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City Clerk's Office

Subject: FW: [External] Ethics Complaint
Attachments: proudtostand.mp4; cannotvoteno.mp4; wehavenoauthority.mp4; developerownsland2.mp4; developerownsland1.mp4; PlowYourHouses.mp4; againstthelaw.mp4; cityattorney.mp4; Ethics Complaint Form.pdf; Question 7 response.pdf; Conder email exchange 11.2021.pdf; Five Misconceptions (1).cleaned.pdf; Question 6 Ethics Complaint Form (1).cleaned.pdf

From: Jennifer Larratt-Smith <jlarrattsmith@gmail.com>
Sent: Monday, September 12, 2022 8:11 AM
To: Arseo, Eva <EArseo@riversideca.gov>
Subject: [External] Ethics Complaint

Dear Ms. Arseo,

I am re-submitting my packet below. Attached please find:

- Ethics Complaint form
- Question 6 response
- Question 7 response

As well as my evidence:

- 11/19/2021 email correspondence between Conder, the developer, and other March JPA staff (pdf)
- Five Misconceptions document (pdf)
- video clips:
    - Proudtostand
    - Cannotvoteno
    - Wehavenoauthority
    - Developerownsland1
    - Developerownsland2
    - Plowyourhouses
    - August 18 meeting

August 18 video.mp4

    - Againstthelaw
    - cityattorney

Thank you for reviewing my materials and letting me know if they are complete. I appreciate your help!

Sincerely,

Jen Larratt-Smith
[redacted]

CODE OF ETHICS AND CONDUCT COMPLAINT
QUEJA DEL CÓDIGO DE ÉTICA Y DE CONDUCTA

Riverside Municipal Code Chapter 2.78 | **A Public Document**
Código Municipal de Riverside Capítulo 2.78 | Un Documento Público

City of Riverside
City Clerk's Office

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

Name: / Nombre: Jennifer Larratt-Smith

Address: / Correo electronico: [redacted] Riverside **Phone:** / Telefono: [redacted]

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

Name: / Nombre: Chuck Conder

Position: / Puesto: Councilmember Ward 4

3. Date(s) of alleged violation:
3. Fecha(s) de presunta violación:
9/2021, 11/9/2021, 2/24/2022, 5/18/2022, 8/18/2022, 9/7/2022

4. Date you became aware of alleged violation:
4. Fecha en que se entero de la presunta violación:
2/24/2022, 5/18/2022, 8/18/2022, 8/22/2022, 9/7/2022

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 Secretaria Municipal dentro de los 180 días posteriores al descubrimiento de una presunta violación, pero en ningún caso despues 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 especifica de conducta prohibida del Código de Ética y Conducta presuntamente violada:

- ☐ **Use of Official Title or Position for Personal Gain Prohibited**
  El uso del título o puesto oficial para beneficio personal es prohibido
- ☐ **Use or Divulgence of Confidential or Privileged Information Prohibited**
  El uso o la divulgación de información confidencial o privilegiada es prohibido
- ☐ **Use of City Resources for Non-City Purposes Prohibited**
  El uso de recursos de la ciudad para fines ajenos a la ciudad es prohibido
- ☐ **Advocacy of Private Interests of Third Parties in Certain Circumstances Prohibited**
  La defensa de los intereses privados de terceros en determinadas circunstancias es prohibido
- ☐ **Endorsements for Compensation Prohibited**
  Endosos por compensación es prohibido
- ☐ **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)
- ☐ **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)
- ☐ **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
- ☐ **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
- ☐ **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
- ☐ **Ex Parte Contact in Quasi-Judicial Matters Prohibited**
  Contacto ex parte en asuntos cuasi-judiciales es prohibido
- ☐ **Attempts to Coerce Official Duties Prohibited**
  Intentos de coaccionar los deberes oficiales es prohibido
- ☒ **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):

see attached documentation "Question 6 Ethics Complaint Form"

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):

see attached documentation "Question 7 response"

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 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 Secretaria 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:

Signature / Firma [redacted]

Date / Fecha
9/11/2022

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.
El no completar todas las secciones de este formulario puede resultar en que la presentación se considere incompleta y se notificará a la persona que presenta la queja. No se procesarán las presentaciones incompletas.

