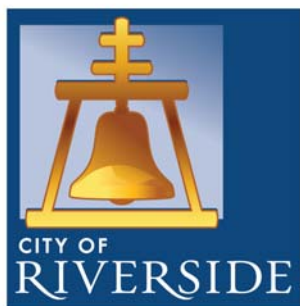


CITY COUNCIL MINUTES

TUESDAY, OCTOBER 20, 2015, 1 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

City of Arts & Innovation

		G A R D N E R	M E L E N D R E Z	S O U B I R O U S	D A V I S	M A C A R T H U R	P E R R Y	B U R N A R D
	WARDS	1	2	3	4	5	6	7
Roll Call:	Present	X	X	X	X	X	X	X
Mayor Bailey called the meeting to order at 1 p.m. in the Art Pick Council Chamber with all Councilmembers present.								
<u>PRESENTATION</u>								
RIVERSIDE PUBLIC UTILITIES EMPLOYEE RECOGNITION								
The Mayor called upon Riverside Public Utilities General Manager Girish Balachandran who recognized Riverside Public Utilities employees.								
ORAL COMMUNICATIONS FROM THE AUDIENCE								
Mike Endeman spoke regarding the public comment three-minute limitation and a meeting time constraints committee.								
<u>CLOSED SESSIONS</u>								
The City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code §54956.8 to instruct City's Negotiator, John A. Russo, regarding price and terms of payment for the purchase, sale, exchange or lease of 3750 University Avenue, 2nd Floor, APN: 215-371-001 to 004, by Gresham Savage; Dennis Smith, Broker, Travers Cresa, Negotiator; (2) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning City of Riverside v. Mitsubishi Heavy Industries, et al., USDC Case No. 13-CV-1724-BEN (KSC); SCE, et al. v. Mitsubishi Nuclear Energy Systems, et al., International Chamber of Commerce International Court of Arbitration, Case No. 19784/AGF; Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison and San Diego Gas & Electric Associated with the San Onofre Nuclear Generating Station Units 2 and 3; CPUC Investigation 12-10-013; (3) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Guy Toussaint v. City of Riverside, WCAB Claim Nos.: ADJ 9787170; ADJ 10104195; and ADJ Unassigned; (4) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Dennis Brokaw, et al. v. City of Riverside, et al., RCSC Case No. RIC 1300052; (5) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning two cases of anticipated litigation; (6) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (7) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; and (8) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary								



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1	2	3	4	5	6	7
			A			
				X	X	
			X			

WARDS

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.

Councilmember Davis disqualified himself from participation in the following item due to a conflict of interest as he owns a business with the Arlington Business Improvement District and left the dais.

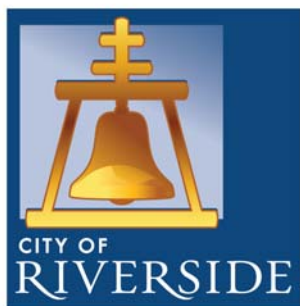
PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

ARLINGTON BUSINESS IMPROVEMENT DISTRICT 2015-16 LEVY - RESOLUTION - ORDINANCE INTRODUCED

Hearing was called to consider the annual assessment for Fiscal Year 2015-16 in the Arlington Business Improvement District (ABID). One person spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) confirmed the September 2015 Annual Report of the Arlington Business Partnership acting in its capacity as the advisory board to the ABID; (2) directed the Arlington Business Partnership to (a) expend revenues derived from the ABID assessment and the \$100,000 matching grant from the City and (b) operate programs and activities in accordance with Chapter 3.48 of the Riverside Municipal Code and the September 2015 Annual Report; (3) adopted a resolution to impose the assessment for the ABID for business tax year 2015-16 and revise the boundaries as recommended by the Arlington Business Partnership; and (4) introduced an ordinance amending Chapter 3.48.050 of the Riverside Municipal Code; whereupon, the title having been read and further reading waived, Resolution No. 22916 of the City Council of the City of Riverside, California, Confirming the Annual Report of the Arlington Business Partnership, Acting in its Capacity as the Advisory Board to the Arlington Business Improvement District, Levying Assessments for Fiscal Year 2015/2016, and Approving the Proposed Amendment to the Arlington Business Improvement Area Boundaries, was presented and adopted; whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Section 3.48.050 of the Riverside Municipal Code to Replace Exhibit A Thereto," was presented and introduced.

Motion
Second
All Ayes

Councilmember Davis returned to the dais at this time.



