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CITY COUNCIL MINUTES

TUESDAY, JUNE 13, 2017, 12 P.M.
HUNTER HOBBY PARK
1401 IOWA AVENUE
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

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City of Arts & Innovation

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Roll Call:	Present	X	Α	Х	Α	Α	X	Х
Mayor Bailey called the meeting to order at 12:08 p.m., at Hunter Hobby Park with Councilmembers Melendrez, Mac Arthur, and Davis absent.								
TOUR OF HUNTER HOBBY PARK STEAM RAILROAD - 1401 IOWA The City Council toured Hunter Hobby Park Steam Railroad. No formal action was required or taken.								
Councilmember Davis returned to the Art Pick Council Chamber at this time.					Х			
RECESS The City Council recessed at 1:10 p.m. and reconvened at 3 p.m., in the Art Pick Council Chamber with Councilmembers Melendrez and Mac Arthur absent.								
ORAL COMMUNICATIONS FROM THE AUDIENCE There were no oral comments given at this time.								
COMMUNICATIONS								
LEGISLATIVE REPORT The Intergovernmental relations and legislative update was not held.								
Councilmember Perry left the dais at this time as he is a party in the following appeal hearing and joined the audience in the Art Pick Council Chamber.							Α	
PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS								
Although Councilmember Gardner had a conflict of interest as he is the subject of the same complaint, he remained on the dais and participated due to the Rule of Necessity.								
BOARD OF ETHICS HEARING PANEL DECISION - APPEAL - JASON HUNTER Hearing was called for an appeal filed by Jason Hunter of the decision by the Board of Ethics Hearing Panel of no violation in the matter of his complaint against Councilmember Perry. Three people spoke on the matter.								
The public hearing was officially closed.								

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Motion

Second

All Ayes

Motion

Second

All Ayes



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Councilmember Perry left the Art Pick Council Chamber at this time.

Following discussion, the City Council found that the Hearing Panel did not commit a clear error or an abuse of discretion based upon the record in determining that Councilmember Perry did not violate the Code of Ethics and Conduct on July 22, 2014, and adopted the decision of the hearing panel as the findings of the City Council on appeal.

Councilmember Perry returned to the dais at this time.

Councilmembers Gardner and Perry recused themselves from participation in the following matter due to a conflict of interest as both are the subject of the same complaint.

Invoking the Rule of Necessity, Mayor Bailey drew lots and announced that Councilmember Gardner would remain on the dais and participate. Councilmember Perry left the Art Pick Council Chamber at this time.

BOARD OF ETHICS HEARING PANEL DECISION - APPEAL - JASON HUNTER

Hearing was called for an appeal filed by Jason Hunter of the decision by the Board of Ethics Hearing Panel of no violation in the matter of his complaint against Councilmember Mac Arthur. Two people spoke on the matter. The public hearing was officially closed. Following discussion, the City Council found that the Hearing Panel did not commit a clear error or an abuse of discretion based upon the record in determining that Councilmember Mac Arthur did not violate the Code of Ethics and Conduct on July 22, 2014, and adopt the decision of the Hearing Panel as the findings of the City Council on appeal.

Councilmember Perry returned to the dais at this time.

CLOSED SESSIONS

The City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning City of Riverside v. Rubidoux Community Services District, et al.; SBSC Case No. CIV DS 1310520; (2) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; and (3) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case

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of anticipated litigation.

The meeting recessed at 4:15 p.m. and reconvened at 6:30 p.m. in the Art Pick Council Chamber with Mayor Bailey presiding and Councilmembers Melendrez and Mac Arthur absent.

The Invocation was given by Mayor Bailey.

The Pledge of Allegiance was given to the Flag.

MAYOR/COUNCILMEMBER COMMUNICATIONS

BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS. CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL - WARD UPDATES - ANNOUNCEMENTS Councilmember Burnard reported on the summer meals program kick-off, Boys Scouts of America honoring of Mayor Bailey, Story Time at the La Sierra Library, Elder Abuse Awareness month, and Michael Burnard's Boy Scout Eagle achievement. Councilmember Perry reported on the UCR Medical School graduation and Council Assistant Diana Medina Masters in Public Policy graduation. Councilmember Gardner reported on the UCR Medical School graduation, Mayor and City Council triathlon, and Riverside Live Steamers. Mayor Bailey reported on Riverside Live Steamers, the UCR Medical School, Ramadan Iftar Dinner, and the Santa Ana River Festival.