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

6. Descriptions of the specific facts of the alleged violations

Councilmember Chuck Conder has consistently stated that he supports and cannot vote against the developer of the Lewis Group's West Campus Upper Plateau proposal to the March Joint Powers Authority (JPA). He is a representative from the City of Riverside and a voting member of the March JPA Commission, but his statements show that he has pre-judged his vote, depriving the public of a fair and unbiased decision-maker.

According to the General Plan, the West Campus Upper Plateau is designated with business park zoning. The proposed specific plan seeks to alter the zoning to include industrial use. According to Golden v. Overland Park (1978): "A city, in enacting a general zoning ordinance, or a planning commission, in exercising its primary and principal function under K.S.A. 12-704 in adopting and in annually reviewing a comprehensive plan for development of a city, is exercising strictly legislative functions. When, however, the focus shifts from the entire city to one specific tract of land for which a zoning change is urged, the function becomes more quasi-judicial than legislative. "
(Source: https://law.justia.com/cases/kansas/supreme-court/1978/48-793-1.html)

As a voting member of the Commission, Councilmember Conder is held to a strict standard of conduct. Referring to Petrovich Development Co., LLC v. City of Sacramento (2020), Best, Best, & Kreiger write:
"The now precedent-setting decision in California affirms that when acting in a quasi-judicial capacity, councilmembers cannot have a personal conflict of interest, cannot have prejudged the facts and must remain free of prejudice against any of the parties. A councilmember's failure to recuse his or herself could invalidate the decision and expose the public entity, and the legislator, to potential legal challenges."
(Source:
https://www.bbklaw.com/news-events/insights/2020/authored-articles/09/city-officials-must-be-neutral-and-unbiased)

As shown above, there is an established legal precedent intended to protect the public's due process rights to a fair and unbiased decision-maker. As my evidence shows, Councilmember Conder has, over the course of this past year, said repeatedly that he "stands with the developers" and that he "cannot vote no" on this project. He has also repeated several inaccurate and misleading statements to the public as to why he "cannot vote no." The evidence establishes a pattern of behavior that would lead a reasonable person to believe he has pre-judged the proposal and will be voting in favor of the proposed development. By pre-judging, he is violating established case law in the State of California and neglecting his foundational duty as a voting representative of the City of Riverside on the JPA Commission. He should therefore be recused from this decision and step down from the March JPA Commission.

September 2021

In September 2021, the developers came to a small community gathering to make a presentation. It was not widely advertised to the public and less than 30 people attended. Lt. Steve Goodson attended the meeting in his role as the Riverside Police Department Area Commander. Councilmember Conder introduced the community meeting, which featured the developer's presentation of the West Campus Upper Plateau Project. Councilmember Conder told the residents at that time that he realized some people might not like warehouses but that this project was going to go forward regardless. His words left Lt. Goodson with the impression that this project had already been approved and that residents were powerless to fight it.

November 19, 2021

In the attached email on 11/19/2021 Conder writes to the developer: "We are here to support you as you work with the public" as if his job is to represent the developer rather than the people. He then goes on to say, "I am 100% behind you and will be there by your side." This email was written even before most of the community had an opportunity to learn about or comment on the project.

February 24, 2022

The Lewis Group held a public meeting via Zoom on 2/24/2022 and presented the proposed land use for the West Campus Upper Plateau. This is the first time many residents heard about the plans to include industrial warehouses. Below is a clip of Councilmember Conder who attended via Zoom. The Councilmember speaks effusively about the developer and how they are "doing a fine job" and "doing everything can to be the good neighbors they need to be."
To conclude, he says - **"I'm very proud to stand with them."** (see proudtostand mp4 file)

Late April or early May 2022

In late April or early May of 2022, Pete Elliott met with Councilmember Conder individually to discuss the project and invite him to the 5/18/2022 Riverside Neighbors Opposing Warehouses (R-NOW) Community Meeting. At that time, Councilmember Conder told Mr. Elliott that the Disposition and Development Agreement (DDA) constrains his vote, a misleading statement he later repeats in the May 18 and September 7 meeting videos. At that time, Mr. Elliott advised the Councilmember to double check this understanding of the DDA with legal counsel, as this interpretation sounded inaccurate to Mr. Elliott.

