

CITY COUNCIL MINUTES

TUESDAY, MARCH 10, 2015, 1 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

City of Arts & Innovation

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Roll Call:

In the absence of Mayor Bailey, Mayor Pro Tem Mac Arthur called the meeting to order at 1 p.m. in the Art Pick Council Chamber with all Councilmembers present.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Errol Koschewitz spoke regarding City employee pensions. Theresa Newham spoke regarding economic development, innovation, and housing. Arnold San Miguel spoke regarding the Southern California Association of Governments Annual Conference.

WORKSHOPS

UNITED STATES POSTAL SERVICE UPDATE - REFERRED TO COMMITTEE, IN PART

Following discussion and without formal motion, the City Council received and ordered filed the United States Postal Service update by Riverside Postmaster Linda Crawford. Councilmember Davis requested referral of an ordinance to require property owner participation in costs and use of high security mail boxes and \$1,000 reward for assistance in successful prosecution for mail theft to the City Council Utility Services/Land Use/Energy Development Committee. Chair Mac Arthur accepted the referral.

WALK RIVERSIDE NEW URBANISM IN ACTION, WALKABILITY PLAN - REFERRED TO COMMITTEE, IN PART

Following discussion and without formal motion, the City Council received and ordered filed the Walk Riverside New Urbanism in Action, Walkability Plan for Arlington and Ramona Neighborhoods report by Project Manager Nancy Jimeno, Ph.D. Councilmember Mac Arthur requested referral of the report to the City Council Utility Services/Land Use/Energy Development Committee and Transportation Board.

DISCUSSION CALENDAR

RESPONSE TO LEGISLATIVE SUBPOENA - ABC HOLDING COMPANY, INC.

Interim City Attorney Smith reported that the City Council Legislative Subpoena issued on February 24, 2015, to Marsha L. Reed, Agent for Service of Process for ABC Holding Company, Inc., regarding news films and videos involving Tyesha Calhoun has been complied with. No formal action was required or taken.



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RESPONSE TO LEGISLATIVE SUBPOENA - KABC TV Interim City Attorney Smith reported that the City Council Legislative Subpoena issued on February 24, 2015, to Custodian of Records for KABC TV, regarding news films and videos involving Tyesha Calhoun has been complied with. No formal action was required or taken.							
<u>PUBLIC HEARING</u> Councilmembers Mac Arthur and Adams disqualified themselves from participation in the following item and left the dais as they are Victoria Club members. Councilmember Perry presided.						A	A
EMINENT DOMAIN - TEQUESQUITE ARROYO TRUNK SEWER REPLACEMENT PHASE 2 PROJECT - RESOLUTIONS – CONTINUED, IN PART Hearing was called to consider adoption of a Resolution of Necessity authorizing initiation of eminent domain proceedings to acquire necessary real property interests for the proposed Tequesquite Trunk Sewer Replacement Phase 2B Project from east of the State Route 91 Freeway to Andulka Park. No one spoke on the matter. Following discussion, the City Council continued the Resolution of Necessity for property owned by Victoria Club, 2521 Arroyo Drive, APN'S: 219-210-002, 221-280-001, 221-280-002, 221-300-006, 221-300-008, and 223-110-026 (portion), to March 17, 2015, at 3 p.m.					X	X	
Councilmembers Mac Arthur and Adams returned to the dais at this time and Mayor Pro Tem Mac Arthur presided.					X	X	X
Hearing was called to consider the proposed Tequesquite Trunk Sewer Replacement Phase 2B Project from east of the State Route 91 Freeway to Andulka Park. One person spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) made the following findings as described in the written staff report: (a) the public interest and necessity require the proposed public project described in the written staff report; (b) the proposed public project is planned and located in a manner to be most compatible with the greatest public good and the least private injury; (c) the real property interests being sought to be acquired as described in the resolutions are necessary for the proposed public project; and (d) that the offers required by Government Code §7267.2 have been made to the owners of record; (2) adopted resolutions, in the form presented at the meeting, declaring that the City Council formal decision has been made relative to each of the foregoing findings to acquire the subject real	Motion Second All Ayes						



