



CODE OF ETHICS AND CONDUCT COMPLAINT

QUEJA DEL CÓDIGO DE ÉTICA Y DE CONDUCTA

Riverside Municipal Code Chapter 2.78
Código Municipal de Riverside Capítulo 2.78

A Public Document
Un Documento Público

RECEIVED

1. Person filing complaint / 1. Persona que presenta la queja

Name: / Nombre: DUSTIN KEEN

FEB 01 2022

Address: / Correo electrónico: [REDACTED]

City of Riverside
City Clerk's Office

Phone: / Teléfono: [REDACTED]

2. Official who committed alleged violation / 2. El Oficial (Funcionario) que cometió presunta violación

Name: / Nombre: JIM PERRY

Position: / Puesto: COUNCILMAN WARD 6

3. Date(s) of alleged violation:

3. Fecha(s) de presunta violación:

01/25/2022

4. Date you became aware of alleged violation:

4. Fecha en que se entero de la presunta violación:

01/25/2022

Complaints shall be filed with the City Clerk within 180 calendar days of discovery of an alleged violation, but in no event later than three (3) years from the date of the alleged violation.

Las quejas deben presentarse ante la Secretaría Municipal dentro de los 180 días posteriores al descubrimiento de una presunta violación, pero en ningún caso después de tres años a partir de la fecha de la presunta violación.

5. Specific Prohibited Conduct Section of Code of Ethics and Conduct allegedly violated:

5. Sección específica de conducta prohibida del Código de Ética y Conducta presuntamente violada:

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Use of Official Title or Position for Personal Gain Prohibited
El uso del título o puesto oficial para beneficio personal es prohibido <input type="checkbox"/> Use or Divulgence of Confidential or Privileged Information Prohibited
El uso o la divulgación de información confidencial o privilegiada es prohibido <input type="checkbox"/> Use of City Resources for Non-City Purposes Prohibited
El uso de recursos de la ciudad para fines ajenos a la ciudad es prohibido <input checked="" type="checkbox"/> Advocacy of Private Interests of Third Parties in Certain Circumstances Prohibited
La defensa de los intereses privados de terceros en determinadas circunstancias es prohibido <input type="checkbox"/> Endorsements for Compensation Prohibited
Endosos por compensación es prohibido <input type="checkbox"/> Violation of Government Code Sections 87100 et seq., Prohibited (Conflict of Interest)
Violación de las Secciones 87100 et seq., del Código de Gobierno, es prohibido (Conflicto de Intereses) <input type="checkbox"/> Certain Political Activity Prohibited (Coercion of City employees to participate in election activities)
Ciertas actividades políticas son prohibidas (sugestionar empleados de la ciudad para participar en actividades electorales) | <ul style="list-style-type: none"> <input type="checkbox"/> Display of Campaign Materials in or on City Vehicles Prohibited
La exhibición de materiales de campaña en vehículos de la ciudad o sobre ellos es prohibido <input checked="" type="checkbox"/> Knowingly Assisting Another Public Official in Violating This Code of Ethics and Conduct Prohibited
Ayudar deliberadamente a otro funcionario público a violar este Código de Ética y Conducta es prohibido <input type="checkbox"/> Negotiation for Employment With Any Party Having a Matter Pending Before City Prohibited
Negociación de empleo con cualquier parte que tenga un asunto pendiente ante la ciudad es prohibido <input type="checkbox"/> Ex Parte Contact in Quasi-Judicial Matters Prohibited
Contacto ex parte en asuntos cuasi-judiciales es prohibido <input type="checkbox"/> Attempts to Coerce Official Duties Prohibited
Intentos de coaccionar los deberes oficiales es prohibido <input type="checkbox"/> Violations of Federal, State, or Local Law Prohibited
Se prohíben las infracciones de las leyes federales, estatales, o locales |
|--|---|

6. Description of the specific facts of the alleged violation (may submit as attached separate sheet):

6. Descripción de los hechos específicos de la presunta violación (puede someter como hoja separada):

On 01/25/2022 during a public hearing for a project titled Sycamore Hills Distribution Center, City of Riverside Ward 6 Councilman Jim Perry chose to take part in discussions and make an official motion to approve the project that he knowingly had a conflict of interest with by doing so.