May 18, 2022

On 5/18/2022, Councilmember Conder attended an R-NOW community meeting with over a hundred concerned local residents. In addition to claiming he cannot vote no, he made a series of misleading statements to the public.

a) He calls the Inland Empire "a logistics center. That's what we are" and says "**I'm not going to vote no** where **I can't vote no.**" (see cannotvoteno mp4 file)

b) He again **claims he is powerless and cannot vote no** "unless they violate the DDA" as if the DDA gives the developer complete authority to build anything that does not explicitly violate the DDA's terms (see wehavenoauthority mp4 file).
c) He claims the developer "owns the land" and they have invested $40 million into it. In reality, the March JPA owns the land, and the Councilmember serves on the Commission that approves or denies plans for its use. Only if he and other Commissioners approve their proposal does the developer purchase the property. (see developerownsland1 and developerownsland2 mp4 files)
d) Furthermore, in a shocking abdication of his duty to represent his constituents, he states – 'how many of you live in Orangecrest and Mission Grove?... Go home and plow your houses down because I didn't want you here.' (see plowyourhouses mp4 file)

After the meeting Mr. Elliott walked Councilmember Conder out of the room and pressed him on his claim that the developer owns the land. At that time, the Councilmember conceded to Mr. Elliott that the developer does not actually own the land, directly contradicting what he had just told the public.

It is concerning that an elected official would continually repeat false and misleading statements that he has no choice but to vote in favor of the proposed development and that the developer owns the land. His statements put me in the awkward positon of having to write community members and directly contradict our Councilmember to ensure that they had accurate information on the project. A copy of the document I wrote to the community is attached as evidence (see Five Misconceptions pdf).

August 18, 2022

On 8/18/2022, Councilmember Chuck Conder attended a public community meeting put on by the developer at the March Air Museum. When my neighbor Abdallah Karim, a resident in Ward 4, attempted to talk to him and ask him questions, the Executive Director from the March Joint Powers Authority, Dr. Grace Martin, intervened and tried to prevent him from doing so, encouraging him to "fill out a comment card" instead. Mr. Karim stated that he was trying to ask a question to his own Councilmember, the person who is supposed to represent him, to which Dr. Martin replied, "He's my Commissioner. He's not answering any public comment right now." Per Mr. Karim, Councilmember Conder then turned to Dr. Martin and said, "there's no point with these people. Just don't even argue with them," referring to my neighbor. This is another example of blatant disregard for his own constituents and further evidence that he has abandoned his primary role as an elected representative in his role at the March JPA.

After the developer's community meeting, Councilmember Chuck Conder debriefed with three employees of the Lewis Group, literally "standing with the developers," as he said he was proud to do at the community meeting on 2/24/2022. They spoke for over twenty minutes. (See August 18 meeting mp4 file narrated by Gaby Mendez).

September 7, 2022

At the City Council meeting on 9/7, in response to community members bringing the above evidence to his attention, Councilmember Conder vehemently denied having pre-judged the proposal. However, he repeated that "I will not vote against the law" and referred again to the DDA as a legal document that prohibits him from voting against the proposed development (see againstthelaw video clip). Later in the meeting, the City Attorney clarified that the DDA empowers the Commission to have "oversight on land development," and, contrary to how Councilmember Conder characterizes it, "the DDA does not control how a councilmember votes" (see cityattorney video clip).

The evidence above shows a consistent pattern of voiced support for the developer and a series of false and misleading statements on why he cannot or will not consider a no vote on this project. In fact, his statements indicate that he believes that the law prevents him from voting no. Either he fundamentally misunderstands his fundamental duty as a voting member of the Commission, or he is purposefully misleading his constituents that he must vote in favor of the proposed development. Either way, it constrains his vote and shows pre-judgment in violation of established case law. Therefore, in light of these repeated violations, Councilmember Condor should be replaced on the March JPA Commission.