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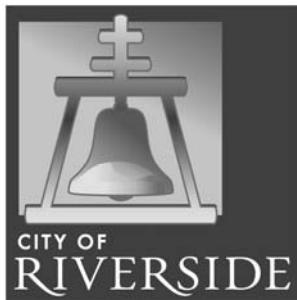
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property interests through eminent domain proceedings; (3) authorized the Interim City Attorney to prepare and file the complaints in eminent domain and take all other actions necessary to acquire the subject real property interests; and (4) except on matters involving policy determinations to be made by the City Council, authorized the Interim City Manager, or his designee, to prepare and execute the appropriate documents and take all other actions as required under the City's eminent domain authority; whereupon, the titles having been read and further readings waived, Resolution No. 22814 of the City Council of the City of Riverside, California, Establishing the Public Use and Necessity for Which Certain Legally Described Real Property is to be Acquired by Eminent Domain, Stating the Statutory Authority for Such Acquisition, and Authorizing Proceedings in Eminent Domain for the Purpose of Replacing Aging Sewer Lines from East of the SR91 Freeway to Andulka Park off Chicago Avenue (Tequesquite Arroyo Trunk Sewer Replacement Phase 2B) for Wanda G. Crowther Trust, APN: 219-191-010; Resolution No. 22815 of the City Council of the City of Riverside, California, Establishing the Public Use and Necessity for Which Certain Legally Described Real Property is to be Acquired by Eminent Domain, Stating the Statutory Authority for Such Acquisition, and Authorizing Proceedings in Eminent Domain for the Purpose of Replacing Aging Sewer Lines from East of the SR91 Freeway to Andulka Park off Chicago Avenue (Tequesquite Arroyo Trunk Sewer Replacement Phase 2B) for Rongsheng Li and Tina Cheung, 5100 Queen Street, APN: 222-121-012; Resolution No. 22816 of the City Council of the City of Riverside, California, Establishing the Public Use and Necessity for Which Certain Legally Described Real Property is to be Acquired by Eminent Domain, Stating the Statutory Authority for Such Acquisition, and Authorizing Proceedings in Eminent Domain for the Purpose of Replacing Aging Sewer Lines from East of the SR91 Freeway to Andulka Park off Chicago Avenue (Tequesquite Arroyo Trunk Sewer Replacement Phase 2B) for Phillip J. Covarrubias and Ramona Covarrubias, 4930 Grove Avenue, APN 219-192-002; Resolution No. 22817 of the City Council of the City of Riverside, California, Establishing the Public Use and Necessity for Which Certain Legally Described Real Property is to be Acquired by Eminent Domain, Stating the Statutory Authority for Such Acquisition, and Authorizing Proceedings in Eminent Domain for the Purpose of Replacing Aging Sewer Lines from East of the SR91 Freeway to Andulka Park off Chicago Avenue (Tequesquite Arroyo Trunk Sewer Replacement Phase 2B) for Ruben Marquez, 4897 Victoria Avenue, APN 219-192-003; and Resolution No. 22818 of the City Council of the City of Riverside, California, Establishing the Public Use and Necessity for Which Certain Legally Described Real Property is to be Acquired by Eminent Domain, Stating the



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Statutory Authority for Such Acquisition, and Authorizing Proceedings in Eminent Domain for the Purpose of Replacing Aging Sewer Lines from East of the SR91 Freeway to Andulka Park off Chicago Avenue (Tequesquite Arroyo Trunk Sewer Replacement Phase 2B) for Lance S. Stevens and Jeanine L. Stevens, 4904 Victoria Avenue, APN 219-152-016, were presented and adopted.

