

RESOLUTION NUMBER 6482

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING CERTAIN PUBLIC PROPERTY AS EXEMPT SURPLUS LAND, PURSUANT TO GOVERNMENT CODE SECTION 54220, ET SEQ.

WHEREAS, under the Surplus Land Act, Government Code Section 54220, *et seq.* (“**Act**”), surplus real property is defined as “land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use;” and

WHEREAS, the Act authorizes the City of Perris (“**City**”) to sell or lease surplus real property in the manner proposed therein; and

WHEREAS, the California Department of Housing and Community Development has promulgated the “Surplus Land Act Guidelines” which provide guidance on compliance with the Act (“**Guidelines**”); and

WHEREAS, Government Code Section 54221(f)(1) of the Act and Section 103 of the Guidelines provides for certain surplus properties as “exempt” from the provisions of the Act; and

WHEREAS, the City owns and operates a water and sewer utility in certain areas within the City’s jurisdictional boundaries (“**City Water/Sewer System**”); and

WHEREAS, the City owns certain real properties as described in **Exhibit A** and generally depicted in **Exhibit A-1**, which are improved for use by City as part of the City Water/Sewer System (“**City Water/Sewer System Property**”); and

WHEREAS, Eastern Municipal Water District (“**EMWD**”) is a public water district duly organized under the laws of the State of California and provides water and sewer utility service for certain areas in Riverside County, including, but not limited to, areas within the City that are not served by the City Water/Sewer System; and

WHEREAS, the City and EMWD are in the process of transferring the City Water/Sewer System to EMWD such that EMWD will own and operate the City Water/Sewer System, which includes the transfer of the City Water/Sewer System Property (or portions thereof to be determined) to EMWD (“**Transfer**”); and

WHEREAS, for the Transfer to occur, the City must transfer the City Water/Sewer System Property (or portions thereof to be determined) to EMWD for its use in providing water/sewer service as described above; and

WHEREAS, based upon the forgoing, the City Water/Sewer Property (or portions thereof to be determined) is not needed by the City as the City will no longer operate the City

Water/Sewer System upon completion of the Transfer and the City Council has determined that it is in the best interest of the City and the general public to transfer the City Water/Sewer Property to EMWD for the purposes of the Transfer; and

WHEREAS, there is no present or contemplated use of the City Water/Sewer System Property that would preclude the City from declaring the City Water/Sewer System Property as surplus to the needs of the City upon completion of the Transfer; and

WHEREAS, the City Water/Sewer System Property does not meet any of the characteristics listed under Government Code Section 54221(f)(2) in that the City Water/Sewer System Property is not within a coastal zone; adjacent to a historical unit of the State Parks System; listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places; or within the Lake Tahoe region as defined in Government Code Section 66905.5; and

WHEREAS, as the City Water/Sewer System Property (or portions thereof to be determined) will be transferred to EMWD for the purposes of EMWD's use of providing water and sewer service for properties associated with the City Water/Sewer System upon completion of the Transfer, the City Water/Sewer System Property is "exempt surplus property" pursuant to Government Code Section 54221(f)(1)(D) and Section 103(c)(5) of the Guidelines.

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

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

Section 2. Based on the above recitals, the City Council finds and declares (i) the City Water/Sewer System Property is surplus because it is not necessary for the City's use upon completion of the Transfer; (ii) it is exempt surplus property pursuant to Government Code Section 54221(f)(1)(D) and Section 103(c)(5) of the Guidelines because EMWD will utilize the City Water/Sewer System Property for the purpose of providing water and sewer service to the properties associated with the City Water/Sewer System upon completion of the Transfer; (iii) the noticing requirements of Government Code Section 54221(f)(2) are not applicable; and (iv) as exempt surplus property other provisions of the Act are not applicable (Government Code Section 54222.3.)

Section 3. The City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 4. The City Manager, or his or her designee, is authorized to carry out all necessary and appropriate acts to carry out this Resolution.

Section 5. The City Clerk shall certify to the adoption of this Resolution and

enter it into the book of original Resolutions.

Section 6. This Resolution shall take effect immediately upon its adoption.

ADOPTED, SIGNED and **APPROVED** this 27th day of August, 2024.

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 6482 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 27th day of August, 2024, and that it was so adopted by the following called vote:

AYES: CORONA, RABB, ROGERS, NAVA, VARGAS

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

City Clerk, Nancy Salazar

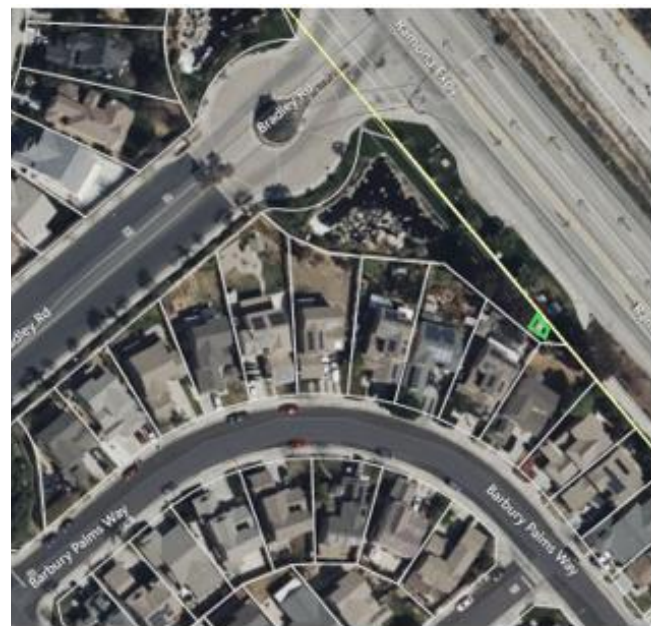
Exhibit A
Description and Location of City Water/Sewer System Property

| Site Name/Description | Address | APN | Acquisition |
|--|---|-----------|-------------|
| North System Reservoir Site | 1600 Avalon Parkway Perris, CA 92571 | 303370003 | Entire |
| North System Well No. 3 | Not Applicable | 308233034 | Portion |
| North System Well No. 4 | Not Applicable | 308323058 | Portion |
| 3 rd Street Water Booster Station | Not Applicable | 313050033 | Entire |
| 7 th Street Lift Station | Not Applicable | 310160055 | Portion |

Exhibit A-1
Depiction of City Water/Sewer System Property



North System Reservoir Site (Entire)
1600 Avalon Parkway, Perris, CA 92571
APN: 303370003 Size: 44,431 SF



North System Well No. 3 (Portion)
APN: 308233034 Size: 434 SF



North System Well No. 4 (Portion)
APN: 308323058 Size: 555 SF



3rd Street Water Booster Station (Entire)
APN: 313050033 Size: 2,175 SF



7th Street Lift Station (Portion)
APN: 310160055 Size: 8,298 SF

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