

*City of Arts & Innovation*

## CITY COUNCIL

### MINUTES

TUESDAY, SEPTEMBER 5, 2023, 1 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

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

ABSENT: None

Mayor Lock Dawson called the meeting to order at 1:02 p.m.

#### ORAL COMMUNICATIONS FROM THE AUDIENCE

Aurora Chavez spoke regarding streaming City Council meeting, ASL Interpreter, and Riverside Transmission Reliability Project (RTRP). Alan Ridley spoke regarding housing and reducing homelessness. Steve Mundy spoke regarding Ward 2 Councilmember. Chris Porter spoke regarding the RTRP. Rosabel Ochoa spoke regarding the agreement with Ohmio, Inc. Rich Gardner spoke regarding Invocation. Patrick Maloney spoke regarding City Council election. Mojdeh Rahim and Lisa Dryan Zagala spoke regarding City Services in the Recreational guide for residents with autism. Steve Figueroa spoke regarding services for children and families with disabilities and crime free housing. Frank Montez spoke regarding green manufacturing and crime free housing. Evelyn Evenhart spoke regarding crime free housing. One caller spoke regarding the phone system, driving under the influence (DUI) conviction of Ward 2 City Councilmember, need for more crossing guards at Poly High School, homelessness, and RTRP. Pam Nusser spoke regarding DUI conviction of Ward 2 City Councilmember. One caller spoke regarding bills related to elected officials and driving under the influence, and RTRP. One caller spoke regarding use of RoundUp in City Parks. Jason Hunter spoke regarding proposed rate increases and the General Fund Transfer (GFT) lawsuits. Malissa McKeith spoke regarding the GFT.

#### COMMUNICATIONS

##### INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE

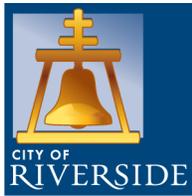
There was no update on intergovernmental relations and legislation.

##### HOMELESS SOLUTIONS UPDATE

The City Council received an update on homeless solutions.

##### SUSTAINABILITY UPDATE

There was no update on sustainability.



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#### LEGAL UPDATE

There was no legal update.

#### COUNCILMEMBERS DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest declared at this time.

#### DISCUSSION CALENDAR

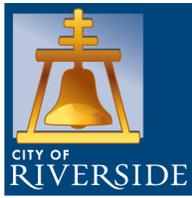
##### DISCONTINUATION OF CRIME FREE MULTI-HOUSING PROGRAM - AMEND RIVERSIDE MUNICIPAL CODE REMOVING REFERENCES TO CRIME FREE MULTI-HOUSING PROGRAM

Following discussion, it was moved by Councilmember Edwards and seconded by Councilwoman Plascencia to approve the Housing and Homelessness Committee recommendation to (1) approve discontinuation of the Crime Free Multi-Housing Program and continue to support multi-family housing operations and tenants through the Neighborhood Policing Centers Model, Neighborhood Watch Program, and general safety/education presentations; and (2) direct staff to pursue the necessary amendments to remove references to the Crime Free Multi-Housing Program from Titles 1 (General Provisions) and 19 (Zoning) of the Riverside Municipal Code. The motion carried with Councilmembers Edwards, Cervantes, Fierro, and Hemenway and Councilwoman Plascencia voting aye and Councilmembers Conder and Perry voting no.

The Mayor and City Council recessed at 3:12 p.m. and reconvened at 3:22 p.m. with Mayor Lock Dawson presiding and all Councilmembers present.

##### CONCEPTUAL FRAMEWORK PROPOSAL AND AGREEMENT - ESTABLISH INTERNATIONAL HEADQUARTERS, MANUFACTURING, AND POINT OF SALE FOR ALL-ELECTRIC, AUTONOMOUS VEHICLE SHUTTLES

Following discussion, it was moved by Councilmember Fierro and seconded by Councilmember Edwards to approve the Economic Development, Placemaking, and Branding/Marketing Committee recommendation to (1) approve the Conceptual Framework Proposal between the City of Riverside and Ohmio, Inc., for the establishment of its international headquarters, advanced manufacturing and point of sale for all-electric, autonomous vehicle shuttles in the City of Riverside and demonstrate the viability and safety of the all-electric autonomous shuttles in a two-year pilot program; (2) authorize the City Manager, or his designee, to negotiate an agreement per the



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parameters of the Conceptual Framework Proposal with Ohmio, Inc.; (3) authorize a supplemental appropriation in an amount not-to-exceed \$2.5 million inclusive of a \$1.5 million capital lease or \$1.4 million purchase for three all-electric autonomous shuttles, "safety drivers" not-to-exceed \$400,000 and related costs including, but not limited to, maintenance and repair, electricity, and insurance; and (4) bring the agreement back to City Council for final approval. The motion carried with Councilmembers Edwards, Fierro, Conder, Perry, and Hemenway and Councilwoman Plascencia voting aye and Councilmember Cervantes voting no.