Violations:

1: Jim Perry is a member of the March JPA 2022 Joint Powers Commission. The project is located on land owned by March JPA and March JPA will financially benefit with the approval that took place to develop the land as the plan states that the land will be sold to the developer following the project approval.

2: During the public hearing Council Member Jim Perry spoke prior to a vote to support the project approval. When Council Member Cervantes opposed the project Council Member Conder made the motion to approve the project and was then seconded by Council Member Jim Perry. Both Council Members are Members of the March JPA Commission and their act together to take the lead to approve the project benefited the March JPA financially. At no time did the above-mentioned Council Members announce their membership on the March JPA commission, avoid conflict, or recuse themselves from the discussion and vote. The action taken was the complete opposite.

Based on the above listed actions Councilman Jim Perry violated the Ethics Code: "Advocacy of Private Interests of Third Parties in Certain Circumstances Prohibited" and "Knowingly Assisting Another Public Official in Violating This Code of Ethics and Conduct Prohibited"

Reference City Video: <https://riversideca.granicus.com/player/clip/4900>

Minutes: 1:04:00 - Mayor Lock Dawson gave the opportunity to all Council Members to disclose sources relevant to the hearing. Council Member Perry chose to not disclose his conflict at this time or anytime throughout the hearing.

Minutes: 1:58:40 - Council Member Perry confirms his knowledge of the project and how he is impressed by the developer presenting the project and seconds the motion presented by City of Riverside Ward 4 Councilman Conder to approve the project.

Documents:

- (1) City of Riverside Initial Study - Reference Page 2 Line 15 - March JPA to sell property to developer.
- (2) March Joint Powers Authority - About the JPA - Confirming March JPA Commission and Personnel
- (3) Property Profiles Confirming March JPA Ownership: 263-060-022, 263-060-024, 263-060-026 and conflict.
- (4) Grant Deed - Confirming March JPA Ownership and conflict.

7. Names, addresses, telephone numbers, and email addresses, if known, of each person the complainant intends to call as a witness at the hearing (may identify additional witnesses on a separate sheet):

7. Nombres, direcciones, números de teléfono y direcciones de correo electrónico, si se conocen, de cada persona a la que el demandante intenta llamar como testigo en la audiencia (puede identificar testigos adicionales en una hoja separada):

None.

8. Attach copies of any and all documents, photographs, recordings, or other tangible materials to be introduced and considered at the hearing.

8. Adjunte copias de todos y cada uno de los documentos, fotografías, grabaciones y otros materiales que existen y que se presentarán y considerarán en la audiencia.

Witnesses, documents, photographs, recordings or other tangible materials, other than those submitted with the complaint or official's reply, shall not be introduced at the hearing or considered by the hearing panel, except upon a finding by the hearing panel that the discovery of the evidence came to the awareness of the proponent after the filing of the complaint or reply and that the proponent disclosed such information to the City Clerk as soon as practicable after becoming aware of its existence. However, the hearing panel may subpoena additional witnesses, documents, photographs, recordings and other tangible evidence to be introduced and considered.

Testigos, documentos, fotografías, grabaciones y otros materiales que existen, que no sean los presentados con la queja o la respuesta del funcionario, no serán presentados en la audiencia o considerados por el panel de audiencia, excepto cuando el panel de audiencia determine que el descubrimiento de la evidencia llegó a conocimiento del proponente después de la presentación de la queja o respuesta y que el proponente divulgó dicha información a la Secretaría Municipal tan pronto como sea posible después de tener conocimiento de su existencia. Sin embargo, el panel de audiencia puede citar a testigos, documentos, fotografías, grabaciones y otras pruebas que existen adicionales para que se presenten y consideren.