Attachments:

- 11/19/2021 email chain with Chuck Conder, a representative from the Lewis Group, and March JPA employees (pdf attachment)
- Misconceptions document written to clarify misleading statements Councilmember Conder gave to the public on 5/18/2022 (pdf attachment).
- Video clips:
    - Proudtostand
    - Cannotvoteno
    - Wehavenoauthority
    - Developerownsland1
    - Developerownsland2
    - Plowyourhouses
    - August 18 meeting
    - Againstthelaw
    - cityattorney

7. Names, addresses, telephone numbers, and email addresses, if known, of each person the complainant intends to call as a witness at the hearing

Steve Goodson

Pete Elliott

Jerry Shearer

Michael McCarthy

Abdallah Karim

From: Conder, Chuck <cconder@riversideca.gov>
To: Timothy Reeves; Thomas C. Ketcham (TKetcham@rcbos.org)
CC: Dan Fairbanks; Adam Collier; Dr. Grace Martin; Cindy Camargo; Arreola, Frank
Sent: 11/9/2021 9:07:16 AM
Subject: Re: [External] Re: Community Meeting for Meridian West Upper Plateau

Good morning Timothy, we are here to support you as you work with the public to develop the North Plateau . If this is the direction you would like to go, I am 100% behind you and will be there by your side.

Get Outlook for iOS

From: Timothy Reeves <timothy.reeves@lewismc.com>
Sent: Tuesday, November 9, 2021 8:58:22 AM
To: Conder, Chuck <CConder@riversideca.gov>; Thomas C. Ketcham (TKetcham@rcbos.org) <tketcham@rcbos.org>
Cc: 'Dan Fairbanks' <fairbanks@marchjpa.com>; Adam Collier <Adam.Collier@lewismc.com>; martin@marchjpa.com <martin@marchjpa.com>; Cindy Camargo <camargo@marchjpa.com>; Arreola, Frank <FArreola@riversideca.gov>
Subject: [External] Re: Community Meeting for Meridian West Upper Plateau

If I could suggest the following course of action please?

- we would release the NOP later this week of early next week thus allowing agencies to comment on the project
- Hold the scoping meeting the first week of December allowing the public to come and comment.
- Taking the above comments and direction we would hopefully receive, modify the project accordingly and have the large community meeting late January before we circulated the DEIR.

Thoughts?

Thank you in advance.

Timothy

Timothy C. Reeves
Vice President Retail Project Development
Lewis Retail Centers
1156 N. Mountain Avenue
Upland, CA
91785
909-579-1294
909-581-2609. (Cell)
timothy.reeves@lewismc.com

From: Conder, Chuck <CConder@riversideca.gov>
Sent: Monday, November 8, 2021 12:13:26 PM
To: Thomas C. Ketcham (TKetcham@rcbos.org) <tketcham@rcbos.org>
Cc: 'Dan Fairbanks' <fairbanks@marchjpa.com>; Adam Collier <Adam.Collier@lewismc.com>; martin@marchjpa.com <martin@marchjpa.com>; Timothy Reeves <timothy.reeves@lewismc.com>; Cindy Camargo <camargo@marchjpa.com>; Arreola, Frank <FArreola@riversideca.gov>
Subject: Community Meeting for Meridian West Upper Plateau

Good Morning Thomas, I am confused!! This specific meeting was set up at the request of Supervisor Jeffries'. Notifications were being sent out to 1,22 feet at the request of the Supervisor. If the Supervisor does not want to be involved in this meeting then I am requesting that it be cancelled until the developer is comfortable and ready to present renderings with more detail. Timothy, I defer to you as to when another community meeting should be held. Thank you.