#### CITY CLERK EMPLOYMENT AGREEMENT - MASTER FRINGE BENEFITS AND SALARY PLAN AMENDMENT - RESOLUTION

Following discussion, it was moved by Councilwoman Plascencia and seconded by Councilmember Cervantes to (1) approve the Employment Agreement with City Clerk Donesia Gause effective September 5, 2023; and (2) adopt a Resolution amending the Master Fringe Benefit and Salary Plan to reflect the revisions to the City Clerk Employment Agreement. The motion carried with Councilmembers Edwards, Cervantes, Fierro, Perry, and Hemenway and Councilwoman Plascencia voting aye and Councilmember Conder voting no.

Whereupon, the title having been read and further reading waived, Resolution No. 24026 of the City Council of the City of Riverside, California, Amending Resolution No. 21052 and the Master Fringe Benefits and Salary Plan to Reflect the Revisions to the City Clerk Employment Agreement, was presented and adopted.

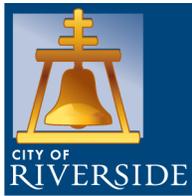
#### RIVERSIDE TRANSMISSION RELIABILITY PROJECT (RTRP) UPDATE

Following discussion and without formal motion, the City Council received and ordered filed an update on the Riverside Transmission Reliability Project.

#### PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

#### FISCAL YEAR 2023-24 ANNUAL ASSESSMENT - AUTO CENTER BUSINESS IMPROVEMENT DISTRICT - RESOLUTION

Hearing was called to consider and rule on any protests to the Auto Center Business Improvement District assessments and projects for Fiscal Year 2023-24, beginning September 1, 2023, through August 31, 2024, and adopt a resolution confirming the



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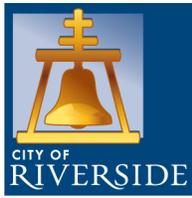
annual report of Riverside New Car Dealers Association acting in its capacity as the advisory board to the Auto Center Business Improvement District and levying assessments for the Fiscal Year beginning September 1, 2023. No one spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Conder and seconded by Councilwoman Plascencia to adopt a Resolution confirming the annual report of the Riverside New Car Dealers' Association acting in its capacity as the Advisory Board to the Auto Center Business Improvement District and levying assessments for the Fiscal Year beginning September 1, 2023. The motion carried unanimously.

Whereupon, the title having been read and further reading waived, Resolution No. 24027 of the City Council of the City of Riverside, California, Confirming the Annual Report of the Riverside New Car Dealers Association, Acting in its Capacity as the Advisory Board to the Auto Center Business Improvement District, and Levying Assessments for the Fiscal Year Beginning September 1, 2023, was presented and adopted.

#### CLOSED SESSIONS

The Mayor and City Council adjourned to closed sessions pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Riverside All of Us or None, et al., v. City of Riverside, et al., United States District Court Case No. 5:23-cv-01536-SPG-SP; (2) §54957(a) for consultation with Chief of Police Larry Gonzalez, or his respective deputy, and Chief Information Officer George Khalil regarding threat to public services or facilities; (3) Code §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning anticipated litigation regarding one case; (4) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning the City Council deciding whether to initiate litigation regarding one case; (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 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; (6) §54957 for performance evaluation of City Attorney;



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(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 unrepresented employee for City Attorney; (8) §54957 for performance evaluation of the City Manager; 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.

The Mayor and City Council adjourned at 5:10 p.m. and reconvened at 6:18 p.m. with Mayor Pro Tem Edwards presiding, all Councilmembers present and Mayor Lock Dawson absent.

Councilmember Edwards gave the Invocation and led the Pledge of Allegiance.