Motion
Second
All Ayes

X

CLOSED SESSIONS

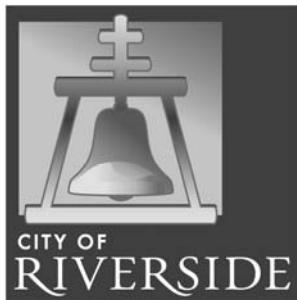
The City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Billey L. Dooley, Jr. v. City of Riverside, et al., USDC Case No.: ED CV 112004 RGK (DTB); (2) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Louis J. Jean-Louis v. Al Zelinka, et al., USDC Case No.: 5:14-CV-01391-JGB-SP; (3) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (4) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (5) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of all Executive Management employees, all Management and Confidential employees as defined by PERS, Fire Management Unit, Riverside City Firefighters Association, Riverside Police Officers Association (Police and Police Supervisory Units), Service Employees International Union #721, International Brotherhood of Electrical Workers #47, and Riverside Police Administrators Association; and (6) §54957 for performance evaluation of Interim City Manager and Interim City Attorney.

RECESS

The City Council recessed at 3:39 p.m. and reconvened at 6:15 p.m. in the Art Pick Council Chamber with Mayor Pro Tem Mac Arthur presiding in the absence of Mayor Bailey and all Councilmembers present.

MAYOR/COUNCILMEMBER COMMUNICATIONS

BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS, CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL - WARD UPDATES - ANNOUNCEMENTS
Councilmember Gardner reported on the Assembly Budget Subcommittee meeting. Councilmember Davis reported on the League of California Cities



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GARDENER							
MELINDREZ							
SOURIOUS							
DARLEROUS							
MACARTHY							
PEERY							
ADAMS							

Riverside County Division meeting, the Riverside Neighborhood Partnership Neighbor Fest, and the Casa Blanca Community Action Group meeting. Councilmember Soubirous reported on the Americans with Disabilities Act seminar. Councilmember Melendrez spoke regarding the National League of Cities Conference.

The Pledge of Allegiance was given to the Flag.

PRESENTATIONS

Mayor Pro Tem Mac Arthur called upon Riverside Arts Council Executive Director Patrick Brien who recognized The Arc of Riverside County as Arts Honoree of the Month.

Mayor Pro Tem Mac Arthur presented a Proclamation to Riverside County District Attorney Michael Hestrin recognizing National Crime Victims' Rights Week, April 19-25, 2015.

RIVERSIDE PRIDE SUCCESS REPORT

Mayor Pro Tem Mac Arthur reported on Keyes Mane Design in Ward 5.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Damien O'Farrell spoke regarding the Path of Life Ministries. Theresa Newham spoke regarding economic development, local talent, and annuities. Rich Gardner spoke regarding the Alzheimer's Awareness Vigil. Kevin Dawson spoke regarding the Community Facilities District agreement and the Agricultural Park. Karen Wright spoke regarding the Agricultural Park, agenda reports, and the Strategic Plan. Jason Hunter spoke regarding the Board of Public Utilities.

DISCUSSION CALENDAR

CODE OF ETHICS AND CONDUCT REVIEW AD HOC COMMITTEE PROGRESS REPORT

Following discussion and without formal motion, the City Council (1) received and ordered filed the Code of Ethics and Conduct Review Ad Hoc Committee Progress Report presented by Chair Virginia Blumenthal; (2) authorized Committee Alternates to participate and vote in place of an absent member; (3) expanded the Committee's scope of work to include a broader understanding of core value definitions and prohibitions; and (4) extended the timeline for the Ad Hoc Committee to complete their work to June 30, 2015.

Motion
Second
All Ayes

X
X



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CONSENT CALENDAR

The following items were approved by one motion affirming the actions appropriate to each item.

REIMBURSEMENT - CODE ENFORCEMENT - 8510 MCALPINE - SUPPLEMENTAL APPROPRIATION

The City Council (1) accepted \$2,200 in reimbursement for attorney's fees and costs associated with code enforcement and rehabilitation of property at 8510 McAlpine Lane; and (2) increased revenues and appropriated expenditures in the amount of \$2,200 to Special Program Account 1300000-450242.

MINUTES

The Minutes of the City Council meeting of March 3, 2015, were approved as presented.

