

City of Arts & Innovation

CITY COUNCIL MINUTES

TUESDAY, OCTOBER 20, 2015, 1 P.M.
ART PICK COUNCIL CHAMBER
CITY HALL
3900 MAIN STREET

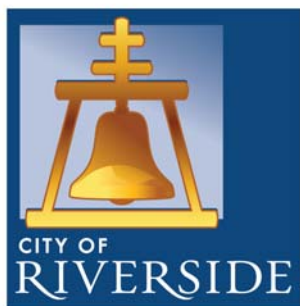
G A R D N E R	M E L E N D R E Z	S O U B I R O U S	D A V I S	M A C A R T H U R	P E R R Y	B U R N A R D
1	2	3	4	5	6	7
X	X	X	X	X	X	X

WARDS
<p>Roll Call:</p> <p>Mayor Bailey called the meeting to order at 1 p.m. in the Art Pick Council Chamber with all Councilmembers present.</p> <p><u>PRESENTATION</u></p> <p>RIVERSIDE PUBLIC UTILITIES EMPLOYEE RECOGNITION The Mayor called upon Riverside Public Utilities General Manager Girish Balachandran who recognized Riverside Public Utilities employees.</p> <p>ORAL COMMUNICATIONS FROM THE AUDIENCE Mike Endeman spoke regarding the public comment three-minute limitation and a meeting time constraints committee.</p> <p><u>CLOSED SESSIONS</u></p> <p>The City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code §54956.8 to instruct City's Negotiator, John A. Russo, regarding price and terms of payment for the purchase, sale, exchange or lease of 3750 University Avenue, 2nd Floor, APN: 215-371-001 to 004, by Gresham Savage; Dennis Smith, Broker, Travers Cresa, Negotiator; (2) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning City of Riverside v. Mitsubishi Heavy Industries, et al., USDC Case No. 13-CV-1724-BEN (KSC); SCE, et al. v. Mitsubishi Nuclear Energy Systems, et al., International Chamber of Commerce International Court of Arbitration, Case No. 19784/AGF; Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison and San Diego Gas & Electric Associated with the San Onofre Nuclear Generating Station Units 2 and 3; CPUC Investigation 12-10-013; (3) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Guy Toussaint v. City of Riverside, WCAB Claim Nos.: ADJ 9787170; ADJ 10104195; and ADJ Unassigned; (4) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Dennis Brokaw, et al. v. City of Riverside, et al., RCSC Case No. RIC 1300052; (5) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning two cases 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) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; and (8) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary</p>

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GARDNER	MELNDRIZ	SOURBIRUS	DAVIS	MACARTHUR	PERRY	BURNARD
1	2	3	4	5	6	7
			A	X	X	
			X			

Motion
Second
All Ayes

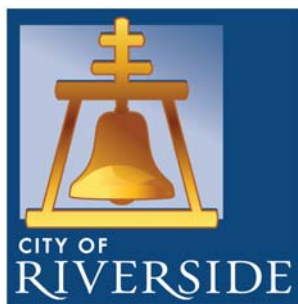


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	WARDS	1	2	3	4	5	6	7
<p>CASE P15-0530 - FRANK AND KATHERINE WELLS-PATSY O'TOOLE HOUSE - CITY LANDMARK - 1945 ARROYO - RESOLUTION - ORDINANCE INTRODUCED</p> <p>Hearing was called on behalf of Lana Hapeman to designate the Frank and Katherine Wells-Patsy O'Toole House located at 1945 Arroyo Drive as a City Landmark and to rezone the 2.36-acre property to apply the CR - Cultural Resources Overlay Zone to the existing R-1-13000 - Single Family Residential Zone. No one spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that Planning Case P15-0530 (City Landmark Designation), on behalf of Lana Hapeman, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15061 (b)(3) and 15308 of the CEQA Guidelines, as it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment, said action is intended to preserve the historic character of the building and site, and to provide notice of the historic status; (2) approved Planning Case P15-0530 based on and subject to the Cultural Heritage Board facts for findings outlined in the staff report; (3) adopted the Resolution designating 1945 Arroyo Drive as a City Landmark; (4) approved the findings for the Zoning Code Map Amendment (Rezoning) to apply the CR - Cultural Resources Overlay Zone to the property at 1945 Arroyo Drive; and (5) introduced an ordinance to rezone 1945 Arroyo Drive from the R-1-13000 - Single Family Residential Zone to the R-1-13000-CR - Single Family Residential and Cultural Resources Overlay Zone; whereupon, the title having been read and further reading waived, Resolution No. 22917 of the City Council of the City of Riverside, California, Approving the Application Under Planning Case Number P15-0530 Designating the Structure and Site Located at 1945 Arroyo Drive, Assessor's Parcel Numbers 222-100-022 and 222-100-023, as City Landmark No. 128, was presented and adopted; whereupon, an ordinance entitled, "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 Applying the Cultural Resources Overlay ("CR") Zone to City Landmark No. 128, the Frank and Katherine Wells-Patsy O'Toole House," was presented and introduced.</p> <p>Councilmember Mac Arthur disqualified himself from participation in the following matter due to a conflict of interest as his family owns property within 500 feet and left the dais.</p>								
	Motion Second All Ayes	X		X				
						A		

