

May 28, 2020, Via Email

Judy L. Haughney
Office of the City Clerk
CITY OF PERRIS
101 North "D" Street
Perris, CA 92570-1998

**ANNUAL PROCEEDINGS, FLOOD CONTROL MAINTENANCE DISTRICT NO. 1 (FCMD 1)
JUNE 9th CITY COUNCIL MEETING, CONSENT CALENDAR**

On March 10, 2020, the City Council passed a resolution ordering the preparation of the FY 2020-2021 Engineer's Report for FCMD 1. Accordingly, attached are documents for placement under the Consent Calendar on the June 9th, 2020 City Council meeting agenda. The documents are as follows:

1. Agenda Submittal
2. Engineer's Report
3. Resolution of Intention

The publishing and posting requirements are to be completed by the City Clerk's Office. Accordingly, also attached are two Public Notice Transmittals for the **Publication** of the Notice of Public Hearing, along with the Flood Control Notice, and the **Posting** of the same Notice.

It is noted that the notice requirements under the annual proceedings are different from those required under annexation proceedings. Under the annual proceedings, the Notice is both published and posted, under annexations, the Notice is only published. Under the annual proceedings, the Resolution of Intention is not posted as required as under the annexations.

Please call me if you have any questions or require further assistance.

Sincerely,
WILLDAN FINANCIAL SERVICES



Daniel Louie
Project Manager, District Administration Services

Attachments

Cc via email to City of Perris:

Saida Amozgar, Joe Indrawan, Ernie Reyna, Stuart McKibbin, Liset Hernandez, Aja Hollins-Wallace, and Michael Morales



CITY OF PERRIS

CITY COUNCIL

AGENDA SUBMITTAL

MEETING DATE: June 9, 2020
SUBJECT: Annual Engineer's Report for Flood Control Maintenance District No. 1 (FY 2020-2021)

REQUESTED ACTION: Adoption of Resolution of Intention to Levy and Collect Annual Assessments under FCMD 1 and setting a public hearing date of July 28, 2020

CONTACT: Stuart McKibbin, City Engineer

BACKGROUND/DISCUSSION: FCMD 1 includes residential tracts and commercial developments throughout the City as located on the Diagram within the attached Engineer's Report (Exhibit A).

March 10, 2020, the City Council ordered the preparation of the annual Engineer's Report for FCMD 1. This District provides funding for the annual maintenance of street (residential streets only) and flood control improvements constructed in conjunction with new development.

BUDGET (or FISCAL) IMPACT: 81 flood benefit zones (FCBZ), and 20 street repair zones will be assessed in Fiscal Year 2020-2021. The assessments for FY 2020-2021 total \$2,083,968.95

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 Levy and Collect Annual Assessments Under FCMD 1 and setting a public hearing date of July 28, 2020

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 LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2020-2021 IN CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING JULY 28, 2020 AS A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

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 street and flood control improvements within the City of Perris 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"; and

WHEREAS, certain property owners have presented signed petitions to the City Council requesting the formation of or annexation to a benefit assessment district to finance the maintenance of those certain flood control improvements which benefit properties within the City of Perris; and

WHEREAS, the City Council subsequently held public hearings and considered all written and oral comments and protests prior to forming a district and annexing properties to said district which district became known as "City of Perris Flood Control Maintenance District Number 1"; and

WHEREAS, the City Council now proposes to levy benefit assessments for the 2020-2021 Fiscal Year under the provisions of the Benefit Assessment Act of 1982 to insure continued financing of necessary maintenance of certain street and flood control improvements, all for the benefit of parcels within Flood Control Maintenance District Number 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 Benefit Assessment Act of 1982 to maintain certain street and flood control works and improvements for the benefit of the properties within the area of benefit.

Section 2. Maintenance of the improvements will be of direct benefit to properties within Flood Control Maintenance District Number 1 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 maps of Flood Control Maintenance District Number 1 and subsequent annexations thereto are on file in the office of the City Clerk of the City of Perris, California.

Section 3. At least fourteen (14) days prior to the date set for the hearing on the proposed assessment, the City Engineer is hereby directed to file with the City Clerk a written report (the "Engineer's Report") 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 City Engineer shall deem appropriate.

Section 4. The assessments shall be levied on all parcels of assessable property within the District, as identified in the Engineer's Report, so long as the assessments are necessary to finance the improvements specified in Section 1, herein. The assessment amounts as contained in the Engineer's Report are not proposed to be increased from the previous year, but are proposed to be adjusted in accordance with previously authorized adjustments.

Section 5. On the 28th day of July, 2020, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the 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 6. The City Clerk is hereby directed to cause a notice of the public hearing and notice of the filing of the Engineer's Report to be posted in at least three public places within Flood Control Maintenance District Number 1 at least fourteen (14) days prior to the public hearing. In addition, 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 at least fourteen (14) days prior to the public hearing. 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 7. The assessment shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The City Engineer shall file a report annually with this City Council and this 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.

ADOPTED, SIGNED and APPROVED this 9th day of June, 2020.

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 XXXX was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 9th day of June, 2020, by the following called vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk, Nancy Salazar

PUBLIC HEARING

The City Council of the City of Perris will hold a Public Hearing at 6:30 pm, on Tuesday, July 28, 2020, in the City Council Chambers, 101 North "D" Street, Perris, California, to consider levying assessments for Fiscal Year 2020-2021 on the properties within the City of Perris Flood Control Maintenance District Number 1.

The assessments are to be used for the maintenance of streets and flood control facilities that benefit certain properties. There is a \$2,083,968.95 assessment proposed for the 2020-2021 Fiscal Year.

The assessments will be collected by the County of Riverside as part of the annual property tax levy.

Interested persons may contact Stuart McKibbin, City Engineer, Office of the City Engineer, City of Perris, 24 South D Street., Suite 100,, Perris, CA 92570, (951) 943-6504, for additional information.

BE ADVISED THAT if you challenge the levying of assessments in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk's Office, 101 North "D" Street, Perris, California, 92570, at or prior to the public hearing.

Nancy Salazar
City Clerk