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	WARDS	1	2	3	4	5	6	7
<p>CASE P15-0530 - FRANK AND KATHERINE WELLS-PATSY O'TOOLE HOUSE - CITY LANDMARK - 1945 ARROYO - RESOLUTION - ORDINANCE INTRODUCED</p> <p>Hearing was called on behalf of Lana Hapeman to designate the Frank and Katherine Wells-Patsy O'Toole House located at 1945 Arroyo Drive as a City Landmark and to rezone the 2.36-acre property to apply the CR - Cultural Resources Overlay Zone to the existing R-1-13000 - Single Family Residential Zone. No one spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that Planning Case P15-0530 (City Landmark Designation), on behalf of Lana Hapeman, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15061 (b)(3) and 15308 of the CEQA Guidelines, as it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment, said action is intended to preserve the historic character of the building and site, and to provide notice of the historic status; (2) approved Planning Case P15-0530 based on and subject to the Cultural Heritage Board facts for findings outlined in the staff report; (3) adopted the Resolution designating 1945 Arroyo Drive as a City Landmark; (4) approved the findings for the Zoning Code Map Amendment (Rezoning) to apply the CR - Cultural Resources Overlay Zone to the property at 1945 Arroyo Drive; and (5) introduced an ordinance to rezone 1945 Arroyo Drive from the R-1-13000 - Single Family Residential Zone to the R-1-13000-CR - Single Family Residential and Cultural Resources Overlay Zone; whereupon, the title having been read and further reading waived, Resolution No. 22917 of the City Council of the City of Riverside, California, Approving the Application Under Planning Case Number P15-0530 Designating the Structure and Site Located at 1945 Arroyo Drive, Assessor's Parcel Numbers 222-100-022 and 222-100-023, as City Landmark No. 128, was presented and adopted; whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California, Amending the Zoning Map of the City of Riverside Pursuant to Chapter 19.090 of the Riverside Municipal Code by Applying the Cultural Resources Overlay ("CR") Zone to City Landmark No. 128, the Frank and Katherine Wells-Patsy O'Toole House," was presented and introduced.</p> <p>Councilmember Mac Arthur disqualified himself from participation in the following matter due to a conflict of interest as his family owns property within 500 feet and left the dais.</p>								
Motion Second All Ayes		X		X				
						A		



TUESDAY, OCTOBER 20, 2015, 1 P.M.
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BURNARD	7	
PERRY	6	
MACARTHUR	5	X
DAVIS	4	
SOURIBROUS	3	X
MELENDREZ	2	
GARDNER	1	X

Motion
Second
All Ayes

X



TUESDAY, OCTOBER 20, 2015, 1 P.M.
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GARDNER	1	
MELNDRIZ	2	
SOUBIROUS	3	
DAVIS	4	
MACARTHUR	5	
PERRY	6	X
BURNARD	7	X

Shirley Ferrante spoke regarding self-defense classes for seniors and disabled, sidewalk repair, gun control, food bans, pesticide use, sanctuary cities, the U.S. Government, the Riverside Police Department, and other emergency services. Phyllis Purcell spoke regarding seniors, social security, and rental housing. John Fisher spoke regarding Automated External Defibrillator's at City Hall. Aurora Chavez spoke regarding the Discussion Calendar. Vivian Moreno spoke regarding leadership, the Riverside 2.0 Strategic Plan, and water conservation. Karen Wright spoke regarding the Northside Specific Plan, City-owned properties in the Northside, and the Consent Calendar. Kevin Dawson spoke regarding the former City Attorney. Erin Snyder spoke regarding announcement of committee meetings, the Special Meeting of the City Council Utility Services/Land Use/Energy Development and Development Committees in Arizona, and Northside development. Dvonne Pitruzzello spoke regarding the outside legal services audit, the Sewer Fund audit, and citizen audit committee. Leticia Pepper spoke regarding the Special Meeting of the City Council Utility Services/Land Use/Energy Development and Development Committees in Arizona. Don Gallegos spoke regarding Facebook posts, the City Manager's staff, the library, and Chow Alley. Jason Hunter spoke regarding Riverside Public Utilities, the outside legal counsel audit, and an employee investigation.

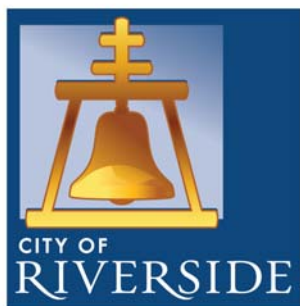
The following items were approved by one motion affirming the actions appropriate to each item.

The Minutes of the City Council meeting of October 6, 2015, were approved as presented.

The City Council approved the request of Councilmember Perry to serve in place of Councilmember Mac Arthur on the Development Committee for discussion of disposition and development of Successor Agency-owned property at 10920 Magnolia Avenue bearing Assessor Parcel No. 138-470-013, for construction of a commercial project.

