



City of Arts & Innovation

CITY COUNCIL

MINUTES

TUESDAY, NOVEMBER 1, 2022, 1 P.M.
PUBLIC COMMENT IN PERSON/TELEPHONE
ART PICK COUNCIL CHAMBER
3900 MAIN STREET

PRESENT: Mayor Lock Dawson, Councilmembers Edwards, Cervantes, Fierro, Conder, Perry, and Hemenway and Councilwoman Plascencia

ABSENT: None

Mayor Lock Dawson called the meeting to order at 1:00 p.m.

Pastor Dylan Del Campo of New Beginnings Community Church gave the Invocation.

Councilmember Hemenway led the Pledge of Allegiance

ORAL COMMUNICATIONS FROM THE AUDIENCE

Glenda Carmart spoke regarding cost for theatre rental. Craig Yamasaki spoke regarding non-profit organizations cost for theatre rental. One caller thanked the Mayor and staff for assisting with audio problems.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Edwards thanked staff for efforts on Halloween in the Wood Streets and reported on groundbreaking ceremony for Kaiser Permanente Expansion Project, Historic Wood Streets meeting, and Day of the Dead celebration. Councilmember Cervantes reported on Halloween activities, groundbreaking ceremony for Kaiser Permanente Expansion Project, and Dia De los Muertos.

The Mayor and City Council recessed at 1:15 p.m. and reconvened at 2:47 p.m. with Mayor Lock Dawson presiding and all Councilmembers present.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Conder thanked Council Assistant Frank Arreola for his services during his absence. Councilwoman Plascencia reported on Native American Heritage Month, Dia De los Muertos, office hours and thanked her colleagues for supporting Latina Empowerment Day. Councilmember Perry reported on Ward 6 Community Development Block Grant (CDBG) meeting, a tour of Lutheran Social Services in San Bernardino, and the Hope program. Councilmember Hemenway reported on Hope event and CDBG community meeting. Mayor Lock Dawson reported on the press event with Project Dash with Door Dash.



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The City Council Inclusiveness, Community Engagement, and Governmental Processes Committee will conduct an in-person and virtual meeting on Wednesday, November 2, 2022, at 3:30 p.m. at the Art Pick Council Chamber.

The City Council Inclusiveness, Community Engagement, and Governmental Processes Committee with the Board of Ethics Ad Hoc Committee will conduct an in-person and virtual special meeting on Thursday, November 3, 2022, at 6 p.m. at the Art Pick Council Chamber.

COMMUNICATIONS

INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE

There was no update on Intergovernmental relations and legislation.

HOMELESS SOLUTIONS UPDATE

There was no update on homeless solutions.

SUSTAINABILITY UPDATE

There was no update on sustainability.

HEALTH, SAFETY, AND SECURITY UPDATES

There was no update on health, safety, and security.

LEGAL UPDATE

There was no legal update.

CONSENT CALENDAR

It was moved by Councilmember Hemenway and seconded by Councilmember Perry to approve the Consent Calendar as presented affirming the actions appropriate to each item with (1) the amendment to Services Agreement with Qualified Mobile, Inc., Norco, for municipal pressure washing and cleaning service removed from the agenda; (2) exhibit to Second Amendment to Lease with The Regents of University of California Riverside Medical School updated; (3) Councilmember Edwards recusing herself from Title 20 text amendment regarding the Mills Act application process; and (4) Councilmember Conder voting no on the Management Agreement Amendments with Live Nation Worldwide, Inc. The motion carried unanimously.



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BOARD AND COMMISSION RESIGNATION

The Mayor and City Council accepted the resignation of Rochelle P. Motley-Kanatzar from the Human Relations Commission Citywide seat effective immediately.

MINUTES

The minutes of the meeting for October 14 and 18, 2022, were approved as presented.

LEASE AMENDMENT - RENOVATIONS AND IMPROVEMENTS TO RIVERSIDE ACCESS CENTER CLINIC FOR HOMELESS INDIVIDUALS AND LOW-INCOME HOUSEHOLDS - 2880 HULEN

The City Council (1) approved the Second Amendment to Lease by and between The City of Riverside and The Regents of University of California Riverside Medical School California to complete renovations and improvements to the Riverside Access Center clinic space and new entrance located at 2880 Hulen Place to provide outpatient medical services for homeless individuals and low-income households; and (2) authorized the City Manager, or his designee, to execute the Second Amendment to Lease with The Regents of the University of California, including making minor and non-substantive changes, and to sign all documents and instruments necessary to implement this action, including making minor and non-substantive changes.