#### ORAL COMMUNICATIONS FROM THE AUDIENCE

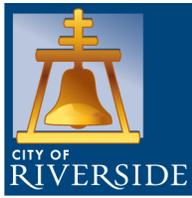
Errol Kochewitz spoke regarding Senator Richard Roth. Patrick Maloney spoke regarding Open Mic Night at Euryale Brewing company and fundraising event at Back to the Grind.

#### MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Cervantes reported on Eastside Active Leadership Group alley cleanup, Cellar Door Bookstore, Transformative Climate Communities (TCC) grant Energy for All application workshop, Eastside Art House and Night Market, and Labor Day. Councilmember Conder reported on Hurricane Hilary, ride in new Police Department helicopters, Linda Powell Founder of Make a Wish Foundation, and Norco Fair. Councilwoman Plascencia introduced her part time Council Assistant Ellianna Aguilera and reported on joint meeting with Western Municipal Water District and Riverside Public Utilities, office hours, and Love Riverside Serve Day. Councilmember Perry reported on community meeting on fiber optics installation throughout the City and Community Development Block Grant meetings. Mayor Pro Tem Edwards reported on Coffee with the Mayor in Ward 6, Ward 1 Arts Walk, Doors Open event, and Riverside Pride Festival.

#### ANNOUNCEMENT OF COMMITTEE MEETING

The City Council Inclusiveness, Community Engagement, and Governmental Processes Committee will conduct a meeting on Wednesday, September 6, 2023, at 3:30 p.m., in the Art Pick Council Chamber.



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#### CEREMONIAL PRESENTATIONS

##### RIVERSIDE PROSPERS SUCCESS REPORT

Councilmember Hemenway reported on Brenner-Fiedler and Associates.

##### RIVERSIDE PROSPERS SUCCESS REPORT

Mayor Pro Tem Edwards reported on Riverside Smudgepots Vintage Base Ball Team.

#### 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 except to continue the American Rescue Plan Act Subrecipient Professional Consultant Services Agreement with Community Connect to the City Council meeting on September 19, 2023. The motion carried with Councilmembers Conder and Perry voting on the resolution authorizing the application and acceptance of Cannabis Licensing Program funding offered by the State of California Department of Cannabis Control.

#### OUTSIDE COUNSEL BUDGET

The City Council approved an expenditure amount not-to-exceed \$263,520 to retain the legal services of William Price, who is already on the City's panel of approved outside counsel; and (2) authorized the City Attorney to execute the Outside Counsel Engagement Letter.

#### BOARD AND COMMISSION APPOINTMENTS

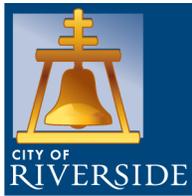
The City Council appointed (1) Carolina Raya to the Human Relations Commission Ward 5 seat for a term through March 1, 2027; and (2) Israel A. Bello to the Budget Engagement Commission Business Ward 3 seat for a term through March 1, 2025.

#### MINUTES

The Minutes of the meeting on August 15, 2023, were approved as presented.

#### LEGISLATURE 2023 HOUSING BILLS UPDATE

The City Council approved the Land Use, Sustainability, and Resilience Committee recommendation to receive and order filed the California Legislature 2023 Housing Bills update.



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#### AMERICAN RESCUE PLAN ACT SUBRECIPIENT AGREEMENT - SMALL AND MICRO-BUSINESS COVID RECOVERY GRANT PROGRAM

This item was continued to the City Council meeting on September 19, 2023.

#### HOLIDAY MEETING SCHEDULE

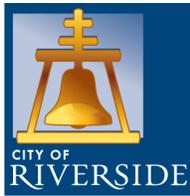
The City Council cancelled the regularly scheduled City Council meetings of Tuesday, November 21, December 26, 2023, and January 2, 2024.

