreation, clubhouse/leasing, etc.). The façade articulation and application of a palette of architectural features, effectively breaks up the monotonous spans of the building. Additionally, the proposed architecture will be compatible with and protect the character of the existing neighborhood, through the application of enhanced development standards, landscaping and improvements, which aesthetically enhances the site, while providing privacy and screening for future and existing adjacent residents.
EXCAVATION

The proposed project will require mass grading of the 4.21-acre site. The Geotechnical Report, prepared by Leighton & Associates, Inc., indicated that cuts and fills of up to 20 feet may be required to achieve design grades.

Rock outcroppings are situated at the western end of the site and may require blasting in order to complete the site work. The Initial Study (IS) contemplated and evaluated potential blasting work and a Blasting Noise and Vibration Evaluation was prepared on September 11, 2018, by a registered acoustical engineer employed with RK Engineering Group, Inc. The Blasting Noise and Vibration Evaluation calculated the effects of the blasting activities on nearby sensitive land uses, such as the existing residences, schools and various existing public and private improvements. Mitigation Measures were incorporated into the IS to reduce potential noise and vibration impacts to a level of insignificance. In addition, standard conditions of approval have been added which govern construction activity. Where possible, rock forms that are excavated will be preserved and integrated into the landscape design for the project, as shown on the conceptual landscape plan and provided for in the conditions of approval.

ENVIRONMENTAL DETERMINATION

An Initial Study (IS) was prepared for the project in accordance with the City’s guidelines, which implement the California Environmental Quality Act (CEQA). The IS was undertaken for the purpose of determining whether the project may have a significant effect on the environment. On the basis of the IS, staff concluded that the project’s potential significant impacts could be avoided or mitigated to a point where there are clearly no significant effects on the environment through mitigation measures, revisions to the site design, conditions of approval and the application of the City’s zoning ordinance standards and criteria and that there is no substantial evidence in light of the whole record that the project, as revised may have a significant effect on the environment and a Mitigated Negative Declaration (MND) was prepared.

A 20-day public review period for the Initial Study commenced on January 30, 2019 and closed on February 18, 2019. During the draft IS/MND review period, the Draft IS/MND was available for public review at the Development Services public counter, and on the City’s website. As of the writing of this report, no comments were received during the review period. All potential effects of the proposed project have been reduced to less than significant levels with implementation of mitigation measures. Therefore, a final Mitigated Negative Declaration (No. 2340) has been prepared.

PUBLIC/AGENCY COMMENTS

A public hearing notice was sent to property owners within 300 feet of the project site and agencies. As of the writing of this report, no other additional comments have been received by staff.

FINDINGS

The following Findings are recommended to the Planning Commission and City Council for project approval:
Zone Change 17-05148

1. The proposed zoning is consistent with the General Plan Land Use Map and Airport Overlay Zoning Map and applicable General Plan objectives, policies, and programs.

The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land use designation. The General Plan land use designation contemplates residential uses on the site and encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing; therefore the proposed project is consistent with the City’s General Plan. It conforms to the goals of the General Plan by complying with the zoning code development standards, which implements the General Plan goals, objectives and policies. Additionally, the project provides for superior site design and building architecture and will extend roadway and utility infrastructure to improve service in the area. The project was also determined to be consistent with the Airport Overlay Map by the Riverside County Airport Land Use Commission.

The project is consistent with General Plan Policy I.A of the General Plan Land Use Element to promote variety in dwelling types, densities and locations to satisfy changing demands as the community evolves and matures. The project is also consistent with Goal 1 of the Housing Element to promote and maintain a variety of housing types for all economic segments of the City and Goal 2 to promote and preserve suitable and affordable housing for persons with special needs, including lower-income households, large families, single-parent households, large families, the disabled and senior citizens. Finally, as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land use designation.

2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.

The proposed zoning is compatible with the underlying General Plan designation and provides adequate buffering to adjoining uses, as the buildings are placed further away from the existing single-family to the north with a buffer consisting of enhanced landscaping, a carport parking row and a drive aisle. Further, the Zoning Code encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing, which is a needed housing option in the City. As designed and conditioned the site provides adequate building setbacks in combination with enhanced landscaping to provide a buffer and privacy screen between the proposed development and existing residential uses to the north.

3. The proposed zoning is a logical extension of the existing zoning pattern.

The proposed R-6,000 SHO zoning logically extends the existing residential pattern to the north by applying a Senior Housing overlay to the property, which is encouraged by the Zoning Code and contemplated by the City’s General Plan, in order to provide an affordable, age restricted housing option for senior citizens. The project is designed in conformance with the City’s Zoning Code to ensure that it integrates into the existing residential neighborhood fabric.
Senior Housing Overlay

1. The proposed project is in compliance with the requirements set forth in section 19.86.030, which identify the eligibility of the project.

The proposed senior housing project is in compliance with the SHO eligibility requirements set forth in Section 19.86.030, in that it meets the acreage, underlying zoning, surrounding land use compatibility and health and safety requirements specified.

2. The proposed project is a use permitted in Section 19.86.040, meets the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively.

The proposed project is in compliance with Section 19.86.040 as it proposes the development of a multifamily senior housing apartment complex, which is a permitted use. The proposed project also meets the affordability requirements established in Sections 19.86.050, as 3% of the units are available at an affordable housing cost to persons and families of low and moderate income and 40% of the 3% of the dwelling units are intended to be affordable to very low-income households. The project also meets the age restriction requirements set forth in Section 19.86.060, as the project is conditioned to ensure that at least one household member is 55 or older in age.

3. The proposed project is designed such that it has created a senior community that is compatible with its surroundings and has achieved a design that is superior to that which would otherwise be allowed under the underlying conventional zoning.

The proposed project is designed to create a senior community that is compatible and integrated into the existing neighborhood fabric through the application of high quality architecture, landscaping, amenities and site design principles, which exceed the minimum development and design criteria specified by the City’s SHO regulations, and together create a project that is superior to that which would otherwise be allowed under the conventional underlying zoning district.

4. The project incorporates the required amenities and design guidelines set forth in 19.86.080.

The proposed project incorporates the required amenities and design characteristics outlined in Section 19.86.080 of the City’s Municipal Code, in that the proposed amenities exceed the minimum required and the existing the project design meets or exceeds all of the design criteria specified in Section 19.86.080.

5. The existing or proposed circulation system is adequate to accommodate projected traffic volume.

As conditioned, the proposed project is adequate to accommodate the projected traffic volume as evidenced by the project Traffic Impact Study, which was approved by the City.

6. The existing or proposed infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the city.
As conditioned the existing and proposed infrastructure improvements are adequate to meet city requirements without compromising capacity in other areas of the city as evidenced by the Initial Study and Mitigated Negative Declaration (2340).

7. The overall project is keeping with the purpose and intent of the SHO Zone and creates a project that serves the unique needs of seniors while creating a high-quality development, which benefits the overall community.

The overall project meets the purpose and intent of the SHO zone by creating a project that serves the unique needs of seniors, while creating a high-quality development through the incorporation of high quality materials and application of design principles, which meet or exceed development and design criteria outlined in the City’s SHO regulations and that serve to create a project that easily integrates into the existing neighborhood and provides connectivity to city services, public facilities and amenities.

Development Plan Review 17-00005

1. The location, size, design, density and intensity of the proposed development and improvements are consistent with the City’s General Plan, the purposes and provisions of this Title, the purposes of the zone in which the site is located, and the development policies and standards of the City.

The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land use designation. The General Plan land use designation contemplates residential uses on the site and encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing; therefore the proposed project is consistent with the City’s General Plan.

This proposed zoning classification (R-6,000-SHO) permits multi-family senior housing uses at an increased density of 50 dwelling units per gross acre. Since the proposed project proposes a density of 33 dwelling units per acre, it is in compliance with the zoning regulations and the General Plan. The site is designed in conformance with the R-6,000-SHO policies, development and design standards and criteria.

The proposed project conforms to the goals of the General Plan and Zoning Code by complying with the developments standards of the R-6,000-SHO zoning providing superior site design and building architecture. The project is consistent with General Plan Policy I A of the General Plan Land Use Element to promote variety in dwelling types, densities and locations to satisfy changing demands of the community as it evolves and matures. Finally, as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land use designation, and the R-6,000-SHO zoning classification and overlay.

2. The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of development proposed.

The subject site is a rectangular shaped property of approximately 4.21-acres located at the Northwest Corner of “A” Street & Ellis Avenue. The site is bounded by the southerly extension of Park Avenue on the west and “A” Street on the east, single-family residential
homes to the north and vacant land on the south. The site is undeveloped and unimproved and is relatively flat, with elevated rock outcropping in the western half of the site. Site access to the project would be one full access ingress/egress at “A” Street and one full access ingress/egress at the southerly extension of Park Avenue, which is consistent with City policies and regulations. The site is physically suitable to accommodate the proposed development and required improvements and meets applicable development standards in terms of size, shape and access. Nearby utility service connections are available to service the site and will be designed, installed and maintained consistent with City and service agency requirements. As such, the site is physically suitable for the proposed project, in terms of size, shape, access and services.

3. The proposed development and the conditions under which it would be operated or maintained is compatible with the zoning code and will therefore not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As conditioned, the proposed Senior Housing project will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City. The project is designed in conformance with the City’s Zoning Ordinance so that it integrates into the existing neighborhood fabric and offers alternative modes of transportation for residents through the installation of a new RTA bus stop, establishment of a private shuttle bus service and pedestrian connections to the adjacent public sidewalk systems, thus helping to alleviate impacts to roadways.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

As conditioned, the proposed architecture meets or exceeds the intent of the more onerous SHO architectural design standards, which require consistent use of colors, human scales and proportion, the use of durable and low maintenance materials, and accommodation for private and community open space and the installation of support structures (e.g., laundry, recreation, clubhouse/leasing, etc.). It provides a modern architecture style, with an articulated façade and the application of a palette of architectural features, such as varying neutral colors and stone finishes that change the surface planes, effectively breaking up monotonous spans of the building. Additionally, the proposed architecture will be compatible with and protect the character of the existing neighborhood fabric, through the application of enhanced development standards, landscaping, setbacks, site design and improvements, which aesthetically enhance the site, while providing privacy and screening for future and existing adjacent residents.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public’s enjoyment.

As conditioned, the proposed project meets or exceeds the on-site and off-site landscape standards for multi-family development outlined in Section 19.70.060(D), as well as those specified in the SHO (Section 19.86.080(G)(21)). It provides a mix of specimen native and drought tolerant trees, shrubs, ground cover and annual color throughout the site to ensure visual relief and effectively frame, soften and embellish access points, building entries,
parking areas, trash enclosures and recreational areas. As required, all areas not covered by structures, drive aisles, parking or hardscape have been landscaped, which will provide an attractive environment for the public's enjoyment.

6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

The proposed project provides the safeguards necessary to protect the public health, safety and general welfare through the conditions or approval and mitigation measures, which will ensure that the project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment and sensitive land uses.

RECOMMENDATION

Staff recommends that the Planning Commission:

Adopt Resolution No. 19-01 recommending the City Council Adopt Mitigated Negative Declaration #2340 and Approve Zone Change 17-05148 and Development Plan Review 17-00005, based on the findings and subject to the Conditions of Approval.

EXHIBITS:

Exhibit A – Conditions of Approval (Engineering, Planning, Public Works, Fire, Building & ALUC)
Exhibit B – Aerial View
Exhibit C – Existing Zoning Map
Exhibit D – Site Plan, Landscaping Plan, Architecture
Exhibit E – PC Resolution 19-01

MND 2340, Initial Study and Associated Studies are on File at the Planning Department and available online at: http://www.cityofperri.org/city-hall/departments/development/planning.html
CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

CONDITIONS OF APPROVAL

Zone Change 17-05148
Development Plan Review No. 17-00005

PROJECT: Development Plan Review (DPR) 17-00005 and Zone Change (ZC) 17-05148 - Proposal for a Zone Change from Community Commercial (CC) to R-6,000-SHO (Senior Housing Overlay) to facilitate the development of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities with a density of 33 dwelling units per acre on a 4.21-acre parcel located at the northwest corner of “A” Street & Ellis Avenue. Applicant: Greg Lansing, Lansing Properties.

General Requirements:

1. Mitigation Monitoring and Reporting Program. The project shall fully comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP). The Mitigation Monitoring and Reporting Program (MMRP) Checklist is attached to reduce potential impacts. The MMRP shall be implemented in accordance with the timeline, reporting and monitoring intervals listed.

2. Approvals. The following approvals are required for the proposed 141-unit, age restricted senior housing project at the NWC of Ellis Avenue and Park Avenue:
   a) Approval of Zone Change 17-05148 to change the zoning of the project site from CC to R-6,000-SHO (Senior Housing Overlay); and
   b) Approval of Development Plan Review 17-00005 for 141 senior apartments, and other improvements as described above on 4.21 acres.

3. Development Standards. The project shall conform to all requirements of Perris Municipal Code Title 19, including all provisions of Chapter 19.86, the Senior Housing Overlay.

4. Conformance to Approved Plans. Development of the premises, building elevations, colors and materials shall conform substantially to the approved set of plans dated December 17, 2018 or as amended by these conditions. Any deviation shall require the appropriate Planning Division review and approval.

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

6. Expansion of Use. Any future expansion of use will require Planning review and approval.
7. Term of Approval. This approval shall be used within three (3) years of approval date; otherwise it shall become null and void. By use is meant the beginning of substantial construction contemplated by this approval within the three (3) year period, which is thereafter diligently pursued to completion, or the beginning of substantial utilization contemplated by this approval. A maximum of three (3) one-year time extensions shall be permitted.

8. Phasing. Any proposed phasing plan shall be reviewed and approved by the Planning Division and the City Engineer. Each phase of the project shall provide adequate drainage and at least two points of access to each building.

9. Building Official/Fire Marshal. The proposed project shall adhere to all requirements of the Building Official/Fire Marshal and including the Building Dept. conditions of approval issued September 11, 2017 and the Fire Department Development Review Conditions issued by Grubb & Associates on November 15, 2018. Fire hydrants shall be located on the project site pursuant to the Building Official. The applicant shall submit a fire access and fire underground plan prior to construction drawings. Water, gas, sewer, electrical transformers, power vaults and fire/water supply lines must be shown on the final set of construction plans pursuant to the requirements of the Building Official. All Conditions of Approval issued by the Fire and Mitigation Measures shall be reproduced on the building plans, and cross-referenced for ease of confirmation of City plan inspection staff.

10. Traffic Impact Analysis & City Engineer Conditions. The project shall comply with all requirements of the City Engineer as indicated in the Engineering Conditions of Approval dated January 25, 2019.

11. Public Works Conditions. The project shall comply with all requirements of the Public Works Department Conditions of Approval dated January 28, 2019.

12. ALUC Conditions. The project shall comply with the conditions of approval issued by ALUC dated June 11, 2018.

13. SCE. The applicant shall contact the Southern California Edison (SCE) area service planner (951 928-8323) to discuss energy conservation opportunities for the project and to complete the required forms prior to commencement of construction.

14. Unit Identification. Each building in the development shall include a lighted address fixture on all four sides. There must also be directional signs showing unit number intervals. Fixtures shall allow for replacement of light bulbs, and shall be reviewed and approved by the Planning Division.

15. Exterior Downspouts. Exterior downspouts are not permitted on the front or side elevations of any building. Interior downspouts shall be incorporated.

16. Utilities. All utility facilities attached to buildings, including meters and utility boxes, shall be enclosed within cabinets, as appropriate, and/or painted to match the building to which they are affixed.
17. **Screening of Roof-Mounted Equipment.** Parapet walls shall prevent public views of roof-mounted equipment on all elevations of the building.

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

19. **Graffiti.** Graffiti located on site shall be removed within 48 hours. The site shall be maintained in a graffiti-free state at all times.

20. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning Approval of Zone Change 17-05148 to change the zoning of the project site from CC to R-6,000-SHO (Senior Housing Overlay) and Development Plan Review 17-0005 for 141 senior apartments, and other facilities as described above on 4.21 acres. The City shall promptly notify the developer/applicant of any claim, action, or proceeding for which indemnification is sought and shall further cooperate fully in the defense of the action.

**Construction Practices:**

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

   - Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and 7:00 p.m. Per Zoning Ordinance, Noise Control, Section 7.34.060, it is unlawful for any persons between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on a legal holiday, or on Sundays to erect, construct, demolish, excavate, alter or repair any building or structure in a manner as to create disturbing excessive or offensive noise. Construction activity shall not exceed 80 dBA in residential zones in the City. If these requirements are in conflict with the UWIG Mitigation Measures, the more restrictive shall apply.

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

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

   - Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, transportation of cut or fill materials and construction phases to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
• A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the City.

• Project applicants shall provide construction site electrical hook-ups for electric hand tools such as saws, drills, and compressors; to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

22. **Ordinance 1253 Regarding Severe Fire Hazard Area.** All construction shall comply with the provisions of Ordinance 1253 and adhere to California Building Code Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure.

23. **Blasting.** Blasting for rock removal shall occur as outlined in the MMR program adopted as part of the Mitigated Negative Declaration as incorporated herein, and as may be modified by these conditions.

24. **Construction Plans.** All Planning Division and Engineering Department Conditions of Approval, Mitigation Monitoring Plan, Security Plan and Landscape Plan Requirements shall be reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Applicant shall annotate each Condition on the construction plans to indicate the manner by which each condition has been met (i.e., sheet and detail numbers).

**Project-Specific Requirements:**

25. **Parking.** The project shall provide a minimum of 166 standard sized stalls, 136 of which are covered with an architecturally integrated carport structure, 30 uncovered guest and employee parking and 8 disabled access stalls. One Shuttle bus and maintenance vehicles shall be parked overnight on-site.

26. **Mandatory Requirements for Residents.** Residents shall comply with the following:

   a. **Pets.** All pet cats shall be kept indoors at all times, and pet dogs shall be leashed at all times when outdoors, unless within the confines of the Bark Park.

   a. **Car Washing Prohibited Onsite.** Residents shall not be permitted to wash vehicles on the premises.

   b. **Golf Carts.** Use of golf carts or similar vehicles on the premises is limited to managers and maintenance personnel only.

27. **Ellis Apartment Amenities.** A final, detailed amenities plan shall be submitted to Planning for review and approval, which shows the location and extent of all major and minor amenities and includes the following along the pedestrian path, park and courtyard areas:

   a. dog clean-up stations
   b. trash receptacles
   c. covered seating areas

28. **Caution Signs.** Caution signs shall be placed where danger of slippage is present.
29. **Dog feces Maintenance.** Dog feces shall be picked up daily.

30. **City Ordinances.** The applicant shall maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license. In addition, the project shall comply with Perris Municipal Code (PMC) 7.06 regarding Landscape Maintenance, and Chapter 7.42 regarding Property Maintenance. Moreover, all provisions of PMC Chapter 19.86, the Senior Housing Overlay, shall be maintained.

31. **Preliminary Water Quality Management Plan (PWQMP).** On July 10, 2018, the Perris-Ellis Senior Apartment Complex PWQMP was determined to be in substantial compliance, in concept, with the requirements of the Riverside County WQMP Manual. The project shall comply with the following requirements:

   1.) The development shall be subject to all provisions of the City of Perris Ordinance No. 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions or ordinances pertaining thereto.

   2.) The structural BMPs selected for this project have been approved in concept. The owner shall submit a final WQMP that includes plans and details for the elevations, slopes, and details for the proposed structural BMPs including the infiltration basin and porous pavement. The Public Works Department shall review and approve the final WQMP text, plans and details.

**Prior to Building Permit Issuance:**

32. **Management Plan.** A Management Plan shall be submitted to the Planning Division detailing the names and contact information for the person or persons at Perris-Ellis Senior Apartment Complex responsible for emergencies, maintenance, operations, etc.

33. **Security Plan.** A Security Plan shall be developed per Section 19.86.080, Development Criteria, Security Considerations, shall be submitted to the Planning Division for review and approval. The applicant is encouraged to work with the Perris Police and Sheriff Department to develop the required Security Plan.

34. **Site Lighting Plan.** The applicant shall submit a final lighting plan that includes a photometric plan to the Planning Division for review and approval. Full cutoff, low sodium fixtures shall be used to prevent light and glare above the horizontal plan of the bottom of the lighting fixture. A minimum of one (1) foot-candle of light shall be provided in parking and pedestrian areas. The lighting plan shall adhere to the UWIG requirements of the Mitigation Monitoring Program.

35. **Landscaping Plans.** Prior to issuance of building permits, the developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to the Planning Division, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus species, and container size of the plants. Landscaping shall be maintained in accordance with Section 19.70 of the Municipal Code. Use of water efficient fixtures and drought tolerant plants is required. Additional landscape requirements include the following:
a. Landscaping plans shall substantially conform to the approved conceptual landscape plans, except as described herein. Landscape plans shall be submitted to the City of Perris Water District for approval after the City's approval, and comply with required Perris Water District inspections. Contact (951) 928-3777.

b. Invasive plants shall not be used in the project landscape.

c. Landscaping and irrigation of the parkway along the frontage of the site on Ellis Avenue, Park Avenue and "A" Street will include installation of street trees no more than 25 feet on center with shrubs and groundcover. All street trees shall be minimum 36" box size.

d. All open parking areas shall have landscape borders perpendicular to parking stalls at least seven (6) feet wide. Vehicular overhang will not be permitted across walkways. Where necessary the standard depth (19 feet) of parking stalls may be reduced by two (2) feet for overhang in landscaped areas. Landscape fingers are not required in open parking areas.

e. The applicant shall enter into a landscape maintenance agreement with the City of Perris for the public right of way. The developer shall maintain the landscaped parkways for a period of one (1) year. The one-year period shall commence when the landscape improvements pass inspection by the Planning Division and the Public Works Department.

f. Trees lining the main entry roadway into complex and at the front of the community center shall be 36" box size or as shown on the concept landscaping plan.

g. A minimum of one tree per 6 parking stalls, or the number of trees necessary to ensure 50% shade cover in parking areas within five (5) years, based on the species, shall be provided. In addition, 75% of carport and open parking trees shall be 24" box size trees. The balance of parking lot trees and other landscaping trees may be 15-gallon size or larger.

h. Each building shall provide covered trash enclosures constructed to the City standard under permit. The trash enclosure shall be easily accessible to all tenants, and be screened by landscaping from the public view. The trash enclosure shall be treated with an overhead trellis treatment, and elevations shall be included on final landscape and fencing plans for review and approval by the Planning Division.

i. Accent landscaping featuring tiered California native, drought-resistant landscaping planting and 36" box or larger trees shall be provided at project entrances.

j. Water Quality BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.

k. A non-potable water source shall be used for landscape irrigation, including public areas. If not yet available at the location, appropriate irrigation equipment ("purple pipe") shall be installed for future conversion and connection to the reclaimed water source.

36. Plans for Walls, Fences and Gates. Building plans shall include the site location, elevations, and construction details for these items. These plans shall be included and reviewed with the landscape plan check application submittal and approved by the Planning Division. The wall and fencing plan shall be consistent with the conceptual
landscaping and site plan, and consist of the following:

a. A six-foot tall decorative slump stone block wall along the northern property line.
   b. A six-foot tall wrought iron fence with decorative columns that compliment the building architecture around the in-ground pool and spa for security, as well as the private park area and along the "A" street frontage.

37. **Decorative Trellises.** Decorative lattice trellises are provided in various locations throughout the site as a focal feature for walkways and amenities and to provide added screening for parking areas along Ellis as shown on the attached site plan. No fencing walls or decorative lattice trellises are proposed along Park Avenue to help create a more open environment. Screening for the parking area along Park Avenue is accomplished through multiple layers of landscaping, including specimen sized trees.

38. **Plans for Trash Enclosure, Gazebo & Other Structures.** Building plans shall include the site location, architectural elevations, and construction details for these items. These plans shall be included and reviewed with the landscape plan check application submittal and approved by the Planning Division.

39. **Decorative Paving.** Decorative pavement is required in the following areas:
   a. Driveway entrances
   b. Pedestrian walkway system
   c. Other appropriate areas at the discretion of the developer.

**Fees and Assessments:**

40. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to the following:
   a. Landscape Maintenance District No. 1;
   b. Flood Control Maintenance District No. 1;
   c. Maintenance District No. 84-1;
   d. South Perris Community Facilities Assessment District;

41. **Fees.** The developer shall pay the following fees according to the timeline noted herein:
   a. Prior to the issuance of building permits, the applicant shall pay Stephen's Kangaroo Rat Mitigation Fees of $500.00 per acre;
   b. Prior to the issuance of building permits, the applicant shall pay City Development Impact Fees in effect at the time of development, excluding Park Impact Fees, which are waived for senior housing pursuant to Municipal Code
19.86.070(2);
c. Prior to the issuance of building permits, the applicant shall pay Multiple Species Habitat Conservation Plan fees;
d. Prior to issuance of building permits, the applicant will pay statutory school fees in effect at issuance of building permits to all appropriate school districts; and
e. Prior to issuance of Certificate of Occupancy, the developer shall pay Transportation Uniform Mitigation Fees (TUMF); and
f. Any outstanding processing fees or property liens owed to the City of Perris.