AGREEMENTS AMENDMENTS - OPERATION AND MANAGEMENT - FOX PERFORMING ARTS CENTER AND RIVERSIDE MUNICIPAL AUDITORIUM

The City Council (1) approved the First Amendment to Management Agreement with Live Nation Worldwide, Inc., for the Fox Performing Arts Center through June 30, 2023; (2) approved the First Amendment to Management Agreement with Live Nation Worldwide, Inc., for the Riverside Municipal Auditorium through June 30, 2023; and (3) authorized the City Manager, or his designee, to execute any necessary financial, or legal documents, including making minor and non-substantive changes to execute the agreements.

FISCAL YEAR 2022-23 AND FISCAL YEAR 2023-24 - ARTS AND CULTURE GRANT PROGRAM AWARDS

The City Council (1) approved staff recommendations and administration of the Arts & Culture Grants Program for Fiscal Year 2022-23 in the amount of \$291,369; and Fiscal Year 2023-24 in the amount of \$294,283; and (2) authorized the City Manager, or his designee, to execute any necessary, financial, or legal documents with the approved



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organizations and/or artists, including making minor and non-substantive changes, to implement the City's Arts & Culture Grant Program for arts & culture organizations.

CASE PR-2022-001422 - TITLE 20 TEXT AMENDMENT - MILLS ACT APPLICATIONS - MILLS ACT HISTORIC PRESERVATION CONTRACT APPLICATION PROCESS - ORDINANCE INTRODUCED - RESOLUTION

The City Council (1) determined that Planning Case PR-2022-001422 is exempt from further California Environmental Quality Act (CEQA) review pursuant to Sections 15308 (Actions to Protect Environment), 15060(c)(2) (No Physical Change), 15060(c)(3) (Not A Project), and 15061(b)(3) (General Rule), as the proposed amendment will cause no direct or indirect change to the environment, does not meet the definition of a Project under CEQA, and it can be seen with certainty that the proposed amendment will not have an effect on the environment; (2) approved Planning Case PR-2022-001422 – Title 20 (Cultural Resources) Text Amendment amending the application period of the Mills Act from the month of June to January 1 – May 31 of each calendar year; (3) introduced an Ordinance amending Title 20 (Cultural Resources) of the Riverside Municipal Code; and (4) approved and adopted a Resolution amending Resolution No. 20825, thereby increasing the number of Mills Act applications accepted to an average of fifteen and a maximum of twenty each year and reflecting the application timeframe consistent with the proposed amendment to Title 20 (Cultural Resources); whereupon an Ordinance entitled “An Ordinance of the City of Riverside, California, Amending Sections 20.30.020 and 20.30.030 of the Riverside Municipal Code Regarding The Mills Act Program and Historic Preservation Fund,” was presented and introduced, and whereupon, the title having been read and further reading waived, Resolution No. 23921 of the City Council of the City of Riverside, California, Amending Resolution No. 20825 to Change the Mills Act Historic Preservation Contract Application Process Including the Application Period and Number of Contract Applications Accepted and Processed, was presented and adopted.

REVISIONS TO HUMAN RESOURCES POLICY AND PROCEDURE MANUAL

The City Council adopted the proposed revisions to the City's personnel policies contained in the Human Resources Policy and Procedure manual including Travel Time Compensation, Appointment and Selection of City Attorney Classifications and Salary Placement, Drug-free Workplace, Unpaid Voluntary Furlough, and Deferred Compensation policies.



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REQUEST FOR PROPOSAL 2159 - AGREEMENT - WATER QUALITY LABORATORY TESTING AND ANALYTICAL SERVICES

The City Council (1) approved a Professional Consultant Services Agreement with Babcock Laboratories, Inc., Riverside, from Request for Proposal 2159, for water quality laboratory testing and analytical services for a three-year term until June 30, 2025, in the amount of \$3,000,000 with two optional one-year extensions in an annual amount of \$1,000,000; (2) authorized the City Manager, or designee, to execute the Agreement, including the two optional one-year extensions, and making minor and non-substantive changes; (3) ratified emergency Purchase Order No. 232444 in the amount of \$49,500 with Babcock Laboratories, Inc.; and (4) authorized the City Manager, or designee, to execute all documents related to the termination of the current Professional Consultant Services Agreement with Eurofins Eaton Analytical, LLC.

AGREEMENT AMENDMENT - MUNICIPAL PRESSURE WASHING AND CLEANING SERVICES - CITYWIDE

This item was removed from the agenda.

