



City of Arts & Innovation

CITY COUNCIL MINUTES

TUESDAY, MAY 5, 2020, 1 P.M.
VIRTUAL MEETING
PUBLIC COMMENT VIA TELEPHONE
3900 MAIN STREET

PRESENT: Mayor Bailey and Councilmembers Edwards, Melendrez, Fierro, Conder, Perry, and Hemenway and Councilwoman Plascencia

ABSENT: None

Mayor Bailey convened the meeting at 1 p.m.

The Invocation was given by Councilmember Conder.

Mayor Bailey led the Pledge of Allegiance.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Joe Pasalo spoke regarding a short-term rental ban. Ben Clymer, Jr. spoke regarding COVID-19 immunity, pension obligation bonds, utility shut-offs, Clymer and Bailey v City of Riverside lawsuits, and City employee protests. Errol Koshowitz spoke regarding City parks and pension obligation bonds. Malissa McKeith spoke regarding pension obligation bonds, a moratorium on rate increases, consultants, and face coverings. Gabriella Mendez spoke regarding a rent freeze. Jessica spoke regarding off-campus apartment student rent charges. Edwin Williams spoke regarding the Ninth Street vacation and Metrolink layover facility. Maribel Nunez spoke regarding a rent freeze. Cristina Pushatte spoke regarding disabled persons and caregivers. Lana and one other person spoke regarding off-campus apartment student rent charges. Richard Kuza spoke regarding City Council meeting video streaming, the Ninth Street vacation, and the Metrolink layover facility. Nicholas Lee spoke regarding off-campus apartment student rent charges. Alan Fortuno spoke regarding a rent freeze. Faith Diamond spoke regarding a Metrolink bridge connection to Downtown, a Metrolink layover facility, and the Innovation District. Bob Mendez spoke regarding pension obligation bonds. Rosa Robles spoke regarding homelessness, Don Lorenzi Park, and grocery donations. Jason Hunter spoke regarding public comment on agenda items, the Bailey and Clymer litigation decisions, rent freezes, and pension obligation bonds. Brent Whitehead spoke regarding pension obligation bonds. William Vasquez and Frances Vasquez spoke regarding a rent freeze. Ollie Nazari spoke regarding reopening of the City and pension obligation bonds. One person spoke regarding rescinding COVID-19 protections by the County of Riverside. Jerry Tidwell spoke regarding pension obligation bonds and reopening of businesses.



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Elizabeth Ayala and one person spoke regarding a rent freeze. Sean Mill spoke regarding the Mayor's communication with the public and a rent freeze. Adam White spoke regarding reopening of the City and State. One person spoke regarding social distancing, face coverings, and rent extensions.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Melendrez thanked the public speakers. Councilwoman Plascencia spoke regarding the PSET Team, the Office of Homeless Solutions, and her roles as a counselor and Councilwoman.

COMMUNICATIONS

INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE

The intergovernmental relations and legislative update was not held.

CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM CHALLENGE/FINANCIAL SOLVENCY UPDATE

The California Public Employees Retirement System challenge/financial solvency update was not held.

HOMELESS SOLUTIONS UPDATE

Following discussion and without formal motion, the City Council received and ordered filed the homeless solutions update.

HEALTH, SAFETY, AND SECURITY UPDATES

Following discussion and without formal motion, the City Council received and ordered filed the health, safety, and security update.

PROCLAMATION OF LOCAL EMERGENCY REVIEW

There was no update on the Proclamation of Local Emergency regarding Novel Coronavirus (COVID-19) proclaimed on March 13, 2020, and ratified by the City Council on March 17, 2020, until terminated by the City Council.



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RULES AND REGULATIONS CREATED OR SUSPENDED

Following discussion and without formal motion, the City Council received and ordered filed the report on rules and regulations created or suspended.

WORKSHOP

Following discussion and without formal motion, the City Council received and ordered filed the training information on municipal disclosure responsibilities and best practices for elected officials.

PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

2020 TAXABLE PENSION OBLIGATION BONDS - RESOLUTION

Hearing was called on issuance of 2020 Taxable Pension Obligation Bonds to refinance a portion of Unfunded Accrued Liability with the California Public Employees' Retirement System and providing the terms and conditions of such bonds. Following discussion, it was moved by Councilmember Fierro and seconded by Councilmember Hemenway to (1) adopt a resolution authorizing issuance of 2020 Taxable Pension Obligation Bonds to refinance a portion of the Unfunded Accrued Liability with the California Public Employees' Retirement System and providing the terms and conditions of such bonds for not-to-exceed 4% interest; (2) authorize the City Manager or his designee to execute all documents necessary to close the bond refinancing and make certain changes to the final documents necessary to complete the transaction; (3) approve the form of a Preliminary Official Statement to assist the Underwriter in marketing the 2020 Taxable Pension Obligation Bonds; (4) approve the financing team inclusive of Stradling Yocca Carlson & Rauth as Bond and Disclosure Counsel, NHA Advisors as Municipal Advisor, and Bank of America Securities and Raymond James as Underwriters; and (5) return to the City Council with informational updates. Motion carried with Councilmembers Edwards, Melendrez, Fierro, Perry, and Hemenway and Councilwoman Plascencia voting aye and Councilmember Conder voting no.

Whereupon, Resolution No. 23570 of the City Council of the City of Riverside, California, Authorizing the Issuance of City of Riverside Taxable Pension Obligation Bonds, Approving the Forms of and Authorizing the Execution and Delivery of a Twelfth Supplemental Trust Agreement, an Official Statement, and a Bond Purchase Agreement, and Authorizing Other Matters Relating Thereto, was presented and adopted.



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RECESS

The City Council recessed at 5:58 p.m. and reconvened at 6:30 p.m. with Mayor Bailey presiding and all Councilmembers present.

CONSENT CALENDAR

It was moved by Councilmember Hemenway and seconded by Councilmember Perry to approve the Consent Calendar as presented below affirming the actions appropriate to each item and amending the minutes of April 21, 2020, to reflect Councilmember Conder voting no on adoption of a resolution providing COVID-19 protections for both essential workers and the general public for the duration of the local emergency as his vote was not audibly heard due to a technical failure. The motion carried unanimously.

BOARD AND COMMISSIONS

The Mayor and City Council designated Robert L. Mendez to a Citywide Business seat on the Budget Engagement Commission for a term ending March 1, 2024.

MINUTES

The minutes of the April 21, 2020, meeting were approved as amended to reflect Councilmember Conder voting no on adoption of a resolution providing COVID-19 protections for both essential workers and the general public for the duration of the local emergency as his vote was not audibly heard due to a technical failure.

MORTGAGE CREDIT CERTIFICATE PROGRAM - RESOLUTION

The City Council (1) adopted a resolution authorizing the City of Riverside to participate in the County of Riverside Mortgage Credit Certificate Program; and (2) authorized the City Manager or designee to execute any and all documents to implement participation in the County of Riverside Mortgage Credit Certificate Program, including making minor corrections as necessary; whereupon, Resolution No. 23571 of the City Council of the City of Riverside, California, Authorizing Participation in the County of Riverside's Mortgage Credit Certificate Program, was presented and adopted.



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PURCHASE AND SALE AGREEMENT - FORMER DOWNTOWN FIRE STATION AND PARKING LOT - 3466 AND 3398 MISSION INN

The City Council (1) approved the Second Amendment to the Purchase and Sale Agreement with Greens Inv 10, LLC, for disposition of City-owned former Downtown Fire Station No. 1 located at 3466 Mission Inn Avenue and Parking Authority-owned Public Parking Lot 27 located at 3398 Mission Inn Avenue; (2) authorized the City Manager or his designee to execute the Second Amendment with Greens Inv, LLC, including making minor and non-substantive changes; and (3) approved use of one-time revenue from the sale of Downtown Fire Station No. 1 located at 3466 Mission Inn Avenue to offset the expected Fiscal Year 2019/20 General Fund deficit.