From: Ketcham, Thomas <TKetcham@RIVCO.ORG>
Sent: Monday, November 8, 2021 11:49 AM
To: Dan Fairbanks <fairbanks@marchjpa.com>; Adam Collier <Adam.Collier@lewismc.com>; Dr. Grace Martin <martin@marchjpa.com>; Timothy Reeves <timothy.reeves@lewismc.com>; Arreola, Frank <FArreola@riversideca.gov>; Cindy Camargo <camargo@marchjpa.com>
Cc: Ketcham, Thomas <TKetcham@RIVCO.ORG>
Subject: RE: [External] Community Meeting for Meridian West Upper Plateau

Adam/Tim,
In speaking with the Supervisor this morning, please remove any relation to the County of Riverside or our District #1 office. Secondly, the Supervisor will not attend/speak. This preliminary meeting is for the applicant to obtain community feedback, concerns, and identify potential obstacles in advance of application submittal with the March JPA.

Look forward to seeing a revised copy of the notice.

Thanks in advance.

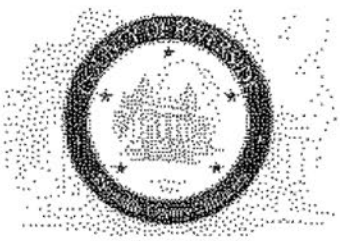
Thomas C. Ketcham
Director of Land Development
1st District Supervisor Kevin Jeffries
Riverside County Board of Supervisors

Riverside Office
County Administrative Center, 5th Floor
4080 Lemon Street, Riverside, CA 92502
Office | 951.955.1010
Fax | 951.955.1019

District Office
Lakeland Village Community Center
16275 Grand Ave, Lake Elsinore, CA 92530
Office | 951.471.4500
Fax | 951.471.4510

www.supervisorjeffries.org

www.countyofriverside.us



From: Dan Fairbanks <fairbanks@marchjpa.com>
Sent: Monday, November 8, 2021 10:13 AM
To: Adam Collier <Adam.Collier@lewismc.com>; Dr. Grace Martin <martin@marchjpa.com>; Timothy Reeves <timothy.reeves@lewismc.com>; Ketcham, Thomas <TKetcham@RIVCO.ORG>; Arreola, Frank <FArreola@riversideca.gov>; Cindy Camargo <camargo@marchjpa.com>
Subject: RE: [External] Community Meeting for Meridian West Upper Plateau

CAUTION: This email originated externally from the **Riverside County** email system. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Adam,

I think you will get a lot of questions from the neighborhood notice that are appropriate for you to answer, such as:

How far will the buildings be from my house?
How tall will the buildings be?
How many trucks per day?
What are the construction hours and when does construction start?
How will you keep trucks from using Barton Street?

My thought is that your contact information in the form of a business, phone number and email should be prominently displayed in the notice, so you can field those questions. Supervisor Jefferies and Councilmember Conder will be at the meeting, so my thought is that they don't need to identified in the notice. Tom Ketcham and Frank Arreola are copied on this email and they can identify if the elected officials should be identified in the notice or not.

Dan Fairbanks
Planning Director
951 656-7000

From: Adam Collier <Adam.Collier@lewismc.com>
Sent: Friday, November 5, 2021 4:13 PM
To: Dr. Grace Martin <martin@marchjpa.com>; Timothy Reeves <timothy.reeves@lewismc.com>; tketcham@rivco.org; Arreola, Frank <FArreola@riversideca.gov>; Cindy Camargo <camargo@marchjpa.com>; Dan Fairbanks <fairbanks@marchjpa.com>
Subject: RE: [External] Community Meeting for Meridian West Upper Plateau

All, attached is a DRAFT of the Community Meeting Notice. Once the meeting location and time is finalized this will be updated, but I wanted to get out the Draft for advanced review.

Thank you, and have a great weekend-

AC

Adam Collier
Vice President - Planned Communities
Lewis Management Corp.
1156 N. Mountain Avenue
Upland, CA 91786
Adam.Collier@lewismc.com
(909) 946-7593 Direct/Fax
(626) 641-5855 Mobile

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manner. Thank you.

