

RESOLUTION NO. 07:17-18

RESOLUTION APPROVING SCHOOL FACILITIES FUNDING AND MITIGATION AGREEMENT BETWEEN PERRIS UNION HIGH SCHOOL DISTRICT AND METZ & A, LP FOR VILLA VERONA APARTMENT COMMUNITY

WHEREAS, the Perris Union High School District ("District") is the owner of the California Military Institute ("CMI") property, located at 755 North A Street in the City of Perris ("City") and adjacent to property at the northeast corner of Metz Road and A Street ("Property");

WHEREAS, Metz & A, LP, a Nevada limited partnership ("Developer") intends to develop the Property and has obtained entitlements from the City at the August 29, 2017 City Council meeting consisting of a general plan amendment and zone change under which the Property is conditionally approved to be developed with 360 multi-family residential units ("Villa Verona" or "Project");

WHEREAS, the Property is located within the attendance boundaries of the District, which is responsible for providing school facilities for students in Grades 7-12 who reside within those attendance boundaries and Developer is obligated to mitigate the impact of its Project on those school facilities pursuant to Education Code Section 17620 or Government Code Sections 65970, et seq. and 65995, et seq. through payment of statutory impact fees or an in lieu agreement for the provision of facilities improvements mutually agreed upon by the Parties;

WHEREAS, as part of the Project, Developer desires to widen the street that is in front of and directly adjacent to CMI ("A Street"), which, in turn, will: (1) affect the frontage of CMI; (2) affect existing CMI on-site parking; (3) require relocation of existing CMI parking lots; and (4) affect District student, employee, and visitor ingress and egress at the CMI site;

WHEREAS, given the effects the Project will have on CMI, District and Developer have determined it is in their best interests to enter into a school facilities funding and mitigation agreement ("Agreement"), which is attached to this Resolution as Exhibit 1, to mitigate potential impacts of the Project on CMI;

WHEREAS, in the absence of the Agreement, District would collect its statutorily established impact fees, but the Agreement and its terms would provide more benefit to the District;

WHEREAS, as part of the consideration for Developer entering into the Agreement, the District is willing to agree that Developer's complete performance of the terms of this Agreement will constitute full mitigation for any potential Project impacts to District facilities, that the District will not seek any additional mitigation or fees for the Project, that the District supports the Project, that the District will cooperate with Developer to obtain approvals from the City and specifically, will provide assistance to Developer in obtaining DIF credits from the City;

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees ("Board") has determined that the foregoing recitals are true and correct.

BE IT FURTHER RESOLVED that the Board approves the Agreement in substantially the same form as attached, subject to minimal changes which are not substantive in nature.

BE IT FURTHER RESOLVED that contingent upon satisfaction of all of Developer's obligations in the Agreement, District will not seek any additional mitigation or fees for the Project, that the District will support the Project, cooperate with Developer to obtain approvals from the City and specifically, will provide assistance to Developer in obtaining DIF credits from the City.

BE IT FURTHER RESOLVED that the Superintendent, or his designee, is directed to take all other actions necessary to effect the intent of this Resolution, including final execution of the Agreement and related documents.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by the Board.

Passed and adopted by the Board of Trustees of the Perris Union High School District, located in Riverside County, California, on September 20, 2017 at a duly noticed, regularly scheduled meeting by the following vote:

AYES:

NOS:

ABSTAIN:

ABSENT:

I, _____, Clerk of the Perris Union High School District, hereby certify that the foregoing is a full, true and correct copy of Resolution No. 07:17-18 adopted by the Board of Trustees on September 20, 2017.

Date: September 20, 2017

President, Board of Trustees
Perris Union High School District

Certified a True Copy:

Clerk, Board of Trustees
Perris Union High School District