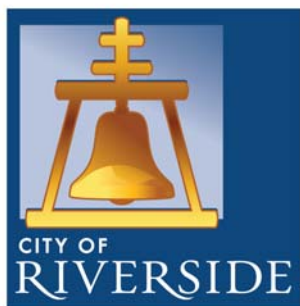


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	1	2	3	4	5	6	7
<p>CASE P15-0555 - JAMES E. AND JESSE C. SHAW HOUSE - CITY LANDMARK - 8410 CLEVELAND - RESOLUTION - ORDINANCE INTRODUCED</p> <p>Hearing was called on behalf of Mark and Nancy Parrish to designate the James E. and Jesse C. Shaw House located at 8410 Cleveland Avenue as a City Landmark and rezone the subject 5-acre property to apply the CR - Cultural Resources Overlay Zone to the existing RA-5 - Residential Agricultural Zone. No one spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that Planning Case P15-0555 (City Landmark Designation), on behalf of Mark and Nancy Parrish, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15308 of the CEQA Guidelines, as it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment, said action is intended to preserve the historic character of the building and site, and to provide notice of the historic status; (2) approved Planning Case P15-0555 based on and subject to the Cultural Heritage Board facts for findings outlined in the staff report; (3) adopted a resolution designating 8410 Cleveland Avenue as a City Landmark; (4) approved the findings for the Zoning Code Map Amendment (Rezoning) to apply the CR - Cultural Resources Overlay Zone to the property at 8410 Cleveland Avenue; and (5) introduced an ordinance to rezone 8410 Cleveland Avenue from the RA - Residential Agricultural Zone to the RA-CR - Residential Agricultural and Cultural Resources Overlay Zone; whereupon, the title having been read and further reading waived, Resolution No. 22918 of the City Council of the City of Riverside, California, Approving the Application Under Planning Case Number P15-0555 Designating the Structure and Site Located at 8410 Cleveland Avenue, Assessor's Parcel Number 238-110-018, as City Landmark No. 129, was presented and adopted; whereupon, an ordinance entitled, "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 Applying the Cultural Resources Overlay ("CR") Zone to City Landmark No. 129, the James E. and Jessie C. Shaw House," was presented and introduced.</p> <p>RECESS</p> <p>The City Council recessed at 3:16 p.m. and reconvened at 6:15 p.m. in the Art Pick Council Chamber with Mayor Bailey presiding and all Councilmembers present.</p>							
<p style="text-align: right;">Motion Second All Ayes</p>	X		X				
					X		



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<p style="text-align: right;">WARDS</p> <p><u>MAYOR/COUNCILMEMBER COMMUNICATIONS</u></p> <p>BRIEF STATUS REPORTS FOR REGIONAL ORGANIZATIONS, CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL - WARD UPDATES - ANNOUNCEMENTS</p> <p>Mayor Bailey reported on the Riverside County Transportation Commission Perris Valley Line, the Long Night of Arts and Innovation, the Economic Development Department and best practices trip to Arizona, and introduced State Senator Mark Novello from Sister City, Ensenada, Mexico. Councilmember Gardner presented a Certificate of Recognition to Lori and Schira Rich acknowledging microchipping of pets of homeless persons and reported on the Margaret Chow appearance at the Fox Theater and pet adoptions. Councilmember Soubirus reported on the Riverside Plaza construction, the Riverside Avenue underpass, and 311 customer service. Councilmember Burnard reported on La Sierra University Chamber music, community meetings at Doty Trust Park and Loma Vista Middle School, and Riverside County Animal Shelter. Councilmember Mac Arthur announced the Sonic Restaurant opening. Councilmember Melendrez reported on the fundraiser for the Land Conservancy, Riverside Arts Academy, the National Association for the Advancement of Colored People event, the Spanish Seventh Day Adventist Church Cultural Celebration, and the Fall Festival at Bobby Bonds Park.</p> <p>The Invocation was given by Councilmember Gardner.</p> <p>Girl Scout Troop 907 presented the Colors and led the Pledge of Allegiance to the Flag.</p> <p><u>PRESENTATIONS</u></p> <p>Mayor Bailey called upon the Riverside Youth Council who recognized Martin Luther King High School's Peers Always Work Side by Side (PAWSS) as Inspiring Youth of the Month.</p> <p>Mayor Bailey called upon Riverside African American Historical Society President Rose Mayes to introduce the 2015 Eleanor Jean Grier Leadership Academy graduates.</p> <p><u>RIVERSIDE PRIDE SUCCESS REPORT</u></p> <p>Councilmember Melendez reported on TruEvolution located in Ward 2.</p>							