#### AGREEMENT - SYCAMORE HILLS DISTRIBUTION CENTER PROJECT - COSTS ASSOCIATED WITH HOMELESS ENCAMPMENTS, DUMPING, AND VANDALISM

The City Council (1) approved the Agreement with KB Sycamore Hills I, LLC, a Delaware Limited Liability Company as to an undivided 50 percent interest, KB Sycamore Hills II, LLC, a Delaware Limited Liability Company as to an undivided 40 percent interest, and KB Sycamore Hills III, a Delaware Limited Liability Company as to an undivided 10 percent interest as tenants in common for the Sycamore Hills Distribution Center Project to cover expenses which satisfy Condition of Approval 75.c which addresses homeless encampments, dumping, and vandalism in a designated 12.23 acre conservation easement identified as portions of APNs 263-060-026, 263-060-022, 263-060-024, and the surrounding area; (2) authorized the acceptance of the \$1,700,000 endowment into the Interest Bearing Special Deposits Fund, Rivers and Lands Conservancy endowment account; and (3) authorized the City Manager or designee to execute the Agreement, including making minor and non-substantive changes.

#### CALIFORNIA OFFICE OF HISTORIC PRESERVATION - 2023-24 CERTIFIED LOCAL GOVERNMENT GRANT - PREPARE ACCESSORY DWELLING UNIT DESIGN GUIDELINES FOR HISTORIC PROPERTIES - SUPPLEMENTAL APPROPRIATION

The City Council (1) accepted the State of California, Office of Historic Preservation 2023-2024 Certified Local Government Grant in the amount of \$40,000 to prepare an Accessory Dwelling Unit Design Guidelines for historic properties; (2) authorized the Chief Financial Officer, or designee, to record an increase in revenue and appropriate expenditures in the amount of \$40,000, or in the amount of the actual grant award in the Development Grants Fund, 23-24 CLG ADU Design Guidelines Project revenue and expenditure accounts; and (3) authorized the City Manager, Community and Economic Development Director, or designee, to execute an Office of Historic Preservation grant award standard agreement including making minor, non-substantive changes, and to



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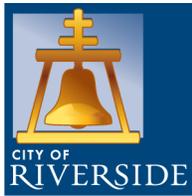
sign all documents and instruments necessary to complete this project including, but not limited to agreements, payment requests and so on, which may be necessary to complete grant funded activities.

#### CALIFORNIA LOCAL JURISDICTION CANNABIS RETAIL ACCESS GRANT PROGRAM FUNDING - DEVELOP AND IMPLEMENT CANNABIS RETAIL PROGRAM - SUPPLEMENTAL APPROPRIATION - RESOLUTION

The City Council (1) adopted a Resolution authorizing the application for and acceptance of Cannabis Licensing Program funding offered by the State of California Department of Cannabis Control; (2) accepted \$475,000 or the actual award amount in grant funds from the California Department of Cannabis Control for the development and implementation of a cannabis retail program in the city of Riverside; (3) authorized the Chief Financial Officer, or designee, to record an increase in revenue in the amount \$475,000, or in the amount of the grant award, and record an equal amount in appropriations in the Development Grants Fund, CA Cannabis Retail Access Grant Program; and (4) authorized the City Manager or designee to execute all documents for the implementation and expenditure of this grant funds, making minor corrections as necessary; whereupon, the title having been read and further reading waived, Resolution No. 24028 of the City Council of the City of Riverside, California, Authorizing State of California Local Jurisdiction Cannabis Retail Access Grant Program Funding and Authorizing the Execution of all Required Documents by the City Manager or Designee, was presented and adopted.

#### CALIFORNIA OFFICE OF EMERGENCY SERVICES - FISCAL YEAR 2022 STATE HOMELAND SECURITY PROGRAM GRANT (SHSP) - SUPPLEMENTAL APPROPRIATION - RESOLUTION

The City Council (1) adopted a Resolution authorizing the acceptance of a grant award from the U.S. Department of Homeland Security for a Fiscal Year 2022 State Homeland Security Program (SHSP) Grant program in the amount of \$41,954; (2) authorized the Chief Financial Officer, or designee, to record an increase in revenue and an appropriation in expenditures in the amount of \$41,954, or in the amount of the actual grant award, to the Grants and Restricted Programs Fund, 2022 State Homeland Security Program Grant; and (3) authorized the City Manager, Fire Chief, or designee, to execute the 2022 State Homeland Security Program Grant and associated documents including making minor and non-substantive changes as necessary; whereupon, the title having been read and further reading waived, Resolution No. 24029 of the City Council of the City of Riverside,



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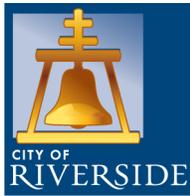
California, Authorizing the Submission of Application and Acceptance of Grant Award from the U.S. Department of Homeland Security Through the California Office of Emergency Services for the Fiscal Year 2022 State Homeland Security Program Grant (SHSP) and Authorizing the Execution of all Required Documents by the City Manager, or his Designee; and Amending the Budget for Fiscal Year 2022-2023 Accordingly, was presented and adopted.