From: Dr. Grace Martin <martin@marchjpa.com>
Sent: Thursday, November 4, 2021 3:32 PM
To: Adam Collier <Adam.Collier@lewismc.com>; Timothy Reeves <timothy.reeves@lewismc.com>; tketcham@rivco.org; Arreola, Frank <FArreola@riversideca.gov>; Cindy Camargo <camargo@marchjpa.com>; Dan Fairbanks <fairbanks@marchjpa.com>
Subject: RE: [External] Community Meeting for Meridian West Upper Plateau

Thank you Adam. Is there a flyer that I can share with my Commissioners?

Thank you,

Grace

Grace I. Martin, DPPD
Executive Director
14205 Meridian Parkway, Suite 140
Riverside, CA. 92518
w: (951) 656-7000
martin@marchjpa.com
www.marchjpa.com

From: Adam Collier <Adam.Collier@lewismc.com>
Sent: Thursday, November 4, 2021 2:48 PM
To: Timothy Reeves <timothy.reeves@lewismc.com>; tketcham@rivco.org; Arreola, Frank <FArreola@riversideca.gov>; Cindy Camargo <camargo@marchjpa.com>; Dan Fairbanks <fairbanks@marchjpa.com>
Cc: Dr. Grace Martin <martin@marchjpa.com>
Subject: RE: [External] Community Meeting for Meridian West Upper Plateau

Good Afternoon All,

Please see attached for the meeting agenda for the Upper Plateau Community Meeting tentatively scheduled for November 18th. Please let me know if you have any questions, comments, or revisions on the agenda.

Thank you-

Adam Collier
Vice President - Planned Communities
Lewis Management Corp.
1156 N. Mountain Avenue
Upland, CA 91786
Adam.Collier@lewismc.com
(909) 946-7593 Direct/Fax
(626) 641-5855 Mobile

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From: Arreola, Frank <FArreola@riversideca.gov>
Sent: Wednesday, November 3, 2021 12:32:52 PM
To: Dan Fairbanks <fairbanks@marchjpa.com>; Ketcham, Thomas <tketcham@rivco.org>; Timothy Reeves <timothy.reeves@lewismc.com>

Cc: Dr. Grace Martin <martin@marchjpa.com>; Cindy Camargo <camargo@marchjpa.com>
Subject: RE: [External] Community Meeting for Meridian West Upper Plateau

Hello Dan,

Sir. Good Afternoon! November 18th works for CM Conder, if needed our Councilmember can do Nov 17, but he might be arriving closer to 7:15 PM.

Thomas, Sir. Please let me know if need anything regarding the church…we stand ready to assist. Thank you!!

Sincerely,

Frank Arreola
City of Riverside
City Council Assistant, Ward 4
Direct: (951) 826-2318
Cell: (951) 204-1832

From: Dan Fairbanks <fairbanks@marchjpa.com>
Sent: Wednesday, November 3, 2021 11:56 AM
To: Ketcham, Thomas <tketcham@rivco.org>; Arreola, Frank <FArreola@riversideca.gov>; Timothy Reeves <timothy.reeves@lewismc.com>
Cc: Dr. Grace Martin <martin@marchjpa.com>; Cindy Camargo <camargo@marchjpa.com>
Subject: [External] Community Meeting for Meridian West Upper Plateau

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Click here if the original attachments are required (justification needed).

Tom/Frank,

We met with Timothy Reeves from Meridian Park LLC (Lewis Communities) today regarding the future community meeting for the proposed West March Upper Plateau, generally located at the former March AFB Weapon Storage Area, south of Alessandro, north of Grove Community Drive and east of the Barton Street alignment. The developers want to have the meeting prior to everyone getting busy with Thanksgiving and Christmas. Here is what we discussed today:

DATE: If possible **Thursday, November 18**. As an option, Wednesday November 17. Thomas Ketcham identified that he would contact the church to see if the large sanctuary/meeting room was available on the meeting date.

NOTIFICATION: Residents within 1,200 feet of the perimeter project boundary will be notified by mail. That is a lot of notifications, approximately 1,500 – 2,000. Meridian Park (Lewis) will prepare the notices and be responsible for mailing them. They will send us a draft notice this week for review.

AGENDA: Timothy Reeves will send us a draft meeting agenda for review by the Supervisor/Councilmember.

