

RESOLUTION NO. 4147

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS SETTING A PUBLIC HEARING TO CONSIDER THE ESTABLISHMENT OF THE NORTH PERRIS ROAD AND BRIDGE BENEFIT DISTRICT PURSUANT TO GOVERNMENT CODE SECTION 66484 AND CITY ORDINANCE NO. 1243

WHEREAS, the northern area of the City of Perris (the “City”) is experiencing significant industrial growth which is anticipated to continue and which is expected to alter the regional and localized traffic patterns and increase the concentration of truck traffic within that area; and

WHEREAS, the design and construction of additional thoroughfares, bridges and related facilities is necessary to meet the projected transportation and traffic needs resulting from the anticipated development in the northern area; and

WHEREAS, California Government Code Section 66484 provides that a local ordinance may require the payment of a fee for the purposes of defraying the actual or estimated cost of constructing bridges over waterways, railways, freeways and canyons, or constructing major thoroughfares; and

WHEREAS, on May 27, 2008, the City Council (the “Council”) of the City adopted Ordinance No. 1243 to permit the establishment of a fee pursuant to Government Code Section 66484; and

WHEREAS, the City commissioned a report to determine methods for streamlining the funding of specific transportation improvements through the formation of a road and bridge benefit district; and

WHEREAS, the North Perris Road and Bridge Benefit District Analysis Report, dated June 12, 2008, (the “Report”) was prepared by Albert A. Webb Associates, and is on file with the City Clerk and available for comment; and

WHEREAS, a proposed boundary map of the area proposed to be benefited by the North Perris Road and Bridge Benefit District is attached hereto as Exhibit “A”; and

WHEREAS, pursuant to Government Code Section 66484 and Municipal Code Section 18.32.030, prior to establishing a fee to defray the costs for the construction of major thoroughfares and bridges, the Council must hold a public hearing to determine whether an area of benefit is to be established, to designate the boundaries of an area of benefit, to identify the major thoroughfare(s) and/or bridge(s) within the area of benefit that are to be constructed, to determine the costs of construction, whether actual or estimated, and to establish the method for

allocation of costs to the area of benefit and apportionment of a fee to be collected from owners of real property within the area of benefit; and

WHEREAS, the City Council desires to set a public hearing on October 28, 2008, to consider the formation of the North Perris Road and Bridge Benefit District and the adoption of the Fee as described in the Report.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are incorporated herein by reference as if set forth in full.

Section 2. A public hearing shall be held on October 28, 2008, at 6:00 p.m., or as soon thereafter as practicable, to consider the formation of the North Perris Road and Bridge Benefit District and the adoption of the Fee as described in the Report.

Section 3. At the time and place set forth above for the hearing, any interested person may appear and be heard.

Section 4. The City Clerk is hereby directed to publish a notice (“Notice”) of the hearing pursuant to Section 65091 of the Government Code in a newspaper of general circulation published in the area of the proposed District. Such Notice shall contain the information required by Section 65094 of the Government Code and shall set forth, by reference to the Report, the preliminary information related to the boundaries of the area of benefit, identifying the major thoroughfare(s) and/or bridge(s) to be constructed and the estimated cost of each, and set forth the proposed method of apportioning the fee among property owners. The Notice shall also describe the protest procedure for landowners in the proposed District.

ADOPTED, SIGNED and **APPROVED** this 30th day of September, 2008.

DARYL R. BUSCH, MAYOR OF THE CITY OF
PERRIS

Attest:

Judy L. Haughney, City Clerk

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 4147 was duly adopted by the City Council of the City of Perris at a regular meeting of said Council on the 30th day of September, 2008, and that it was so adopted by the following vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch

NOES:

ABSENT:

ABSTAIN:

By: _____
Judy L. Haughney, City Clerk

EXHIBIT A

