



## CITY COUNCIL MINUTES

TUESDAY, FEBRUARY 20, 2018, 9 A.M.  
SEVENTH FLOOR CONFERENCE ROOM  
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	C O N D E R	M A C A R T H U R	P E R R Y	A D A M S
	WARDS	1	2	3	4	5	6	7
Roll Call:	Present	X	X	X	X	X	A	A
Mayor Bailey called the meeting to order at 9:08 a.m., in the Seventh Floor Conference Room with all Councilmembers present except Councilmembers Perry and Adams.								
Councilmember Perry arrived during the Board of Ethics Ward 1 interviews and recused himself from participating in the Ward 1 interviews as he had not been present for all interviews and left the Seventh Floor Conference Room.							X	
BOARD OF ETHICS INTERVIEWS Following interviews with Champagne M. Ford, Charlene E. McKinley-Powell, Peter A. Surowski, and Erin Edwards, the Mayor and City Council unanimously reappointed Champagne M. Ford to the Ward 1 seat on the Board of Ethics for a term ending March 1, 2022.							A	
Councilmember Perry arrived at this time.							X	
Following interviews with Keith Nelson and Erin House, the Mayor and City Council unanimously reappointed Keith J. Nelson to the Ward 3 seat and Erin House to the Ward 6 seat on the Board of Ethics for terms ending March 1, 2022.								
RECESS The Mayor and City Council recessed at 11:55 a.m. and reconvened at 2 p.m., in the Art Pick Council Chamber with Mayor Bailey presiding and all Councilmembers present except Councilmember Adams.								
The Invocation was given by Councilmember Soubirous.								
The Pledge of Allegiance was given to the Flag.								
<u>MAYOR/COUNCILMEMBER COMMUNICATIONS</u>								
BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS, CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL - WARD UPDATES - ANNOUNCEMENTS Mayor Bailey reported on the Homeless Resource Fair and the Riverside at Work Program. Councilmember Mac Arthur announced the Ward 5 Community Budget workshop. Councilmember Gardner reported on the								



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WARDS

Nightingale Society 100th Birthday. Mayor Bailey and Councilmember Conder announced the Housing First public meeting at Grove Community Church.

### PRESENTATION

Mayor Bailey called upon Councilmember Gardner who recognized Fire and Police personnel for their outstanding work combatting the Santa Ana River Bottom fires on December 4 and 21, 2017.

### ORAL COMMUNICATIONS FROM THE AUDIENCE

Erin Swinford, Scott Andrews, and Dan Patterson spoke regarding the City Manager contract. Sean Mill spoke regarding public comment, personal attacks, and the veto process. Warren Avery spoke regarding the City Manager contract. Karen Wright spoke regarding the Mayor's veto and the City Manager contract. Lorna Jenkins spoke regarding the City Manager contract. Ben Clymer spoke regarding Riverside's form of government, the Mayor's veto, and Measure Z. Mary Humboldt spoke regarding government checks and balances and the City Manager contract. Sue Cook and Grigsby spoke regarding the City Manager contract. Lisa Chow spoke regarding the City Manager contract and the Mayor's veto. Jason Hunter spoke regarding refinancing of the library, the City Manager contract, and the Mayor's veto.

### COMMUNICATIONS

### LEGISLATIVE REPORT

There were no reports given at this time.

### CONSENT CALENDAR

The following items were approved by one motion affirming the actions appropriate to each item with (1) Councilmember Melendrez disqualifying himself from the item regarding retention of various financing team members to refinance the 2007 Series A-D Tax Allocation Bonds and to assist with securing new financing for the Main Library project as he owns property within 500 feet; and (2) the Balanced Budget and Long-Term Financial Planning Fiscal Policies removed from the Consent Calendar for separate discussion.

Motion  
Second  
All Ayes

X

X



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WARDS

### OUTSIDE COUNSEL EXPENDITURE REPORT

The City Council received and ordered filed the Outside Counsel Expenditure Report for October 1 through December 31, 2017, as provided in the outside counsel policy approved by the City Council on June 16, 2015.

