



**CITY COUNCIL
AND
PUBLIC FINANCING AUTHORITY
MINUTES**

TUESDAY, MARCH 3, 2015, 2 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

City of Arts & Innovation

	WARDS	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	D A V I S	M A C A R T H U R	P E R R Y	A D A M S
		1	2	3	4	5	6	7
Roll Call:	Present	A	X	X	X	X	X	A
Mayor Bailey called the meeting to order at 2 p.m. in the Art Pick Council Chamber with all Councilmembers present except Councilmembers Gardner and Adams.								
ORAL COMMUNICATIONS FROM THE AUDIENCE Errol Koschewitz spoke regarding street repairs and employee salaries and benefits. Theresa Newham spoke regarding the Community Police Review Commission, animals, traffic, and music. Raychele Sterling spoke regarding the incoming City Attorney and Community Facilities Districts. Vivian Moreno spoke regarding the Convention Center, Festival of Lights, the Agricultural Park, Community Facilities District No. 2015-2, and housing. Marilyn Whitney spoke regarding Community Facilities District No. 2015-2 and the Agricultural Park.								
<u>INTRODUCTION</u>								
INTRODUCTION OF INCOMING CITY ATTORNEY Mayor Bailey introduced incoming City Attorney Gary G. Geuss.								
<u>WORKSHOP</u>								
ECONOMIC DEVELOPMENT UPDATE Following discussion and without formal motion, the City Council received and ordered filed the Economic Development update.								
<u>PRESENTATION</u>								
2014 FESTIVAL OF LIGHTS UPDATE Following discussion and without formal motion, the City Council received and ordered filed the 2014 Festival of Lights update.								
<u>DISCUSSION CALENDAR</u>								
AGREEMENT - COMMUNITY FACILITIES DISTRICT NO. 2015-2 - ARROYO PARK - RESOLUTIONS - PUBLIC HEARING SCHEDULED Following discussion, the City Council (1) adopted a resolution declaring its intention to establish City of Riverside Community Facilities District (CFD) No. 2015-2 (Arroyo Park); (2) approved a Funding Agreement with FRA-RSI Arroyo Park, LLC, for levy of special taxes and the issuance and sale of bonds to finance the acquisition of approximately 21.34 gross acres of public								

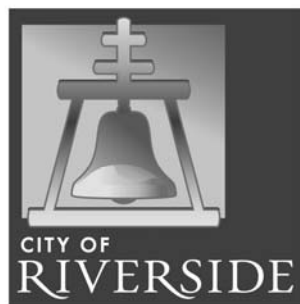


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land including Tract No. 28987 commonly known as "Arroyo Park" from Friends of Riverside Airport, LLC.; (3) adopted a resolution declaring its intention to incur bonded indebtedness for not-to-exceed \$6 million on behalf of CFD 2015-2 (Arroyo Park); and (4) scheduled a public hearing for April 28, 2015, at 3 p.m., on the formation of CFD No. 2015-2 (Arroyo Park) provided the City Council receives a report from the Department of Toxic Substances Control and soil testing is conducted on properties in the area and on the subject property in key places; whereupon, the titles having been read and further readings waived, Resolution No. 22810 of the City Council of the City of Riverside Declaring its Intention to Establish Proposed Community Facilities District No. 2015-2 (Arroyo Park) of the City of Riverside and Approving a Funding and Acquisition Agreement; and Resolution No. 22811 of the City Council of the City of Riverside Declaring Necessity for Proposed Community Facilities District No. 2015-2 (Arroyo Park) of the City of Riverside to Incur Bonded Indebtedness, were presented and adopted.	Motion Second All Ayes				X	X		
JOINT ITEM WITH PUBLIC FINANCING AUTHORITY - LETTER OF CREDIT RENEWAL - REFUNDING CERTIFICATES OF PARTICIPATION Following discussion, the City Council authorized the Interim City Manager, or his designee, to approve documents required to renew the Letter of Credit with Bank of America supporting the outstanding 2008 \$128,300,000 Refunding Certificates of Participation (COPs) issued as Variable Rate Demand Notes in 2008, including but not limited to, a Third Amendment to the Reimbursement Agreement, a Fee Letter, and any other documents required to execute the renewal.	Motion Second All Ayes			X	X			
Following discussion, the Public Financing Authority authorized the Interim City Manager, or his designee, to approve documents required to renew the Letter of Credit with Bank of America supporting the outstanding 2008 \$128,300,000 Refunding Certificates of Participation (COPs) issued as Variable Rate Demand Notes in 2008, including but not limited to, a Third Amendment to the Reimbursement Agreement, a Fee Letter, and any other documents required to execute the renewal.	Motion Second All Ayes			X	X			
<u>CLOSED SESSIONS</u>								
The Mayor and 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 Letitia A. Pepper v. City of Riverside, et al., USDC Case No. ED CV 14-00916 JGB (SPx); (2) §54956.9(d)(2) to confer with and/or receive advice from legal counsel								



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concerning one case of anticipated litigation; (3) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (4) §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, 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; (5) §54957 for appointment of City Attorney by City Council; and (6) §54957 for performance evaluation of Interim City Manager.

RECESS

The City Council reconvened at 6:15 p.m. in the Art Pick Council Chamber with Mayor Bailey presiding and all Councilmembers present except Councilmembers Gardner and Adams.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Mayor Bailey introduced El Presidente Jesus Gonzales Otero and Official Mayor Juan Meana of Sister City Cuautla, Mexico.

BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS, CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL - WARD UPDATES - ANNOUNCEMENTS

Councilmember Melendrez reported on the upcoming March Joint Powers Authority Walk with the Chair event.

The Pledge of Allegiance was given to the Flag.

PRESENTATIONS

RIVERSIDE PRIDE SUCCESS REPORT

Councilmember Perry reported on "Contest of Courage" by the Riverside Youth Judo Club in Ward 6.

Mayor Bailey called upon Chief Diaz and Riverside Police Foundation Board Members to present checks to the Explorer Posts for the Riverside Police Department and California Highway Patrol, the Teen to Teen Program, the El Protector Program, and the Riverside Youth Judo Club to support their activities.



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AGREEMENT - SAN ONOFRE GENERATING STATION DECOMMISSIONING Following discussion, the City Council approved the recommendations of the Utility Services/Land Use/Energy Development Committee to (1) approve the San Onofre Nuclear Generating Station (SONGS) Decommissioning Agreement with Southern California Edison Company, San Diego Gas and Electric Company, and the City of Anaheim for decommissioning of SONGS Units 2 and 3 with the City's share of the decommissioning cost of approximately \$79 million from decommissioning trust funds; (2) authorize the Interim City Manager, or his designee, to execute the Agreement as outlined in the staff report; (3) authorize the Interim City Manager, or his designee, to execute any documents necessary to administer the Agreement that are consistent with the policies established by the City Council; and (4) authorize the Interim City Manager, or his designee, to update the exhibits and schedules attached in the Decommissioning Agreement with no substantive changes to the Agreement.								
CONSENT CALENDAR The following items were approved by one motion affirming the actions appropriate to each item.	Motion Second All Ayes				X	X		
MINUTES The Minutes of the City Council meeting of February 24, 2015, were approved as presented.	Motion Second All Ayes					X	X	
EMPLOYMENT AGREEMENT - CITY ATTORNEY - RESOLUTION The City Council (1) approved and authorized the Mayor and Mayor Pro Tem to execute an Employment Agreement with Gary G. Geuss to be effective beginning April 13, 2015, with an annual salary of \$265,000 and the benefits as set forth in the Employment Agreement attached to the staff report; and (2) adopted a resolution amending Master Salary and Fringe Benefits Plan Resolution No. 20665 to enact certain provisions of the City Attorney's Employee Agreement; whereupon, the title having been read and further reading waived, Resolution No. 22812 of the City Council of the City of Riverside, California, Amending Resolution No. 21052 to Amend Part I of the Fringe Benefits and Salary Plan, to Reflect Various Updates and Changes, was presented and adopted.								
PURCHASE AND SALE AGREEMENT - RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION EASEMENT - STORM DRAIN - SPRUCE The City Council (1) approved a Purchase and Sale Agreement with Riverside County Flood Control and Water Conservation District (District) and accepted compensation in the amount of \$20,444 for a 3,989-square-								



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foot permanent storm drain easement for City-owned property identified as Assessor Parcel No. 210-130-029 (Property) for construction of the University Avenue Wash Channel Storm Drain, Stage 3 Project; (2) approved the Right of Entry and Temporary Construction Easement Agreement with the District and accepted compensation in the amount of \$6,315 for a 3,739-square-foot temporary construction easement on the Property to accommodate the District request to enter upon the Property, on a temporary basis, for all purposes necessary to facilitate and accomplish construction, installation and implementation of the Project from Spruce Street southeasterly to the existing storm drain 200 feet north of Massachusetts Avenue and 660 feet west of Durahart Street; and (3) authorized the Interim City Manager, or his designee, to execute the Agreements, including making minor, non-substantive changes to the Agreements.

AGREEMENT - ENVIRONMENTAL SITE REMEDIATION - TYLER STREET WIDENING PROJECT - 10302 WELLS - RESOLUTION

The City Council (1) adopted a resolution waiving the formal competitive procurement requirements of Resolution No 22576; (2) approved an agreement with Frey Environmental, Inc., for completion of environmental site remediation work at 10302 Wells Avenue for an amount not-to-exceed \$200,000 from Tyler Street Widening Project Account 9594827152-440223; and (3) authorized the City Manager, or his designee, to execute the Agreement, including making minor, non-substantive changes; whereupon, the title having been read and further reading waived, Resolution No. 22813 of the City Council of the City of Riverside, California, (1) Waiving the Competitive Procurement Requirements of Resolution No. 22576 to Contract with Frey Environmental, Inc. to Provide Environmental Site Remediation at 10302 Wells Avenue; and (2) Authorizing the Purchasing Services Manager to Issue a Purchase Order in an Amount Not to Exceed \$200,000.00 for Such Procurement, was presented and adopted.

PURCHASE AND SALE AGREEMENT - TYLER STREET WIDENING PROJECT - 10302 WELLS

The City Council (1) approved the Purchase and Sale Agreement with Omar I. and Samar O. Salem and Amin A. and Siham Jadallah for \$359,605 for the purchase of 10302 Wells Avenue, APN 147-251-005, for the Tyler Street Widening Project - Hole to Wells Avenue; and (2) authorized the Interim City Manager, or his designee, to execute the Agreement, including making minor, non-substantive changes, to sign all documents and instruments