#### COMMUNITY RESILIENCE CENTERS (CRC) PROGRAM THROUGH CALIFORNIA STRATEGIC GROWTH COUNCIL - SUPPLEMENTAL APPROPRIATION - RESOLUTION

The City Council (1) adopted a Resolution authorizing a planning grant application for the Community Resilience Centers (CRC) Program Planning Grant in the amount of approximately \$500,000; (2) authorized the acceptance of the CRC funding from the California Strategic Growth Council in the amount of \$500,000, or the actual amount awarded; (3) authorized the Chief Financial Officer, or designee, to record an increase in revenues in the amount of \$500,000, or the actual award, and appropriate expenditures in the same amount to Grants and Restricted Programs Fund, Community Resilience SGC 2023 Program; and (4) authorized the City Manager, or designee, to execute any-and-all necessary documents, including but not limited to applications, payment requests, agreements, and amendments necessary to secure funds and implement the approved grant projects, making minor and non-substantive changes as necessary; whereupon, the title having been read and further reading waived, Resolution No. 24030 of the City Council of the City of Riverside, California, Authorizing the Submission of an Application to the Community Resilience Centers (CRC) Program Administered through the California Strategic Growth Council and Authorizing the Execution of Necessary Grant Documents by the City Manager, or his Designee, was presented and adopted.

#### SERVICES AGREEMENT AMENDMENT - ANNUAL ELEVATORS MAINTENANCE - VARIOUS LOCATIONS

The City Council (1) approved the First Amendment to Services Agreement with Otis Elevator Company, Anaheim, for annual maintenance of City of Riverside elevators at various locations in the amount of \$344,197.98 for a five-year term ending June 30, 2028; and (2) authorized the City Manager, or his designee, to execute the First Amendment to the Services Agreement with Otis Elevator Company of Anaheim, California including making minor and non-substantive changes.



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#### PURCHASE - TWO ELECTRIC-POWERED FORD TRANSIT 350 CARGO VANS

The City Council (1) approved the purchase of one electric-powered Ford Transit 350 cargo vans from PB Loader Corporation for the Library Department in the amount of \$80,319.11 using funds from the American Rescue Plan Act; and (2) approved the purchase of one electric-powered Ford Transit 350 cargo vans from PB Loader Corporation for the Office of Communications in the amount of \$75,270.94.

#### SOFTWARE SUBSCRIPTION AGREEMENT - RISK MANAGEMENT INFORMATION SYSTEM

The City Council (1) authorized a three-year extension to the Software Subscription Agreement with Origami Risk LLC, Chicago, Illinois, for the Risk Management Information System for the term of September 8, 2023, through September 7, 2026, in the amount \$402,738; (2) authorized the City Manager, or his designee, to execute the Software Subscription Agreement Extension, including making minor and non-substantive changes; and (3) authorized the City Manager, or designee, to execute future ongoing annual license renewals subject to the availability of budgeted funds.

#### HOOPLA® DIGITAL MEDIA AGREEMENT - LIBRARY MATERIALS AND SERVICES

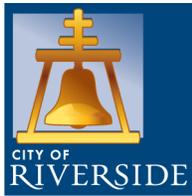
The City Council (1) approved a hoopla® Digital Media Agreement for purchase of library materials and services from Midwest Tape, LLC, Holland, Ohio, in an amount not-to-exceed \$60,000, for a 24-month term with automatic renewal periods of 12 months thereafter; and (2) authorized the City Manager, or designee, to execute the hoopla® Digital Media Agreement and the renewals and including all other documents necessary to complete the purchase including making minor and non-substantive changes.

#### PURCHASE OF LIBRARY MATERIALS AND SERVICES

The City Council (1) approved the purchase of library materials and services from Baker & Taylor, LLC., Charlotte, North Carolina, in accordance with Purchasing Resolution No. 23914, Section 702(k), for the total amount of \$676,000; and (2) authorized the City Manager, or designee, to execute all documents necessary to complete the purchase including making minor and non-substantive changes and extensions.