### BOARD AND COMMISSION APPOINTMENT

The Mayor and City Council appointed Linda Manzo to the Ward 2 seat on the Board of Library Trustees for a term ending March 1, 2022.

### MINUTES

The Minutes of the City Council meeting of February 6, 2018, were approved as presented.

### ANNOUNCEMENT OF COMMITTEE MEETING

The City Council Development Committee will meet at 3 p.m. on Thursday, February 22, 2018, in the Art Pick Council Chamber.

### CASES P17-0124 AND P17-0838 - ZONING TEXT AMENDMENT - REZONING - 2014 MARCH AIR RESERVE BASE/INLAND PORT AIRPORT COMPATIBILITY PLAN - ORDINANCES ADOPTED

The City Council adopted ordinances (1) amending Chapter 19.100, 19.110, 19.120, 19.130, 19.140, 19.145, 19.148, and 19.150, adding Chapter 19.149 and deleting Chapter 19.170 of Title 19 of the Riverside Municipal Code in furtherance of the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan; and (2) amending the Zoning Map of the City of Riverside pursuant to Chapter 19.090 of the Riverside Municipal Code by rezoning land to allow for removal of the AP-Airport Protection Overlay Zone from fourteen properties in furtherance of the 2014 March Air Reserve Base/March Inland Port Airport Land Use Compatibility Plan; whereupon, the title having been read and further reading waived, Ordinance No. 7413 of the City of Riverside, California, Amending Chapters 19.100, 19.110, 19.120, 19.130, 19.140, 19.145, 19.148 and 19.150, Adding Chapter 19.149 and Deleting Chapter 19.170 of Title 19 of the Riverside Municipal Code in Furtherance of the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan; and Ordinance No. 7414 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 Rezoning Land to Allow for the Removal of the AP-Airport Protection Overlay Zone from Fourteen Properties in Furtherance of the 2014 March Air Reserve Base/March Inland Port Airport Land Use Compatibility Plan, were presented and adopted.



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WARDS	1	2	3	4	5	6	7
JOINT COMMUNITY FACILITIES DISTRICT NO. 29 AGREEMENT - PUBLIC IMPROVEMENT FINANCING The City Council approved a Joint Community Facilities Agreement with Riverside Unified School District, MRF-Groves Development, LP, and Spring Mountain Ranch Investments, LLC., for Community Facilities District No. 29 for financing of public improvements and services to Tract Map Nos. 33410 and 34592 for development of approximately 210 proposed dwelling units in an unincorporated portion of the County of Riverside.							
RETENTION OF FINANCING TEAM FOR 2007 SERIES A-D TAX ALLOCATION BONDS REFINANCE - NEW MAIN LIBRARY PROJECT The City Council (1) retained various financing team members to refinance the 2007 Series A-D Tax Allocation Bonds and to assist with securing new financing for the Main Library project, as outlined in the report; (2) authorized the City Manager, or his delegate, to execute individual agreements with each financing team member that will be negotiated closer to the actual refinancing transaction, for not-to-exceed amounts noted in the report; and (3) directed staff to return in May 2018 to hold a public hearing authorizing the refinancing of the 2007 Tax Allocation Bonds.	Disqualified	X					
2017 ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION - PORTABLE RADIOS - SUPPLEMENTAL APPROPRIATION The City Council (1) approved submittal of an application to the Department of Homeland Security for the 2017 Assistance to Firefighters Grant for purchase of new portable radios, in the amount of \$1,962,805, with a required City match of 10 percent (\$196,280); (2) authorized staff to identify Measure Z funds or return to the City Council with a request for a supplemental appropriation in the amount of \$196,280 from the unappropriated General Fund balance; and (3) upon grant award, authorized an increase in estimated revenues in the amount of the grant, and appropriated expenditures in the same amount to Account 9162300781-44011000 Federal, and 9162310203 for City match.							
FISCAL YEAR 2017 STATE HOMELAND SECURITY PROGRAM GRANT - SUPPLEMENTAL APPROPRIATION - RESOLUTION The City Council (1) accepted the Fiscal Year 2017 State Homeland Security Program award in the amount of \$48,109; (2) adopted a resolution designating the City Manager, or his designee, as the Authorized Agent for Signature Authority to execute all necessary grant agreement documents between the City and the County of Riverside Emergency Management							