9. Signed under penalty of perjury of the laws of the State of California:

9. Firmado bajo pena de perjurio de las leyes del Estado de California:

Signed

Date / Fecha

01/26/2022

PLEASE NOTE:
TENGA EN CUENTA:

The burden of proof is on the complainant and the complainant must prove the violation by a preponderance of the evidence.

La carga de la prueba descansa sobre la persona que presenta la queja y la persona que presenta la queja debe probar la violación por preponderancia de las pruebas.

Failure to complete all sections of this form may result in the filing being deemed incomplete and the complainant will be so notified. Incomplete filings will not be processed.

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File completed form and attachments:

Presentar formulario completo y anexos:

Office of the City Clerk

City of Riverside

3900 Main Street

Riverside, CA 92522

(951) 826-5557

City_Clerk@RiversideCA.gov



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[Redacted Signature]

Date / Fecha

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INITIAL STUDY

WARD: 2

- 1. **Case Number:** P20-0024 (EIR), P20-0025 (PM), P19-0626 (MCUP) P20-0258 (VR), P20-0282 (GE), and P19-0627 (DR)
- 2. **Project Title:** Sycamore Hills Distribution Center
- 3. **Hearing Date:** (TBD)
- 4. **Lead Agency:** City of Riverside
Community & Economic Development Department
Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
- 5. **Contact Person:** Veronica Hernandez, Senior Planner
Phone Number: 951-826-3965
- 6. **Project Location:** The Project site is located on the north side of Alessandro Boulevard east of Barton Street and west of San Gorgonio Drive (Refer to Figure 1, Project Vicinity & Location, Figure 2, Project Site Aerial Photo, and Figure 3, Project Site Topographic Map). The Project site is approximately 48.64 gross acres including Assessor Parcel Numbers (APNs) 263-060-022-7, 263-060-024-9, and 263-060-026-1. The Project site is located within the Sycamore Hills Business Park Specific Plan.
- 7. **Project Applicant/Project Sponsor’s Name and Address:**

Darrell A. Butler and Khosoro Khaloghli
3241 Laguna Boulevard
Laguna Beach, CA 92509
- 8. **General Plan Designation:** B/OP – Business/ Office Park
- 9. **Specific Plan:** Sycamore Canyon Business Park – Industrial Land Use
- 10. **Zoning:** BMP-SP – Business and Manufacturing Park and Specific Plan (Sycamore Canyon Business Park) Overlay Zones

Description of Project:

Existing Conditions and Background

The total Project area consists of 48.64 gross acres of land. The Project site is located immediately south of the Sycamore Canyon Wilderness Park, an open space park and habitat reserve with hiking and bike trails. East of the Project site is vacant, private property. South of the Project site includes Citywide Self-Storage and commercial and residential uses across Alessandro Boulevard. A wastewater treatment plant is located west of the Project site, across Barton Street.

The Grove Community Church formerly owned the Project site property and planned to build a new church there. However, as the site is located within the C-1 Primary Approach/Departure Zone of the March Air Reserve Base/ Inland Port Airport Land Use Compatibility Plan, and due to restrictions regarding the height of the building and the maximum number of people allowed to congregate at any time, it was not conducive to the church's plans. March Joint Powers Authority (MJPA) assisted the church in finding a new location for the church, approximately one mile to the southwest at 19900 Grove Community Drive, Riverside (Refer to Figure 1, Project Vicinity & Location). Construction of the Grove Community Church at this location had impacts to a jurisdictional drainage and associated riparian habitat. To mitigate for impacts at the Grove Community Drive site, a portion of the Project site at Alessandro Boulevard and Barton Street was set aside and preserved in a legally designated "Restricted Property," recorded in 2009. The 11.6 acre Restricted Property area supports a jurisdictional drainage and associated riparian habitat and was required as a condition of the Clean Water Act Section 404 permit from the US Army Corps of Engineers for construction of the church at the Grove Community Drive site. MJPA purchased the Project site property from the church with the intent to sell and to convey title of the Restricted Property area to the City of Riverside for inclusion into the Sycamore Canyon Wilderness Park. However, a parcel map was not created, and the title transfer did not take place. MJPA is still the owner of the entire Project site property. The Project applicant intends to purchase the property from MJPA upon project entitlement approvals.