#### PURCHASE OF LIBRARY MATERIALS

The City Council (1) approved the purchase of library materials from Bibliotheca, LLC., Norcross, GA, in accordance with Purchasing Resolution No. 23914, Section 602(l) and for the total amount of \$165,183; and (2) authorized the City Manager, or designee, to



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execute all documents necessary to complete the purchase including making minor and non-substantive changes and extensions.

#### REVISED CODE OF ETHICS AND CONDUCT - MUSEUM OF RIVERSIDE

The City Council approved a revised Code of Ethics and Conduct for the Museum of Riverside.

#### EROSION REPAIRS - MOUNT RUBIDOUX

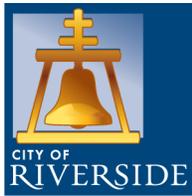
The City Council authorized the Chief Financial Officer, or designee, to record a supplemental appropriation in the amount of \$50,000 in the Regional Park Special Capital Improvement Fund, Mount Rubidoux Wall Repair project account for erosion repairs at Mount Rubidoux.

#### REWARD FOR INFORMATION - FUND TRANSFER - RESOLUTION

The City Council (1) adopted a Resolution offering a reward in the amount of \$20,000 for information that leads to the identification and apprehension of the person or persons responsible for the attempted murder of Izaac Colunga and Domonic Castillo, Police Department case 190006841, for a duration of 60 days; and (2) authorized the transfer of \$20,000 from the General Fund Non-Departmental/City Manager's Fiscal Management Account to the Police Department's Riverside Reward Program Account; whereupon, the title having been read and further reading waived, Resolution No. 24031 of the City Council of the City of Riverside, California, Offering a Reward in the Amount of \$20,000 for Information Leading to the Determination of the Identity of, and the Apprehension of, the Person or Persons Responsible for the Attempted Murder of Izaac Colunga and Domonic Castillo, was presented and adopted.

#### MEMORANDUM OF UNDERSTANDING - CONTRABAND INTERDICTION AND INVESTIGATIONS (C12) TASK FORCE - ASSIGNED OFFICER - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved the Memorandum of Understanding between the City of Riverside, on behalf of the Police Department, and the United States Postal Inspection Services – Contraband Interdiction and Investigations (C12) Task Force until terminated; (2) authorized the Chief Financial Officer, or designee, to record an increase in revenue and authorized supplemental appropriation in the amount of \$30,907, or in the amount of the grant award, in the Grants & Restricted Programs Fund, USPS Inspection Contraband Program; and (3) authorized the City Manager, or designee, to execute all



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documents necessary to receive reimbursement of funds for services performed in cooperation with the task forces listed in the staff report.

#### LEASE AGREEMENT AMENDMENT - MISSION SQUARE OFFICE - 3750 UNIVERSITY AVENUE, SUITE 610

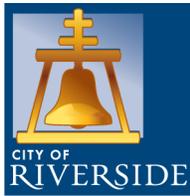
The City Council (1) approved the Fourth Amendment to the Lease Agreement with Varner & Brandt, LLP; and (2) authorized the City Manager, or designee, to execute the Fourth Amendment to the Lease Agreement including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction.

#### LEASE AGREEMENT AMENDMENT - 3750 UNIVERSITY, SUITE 600

The City Council (1) approved a Sixth Amendment to the Lease Agreement with Morgan Stanley Smith Barney Financing LLC to extend the Lease Agreement for an additional 18-month term from September 1, 2025 to February 28, 2027 with an option to extend for an additional five-year term; and (2) authorized the City Manager, or designee, to execute the Sixth Amendment to the Lease Agreement, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction.

#### MUTUAL AID AGREEMENT - DESIGNATED PRIMARY AGREEMENT ADMINISTRATOR

The City Council (1) approved the Mutual Aid Agreement with Western Municipal Water District (WMWD); (2) designated the Public Utilities Assistant General Manager/Water and the Public Works Director, or designees as the primary Agreement Administrator for the Mutual Aid Agreement with Western Municipal Water District (WMWD); (3) authorized the City Manager, or designee, to execute contract document for the Mutual Aid Agreement with Western Municipal Water District (WMWD); and (4) designate the Public Utilities Assistant General Manager/Water, or designee, as an additional Designated Official to Emergency Response Network Inland Empire (ERNIE) and an additional Authorized Official to California Water/Wastewater Agency Response Network (CalWARN) for the City of Riverside.



