



*City of Arts & Innovation*

## CITY COUNCIL MINUTES

TUESDAY, NOVEMBER 17, 2020, 1 P.M.

VIRTUAL MEETING

PUBLIC COMMENT IN PERSON/TELEPHONE

ART PICK COUNCIL CHAMBER

3900 MAIN STREET

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

ABSENT: None

Mayor Bailey called the meeting to order at 1:02 p.m.

### ORAL COMMUNICATIONS FROM THE AUDIENCE

Eight speakers, Errol Kashowitz, Kendall Hardsell, Dr. Mark Nassar, Pan Nutzer, Shelby Worthington-Loomis, Brian Demint, Felicia Hennessey, Karla Adams, Demi Bermudez, Sean Mill, Adam Bermudez, Ron, Troy, and Missy Duffy spoke regarding COVID administrative enforcement. Two speakers, Mark Davis, Steven, Elizabeth, Orin Orlando, Steven Robillard, Nick Medina, Gloria Friel, Natalie Kaizer, Cesar, and Austin spoke regarding business closures. Speaker spoke regarding Councilwoman Plascencia and business closures. Frances Vasquez spoke regarding employee diversity training and Diversity Officer. Lexi Robillard spoke regarding youth mental health. Mr. Nutzer spoke in support of the Northside Specific Plan. Maribel Nunez spoke regarding the Mayor's Housing Task Force. Rich Gardner spoke regarding COVID administrative enforcement and building City businesses. Anabel Navarez spoke regarding the Mayor's Housing Task Force and COVID administrative enforcement. Six speakers, Elaina Nelson, Colleen, Ian Melgar, Pete, Adam Mc Master, Jolyn Sellers, Catalina, Noel Parks, Shirley, and Sean spoke regarding COVID business restrictions. Terryl Landsberg spoke regarding COVID mitigations. Bailey spoke regarding mandated masks. Aurora Chavez spoke regarding COVID business restrictions, administrative enforcement, and the purple tier. One speaker spoke regarding bus routes, capacity and fares. One speaker spoke regarding the City budget and homelessness. Malissa McKeith spoke regarding COVID restrictions, Diversity Officer, and Interim City Attorney. Zoey spoke regarding COVID precautions.

### COMMUNICATIONS

#### CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM CHALLENGE/FINANCIAL SOLVENCY UPDATE

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



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### INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE - CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT EXPENDITURE PLAN UPDATE

The City Council received an update on the Coronavirus Aid, Relief, And Economic Security Act Expenditure Plan.

### HOMELESS SOLUTIONS UPDATE

The City Council received an update on homeless solutions.

### HEALTH, SAFETY, AND SECURITY UPDATES

The City Council received an update on health, safety, and security.

### RULES AND REGULATIONS CREATED OR SUSPENDED

The update on the rules and regulations created or suspended was not held.

### PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

Councilmembers Melendrez and Fierro disqualified themselves from participation on the following matter as they own businesses in the Riverside Downtown Parking and Business Improvement Area.

### 2021 DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA ANNUAL ASSESSMENTS - RESOLUTION

Hearing was called to consider approval of the Riverside Downtown Parking and Business Improvement Area annual assessment and projects for Calendar Year 2021 and to hear any protest to the Riverside Downtown Parking and Business Improvement Area annual assessment and projects for 2021. No one spoke on the matter. The public hearing was officially closed. Following discussion, it was moved by Councilmember Edwards and seconded by Councilmember Perry to (1) adopt a Resolution confirming the annual report of the Riverside Downtown Partnership acting in its capacity as the advisory board to the Downtown Parking and Business Improvement Area and levying assessments for calendar year 2021; and (2) direct the Riverside Downtown Partnership to expend revenues derived from the Riverside Downtown Parking and Business Improvement Area annual assessment and to operate the programs and activities in accordance with Chapter 3.46 of the Riverside Municipal Code and the annual report. The motion carried with Councilmembers Edwards, Conder, Perry, and Hemenway and Councilwoman Plascencia voting aye and Councilmembers Melendrez and Fierro disqualified.