Proposed Description

The proposed Sycamore Hills Distribution Center Project (herein after referred to as "Project") proposes development of two warehouse buildings and associated improvements including parking, fire lanes, fencing and walls (including retaining walls), landscaping, and water quality treatment areas. The Project proposes subdividing the site into two numbered parcels (Parcels 1 and 2) and three lettered parcels (Parcels A, B, and C).

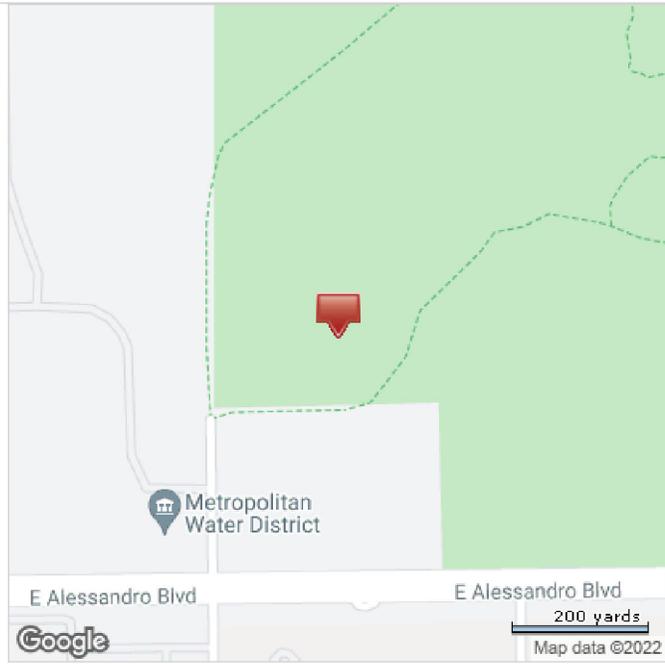
Parcels 1 and 2

Parcel 1 is proposed to be developed with Building A, a 400,000 square foot warehouse, and Parcel 2 with Building B, a 203,100 square foot warehouse, for a combined total of 603,100 square feet of warehouse. Both warehouse buildings are proposed for high cube transload short-term use, primarily for the short-term storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials), usually on pallet loads or larger handling products prior to their distribution to retail locations or other warehouses. A typical high cube warehouse has a high level of on-site automation and logistics management. No refrigeration use is proposed.

The buildings will have nighttime lighting for security. Exterior lights will be shielded downwards and set to motion detectors and will only turn on if employees are present at either of the buildings when it is dark. Interior lights will be on motion detectors. The proposed Project includes modifications to the Restricted Property to facilitate access from Alessandro Boulevard to Building A on Parcel 1.

Please Note:
The Hearing Panel deemed
Pages 3-53 of the Initial Study
irrelevant and inadmissable for the hearing
and have been excluded.

PROPERTY MAP



*Lot Dimensions are Estimated

	Beds	Baths	Sale Price	Sale Date
	N/A	N/A	\$583,000	N/A
	Bldg Sq Ft	Lot Sq Ft	Yr Built	Type
	N/A	759,686	N/A	RES ACG

OWNER INFORMATION			
Owner Name	March Joint Powers Authority	Tax Billing City & State	Riverside, CA
Mail Owner Name	March Joint Powers Authority	Tax Billing Zip	92518
Tax Billing Address	23555 Meyer Dr	Tax Billing Zip+4	2038