42. Future Obligation of Buyers and Lessees. All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall further inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.

43. Prior to the issuance of grading permits, the developer shall obtain the following clearances or approvals:

a. Final Water Quality Management Plan. The applicant shall submit a final WQMP including, but not limited to, plans and details providing the elevations, slopes, and other details for the proposed structural source control BMPs, vegetative swales, underground storm chamber and canopy cover for trash enclosure areas. The Public Works Department shall review and approve the final WQMP plans, and details.
b. Verification from the Planning Division that all pertinent Conditions of Approval have been met;
c. Public improvement plans will be submitted to the City Engineer that include, but not be limited to, street, drainage, utility improvements, and dedications in accordance with Municipal Code Title 18; and
d. Grading plans will be submitted to the City Engineer demonstrating compliance with National Pollution Discharge Elimination System requirements and the approved WQMP detailing water quality management controls and identifying Best Management Practices (BMPs) to control pollutant runoff.

Prior to Issuance of Occupancy Permits:

44. Age and Affordability Restrictions. The following items shall be recorded against the property:

a. At least one member of the household shall be 55 years of age or older at time of lease.
b. Per Zoning Code Section 19.86.050.B, for projects not in a Redevelopment Area, at least 3% of the dwelling units shall be available at affordable housing cost to persons of low and moderate income, and at least 40% of these units shall be available at affordable housing cost to persons of very low income. Therefore, 4 of the 141 units shall be set aside for affordable housing (low and moderate income), and two units shall be available to persons of very low income.

45. Planning Inspection. The applicant shall have complied with all pertinent Conditions of Approval and have all required parking, lighting, fencing, landscaping and automatic
irrigation installed and in good condition. The irrigation system and landscaping shall conform to the approved landscaping and irrigation plans.
CONDITIONS OF APPROVAL

P8-625
January 25, 2019, Revised February 4, 2019
DPR 17-00005, Ellis Commons Senior Housing
MB 14/671 SD Lot 16 (APN 313-222-002),
NWc of Ellis Avenue & A Street

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the land divider provide the following street improvements and/or road dedications in accordance with the City of Perris Municipal Code Title 18. It is understood that the map correctly shows all existing easements, traveled ways, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

1. Drainage and Flood Control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District and the City of Perris requirements and standards. The following drainage related conditions are the requirements of this project:

   a. The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area. No ponding or concentration of water to upstream and downstream properties shall be permitted.

   b. All drainage facilities with exception of nuisance drainage improvements as indicated below, shall be designed to convey the 100-year storm runoff. Catch basins shall be installed at the intersection of A Street and Ellis Avenue and Park Avenue and Ellis Avenue to collect the generated runoff. Latter shall be conveyed easterly to an acceptable outlet at the Railroad right-of-way, as determined by the City Engineer, via a underground storm drain pipe.
c. A detailed hydrology report and hydraulic calculation shall be submitted to the City for review and approval. The report shall address the offsite flow, accumulative onsite runoff and the impact to adjacent downstream properties.

d. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans.

e. Onsite landscape areas shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP standards.

f. All pads shall be graded to a minimum of 1' above 100-year calculated water surface elevation or adjacent finished grade.

2. Park Avenue along the property frontage shall be improved with minimum 33' of new paving, curb and gutter and sidewalk 20' east of centerline within 30' half-width dedicated right-of-way.

3. A Street along the property frontage shall be improved with minimum 26' of new paving, curb and gutter and sidewalk 28' west east of centerline within 39' half-width dedicated right-of-way. Existing pavement along the property's frontage if in adequate shape may remain in place or grind and overlay as determined by City Engineer.

4. Ellis Avenue along the property frontage shall be improved with minimum 30' of new paving, curb and gutter and sidewalk 32' north of centerline within 64' half-width dedicated right-of-way. A 10' wide raised landscaped median and 12' of new pavement on the south of the median shall also be improved all within dedicated right-of-way.

Prior to issuance of any permit, the applicant shall deposit the sum of money with City to guarantee future widening and improvements on Ellis Avenue pursuant to General Plan.

5. Vehicular access/driveway is restricted on Ellis Avenue.

6. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the Landscaping, Flood Control, Street Maintenance, and Lighting Districts. The developer shall maintain the landscaping for a period of one year after acceptance of these improvements and pay the 18-month advanced energy charges for streetlights. All storm drain facilities including basins, catch basins, and pipes shall be annexed to Flood Control District.

DEPARTMENT OF ENGINEERING
24 S. "D" STREET, SUITE 100, PERRIS, CA 92570
TEL: (951) 943-6504 • FAX: (951) 943-8416
7. Existing power poles within the project site or along the project boundary (under 66kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.

8. Streetlights shall be installed along all interior streets and functional perimeter streets as approved by the City Engineer per City of Perris standards. The lights shall be LS#, LED and plans prepared by Registered Electrical Engineer. Conflicting overhead wires/cables shall be removed and undergrounded as required.

9. The proposed development is in the service area of City of Perris. The applicant shall provide water and sewer facilities to this development and comply with EMWD, Fire Department, and Health Department standards.

Prior to issuance of occupancy permit, the applicant shall obtain fire flow requirement from Fire Marshall and insure available and adequate water supply to meet this requirement.

10. The applicant shall submit to City Engineer the following for his review:

   a. Street Improvement Plans
   b. Signing, Striping and Signal Plans
   c. Onsite Grading Plans, SWPPP, and Erosion Control Plans
   d. Water and Sewer Plans
   e. Drainage Plans, Hydrology and Hydraulic Reports
   f. Streetlight Plan
   g. Final WQMP

The project’s design shall be in compliance with EMWD, City of Perris, Riverside County, and Caltrans standards and coordinated with approved plans for adjacent developments.

11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans.

12. 6' concrete sidewalk, handicap ramps and driveways shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.
13. An RTA bus stop shall be provided on A Street, location as determined by the City Engineer and RTA. A shelter per City of Perris/RTA standards shall be provided and the street at the bus stop shall be concrete paved.

Habib Motlagh
Habib Motlagh
City Engineer
CITY OF PERRIS
PUBLIC WORKS DEPARTMENT
Engineering Administration . NPDES . Special Districts (Lighting, Landscape, Flood Control)

MEMORANDUM

Date: January 28, 2019
To: Mary Blais, Consulting Planner
From: Public Works

Subject: Condition of Approval for DPR# 17-00005; Proposal for a Zone Change 17-05148 to change the zoning of the project site from CC to R-6,000-SHO (Senior Housing Overlay) to increase the allowable density and approval of a Development Plan Review 17-00005 to construct a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities with a density of 33 dwelling units per acre. The project includes one, single-story clubhouse office building and three, three-story apartment buildings that are 44 feet in height at the ridgeline. The three apartment buildings provide a mix of 52 Studio apartments (e.g. 36%) that are a minimum of 482 square feet in size and 89, one-bedroom apartments (e.g., 64%) that are a minimum of 527 square feet in size, 166 on-site parking stalls and other required on and off-site improvements on a 4.21-acre parcel (APN: 313-222-002)

1. Dedication and Landscape Easement - Offer of Dedication and/or Landscape Easements for City Maintenance shall be provided as follows:

   a. Ellis Avenue: Provide Offer of Dedication, as needed to provide for full half width street, curb and gutter, sidewalk and off-site landscaping requirements, per City General Plan, including a minimum 17′ public parkway from back of curb with 6′ wide sidewalk from tentative street Park Avenue on the west side to A street on the East side and extension of existing medians.

   b. A Street: Provide Offer of Dedication, as needed to provide for full half width street, curb and gutter, sidewalk and off-site landscaping requirements, per City General Plan, including a minimum 11′ public parkway from back of curb with a 6′ wide sidewalk from tentative street Ellis Avenue to northern property line of parcel No. 313-222-002.

   c. Park Avenue: Provide Offer of Dedication, as needed to provide for full half width street, curb and gutter, ADA sidewalk and off-site landscaping requirements, per City General Plan, and City Engineer’s comments.

2. Landscape Maintenance Easement and Landscape Easement Agreement - The Developer shall provide, for review and approval, a Landscape Easement for areas identified by City Staff. Offer of Dedication and Landscape Easement by City Staff Agreement, and certificate of acceptance to the
City of Perris. The City shall record the same with the Riverside County Recorder's Office, and the recorded instrument shall be returned to the City Clerk of the City of Perris for filing.

3. **Landscaping Plan Review** – The Developer shall provide the City with Landscape, Irrigation Plans, and a plan titled “LMD Off-Site Landscape Plan DPR#17-00005,” and shall be mutually exclusive of any private property, on-site landscaping, during the plan review process for review and approval. **The full set of Landscape and Irrigation Plans shall be submitted for City review and approved prior to the start of construction.** The landscape and irrigation plan shall be prepared by a registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code, the Perris Valley Commerce Center Standards and Guidelines, and approved City of Perris plant list. The location, number, genus, species, and container size of the plants shall be shown. Elements of this Conceptual Landscape and Irrigation Plan shall include but not be limited to the following:

   a. **Landscape Limits:** Limits of right-of-way areas and/or easement areas clearly defined on plans as well as limits defined by a concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District (LMD). A planting palette and hardscape plan intended to meet the design intent of the Landscape Guidelines in effect for the area; and/or the design intent of neighboring development, as determined by the Special Districts Division, including:

      1. **Ellis Avenue** – Primary tree: Ulmus Parvifolia “Drake”; Secondary/accord tree: Lagerstromia-Indian Tribe Varieties. Use drought resistant shrubs and ground cover intended to complement the existing parkways including but not limited to the following: Kangaroo Paw; Nolina Grasses; Agave; Lantana (yellow/purple); Red Yucca; Red Hot Poker Mulenbergia “Pink Mully”; and hardscape such as creek bed, round stone and color gravel. Median planting to match existing.

      2. **A Street** – Primary tree: Platanus Acerifolia “London plane tree”; secondary/accord tree Lagerstromia Indian tribe varieties. Provide same plant pallet as Ellis Street.

      3. **Park Avenue** – Primary tree Quercus Ilex. Provide same plant pallet as Ellis Street.

   Note: As the City deems necessary, the Developer may be required to match adjacent plant palette. Developer to coordinate with the City.

   b. **Irrigation:** A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas, as determined by the Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers for a point to point irrigation system. No drip line will be used in the LMD landscape areas. Sentry Guard Cable Guard and Union Guard, and backflow Winkens Model 375x, or approved equal. "SMART" Controller shall include an ET based controller with weather station that is centrally controlled capable and Wi-Fi
ready (Weather-Trak or approved equal). At the discretion of the Special Districts Division, public landscape areas utilizing no more than 8 valves/stations, programmed to irrigate consecutively, and none simultaneously, may propose the use of an alternative ET based controller with weather station that is centrally controlled capable and Wi-Fi ready, such as the Weather Trak System, or approved equal. Proposed system shall be complete with wireless weather station, a five year bundle service, blade antenna, flow sensor and master valve. Coordinate locations of irrigation lines on all components of Architectural Plans, Landscape, Engineering, and all other plans.

c. **Benefit Zone Quantities:** Landscape Plans to include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the Landscape Maintenance District will be required to maintain.

d. **Meters:** Each Maintenance District is required to be metered separately. Show location of separate water and electrical utility meters intended to serve maintenance district areas exclusively. Show locations of water and electrical meter for Landscape Maintenance District; Flood Control District; Street Lighting District; Traffic Signal on respective plans. Electrical meter pedestals are to be located in the ROW, easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Coordinate locations of meters on all components of Architectural Plans, Landscape, Engineering, and all other plans.

e. **Controllers:** The off-site irrigation controller, electrical meter, and water meter are to be located within the right of way (within the off-site landscape area). All points of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections and located in the LMD area. Backflow preventers are to be screened on all sides with five (5) gallon plastic material land be enclosed in a metal cage. Coordinate locations of controllers on all components of Architectural Plans, Landscape, Engineering, and all other plans.

4. **Landscape Inspections** - The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for only “OFF-SITE” landscape and irrigation inspections at the appropriate stages of construction. Inspections shall be scheduled 48-Hours (Monday - Friday) in advance prior to actual inspection. Contact Public Works/ Special Districts at (951) 657-3280 Ext. 617 to schedule inspections.

- **Inspection #1** – Trenches open, irrigation installed, and system pressurized to 150 PSI for four (4) hours.
- **Inspection #2** – Soil prepared, and plant materials positioned and ready to plant.
- **Inspection #3** – Landscaping installed, irrigation system fully operational, and request for “start of a 1 year maintenance period” submitted, with all required turn over submittal items provided to Public works Engineering Administration/Special Districts.
- **Turn-Over Inspection** – On or about the one year anniversary of Inspection #3,
Developer shall call for an inspection to allow the City to review and identify any of the following: potential irrigation defects; dead plant material and weeding; debris or graffiti needing removal; stressed, diseased, or dead trees; mulch condition; hardscape; and/or other concerns with the landscape installation; or to accept final turn over of the landscape installation. At the sole expense of the Owner/Developer, shall be responsible for rectifying irrigation system and installation deficiencies, and the one year maintenance period shall be extended by the City until all deficiencies are cured to the satisfaction of the City. If in the opinion of the City’s Landscape Inspector the landscape installation is in substantial compliance with the approved landscaping plans, the irrigation and communication system is functioning as intended, and the landscape installation is found to be acceptable to the City, then the inspector shall recommend to the City’s Special District Coordinator to accept turn-over of water and electrical accounts, Wi-Fi communication contracts and the entire landscape installation.

Note: The City reserves the right for the Contractor and/or Developer to pot hole or uncover all irrigation components at the sole expense of the Contractor and/or Developer, if inspection requirements are not met and/or missed inspection, as the City deems necessary.

5. One Year Maintenance and Plant Establishment Period – The applicant will be required to provide at a minimum a one (1) year maintenance and plant establishment period, paid at the sole expense of applicant. This one year maintenance period commences upon the successful completion of inspection #3, discussed above, and final approval by the City. During this one year period the applicant shall be required to maintain all landscape areas free of weeds, debris, trash, and/or graffiti removal; and keep all plants, trees and shrubs in a viable growth condition. Prior to start of the one year maintenance period, the developer shall submit a weekly Landscape Maintenance Schedule for the review and approval by the City’s Special Districts Division. The City shall perform periodic site inspections during the one year maintenance period, to identify any and all items needing correction prior to acceptance by the City, at the conclusion of the one year maintenance period. Said items needing correction may include but are not limited to: replacement of dead or diseased plant materials; weeding; replenishment of mulches; and/or repair of damaged or non-functioning components; test of irrigation controller communications; etc. During this period, the City shall begin the annual assessment of the benefit zone in preparation for the landscape installation turn over to the City maintenance staff. The applicant to provide a site point of contact for any site repairs that are needed, prior to final site sign off.

6. Acceptance into Flood Control District (FCD) #1 - Prior to acceptance into FCD#1, the Developer shall deliver two (2) hard copies and one (1) electronic copy of the Storm Drain Plan As-Builts. Developer to also include one (1) copy (CD or USB Flash Drive) of video of the complete storm drain pipe intersections/transitions. The plans and CD to be submitted to the Department of Public Works attention:

Luis Natera  
1015 South G Street  
Perris, CA 92570  
Cell: (951) 634-1187
7. **Street Lights** - Prior to acceptance into Lighting District 84-1, coordinate turn over information pertaining to street lights, and traffic signal electrical/SCE service meters with Liset Hernandez at (951) 657-3280 ext.617. (i.e. provide electrical meter number, photo of pedestal), and coordinate "request for transfer of billing information" with SCE and City of Perris for all new service meter(s). The Developer shall pay 18 month energy charges to the City of Perris for all site street lighting. Call Daniel Louie, Project Manager at Willdan Financial Services at 951-587-3564 dlouie@willdan.com for amount due and obtaining a receipt for payment.

8. **Assessment District** - Prior to permit issuance, developer shall deposit $5,250 per District, $15,750 total due. Payment is to be made to the City of Perris, and check delivered to the City Engineer’s Office. Payment shall be accompanied by the appropriate document for each District indicating intent and understanding of annexation, to be notarized by property owner(s):

   a. **Consent and Waiver for Maintenance District No. 84-1**:

   b. **Consent and Waiver for Landscape Maintenance District No. 1**:

   c. **Petition for Flood Control Maintenance District No. 1**:

   d. **Original notarized document(s) to be sent to**:

      Willdan Financial Services  
      27368 Via Industria #200  
      Temecula, Ca 92590  
      P [951] 395-6670 or [951] 587-3500

   e. Prior to final map recordation or final certificate of occupancy the Developer shall annex into the aforementioned districts, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer. Upon receipt of deposit and Consent and Waiver Forms, the Developer shall work with the City to meet all required milestones for annexations.

   f. The City prepares the Engineer’s Report which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.

   g. The annual assessment ballots will be based on the Engineer’s Reports, to be reviewed and approved by the property owner.

   h. The reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.

   i. The assessment ballots are sent to the property owner and are opened by the City Clerk at
the close of the Public Hearing. With a “yes” vote by the property owner the City Council can move forward with the resolution that confirms the Annexation. Property owner attendance at this Public Hearing is not required.

j. Confirmation by the City Council completes the annexation process and the condition of approval has been met.

9. **Landscaping Plans** – The developer shall provide three (3) hard copies and one (1) electronic copy of the Landscape and Irrigation As-Built Plans, and a plan titled "LMD Off-Site Landscape Plan DPR#17-00005". As-Built copies shall be submitted to the Planning Department for approval and shall be accompanied by the appropriate filing fee.

10. **Water Quality Management Plans** - The applicant shall submit a Preliminary and final WQMP, accompanied by the appropriate filing fee to the Planning Department and City Engineering Department, respectively. Details for treatment control facilities shall meet both the Riverside County WQMP Design guidelines, and the additional requirements of the Engineering and Special Districts Division intended to reduce the long term maintenance costs and longevity of improvements. Components shall include, but not limited to:

a. **Storm Drain Screens**: If off site catch basins are required by the City Engineer’s Office, connector pipe screens shall be included in the new catch basins to reduce sediment and trash loading within the storm pipe. Connector pipe screens shall meet the type, style, and durability requirements of the Public Works Department and Special Districts Division.

b. **WQMP Inspections**: The project applicant shall inform the on-site project manager and the water quality/utilities contractor of their responsibility to call for both “ON_SITE” and “OFF_SITE” WQMP inspections at the appropriate stages of construction. Contact CGRM at (909) 455-8520 to schedule inspections.

c. **Acceptance by Public Works and Special Districts**: Both on-site and off-site flood control/water quality facilities required for the project, as depicted in the final WQMP, shall be installed and fully operational, and approved by the final inspection by the City’s WQMP Consultant, CGRM. The developer shall obtain a Final Clearance Letter from CGRM indicating compliance with all applicable Conditions of Approval for the approved WQMP. The Developer shall deliver the same to the Public Works-Engineering Special Districts. In addition, prior to acceptance by the City, the Developer shall submit a Covenant and Agreement describing ongoing maintenance responsibilities for on-site facilities per the approved WQMP, to the Public Works and Special Districts Division. The public Works Special Districts Division will review and approve the Covenant and Agreement. The City shall record the same with the Riverside County

11. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no more than 45 days. Property owner attendance at this City Council Meeting is not required.
12. Confirmation by the City Council completes the annexation process and the condition of approval has been met.
November 15, 2018
City of Perris
Attn: Mary Bilas
135 N. D Street
Perris, CA 92570-2200

Subject: Development Review for Ellis Senior Living Housing Project; DPR17-00005

As requested a review of the subject property was completed. Please apply the following conditions:

1. Prior to the issuance of a grading permits a fire department access plan shall be submitted to the City of Perris for review and approval. The fire department access plan shall comply with the requirements specified by the City of Perris Guideline for Fire Department Access & Water Requirements for Commercial & Residential Development, and the California Fire Code, Chapter 5.

2. Prior to the issuance of a grading permit, plans for the private water line for fire services shall be submitted to the City of Perris for review and approval.

3. A fire department access road complying with the CFC, Chapter 5 and the approved fire department access plans shall be installed prior to building construction.

4. All required fire hydrants shall be installed and operational prior to building construction. All fire hydrants shall remain operational during construction.

5. All required fire hydrants shall be readily visible and immediately accessible. A clear space of not less than 3-feet shall be maintained.

6. Prior to construction a temporary address sign shall be posted and clearly visible from the street.

7. The permanent building address shall be provided and either internally or externally lighted during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.
8. Prior to the issuance of a Certificate of Occupancy the building shall be evaluated by an Emergency Radio Communication Specialist to certify if the building meets the emergency communications capability as specified by the California Fire Code § 510. If the building does not meet the minimum requirements an emergency radio communication enhancement system shall be provided. The system shall be installed and inspected by the City of Perris Building Department before the Certificate of Occupancy is issued.

9. The building shall be provided with an automatic fire sprinkler system in accordance with CFC 903.2. Construction plans shall be submitted for review and approval to the City of Perris prior to installation.

Respectfully,

Dennis Grubb, CFPE
SRC TRANSMITTAL

DEVELOPMENT PLAN REVIEW

PERMIT 17-00005, GPA 17-05147

BUILDING COMMENTS

2. Must Have Proper Fire Access to the Facility.
10. The office, Bar – B-Que Area, and the POOL and open space areas must comply with the ADA Access regulations.
11. The Public Pool with require approval by the County of Riverside Health department.
12. The provided parking areas will also have to comply with the Title 24 state of California Access Regulations.
13. The site will have to comply with the Title 24 California Access Regulations.
14. The apartments will have to comply with Chapter 11A of the 2016 California Building Code.

Planner: Diane Sbardellati

David J. Martinez/Interim Building & Fire Officer Date: 9-11-17
June 11, 2018

Ms. Diane Sbardellati, Project Planner
City of Perris Planning Division
101 N. D Street
Perris CA 92570-2200

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County Administrative Center
4060 Lemon St., 4th Floor
Riverside, CA 92501
(Tel) 951-513

www.rcaluc.org

AIRPORT LAND USE COMMISSION
RIVERSIDE COUNTY

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW
File No.: ZAP1015PV18
Related File Nos.: 17-05148 (Zone Change), 17-00005 (Development Plan Review)
APN: 313-222-002

Dear Ms. Sbardellati:

On May 10, 2018, the Riverside County Airport Land Use Commission (ALUC) found City of Perris Case No. 17-05148 (Zone Change), a proposal to change the zoning of a 4.22 acre parcel located on the northwest corner of Ellis Avenue and “A” Street from Community Commercial (CC) to R-6,000 Single Family Residential 6,000 square foot lot minimum/Senior Housing Overlay (SHO) zone, CONSISTENT with the 2010/2011 Perris Valley Airport Land Use Compatibility Plan (ALUCP) and the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.

This finding of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of this proposal. As the site is located within Airport Compatibility Zone E, both the existing and the proposed zoning, and overlay, are consistent with the Perris Valley ALUCP and the March Air Reserve Base/Inland Port ALUCP.

On May 10, 2018, the Riverside County Airport Land Use Commission (ALUC) found City of Perris Case No. 17-00005 (Development Plan Review), a proposal to construct a 141-unit senior apartment complex on the above-referenced 4.22-acre site, CONDITIONALLY CONSISTENT with the 2010/2011 Perris Valley Airport Land Use Compatibility Plan and the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, pending Federal Aviation Administration (FAA) review, which has now been completed, subject to the following conditions, as amended to incorporate the provisions of the FAA’s Determination of No Hazard to Air Navigation letter issued on May 31, 2018 (new conditions, as added pursuant to FAA letter subsequent to hearing, shown in bold type).

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:

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

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

(c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)

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

3. The attached disclosure notice shall be provided to all potential purchasers of the property and to tenants of the apartments thereon.

4. Any ground-level or aboveground water detention basin or facilities shall be designed so as to provide for a detention period for the design storm that does not exceed 48 hours and to remain totally dry between rainfalls. Vegetation in and around such facilities that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

5. An informational brochure shall be provided to prospective renters showing the locations of aircraft flight patterns. The frequency of overflights, the typical altitudes of the aircraft, and the range of noise levels that can be expected from individual aircraft overflights shall be described. A copy of the Compatibility Factors exhibit from the Airport Land Use Compatibility Plan shall be included in the brochure.

6. An informational sign shall be posted in the leasing/rental office clearly depicting the proximity of the project to Perris Valley Airport and aircraft traffic patterns.

The following conditions were added subsequent to the May 10, 2018 ALUC hearing.

7. The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2018-AWP-7829-OE) and has determined that neither marking nor lighting of the structure(s) is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 L Change 1 and shall be maintained in accordance therewith for the life of the project.