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Whereupon, the title having been read and further reading waived, Resolution No. 23642 of the City Council of the City of Riverside, California, Confirming the Annual Report of the Riverside Downtown Partnership Acting in its Capacity as the Advisory Board to the Downtown Parking and Business Improvement Area and Levying Assessments for Calendar Year 2021, was presented and adopted.

### DISCUSSION CALENDAR

#### PROCLAMATION OF LOCAL EMERGENCY REVIEW

Following discussion, it was moved by Councilmember Melendrez and seconded by Councilmember Edwards to (1) receive and order filed the review of 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; (2) continue the Local Emergency; and (3) return to the City Council in thirty days with a further review the Local Emergency. The motion carried with Councilmembers Edwards, Melendrez, Perry, and Hemenway and Councilwoman Plascencia voting aye, and Councilmember Conder voting no, and Councilmember Fierro not voting.

#### MEASURE Z - PURCHASE OF SERVERS - DATACENTER UPGRADE - LICENSE AGREEMENT

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Hemenway to (1) authorize the purchase of ten VxRail servers and eight infrastructure management servers from Dell, Inc., under the NASPO ValuePoint Cooperative Purchasing Agreement MNWNC-108, pursuant to Purchasing Resolution No. 23256, Section 602(e), in an amount not-to-exceed \$2,050,900; (2) authorize the purchase of upgrades to five existing VxRail servers from Dell, Inc., under NASPO ValuePoint Cooperative Purchasing Agreement MNWNC-108, pursuant to Purchasing Resolution No. 23256, Section 602(e), in an amount not-to-exceed \$298,089.01; (3) approve an Enterprise License Agreement for VMWare Software from Dell, Inc., under NASPO ValuePoint Cooperative Purchasing Agreement MNWNC-108, pursuant to Purchasing Resolution No. 23256, Section 602(e), in an amount not-to-exceed \$1,197,187.77, for a five-year term; and (4) authorized the City Manager, or designee, to execute all documents pursuant to this purchase, including the final VMWare Professional Services Scope of Work, and to make minor non-substantive changes. The motion carried unanimously.



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### CITYWIDE DIVERSITY, EQUITY, INCLUSIVITY - EMPLOYEE TRAINING PROGRAMS - ESTABLISH DIVERSITY OFFICER POSITION - CONTINUED

The Citywide diversity, equity, and inclusivity training programs and consolidation of existing, vacant positions to establish a new Diversity Officer position was continued to December 1, 2020.

### MAYOR'S HOUSING TASK FORCE PRELIMINARY OUTCOME - CONTINUED

The Mayor's Housing Task Force Preliminary Outcomes was continued to December 1, 2020.

### LOCAL ADMINISTRATIVE ENFORCEMENT PROVISIONS FOR EMERGENCY MEASURES TO PREVENT THE SPREAD OF COVID-19 - RESOLUTION

This item was removed from the agenda.

### CLOSED SESSIONS

The Mayor and City Council adjourned to closed sessions pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning Karina Y. Huerta, et al. v City of Riverside, et al., RCSC Case No. RIC 1501115; (2) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning Patricia Roberts vs. City of Riverside, WCAB Claim No: ADJ 9294082; (3) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (4) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning two cases of anticipated litigation; (5) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation 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; (6) §54957 for appointment of Interim City Attorney; (7) §54957 for appointment of City Clerk by City Council; (8) §54957 for appointment of City Attorney by City Council; and ((9) §54956.9(b)(3)(c) to confer with and/or receive from legal counsel concerning Gary G. Geuss v. City of Riverside, Claim No.(s): 20-09-06; 20-11-08.



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### RECESS

The City Council recessed at 5:18 p.m. and reconvened at 6:45 p.m. with Mayor Bailey presiding and all Councilmembers present.

The Invocation was given by Councilmember Perry.

Mayor Bailey led the Pledge of Allegiance to the Flag.