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## CITY COUNCIL

### MINUTES

TUESDAY, SEPTEMBER 5, 2023, 1 P.M.  
PUBLIC COMMENT IN PERSON/TELEPHONE  
ART PICK COUNCIL CHAMBER  
3900 MAIN STREET

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#### LETTER AGREEMENT ADJUSTMENT - GRADE CONFLICTING UTILITY FACILITIES - SYCAMORE CANYON BOULEVARD RESURFACING PROJECT

The City Council authorized the City Manager, or designee, to execute the Letter Agreement for Adjustment of Conflicting Utility Facilities, County of Riverside Public Works Project for Sycamore Canyon Boulevard Resurfacing, Project No. D1-0058, including making minor non-substantive changes.

#### FINAL TRACT MAP 37731 - PLANNED RESIDENTIAL DEVELOPMENT - LURIN/COLE - RESOLUTION

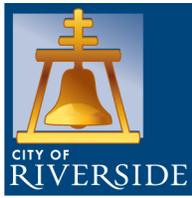
The City Council (1) adopted the Resolution of Acceptance for final approval of Tract Map No. 37731; and (2) accepted the agreement and sureties for the installation and faithful performance of improvements and the labor and material bond in accordance with the improvement plans for the development of Tract Map No. 37731; whereupon, the title having been read and further reading waived, Resolution No. 24032 of the City Council of the City of Riverside, California, Accepting the Final Map of Tract No. 37731, was presented and adopted.

#### SERVICE AGREEMENT - ALEXANDER AND BARTON STREETS SLURRY SEAL IMPROVEMENTS

The City Council (1) approved a Service Agreement for Alexander Street and Barton Street slurry seal improvements with the County of Riverside in the amount of \$15,968; and (2) authorized the City Manager, or designee, to execute the Service Agreement, including making minor and non-substantive changes.

#### AGREEMENT AMENDMENT - CITYWIDE BOTTLED DRINKING WATER

The City Council (1) approved the Second Amendment to Services Agreement with DS Services of America, Inc., doing business as Primo Water North America, for Citywide Bottled Drinking Water and Related Services, to extend the term through June 30, 2024, and increase the compensation amount by \$35,000 for a total contract amount of \$100,000; (2) authorized the City Manager, or designee, to execute the Second Amendment, including making minor and non-substantive changes; and (3) authorized the City Manager, or designee, the option to execute two additional one-year extensions, ending on June 30, 2026, and subject to the availability of budgeted funds.



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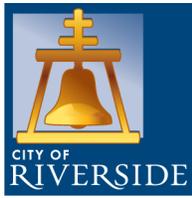
#### BID 7990 - CITYWIDE PEDESTRIAN CROSSING IMPROVEMENTS AT VARIOUS LOCATIONS THROUGHOUT CITY - SUPPLEMENTAL APPROPRIATION

The City Council (1) awarded Bid 7990 for the construction of the Citywide Pedestrian Crossing Improvements to We R Builders, Inc., Trabuco Canyon, California, in the amount of \$337,959.45 with 10 percent construction contingency; (2) authorized the City Manager, or designee, to execute a construction contract with We R Builders, Inc., including making minor and non-substantive changes; and (3) authorized the Chief Financial Officer, or designee, to record a supplemental appropriation in the amount of \$46,755.40 in the Measure A Fund, Citywide LED Stop Sign Install Project from available fund balance.

#### DISCUSSION CALENDAR

#### BID 7988 - AGREEMENT AMENDMENT - VAN BUREN BOULEVARD SEWER IMPROVEMENTS PROJECT INTERAGENCY FUNDING - SUPPLEMENTAL APPROPRIATION

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Perry to (1) award Bid 7988 for construction of the Krameria Avenue Lift Station to Vido Artukovich & Son Inc./Vidmar Inc., A JV, South El Monte, in the amount of \$9,760,000; (2) authorize 10 percent change order authority in the amount of \$976,000.00 for Bid 7988 for the construction of the Krameria Avenue Lift Station to Environmental Construction, Inc., for a total contract amount not-to-exceed \$10,736,000; (3) authorize the City Manager, or designee, to execute a construction contract with Vido Artukovich & Son Inc./Vidmar Inc., A JV, including making minor and non-substantive changes; (4) execute the First Amendment to Van Buren Boulevard Sewer Improvements Project Interagency Funding Agreement with the County of Riverside, authorize the Chief Financial Officer, or designee, to record an increase in revenue and expenditures in the amount of \$3,590,348 to the Sewer Fund Woodcrest Sewer Project revenue and expenditure accounts; and (5) authorize the City Manager, or designee, to execute the First Amendment to Van Buren Boulevard Sewer Improvements Project Interagency Funding Agreement with the County of Riverside, including making minor and non-substantive changes. The motion carried unanimously.