8. The proposed buildings shall not exceed a height of 45 feet above ground level and a maximum elevation at top point of 1,525 feet above mean sea level.

9. The maximum height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
10. Temporary construction equipment used during actual construction of the structure(s) shall not exceed 45 feet in height and a maximum elevation of 1,525 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

11. Within five (5) days after construction of any individual building reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to https://oeaaa.faa.gov for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the applicable structure(s).

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity
Aeronautical Study No. 2018-AWP-7829-OE

cc: Everest at Perris, LLC (applicant/property owner)
Casey Malone (representative)
Pat Conatser, Manager, Perris Valley Airport
Gary Gosliga, Airport Manager, March Inland Port Airport Authority
Daniel Rockholt or Denise Hauser, March Air Reserve Base
ALUC Case File

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EXHIBIT B
DPR 17-00005 Ellis Senior Apts.
RESOLUTION NUMBER 19-01


WHEREAS, an Initial Study has been prepared for Zone Change 17-05148 and Development Plan Review 17-00005 (the Perris-Ellis Senior Apartments), and based upon the environmental information staff finds that the project could not have significant effects on the environment because required mitigation measures for the project have been agreed to by the project proponent, therefore a Mitigated Negative Declaration (2340) has been prepared; and

WHEREAS, the property proposed for Zone Change 17-05148 and Development Plan Review 17-00005 are more particularly described as Assessor Parcel Number 313-222-002; and

WHEREAS, Zone Change 17-05148 would change the zoning classification from CC to R-6,0000 and apply the ordinance provisions of Section 19.86 as an overlay to the R-6,000 zone to increase the density to 33 dwelling units per acre as allowed by Section 19.86 of the Perris Zoning Code; and

WHEREAS, Development Plan 17-00005 would allow for the construction of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities at a density of 33 dwelling units per acre.

WHEREAS, the Perris-Ellis Senior Apartments application was filed by the applicant to construct a 141-unit senior apartment complex under the Senior Overlay provisions of Section 19.86 of the Zoning Code on July 25, 2017; and

WHEREAS, the Perris-Ellis Senior Apartments provides desirable senior housing in a quality environment and residents will have both Major and Minor recreational amenities, an RTA Bus Stop and a private shuttle service to the local community including the Multi-Modal Transit Center in downtown Perris; and

WHEREAS, the proposed project is located in the March Air Reserve Base (MARB) Compatibility Zone E, and Perris Valley Airport (PVA) Compatibility Zone E, was reviewed and heard by the ALUC Board on May 10, 2018 and the FAA OES on May 31, 2018
RESOLUTION NUMBER 19-01

and Zone Change 17-05148 was deemed consistent with the MARB and PVA Land use Compatibility Plans and DPR 17-0005 was found conditionally consistent with MARB and PVA Land use Compatibility Plans, subject to standard conditions which will be incorporated as part of the project approval; and

WHEREAS, the project complies with all provisions of PMC Section 19.86, Senior Housing Overlay, and PMC Section 19.70, Landscaping; and

WHEREAS, the Initial Study/MND were publically reviewed for a twenty-day period on accordance with CEQA, from January 30, 2019 to February 18, 2019 and Zone Change 17-05148 and Development Plan Review 17-00005 have been duly noticed; and

WHEREAS, on February 20, 2019, the Planning Commission conducted a legally noticed public hearing on Zone Change 17-05148 and Development Plan Review 17-00005, and considered public testimony and materials in the staff reports and accompanying document and exhibit; and, at which time all interested persons were given full opportunity to be heard and to present evidence; and

WHEREAS, the City has complied with the California Environmental Quality Act; and,

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

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

Section 2. The Planning Commission has determined that although the proposed project could have a significant effect on the environment, there would not be an adverse effect by this project because revisions to the project have been made by or agreed to by the project proponent, and mitigation measures have been outlined to reduce potential significant impacts to a level of insignificant and a Mitigated Negative Declaration (2340) has been prepared pursuant to the California Environmental Quality Act (CEQA).

The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and their determination reflects the independent judgment of the Commission.

Section 3. Based on the information contained in the staff report and supporting exhibits and plans, regarding the proposed Zone Change 17-05148, change of zone from CC to R-6000, with a Senior Housing Overlay (R-6,000-SHO) and Development Plan Review 17-00005, the Planning Commission hereby finds:

Zone Change 17-05148

1. The proposed zoning is consistent with the General Plan Land Use Map and Airport Overlay Zoning Map and applicable General Plan objectives, policies, and programs.
The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land use designation. The General Plan land use designation contemplates residential uses on the site and encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing; therefore the proposed project is consistent with the City's General Plan. It conforms to the goals of the General Plan by complying with the zoning code development standards, which implements the General Plan goals, objectives and policies. Additionally, the project provides for superior site design and building architecture and will extend roadway and utility infrastructure to improve service in the area. The project was also determined to be consistent with the Airport Overlay Map by the Riverside County Airport Land Use Commission.

The project is consistent with General Plan Policy I.A of the General Plan Land Use Element to promote variety in dwelling types, densities and locations to satisfy changing demands as the community evolves and matures. The project is also consistent with Goal 1 of the Housing Element to promote and maintain a variety of housing types for all economic segments of the City and Goal 2 to promote and preserve suitable and affordable housing for persons with special needs, including lower income households, large families, single parent households, large families, the disabled and senior citizens. Finally, as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land use designation.

2. The proposed zoning is compatible with or provides adequate buffering of adjoining uses.

The proposed zoning is compatible with the underlying General Plan designation and provides adequate buffering to adjoining uses, as the buildings are placed further away from the existing single-family to the north with a buffer consisting of enhanced landscaping, a carport parking row and a drive aisle. Further, the Zoning Code encourages the application of the SHO zoning overlay on any residential or commercially zoned site in order to facilitate the development of senior housing, which is a needed housing option in the City. As designed and conditioned the site provides adequate building setbacks in combination with enhanced landscaping to provide a buffer and privacy screen between the proposed development and existing residential uses to the north.

3. The proposed zoning is a logical extension of the existing zoning pattern.

The proposed R-6,000 SHO zoning logically extends the existing residential pattern to the north by applying a Senior Housing overlay to the property, which is encouraged by the Zoning Code and contemplated by the City’s General Plan, in order to provide an affordable, age restricted housing option for senior citizens. The project is designed in conformance with the City’s Zoning Code to ensure that it integrates into the existing residential neighborhood fabric.
Senior Housing Overlay

1. The proposed project is in compliance with the requirements set forth in section 19.86.030, which identify the eligibility of the project. The proposed senior housing project is in compliance with the SHO eligibility requirements set forth in Section 19.86.030, in that it meets the acreage, underlying zoning, surrounding land use compatibility and health and safety requirements specified.

2. The proposed project is a use permitted in Section 19.86.040, meets the applicable affordability and age requirements set forth in Sections 19.86.050 and 19.86.060, respectively.

The proposed project is in compliance with Section 19.86.040 as it proposes the development of a multifamily senior housing apartment complex, which is a permitted use. The proposed project also meets the affordability requirements established in Sections 19.86.050, as 3% of the units are available at an affordable housing cost to persons and families of low and moderate income and 40% of the 3% of the dwelling units are intended to be affordable to very low-income households. The project also meets the age restriction requirements set forth in Section 19.86.060, as the project is conditioned to ensure that at least one household member is 55 or older in age.

3. The proposed project is designed such that it has created a senior community that is compatible with its surroundings and has achieved a design that is superior to that which would otherwise be allowed under the underlying conventional zoning.

The proposed project is designed to create a senior community that is compatible and integrated into the existing neighborhood fabric through the application of high quality architecture, landscaping, amenities and site design principles, which exceed the minimum development and design criteria specified by the City’s SHO regulations, and together create a project that is superior to that which would otherwise be allowed under the conventional underlying zoning district.

4. The project incorporates the required amenities and design guidelines set forth in 19.86.080.

The proposed project incorporates the required amenities and design characteristics outlined in Section 19.86.080 of the City’s Municipal Code, in that the proposed amenities exceed the minimum required and the existing the project design meets or exceeds all of the design criteria specified in Section 19.86.080.

5. The existing or proposed circulation system is adequate to accommodate projected traffic volume.

As conditioned, the proposed project is adequate to accommodate the projected traffic volume as evidenced by the project Traffic Impact Study, which was approved by the City.

6. The existing or proposed infrastructure is adequate to meet the requirements of the proposed project without compromising capacity in other areas of the city.
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As conditioned the existing and proposed infrastructure improvements are adequate to meet
city requirements without compromising capacity in other areas of the city as evidenced by
the Initial Study and Mitigated Negative Declaration (2340).

7. The overall project is keeping with the purpose and intent of the SHO Zone and creates a
project that serves the unique needs of seniors while creating a high-quality
development, which benefits the overall community.

The overall project meets the purpose and intent of the SHO zone by creating a project that
serves the unique needs of seniors, while creating a high-quality development through the
incorporation of high quality materials and application of design principles, which meet or
exceed development and design criteria outlined in the City’s SHO regulations and that
serve to create a project that easily integrates into the existing neighborhood and provides
connectivity to city services, public facilities and amenities.

Development Plan Review 17-00005

1. The location, size, design, density and intensity of the proposed development and
improvements are consistent with the City’s General Plan, the purposes and provisions of
this Title, the purposes of the zone in which the site is located, and the development
policies and standards of the City.

The proposed R-6,000-SHO zoning will create consistency with the R-6,000 General Plan land
use designation. The General Plan land use designation contemplates residential uses on the
site and encourages the application of the SHO zoning overlay on any residential or
commercially zoned site in order to facilitate the development of senior housing; therefore the
proposed project is consistent with the City’s General Plan.

This proposed zoning classification (R-6,000-SHO) permits multi-family senior housing uses
at an increased density of 50 dwelling units per gross acre. Since the proposed project proposes
a density of 33 dwelling units per acre, it is in compliance with the zoning regulations and the
General Plan. The site is designed in conformance with the R-6,000-SHO policies, development and design standards and criteria.

The proposed project conforms to the goals of the General Plan and Zoning Code by
complying with the developments standards of the R-6,000-SHO zoning providing superior
site design and building architecture. The project is consistent with General Plan Policy I.A
of the General Plan Land Use Element to promote variety in dwelling types, densities and
locations to satisfy changing demands of the community as it evolves and matures. Finally,
as conditioned, the project meets or exceeds the objectives of the R-6,000 General Plan land
use designation, and the R-6,000-SHO zoning classification and overlay.

2. The subject site is physically suitable, including but not limited to parcel size, shape,
access, and availability of utilities and services, for the type of development proposed.

The subject site is a rectangular shaped property of approximately 4.21-acres located at the
Northwest Corner of “A” Street & Ellis Avenue. The site is bounded by the southerly
extension of Park Avenue on the west and “A” Street on the east, single-family residential homes to the north and vacant land on the south. The site is undeveloped and unimproved and is relatively flat, with elevated rock outcropping in the western half of the site. Site access to the project would be one full access ingress/egress at “A” Street and one full access ingress/egress at the southerly extension of Park Avenue, which is consistent with City policies and regulations. The site is physically suitable to accommodate the proposed development and required improvements and meets applicable development standards in terms of size, shape and access. Nearby utility service connections are available to service the site and will be designed, installed and maintained consistent with City and service agency requirements. As such, the site is physically suitable for the proposed project, in terms of size, shape, access and services.

3. The proposed development and the conditions under which it would be operated or maintained is compatible with the zoning code and will therefore not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

As conditioned, the proposed Senior Housing project will not be detrimental to the public health, safety or welfare, or injurious to property and improvements in the vicinity or to the general welfare of the City. The project is designed in conformance with the City’s Zoning Ordinance so that it integrates into the existing neighborhood fabric and offers alternative modes of transportation for residents through the installation of a new RTA bus stop, establishment of a private shuttle bus service and pedestrian connections to the adjacent public sidewalk systems, thus helping to alleviate impacts to roadways.

4. The architecture proposed is compatible with community standards and protects the character of adjacent development.

As conditioned, the proposed architecture meets or exceeds the intent of the more onerous SHO architectural design standards, which require consistent use of colors, human scale and proportion, the use of durable and low maintenance materials, and accommodation for private and community open space and the installation of support structures (e.g., laundry, recreation, clubhouse/leasing, etc.). It provides a modern architecture style, with an articulated façade and the application of a palette of architectural features, such as varying neutral colors and stone finishes that change the surface planes, effectively breaking up monotonous spans of the building. Additionally, the proposed architecture will be compatible with and protect the character of the existing neighborhood fabric, through the application of enhanced development standards, landscaping, setbacks, site design and improvements, which aesthetically enhance the site, while providing privacy and screening for future and existing adjacent residents.

5. The landscaping plan ensures visual relief and provides an attractive environment for the public’s enjoyment.

As conditioned, the proposed project meets or exceeds the on-site and off-site landscape standards for multi-family development outlined in Section 19.70.060(D), as well as those
specified in the SHO (Section 19.86.080(G)(21)). It provides a mix of specimen native and drought tolerant trees, shrubs, ground cover and annual color throughout the site to ensure visual relief and effectively frame, soften and embellish access points, building entries, parking areas, trash enclosures and recreational areas. As required, all areas not covered by structures, drive aisles, parking or hardscape have been landscaped, which will provide an attractive environment for the public’s enjoyment.

6. The safeguards necessary to protect the public health, safety and general welfare have been required for the proposed project.

The proposed project provides the safeguards necessary to protect the public health, safety and general welfare through the conditions or approval and mitigation measures, which will ensure that the project is developed in compliance with City and affected service agency codes and policies and mitigate potential impacts to the environment and sensitive land uses.

Section 4. For the foregoing reasons the Planning Commission recommends that the City Council review and adopt the Mitigated Negative Declaration 2340, and approve Zone Change 17-05148, to change the zoning classification from CC to R-6,0000 and apply the ordinance provisions of Section 19.86 as an overlay to the R-6,000 zone to increase the density to 33 dwelling units per acre as allowed by Section 19.86 of the Perris Zoning Code and Development Plan Review 17-00005 to allow for the construction of a 141-unit age restricted senior housing apartment complex with clubhouse and recreational amenities, based on the information and findings presented in the staff report and subject to the attached Conditions of Approval (Exhibit A).

Section 5. The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words of this Resolution shall remain in full force and effect.

Section 6. The Chairperson shall sign and the Secretary shall certify to the passage and adoption of this Resolution.

ADOPTED, SIGNED, and APPROVED this 20th day of February 2019

______________________________
CHAIRPERSON, PLANNING COMMISSION
RESOLUTION NUMBER 19-01

ATTEST:

__________________________________________
Secretary, Planning Commission

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

I, Kenneth Phung, SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 19-01 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on the 20th day of February, 2019 and that it was so adopted by the following vote:

AYES: 
NOES: 
ABSTAIN: 
ABSENT:

__________________________________________
Secretary, Planning Commission
CITY OF PERRIS
CITY COUNCIL
AGENDA SUBMITTAL

MEETING DATE: March 26, 2019
SUBJECT: Amend existing Animal Control Ordinance Number 1168 in its entirety.
REQUESTED ACTION: That City Council conduct a Public Hearing; and after receiving public testimony consider approving amending existing Ordinance Number 1168 in its entirety.
CONTACT: Daryl Hartwill, Director of Public Works

BACKGROUND/DISCUSSION:

The City of Perris is committed to providing quality Animal Control services to its residents. The existing Animal Control Ordinance Number 1168 has not been updated in its entirety since 2005. As a result, during the last 15 years many of the laws and regulations have been changed or adjusted to better protect animal owners. Currently the City contracts with Riverside County for sheltering services; the proposed changes and updates are in collaboration with the County’s Animal Control Ordinance and provide a consistent regulatory approach for staff as well as for residents of Perris and surrounding areas. The ordinance revision was considered during the Public Works sub-committee meeting held on February 28, 2019.

The proposed revisions provide specific direction to staff and will improve the quality of service, effectiveness, efficiency and transparency to the public. The proposed changes to Title 8, Chapters 8.01 to 8.05. Changes include updating outdated terms; adding Penal Code §597.1, mandatory spay/neuter and microchipping, administrative process to determine potentially dangerous animals; administrative hearings pertaining to noisy animals. The changes will bring the current Ordinance to date and will align with Riverside County’s Animal Control Ordinance.

BUDGET (or FISCAL) IMPACT: There is no budgetary impact.

Prepared by:

REVIEWED BY:
City Attorney
Assistant City Manager
Finance Director

Attachments: Ordinance Number 1168 and recommended revisions

Consent:
Public Hearing: x
ORDINANCE NO. (NEXT IN ORDER)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING TITLE 8 OF THE PERRIS MUNICIPAL CODE CONCERNING REGULATION OF ANIMALS WITHIN THE CITY

WHEREAS, Title 8 of the Perris Municipal Code has not been updated since 2005;

WHEREAS, the City Council now desires to update Title 8 of the Perris Municipal Code to ensure that it is consistent with the needs of the community.

THE CITY COUNCIL OF THE CITY OF PERRIS DOES ORDAIN AS FOLLOWS:

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

Section 2. Amendment to Title 8 of the Perris Municipal Code. Title 8 of the Perris Municipal Code is hereby replaced in its entirety as follows:

“Title 8 - ANIMALS

Chapter 8.01 - ANIMALS GENERALLY

8.01 - ANIMAL CONTROL AND WELFARE - DEFINITIONS AND GENERAL

8.01.010 - Definitions.

Unless the context requires otherwise, the following words, when used in this chapter, shall have the meaning set forth in this section. Variants of defined terms shall be construed in the same manner as the defined terms themselves.

“Animal” means any vertebrate creature, domestic, exotic or wild, including, but not limited to, birds, fishes, reptiles and nonhuman mammals.

“Animal Control Officer” means any person appointed by the City as an authorized agent who is qualified to perform such duties under the laws of this state.

“Animal establishment” means any pet shop, grooming shop, animal auction, riding school or stable, zoological park, circus, performing animal exhibition, kennel or animal shelter.
“Animal exhibition” means any display containing one or more animals which are exposed to public view for entertainment, instruction or advertisement, excluding fairs, livestock shows, rodeos, purebred dog and pedigree cat shows, obedience trials and competitions, field trials, and any other fair or exhibition intended to advance agricultural arts and sciences.

“Animal services” mean the City-funded program that provides staffing, facilities and resources to operate the City animal control and animal shelter operations.

“Animal shelter” means any nonprofit private or publicly owned facility authorized to impound or care for animals held under the authority of this chapter or State law.

“Assistance Dog” means any dog, such as a guide dog, signal dog or service dog as defined in California Food and Agriculture Code, Section 30850(a)

“At large” means the status of any animal, other than a wild animal in its established habitat which is not tethered or otherwise confined on the property where it is authorized to be, or which is not on a leash held by a person physically capable of restraining such animal, or is not otherwise physically restrained to the same extent by some other device.

“Attack” means any action by an animal which places a person in danger of immediate bodily harm.

“Breeder” means an owner/lessor/breeder of any animal, including fowl, who is licensed by the City to breed animals for resale, individually or in litter lots, whether any of these animals are also kept for personal use.

“Caretaking” shall mean the temporary act of housing, caring for or sheltering any animal at a location which is legally owned by another party.

“Carnival” means any commercial variety show exhibiting or presenting animal acts for public entertainment.

“Cattery” means any building, structure, enclosure or premises upon or within which four or more cats, four (4) months or older, are kept or maintained.

“Circus” means any commercial variety show exhibiting or presenting animal acts for public entertainment.

“Commercial purposes” means any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling animals.
“**Complaining Party.**” Person or persons who contact the Animal Control Division regarding any matter relating to animal welfare or any potential violation relating to this ordinance.

“**Coop**” means any small enclosure which is designed and intended for the safe containment of small animals or fowl of such a size as to allow the confined small animal or fowl adequate room to move about freely within the enclosure. At minimum, the coop shall provide three (3) square feet of area for each animal contained therein, as well as the ability to provide for an adequate source of clean drinking water as well as separation of animal wastes from the animal.

“**Dangerous animal**” Any animal which does any of the following:

Any animal that has twice within a thirty-six (36) month period in two (2) separate incidents has, actively pursued, attacked, bitten or otherwise caused a less severe injury than a “substantial injury”, to another person or animal engaged in lawful activity; or,

Any animal which has once attacked, bitten, or otherwise caused injury to a person or animal engaged in lawful activity, resulting in substantial injury or death to an animal or substantial injury to a person; or,

Any animal that has been previously declared a “potentially dangerous animal” and the Owner has failed to restrain the animal as so directed by the Animal Control Officer; or,

Any animal which has been declared a “potentially dangerous animal” as defined by California State law during any legal proceeding.

“**Dog kennel**” means any building or premises upon or within which five or more dogs, four (4) months of age or older, are kept or maintained.

“**Domesticated animal**” means a cat, dog, rabbit, mouse, turtle, fish, bird of the parrot family and/or a caged reptile which is permanently maintained within a residence.

“**Euthanasia**” means the humane death of an animal brought about by an authorized person and by a method approved by the Senior Animal Control Officer and local veterinary doctors.

“**Exigent circumstances**” mean any circumstances in which an Animal Control Officer, in his or her best judgment, determines that a life threatening or serious injury is likely to occur, if immediate action is not taken. For the purposes of this title, examples of exigent circumstances include, but are not limited to, where an
animal may die if not immediately transported to a veterinarian, or an animal may bite and seriously injure a human or other animal if not immediately impounded, or an animal may die if an officer does not immediately enter property to rescue the animal.

"Exotic animal" means any animal which is not normally domesticated in the United States including, but not limited to, any lion, tiger, bear, nonhuman primate (monkey, chimpanzee, etc.), wolf, coyote, fox, opossum, raccoon, ferret, weasel, cougar, badger, lynx, bobcat, ocelot, wildcat, skunk, emu, leopard, panther, a hybrid animal or venomous snake, irrespective of its actual or asserted state of docility, tameness or domesticity.

"Fostering" shall mean the act of housing, caring for or sheltering any animal on a temporary basis, for the purpose of securing a permanent home for said animal or for arranging the permanent adoption of said animal.

"Fowl" means any animal which is a bird including pigeons, ducks, geese, turkeys, chickens, peacocks and roosters.

"Guide dog" means a properly trained dog which has been certified, or is in training to be certified, by a licensed guide (seeing eye) dog agency and is actually being used by a sight-impaired person.

"Impounded" means the status of an animal which has been received into the custody of an Animal Control Officer or peace officer duly authorized by the law to receive custody of such animal, whether held in personal custody, in an animal shelter, or in a vehicle controlled by such officer.

"Infectious disease" means any infectious, contagious or communicable disease sufficiently dangerous to the public health or to the health of animals within the City to warrant putting into effect the provisions of this title and any rules or regulations adopted pursuant thereto.

"Large animal" means any horse, ostrich, sheep, goat, swine, bovine, ox, buffalo, cattle, llama, donkey and/or mule.

"Licensed animal" means an animal in respect to which a current valid license has been issued by the City or other agency of competent jurisdiction.

"Livestock" means any domesticated animal, other than a dog, cat or fish, including a horse, sheep, rabbit, goat, swine, bovine, ox, buffalo, cattle, ostrich, peacock, buffalo, chicken, pigeon, duck, goose, turkey, llama, donkey or mule which is kept in captivity under the control or ownership of any person for any purpose.
“Noisy Animal.” Any animal or animals maintained on the same premises or location whose excessive, unrelenting or habitual barking, howling, crying or other noises or sounds annoy or become offensive to a resident or residents in the vicinity thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity hearing such sound.

“Nuisance” means a condition in which an animal: damages, soils, defiles or defecates on private property other than the owner’s or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous or offensive conditions; causes a disturbance by excessive barking or other noise making if confirmed by three independent witnesses; or chases vehicles, or molests, attacks or interferes with persons or other domestic animals on public property.

“Official police dog” means any canine trained for law enforcement purposes, when used by the police department for such purposes, and when so designated by the police chief by the issuance of distinguishing tags.

“Owner” means any person (except where a particular status is compelled by the context in which used) keeping, harboring, in possession of, or having custody or control over any animal; any person having title to any animal; any person who has, harbors or keeps, or who causes or permits to be harbored or kept, an animal in the person’s care; or any person who permits an animal to remain on or about the person’s premises for a period of thirty consecutive days or more.

“Performing Animal Exhibition” means any spectacle, display, act or event, other than circuses, in which performing animals are used. This shall include animal amusement vendors such as but not limited to, pony-go-round rides, horseback pictures, performing elephants, etc.

“Permit” means an authorization from the City stipulating conditions under which animals may be kept in commercial and private establishments.

“Permitted facility” means any physical location which engages in “Commercial purposes” as defined in this Chapter; provided that the facility complies with the City’s Zoning and Land Use requirements.

“Person” means any individual, firm, business, partnership, joint venture, corporation, association, club, organization or other legal entity.

“Pet” means any animal kept for pleasure rather than utility.
“Pet shop” means any person, whether operated separately or in connection with another business enterprise, except for a permitted and licensed kennel or cattery, that buys, sells, or boards any species of animal.