LOCATION INFORMATION			
School District	Moreno Vly	Census Tract	509.00
Comm College District Code	Riverside City	Township Range Sect	3S-4W-9

TAX INFORMATION			
APN	263-060-024	Lot	7
Alternate APN	263-060-024	Block	H
Tax Area	009053	Water Tax Dist	Western Imp
Legal Description	17.44 ACRES M/L IN POR SW 1/4 OF SEC 9 T3S R4W FOR TOTAL DESCRIPTION SEE ASSESSORS MAPS		

CHARACTERISTICS			
County Land Use	Homesite/10-49.9 Acres	Lot Area	759,686
Universal Land Use	Residential Acreage	Water	Type Unknown
Lot Acres	17.44	Sewer	Type Unknown

SELL SCORE			
Value As Of	2022-01-23 04:45:45		

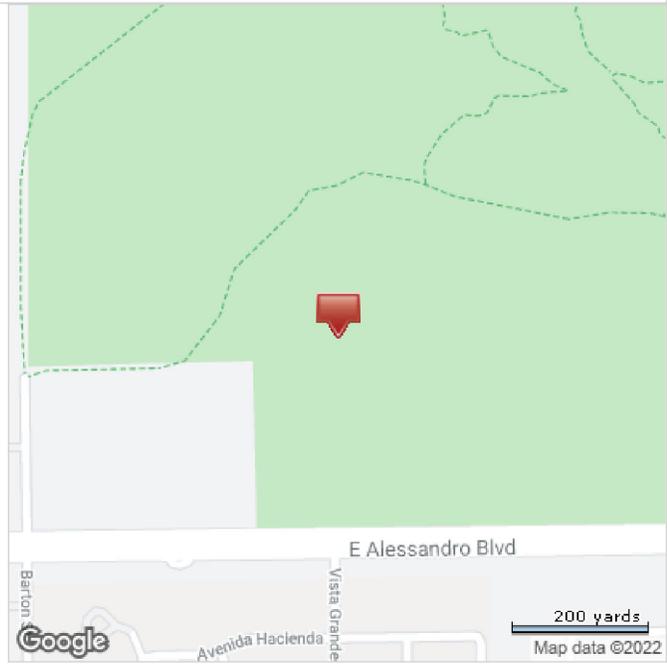
ESTIMATED VALUE			
Value As Of	01/18/2022		

LAST MARKET SALE & SALES HISTORY			
Recording Date	09/13/1996	Sale Type	Full
Sale Price	\$583,000	Deed Type	Grant Deed
Multi/Split Sale	Multiple	Owner Name	March Joint Powers Authority
Document Number	349975	Seller	Lance Sid

Recording Date	11/06/2002	09/13/1996	09/13/1996	09/13/1996
Sale Date	10/30/2002			
Sale Price		\$583,000		
Nominal	Y			
Buyer Name	March Joint Powers Authority	King Theodore Trustee	Morales Victoria Trustee	Receiver Svs LLC
Seller Name	Grove Community Church	Lance Sid	Lance Sid	Lance Sid
Document Number	641135	349975	349974	349973
Document Type	Grant Deed	Grant Deed	Grant Deed	Grant Deed

MORTGAGE HISTORY			
Mortgage Date	03/27/2001		09/13/1996
Mortgage Amount	\$20,000		\$570,000
Mortgage Lender	Bank Of America		Private Individual
Mortgage Code	Conventional		Private Party Lender

PROPERTY MAP



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	Beds	Baths	Sale Price	Sale Date
	N/A	N/A	\$583,000	N/A
	Bldg Sq Ft	Lot Sq Ft	Yr Built	Type
	N/A	767,527	N/A	RES ACG

OWNER INFORMATION			
Owner Name	March Joint Powers Authority	Tax Billing City & State	Riverside, CA
Mail Owner Name	March Joint Powers Authority	Tax Billing Zip	92518
Tax Billing Address	23555 Meyer Dr	Tax Billing Zip+4	2038