MEASURE Z - NEW MAIN LIBRARY FURNITURE, FIXTURES, AND EQUIPMENT - 3911 UNIVERSITY

The City Council (1) approved purchase of furniture, fixtures, and equipment for the new Main Library from Yamada Enterprises, Pacific Office Interiors, Pivot, and Tangram for the combined amount of \$1,587,559.11; (2) authorized a 10% contingency of \$158,755.91 for potential owner requested changes and design enhancements for a total amount not-to-exceed \$1,746,315.02; and (3) authorized the City Manager or his designee to execute the purchase orders with the listed vendors in the written staff report including making minor and non-substantive changes.

AGREEMENT - INTERNET CRIMES AGAINST CHILDREN TASK FORCE - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved the Agreement with the City of San Diego Police Department Internet Crimes Against Children Task Force for January 1, 2020, through December 31, 2025; (2) authorized a supplemental appropriation in the estimated annual amount of \$121,000 to a Police Department Revenue Account and increased appropriations in the same amount to Police Department Expenditure Accounts for calendar year 2020 for reimbursement to the City of Riverside by the San Diego Police Department for approved expenditures; and (3) authorized the City Manager or designee to execute the Agreement with the City of San Diego Police Department Internet Crimes Against Children Task Force including the ability to make minor and non-substantive changes.



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BIOGAS MICROTURBINE FACILITY - 5950 ACORN STREET

The City Council approved the conceptual plan for a joint project between Riverside Public Utilities and the Riverside Public Works Department to develop a biogas microturbine facility of 2.2 megawatts with the future potential to expand the facility up to 3.6 megawatts located at the Riverside Regional Water Quality Control Plant located at 5950 Acorn Street.

RESIDENTIAL AND COMMERCIAL RECYCLING AND ORGANIC RECYCLING - ORDINANCES INTRODUCED

The City Council introduced ordinances amending Chapter 6.04 and adding Chapter 6.06 adding recycling and organic recycling requirements for residential and commercial solid waste customers; whereupon, an Ordinance of the City of Riverside, California, Amending Chapter 6.04 of the Riverside Municipal Code to Add Recycling and Organic Recycling Requirements for Residential Solid Waste Customers; and an Ordinance of the City of Riverside, California, Adding Chapter 6.06 to the Riverside Municipal Code to Add Recycling and Organic Recycling Requirements for Commercial Solid Waste Customers, were presented and introduced.

DISCUSSION CALENDAR

CORPORATE PARTNERSHIP POLICY

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Melendrez to (1) receive and order filed the report on opportunities to generate new City revenues through corporate partnerships with third party organizations; (2) approve the Corporate Partnership Policy which includes guidelines and processes for entering into corporate partnership agreements; (3) approve the inventory of assets as outlined in the written staff report for further consideration of their marketing value and potential; and (4) direct staff to release a Request for Proposals with the Scope of Services as outlined in the written staff report for marketing consultant services to assist with development and implementation of a Corporate Partnership Program. The motion carried with Councilmembers Edwards, Melendrez, Conder, Perry, and Hemenway voting aye and Councilmember Fierro and Councilwoman Plascencia voting no.



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COVID-19 EMERGENCY RECOVERY ASSISTANCE PROGRAM - FUNDS TRANSFER - SUPPLEMENTAL APPROPRIATION

Following discussion, it was moved by Councilmember Fierro and seconded by Councilmember Perry to (1) authorize the City Manager or designee to implement the COVID-19 Emergency Recovery Assistance Program (ERAP) with a program amount of \$5,000,000 in order to assist low income residential electric customers that have been adversely impacted financially by the COVID-19 pandemic, as outlined in the written staff report; (2) authorize the City Manager or designee to make adjustments to or temporarily suspend any or all programs funded with Public Benefit Funds except for the ERAP and SHARE programs as needed in order to assist low income residential electric customers that have been adversely financially impacted by the COVID-19 pandemic, and to transfer the funding of such programs to the ERAP Program, if necessary, as outlined in the written staff report; (3) authorize a supplemental appropriation in the amount of \$3,600,000 from the Electric Public Benefits Fund Cash Reserve to Electric Public Benefits Low Income Assistance Residential COVID-19 Program Account No. 6020100-456100 to fund the ERAP Program; and (4) direct staff to return to the City Council with recommendations on other customer financial relief programs including a utility bill Restart Program for all electric and water utility customers. Motion carried unanimously.