PRESENTATION

Mayor Bailey called upon General Services Director Carl Carey who recognized the Fleet Division for ranking sixth in the 100 Best Fleets in North America.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Shirley Ferrante spoke regarding the Environmental Protection Agency, poverty, homelessness, joblessness, hunger, gun safety, Sanctuary Cities, senior and disabled persons' transportation, and sidewalks. Phyllis Purcell spoke regarding senior bus services and housing. Reverend Matt Harris-Gloyer spoke regarding City Council service, Measure Z and homelessness reduction, and the Housing First policy. Elissa Padilla spoke regarding homelessness.

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AVENUE, SUITE 110

CITY COUNCIL MINUTES

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CONSENT CALENDAR The following items were approved by one motion affirming the actions appropriate to each item with designation of Mayor Bailey as voting delegate for the League of California Cities 2017 annual conference and continuing the Amendment to the Master Services Agreement between Southern Χ Motion California Public Power Authority and Oracle Inc., for Customer Second Х Engagement Program to Tuesday, June 27, 2017. All Ayes RECLASSIFICATION AND REPURPOSING OF SENIOR DEPUTY CITY ATTORNEY TO ASSISTANT CITY ATTORNEY FOR NEWLY CREATED PUBLIC SAFETY DIVISION The City Council reclassified and repurposed an existing position of Senior Deputy City Attorney to Assistant City Attorney to manage and direct a newly created Public Safety Division in the City Attorney's Office. VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES 2017 ANNUAL CONFERENCE The City Council designated Mayor Bailey as the voting delegate for the business meeting of the 2017 League of California Cities annual conference. ANNOUNCEMENT OF COMMITTEE MEETING The City Council Finance Committee meeting will meet at 3 p.m. on Wednesday, June 14, 2017, in the Art Pick Council Chamber. PURCHASE AND SALE AGREEMENT - CITY-OWNED VACANT LAND -STREETER AVENUE GRADE SEPARATION PROJECT - JERRY LOUDER/STREETER/DEWEY/UNION PACIFIC RAIL ROAD LINE The City Council (1) approved the Purchase and Sale Agreement for the sale price of \$55,000 with International Church of the Foursquare Gospel for the sale of City-owned vacant land located on Jerry Louder Drive east of Streeter Avenue and south of Dewey Avenue and the Union Pacific rail road line, identified as Assessor Parcel Numbers 226-081-006 and 226-081-021: and (2) authorized the City Manager, or his designee, to execute the Agreement, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction and to expend up to \$5,000 for title, escrow and miscellaneous related closing costs.

COMMERCIAL MULTI-TENANT LEASE AGREEMENT - 3750 UNIVERSITY

The City Council (1) approved the Commercial Multi-Tenant Lease - Triple Net Mission Square Agreement with Mike Kim, Laura Kim and Paramount

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Cellular World, LLC, in the amount of \$169,505.77 for a five-year term with an option for a five-year extension, for approximately 1,185 square feet of rentable space located at 3750 University Avenue, Suite 110; and (2) authorized the City Manager, or his designee, to execute the Commercial Multi-Tenant Lease - Triple Net Mission Square Agreement, and the optional five-year extension, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction.

ANNUAL LIABILITY, PROPERTY, AND EXCESS WORKERS' COMPENSATION INSURANCE RENEWALS

The City Council authorized the City Manager, or his designee, to execute the proposal submitted by HUB International, renewing various insurance policies including liability, property, and excess workers' compensation in the total not-to-exceed \$2,598,000 in annual premiums through July 1, 2018, including making minor and non-substantive changes to the insurance agreements with policies to include: (1) Commercial Property; (2) General Liability including Vehicle Liability; (3) Boiler and Machinery; (4) Excess Earthquake; (5) Workers' Compensation; (6) Airport Liability; (7) Aviation Hull and Liability; and (8) Fine Art and Collectibles.

AGREEMENT AMENDMENT - EMERGENCY AND NON-EMERGENCY GENERAL CONTRACTORS PANEL - CHANGE ORDER AUTHORITY APPROVAL

The City Council (1) approved the First Amendment to the Master Agreements with Stilwell Construction and Alabbasi Construction and Engineering, amending and clarifying the terms of the agreements; (2) authorized the City Manager, or his designee, to exercise the option to extend the Master Agreements with Stilwell Construction and Alabbasi Construction and Engineering for emergency and non-emergency general contracting services by two years for the period of July 1, 2017, through June 30, 2019; (3) authorized the City Manager, or his designee, to have change order authority increased up to 20 percent, for a total not-to-exceed \$1,200,000 each per Fiscal Year, from the Risk Management Division Budget for each of the two agreements, if both contractors reach the \$1,000,000 allocation limit before the end of each fiscal year; and (4) authorized the City Manager, or his designee, to execute the First Amendment of the Master Agreements with Stilwell Construction and Alabbasi Construction and Engineering, including making minor and nonsubstantive changes.