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GARDNER	MELNDRIZ	SOURDIS	CONDER	MARTHUR	PERRY	ADAMS
1	2	3	4	5	6	7

WARDS

Department and any other actions necessary for the purpose of obtaining financial assistance; and (3) upon grant award, increased revenues in the amount of \$48,109 to Project Account 9162100861-334100 and appropriated expenditures in the same amount to Project Account 9162100861-440210; whereupon, the title having been read and further reading waived, Resolution No. 23273 of the City Council of the City of Riverside, 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 2017 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 2017-2018 Accordingly, was presented and adopted.

### FISCAL YEAR 2017 EMERGENCY MANAGEMENT PERFORMANCE GRANT - SUPPLEMENTAL APPROPRIATION - RESOLUTION

The City Council (1) approved acceptance of the Fiscal Year 2017 Emergency Management Performance Grant award in the amount of \$64,286; (2) adopted a resolution designating the City Manager, or his designee, as the Authorized Agent for Signature Authority to execute all necessary grant agreement documents between the City and the County of Riverside Emergency Management Department and any other actions necessary for the purpose of obtaining financial assistance; and (3) upon grant award, increased revenues in the amount of \$64,286 to Project Account 9162000861-331100 and appropriated expenditures in the same amount to the Project Account 9162000861-440110; whereupon, the title having been read and further reading waived, Resolution No. 23274 of the City Council of the City of Riverside, 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 2017 Emergency Management Performance Grant Program (EMPG) and Authorizing the Execution of All Required Documents by the City Manager or His Designee; and Amending the Budget for Fiscal Year 2017-2018 Accordingly, was presented and adopted.

### MEASURE Z - 25 COBAN IN-VEHICLE VIDEO SYSTEMS - FORD POLICE INTERCEPTOR SUV PURSUIT VEHICLES

The City Council approved the purchase of 25 Coban in-vehicle video systems from Coban Technologies, Inc., of Houston, Texas, in the amount of \$148,312.50 from Measure Z Vehicle Replacement Account to outfit twenty-five Ford Police Interceptor SUV pursuit vehicles.



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ADAMS	PERRY	MACARTHUR	CONDER	SOURDIS	MELNDRIZ	GARDNER
7	6	5	4	3	2	1
				X		X

SHAREHOLDER PROXY AUTHORITY FOR MUTUAL WATER COMPANIES

## DISCUSSION CALENDAR

Motion  
Second  
All Ayes

The Mayor and City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code (1) §54957(a) for consultation with Sergio Diaz, Chief of Police, regarding threat to public services or facilities; (2) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning two cases of anticipated litigation; and (3) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation.

The Mayor and City Council reconvened at 4:50 p.m., in the Art Pick Council Chamber with Mayor Bailey presiding and all Councilmembers present except Councilmember Adams.

## COMMUNICATIONS

City Attorney Geuss announced there was nothing to report on closed sessions.

Councilmember Mac Arthur announced that with respect to the Mayor's recent statement of veto of the City Manager's Employment Agreement and by majority vote, with Councilmembers Conder and Perry voting no and Councilmember Adams absent, the City Council supports the City Attorney



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WARDS

as the sole legal authority under the Charter and we reject any suggestion that any other Charter Officer or elected official be permitted to obtain counsel at taxpayer's expense. The majority of the City Council reaffirms the statements of the City Attorney during the February 6, 2018, City Council meeting that the sole remedy for the Mayor is to file a Writ with the Superior Court. The Charter is plain that three Charter Officers report to, work for, and take direction only from the City Council, not the Mayor. No one can have two bosses and work efficiently. Outside counsel has been requested to prepare a written version of his advice suitable to be shared with the public within seven days.

### ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

There were no items requested for future City Council consideration.

The City Council adjourned at 4:53 p.m.

Respectfully submitted,

COLLEEN J. NICOL  
City Clerk