

RESOLUTION NUMBER 5053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING TEMPORARY TRAFFIC CONTROL ENFORCEMENT BY A THIRD PARTY, OTHER THAN A PEACE OFFICER, ON INDIAN AVENUE IN PERRIS DURING A PERMITTED TIME PERIOD, IN ACCORDANCE WITH CALIFORNIA VEHICLE CODE SECTION 21100(e).

WHEREAS, California Vehicle Code Section 21100(e) empowers local authorities to adopt a resolution approving regulation of traffic by means of a person given temporary appointment at locations as may require traffic direction for orderly traffic flow; and

WHEREAS, a person shall not be appointed unless and until the local authority has submitted to the chief law enforcement officer exercising jurisdiction in the enforcement or traffic laws within the area in which the person is to perform the duty, for review, a proposed program of instruction for the training of a person for that duty, and unless and until the chief law enforcement officer approves the proposed program; and

WHEREAS, Ross Stores, Inc. (“Ross”) operates a Distribution Center on Indian Avenue, and during afternoon shift changes approximately 900 employees exit the site and 900 employees enter the site during a 30-minute period. Ross has requested the City to authorize Ross to conduct private traffic control during this limited period; and

WHEREAS, the purpose of the temporary traffic control regulation by a contracted service is to control traffic for Ross Stores, Inc. Distribution Center’s shift change time period and provide public safety for approximately 900 employees leaving and 900 coming in.

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

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

Section 2. The City Council does hereby approve temporary traffic control enforcement by a third party, other than a peace officer, on Indian Avenue in Perris during a permitted time period, in accordance with California Vehicle Code Section 21100(e).

Section 3. Ross Stores, Inc., is hereby appointed temporarily to regulate traffic during the time period of 1:00 p.m. through 2:30 p.m. Monday through Friday on Indian Avenue, at Ross Stores', Inc. sole cost, provided that Ross Stores, Inc. agrees to indemnify, defend, and hold harmless the City of Perris, County of Riverside, Perris Police Department, and Riverside County Sheriff Department; and their officers, agents and employees in a form approved by the City.

Section 4. Ross Stores, Inc. may contract with a third party to provide traffic regulation, provided (i) such third party has a training program approved by the chief law enforcement officer as required by California Vehicle Code Section 21100(e); and (ii) the third party agrees to indemnify, defend, and hold harmless the City of Perris, County of Riverside, Perris Police Department, and Riverside County Sheriff Department; and their officers, agents and employees.

Section 5. The temporary traffic control enforcement described herein may continue indefinitely unless (i) Ross Stores Inc. withdraws the request for traffic control and or discontinues the contracted service; (ii) traffic control enforcement is reverted to service by an assigned local peace officer; or (iii) the City Council terminates the temporary appointment.

ADOPTED, SIGNED AND APPROVED this 11th Day of October 2016

Daryl R. Busch, Mayor of the City of Perris

ATTEST:

Nancy Salazar, City Clerk

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 5053 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 11th day of October 2016, by the following vote:

AYES: YARBROUGH, BURKE, RABB, ROGERS, BUSCH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Nancy Salazar, City Clerk