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2017 PUBLIC LIBRARY SUMMER READING PROGRAM DONATION - SUPPLEMENTAL APPROPRIATION

The City Council (1) authorized acceptance of a donation from Provident Bank in the amount of \$1,500 to be deposited in Library System Depository Account 0000722-225405; and (2) authorized an increase in revenues in the same amount into General Fund Revenue Account 5145000-374200 and appropriated the same amount to Library Expenditure Account 5145000-450201 for use by the Riverside Public Library for the 2017 Summer Reading Program.

JOINT USE AGREEMENT AMENDMENT - RIVERSIDE UNIFIED SCHOOL DISTRICT - 1077 NORTH ORANGE

The City Council (1) approved the First Amendment to Joint Use Agreement with Riverside Unified School District for shared use of City-owned property formerly referred to as Riverside Golf Course located at 1077 North Orange Street, for an additional two years, from September 11, 2017, to November 30, 2019; and (2) authorized the City Manager, or his designee, to execute the First Amendment to Joint Use Agreement with Riverside Unified School District for shared use of former Riverside Golf Course property, including making minor and non-substantive changes.

PURCHASE AND INSTALLATION OF EMERGENCY EQUIPMENT ON POLICE VEHICLES

The City Council authorized the purchase and installation of various types of emergency equipment on six police vehicles from West Coast Lights and Sirens, Riverside, in the amount of \$65,084.80 from Police Department Budget State COPS 2016-17 Grant Account in accordance with Purchasing Resolution 22576, Section 201(q).

2017 WATERSMART GRANT - WATER METER EFFICIENCY PROJECT - RESOLUTION

The City Council adopted a resolution authorizing \$74,333 in funding to match a grant opportunity from the Bureau of Reclamation for a WaterSMART grant application to fund a water meter efficiency project; whereupon, the title having been read and further reading waived, Resolution No. 23186 of the City Council of the City of Riverside, California, (1) Approving an Application and Agreement with U.S. Department of the Interior, Bureau of Reclamation, for a 2017 Watersmart Grant; (2) Authorizing the City Manager or Designee to Execute All Necessary Documents Related to Such Grant; (3) Authorizing Acceptance of Such Grant Funds; (4) Agreeing to Commit up to \$74,333 In Matching Funds; and (5) Verifying that the City Will Work to Meet Established Deadlines for

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timeliness of Findings of Fact issuance.

alternatives and costs.

Entering Into a Grant or Cooperative Agreement, was presented and adopted.						
AGREEMENT AMENDMENT - SOUTHERN CALIFORNA PUBLIC POWER AUTHORITY - CUSTOMER ENGAGEMENT PROGRAM - CONTINUED The City Council continued the Amendment to the Master Services Agreement for the Customer Engagement Program Task Order with Southern California Public Power Authority and Oracle Inc., to Tuesday, June 27, 2017.						
DISCUSSION CALENDAR						
2017 FIREWORKS EDUCATION AND ENFORCEMENT PLAN UPDATE Following discussion, the City Council approved the City Council Public Safety Committee recommendation to receive and order filed an update on the 2017 Fire and Police enforcement efforts to reduce the use of illegal fireworks.	Motion Second All Ayes		X		X	
HOMELESS SERVICES UPDATE - CONTINUED The City Council continued the Homeless Services update and initiatives to Tuesday, June 20, 2017, at 7 p.m.	Motion Second All Ayes	Х			x	
COMMUNICATIONS						
CITY ATTORNEY REPORT ON CLOSED SESSIONS City Attorney Geuss announced there were no reportable actions on the closed sessions held earlier in the day.						
ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION Councilmember Davis requested referral to the City Council Governmental Affairs Committee of discussion on the Code of Ethics hearing process and						

Councilmember Soubirous

requested discussion of Code of Ethics complaints on multiple Councilmembers and the Rule of Necessity, Rebuttal of Evidence, and recycling center sitings. Councilmember Perry requested discussion of the Code of Ethics annual review, Code of Ethics complaint processing staff hours and costs, Recycling Center cleanliness and safety, traffic congestion, and an update or referral to the City Council Transportation Committee of the Circulation Element of the General Plan to include all modes of mobility. Councilmember Gardner requested a report of the ice rink relocation

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The City Council adjourned at 7:33 p.m., Melendrez.	in memory of Helen Leon								
Respectfully submitted,									
COLLEEN J. NICOL City Clerk									