MEETING FORMAT: The meeting will include a presentation by the developer (perhaps 30 minutes). Following the meeting, the residents will be asked to fill out comment cards and provide them to the developer/JPA staff, who will be located at 2 or 3 stations that have maps of the development, the park and the conservation area.

MEETING TIME: I suspect 6:30 or 7:00 PM, but exact time to be determined.

Please let us know if these dates (November 18 or the optional November 17) are workable for the Supervisor and Councilmember.

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Keep Riverside healthy:
Maintain healthy diet and exercise, wash your hands, and get vaccinated.
RiversideCA.gov/COVID-19

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County of Riverside California

Five Misconceptions about the West Upper Plateau Proposal

Misconception #1: The project will happen and the JPA commission is powerless to stop it.

The truth is that there is a process that the JPA commission and builder will follow to propose and study the project's viability, which includes a public comment period. Once that period is completed, the JPA commission then votes on whether to approve the project with or without modification to the builder's plan. Each person on the commission has a vote, and at the end of the process, if a majority of members vote against the project, then the builder will need to alter the project to address JPA concerns or decide to walk away and not develop the land.

- For a list of JPA commission members, click here.
- To read the DDA Conder referenced last night, click here.

Misconception #2: The Lewis Group owns the land. They have spent $40M on the project site and they will not walk away from their investment, therefore they will build on that land no matter what.

The March JPA owns the land. The truth is that the Lewis Group has exclusive rights to propose development projects based on approved land use zoning for all of March JPAs territory. In the case of the West Campus Upper Plateau, the Lewis Group, a southern California development company, has worked with the JPA to rezone this site shifting from open space, to mixed business (medical and manufacturing businesses), to industrial warehouses. During this process of proposing development plans, Lewis Group contributed investment money to improve the local infrastructure and viability of these projects, but the amount is significantly less than $40M. They will only invest that amount of money if they purchase the land upon approval.

Misconception #3 Industrial warehouses are the best use of the land because it can only have low-density development on it.

While it is true that the site for the proposed development is zoned by the Airport Land Use Commission as C2 or C1, which requires low-density building, this does not mean industrial warehouses are our only option. In fact, many of the surrounding neighborhoods are zoned exactly the same way. So, for instance, if the developer were to build single-family residential homes in that space, it would still meet criteria for “low-density development.” Open space, solar farms, and business parks could also fit this description. The March Air Force may have preferences for how that land is used, but industrial warehouses are not our only option, and the March JPA has final say as to what is built.

Misconception #4 This has been the plan for 30 years.
While it's true that the March JPA has been around since 1993, the first the public heard about industrial zoning in the area was on the public notice for the February 24 meeting of *this year*. Prior to that, many ideas had been pitched for the space. Some early plans show the JPA leaving the space untouched, others show it zoned for business parks. None of them showed warehouses or industrial zoning.

In fact, according to their own General Plan from 2010, our area was slated for "an appropriate land use mix to emphasize the interaction between Office, Business Park and Park, Recreation and Open Space." No industrial is mentioned. It also says that the area is to "provide large quantities of high paying jobs (such as corporate offices)." (2.2.24.b,d), That same document says that the JPA is to "protect the interests of adjacent residents, property owners, and local jurisdictions" (2.2.24.f) and to "develop a land use plan…that is compatible with existing surrounding land uses which are adjacent to the project areas" (2.2.25). To read the document, click here.*

*Update: The March JPA has since removed the document referenced and has listed their older General Plan from the 1990's which does not include our specific area. You can find that here.

Misconception #5 The upcoming Environmental Impact Report will fully address our concerns related to traffic, air pollution, noise, soil studies etc.
This is partially true. The EIR, set to be released in October, must address all of the above concerns. However, the experts hired to study the environmental impacts will be paid by the developers, and therefore, cannot be counted on to portray a full, unbiased picture. Anyone living near a recently-built warehouse will tell you the theoretical environmental impacts and the day-to-day reality are very different. Upon the EIR's release, there will be 45 days for the public to comment. When it is released, we need to be ready to scrutinize the document and share our concerns. That will be a key time to make our voices heard.