#### COUNCILMEMBERS CITY COUNCIL D P G M S M В 0 AV Е E AND А A U R L U С R R HOUSING AUTHORITY В AR D E L R N N N 1 S Y A MINUTES R E D Т R R 0 H. R D TUESDAY, AUGUST 11, 2015, 3 P.M. U E U VERSIDE Z S R ART PICK COUNCIL CHAMBER CITY HALL 3900 MAIN STREET City of Arts & Innovation 2 3 4 5 7 1 6 WARDS amount of \$480,363 and appropriated expenditures in the same amount to an account as assigned by the Finance Department for the grant; and (3) authorized the City Manager, or his designee, to execute all grant documents. ASSIGNMENT AGREEMENT - TEQUESQUITE LANDFILL The City Council (1) approved the Assignment Agreement to assign the Professional Consultant Services Agreement for operations, maintenance, monitoring, and reporting services for the Tequesquite Landfill, gas collection system, and flare station from Landtec North America, Inc., to Ecotec Solutions, Inc.; and (2) authorized the City Manager, or his designee, to execute he Assignment Agreement and submit any documents necessary to assign the Professional Consultant Services Agreement to Ecotec Solutions., Inc. DISCUSSION CALENDAR STATUS OF DISTRICT ATTORNEY REFERRAL Following further discussion, the City Council received and ordered filed the report of the District Attorney's decision to take no action on the referral by Motion X the City Council regarding the City Manager's complaint against Second Х Councilmember Davis. All Ayes MAYOR/COUNCILMEMBER COMMUNICATIONS LEGISLATIVE REPORTS There was nothing to report on the CA Cities Advocate dated July 31, 2015. CITY ATTORNEY REPORT ON CLOSED SESSIONS City Attorney Geuss announced there were no reportable actions taken on the closed sessions held earlier in the day. ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION Councilmember Soubirous requested discussion of a mechanism for filing of complaints against elected officials. The City Council adjourned at 9:37 p.m.



**City Council Memorandum** 

City of Arts & Innovation

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# TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 11, 2015

FROM: CITY ATTORNEY

WARD: ALL

## SUBJECT: STATUS OF DISTRICT ATTORNEY REFERRAL

### ISSUE:

The issue for City Council consideration is the extent of communication and final decision of the Riverside District Attorney as it pertains to the complaint filed by the City Manager against Councilmember Davis.

## **RECOMMENDATION:**

That the City Council receive and file this report.

## BACKGROUND:

On October 21, 2014, Councilmember Adams announced that the City Council in closed session determined to take no action on the complaint filed by the City Manager against Councilmember Davis and to forward the matter to the District Attorney's Office for independent review and final determination.

In December, 2014, the District Attorney's Office decided to take no action on the referral. A communication was allegedly drafted to Mayor Bailey and Mayor Pro Tempore Adams informing the referring party of that decision. This communication was never finalized and never sent presumably due to the unsuccessful re-election of the District Attorney.

The procedure of notifying the referring party is on an ad hoc basis and in the discretion of the District Attorney.

## FISCAL IMPACT:

There is no fiscal impact at this time.

Prepared by:

Gary G. Guess City Attorney

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