TEMPORARY FREEZE ON RESIDENTIAL RENT INCREASES

Following discussion, it was moved by Councilmember Edwards and seconded by Councilwoman Plascencia to approve the recommendations of Councilmember Edwards and Councilwoman Plascencia to adopt a resolution establishing a temporary freeze on rent increases for residential tenants during the COVID-19 crisis for a period of 60 days or until the Local Emergency is terminated, whichever is earlier. Motion failed with Councilmember Edwards and Councilwoman Plascencia voting aye and Councilmembers Melendrez, Fierro, Conder, Perry, and Hemenway voting no.

SMALL BUSINESS EMERGENCY MICROGRANT STABILIZATION FUND

Following discussion, it was moved by Councilmember Fierro and seconded by Councilmember Hemenway to approve the recommendations of Councilmembers Edwards, Fierro, and Hemenway to (1) approve the conceptual framework of the Small Business Emergency Microgrant Stabilization Program with a program amount of \$1,870,896 from CDBG-CV federal funding from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to provide \$7,500 grants to businesses operated and



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owned by low-moderate income individuals for the purpose of providing urgent and needed working capital assistance to struggling small businesses; (2) authorize Councilmembers Edwards, Fierro, and Hemenway and the City Attorney's Office to expeditiously put together an agreement with United Way of the Inland Valleys as a subrecipient to receive and administer this initial funding and leverage external donations with the full terms and conditions to be approved by the City Council at a later meeting; and (3) direct staff to create a comprehensive outreach plan to ensure that hard-to-reach small businesses that may not have close ties to mainstream networks and banking institutions are aware of this funding opportunity. Motion carried unanimously.

FRAMEWORK FOR OPENING USES, INCREASING ACTIVITIES, AND EASING STAY-AT-HOME ORDERS RELATED TO COVID-19 PANDEMIC

Following discussion and without formal motion, the City Council provided input and received and ordered filed the framework presented in the written staff report for consideration when responding to new, amended, and rescinded State and County orders regarding opening uses, increasing activities, and easing stay-at-home orders related to the COVID-19 pandemic.

CLOSED SESSIONS

The Mayor and City Council adjourned to closed session pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Summer Parada, et al. v City of Riverside, Riverside Superior Court Case No. RIC 1818642; (2) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning William R. ("Rusty") Bailey III v City of Riverside, RCSC Case No. RIC 1804755; R. Ben Clymer, Jr. v City of Riverside, et al., RCSC Case No. RIC 1806669; (3) §54956.8 to instruct City's Negotiator, Al Zelinka, regarding price and terms of payment for the purchase, sale, exchange, or lease of APN(s): 213-11-001; 213-11-011; 213-11-012; 213-11-013; 213-11-014; 213-11-015; 213-11-016; 213-11-017, commonly known as Lot 33/Convention Center, by Greens Group / Griffin | Swinerton; Atman Kadakia and Korin Crawford, Negotiators; (4) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning Jason Alter v. City of Riverside, WCAB Claim No: ADJ 12114029; (5) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case 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) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation



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paid in the form of fringe benefits of all Executive Management employees including the City Attorney and City Clerk, 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; and (8) §54957 for performance evaluation of City Attorney.

The Mayor and City Council reconvened in open session.

COMMUNICATIONS

CITY ATTORNEY REPORT ON CLOSED SESSION DISCUSSIONS

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

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

Councilmember Fierro (1) requested information on the change in structure of public comment for City Council meetings; (2) recommended returning to the former structure of three minutes per speaker for each public comment, workshop, public hearing, and Discussion Calendar item; and (3) requested that information on how to participate be communicated to the public.

The meeting adjourned at 9:46.

Respectfully submitted,

COLLEEN J. NICOL
City Clerk