RIVERSIDE MUNICIPAL CODE AMENDMENT - REMOTE CALLER BINGO- ORDINANCE INTRODUCED - REFERRED TO COMMITTEE, IN PART

The City Council (1) introduced an ordinance amending the Riverside Municipal Code to permit "remote caller" bingo within the City; and (2) directed staff to return to the City Council Finance Committee in one year with a report regarding the implementation of the ordinance and any related impacts on the community; whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending the Table of Contents, Sections 5.60.010, 5.60.020, 5.60.030, and Adding Sections 5.60.011, 5.60.041, 5.60.051, 5.60.061, and 5.60.065 of the Riverside Municipal Code, Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.60 (Bingo), to Add Remote Caller Bingo" was presented and introduced.

RIVERSIDE MUNICIPAL CODE AMENDMENT - BUSINESS TAX ASSESSMENTS FOR RESIDENTIAL RENTAL PROPERTY - ORDINANCE INTRODUCED

The City Council (1) introduced an ordinance amending the Riverside Municipal Code to allow staff the ability to waive prior years' tax due for owners of less than four residential rental properties containing two or fewer residential rental units when they have failed to pay the tax through no apparent fault of their own; and (2) directed staff to conduct outreach to the business community to educate property management professionals regarding the requirements of the Business Tax Ordinance relative to rental properties; whereupon, an ordinance entitled, "An Ordinance of the City of

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Second
All Ayes

X



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GARDENER							
MEDNER							
SOUDEZ							
DAVIS							
MARSH							
PEERY							
ADAMS							

Riverside, California, Amending the Table of Contents and Section 5.04.170 of Chapter 5.04 of the Riverside Municipal Code", was presented and introduced.

AGREEMENT - 2014-15 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ANNUAL ACTION PLAN AMENDMENT - FEEDING AMERICA RIVERSIDE EMANCIPATED FOSTER YOUTH JOB TRAINING PROGRAM - 2950 JEFFERSON - FUNDS TRANSFER

The City Council authorized (1) an amendment to the 2014-15 Housing and Urban Development (HUD) Annual Action Plan to allocate \$1,410 from Community Development Block Grant (CDBG) funds to the Feeding America Riverside Emancipated Foster Youth Job Training Program located at 2950 Jefferson Street, Suite A; (2) a funds transfer of CDBG funds in the amount of \$1,410 from Unprogrammed Funds Account 2835100-453001 to the Feeding America Riverside Emancipated Foster Youth Job Training Program; and (3) the City Attorney's Office to prepare the CDBG Agreement with the subrecipient for the allocated amount and authorized the Interim City Manager, or his designee, to execute the agreement, including making minor non-substantive changes and to sign all documents and instruments necessary to implement this action.

AGREEMENT AMENDMENT - VAN BUREN GOLF CENTER, LLC - 6720 VAN BUREN

The City Council (1) approved the Eighth Amendment to the Lease Agreement with Van Buren Golf Center, LLC, located at 6720 Van Buren Boulevard, for \$1,000 monthly through May 31, 2018; and (2) authorized the Interim City Manager, or his designee, to execute the necessary documents.

MASTER COMMUNICATIONS SITE LICENSE AND INDEMNIFICATION AGREEMENTS - T-MOBILE WEST, LLC

The City Council (1) approved the Master Communications Site License Agreement and Indemnification Agreement with T-Mobile West, LLC for continued operation of cell phone sites on fifteen City-owned properties for a ten-year term; and (2) authorized the Interim City Manager, or his designee, to execute the T-Mobile Master Communications Site License Agreement, Indemnification Agreement, and any other related documents.

MASTER FRINGE BENEFITS AND SALARY PLAN REVISIONS - RESOLUTION

The City Council adopted a resolution amending the Master Fringe Benefits and Salary Plan to reflect provisions as outlined in the staff report which include: (1) salary equity adjustment for SCADA Systems Supervisor;



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(2) title changes for the Community and Economic Development Project Assistant and Project Coordinator series; and (3) salary adjustment for Utilities Senior Resource Analyst; whereupon, the title having been read and further reading waived, Resolution No. 22819 of the City Council of the City of Riverside, California, Amending Resolution No. 21052 to Amend Parts III And IV, of the Fringe Benefits and Salary Plan (and Addendums) to Reflect Various Updates and Changes, was presented and adopted.