“Pigeon” means any bird described as a pigeon, homing pigeon or racing pigeon.

“Potentially dangerous animal” means any of the following:

1. Any animal which has once actively pursued, attacked, bitten or otherwise caused a less severe injury than a “substantial injury” to another person engaged in a lawful activity; or,

2. Any animal which has once attacked, bitten, or otherwise caused a less severe injury than a “substantial injury” to another animal; or,

3. Any animal that is found actively pursuing livestock, poultry, dogs, cats or animals as defined within the Chapter; or,

4. Based on evidence presented to the Animal Control Officer upon investigation, that in the Animal Control Officer’s professional judgment, the animal is potentially dangerous.

“Public entity” means any state or any political subdivision, municipal corporation, body politic, public corporation or agency of a state.

“Public nuisance” means any animal or animals which: (e) molests passersby or passing vehicles; (b) attacks other animals; (c) trespasses on school grounds; (d) is repeatedly at large; (e) damages private or public property; or (f) barks, whines or howls in excessive, continuous or untimely fashion.

“Quarantine” means the strict confinement of an animal upon the premises of the owner or elsewhere as approved by the Senior Animal Control Officer.

“Responsible Party” shall mean any of the following:

The person or persons who own the property where the animal is located;

The person or persons in charge of the premises where the animal is located;

The person or persons occupying the premises where the animal is located;

The owner of the animal.

“Secure enclosure” means a fence or structure suitable to prevent the entry of young children and/or any part, limb or appendage of any child, and which is
suitable to confine a potentially dangerous animal or a vicious animal in conjunction with other measures which may be taken by the owner or keeper of the animal or at the direction of the Senior Animal Control Officer. The enclosure shall be designed to prevent the animal from escaping and from preventing an adult or child from coming into contact with the animal. Chains, where a person can walk within the length of the chain, an electronic collar or an invisible fence are not sufficient restraints or enclosures. Such an enclosure must also comply with all City planning requirements for fencing and enclosures including, but not limited to, requirements for zoning, design, height and materials used.

“Senior Animal Control Officer” means the supervising Animal Control Officer of the City or the person duly authorized by such officer to enforce the provisions of this chapter.

“Service dog” Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The tasks performed by the dog must be directly related to the person’s disability as set forth within the American’s with Disabilities Act (ADA).

“Signal dog” means any dog trained or being reared, trained or used for the purpose of alerting a deaf person or a person whose hearing is impaired, to intruders or sounds.

“Small animal” means any rabbit, turtle, chinchillas, or other similarly sized animal.

“Substantial injury” means a substantial impairment of the physical condition of a person that requires professional medical treatment, including, but not limited to: loss of consciousness, concussion, bone fracture, protracted loss or impairment of the function of any bodily member or organ, tissue tears or punctures, disfiguring lacerations, a wound requiring multiple sutures, or any injury requiring corrective or cosmetic surgery.

“Vaccination” means an inoculation with a vaccine against rabies, in accordance with requirements of Section 121690 of the California Health and Safety Code.

“Veterinarian” means a person holding a currently valid license to practice veterinary medicine, dentistry and surgery.

“Vicious animal” means any animal that:

Has previously been declared a “Dangerous Animal”; or,
Has caused "Substantial Injury" or death to a person; or,

Has been kept, owned, trained or possessed for the purpose of being engaged in an exhibition of fighting with another dog as defined in Penal Code Section 597.5; or,

In the opinion of the Senior Animal Control Officer, poses an immediate threat to health and safety of persons or animals.

8.01.020 - Duties and powers of officers.

A. It is the duty of all peace officers within the City, to cooperate with and assist the Senior Animal Control Officer or their designee, environmental health Senior Animal Control Officer or their designee and the Senior Animal Control Officer or their designee in the enforcement of the provisions of this chapter, and in the enforcement of California State law relating to the regulation, care and/or keeping of animals, and such peace officers and the Senior Animal Control Officer or their designee shall be empowered to:

1. Receive, take up and impound:

   a. All animals which are creating a public nuisance, or which are found running at large in violation of this Ordinance, of any other ordinance or of any law of the State of California;

   b. All potentially dangerous animals, dangerous, or vicious animals;

   c. All animals which, without provocation or direction, may be threatening the safety of any person or other animal, whether or not the threatening animal is a potentially dangerous animal, dangerous animal, or vicious animal.

2. Issue a warning notice for, citation for, or investigate any violation of any provisions of any City ordinance or California law regarding the care or keeping of animals;

3. Investigate whether a dog is licensed in compliance with the requirements of this chapter;

4. Seize and impound any animal as authorized by this chapter or any other City of Perris Ordinance or State law. When the animal to be taken or seized is located inside a private residence or in its curtilage, a judicial order directing seizure of the animal shall, absent exigent circumstances, be obtained prior to seizure;

5. Investigate the condition and behavior of any animal alleged or believed to be potentially dangerous, dangerous, vicious, abused or abandoned and take such action under this chapter as may be appropriate;
6. Regularly and adequately feed, water and otherwise care for any animals impounded under the provisions of this chapter, other ordinance or State law or to provide for such feeding and/or watering and care;

7. Humanely destroy or give emergency care to sick or injured animals. Any dog, cat or other animal which is abandoned, neglected, sick, lame, feeble, is unfit for the labor it is performing, or that in any manner is being cruelly treated may be impounded and disposed of in a humane manner as hereinafter provided:

a. Whenever any peace officer or Animal Control Officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall immediately seize the animal and comply with the procedure established in Subsection 8.01.020(A)(7)(c) of this Ordinance. In all other cases, the officer shall comply with the procedure established in Section 4 of this Ordinance. In all other cases, the officer shall comply with the provisions of subsection 8.01.020(A)(7)(d) of this Ordinance. The cost of caring for and treating any animal properly seized under this Ordinance shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid, unless the hearing officer determines that the seizure was unjustified.

b. Whenever an Animal Control Officer or peace officer seizes or impounds an animal based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall, prior to the commencement of any criminal proceedings provide the owner or keeper of the animal, if known or ascertained after reasonable investigation, with the opportunity for a post seizure hearing as hereinafter provided to determine the validity of the seizure or impoundment, or both.

1. The Health Department shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice of the seizure or impoundment, or both, to the owner or keeper within forty-eight (48) hours, excluding weekends and holidays. The notice shall include all of the following:

(a). The name, business address, and telephone number of the officer providing the notice.

(b). A description of the animal seized, including any identification upon the animal.

(c). The authority and purpose for the seizure, or impoundment, including the time, place, and circumstances under which the animal was seized.
(d). A statement that, in order to receive a post seizure hearing, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning an enclosed declaration of ownership or right to keep the animal to the Health Department within ten (10) days, including weekends and holidays, of the date of the notice. The declaration may be returned by personal delivery or mail.

(e). A statement that the cost of caring for and treating any animal properly seized under this section is a lien on the animal and that the animal shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in liability for this cost.

(2). The post seizure hearing shall be conducted within forty-eight (48) hours of the request, excluding weekends and holidays. The hearing shall be conducted in accordance with the provisions of subsection 8.01.020(7)(A)(h) of this Ordinance.

(3). Failure of the owner or keeper, or of his or her agent, to request a hearing within the prescribed time period, or to attend a scheduled hearing, shall result in forfeiture of any right to a post seizure hearing or right to challenge his or her liability for costs incurred.

(4). The Health Department, or law enforcement agency that directed the seizure shall be responsible for the costs incurred for caring and treating the animal, if it is determined in the post seizure hearing that the seizing officer did not have reasonable grounds to believe very prompt action, including seizure of the animal, was required to protect the health or safety of the animal or the health or safety of others. If it is determined the seizure was justified, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal, and the animal shall not be returned to its owner until the charges are paid and the seizing agency or hearing officer has determined that the animal is physically fit or the owner demonstrates to the seizing agency's or the hearing officer's satisfaction that the owner can and will provide the necessary care.

c. Where the need for immediate seizure is not present and prior to the commencement of any criminal proceedings the Health Officer shall provide the owner or keeper of the animals, if known or ascertainable after reasonable investigation, with the opportunity for a hearing prior to any seizure or impoundment of the animal. The owner shall produce the animal at the time of the hearing unless, prior to the hearing, the owner has made arrangements with the agency to view the animal upon request of the agency, or unless the owner can provide verification that the animal was humanely destroyed. Any person who willfully fails to produce the animal or provide the verification is guilty of an infraction, punishable by a fine of not less than two hundred and fifty dollars ($250.00) no more than one thousand dollars ($1,000.00).
(1). The Health Department or law enforcement agency shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice stating the grounds for believing the animal should be seized. The notice shall include all of the following:

(a). The name, business address, and telephone number of the officer providing the notice.

(b). A description of the animal to be seized, including any identification upon the animal.

(c). The authority and purpose for the possible seizure or impoundment.

(d). A statement that, in order to receive a hearing prior to any seizure, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning the enclosed declaration of ownership or right to keep animal to the officer providing the notice within two days, excluding weekends and holidays, of the date of the notice.

(e). A statement that the cost of caring for and treating any animal properly seized is a lien on the animal, that any animal seized shall not be returned to the owner until the charges are paid, and that failure to request a hearing within the prescribed time period, or to attend a scheduled hearing shall result in a conclusive determination that the animal may properly be seized and that the owner shall be liable for the charges.

(2). The pre seizure hearing shall be conducted within forty-eight (48) hours, excluding weekends and holidays, after receipt of this request. The hearing shall be conducted in accordance with the procedure established in subsection 8.01.020(A)(7)(h) of this Ordinance.

(3). Failure of the owner or keeper, or his or her agent, to request a hearing within the prescribed time, period or to attend a scheduled hearing, shall result in a forfeiture of any right to a pre seizure hearing or right to challenge his or her liability for costs incurred pursuant to this Ordinance.

d. If any animal is properly seized under this Ordinance, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal. Furthermore, if the charges for the seizure or impoundment and any other charges permitted under this Ordinance are not paid within fourteen (14) days of the seizure, or, if the owner, within fourteen (14) days of notice of availability of the animal to be returned, fails to pay charges permitted under this Ordinance and take possession of the animal, the animal shall be deemed to have been abandoned and may be disposed of by the impounding officer.
e. If the animal requires veterinary care and the seizing agency is not assured, within fourteen (14) days of the seizure of the animal, that the owner will provide the necessary care, the animal shall not be returned to its owner and shall be deemed to have been abandoned and may be disposed of by the impounding officer. A veterinarian may humanely destroy an impounded animal without regard to the prescribed holding period when it has been determined that the animal has incurred severe injuries or is incurably ill or crippled. A veterinarian also may immediately humanely destroy an impounded animal afflicted with a serious contagious disease unless the owner or his or her agent immediately authorizes treatment of the animal by a veterinarian at the expense of the owner or agent.

f. No animal properly seized under this ordinance shall be returned to its owner until, in the determination of the seizing agency or hearing officer, the animal is physically fit or the owner can demonstrate to the seizing agency's or hearing officer's satisfaction that the owner can and will provide the necessary care.

g. All hearings conducted pursuant to this ordinance shall be conducted by the City's Administrative Hearing Officer ("Hearing Officer"), who shall not have been directly involved in the subject action and shall not be subordinate in rank to the person seizing or impounding the animal. Hearings shall be conducted in the following manner:

1. The Hearing Officer may continue the hearing for a reasonable period of time, if the Hearing Officer deems such continuance to be necessary and proper or if the owner or custodian shows good cause for such continuance.

2. The City shall have the burden of proof to establish, by a preponderance of evidence, the existence of the condition or conditions which give rise to the need for the seizure or impoundment.

3. In a case where the City is also seeking to terminate the owner's rights in the animal, the City shall have put the owner or keeper of the animal on due written notice thereof and shall establish the existence of the owner's or keeper's acts or omissions resulting in cruelty or neglect to the animal by clear and convincing evidence to a reasonable certainty.

4. The City shall present its case first, followed by the party against whom the seizure or impoundment is being proposed. The City may present rebuttal in the discretion of the Hearing Officer.

5. Oral evidence shall be taken only on oath or affirmation.

6. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any other matter relevant to the
issues even though that matter was not covered in the direct examination, to impeach any witness regardless of which party first called the witness, and to rebut evidence.

(7). The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in Civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized in the hearing. Irrelevant and unduly repetitious evidence shall be excluded.

(8). At the conclusion of the hearing, each side shall be given an opportunity to summarize its position.

(9). Within three (3) working days after the conclusion of the hearing, the Hearing Officer shall render, in writing, his findings, decision and order thereon, and shall give notice, in writing, of said findings, decision and order to the owner or custodian of the animal.

(10). In the event a sufficient quantum of evidence presented at the hearing supports a determination for seizure, impoundment, and/or termination of the owner's rights in the animal, the Hearing Officer as a part of his decision may order, but is not limited to ordering, that one or more of the following actions be undertaken:

(a). That the owner's and/or custodian's rights in the dog, cat or other animal are terminated.

(b). That the owner or custodian of the dog, cat or other animal shall remove the animal(s) from the premises by a specified date.

(c). That City personnel after a specified date, shall impound the animal or animals.

(d). That the City shall sell, give away, or otherwise dispose of, the animal(s) with the owner or custodian of the animal(s) being responsible to reimburse the City or agency as designated by the City for all costs and expenses including, but not limited to, board, care, veterinary services, and costs of disposal. If the
animal(s) are sold, the proceeds from the sale shall go to the City or agency as designated by the City.

(11) A decision upholding seizure or impoundment shall become effective upon issuance.

(12) A decision terminating an owner's rights in the animal shall become effective thirty (30) days from the date the decision is mailed unless a stay of execution is granted.

h. Every such, disabled, infirm or crippled animal, except a dog or cat, abandoned in any part of the City of Perris may be immediately killed by the City or law enforcement agency or their designees if, after a reasonable search, no owner of the animal can be located. It shall be the duty of all peace officers and Animal Control Officers to cause the animal to be killed or rehabilitated and placed in a suitable home on information that the animal is stray or abandoned.

i. Any peace officer, humane society officer, or Animal Control Officer shall convey all injured cats and dogs found without their owners in a public place directly to a veterinarian known by the officer to be a veterinarian who ordinarily treats dogs and cats for a determination of whether the animal shall be immediately and humanely destroyed or shall be hospitalized under proper care and given emergency treatment.

If the owner does not redeem the animal within the locally prescribed waiting period, the veterinarian may personally perform euthanasia on the animal. If the animal is treated and recovers from its injuries, the veterinarian may keep the animal for purposes of adoption, provided the responsible animal control agency has first been contacted and has refused to take possession of the animal.

Whenever any animal is transferred to a veterinarian in a clinic, such as an emergency clinic which is not in continuous operation, the veterinarian may, in turn, transfer the animal to an appropriate facility.

If the veterinarian determines that the animal shall be hospitalized under proper care and given emergency treatment, the costs of any services which are provided pending the owner's inquiry to the responsible agency or department shall be paid from the dog license fees, fines, and fees from impounding dogs in the city, county, or city and county in which the animal was licensed or, if the animal is unlicensed, shall be paid by the jurisdiction in which the animal was found, subject to the provision that this cost be repaid by the animal's owner. The cost of caring for and treating any animal seized under this Section shall constitute a lien on the animal and the animal shall not be returned to the owner until the charges are paid. No
veterinarian shall be criminally or civilly liable for any decision which he or she makes or for services which he or she provides pursuant to this section.

An animal control agency which takes possession of an animal pursuant to subsection 8.01.020(A)(7)(j) of this Ordinance shall keep records of the whereabouts of the animal for a seventy-two (72) hour period from the time of possession, and those records shall be available for inspection by the public upon request.

j. Notwithstanding any other provision of this section, any peace officer or any Animal Control Officer may, with the approval of his or her immediate superior, humanely destroy any stray or abandoned animal in the field in any case where the animal is too severely injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal.

k. Every owner, driver or keeper of any animal who permits the animal to be in any building, enclosure, lane, street, square or lot within the boundaries of the City of Perris without proper care or attention shall be guilty of an infraction or misdemeanor as hereinafter specified. Such individual shall be deemed guilty of a separate offense of each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued or permitted. Any individual convicted of a violation of this ordinance shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars ($100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars ($200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars ($1,000.00) or six (6) months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve an individual from the responsibility for correcting the violation.

l. Upon the conviction of a person charged with a violation of this ordinance, all animals lawfully seized and impounded with respect to the violation shall be adjudged by the court to be forfeited and shall thereupon be transferred to the impounding officer for proper disposition. A person convicted of a violation of this Ordinance shall be personally liable to the seizing agency for all costs of impoundment from the time of seizure to the time of proper disposition. This Ordinance shall not prohibit the seizure or impoundment of animals as evidence as provided for under any other provision of law.

m. This Ordinance is not intended, nor shall it be construed in any way, to affect Sections 31101 or 31752 of the Food and Agriculture Code.
B. Any peace officer, Division officer, the Senior Animal Control Officer or their designee, the environmental health Senior Animal Control Officer or their designee, or the Senior Animal Control Officer or their designee charged with the responsibility for enforcement of the provisions of this chapter, or other ordinance or State law governing animals may arrest a person without warrant whenever he or she has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in his or her presence, or a felony which is in violation of this chapter or other ordinance governing animals or California law regulating the care and/or keeping of animals.

C. In any case in which a person arrested does not demand to be taken before a magistrate: (1) regarding any infraction, such officer or employee making the arrest shall prepare a written notice to appear and shall release the person on his/her promise to appear, as prescribed by Section 853.5 of the California Penal Code; (2) regarding a misdemeanor, such officer or employee may prepare a written notice to appear and may release the person on his or her written promise to appear, as prescribed by California Penal Code Section 853.6.

8.01.030 - Issuance of citations by City officials.

A. The City Council shall designate by resolution the City officials who shall have the authority to issue citations within the City for violations of this chapter.

B. Each City official so designated is authorized by the City Council, pursuant to Penal Code Sections 19.7, 832 and 836.5, and subject to the provisions thereof, to arrest a person without a warrant whenever the City official has reasonable cause to believe that the person to be arrested has either violated a provision of this chapter in his or her presence or fails to correct a violation and therefore has committed an infraction which the City official has the discretionary duty to enforce.

C. Each City official so designated is further authorized to issue a notice to appear in court, pursuant to Penal Code Sections 853.5 and 853.6. Under no circumstance may the City official take the person to be arrested into custody. In the event that the person to be arrested demands to be taken before the magistrate or refuses to provide his or her written promise to appear in court, the City official must either summon a law enforcement officer to arrest the person and take the person into custody, or seek the assistance of the City Attorney and request that an infraction complaint be prepared and filed against the person.
D. In addition to the mandatory course of training prescribed by the Commission on Peace Officer Standards and Training pursuant to Penal Code Section 832, the Senior Animal Control Officer shall establish and cause to be administered a special enforcement training program designed to instruct the City officials so designated regarding the provisions of this chapter which are to be enforced, the evidentiary prerequisites to proper prosecution for violations thereof, the appropriate procedures for making arrest and citation authority and the limitations attendant thereto. Each City official so authorized shall be appropriately authorized to file executed citations within the animal control Division and shall provide one copy of each executed citation to the chief of police and one copy to the court.

8.01.040 - Enforcement.

A. Except as specifically provided otherwise in this chapter, the Senior Animal Control Officer shall supervise the administration and enforcement of this chapter and of all other applicable state and local laws and regulations.

B. The City Council may enter into a written agreement with any veterinarian, any organized humane society or association or city or county agency which will undertake to carry out the provisions of this chapter and maintain and operate an animal shelter, and which will license, take up, care for, impound and dispose of animals. Any such veterinarian, society or association may carry out all or any of the provisions of this chapter in the manner prescribed in this chapter.

C. It is unlawful for any person to interfere with, oppose or resist any officer or person empowered to enforce the provisions of this chapter while such officer or person is engaged in the performance of his or her duties as provided in this chapter.

D. Nothing in this chapter shall be construed as limiting the authority or duties of an Animal Control Officer, peace officer, or humane officer granted or imposed by any other applicable law or regulation.

E. All of the City’s Animal Control Officers are authorized to carry tranquilizer equipment, issued by the City, while acting in the course and scope of their employment.

8.01.050 - Violation.
Infraction. Unless specified otherwise, any person who violates any provision of this chapter is guilty of an infraction.

8.01.060 - Complaints.

Upon receiving a complaint from any person alleging a violation of this chapter and upon receiving the name and address of the owner and/or custodian of the animal, if known, an investigation to determine whether a violation exists may be made. If the investigation discloses a violation of the provisions of this chapter, prosecution may be initiated against the owner and/or custodian.

8.01.070 - Authorization to enter upon private property.

Unless otherwise prohibited by law, all persons whose duty it is to enforce the provisions of this chapter are empowered to enter upon private property, where any dog, cat or animal is kept or reasonably believed to be kept, for the purpose of ascertaining whether such animal is being kept in violation of any provision of this chapter, other ordinance governing animals, or California State law relating to the regulation, care and/or keeping of animals.

Notwithstanding any provision in this chapter relating to entry upon private property for any purpose under this chapter, no such entry may be conducted: (a) without the express or implied consent of the property owner or the person having lawful possession thereof; (b) unless an inspection warrant has been issued and the entry is conducted in accordance with California Code of Civil Procedure, Sections 1822.50 through 1822.56, inclusive; or (c) except as may otherwise be expressly or impliedly permitted by law.

8.01.080 - Grandfathering.

Any resident of the City who legally owns more animals than are authorized by this chapter or a type of animal not authorized by this chapter on his or her property on the date of adoption of this chapter, shall nevertheless have the ownership of such animal(s) "grandfathered" on that property, such that the ownership of the animal(s) shall be considered a legal nonconforming use, where the owner can demonstrate that such animals were owned and maintained on a specific property prior to the adoption of this chapter and that such ownership was legal at that time. Once a grandfathered animal dies, the deceased animal may be replaced with the same type
of animal, to retain the grandfathered status, provided the animal is replaced within ninety (90) days. However, once an animal is removed from the property for a period longer than ninety (90) days, the grandfathered right to such animal or same type of animal is extinguished.

8.01.090 - Prohibited animals.

A. It is unlawful for any person to have, keep, maintain, or have in his or her possession or under his or her control, on any property within the City, any bovine, sheep, buffalo, ox, ostrich, donkey, horse, mule, llama, goat or swine, unless:

1. The lot size of the property is not less than twenty thousand (20,000) square feet;

2. The animal is maintained at least one hundred fifty (150) feet from any occupied residence on adjacent property;

3. There are no more than a collective total of two (2): horses, mules, buffalo, ostrich, llama, bovine, sheep, goats, ox, cattle, donkey or swine; and

4. There are no more than a collective total of five (5) small animals or fowl (including pigeons, chickens, ducks, geese, turkeys and peacocks but excluding roosters), turtles and/or rabbits.

B. In addition, the keeping of large animals, such as horses, cows, sheep and pigs, shall be limited to the following densities:

1. Two (2) large animals on at least twenty thousand square feet;

2. Three (3) large animals on at least thirty thousand square feet;

3. Four (4) large animals on at least one acre; and

4. More than four (4) large animals shall only be allowed on property greater than one acre provided that there is at least twenty thousand square feet per animal.

C. It is unlawful for any person to have, keep, maintain or have in his or her possession or under his or her control:

1. A rooster on any property not less than twenty thousand (20,000) square feet. No matter how large the property, it is unlawful for any person to keep, maintain or have in his or her possession or under his or her control more than two (2) roosters; or
2. A horse, llama, buffalo, ostrich, sheep, swine, bovine, ox, donkey, elephant, or mule on any property within the City unless the property is zoned RA or A1; or

3. No more than four (4) rabbits. The maximum number of rabbits may be allowed without a City permit; however, the keeping of rabbits shall be subject to the restrictions set forth in Section 8.01.100(B).

8.01.100 – Animals Allowed with Permit or License.

Upon receipt of a City permit or license, an exception is granted for the ownership and/or use of:

A. Potbellied Pigs - (Also known as a Vietnamese potbellied pig, Chinese potbellied pig or miniature pig.) No matter how large the property, it is unlawful for any person to keep, maintain or have in his or her possession or under his or her control more than one potbellied pig. Potbellied pigs shall only be kept and maintained in residential zoned areas in the City. It is unlawful for any person to own, harbor, keep or maintain any miniature pig, that is four (4) months of age or older, within the City of Perris, for a period longer than thirty (30) days, unless the animal has been spayed or neutered and the person owning or possessing the animal has obtained from the Division of animal control a license for the animal, and paid a fee in the amount specified below. In those instances where the animal may not be safely altered for a valid health reason, the owner of the animal shall obtain from a licensed veterinarian a letter so stating, and the requirement of alteration (but not licensing) shall be excused.