### ORAL COMMUNICATIONS FROM THE AUDIENCE

Three speakers, Taylor Holman, Johnny Miller, Matthew Snyder, Susan Ortega, Patricia Reynolds, Martha Burns, Jennifer Najeira, Dana Hoffman, Jessica, Devin Santana, Audra Sanchez, Gracie Torres, Larry Burns, Nancy Melendez, and Peter Wohlgemuth spoke in support of the Northside Specific Plan. David Romo spoke in opposition to the Northside Specific Plan. Maribel Nunez and Anabel Navarez spoke in support of the Northside Specific Plan and Mayor's Housing Task Force. Carolyn Schroeder spoke regarding child sexual abuse. Errol Kashowitz spoke regarding homelessness, politics, and pensions. Jason Hunter spoke regarding former City Manager agreement court decision.

### MAYOR/COUNCILMEMBER COMMUNICATIONS

Mayor Bailey reported on the naming of Woodie Way in recognition of Woodie Rucker-Hughes, Riverside Transportation Commission project funding by the California Transportation Commission. Councilmember Conder recognized Public Works Field Operations Manager Archie Washington for his responsive customer service.

### CONSENT CALENDAR

It was moved by Councilmember Hemenway and seconded by Councilmember Perry to approve the Consent Calendar as presented affirming the actions appropriate to each item with the Agreement with TIG/m LLC, for a Streetcar Feasibility Study removed from the Consent Calendar for separate discussion. The motion carried unanimously.

### MINUTES

The minutes of the meeting of November 3, 2020, were approved as presented.

### ANNOUNCEMENT OF COMMITTEE MEETING

The City Council Economic Development, Placemaking, and Branding/Marketing Committee will conduct a virtual meeting at 3 p.m. on Thursday, November 19, 2020.



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### PROPERTY MAINTENANCE AND USE OF ALTERNATE MATERIALS IN LIEU OF GLASS FOR WINDOWS - ORDINANCE INTRODUCED

The City Council introduced an Ordinance amending Title 6.14.030 of the Riverside Municipal Code regarding property maintenance and the use of alternate materials in lieu of glass for windows; whereupon, an Ordinance entitled "An Ordinance of the City Council of the City of Riverside, California, Amending Section 6.14.030 of the Riverside Municipal Code, was presented and introduced.

### AGREEMENT - ANNUAL LANDSCAPE MAINTENANCE SERVICES - VARIOUS CITY FACILITIES

The City Council (1) approved an Agreement for Landscape Maintenance Services with So Cal Land Maintenance, Inc., for annual landscape maintenance services of various city facilities for a two-year term beginning January 1, 2021, through December 31, 2022, in the amount of \$273,497.70; (2) approved a 15% change order authority in the amount of \$41,024.66, for a total contract cost not-to-exceed \$314,522.36; and (3) authorized the City Manager, or his designee, to execute the two-year agreement, including making minor and non-substantive changes.

### AGREEMENT - ASSET MANAGEMENT AND MAINTENANCE SERVICE PLAN – 5952 ACORN

The City Council (1) approved the Service Agreement with APGN Inc., doing business as APG-Neuros, for asset management and maintenance service plan for four NX300-C050 and one NX600-C070 turbo blowers with APGN Inc. for a five year term in an amount not-to-exceed \$349,250 via the use of a single source exception; and (2) authorized the City Manager, or his designee, to execute the Service Agreement with APGN Inc., doing business as APG-Neuros, including making any minor non-substantive changes.

### PREFERENTIAL PARKING ZONE - FIFTH/LOCUST/BROCKTON - RESOLUTION

The City Council adopted a resolution to remove the existing "2-Hour Parking between the hours of 9 a.m. to 5 p.m. Monday through Friday except holidays, with Preferential Permit Parking for residents" zone on both sides of Fifth Street from Locust Street to Brockton Avenue; whereupon, the title having been read and further reading waived, Resolution No. 23643 of the City Council of the City of Riverside, California, Amending Resolution No. 22451 Known as the Master Parking Schedule Resolution to Remove the Preferential Parking Zone on Fifth Street, was presented and adopted.