BOARD AND COMMISSION RESIGNATIONS AND APPOINTMENTS

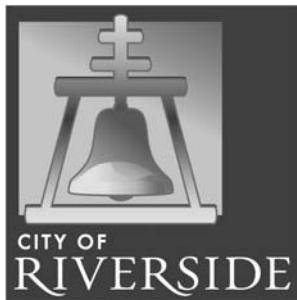
The City Council approved Mayor Bailey's recommendations to (1) accept the resignations of Gloria Mattson Huerta, Ward 7, from the Mayor's Commission on Aging and Holly Redfern, Citywide, from the Metropolitan Museum Board, effective immediately, and request the City Clerk to process the vacancies; (2) appoint Jose J. Alcala to the Ward 4 seat on the Board of Library Trustees for a term expiring March 1, 2017, Peter D. Mobley to the Ward 3 seat on the Transportation Board for a term expiring March 1, 2019, and Deborah Macias to the Ward 5 seat on the Transportation Board for a term expiring March 1, 2017; and (3) request that the Mayor send letters thanking Ms. Mattson Huerta and Ms. Redfern for the time invested serving on the Mayor's Commission on Aging and the Metropolitan Museum Board, respectively.

AGREEMENT - EXPLORE RIVERSIDE/RIVERSIDE ACTIVITY GUIDE - PRINTING AND DISTRIBUTION

The City Council (1) approved the agreement with The Sauce Creative Services for \$118,626.22 annually to design, print, and distribute the Explore Riverside/Riverside Activity Guide and flip book tri-annually through March 2, 2018, with an option to renew for two consecutive years; and (2) authorized the Interim City Manager, or his designee, to execute all necessary documents to implement the agreement and renew the agreement for two consecutive years subject to availability of budgeted funds.

FINAL TRACT MAP 32202 - GRAMERCY/NORWOOD - RESOLUTION

The City Council (1) approved Final Tract Map 32202 proposed by Cornerstone Land Surveying, Inc., on behalf of S. and G. Homes, LLC, Successor to Alex Gonzales to subdivide approximately three vacant acres into five residential lots located at the northwesterly corner of Gramercy Place and Norwood Avenue and adopted the Resolution of Acceptance for the Official Map; and (2) accepted the agreement and sureties for the faithful performance and payment for the installation and construction of improvements in accordance with the plans for the



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development of Tract 32202; whereupon, the title having been read and further reading waived, Resolution No. 22820 of the City Council of the City of Riverside, California, Accepting the Final Map of Tract No. 32202, was presented and adopted.

BID 7290 - MEDIAN TURF REMOVAL PROJECT - ORANGE TERRACE/ALESSANDRO/MISSION GROVE/VAN BUREN/WOOD - SUPPLEMENTAL APPROPRIATION

The City Council (1) awarded Bid 7290 to ValleyCrest Landscape Maintenance, Inc., Riverside, for \$338,727.88 for existing median turf replacement with drought tolerant landscaping and irrigation located on Alessandro Boulevard between Communications Center Drive and Mission Grove Parkway and Van Buren Boulevard between Wood Road and Orange Terrace Parkway; and (2) authorized a supplemental appropriation in the amount of \$385,000 from Western Municipal Water District grant funds to Project Account 9886210-440309 and increased the estimated revenue by the same amount in Project Account 9886210-339000.

MAYOR/COUNCILMEMBER COMMUNICATIONS

LEGISLATIVE REPORTS

There was nothing to report on the CA Cities Advocate dated February 27, 2015.

REPORT ON CLOSED SESSIONS

Interim City Attorney Smith announced there were no reportable actions taken on the closed sessions held earlier in the day.

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

Councilmember Melendrez requested a report from the Public Works Department on dumping in alleyways to the City Council Governmental Affairs Committee.

The City Council adjourned at 8:21 p.m.

Respectfully submitted,

COLLEEN J. NICOL
City Clerk