Permits issued under this section shall only be granted by the City upon a showing by the applicant that adequate safeguards have been established and will be maintained which will effectively control the possible nuisance, dangerous or vicious propensities of such animal eliminating any nuisance or danger to individuals or property, or provide that the keeping or using of such animal will in no way constitute a nuisance to the occupants of any surrounding property. The denial of the permit shall be in writing and shall specify the grounds for such denial. The applicant shall have ten (10) days from the date the permit was denied in order to appeal such denial to the City Council.

8.01.105 – Performing Animal Exhibitions, Circus or Carnival.
A. Any traveling exhibition, circus or carnival shall notify the City Animal Control Division in writing of its intent to perform within the City at least fourteen (14) days prior to the first performance, as required by California Health and Safety Code Section 25989.1. Failure to do so shall result in a fine of $500 for a first violation, and $1,500 for a second violation within a six (6) month period, and $5,000 for any third or subsequent violations occurring within a six (6) month period.

B. No performing animal exhibition, circus or carnival shall be permitted within the City limits in which animals are induced or encouraged to perform through chemical, mechanical, electrical or manual devices in a manner which cause physical injury, suffering or death. All equipment used on a performing animal shall fit properly and be in good working order. Such exhibition or circus must apply for and receive a permit from the City at least fourteen (14) days prior to the first performance in order to operate within the City.

C. Any performing animal exhibition, circus or carnival shall be subject to random inspections by the Senior Animal Control Officer or their designee during the entire period that the exhibition, circus or carnival is present and operating within the City.

8.01.110 - Exemption.

This chapter shall not prohibit leading, driving, riding or conducting animals under adequate supervision along a public highway.

8.01.120 - Impounding animals.

A. Subject to the provisions contained in Section 8.01.140 of this chapter, it shall be the duty of the Senior Animal Control Officer or their designee to take up and impound:

1. Any animal kept and maintained contrary to the provisions of this Ordinance, any of the codified ordinances of the City, any codified ordinance of the county or any state statute;

2. All animals found at large upon any highway, street, sidewalk, lane, alley or other public place, or upon any private property;

3. Sick, injured, stray or unwanted animals, for which the owner or custodian cannot be found or is unable or unwilling to provide proper care;
4. Animals quarantined where no other place of quarantine is acceptable to the Senior Animal Control Officer;

5. Animals delivered or requested to be impounded by a peace officer, or public officer or employee as defined in Penal Code section 836.5;

6. Any other animal authorized to be impounded pursuant to the provisions of this Ordinance.

B. The City may collect from the owner or person in whose control or custody the animal was intended to be a fee to reimburse the City's actual costs incurred to care for the animal for each animal impounded by the City.

C. The Senior Animal Control Officer has discretion to waive impound, board and related fees and charges. No impounded animal may be released to any person, institution or other entity which uses animals for laboratory experiments or that sells animals to other persons for laboratory experiments.

D. The Senior Animal Control Officer, or his authorized designee, shall place all animals taken into custody in an animal shelter if the owner cannot be, upon initial contact, identified and contacted and the animal returned home.

E. The Senior Animal Control Officer or their designee may contract with any person to keep, feed and care for any such animal at reasonable rates for not more than twenty (20) days.

8.01.130 - Impoundment hearing.

At least three (3) working days prior to the impoundment of any animal, notice shall be given in person to, or by mail to the last known address of, the owner or person entitled to possession thereof of his or her right to a hearing as to whether or not such impoundment is justified. If the owner or person entitled to possession thereof requests a hearing prior to impoundment, no impoundment shall take place until the conclusion of the hearing except as provided herein. If in the opinion of the Senior Animal Control Officer or their designee, immediate impoundment is necessary for the preservation of the public health or safety, the pre-impoundment hearing may be dispensed with; provided, however, in such cases the owner or person entitled to possession thereof shall be given three (3) working days notice as provided herein of his or her right to a hearing. If a hearing is requested, the hearing shall be held within five days (5) of the request, and the animal shall not be sold, destroyed or otherwise disposed of prior to the conclusion of the hearing. Notice of the time, date and place of the hearing shall be given to the owner or
person entitled to possession thereof. If, at the end of the hearing, the impoundment is found to be unjustified, the animal shall be returned to the owner or person entitled to possession thereof without charge.

8.01.140 - Forfeiture and disposition.

A. Upon the conviction of a person of a violation of this chapter, all animals lawfully seized and impounded with respect to the violation by a peace officer or an Animal Control Officer shall be adjudged by the court wherein the conviction took place to be forfeited and shall thereupon be awarded to the impounding officer for disposition in accordance with the written policy on disposition of impounded animals adopted by the City Council.

B. Any animals adjudged forfeited under the provisions of Penal Code Section 597, shall be disposed of in accordance with the written policy on disposition of impounded animals adopted by the City Council.

8.01.150 - Disposition of rabid or disabled animals.

If it shall appear to the Senior Animal Control Officer or their designee from the report of a licensed veterinarian or other qualified person that an animal is afflicted with rabies, he or she shall humanely destroy such animal, and shall take such other action as may be required by law and as he or she deems necessary to prevent the spread of such disease. He or she may humanely destroy any sick, disabled, infirm or crippled animal found at large if he or she is unable to identify and locate the owner.

8.01.160 - Disposition of impounded bovine animals, horses, mules or burros.

Upon impounding of any bovine animal, horse, mule or burro, the Senior Animal Control Officer or their designee shall comply with California Food and Agriculture Code Section 17003 and immediately notify the Secretary of Food and Agriculture.

8.01.170 - Disposition of other impounded animals.

If any animal other than a domestic bovine animal, horse, mule or burro, and except an animal afflicted with rabies, impounded by the Senior Animal Control Officer
or their designee, is not reclaimed within two (2) days thereafter, it shall be sold by the Senior Animal Control Officer or their designee after giving notice of sale in accordance with Section 8.01.180.

8.01.180 - Notice of sale.

The notice of sale shall contain a description of the animal, including any identifying marks or brands; the date and place where the animal was taken up; and the time and place of sale. At least five (5) days prior to the sale of any impounded animal, the Senior Animal Control Officer or their designee shall cause a copy of the notice to be published in a newspaper circulated in the area where the animal was found, and shall mail a copy of the notice to the owner or person entitled to possession of the animal at his or her residence or place of business, if known.

8.01.190 - Sale of animals.

At the time and place set forth in the notice of sale, the Senior Animal Control Officer or their designee shall sell the impounded animal at public sale, to the highest bidder, for cash. If no bid is offered for such animal, the Senior Animal Control Officer or their designee may sell such animal at private sale or humanely destroy such animal, or otherwise dispose of it as permitted by law.

8.01.200 - Proceeds of sale.

The proceeds of such sale, after first deducting fees and charges of the Senior Animal Control Officer or their designee, including costs of sale, shall be paid by the Senior Animal Control Officer or their designee to the City treasurer who shall then pay over to the owner of such animal sold if claimed within one (1) year thereafter. If not so claimed, they shall be transferred into the general fund of the City.

8.01.210 – Adoption of unredeemed animals.

Any impounded animal that is not redeemed within the period of time prescribed in the provisions of this Ordinance may be considered abandoned and placed for adoption. Animals may be adopted by private individuals upon payment of any fees and charges thereon.
8.01.220 - Redemption of animals by owner.

The owner or person entitled to possession of any animal impounded, may at any time before the sale or other disposition thereof, redeem the same by paying the Senior Animal Control Officer or their designee all fees and charges thereon.

The owner of any lost animal may, at any time within thirty (30) days after the sale, redeem such animal from the person who purchased it upon payment of all fees and charges thereon necessary to reimburse the person who purchased it, as well as a sum equal to reasonable care and feeding charges per day for the number of days from the date of the adoption to and including the date of redemption by the owner.

8.01.230 - Costs of redemption.

The Senior Animal Control Officer or their designee shall charge and collect from each person redeeming any animal an impounding fee as established by resolution of the City Council. Impounding fees shall be established for a first, second and third offense, as well as the actual cost for transporting, veterinary services or other extraordinary measures required for the handling of said animal. The following classes of animals shall be covered by this section:

Unaltered Impounded Animal;

Altered Impounded Animal,

The City Council shall establish by resolution a daily boarding rate that shall be paid in addition to those fees set forth in this chapter. The following classes of animals shall be subject to the boarding rate:

A. For the maintenance of swine, goats and sheep: per animal, for each day of impoundment;

B. For the maintenance of horses and cattle: per animal, for each day of impoundment;
C. For the maintenance of ponies: per animal, for each day of impoundment;
D. For the maintenance of fowl: per animal, for each day of impoundment.

The City Council shall establish by resolution a fee for the cost of picking up an animal that shall be paid in addition to all fees set forth within this chapter. The following classes of animals shall be subject to the picking up rate:

E. For the picking up of large-sized animals, such as horses, cattle, and ponies: per animal;
F. For the picking up of medium-sized animals, such as swine, goats, and sheep: per animal;
G. For the taking up of small-sized animals, such as rabbits and guinea pigs: per animal;
H. For the taking up of animals after normal business hours: the fully burdened hourly rate for a Senior Animal Control Officer as established by the City. This after hour’s fee is in addition to any other applicable fees set forth in this chapter.

8.01.240 – Record of impounded animals.

The Senior Animal Control Officer, or his authorized designee, shall keep a record of each animal impounded, the date of receipt of such animal, the date and manner of sale or other disposition thereof, the name of the person redeeming or reclaiming such animal, the address and telephone number of such person, and the amounts of all fees received or collected for or because of the impounding, redeeming or reclaiming thereof, together with the number of any tag, and the date of any registration issued upon the redemption or reclamation of any such animal.

8.01.250 – At large or stray animals.

A. It is unlawful for the owner of any animal, other than a cat, to allow such animal to run at large within the City.
B. It is unlawful for any person, whether or not the owner, to cause any animal, except a cat, to run at large within the City.

C. It is lawful for any person to take up, in a humane manner, any animal running at large in violation of this ordinance and to promptly notify or deliver such animal to the Senior Animal Control Officer.

D. The provisions of this section shall not apply to any official police dog while such dog is on duty.

8.01.260 – Pet shops.

It is unlawful for any person who owns a pet shop to do any of the following:

1. Maintain the facilities used for keeping of animals in an unsanitary condition;

2. Fail to provide proper heating or ventilation for the facilities used for the keeping of animals;

3. Fail to provide adequate nutrition for, and humane treatment of, all animals under his care and control;

4. Fail to take reasonable care to release for sale, trade or adoption only those animals which are free of disease and injury;

5. Fail to provide adequate space appropriate to the size, weight and species of an animal;

6. Fail to provide adequate signage to warn of animals that may carry salmonella;

7. Fail to keep a file on each animal with the following information:
   a. Where the animal was obtained from;
   b. The history of veterinary care and treatment given to the animal while in the possession of the pet shop owner; and
   c. A health certificate for each exotic animal.
8.01.270 – Exotic animals and reptiles.

A. Unless zoning specifically allows otherwise or unless permitted by a state agency, no person shall have, keep or maintain, or have in his possession or under his control on any property within the City any exotic animal, any venomous or otherwise dangerous reptile or arachnid, or other dangerous or carnivorous wild animal, irrespective of its actual or asserted state of docility, tameness or domesticity. The Senior Animal Control Officer may impound any such animal and dispose of it in a humane manner after three working days to allow for legal restraining action by the owner.

8.01.280 – Prohibited conduct towards official police dogs and horses.

It is unlawful for any person to willfully injure, annoy, tease, torment, strike, startle, attempt to startle or throw any object at any official police dog or horse. The conduct prohibited shall include, but is not limited to, the use of any part of the body, including the voice, or the use of any object, including liquids or a vehicle, with the intent to accomplish one or more of the above acts.

8.01.290 – Keeping animals near residences.

It is unlawful for any person to keep or maintain on his premises, including leased premises, any animal within one hundred (100) feet of any other residence, his own not included, except as follows:

1. If expressly allowed by the zoning code; or

2. Domestic pets, including dogs, cats, caged birds, turtles, rabbits, mice, caged reptiles, fish aquariums or other similar household pets.

8.01.300 – Property damage.

No person owning or having charge, care or custody of any animal shall permit such animal to damage or destroy the property of another person.
Chapter 8.02 - DOGS AND CATS

8.02.010 - Mandatory dog licensing and vaccination.

A. Except as provided in Section 8.02.050(A), it is unlawful for any person to own, harbor, or keep any dog, four (4) months of age or older, within the City, for a period longer than thirty (30) days, unless a currently valid license tag has been issued by the Senior Animal Control Officer or their designee or any agency authorized by the City for such purpose and the tag is displayed upon the dog’s collar pursuant to Section 30951(b) of the California Food and Agriculture Code.

B. It is unlawful for any person to own, harbor, or keep any dog, four (4) months of age or older, within the City, for a period longer than thirty (30) days, which has not been vaccinated against rabies. Every person in the City who owns, harbors, or keeps any dog over four (4) months of age, for a period longer than thirty (30) days, shall have such dog vaccinated against rabies as provided in this chapter, by a veterinarian of his or her choice and such vaccination shall be renewed in accordance with the applicable laws and regulations of the State of California.

C. Each veterinarian, after vaccinating any dog, shall sign a Certificate of Vaccination in triplicate in the form required by the Senior Animal Control Officer or their designee. The veterinarian shall keep one (1) copy, shall give one (1) copy to the owner of the vaccinated dog, and shall send one (1) copy to the Division.

D. The Senior Animal Control Officer or their designee shall issue a license only upon presentation of a Certificate of Vaccination indicating therein that the date of expiration of the vaccination immunity is not earlier than the date of expiration of the license being issued or renewed and upon payment of the applicable licensing fee specified in subsection F of this section; provided, however, that where the vaccinated dog is between the ages of four (4) months and twelve (12) months, the period of vaccination immunity required for licensing shall be as specified in Title 17, California Administrative Code, Section 2606.4.

E. Notwithstanding the provisions of subsections B and D of this section, in the event that a dog has a short-term illness, is pregnant, or suffers from a long-term debilitating illness which, in the opinion of a veterinarian, contraindicates vaccination for rabies, such dog shall not be required to undergo vaccination during the period of such illness or pregnancy where a request for vaccination deferral has been approved by the Senior Animal Control Officer or their designee. Such request shall specify the duration of the requested deferral, the reason for the requested deferral, and shall be signed by a veterinarian. The Senior Animal Control Officer or their designee shall issue a license for such dog upon approval of the request for
vaccination deferral and payment for the applicable license fee specified in subsection F of this section. The owner or person having custody of such dog shall confine and shall keep such dog confined for the duration of the deferral. Within fourteen (14) days after the expiration of the deferral, the owner or person having custody of such dog shall present to the Senior Animal Control Officer or their designee a certificate of vaccination in accordance with the provisions of subsection D of this section.

F. Subject to the provisions of this section, licenses shall be issued upon payment of the appropriate fees as set forth by resolution of the City Council for the following classifications of dog or cat as appropriate:

1. License valid for one (1) year from date of issuance for each sterile dog, accompanied by a certificate signed by a veterinarian certifying that said dog is permanently unable to reproduce.

2. License valid for one (1) year from date of issuance, for each dog to which the provisions of Subsections 8.02.010(F)(1) and (7) of this Ordinance are not applicable. Except for animals owned by recognized dog or cat breeders, as defined by the City of Perris' policy.

3. License valid for two (2) years from date of issuance for each sterile dog, accompanied by a certificate signed by a veterinarian certifying that said dog is permanently unable to reproduce.

4. License valid for two (2) years from date of issuance for each dog to which the provisions of Subsection 8.02.010(F)(3) and (8) of this Ordinance are not applicable. Except for animals owned by recognized dog or cat breeders, as defined by the City of Perris policy.

5. License valid for three (3) years from date of issuance for each sterile dog, accompanied by a certificate signed by a veterinarian certifying that said dog is permanently unable to reproduce.

6. License valid for three (3) years from the date of issuance for each dog to which the provisions of Subsection 8.02.010(F)(5) and (9) of this Ordinance are not applicable. Except for animals owned by recognized dog or cat breeders, as defined by the City of Perris policy.

7. License valid for one (1) year from the date of issuance for each sterile dog, which is owned by a person sixty (60) years of age or older, and is accompanied by a certificate signed by a veterinarian certifying that said dog is permanently unable to reproduce.
8. License valid for two (2) years from the date of issuance for each sterile dog, which is owned by a person sixty (60) years of age or older, and is accompanied by a certificate signed by a veterinarian certifying that said dog is permanently unable to reproduce.

9. License valid for three (3) years from the date of issuance for each sterile dog, which is owned by a person sixty (60) years of age or older, and is accompanied by a certificate signed by a veterinarian certifying that said dog is permanently unable to reproduce.

10. Dangerous animal registration as required by this Ordinance.

G. No fee shall be required for a license for any assistance dog such as a guide dog, signal dog, or service dog as defined in California Food and Agriculture Code, Section 30850(a), if such dog is in the possession and under the control of, in the case of a guide dog, a blind person, or in the case of a signal dog, a deaf or hearing-impaired person, or in the case of a service dog, a physically disabled person, or where such dog is in the possession and under the control of a bona fide organization having as its primary purpose the furnishing and training of guide dogs for the blind, signal dogs for the deaf or hearing-impaired, or service dogs for the physically disabled. However this provision does not remove the owner's responsibility to vaccinate the dogs against rabies and attach a current license tag to the dog's collar. Whenever a person applies for an assistance dog identification tag, the person shall sign an affidavit as defined in California Food and Agriculture Code, Section 30850(b).

H. No fee shall be required for a license for any dog owned by a public entity.

I. Each license specified in this section shall be valid for the period specified in this section and shall be renewed within thirty (30) days after such period terminates, except where the current vaccination for the dog which is the subject of the license shall expire prior to the expiration date of the license being applied for, the Senior Animal Control Officer or their designee may upon request of the owner or custodian of such dog, backdate such license so that its expiration date occurs concurrent with or prior to the expiration date of the vaccination; provided, however, that where such backdating is performed, there shall be no reduction or discount of the license fee applicable to the license applied for, and such license shall be renewed within thirty (30) days after the date of its expiration.

J. If an application for a license is made more than thirty (30) days after the date a dog license is required under this chapter, the applicant shall pay, in addition to the applicable license fee, a late fee as set forth by resolution of the City of Perris.
K. Upon transfer of ownership of any dog validly licensed under this chapter, the new owner shall notify the Senior Animal Control Officer or their designee of such transfer within thirty (30) days of such transfer, on a form prescribed by the Senior Animal Control Officer or their designee, accompanied by a transfer fee as set forth by resolution of the City of Perris.

L. Notwithstanding the provisions of subsection A of this section, where a person moves into the City from another community who owns a dog which is currently vaccinated against rabies and for which dog a license was issued by such other community, such license shall not be transferrable and the owner shall comply within thirty (30) days of said move to secure a City of Perris license. If an application for a license from the Senior Animal Control Officer or their designee is made more than thirty (30) days after such license is required, the applicant shall pay, in addition to the applicable license fee, a late fee as set forth by resolution of the City of Perris.

N. If a valid license tag is lost or destroyed, a duplicate thereof may be procured from the Senior Animal Control Officer or their designee upon submission to the Senior Animal Control Officer or their designee of a statement signed by the owner of the dog containing the date and circumstances of such loss or destruction and the payment of a fee as set forth by resolution of the City of Perris.

O. Upon request of the Senior Animal Control Officer or their designee, any owner of a dog for which a license is required under the provisions of this chapter shall present to the Senior Animal Control Officer or their designee a currently valid certificate of rabies vaccination or license tag.

P. It is unlawful for any person to make use of a stolen, counterfeit, or unauthorized license, tag, certificate, or any other document or thing for the purpose of evading the provisions of this chapter.

Q. The City may impose a higher license fee for animals that have been determined to be dangerous by either the Division or the court. The increased license fee shall offset the increased costs of maintaining the records of the animal.

8.02.020 - Control of unspayed and unaltered cats.

It is unlawful for any person who owns, harbors or keeps any unspayed or unaltered cat four (4) months of age or older within the City to allow or permit such unspayed or unaltered cat to be or remain outdoors.
8.02.030 - Optional licensing for cats.

An owner of a cat may be issued a license and tag for such cat upon presentation to the Senior Animal Control Officer or their designee of a Certificate of Vaccination signed by a veterinarian certifying that such cat has been vaccinated and upon the payment of a license fee as set forth by resolution of the City of Perris. The license shall be valid for the period of immunity as indicated by the Certificate of Vaccination.

8.02.040 - Limit on number of dogs and cats.

Unless permitted as a kennel it is unlawful for any person to keep within the City, in any private residence or on any other parcel, for a period longer than thirty (30) days, more than:

1. Any four dogs, four months of age or older; and
2. Any four cats, four months of age or older.

8.02.050 - Restraint of dogs.

No person owning or having charge, care, custody or control of any dog shall cause or permit, either willfully or through failure to exercise due care or control, any such dog to be upon any:

1. Private property unless such dog be restrained thereon by a fence, wall, substantial chain or leash with a minimum of six feet in length, other appropriate physical restraint; however, if the dog is under the charge of a person competent to exercise care, custody and control over such dog the leash may not exceed six feet in length; or

2. Highway, street, alley or other public property unless such dog is restrained by a substantial chain or leash not exceeding six feet in length, and is under the charge of a person competent to exercise care, custody, and control over such dog, unless the owner or operator of such public property grants written permission for such dog to be on such property without such chain or leash.
8.02.060 - Dogs on public property.

No owner or person in charge or in control of any dog, except a blind person with a guide dog, shall permit or allow such dog to be within or upon public school property, park property or municipal golf course property, without the dog being on a leash.

8.02.070 – Public protection from dogs.

Owners and custodians of dogs shall, at all times, take all reasonable precautions to prevent their dogs from biting, attacking or attempting to bite any person or from interfering with the use of public or private property. No person shall own or have custody or control of a dog that commits a violation of this Ordinance as a result of that person's failure to exercise ordinary care. It is unlawful for any person to fail to comply with this section; however, nothing in this section shall authorize the bringing of a criminal action pursuant to a violation of this section if the bite, attack, attempted bite, injury or threat was sustained by a person who, at the time, was committing a willful trespass upon the premises occupied by the owner or custodian of the dog, or was committing or attempting to commit a crime upon the premises occupied by the owner or custodian of the dog, or was teasing, tormenting, abusing or assaulting the dog or who has, in the past, teased, tormented, abused or assaulted the dog.

8.02.080 - Impounded dogs and cats and service fees.

A. An impounded dog or cat may be redeemed upon payment of the following fees:

1. The Senior Animal Control Officer or their designee shall charge and collect from each person redeeming an unaltered impounded animal a State mandated unaltered animal fine for the first offense, for the second offense, or for the third offense, plus the actual costs of transporting the animal to impound, the actual costs of veterinary and related services rendered to the animal while impounded, the actual costs of sale incurred, and the actual costs of any extraordinary measures required in or for the handling and maintenance of the animal while impounded. The State mandated unaltered animal fine shall be based on that amount as established by the State and shall be adjusted on July 1st of each calendar year as appropriate.
2. The Senior Animal Control Officer or their designee shall charge and collect from each person redeeming an altered impounded animal an impounding fee for the first offense, second offense, or third offense as set forth by the City of Perris, plus the actual costs of transporting the animal to impound, the actual costs of veterinary and related services rendered to the animal while impounded, the actual costs of sale incurred, boarding fees, and the actual costs of any extraordinary measures required in or for the handling and maintenance of the animal while impounded.

3. Notwithstanding any other provisions of this Ordinance, where a sterile dog or sterile cat belonging to a person sixty (60) years of age or older is impounded and the owner produces a certificate, signed by a veterinarian that such animal is permanently unable to reproduce, the base impoundment fee for such animal shall be fifty percent (50%) of the applicable impoundment fee specified in this Ordinance plus boarding fees.

4. A processing fee as set forth by the City of Perris will be added to all payment plans.

B. The fee for destruction and disposal of any dog, cat, or small animal in accordance with any provision of this chapter shall be set forth by the City of Perris.

C. Any dog, four (4) months of age or older, which has been impounded shall not be released from impoundment unless it is licensed in accordance with the provisions of this chapter.

D. An officer acting under the provisions of this Ordinance who impounds a dog or cat pursuant to Section 8.01.120 or 8.02.180 shall give written notice of the impound by first class mail, postage prepaid, return receipt requested to the identified address on the animal or the last known owner address provided in City records, if the dog or cat is: (1) wearing a City of Perris dog or cat license tag, (2) wearing any other identification tag containing an address, or (3) microchipped. If such dog, cat, or other animal is not redeemed within ten (10) calendar days from the date of the mailing of such notice, the officer having custody of the dog or cat shall dispose of it in accordance with the provisions of Section 8.01.170, or shall humanely destroy such dog or cat.

E. Upon impounding a stray dog or cat, the holding period for such stray dog or cat shall be in accordance with State law, as appearing in California Food and Agricultural Code sections 31108 and 31752 or other such applicable State law, as amended from time to time.