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### TIMED NO PARKING ZONES - MASSACHUSETTS/HULEN - RESOLUTION

The City Council (1) adopt a resolution to: (a) establish a "2-Hour Parking between the hours of 7 a.m. to 8 p.m. Daily" zone on the north side of Massachusetts Avenue from Hulen Place to 280 feet westerly thereof; (b) establish a "No Parking between the hours of 8 p.m. to 7a.m. Daily" zone on the north side of Massachusetts Avenue from Hulen Place to 280 feet westerly thereof; and (2) approve the installation of marked diagonal parking stalls along the north side of Massachusetts Avenue from Hulen Place to 280 feet westerly thereof; whereupon, the title having been read and further reading waived, Resolution No. 23644 of the City Council of the City of Riverside, California, Amending Resolution No. 22451 Known as the Master Parking Schedule Resolution to Establish a Segment of Timed 2-Hour and No Parking Zones and to Install Diagonal Parking on Massachusetts Avenue, was presented and adopted.

### PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

CASES P19-0063, P19-0064, P19-0065, P19-0066, AND P20-0443 - ZONING CODE AMENDMENT - GENERAL PLAN AMENDMENT - SPECIFIC PLAN - PROGRAM ENVIRONMENTAL IMPACT REPORT - REZONING RESOLUTIONS - ORDINANCES INTRODUCED Hearing was called to consider Planning Cases P19-0064 (General Plan Amendment), P19-0065 (Specific Plan), P19-0063 (Zoning Code Amendment), P20-0443 (Rezoning), and P19-0066 (Program Environmental Impact Report) based on the Planning Commission findings outlined in the staff report to adopt the Northside Specific Plan. No one spoke on the matter. The public hearing was officially closed. Following discussion, it was moved by Councilmember Edwards and seconded by Councilwoman Plascencia to (1) adopt a resolution certifying that the Northside Specific Plan Final Program Environmental Impact Report: (a) has been completed in compliance with the California Environmental Quality Act (Public Resources Code 21000 et seq.); (b) was presented to the City Council and the City Council reviewed and considered the information contained in the Final Program Environmental Impact Report prior to approving the project; and (c) reflects the City's independent judgment and analysis and making certain findings of fact; (2) concur with the findings contained in the Final Program Environmental Impact Report, the California Environmental Quality Act Resolution, the case file and the administrative record, and adopt the Findings of Fact; (3) adopt the Statement of Overriding Considerations in the California Environmental Quality Act Resolution; (4) adopt the Mitigation Monitoring and Reporting Program attached to the California Environmental Quality Act Resolution; (5) find that no feasible alternatives to



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the project have been proposed that will avoid or substantially lessen the significant environmental effects as set forth in the Final Program Environmental Impact Report; (6) approve Planning Cases P19-0064 (General Plan Amendment), P19-0065 (Specific Plan), P19-0063 (Zoning Code Amendment), P20-0443 (Rezoning), and P19-0066 (Program Environmental Impact Report) based on the Planning Commission findings outlined in the staff report; (7) adopt a Resolution amending the Land Use and Urban Design Element of the General Plan 2025 consistent with the Northside Specific Plan; (8) adopt a Resolution to amend the General Plan Land Use Designation for the affected properties within the City of Riverside and the Sphere of Influence consistent with the Northside Specific Plan; (9) adopt a Resolution adopting the Northside Specific Plan; (10) adopt a Resolution amending the Downtown Specific Plan consistent with the Northside Specific Plan; (11) introduce an Ordinance amending Title 19-Zoning of the Riverside Municipal Code and amend relevant Chapters consistent with the Northside Specific Plan; (12) introduce an Ordinance amending the Zoning designation of the affected City of Riverside properties that fall within the Northside Specific Plan area consistent with the Northside Specific Plan; (13) return to the City Council in 90 days with an update on progress for developing the Request for Qualifications for a master developer; (14) analyze solar opportunities into the Request for Qualifications process; and (15) involve the Northside residents in the Request for Qualifications development process. The motion carried with Councilmembers Edwards, Melendrez, Fierro, Perry, and Hemenway and Councilwoman Plascencia voting aye and Councilmember Conder no.