LOCATION INFORMATION			
School District	Moreno Vly	Census Tract	509.00
Comm College District Code	Riverside City	Township Range Sect	3S-4W-9

TAX INFORMATION			
APN	263-060-026	Tax Area	009053
Alternate APN	263-060-026	Water Tax Dist	Western Imp
Legal Description	17.62 ACRES M/L IN POR SW 1/4 OF SEC 9 T3S R4W FOR TOTAL DESCRIPTION SEE ASSESSORS MAPS		

CHARACTERISTICS			
County Land Use	Homesite/10-49.9 Acres	Lot Area	767,527
Universal Land Use	Residential Acreage	Water	Type Unknown
Lot Acres	17.62	Sewer	Type Unknown

SELL SCORE			
Value As Of	2022-01-23 04:45:45		

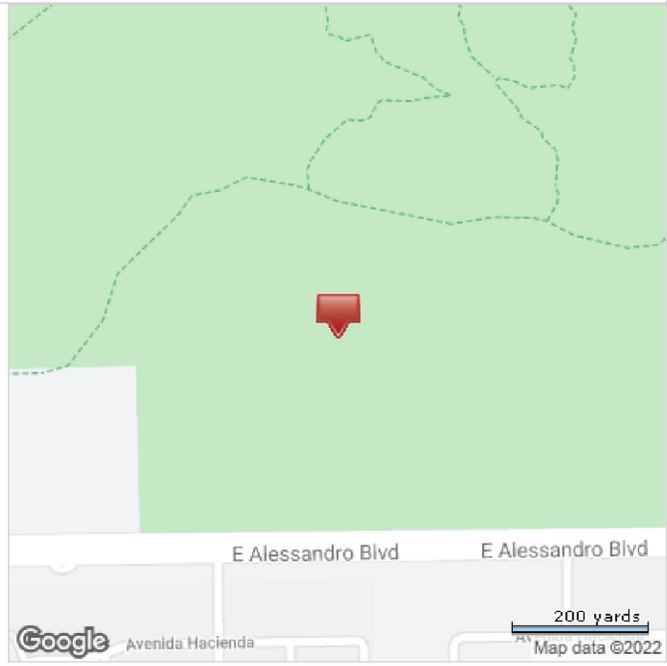
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Mortgage Amount	\$570,000
Mortgage Lender	Private Individual
Mortgage Code	Private Party Lender

PROPERTY MAP



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Recording Requested By
First American Title Company

DOC # 2002-641135

11/06/2002 08:00A Fee:35.00

Page 1 of 4

Recorded in Official Records

County of Riverside

Gary L. Orso

Assessor, County Clerk & Recorder

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Best Best & Krieger LLP
3750 University Avenue, Suite 400
Riverside, California 92501
Attn: Michael Grant, Esq.



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No Recording Fee Pursuant to Gov't Code § 27383
No Documentary Transfer Tax Pursuant to
California Revenue & Taxation Code § 11922

THE UNDERSIGNED GRANTOR DECLARES:

Documentary Transfer Tax is: \$-0-

_____ unincorporated area City of Riverside

Assessor's Parcel Nos. 263-060-022-7; 263-060-024-9; 263-060-026-1

TAA: 009-053

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GROVE COMMUNITY CHURCH, a California non-profit corporation, formerly known as Victoria Community Church ("Grantor") hereby GRANTS to MARCH JOINT POWERS AUTHORITY, a public entity ("Grantee"), the following described real property in the City of Riverside, County of Riverside, State of California:

SEE EXHIBIT "1" ATTACHED HERETO.