F. The officer having custody of any impounded dog, cat, or other animal may, by humane methods, summarily destroy such dog, cat, or other animal if:
1. The animal is suffering from any incurable, dangerous, or contagious disease, provided a veterinarian shall certify, in writing, that such animal is so suffering; or, in the officer’s best judgment it would be inhumane and cause needless suffering to prolong the life of the animal in order to see a veterinarian; or

2. It is an unlicensed vicious dog, cat, or other animal.

G. Any officer having in their custody any unredeemed, impounded dog or cat may release such dog or cat to any adult individual upon payment by that individual of the impound fees and charges specified in subsection (a) of this section, or to a nonprofit corporation formed under the provisions of the California Corporations Code commencing with Section 10400 for the prevention of cruelty to animals or to a nonprofit organization formed under the laws of the State of California for the prevention of cruelty to animals, for such sale or placement as such nonprofit corporation or nonprofit organization may choose. Releases of dogs or cats to such nonprofit corporations or nonprofit organizations pursuant to subsection (G) of this section shall not be subject to the payment of the impound fees and charges specified in subsection (A) of this section.

H. It is unlawful for any person to remove an impounded animal from an animal control center without the permission of the officer in charge thereof.

I. Animal Control Officers choosing to return an impounded animal to the owner, in the field, may collect a field return impound fee as set forth by the City of Perris.

J. Animal Control Officers picking up owned animals at the request of the owner or custodian of the animal shall collect a pick up fee as set forth by the City of Perris from the owner or custodian of the animal.

K. Animal Control Officers investigating and authorizing a home quarantine shall collect a home quarantine fee as set forth by the City of Perris from the owner or custodian of the animal.

L. Animal Control Officers providing assistance with trap service, for owned feral animals or nuisance wildlife that are not considered a public health risk, shall collect a service fee as set forth by the City of Perris for the first five (5) days and an additional fee as set forth by the City of Perris per day for each additional day after the fifth day. A fee as set forth by the City of Perris shall be charged for traps which are lost or destroyed.

M. Owners of animals impounded for quarantine at a City facility shall be charged a quarantine fee as set forth by the City of Perris per day in addition to the regular daily boarding fee.
N. The hourly rate for the recovery of administrative costs associated with the recoupment of enforcement costs, as provided in this chapter, shall be the fully burdened hourly rate as established by the City of Perris.

O. The fee for a micro-chip identification device shall be as set forth by the City of Perris per animal.

P. For personnel after-hours charge—one and one half (1 ½) the fully burdened hourly rate as set forth by the City of Perris. This personnel after-hours charge for the taking up of animals after normal business hours shall be in addition to any other applicable fees set forth in this Ordinance.

Q. The fee for adopting any unredeemed, impounded dog or cat is a flat-rate fee that includes vaccinations, deworming, spaying or neutering, and adoption charges. The adoption fee shall be as established by the City of Perris for any cat or dog. For senior citizens sixty (60) years of age or older, the adoption fee shall be one half (½) the adoption fee as established by the City of Perris for any cat or dog. To eliminate the euthanasia of adoptable dogs and cats, the Senior Animal Control Officer or their designee shall have the discretion to decrease or entirely waive the adoption fees for last-chance-adoptions, which are adoptions of urgent animals scheduled for euthanasia. The Senior Animal Control Officer or their designee shall have the discretion to decrease the adoption fees of animals adopted at a special event promoting the adoption of impounded animals, to one-third (1/3) the adoption fee as set forth by the City of Perris for any cat or dog. The Senior Animal Control Officer or their designee or his designee shall also have the discretion to waive twenty-five percent (25%) of the flat-rate adoption fee if the animal is adopted by the foster care provider currently providing care for the animal or an employee of the City of Perris.

R. For animals turned in at shelters, the owner turn-in fee shall be charged as set forth by the County of Riverside, Department of Animal Services.

S. Animals impounded at either a City or County facility shall be charged a boarding fee.

T. The Senior Animal Control Officer or their designee shall charge and collect from each person the veterinarian and staff rates for the treatment of animals, as set forth by County of Riverside, Department of Animal Services. The Senior Animal Control Officer or their designee shall also charge and collect any additional costs for veterinary and related services rendered to the animal and the actual costs of any extraordinary measures required in or for the handling and maintenance of the animal.
8.02.090 – Findings related to mandatory spaying and neutering.

A. Because of the increased urbanization of City of Perris, the City has experienced increasing numbers of residents with dogs.

D. In an attempt to bring this problem under control, it is necessary to: (1) increase the total number of animals which are licensed and thus properly established to have been vaccinated against rabies; (2) encourage the spaying and neutering of animals, which (a) reduces the number of strays at large and not safely confined, (b) reduce aggressiveness and animals at large, and (c) reduces the financial cost to taxpayers of animal control services; and (3) establish a warning and hearing procedure to put the owners of potentially dangerous, dangerous dogs and other animals on adequate notice to control such animals and to bring about the confinement of such animals and the destruction of those animals where other lesser measures have failed or are inappropriate.

8.02.100 - Mandatory spaying and neutering.

Requirement. No person may own, keep, or harbor an unaltered or unspayed dog or cat over the age of twelve (12) months in violation of this section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.

Exemptions. This section shall not apply to any of the following:

A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license;

A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation;

Animals owned by recognized dog or cat breeders, as defined by Animal Control Division policy;
Animals recognized and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry and that are actively engaged in professional, sanctioned shows or competitions, upon reasonable proof submitted to the Senior Animal Control Officer or their designee;

Dogs which are used in the performance of search and rescue operations, military service dogs, and police dogs.

8.02.110 - Denial or revocation of unaltered dog license and reapplication.

The Division may deny or revoke an unaltered dog license for one or more of the following reasons:

The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section;

The Division has received at least three (3) complaints, verified by the Division, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

The owner, custodian, applicant, or licensee has been previously cited for violating a State law, City code, or other municipal provision relating to the care and control of animals;

The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous, or vicious, or to be a nuisance within the meaning of the City of Perris Ordinances or under State law;

Any unaltered dog license held by the applicant has previously been revoked;

The license application is discovered to contain a material misrepresentation or omission of fact.

8.02.120 - Re-application for unaltered dog license.

A. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this chapter have been met. The Division shall refund one-half (½) of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.
B. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period and upon showing that the requirements of this chapter have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

8.02.130 - Appeal of denial or revocation of unaltered dog license.

In the event that the Animal Control Division proposes to deny or revoke an unaltered dog license, the owner or custodian shall have the right to an administrative hearing regarding the matter as set forth herein. Notice of intent to deny or revoke. The Division shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog, which shall include the reason(s) for the denial or revocation. The owner, custodian, licensee, or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

Hearing Officer. The hearing shall be conducted by the Senior Animal Control Officer or their designee.

Notice and conduct of hearing. The Division shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the Division's receipt of the request for a hearing. The hearing will be informal and the California Rules of Evidence will not be strictly observed. The Division shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the Hearing Officer shall be the final administrative decision.

B. Change in location of dog. If the dog is moved after the Division has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Division with information as to the dog's whereabouts, including the current owner or custodian's full name, address, and telephone number.

8.02.140 - Transfer, sale, and breeding of unaltered dog or cat.
Offer for sale or transfer of unaltered dog. An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade, or adoption, or otherwise state and establish compliance with this section. The unaltered license and microchip numbers must appear on a document transferring the animal to the new owner.

Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered cat must notify the Division of the name and address of the transferee within ten (10) days after the transfer. The microchip numbers must appear on a document transferring the animal to the new owner.

8.02.150 - Penalties issued for failure to spay or neuter a dog or cat.

The penalties for failure to spay or neuter a dog or cat shall be enforced as set forth below:

An administrative citation, infraction, or other such authorized penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under State or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog or cat at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous, or vicious animals; and noisy animals.

Should the owner or custodian of an unaltered dog or cat be found in violation of a State or local law, as stated above the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.

8.02.160 - Impoundment of unaltered dog or cat.

When an unaltered dog or cat is impounded pursuant to state and/or local law, in addition to satisfying applicable requirements for the release of the animal,
including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

A. Provide written proof of the dog’s or cat’s prior sterilization, if conditions cannot or do not make this assessment obvious to Division personnel;

B. Have the dog or cat spayed or neutered by a Division veterinarian at the expense of the owner or custodian. Such expense may include additional fees due to extraordinary care required;

C. Have the dog or cat spayed or neutered by another California Licensed Veterinarian. The owner or custodian may arrange for another California Licensed Veterinarian to spay or neuter the animal, and shall pay to the Division the cost to deliver said animal to the chosen veterinarian. The cost to deliver the animal shall be based on the Division’s hourly rate established by the auditor-controller. The veterinarian shall complete and return to the Division within ten (10) days a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

D. At the discretion of the Senior Animal Control Officer or their designee, the dog or cat may be released to the owner or custodian if he or she signs a statement, under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

E. If the owner or custodian demonstrates compliance with this section, then their animal will be returned to them.

8.02.170 - Costs of impoundment.

A. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this chapter.

B. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Division in accordance with this chapter.
8.02.180 - Application of fees and fines collected.

All costs and fines collected under this Title and the fees collected under this section, subsection (f) shall be paid to the Division for the purpose of defraying the cost of the implementation and enforcement of this program.

8.02.190 - Mandatory microchipping of dogs and cats.

A. All dogs and cats over the age of four (4) months must be implanted with an identifying microchip. The owner or custodian is required to provide the microchip number to the Division, and shall notify the Division of any change of ownership of the dog or cat, or any change of address or telephone number. Nothing in this section supersedes, eliminates, or alters the requirements of Sections 8.02.020, 8.02.050, and any other licensing requirements of this chapter.

B. Exemptions. The mandatory microchipping requirements shall not apply to any of the following:

1. A dog or cat with a high likelihood of suffering serious bodily injury, if implanted with the microchip identification, due to the health conditions of the animal. The owner or custodian must obtain written confirmation of that fact from a California Licensed Veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date must be stated in the written confirmation.

2. A dog or cat which would be impaired of its athletic ability or performance if implanted with the microchip identification. The owner or custodian must obtain written confirmation of that fact from a California Licensed Veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date must be stated in the written confirmation.

3. A dog or cat that is kenneled or trained in City of Perris, but is owned by an individual that does not reside in City of Perris. The owner or custodian must keep and maintain the animal in accordance with the applicable laws and ordinances of the jurisdiction in which the owner or custodian of the animal permanently resides, including but not limited to the applicable licensing and rabies vaccination requirements of that jurisdiction.

C. Transfer or sale of dogs and cats.
1. An owner or custodian who offers any dog, over the age of four (4) months, for sale, trade, or adoption must provide the microchip identification number and the valid dog license number with the offer of sale, trade, or adoption. The license and microchip numbers must appear on a document transferring the dog to the new owner. The owner or custodian shall also advise the Division of the name and address of the new owner or custodian in accordance with subdivision (A) of this section. An owner or custodian who offers any dog, over the age of four (4) months, for sale, trade, or adoption and fails to provide the Division with the name and address of the new owner is in violation of this chapter and shall be subject to the penalties set forth herein.

2. An owner or custodian who offers any cat, over the age of four (4) months, for sale, trade, or adoption must provide the microchip identification number with the offer of sale, trade, or adoption. The microchip numbers must appear on a document transferring the cat to the new owner. The owner or custodian shall also advise the Division of the name and address of the new owner or custodian in accordance with subdivision (A) of this section. An owner or custodian who offers any cat over the age of four (4) months for sale, trade, or adoption and fails to provide the Division with the name and address of the new owner is in violation of this chapter and shall be subject to the penalties set forth herein.

3. When a puppy or kitten under the age of four (4) months, which is implanted with microchip identification, is sold or otherwise transferred to another person, the owner or custodian shall advise the Division of the name and address of the new owner or custodian, and the microchip number of the puppy or kitten within ten (10) days after the transfer. If it is discovered that an owner or custodian has failed to provide the Division with the name and address of the new owner and the microchip number of the puppy or kitten, the owner or custodian shall be subject to the penalties set forth in this chapter.

D. When an impounded dog or cat is without microchip identification, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

1. Have the dog or cat implanted with a Division microchip by a department registered veterinarian technician, veterinarian, or other designated personnel at the expense of the owner or custodian;

2. Have the dog or cat implanted with a Division approved microchip by a California Licensed Veterinarian. The owner or custodian may arrange for another California Licensed Veterinarian to perform the implant, and shall pay to the Division the cost to deliver the dog or cat to the chosen veterinarian. The cost to deliver the dog or cat shall be based on the Division’s hourly rate established by
the City of Perris Auditor-Controller. The veterinarian shall complete and return to
the Division within ten (10) days, a statement confirming that the microchip has
been implanted, provide the Division with the number and shall release the dog or
cat to the owner or custodian only after the procedure is complete; or

3. At the discretion of the Senior Animal Control Officer or their designee, the
dog or cat may be released to the owner or custodian if he or she signs a statement
under penalty of perjury representing that the dog or cat will be implanted with a
microchip and that he or she will submit a statement within ten (10) days of the
release, signed by a California Licensed Veterinarian, confirming that the dog or
cat has been so implanted and provide the microchip number to the Division or
allow the Division to scan the dog or cat for the microchip to verify.

E. Fees for microchip identification device. The fee for an identifying
microchip device shall be included in the cost of adoption when adopting a dog or
cat from a City of Perris animal shelter. The fee for an identifying microchip device
shall be the amount set forth per animal by the City of Perris for all other animals.
If an animal has already been implanted with an identifying microchip device by
some other facility, there will be no fee to have the identification microchip number
entered into the Division’s registry as required by subdivision (A) of this section.

F. Allocation of fees and fines collected. All costs, fees, and fines collected
under this section shall be paid to the Division for the purpose of defraying the cost
of the implementation and enforcement of this program and for low cost
microchipping programs administered by the Division.

8.02.200 - Public spay and neuter clinics.

A. Authority for Clinics. The Senior Animal Control Officer or their designee
is authorized and directed to establish clinics at which members of the public who
are residents of City of Perris may have dogs and cats spayed or neutered in a
humane manner. Fees for services provided by such clinics shall be determined in
a minimum amount, to offset costs of operation of such clinics and shall be
consistent with the intent of this chapter for providing low-cost, nonprofit public
spay and neuter services. Fees shall be established by the City Council.

B. Persons submitting a dog or cat for the above service shall sign a consent
form under penalty of perjury certifying thereon that they are the owner of the
animal or are otherwise authorized to present the animal for the above operation
and such persons may be required to furnish proof of such ownership or authority.
Such consent shall contain a waiver of any and all liability of the City, the Animal
Control Division, and any other City employees for any injury or death to an animal
arising out of the aforementioned operation or any services provided incidental thereto.

C. The Division shall establish a return date by which persons submitting animals for the above operation shall pick-up said animals or be subject to reasonable board care fees to commence the day after such return date. Failure to pick up an animal within fifteen (15) days of the return date shall be deemed abandonment of the animal and the Animal Control Officer may dispose of it by sale or destruction.

8.02.210 - Cat trapping.

It is unlawful for any person to set or maintain an operating trap for a cat unless a sign is posted on the property stating that such a trap is in use on the property. The sign shall be clearly visible from the road serving the property on which the trap is set or maintained and shall remain posted and visible at all times while the trap is in use. Trapping shall not continue for more than ten (10) days in a thirty (30) day period unless specifically authorized by the Senior Animal Control Officer or their designee. If a person maintaining a trap should trap a lactating female cat, the person shall immediately release the cat thereby eliminating the chance of removing a cat that may be nursing kittens. This section shall not apply when the trap is being used for rabies control as determined in writing by the Senior Animal Control Officer or their designee.

8.02.220 - Rabies suppression, control and quarantine.

A. If it shall appear to the Senior Animal Control Officer or their designee that any animal has rabies, the Senior Animal Control Officer or their designee may destroy such animal forthwith, or may hold such animal for further examination or observation for such time as the Senior Animal Control Officer or their designee may determine to be appropriate.

B. Whenever any animal has been bitten by an animal which has rabies, which exhibits any symptoms of rabies, or which is otherwise suspected of having or having been exposed to rabies, the owner or person having custody of such bitten animal shall immediately notify the Senior Animal Control Officer or their designee, and shall immediately confine the animal and maintain that confinement until it is established, to the satisfaction of the Senior Animal Control Officer or their designee, that such animal does not have rabies. The Senior Animal Control Officer or their designee shall have the power to quarantine any such animal, or
impound it at the owner's expense if the owner or person having custody of such animal shall fail, refuse, or is unable, in the opinion of the Senior Animal Control Officer or their designee, to adequately confine such animal immediately, or in the event the owner or person having custody of such animal is not readily accessible.

C. Whenever it is shown that any animal has bitten any person, the owner or person having custody of such animal shall, upon the order of the Senior Animal Control Officer or their designee, quarantine such animal and keep it confined at the owner's expense for a minimum period of ten (10) days for dogs and cats and fourteen (14) days for all other animals, and shall allow the Senior Animal Control Officer or their designee to make an inspection or examination of such animal at any time during such period of quarantine. Animals quarantined pursuant to this subsection (C) shall not be removed from the premises upon which such animal is quarantined without permission of the Senior Animal Control Officer or their designee. The Senior Animal Control Officer or their designee is hereby authorized to impound any animal at the owner's expense in the event the owner or person having custody of such animal fails or refuses to so confine such animal. Animals quarantined pursuant to this subsection (C) shall remain under quarantine until notice is given by the Senior Animal Control Officer or their designee that such quarantine is terminated.

D. The Senior Animal Control Officer or their designee may, at their discretion, post or cause to be posted an appropriate sign on any premises where an animal is quarantined pursuant to this chapter for the purpose of warning the public of the fact of such quarantine. It shall be unlawful for any person to remove a sign posted pursuant to this subsection without the permission of the Senior Animal Control Officer or their designee.

E. Whenever the Senior Animal Control Officer or their designee shall determine that an epidemic of rabies exists or is threatened, the Senior Animal Control Officer or their designee shall have the authority to take such measures as may be reasonably necessary to prevent the spread of the disease, including but not limited to the declaration of quarantine against any or all animals in any area of the City as the Senior Animal Control Officer or their designee may determine and define, for a period of not more than one hundred twenty (120) days. An additional or extended quarantine period may also be declared if such additional or extended quarantine period shall be deemed necessary by the Senior Animal Control Officer or their designee for the protection and preservation of the public health, peace and safety. Any quarantine declared pursuant to this subsection, other than as restricted herein, shall be upon such conditions as the Senior Animal Control Officer or their designee may determine and declare.
F. No person shall bring any animal into the City of Perris from any other city, county, community, jurisdiction in which a reported case of rabies exists or has existed within the past six (6) months.

G. In order to protect the public health from the hazard of rabies which has been found to exist in skunks, a quarantine is imposed to continue until released by the Senior Animal Control Officer or their designee, whereby it is prohibited to trap or capture skunks for pets; to trap, capture, or hold skunks in captivity for any reason; to transport skunks from or into the City except pursuant to a permit issued by the California Department of Health Services pursuant to Title 17, California Administrative Code, Section 2606.8.

H. Any exotic or hybrid animal shall be vaccinated and/or quarantined pursuant to State law.

§ 8.02.230 - Placement requirements.

A. Any person, who within the City of Perris, or any business entity, or other organization located in or doing business in the City of Perris, which advertises or offers in any manner, puppies or dogs for sale, trade, barter or to be given away for free, must display in such advertisements, announcement, or flyer the following information:

1. The license number and name of the licensing agency of each of the mother animals any of whose offspring are so offered (in the case of puppies under four (4) months of age);

2. The license number and name of licensing agency of each of the dogs (in the case of animals four (4) months of age or more);

3. The kennel permit number and name of the permitting agency of the owner of each of the mother animals any of whose offspring are so offered (in the case of puppies under four (4) months of age); and/or

4. The kennel permit number and name of the permitting agency of the owner of each of the dogs so offered (in the case of animals four (4) months of age or more).

B. This section shall not apply to public animal shelters or nonprofit humane societies which are in compliance with Food and Agricultural Code Sections 30503 and 31751, nor shall it apply to persons who relinquish animals to such shelters or societies.
C. Violators subject to citation are to be furnished with a list of low-cost or no-cost spay and neuter resources.

D. It is unlawful for any person to make use of a stolen, counterfeit or unauthorized license, tag, certificate or any other document or thing for the purpose of evading the provisions of this section.

8.02.240 - Prohibition of sales or giving away of dogs and cats on public property.

No person shall, in the City of Perris, offer for sale or sell or give away or transfer for adoption any dog, puppy, cat, or kitten on any public street, public sidewalk, or public park.

8.02.250 - Prohibition of sales or giving away of dogs and cats on private property without owner consent.

No person shall offer for sale or sell or give away or transfer for adoption any dog, puppy, cat, or kitten on any private property without the property owner's written consent. Said written consent shall be in the possession of the person at all times while on the private property. This section shall not apply to any person who is also the legal owner or legally in possession of the real property on which the act is occurring.

8.02.260 - Enforcement.

A. The Senior Animal Control Officer or their designee shall supervise the administration and enforcement of this chapter and of the laws of the State of California pertaining to the control of dogs and shall have charge of animal control center employees and facilities.

B. The City Council may enter into a written agreement or agreements with any veterinarian, organized humane society, association, person, corporation, or organization which will undertake to carry out the provisions of this chapter and maintain and operate a shelter, and which will license, take up, impound, and dispose of animals. Any such veterinarian or society or association which shall enter into such an agreement shall carry out all of the provisions of this chapter in the manner prescribed in this chapter.
C. It is unlawful for any person to interfere with, oppose, or resist any officer, employee, or person empowered to enforce the provisions of this chapter while such officer, employee, or person is engaged in the performance of his or her duties as provided in this chapter.

D. Nothing in this chapter shall prevent the Senior Animal Control Officer or their designee from acting, when he or she deems it appropriate to do so, under the applicable provisions of California Penal Code, Section 597, et seq.

8.02.270 - Violation—Penalty.

In addition to the remedies and penalties contained in this Ordinance, any person violating any provision of City animal control ordinances shall be guilty of an infraction, unless otherwise stated in such City animal control ordinances, and upon conviction thereof shall be punished by (1) a fine not exceeding fifty dollars ($50.00) for the first violation; (2) a fine not exceeding one hundred dollars ($100.00) for the second violation within one (1) year; and (3) a fine not exceeding two hundred fifty dollars ($250.00) for each additional violation within one (1) year. Each day a violation is committed or permitted to continue shall constitute a separate offense.

A. Persons receiving a citation for any infraction resulting from a violation of this chapter, may choose to clear the citation within ten (10) days, thereby avoiding a visit to court and a potentially higher court fine, by demonstrating their compliance to the Senior Animal Control Officer or their designee through their written, signed agreement and paying an administrative fee of sixty dollars ($60.00) to the Division.

B. Persons who violate a home quarantine, fail to produce an animal for quarantine upon demand, or in any other way interfere with rabies investigation, shall be guilty of a misdemeanor, pursuant to Section 121710 of the California Health and Safety Code and Section 9701 of the California Food and Agriculture Code, which is punishable by imprisonment in the City jail for a period not to exceed one (1) year, or by a fine of not less than one hundred dollars ($100.00), nor more than one thousand dollars ($1,000.00) per day of violation, or both fine and imprisonment.

C. Persons receiving a citation for violation of a home quarantine, may choose to clear the citation and avoid arrest and appearance in court by demonstrating to the Senior Animal Control Officer or their designee, in writing, their intent to comply with the order and by paying an administrative fee of fifty dollars ($50.00) to the Division.
8.02.280 - Administrative citations and penalties.

In addition to the remedies and penalties contained in this Ordinance, and in accordance with Government Code Section 53069.4, an administrative citation may be issued for any violation of City animal control ordinances. The following procedures shall govern the imposition, enforcement, collection and administrative review of administrative citations and penalties.

A. Notice of Violation. If an animal is owned, kept, maintained, or found to be in violation of City animal control ordinance, an administrative citation may be issued by the Animal Control officer. An administrative citation will not be issued for violation of Section 8.02.050 (Mandatory licensing of kennels and catteries) prior to a written notice of violation being issued.

B. Content of Citation. The administrative citation shall be issued on a form approved by the City Attorney and shall contain the following information:

1. Date, location and approximate time that the violation was observed;

2. The ordinance violated and a brief description of the violation;

3. The amount of the administrative penalty imposed for the violation;

4. Instructions for payment of the penalty, and the time period by which it shall be paid and the consequences of failure to pay the penalty within this time period;

5. Instructions on how to appeal the citation;

6. The signature of the Animal Control Officer.

Failure of the citation to set forth all required contents shall not affect the validity of the proceedings.

C. Service of Citation.

1. If the person who has violated the City animal control ordinance is present at the scene of the violation, the Animal Control Officer shall attempt to obtain his or her signature on the administrative citation and shall deliver a copy of the administrative citation to him.