The City Council (1) authorized an amendment to the 2015-16 Housing and

Motion
Second
All Ayes



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1	2	3	4	5	6	7

WARDS

Urban Development (HUD) Annual Action Plan to allocate \$64,900 in Community Development Block Grant (CDBG) funds for the Stotts Street Sidewalk Improvements from Garfield Street to Magnolia Avenue project; (2) authorized a funds transfer of CDBG funds in the amount of \$64,900 from Unprogrammed Funds Account 2835100-453001 to Stotts Street Sidewalk Improvements Account 9258700-440120; (3) authorized the City Attorney's Office to prepare the CDBG Memorandum of Understanding (MOU) with the Public Works Department for the allocated amount; (4) authorized the Finance Director/Treasurer to appropriate the funds to General Fund (101) project accounts to be assigned by the Finance Director and to be offset by an equal appropriation to Object 895220 charging the project expenditures to the CDBG Fund (220); and (5) authorized the City Manager, or his designee, to execute the MOU, including making minor, non-substantive changes, and to sign all documents and instruments necessary to implement this action.

AGREEMENTS - EMERGENCY AND NON-EMERGENCY GENERAL CONTRACTING SERVICES

The City Council (1) approved a construction agreement for emergency and non-emergency general contracting services pursuant to Request for Proposal 1522 with Stillwell Construction, Inc., Riverside, in the amount not-to-exceed \$1,000,000 per fiscal year between the period of November 1, 2015, through June 30, 2019; (2) approved a construction agreement for emergency and non-emergency general contracting services pursuant to Request for Proposal 1522 with Alabbasi Construction and Engineering, Perris, in the amount not-to-exceed \$1,000,000 per fiscal year between the period of November 1, 2015, through June 30, 2019; and (3) authorized the City Manager, or his designee, to execute the respective agreements, including making minor non-substantive changes.

INVESTMENT SUMMARY AND FINANCIAL REPORTS

The City Council (1) received and ordered filed the monthly investment and debt reports for July 2015; and (2) delegated investment responsibility to the City's Chief Financial Officer/Treasurer for a period of up to one year.

DONATION - URBAN SEARCH AND RESCUE PROGRAM - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved acceptance of a \$320 cash donation from Kleinfelder, Riverside, for the Urban Search and Rescue Program; and (2) approved a supplemental appropriation in the amount of \$320 to Miscellaneous Fire Receipts Account 0000101-341220 and appropriated \$320 for expenditures to Fire-Operations/Special Departmental Supplies Account 3510000-426800.

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GARDNER	1		X
MELENDREZ	2		X
SOUBIROUS	3		X
DAVIS	4		X X
MACARTHUR	5		X
PERRY	6		X
BURNARD	7		X

DONATION OF CITY VEHICLES TO SISTER CITY - ENSENADA, MEXICO
The City Council (1) declared the following Police Department assets as surplus to their needs: (a) Asset B1494, 2004 Mercury Marquis; (b) Asset B1399, 2004 Ford Crown Victoria; (c) Asset B1422, 2005 Ford Crown Victoria; (d) Asset B1435, 2005 Ford Crown Victoria; and (e) Asset B1481, 2006 Ford Crown Victoria; and (2) authorized the transfer of vehicles to the City of Ensenada as a Sister City gift and demonstration of good will.

The City Council approved Mayor Bailey's recommendations to appoint Cheryl Tavaglione to the Citywide seat on the Mayor's Commission on Aging for a term ending March 1, 2017.

The City Council (1) authorized acceptance of grant funds in the amount of \$433,800 from the New York County District Attorney's Office through September 30, 2017; (2) authorized an increase in revenues in the amount of \$433,800 and appropriated expenditures in the same amount to an account as assigned by the Finance Department for the New York County District Attorney's Office grant; and (3) authorized the City Manager, or his designee, to execute all grant documents.

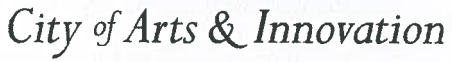
The City Council awarded the First Amendment to the Agreement for biosolids hauling and disposal services for the Regional Water Quality Control Plant (RWQCP) to Denali Water Solutions, LLC (formerly Terra Renewal West, LLC), Garden Grove, in the amount not-to-exceed \$1,000,000 through April 25, 2016.

Following discussion, the City Council (1) approved hiring of an independent attorney following interview with the full City Council to further investigate the internal audit report on outside legal services; (2) determined that the selected attorney will work with the internal and external auditor, as needed; (3) determined that the City Council shall determine the scope of services for the investigation; (4) determined that the scope of services shall include who approved payments for outside legal counsel for a report back to the City Council; and (5) determined that following the investigation a Grand Jury referral will be considered, if appropriate.

Motion
Second
Ayes
Noes


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GARDNER	1	X
MELNDRIZ	2	
SOUBIROUS	3	
DAVIS	4	X
MACARTHUR	5	
PERRY	6	
BURNARD	7	



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SOURIBROUS	3	
MELENDREZ	2	
GARDNER	1	


COLLEEN J. NICOL
City Clerk

COLLEEN J. NICOL
City Clerk

WARDS