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#### PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

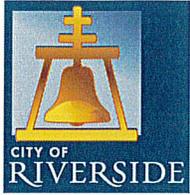
CASE PR-2022-001434 - GENERAL PLAN AMENDMENT, ZONING CODE MAP AMENDMENT, DESIGN REVIEW, AND SUMMARY VACATION - LOW-INCOME AFFORDABLE MULTI-FAMILY DEVELOPMENT - RESOLUTIONS - ORDINANCE INTRODUCED

Hearing was called to consider the appeal, requested by John Keegan of Gilbane Development Group, of the Planning Commission's denial of a proposal to permit the following entitlements to facilitate the construction of a 121-unit low-income, affordable multi-family development on an approximately 3.9-acre project site located at the southwest corner of Madison Street and Railroad Avenue for (a) General Plan Amendment to amend the General Plan Land Use designation from MDR - Medium Density Residential and C-Commercial to HDR - High Density Residential; (b) Zoning Code Amendment to rezone the property from R-1-7000 - Single Family Residential to R-3-1500 - Multiple Family Residential; (3) Design Review of project plans; and (4) Summary Vacation to vacate Pliny Street, Samuels Street, and Cary Street within the projects boundaries. Sixty-four people spoke on the matter. The public hearing was officially closed.

The Mayor Pro Tem and City Council recessed at 9:56 p.m. and reconvened at 10:06 p.m. with Mayor Pro Tem Edwards presiding and all Councilmembers present.

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Cervantes to deny the appeal by John Keegan of Gilbane Development Group, and uphold the Planning Commission's denial of a proposal to permit the following entitlements to facilitate the construction of a 121-unit low-income, affordable multi-family development on an approximately 3.9-acre project site located at the southwest corner of Madison Street and Railroad Avenue.

Following further discussion, a substitute motion was made by Councilwoman Plascencia and seconded by Councilmember Edwards to (1) uphold the appeal and determine that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program (MMRP), pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; (2) approve Planning case PR-2022-001434 (General Plan Amendment, Zoning Code Map Amendment, Design Review, and Summary Vacation), based on the findings outlined and summarized in the staff report and subject to the recommended conditions;



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(3) adopt a Resolution amending the General Plan 2025 land use designation from MDR-Medium Density Residential and C-Commercial to HDR-High Density Residential; (4) introduce an Ordinance amending the Zoning Map to rezone the project site from R-1-7000 - Single Family Residential Zone to R-3-1500 – Multi-family Zone; and (5) adopt a Resolution vacating the subject right-of-way pursuant to the Public Streets, Highways and Service Easements Vacation Law; and (2) include sound wall modifications and local preference for the application process. The motion failed with Councilmembers Edward, Fierro, and Councilwoman Plascencia voting aye and Councilmembers Cervantes, Conder, Perry, and Hemenway voting no.

Subsequently, the original motion to deny the appeal by John Keegan, of Gilbane Development Group, and uphold the Planning Commission's denial of a proposal to permit the following entitlements to facilitate the construction of a 121-unit low-income, affordable multi-family development on an approximately 3.9-acre project site located at the southwest corner of Madison Street and Railroad Avenue carried with Councilmembers Cervantes, Fierro, Conder, Perry, and Hemenway voting aye and Councilmember Edwards and Councilwoman Plascencia voting no.

#### COMMUNICATIONS

##### CITY ATTORNEY REPORT ON CLOSED SESSIONS

City Attorney Norton announced there were no reportable actions taken during closed session.

##### ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

Councilmember Conder thanked Orange Terrace library staff. Councilmember Fierro requested an update on paving projects throughout the city.

The City Council adjourned at 11:40 p.m.

Respectfully submitted,

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DONESIA GAUSE  
City Clerk