Whereupon, the title having been read and further reading waived, Resolution No. 23645 of the City Council of the City of Riverside, California Certifying the Final Environmental Impact Report for the Northside Specific Plan, Making Certain Findings of Fact Related Thereto, Adopting A Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program, all Pursuant to the California Environmental Quality Act; Resolution No. 23646 of the City Council of the City of Riverside, California, Amending the Land Use and Urban Design Element to Add the Northside Specific Plan into Table LU-2 – Adopted Specific Plans, Amend Figure LU-9 – Neighborhoods, Amend Figure LU-10 – Land Use Policy Map, Amend LU-5 – Zoning/General Plan Consistency Matrix And Amend Other General Plan Objectives and Policies for Consistency With the Adoption of the Northside Specific Plan; Resolution No. 23647 of the City Council of the City of Riverside, California, Amending the Land Use Designation of the Riverside General Plan 2025 as to the Approximately 2,000 Acres of Property Generally Bounded By Pellissier Ranch to the North, State Route 60 (SR-60) and Portions of Main Street in Downtown Riverside to the





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South, Interstate 215 (I-215) and Residences to the East, and The Santa Ana River to the West Within the City of Riverside, by Placing Said Area into the Northside Specific Plan ("NSP") Land Use Designation; Resolution No. 236648 of the City Council of the City of Riverside, California, Adopting the Northside Specific Plan; and Resolution No. 23649 of the City Council of the City of Riverside, California, Amending the Downtown Specific Plan to Remove the Main Street Specialty Services District and Incorporate it Into the Northside Specific Plan Boundaries, were presented and adopted; and Ordinances entitled, "An Ordinance of the City Council of the City of Riverside, California," An Adding Chapter 19.146 and Amending Chapter 19.220 in Title 19 of the Riverside Municipal Code; and "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 Rezoning Approximately 2,000 Acres of Property Generally Bounded By Pellissier Ranch to the North, State Route 60 (SR-60) and Portions of Main Street in Downtown Riverside to the South, Interstate 215 (I-215) and Residences to the East, and The Santa Ana River to the West Within the City of Riverside, to the Zones and Districts Within the Northside Specific Plan", were presented and introduced.

### DISCUSSION CALENDAR

#### AGREEMENT - STREETCAR FEASIBILITY STUDY - FUNDS TRANSFER

Following discussion, it was moved by Councilmember Fierro and seconded by Councilmember Edwards to (1) approve a Professional Services Agreement with TIG/m LLC, for a Streetcar Feasibility Study for a term through June 30, 2021, in an amount not-to-exceed \$416,494.25; (2) approve an interfund transfer of \$361,494.25 from the Development Grants fund to the Grants and Restricted Programs Fund; (3) authorize the City Manager, or his designee, to hire a third-party consultant to peer review the numbers and assumptions within the Streetcar Feasibility Study; and (4) authorize the City Manager or his designee, to execute the Professional services Agreement with TIG/m LLC, including making minor and non-substantive changes. The motion carried with Councilmembers Edwards, Fierro, and Hemenway and Councilwoman Plascencia voting aye and Councilmembers Melendrez, Conder, and Perry voting no.



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### COMMUNICATIONS

#### CITY ATTORNEY REPORT ON CLOSED SESSIONS

Chief Assistant City Attorney Smith announced there were no reportable actions on closed sessions. Mayor Pro Tem Hemenway announced that the City Council voted unanimously to appoint Chief Assistant City Attorney Kristi Smith as Interim City Attorney.

#### ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

Councilwoman Plascencia requested a report regarding a moratorium on COVID administrative enforcement of businesses. Councilmember Melendrez referred a report regarding ways to elevate awareness of philanthropic systems to the Inclusiveness, Community Engagement, and Governmental Processes Committee.

The City Council adjourned at 10:01 p.m.

Respectfully submitted,

EVA ARSEO

Assistant City Clerk