AGREEMENT AMENDMENT - SYCAMORE HIGHLANDS LANDSCAPE MAINTENANCE DISTRICT AND CANYON SPRINGS/CANYON CROSSINGS BUSINESS DISTRICT

The City Council (1) approved a First Amendment to the Landscape Maintenance Services Agreement with Greentech Landscape, Inc., Whittier, for landscape and general outside maintenance services for Sycamore Highlands Landscape Maintenance District and Canyon Springs/Canyon Crossings Business District, retroactively, from July 1, 2022, to June 30, 2023, in the amount of \$157,510.47, including 10 percent contingency for vandalism, theft, and/or decay, for a total amount of \$601,005.47, and with one optional one-year extension; (2) authorized the City Manager, or designee, retroactively, to execute the First Amendment to the Services Agreement, including making minor and non-substantive changes; and (3) authorized the City Manager, or designee, to execute the optional one-year extension, provided that the amount is included in the subsequent approved budgets.



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DISCUSSION CALENDAR

RECONSIDER CIRCUMSTANCES OF THE STATE OF EMERGENCY AND MAKE A FINDING THAT STATE AND/OR LOCAL OFFICIALS CONTINUE TO RECOMMEND SOCIAL DISTANCING MEASURES

Following discussion, it was moved by Councilmember Cervantes and seconded by Councilmember Edwards to (1) reconsider the circumstances of the state of emergency; and (2) make a finding (a) that the state of emergency continues to directly impact the ability of its members to safely meet in person, and (b) that state and/or local officials continue to recommend or impose social distancing measures to continue to meet via teleconference. The motion carried with Councilmembers Edwards, Cervantes, Fierro, Hemenway and Councilwoman Plascencia voting aye and Councilmembers Conder and Perry voting no.

BID 7876 - SENATE BILL 1 MAINTENANCE AND TRAFFIC IMPROVEMENTS PHASE 2 - CITYWIDE
Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Hemenway (1) award construction contract for Bid 7876 for Fiscal Year 2019/20 SB-1 Maintenance and Traffic Improvements Phase 2 to All American Asphalt, Corona, in the amount of \$4,311,788; and (2) authorized the City Manager, or designee, to execute the construction contract, including making minor and non-substantive changes. The motion carried with Councilmembers Edwards, Cervantes, Fierro, Conder, Hemenway, and Councilwoman Plascencia voting aye and Councilmember Perry abstaining citing real property conflict of interest.

MEASURE Z - BID 7907 - ARTERIAL AND MINOR STREETS MAINTENANCE, PHASE 1 - CITYWIDE
Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Perry to (1) award a construction contract for Bid 7907 for Fiscal Year 2021/22 Arterial and Minor Streets Maintenance, Phase 1 to Onyx Paving Company, Inc., Anaheim, in the amount of \$6,472,000; and (2) authorize the City Manager, or designee, to execute the construction contract, including making minor and non-substantive changes. The motion carried unanimously.

CLOSED SESSIONS

The Mayor and City Council adjourned to closed sessions at 3:37 p.m. pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning David Smith v. City of Riverside, WCAB Claim No.(s): ADJ12113498;



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(2) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Dezsanee Jones v. City of Riverside, et. al., United States District Court Case No. 5:22-cv-01764-SHK; (3) §54956.8 to instruct City's Negotiator, Michael Moore, regarding price and terms of payment for the purchase, sale, exchange, or lease of property with no site address located on the corner of Fifth and Orange Streets, commonly known as Lot 33/Convention Center, APNs: and 213-113-001, 213-111-011, 213-111-012, 213-111-013, 213-111-014, 213-111-015, 213-111-016, and 213-111-017, by Greens Group/Griffin|Swinerton; Atman Kadakia and Korin Crawford, Negotiators; (4) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning anticipated litigation regarding one case; (5) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning the City Council deciding whether to initiate litigation regarding two cases; (6) §54957(a) for consultation with Chief of Police Larry Gonzalez and Chief Information Officer George Khalil regarding threat to public services or facilities; (7) §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 except the City Manager, City Attorney, and City Clerk, 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; (8) §54957 for appointment/employment of City Manager by City Council; and (9) §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 unrepresented employee for City Manager.

Mayor Lock Dawson and the City Council returned to open session at 5:07 p.m. with all Councilmembers present.

COMMUNICATIONS

CITY ATTORNEY REPORT ON CLOSED SESSIONS

City Attorney Norton announced there was no reportable action taken during closed session.

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

There were no future items requested at this time.



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The City Council adjourned at 5:08 p.m.

Respectfully submitted,

DONESIA GAUSE
City Clerk