2. If the owner, occupant, or other person who has violated the City animal control ordinance is a business, and the business owner is on the premises, the Animal Control Officer shall attempt to deliver the administrative citation to him
or her. If the Animal Control Officer is unable to serve the business owner on the premises, the administrative citation may be left with the manager or employee of the business. If left with the manager or employee of the business, a copy of the administrative citation shall also be mailed to the business owner by certified mail, return receipt requested.

3. If no one can be located at the property where the violation occurred, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the owner, occupant or other person who has violated this chapter. The citation shall be mailed to the property address and/or the address listed for the owner on the last City equalized assessment roll. The citation shall also be mailed to any additional address for the owner in Division records.

4. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.

D. Administrative Penalties.

1. The penalties assessed for each violation of a City animal control ordinance shall not exceed those amounts as set forth by the City of Perris for a first violation, second violation of the same administrative abatement order within one (1) year; or for each additional violation of the administrative abatement order within one (1) year.

2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of the penalty shall increase at the rate specified above.

3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.

4. The penalties assessed shall be payable to the City of Perris.

5. Where the violation would otherwise be an infraction, the administrative penalty shall not exceed the maximum fine or infraction amount.

E. Administrative Appeal of Administrative Citation.

1. Notice of Appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the Division. The written notice of appeal must be filed within ten (10) days of the service of the administrative citation as set forth in subsection (C) above. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative
citation. The notice of appeal shall be submitted on City forms and shall contain the following information:

a. A brief statement setting forth the appellant's interest in the proceedings;

b. A brief statement of the material facts which the appellant claims supports his or her contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;

c. An address at which the appellant agrees to notice of any additional proceeding or an order relating to the administrative penalty may be received by mail;

d. The notice of appeal must be signed by the appellant.

2. Administrative Hearing. Upon a timely written request by the recipient of an administrative citation, an administrative hearing shall be held as follows:

a. Notice of Hearing. Notice of the administrative hearing regarding the administrative citation shall be given at least ten (10) days before the hearing to the person requesting the hearing. The notice may be personally delivered to the person requesting the hearing or may be mailed to the address listed in the notice of appeal.

b. Hearing Officer. The administrative hearing regarding the administrative citation shall be held before the City's designated Hearing Officer. The Hearing Officer shall not be the investigating Animal Control Officer who issued the administrative citation or his or her immediate supervisor. The City may, at its sole discretion, contract with a qualified provider to conduct the administrative hearings or to process administrative citations.

c. Conduct of the Hearing. The investigating Animal Control Officer who issued the administrative citation shall not be required to participate in the administrative hearing regarding the citation. The contents of the investigating Animal Control Officer's file shall be admitted as prima facie evidence of the facts stated therein. The Hearing Officer shall not be limited by the technical rules of evidence. If the person requesting the appeal of the administrative citation fails to appear at the administrative hearing, the Hearing Officer shall make his or her determination based on the information contained in the notice of appeal.

d. Hearing Officer's Decision. The Hearing Officer's decision regarding the administrative citation following the administrative hearing may be personally delivered to the person requesting the hearing or sent by mail. The Hearing Officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the Hearing Officer of an inability to pay the
penalty in full at one time. The Hearing Officer’s decision shall contain instructions for obtaining review of the decision by the superior court.

F. Review of Administrative Hearing Officer’s Decision. If the recipient of an administrative citation disagrees with the administrative Hearing Officer’s decision upholding the issuance of the administrative citation and/or administrative penalty amount assessed, the recipient may appeal the issuance of the administrative citation to the City Manager or his or her designee as set forth in this section.

1. Notice of Appeal. Within twenty (20) days of the delivery and mailing of the Hearing Officer’s decision regarding the administrative citation, the recipient of the administrative citation may contest that decision by filing an appeal to be heard by the City Manager. The fee for filing the notice of appeal shall be as set forth by the City per their fee resolution. The failure to file the written appeal and to pay the filing fee within this twenty (20) day period shall constitute a waiver of the right to an appeal and the decision shall be deemed final. A copy of the notice of appeal shall be forwarded to the Animal Control Division upon receipt by the City Manager’s office.

2. The City Manager or his or her designee shall notify the appealing party of the date, time and location of the review hearing. At the hearing, the appealing party shall be allowed to present only those facts, witnesses or evidence that were originally presented during the initial hearing.

3. The City Manager or designee shall consider all of the facts, evidence and witness testimony and shall render a decision in writing to the appealing party within thirty (30) days from the review hearing. The decision of the City Manager or designee shall be final.

8.02.290 - Recoupment of enforcement costs.

The intent of this section is to authorize the recoupment of administrative costs reasonably related to the enforcement of this Ordinance. In furtherance of this intent the City shall be entitled to recover costs of enforcement, including costs of staff time, by complying with the following procedure:

A. Records of Costs. The Division of animal services shall maintain records of all administrative costs, incurred by the Division and all other responsible City departments, in the processing of the violation or violations and the enforcement of this chapter and other applicable ordinances and may recover such costs from the violator and/or property owner or property occupier as provided in this chapter.
B. Notice. Upon investigation and determination that a violation of any of the provisions of this chapter or other related City ordinances is found to exist, the Animal Control Division and/or other City department(s) shall notify the violator and/or record owner of the property, or any person having possession or control of the subject property, by mail of the existence of the violation, of the Division’s intent to charge the violator and/or property owner and/or person having possession or control of the property for all administrative costs associated with enforcement, and of the respondent’s right to a hearing on objections thereto. The notice shall be in substantially the following form:

**NOTICE**

The Animal Control Division and/or Department of _______ has/have determined that conditions exist at the property located at _______ which violate Section(s) _______ of the City of Perris Ordinance No(s). _______ to wit: _______

_____

_____

_____

Notice is hereby given that at the conclusion of this case you will receive a summary of administrative costs associated with the processing of such violation(s), at an hourly rate as established and adjusted from time to time by the City Council. The hourly rate presently in effect is _______ per hour of staff time. You will have the right to object to these charges by filing a Request for Hearing with the Animal Control Division within ten (10) days of service of the Summary of Charges.

C. Summary of Costs. At the conclusion of the case, the Animal Control Division shall send a summary of costs associated with enforcement to the violator and/or owner of the property and/or person having possession or control of the subject property by certified mail. The summary shall include a notice in substantially the following form:

**NOTICE**

If you object to these charges, you must file a Request for Hearing on the enclosed Form within ten (10) days of the date of this notice.
IF YOU FAIL TO TIMELY REQUEST A HEARING, YOUR RIGHT TO OBJECT WILL BE WAIVED AND YOU WILL BE LIABLE TO THE CITY OF PERRIS FOR THESE CHARGES, TO BE RECOVERED IN A CIVIL ACTION IN THE NAME OF THE CITY, IN ANY COURT OF COMPETENT JURISDICTION WITHIN THE CITY.

Dated: __________

Animal Control Division

D. Right to Hearing. Any violator or property owner, or other person having possession and control of the property, who receives a summary of costs under this section shall have the right to a hearing before the Senior Animal Control Officer or their designee on his or her objections to the proposed costs in accordance with the procedures set forth herein.

E. Request for Hearing. A request for hearing shall be filed with the Division within ten (10) days of the service by mail of the Division summary of costs, on a form provided by the Division. Within ten (10) days of the filing of the request, and on ten (10) days' written notice to the violator and/or owner, the Senior Animal Control Officer or their designee shall hold a hearing on the violator and/or owner’s objections, and shall determine the validity thereof.

F. Recovery of Costs. In the event that: (a) no request for hearing is timely filed; or (b) after a hearing the Senior Animal Control Officer or their designee affirms the validity of the costs; the violator, the property owner or the person in control and possession of the property shall be liable to the City in the amount stated in the summary of costs or any lesser amount as determined by the Senior Animal Control Officer or their designee. These costs shall be recoverable in a civil action in the name of the City, in any court of competent jurisdiction within the County of Riverside.

G. Senior Animal Control Officer or their designee's Decision. In determining the validity of the costs, the Senior Animal Control Officer or their designee shall consider whether the total costs as charged have been fairly and accurately calculated. Factors to be considered include whether the time and personnel spent in enforcement were reasonably necessary to bring about compliance and whether the rate charged is the current rate established by the City.

H. Appeal. The decision of the Senior Animal Control Officer or their designee may be appealed by filing a written notice of appeal with the City Clerk within ten (10) days after service by mail on the violator, property owner, or other person
having possession and control of the property, of the decision of the Senior Animal
Control Officer or their designee. The appeal shall be heard by the City Council
which may affirm, amend or reverse the decision and may take any other action
deemed appropriate. The Division shall give written notice of the time and the place
of the hearing to appellant. In conducting the hearing, the City Council shall not be
limited by the technical rules of evidence.

8.02.300 - Public nuisance.

A. The possession or maintenance of any dog, cat or other identified animal or
the allowing of any dog, cat or other identified animal to be in violation of this
Ordinance, or any other City ordinance or State law, is declared to be a public
nuisance. The Senior Animal Control Officer or their designee and any City of
Perris peace officer are directed and empowered to abate any such public nuisance
independently of any criminal prosecution or the results thereof, by any means
reasonably necessary to accomplish the abatement including, but not limited to, the
destruction of the dog, cat or other identified animal involved, or by the imposition
of specific reasonable conditions and restrictions for the maintenance of such dog,
cat or other identified animal. Failure to comply with such conditions and
restrictions is a misdemeanor. The owner of such dog, cat or other identified animal
shall reimburse the City for all costs incurred in enforcing compliance with the
provisions of this section. The City, by and through the Senior Animal Control
Officer or their designee, may also commence and maintain such proceedings in a
court of competent jurisdiction as are appropriate under the laws and regulations of
the state for the abatement and redress of public nuisances.

B. At least ten (10) working days prior to the impoundment or abatement or
both pursuant to subsection A of this section, the owner or custodian of the subject
dog, cat, or other identified animal shall be notified by the Senior Animal Control
Officer or their designee, in writing, of the right to a hearing to determine whether
grounds exist for such impoundment or abatement or, where applicable, both. The
notice shall be served by hand-delivery or by registered or certified mail, postage
prepaid, return receipt requested. If the owner or custodian requests a hearing prior
to impoundment or abatement, no impoundment or abatement shall take place until
the conclusion of such hearing, except as provided in subsection C of this section.

C. When, in the opinion of the Senior Animal Control Officer or their designee,
immediate impoundment is necessary for the preservation of animal or public
health, safety or welfare, or if the subject dog, cat or other identified animal has
been impounded under any other provision of this chapter or any law or regulation
of the State of California, the pre-impoundment hearing shall be deemed waived;
provided, however, that the owner or custodian of the subject dog or cat shall be
given notice by the Senior Animal Control Officer or their designee, in writing, which would allow five (5) working days to request an abatement hearing. Service of such notice shall be in accordance with the service methods specified in subsection (B) of this chapter. Where requested by such owner or custodian, a hearing shall be held within five (5) days of the request therefor, and the subject dog, cat or other animal shall not be disposed of prior to the conclusion of the hearing. If, after five (5) working days from the date of service of the notice specified in this subsection, no request for a hearing is received from the owner or custodian of the subject dog, cat or other animal, such dog, cat, or other animal shall be disposed of pursuant to applicable provisions of law.

D. All hearings pursuant to this section shall be conducted by the Senior Animal Control Officer or their designee personally or by a designee who shall not have been directly involved in the subject action. Hearings shall be held not more than ten (10) days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a reasonable period of time if the Senior Animal Control Officer or their designee deems such continuance to be necessary and proper or if the owner or custodian shows good cause for such continuance. Within ten (10) days after the conclusion of the hearing, the Senior Animal Control Officer or their designee shall render, in writing, their findings, decision and order thereon and shall give notice of the findings, decision and order to the owner or custodian of the subject dog, cat or other animal; service of such notice shall be in accordance with the service methods specified in subsection (B) of this section.

E. Pursuant to Food and Agriculture Code Section 31622, the owner or keeper of a dog can appeal the decision of the administrative hearing to the municipal court.

8.02.310 - Adjustments of fees.

All of the fees set forth in this chapter shall be in effect until the City Council shall, by means of ordinance, fix some other fees upon the basis of a cost-analysis as determined by the City of Perris Auditor-Controller or, where applicable, pursuant to a change in the applicable laws and regulations of the State of California or, if applicable, both.

8.02.320 - Waiver of fees.
At the discretion of the Senior Animal Control Officer or their designee, the impoundment fees recoverable under Section 8.02.100 may be waived by the Senior Animal Control Officer or their designee based upon indigent circumstances of the owner of the impounded animal that are verified by the Animal Control Division so long as the animal is being kept and maintained in accordance with all other provisions of this chapter, the City of Perris Ordinances, and State law.

**Chapter 8.03 - ABANDONED, NEGLECTED AND CRUELLY TREATED ANIMALS**

Sections:

8.03.010 – Incorporation of Penal Code 597.1

Penal Code Section 597.1, Permitting Animals to Go Without Care; Veterinary Care for Injured Animals; Pre seizure and Post Seizure Hearings, as may be amended by the State, is hereby incorporated herein in its entirety by reference.

8.03.020 – Hearing Officer

The City shall retain an independent Hearing Officer for all matters related to enforcement of Penal Code Section 597.1. Said Hearing Officer shall be under the authority of the City Manager or his or her designated alternative, at their sole discretion in order to maintain neutrality and objectivity. Selection of said Hearing Officer shall be made by the City Manager or his or her designated alternative. The City Manager or his or her designee may elect to secure the services of an on-call Hearing Officer, who shall be available to respond to the timely hearing requirements contained in Penal Code Section 597.1.

8.03.030 – Abandoning animals.

It is unlawful to abandon any animal, dead or alive, within the boundaries of the City.

8.03.040 – Cruelty to dogs, cats and other animals.
A. It is unlawful and is a violation of this chapter for any person to abandon, starve, kill, injure, torture, torment, or otherwise treat in a cruel or inhumane manner, any domesticated or wild animal within the City except in defense of person, property or another animal, or when the person whose actions are in question reasonably believes that the questioned action or actions are necessary for the preservation of the public health or safety. This provision shall not be construed to limit in any manner the carrying out of official duty by any peace officer, humane officer or other law enforcement officer.

B. Any animal which is abandoned, starved or treated in a cruel or inhumane manner, or which is willfully or negligently allowed to suffer torture or unnecessary pain, may be impounded and treated or disposed of in a humane manner, or as prescribed in Penal Code section 597f.

C. Except as otherwise provided in the impounded animals section of this Ordinance, or under exigent circumstances, at least five (5) working days prior to the impoundment, adoption, disposal or destruction of any animal under this section, written notice shall be given by personal delivery, first class mail, postage prepaid, to the last known address of the owner, of such person's right to a hearing as to whether or not such impoundment, adoption, disposal or destruction shall be ordered, except where such delay will be unreasonable in the opinion of the Senior Animal Control Officer, in which case the animal may be impounded immediately. In the event the owner of such animal requests a hearing prior to such action being taken, no impoundment, adoption, disposal or destruction shall take place until the conclusion of such hearing, which hearing shall be conducted by the Senior Animal Control Officer, except as otherwise provided in the impounded animals section of this Ordinance. Requests for hearing shall be filed in writing with the Senior Animal Control Officer.

D. If, in the opinion of the Senior Animal Control Officer, immediate impoundment is necessary for public health or safety or the health or safety of the animal, the pre-impoundment hearing shall be deemed waived; provided, however, that in such case the owner of the animal shall be given at least five (5) working days' notice as provided in this subsection of her or his right to a post-impoundment hearing. Requests for hearing shall be filed in writing with the Senior Animal Control Officer. In the event a post-impoundment hearing is requested, it shall be conducted by the Senior Animal Control Officer, or by a person authorized by the Senior Animal Control Officer to conduct the hearing. The person who conducts the hearing shall not have been directly involved in the events leading up to the hearing. The pre-impoundment or post-impoundment hearing shall commence within ten days after the date the written request has been received by the City, and the animal which is the subject of such hearing shall not be destroyed or disposed of prior to the conclusion of such hearing. Notice of the time, date and place of such
hearing shall be given to the owner or person entitled to possession of the animal which is the subject of such hearing and to the Senior Animal Control Officer.

E. Within ten (10) days after the conclusion of the hearing, whether pre-impoundment or post-impoundment, the person conducting the hearing shall render, in writing, his findings, decision and order to the owner of the subject animal and to the Senior Animal Control Officer. Service of such notice shall be made upon the owner by personal delivery or by first class mail, postage prepaid. If the impoundment is found to be unjustified, the animal shall be returned, without charge for any impoundment which occurred.

8.03.050 – Poisoning animals.

It is unlawful to place, leave or expose in any place accessible to any pet with the intent to kill or harm such animals, any poisonous substance or ingredient, or any edible or any other substance or ingredient which has in any manner been treated or prepared with any poisonous substance or ingredient.

8.03.060 – Sanitary conditions.

A. Any animal kept or maintained within the City shall be kept and maintained in a sanitary condition with all refuse and manure removed from the premises at least once each calendar week. All rules and regulations of the state health department pertaining to sanitary conditions and maintenance of premises must also be complied with.

B. It is unlawful for the owner or person having charge, custody or control of any animal to permit, either willfully or through the failure to exercise due care or control, any such animal to create a nuisance by leaving its excreta and to allow such nuisance to therefore remain on the following:

1. Any public park in the City;

2. A public sidewalk, parkway or any other public property;

3. Any entranceway, stairway or wall immediately abutting a public sidewalk;

4. The floor of any theater, shop, store, office building or other building used by the public;
5. Any improved private property other than that of the owner or person who has custody or control of such animal;

6. The floor of any common hall in any apartment house, tenement house, motel or other multiple dwelling.

C. Any owner or person found in violation of this section shall be fined fifty dollars ($50.00), payable to the City, for each violation.

8.03.070 – Fighting animals.

No person shall cause any animal, including, but not limited to, any cock or dog, to fight with the like kind of animal, with a different kind of animal or a human being. Nor shall any person permit the same to be done on any premises under his charge or control. Any person, who aids, abets or is present at such fighting as a spectator is guilty of a misdemeanor.

8.03.080 – Owning, keeping or training animals for fighting.

Any person who owns, possesses, keeps or trains any animal with the intent that such animal shall be engaged in an exhibition of fighting, or is present at any place or building where preparations are being made for an exhibition of the fighting of animals with the intent to be present at such exhibition, is guilty of a misdemeanor.

Chapter 8.04 - POTENTIALLY DANGEROUS, DANGEROUS, AND VICIOUS ANIMALS

Sections:

8.04.010 - Findings.

A. Because of the increased urbanization of City of Perris, the City has experienced increasing numbers of residents with dogs.

B. In an attempt to control, it is necessary to: (1) increase the total number of animals which are licensed and thus properly established to have been vaccinated against rabies; (2) encourage the spaying and neutering of animals, which (a)
reduces the number of strays at large and not safely confined, (b) reduce aggressiveness and animals at large, and (c) reduces the financial cost to taxpayers of animal control services; and (3) establish a warning and hearing procedure to put the owners of potentially dangerous, dangerous dogs and other animals on adequate notice to control such animals and to bring about the confinement of such animals and the destruction of those animals where other lesser measures have failed or are inappropriate.

8.04.020 - Definitions.

Whenever, in this chapter or in any resolution or standard adopted by the City Council pursuant to this chapter, the following terms are used, they shall have the meaning ascribed to them in this section, unless it is apparent from the context thereof, that some other meaning is intended.

"Potentially dangerous animal" means:

1. Any animal which has once actively pursued, attacked, bitten, or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another person engaged in a lawful activity.

2. Any animal which has once attacked, bitten, or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another animal.

3. Any animal which is found actively pursuing livestock, domestic bovine animal, horse, mule, burro, sheep, goat, swine, poultry, chicken, duck, turkey, goose or other domestic fowl, dogs, cats, or other domestic animals.

"Substantial injury" means a substantial impairment of the physical condition of a person or animal which requires professional medical treatment, including, but not limited to, loss of consciousness; concussion; bone fracture; protracted loss, or impairment of function of any bodily member or organ; muscle tears, disfiguring lacerations, punctures, or a wound requiring multiple sutures; or any injury requiring corrective or cosmetic surgery.

"Dangerous animal" means:

1. Any animal which has twice within a thirty-six (36) month period in two (2) separate incidents has, actively pursued, attacked, bitten or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another person or animal engaged in a lawful activity;
2. Any animal which has once attacked, bitten, or otherwise caused injury to a person or animal engaged in lawful activity, resulting in death or substantial injury;

3. Any animal which has been previously declared a “potentially dangerous animal” and the owner/custodian has failed to restrain the animal as so directed; or

4. Any dog which has been declared a “potentially dangerous dog” as defined by California State law during any legal hearing process.

“Secure enclosure” means a fence or structure suitable to prevent the entry of young children or any part thereof, and which is suitable to confine a potentially dangerous or dangerous animal in conjunction with other measures, which may be taken by the owner, keeper of the animal, or at the direction of the Senior Animal Control Officer. The enclosure shall be designed to prevent the animal from escaping and from preventing an adult or child from coming in contact with the animal. (A chain where a person can walk within the length of the chain, or an electric collar or invisible fence is not a sufficient restraint or enclosure.)

“Vicious dog” means:

1. Any dog which, when unprovoked, in an aggressive manner, inflicts injury on or kills a human being or animal.

2. Any dog previously determined to be and currently listed as a potentially dangerous dog which after its owner or keeper has been notified of this determination, continues the behavior described in Section 31602 of the Food and Agricultural Code or is maintained in violation of Section 31641, 31642, or 31643 of the Food and Agricultural Code.

8.04.030 - Administrative restraint order for potentially dangerous animals.

A. If the Animal Control Division has cause to believe that an animal is a potentially dangerous animal, the Senior Animal Control Officer or their designee shall issue a potentially dangerous animal restraint order to the owner or custodian of any such dog or animal that fits the description described in this chapter, of a potentially dangerous animal. The statement shall be served by hand-delivery or certified and first-class mail. The statement shall notify the owner or custodian of such animal that such owner or custodian is required thereafter at all times to keep such animal in a secure enclosure or provide such other adequate secure restraint as may be specified on the restraint order.
B. An owner or custodian of an animal receiving a potentially dangerous animal restraint order may request a hearing on the order by a Hearing Officer selected by the Senior Animal Control Officer or its designee. The request for a hearing must be submitted in writing, during the ten (10) calendar days following the service of the order. Pending such hearing, the animal must be kept in a secure enclosure or adequately restrained as specified in the restraint order.

C. Failure of the owner or custodian to request a hearing on the restraint order within the ten (10) day period, or failure to attend or be represented at a scheduled hearing, shall constitute a waiver of the right to a hearing and shall satisfy the hearing requirements provided herein.

D. All hearings pursuant to subsection (B) of this section shall be conducted by the Hearing Officer who shall not have been directly involved in the subject action. Hearings shall be held not more than ten (10) working days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a period of time not to exceed thirty (30) days if the Hearing Officer deems such continuance to be necessary and proper. Within ten (10) days after the conclusion of the hearing, the Hearing Officer shall render, in writing, his or her findings, decision, and order thereof and shall give notice of the findings, decision, and order to the owner or custodian of the subject animal; service of such notice shall be by mail or hand delivery.

E. Costs for successful enforcement of this section shall be recouped from the animal’s owner or custodian pursuant to section 8.02.310.

F. An animal which has been determined to be a potentially dangerous animal following the conclusion of the process described in subsections A through D of this section shall be added to a list of potentially dangerous animals maintained by the Animal Control Division. Once an animal has been determined to be a potentially dangerous animal, if there are no additional instances of the behavior described in the definition for a potentially dangerous animal in Section 8.04.020 within a thirty-six (36) month period from the date of the restraint order, the animal may be removed from the list of potentially dangerous animals by the Senior Animal Control Officer.

8.04.040 - Administrative restraint order for dangerous animals.

A. If the Animal Control Division has cause to believe that an animal is a dangerous animal, the Senior Animal Control Officer or their designee shall issue a dangerous animal restraint order to the owner or custodian of any such dog or
animal that fits the description described in this chapter, of a potentially dangerous animal. The statement shall be served by hand-delivery or certified and first-class mail. The statement shall notify the owner or custodian of such animal that such owner or custodian is required thereafter at all times to keep such animal in a secure enclosure or provide such other adequate secure restraint as may be specified on the restraint order.

B. An owner or custodian of an animal receiving a dangerous animal restraint order may request a hearing on the order by a Hearing Officer selected by the Senior Animal Control Officer or its designee. The request for a hearing must be submitted in writing, during the ten (10) calendar days following the service of the order. Pending such hearing, the animal must be kept in a secure enclosure or adequately restrained as specified in the restraint order.

C. Failure of the owner or custodian to request a hearing on the restraint order within the ten (10) day period, or failure to attend or be represented at a scheduled hearing, shall constitute a waiver of the right to a hearing and shall satisfy the hearing requirements provided herein.