Dated: October 30, 2002

GROVE COMMUNITY CHURCH, a California non-profit corporation (formerly known as Victoria Community Church)

By: Tom Lance
Its: Chairman of the board

By: David E Johnston
Its: Secretary

BY: John Reberis
Its: Treasurer

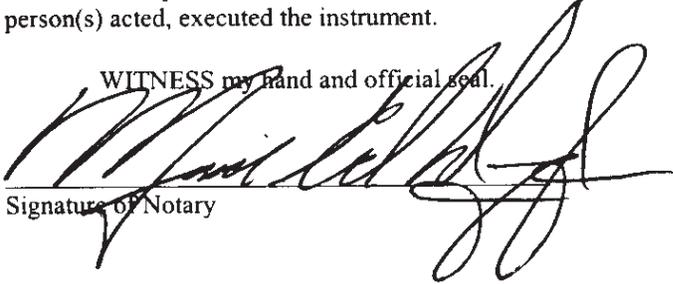
512 118-22

ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE }

CAPACITY CLAIMED BY SIGNER:	
<input type="checkbox"/>	Individual(s)
<input type="checkbox"/>	Corporate _____
	Officer(s) _____
<input type="checkbox"/>	Partner(s)
<input type="checkbox"/>	Attorney-in-Fact
<input type="checkbox"/>	Trustee(s)
<input type="checkbox"/>	Subscribing Witness
<input type="checkbox"/>	Guardian/Conservator
<input type="checkbox"/>	Other _____
SIGNER IS REPRESENTING:	
NAME OF PERSON(S) OR ENTITY(IES)	

On October 30, 2002, 2002, before me, the undersigned notary public, personally appeared TOM LANCE
DAVID E. JOHNSTON, JOHN R. WARR personally known to me OR
 ~~proved to me on the basis of satisfactory evidence to be the person(s)~~
whose name(s) is/are subscribed to the within instrument and
acknowledged to me that ~~he/she~~ they executed the same in ~~his/her~~
authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the
instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

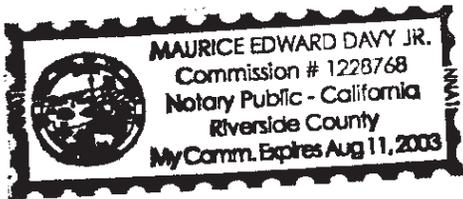


EXHIBIT "1"

LEGAL DESCRIPTION OF THE PROPERTY

That real property located in the City of Riverside, Riverside County, California,
described as follows:

[See Attached]



2002-641135
11/06/2002 08:00A
3 of 4

Exhibit "I"

THE WEST 120.00 ACRES OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF RIVERSIDE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 660.00 FEET ON THE WEST LINE OF SAID SECTION 9; THENCE EAST 990.00 FEET, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 9; THENCE SOUTH 660.00 FEET, PARALLEL WITH THE WEST LINE OF SAID SECTION 9 TO THE SOUTH LINE THEREOF; THENCE WEST 990.00 FEET ON SAID SOUTH LINE TO THE POINT OF BEGINNING;

ALSO EXCEPT THAT PORTION DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE EAST 660.00 FEET ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 660.00 FEET, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE WEST 660.00 FEET, PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER TO THE WEST LINE THEREOF; THENCE NORTH 660.00 FEET ON SAID WEST LINE TO THE POINT OF BEGINNING;

ALSO EXCEPT THAT PORTION CONVEYED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA BY DEED RECORDED AUGUST 2, 1974 AS INSTRUMENT NO. 97988 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPT THE SOUTH 40.00 FEET CONVEYED TO THE COUNTY OF RIVERSIDE BY DEEDS RECORDED SEPTEMBER 29, 1931 AND APRIL 17, 1956 IN BOOK 45, PAGE(S) 206 AND IN BOOK 1898, PAGE(S) 284, RESPECTIVELY, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPT THE WEST 30.00 FEET IN BARTON STREET;

ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED SEPTEMBER 8, 1986 AS INSTRUMENT NO. 216794, OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

SAID LAND IS INCLUDED WITHIN THE AREA SHOWN ON A MAP FILED IN BOOK 41, PAGE(S) 79 OF RECORD OF SURVEYS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