D. All hearings pursuant to subsection (B) of this section shall be conducted by the Hearing Officer who shall not have been directly involved in the subject action. Hearings shall be held not more than ten (10) working days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a period of time not to exceed thirty (30) days if the Hearing Officer deems such continuance to be necessary and proper. Within ten (10) days after the conclusion of the hearing, the Hearing Officer shall render, in writing, his or her findings, decision, and order thereon and shall give notice of the findings, decision, and order to the owner or custodian of the subject animal; service of such notice shall be by mail or hand delivery.

E. Costs for successful enforcement of this section shall be recouped from the animal's owner or custodian pursuant to section 8.02.310.

F. An animal which has been determined to be a dangerous animal following the conclusion of the process described in subsections A through D of this section shall be added to a list of dangerous animals maintained by the Animal Control Division.

8.04.050 - Exceptions to finding an animal to be vicious.

No animal may be determined vicious if:
1. Any such bite, threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass upon the premises occupied by the owner or custodian of the animal, or was committing or attempting to commit a crime upon the premises occupied by the owner or custodian of the animal, or was teasing, tormenting, abusing or assaulting the animal or who has, in the past, teased, tormented, abused or assaulted the animal; or

2. Such animal is used in military or police work and any such bite, threat, injury or damage was sustained while the animal was actually performing in that capacity.

8.04.060 - Impoundment and abatement of dangerous and vicious animals.

The Animal Control Division is authorized and empowered to impound and/or abate (destroy) any dangerous or vicious animal as a public nuisance independently of any criminal prosecution or the results thereof by any means reasonably necessary to protect the health, safety and welfare of the public including, but not limited to, the imposition upon the owner and/or custodian of specific, reasonable restrictions and conditions for the maintenance of the animal. In carrying out an abatement, the Division shall follow the procedure as set forth in section 8.02.320.

Restrictions and/or conditions resulting from abatement proceedings may include, but are not limited to, the following:

A. Requiring the owner of the animal, possessor of the animal, and/or owner of the premises on which the animal is kept to obtain and maintain liability insurance in the amount of one hundred thousand dollars ($100,000.00) and to furnish a certificate or proof of insurance by which the Division shall be notified at least thirty (30) calendar days prior to cancellation or nonrenewal;

B. Requirements as to the size, construction, and design of structured enclosure for the animal;

C. Location of the animal’s residence including prior notice of plans to move the animal to another location or to a location outside of City of Perris and obtaining approval from the Animal Control Division to do so after proper notification of animal regulation in the new jurisdiction;

D. Requirements as to type and method of restraints for the animal; including but not limited to leashes, muzzles and confinement in a kennel or other facility;
E. Photo identification or permanent marking of the animal for purposes of identification;

F. A requirement to obtain a dangerous animal registration and/or requiring a tattoo or microchip noting the declaration and registration with City of Perris Animal Control;

G. A requirement to alter the animal;

H. Requirements to allow inspection of the animal and its enclosure by the Animal Control Division or any other law enforcement agency without warrant, and to produce upon demand, proof of compliance with such requirements of this section; as may be applicable;

I. Obtaining written permission to keep the animal on certain specified premises from the landlord or owner, in the event that the owner/custodian of the dangerous animal is a tenant or occupant on real property where the animal is being kept;

J. Payment of a reasonable fee to recover the costs of animal services in verifying compliance and enforcing the provisions of this section;

Any person who violates any provision of this section is guilty of an infraction or misdemeanor, if charged.

8.04.070 - Placement of warning signs.

It is unlawful for the owner or person in charge of any animal that has been found to be a potentially dangerous animal, dangerous animal, or vicious animal to fail, neglect, or refuse to keep posted in a conspicuous place at or near the entrance to the premises on or within which any dog or animal is kept, a sign having letters at least two (2) inches in width and two (2) inches in height and reading “Beware of vicious dog” or “Beware of vicious ___________,” as may be appropriate.

8.04.080 - Change of ownership, custody and/or location of animal.

A. The owner and/or custodian of an animal that is on restriction as above provided and who moves or sells the animal, or otherwise transfers the ownership, custody or location of the animals(s), shall, at least fifteen (15) days prior to the actual transfer or removal of the animal, notify the Animal Control Division in writing of the name, address and telephone number of the proposed, new owner or
custodian, and/or the proposed, new location of the animal, and the name and description of the animal. The Division may prohibit the proposed relocation for cause.

B. The owner and/or custodian shall, in addition to the above, notify any new owner or custodian in writing regarding the details of the animal’s record, and the terms and conditions for confinement and control of the animal. The transferring owner and/or custodian shall also provide the Division with a copy of the notification to the new owner or custodian containing an acknowledgment by the new owner or custodian of his or her receipt of the original notification and acceptance of the terms and conditions. The Division may impose different or additional restrictions or conditions upon the new owner or custodian.

C. If the animal should die, the owner and/or custodian shall notify the Division no later than twenty-four (24) hours thereafter and, upon request, from the Division shall produce the animal for verification. If the animal injures a person or animal, or if the owner and animal move to a new location, the owner and/or custodian shall notify the Division no later than twenty-four (24) hours thereafter. If the animal escapes, the owner and/or custodian shall immediately notify the Division and make every reasonable effort to recapture the escaped animal.

D. An animal that has been declared dangerous or vicious in any legal hearing, as a result of aggressive behavior, outside the confines of City of Perris, may not be relocated in City of Perris.

E. Any person who violates any provision of this section is guilty of an infraction or misdemeanor, if charged.

8.04.090 - Possession unlawful without adequate restraint.

It is unlawful for a person to have the custody of or own or possess an animal that is restricted as above provided, unless the animal continues to be restrained or confined to prevent it from being at large or from causing damage to any property or injury to any person or other animal. Any person who violates any imposed restriction is guilty of a misdemeanor.

8.04.100 - Surrender of animal upon demand.
The owner and/or custodian of any animal on restriction who is in violation of Section 8.04.090 shall surrender such animal to the Animal Control Division upon demand.

8.04.110 - Hearing procedures and charges.

Charges for hearing procedures and costs of confinement at a shelter associated with enforcement under this Ordinance shall be recovered from the animal’s owner or custodian as per sections 8.02.310 and 8.02.320.

8.04.120 - Remedies and penalties.

A. Except in cases where a different punishment is specifically prescribed elsewhere in the City of Perris Municipal Code, every misdemeanor offense is punishable by imprisonment in the city or county jail for a period not exceeding six (6) months, or by fine not exceeding one thousand dollars ($1,000.00), or by both, provided that where the City Attorney determines that such action would be in the interests of justice, the City Attorney may specify in the accusatory pleading that the offense shall be an infraction.

B. Except as otherwise prescribed elsewhere in this Code, every offense specifically declared to be an infraction is punishable by a fine not exceeding one hundred dollars ($100.00) for a first violation, a fine not exceeding two hundred dollars ($200.00) for a second violation of the same provision within one (1) year, and a fine not exceeding five hundred dollars ($500.00) for each additional violation of the same provision within one (1) year. An infraction is not punishable by imprisonment. A person charged with an infraction shall not be entitled to a trial by jury and shall not be entitled to have the public defender or other counsel appointed at public expense to represent him unless he is arrested and not released on his written promise to appear, his own recognizance or a deposit of bail. However, any person who has previously been convicted two or more times during any 12-month period for any crime made punishable as an infraction shall be guilty of a misdemeanor upon the third violation.

C. Notwithstanding any other provision of law, a violation of local building and safety codes determined to be an infraction is punishable by:

1. A fine not exceeding one hundred dollars ($100.00) for a first violation;
2. A fine not exceeding five hundred dollars ($500.00) for a second violation of the same ordinance within one year;

3. A fine not exceeding one thousand dollars ($1,000.00) for each additional violation of the same ordinance within one year of the first violation.

The remedies herein are not exclusive and City may seek any and all remedial action by any available means under the law.

8.04.130 - Exclusions.

This chapter does not apply to dogs while utilized by any police department or any law enforcement officer in the performance of police work.

8.04.140 - Court proceedings.

Nothing in this chapter shall prevent the City of Perris Animal Control Division or any other party from commencing and maintaining court proceedings for the restriction or destruction of any animal as authorized under Food and Agricultural Code Section 31601 et seq.

Chapter 8.05 - NOISY ANIMALS

Sections:

8.05.010 - Findings.

The disturbance caused by excessive, unrelenting or habitual noise of any animal is disruptive of the public’s peace and tranquility and represents an unwanted invasion of privacy of the residents of the City of Perris. At certain levels, the excessive, unrelenting or habitual noise of any animal may jeopardize the health, safety or general welfare of residents of the City of Perris and degrade their quality of life.

8.05.020 - Purpose.
It is declared to be in the public interest to promote the health and welfare of the residents of the City of Perris (the “City”) by providing for an administrative proceeding for the abatement of such noisy animal nuisances, which abatement procedures shall be in addition to all other proceedings authorized by City ordinances or otherwise by law.

8.05.030 - Authority.

This chapter is adopted pursuant to the City Council’s police power as set forth under Article XI, section 7 of the California Constitution.

8.05.040 - Exemptions.

This chapter shall not apply to noise or sound made by an official law enforcement dog while on duty.

8.05.050 - Definitions.

As used in this chapter, the following terms shall have the following meanings:

A. Complaining party. Person or persons who contact the Animal Control Division to report a noisy animal or animals.

B. Senior Animal Control Officer or their designee. The Senior Animal Control Officer or their designee of the Animal Control Division of the City of Perris or their duly authorized representative.

C. Noisy animal. Any animal or animals maintained on the same premises or location whose excessive, unrelenting or habitual barking, howling, crying or other noises or sounds annoy or become offensive to a resident or residents in the vicinity thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity hearing such sounds.

D. Responsible party. A responsible party includes any of the following:

1. The person or persons who own the property where the noisy animal is located;
2. The person or persons in charge of the premises where the noisy animal is located;

3. The person or persons occupying the premises where the noisy animal is located;

4. The owner of the noisy animal.

If any of these persons are minors, the parent or parents or a guardian of such minor shall be the responsible party.

8.05.060 - General prohibition—Declaration of noisy animal as a public nuisance.

A. It is unlawful and a public nuisance for any person to allow on their property, own, keep, permit, harbor or have in their care, custody or control a noisy animal.

B. It is unlawful for the responsible party, after being informed in writing that his or her animal has been declared a noisy animal and that the maintenance of a noisy animal is a public nuisance, to fail, refuse, or neglect to take whatever steps or use whatever means are necessary to assure that such noisy animal does not again disturb residents in the vicinity in which the noisy animal is kept.

8.05.070 – Disturbing the peace.

It is unlawful and declared a nuisance for any person to keep, maintain or permit on any lot, parcel of land or premises under his control, any animal which may by any sound or cry disturb the peace and comfort of the inhabitants of the neighborhood or interfere with the reasonable and comfortable enjoyment of life and property; provided, however, that nothing contained in this chapter shall be construed to apply to reasonable noises emanating from legally operated veterinary hospitals, humane societies, animal shelters, farm or agricultural facilities within areas where the keeping of animals or fowls are permitted.

8.05.080 - Noisy animal warning notice.

A. When an Animal Control Officer is notified of a possible noisy animal and has personally confirmed the existence of a noisy animal, or has received a written
complaint under penalty of perjury of such noisy animal signed by a complaining party, the Animal Control Officer shall issue a noisy animal warning notice ("warning notice") to the responsible party. Such warning notice shall specify that the continued barking, howling or other noise or sounds of such animal is in violation of this chapter and that the noisy animal nuisance must be abated immediately to avoid further action by the City. The warning notice shall be personally served or served by mail upon the responsible party. If service by mail or personal service cannot be safely made or reasonable attempts at personal service have failed, the warning notice shall also be posted at the premises upon which the animal is located. A copy of the warning notice shall be filed with the Animal Control Division. The Senior Animal Control Officer or their designee shall within five days of issuance of the warning notice, make a reasonable attempt to speak personally or by telephone with the responsible party concerning the matter, including what efforts have been made to abate the nuisance.

B. If within five (5) days of the issuance of the warning notice the Senior Animal Control Officer or their designee determines that the barking, howling or other sound or cry was provoked or that such barking, howling or other sound or cry was not excessive, unrelenting or habitual, the Senior Animal Control Officer or their designee shall cause the warning notice to be voided and the responsible party to whom it was issued to be so notified. In the event a warning notice has been voided, such warning notice shall not be considered as having been issued for the purposes of Sections 8.05.090, 8.05.140, or 8.05.160 of this chapter.

8.05.090 - Declaration of complaint of noisy animal and petition for administrative hearing.

A. When the Senior Animal Control Officer or their designee receives a subsequent verbal or written complaint concerning a noisy animal at the same location within twelve (12) months after the issuance of a warning notice, the Senior Animal Control Officer or their designee shall determine whether there is a violation of this chapter. If there is a violation of this chapter, a declaration of complaint of noisy animal and petition for administrative hearing ("declaration of complaint and petition") shall be issued by the Senior Animal Control Officer or their designee to the complaining party. The complaining party shall be informed that further action may not be warranted if the responsible party is in compliance with subsection B. of Section 8.05.060 of this chapter, but in any case, no further action can be taken until the completed declaration of complaint and petition is received by the Senior Animal Control Officer or their designee.
B. The declaration of complaint and petition shall be completed under penalty of perjury by the complaining party and returned within ten (10) days to the Senior Animal Control Officer or their designee.

C. The Senior Animal Control Officer or their designee, upon receipt of a timely executed declaration of complaint and petition, shall set the case for hearing before an Administrative Hearing Officer. The hearing shall be set at least ten (10) days from the date the declaration of complaint and petition is received and no more than thirty (30) days after the date the declaration of complaint and petition is received. The Senior Animal Control Officer or their designee shall notify the complaining party and responsible party of the date, time, and place for the hearing. The notice of hearing shall advise the complaining party and responsible party that they may present evidence at the hearing through witnesses and documents. The notice of hearing shall be accompanied by a copy of the completed declaration of complaint and petition. The notice of hearing shall be personally served or served by mail on all parties. If the notice of hearing cannot be mailed or safely served by personal service or reasonable attempts at personal service have failed, then it may be posted upon the premises where the animal is kept.

8.05.100 - Administrative Hearing Officer.

A determination on whether an animal is violating this chapter shall be made by an Administrative Hearing Officer. The Administrative Hearing Officer shall have the power to hear testimony from witnesses, including complainants, peace officers, Animal Control Officers, or other witnesses or parties including the responsible party, to determine whether the maintenance of the animal is a public nuisance, and to order the abatement of such nuisance by taking such actions as set forth in this chapter.

8.05.110 - Administrative abatement hearing regarding noisy animal.

The hearing before the Administrative Hearing Officer shall be open to the public. The Administrative Hearing Officer may admit all relevant evidence, including incident reports and affidavits of witnesses. The Administrative Hearing Officer may decide all issues even if the responsible party for the animal fails to appear at the hearing. If the complaining party fails to appear at the hearing and the investigating Animal Control Officer does not have personal knowledge of the noisy animal, the complaint shall be dismissed. The Administrative Hearing Officer may find, upon a preponderance of the evidence, that the animal is a noisy animal and the maintenance of such noisy animal is a public nuisance. Upon the conclusion
of the hearing, the Administrative Hearing Officer may orally announce the
decision as to whether the animal is a noisy animal.

8.05.120 - Determination and order.

Within three (3) business days after the conclusion of the hearing, the
Administrative Hearing Officer shall, by certified mail, return receipt requested
and, by posting upon the premises where the animal is kept, notify the responsible
party of the Administrative Hearing Officer’s determination and any orders issued.
The order shall be called an administrative abatement order. If the Administrative
Hearing Officer determines that the animal is a noisy animal and the maintenance
thereof is a public nuisance, the responsible party shall comply with the
Administrative Hearing Officer’s order within five (5) days after the date of mailing
and posting of the determination and order. The decision of the Administrative
Hearing Officer shall be final.

8.05.130 - Administrative abatement measures.

The Administrative Hearing Officer may, as part of his or her determination that
the animal is a noisy animal and a public nuisance, direct the responsible party to
perform one or more of the following actions:

A. Containment of the noisy animal within an enclosed building on the
   premises of the responsible party;

B. Require that the noisy animal wear a noise suppression device obtained at
   the expense of the responsible party to reduce or eliminate the noise creating the
   nuisance;

C. Require that the noisy animal undertake obedience training designed to
   abate the nuisance problem when appropriate and under the conditions imposed by
   the Administrative Hearing Officer and at the expense of the responsible party;

D. Restrict the time of day, days of the week, and duration when the animal
   may be placed out-of-doors on the premises of the responsible party;

E. Require the noisy animal be debarked at the expense of the responsible
   party;

F. Require the responsible party to permanently remove the noisy animal from
   said property;
G. Any other reasonable means to accomplish the abatement of the nuisance.

8.05.140 - Failure to comply with administrative order.

It is unlawful for any responsible party to fail, neglect, or refuse to comply with an administrative abatement order of the Administrative Hearing Officer within the time specified in said order. Should any party subject to the administrative abatement order fail to comply with the order, in whole or in any part thereof, that party or those parties may be subject to administrative remedies to enforce the administrative abatement order as set forth in this chapter, including administrative citations and penalties, and any other lawful means necessary to gain compliance, including a civil action.

8.05.150 - Civil action.

In the event that any person shall fail, neglect, or refuse to comply with an administrative abatement order of the Administrative Hearing Officer within the time specified in said order and the public nuisance continues to exist, a civil action may be commenced to obtain the abatement of the noisy animal public nuisance.

8.05.160 - Administrative citations and penalties.

In addition to the remedies and penalties contained in this chapter, and in accordance with Government Code section 53069.4, an administrative citation may be issued for failure to comply with an administrative abatement order of the Administrative Hearing Officer. The following procedures shall govern the imposition, enforcement, collection, and administrative review of administrative citations and penalties.

A. Administrative Hearing Officer's order. If the public nuisance is not corrected within the period stated in the administrative abatement order, an administrative citation may be issued by a City Animal Control Officer.

B. Content of citation. The administrative citation shall be issued on a form approved by City Attorney and shall contain the following information:

1. Date, location and approximate time that the violation was observed;
2. The ordinance violated and a brief description of the violation;
3. The amount of the administrative penalty imposed for the violation;

4. Instructions for payment of the penalty, the time period by which it shall be paid, and the consequences of failure to pay the penalty within this time period;

5. Instructions on how to appeal the citation;

6. The signature of the Animal Control Officer.

The failure of the citation to set forth all required contents shall not affect the validity of the proceedings.

C. Service of citation.

1. If the responsible party who has violated the ordinance is present at the scene of the violation, the Animal Control Officer shall attempt to obtain the responsible party’s signature on the administrative citation and shall deliver a copy of the administrative citation to the responsible party.

2. If no one can be located at the property where the noisy animal is located, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed, by certified mail and return receipt requested, to the responsible party or other person who has violated the ordinance. The citation shall be mailed to the property address and/or the address listed for the property owner on the last City equalized assessment roll. The citation shall also be mailed to any additional address for the responsible party in Animal Control Division records.

3. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.

D. Administrative penalties.

1. The penalties assessed for each violation of the administrative abatement order issued by the Administrative Hearing Officer shall not exceed the amounts set forth by the City of Perris for a first violation, a second violation of the same administrative abatement order within one (1) year, or for each additional violation of the administrative abatement order within one (1) year.

2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of the penalty shall increase at the rate specified above.

3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.
4. The penalties assessed shall be payable to the City of Perris.

E. Administrative Appeal of Administrative Citation.

1. Notice of Appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the Division. The written notice of appeal must be filed within ten (10) days of the service of the administrative citation as set forth in subsection C above. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative citation. The notice of appeal shall be submitted on City forms and shall contain the following information:

   a. A brief statement setting forth the appellant's interest in the proceedings;

   b. A brief statement of the material facts which the appellant claims supports his or her contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;

   c. An address at which the appellant agrees notice of any additional proceeding or an order relating to the administrative penalty may be received by mail;

   d. The notice of appeal must be signed by the appellant.

2. Administrative Hearing. Upon a timely written request by the recipient of an administrative citation, an administrative hearing shall be held as follows:

   a. Notice of Hearing. Notice of the administrative hearing regarding the administrative citation shall be given at least ten (10) days before the hearing to the person requesting the hearing. The notice may be personally delivered to the person requesting the hearing or may be mailed to the address listed in the notice of appeal.

   b. Hearing Officer. The administrative hearing regarding the administrative citation shall be held before the City's designated Hearing Officer. The Hearing Officer shall not be the investigating Animal Control Officer who issued the administrative citation or his or her immediate supervisor. The City may, at its sole discretion, contract with a qualified provider to conduct the administrative hearings or to process administrative citations.

   c. Conduct of the Hearing. The investigating Animal Control Officer who issued the administrative citation shall not be required to participate in the administrative hearing regarding the citation. The contents of the investigating Animal Control Officer's file shall be admitted as prima facie evidence of the facts stated therein. The Hearing Officer shall not be limited by the technical rules of
evidence. If the person requesting the appeal of the administrative citation fails to appear at the administrative hearing, the Hearing Officer shall make his or her determination based on the information contained in the notice of appeal.

d. Hearing Officer’s Decision. The Hearing Officer’s decision regarding the administrative citation following the administrative hearing may be personally delivered to the person requesting the hearing or sent by mail. The Hearing Officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the Hearing Officer of an inability to pay the penalty in full at one time. The Hearing Officer’s decision shall contain instructions for obtaining review of the decision by the superior court.

F. Review of Administrative Hearing Officer’s Decision. If the recipient of an administrative citation disagrees with the Administrative Hearing Officer’s decision upholding the issuance of the administrative citation and/or administrative penalty amount assessed, the recipient may appeal the issuance of the administrative citation to the City Manager as set forth in this section.

1. Notice of Appeal. Within twenty (20) days of the delivery and mailing of the Hearing Officer’s decision regarding the administrative citation, the recipient of the administrative citation may contest that decision by filing an appeal to be heard by the City Manager or his or her designee. The fee for filing the notice of appeal shall be as set forth by the City per their fee resolution. The failure to file the written appeal and to pay the filing fee within this twenty (20) day period shall constitute a waiver of the right to an appeal and the decision shall be deemed final. A copy of the notice of appeal shall be forwarded to the Animal Control Division upon receipt by the City Manager’s office.

2. The City Manager or his or her designee shall notify the appealing party of the date, time and location of the review hearing. At the hearing, the appealing party shall be allowed to present only those facts, witnesses or evidence that were originally presented during the initial hearing.

3. The City Manager or designee shall consider all of the facts, evidence and witness testimony and shall render a decision in writing to the appealing party within thirty (30) days from the review hearing. The decision of the City Manager or designee shall be final.

8.05.170 - Not exclusive remedy.
The provisions of this chapter are to be construed as an added remedy of abatement of the nuisance hereby declared and not in conflict with or derogation of any other actions or proceedings or remedies otherwise provided by law."

Section 3. Effective Date. This Ordinance shall take effect thirty (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, shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted, and shall cause a summary of this Ordinance to be published in accordance with Government Code section 36933 in a newspaper of general circulation which is hereby designated for that purpose.

ADOPTED, SIGNED and APPROVED this ___ day of __________, 2018.

__________________________
Michael M. Vargas, Mayor

ATTEST:

__________________________
Nancy Salazar, City Clerk
ORDINANCE NO. (NEXT IN ORDER)

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 __________, 2018, and that it was so adopted by the following vote:

AYES:
NOES:
ABSENT:

____________________
Nancy Salazar, City Clerk
MEETING DATE: March 26, 2019

SUBJECT: Youth Advisory Committee (YAC)

REQUESTED ACTION: YAC Recruitment Presentation

CONTACT: Sabrina Chavez, Community Services Director

BACKGROUND/DISCUSSION:

In 2013, the City of Perris formed the Youth Advisory Committee (Y.A.C.) designed to empower youth and enable them to make a direct impact on the youth in the community. The Y.A.C. serves as a liaison between the City Council and youth community on issues affecting them. Y.A.C. members participate and coordinate various informational, educational and engaging youth inspired activities that promote, empower, and improve the lives of youth in the City of Perris. Through their activities, Y.A.C. members acquire the attitudes, competencies, professionalism, and leadership skills that will help them succeed in their future endeavors.

Youth Advisory Committee is currently taking applications for the 2019-2020 year. Youth that are eligible to apply for membership must be: 1) 13-18 years of age; 2) 8th-12th grade students; and 3) reside within city limits and unincorporated areas of Perris. Applications must be submitted no later than May 1, 2019 to staff at the Statler Youth Center. Y.A.C applications are available on our city website, or by stopping by the Statler Youth Center.

BUDGET (or FISCAL) IMPACT: N/A

Prepared by: Cynthia Lemus, Recreation Supervisor

REVIEWED BY: Arcenio Ramirez, Community Services Manager

City Attorney
Assistant City Manager
Finance Director

Business: x