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GARDNER	1	
MELNDRIZ	2	
SOUBIROUS	3	
DAVIS	4	
MACARTHUR	5	
PERRY	6	X
BURNARD	7	X

Shirley Ferrante spoke regarding self-defense classes for seniors and disabled, sidewalk repair, gun control, food bans, pesticide use, sanctuary cities, the U.S. Government, the Riverside Police Department, and other emergency services. Phyllis Purcell spoke regarding seniors, social security, and rental housing. John Fisher spoke regarding Automated External Defibrillator's at City Hall. Aurora Chavez spoke regarding the Discussion Calendar. Vivian Moreno spoke regarding leadership, the Riverside 2.0 Strategic Plan, and water conservation. Karen Wright spoke regarding the Northside Specific Plan, City-owned properties in the Northside, and the Consent Calendar. Kevin Dawson spoke regarding the former City Attorney. Erin Snyder spoke regarding announcement of committee meetings, the Special Meeting of the City Council Utility Services/Land Use/Energy Development and Development Committees in Arizona, and Northside development. Dvonne Pitruzzello spoke regarding the outside legal services audit, the Sewer Fund audit, and citizen audit committee. Leticia Pepper spoke regarding the Special Meeting of the City Council Utility Services/Land Use/Energy Development and Development Committees in Arizona. Don Gallegos spoke regarding Facebook posts, the City Manager's staff, the library, and Chow Alley. Jason Hunter spoke regarding Riverside Public Utilities, the outside legal counsel audit, and an employee investigation.

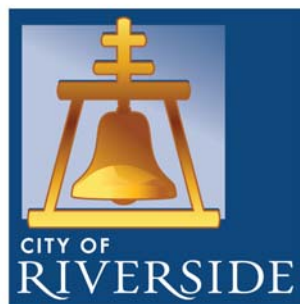
The following items were approved by one motion affirming the actions appropriate to each item.

The Minutes of the City Council meeting of October 6, 2015, were approved as presented.

The City Council approved the request of Councilmember Perry to serve in place of Councilmember Mac Arthur on the Development Committee for discussion of disposition and development of Successor Agency-owned property at 10920 Magnolia Avenue bearing Assessor Parcel No. 138-470-013, for construction of a commercial project.

The City Council (1) authorized an amendment to the 2015-16 Housing and

Motion
Second
All Ayes



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WARDS

Urban Development (HUD) Annual Action Plan to allocate \$64,900 in Community Development Block Grant (CDBG) funds for the Stotts Street Sidewalk Improvements from Garfield Street to Magnolia Avenue project; (2) authorized a funds transfer of CDBG funds in the amount of \$64,900 from Unprogrammed Funds Account 2835100-453001 to Stotts Street Sidewalk Improvements Account 9258700-440120; (3) authorized the City Attorney's Office to prepare the CDBG Memorandum of Understanding (MOU) with the Public Works Department for the allocated amount; (4) authorized the Finance Director/Treasurer to appropriate the funds to General Fund (101) project accounts to be assigned by the Finance Director and to be offset by an equal appropriation to Object 895220 charging the project expenditures to the CDBG Fund (220); and (5) authorized the City Manager, or his designee, to execute the MOU, including making minor, non-substantive changes, and to sign all documents and instruments necessary to implement this action.

AGREEMENTS - EMERGENCY AND NON-EMERGENCY GENERAL CONTRACTING SERVICES

The City Council (1) approved a construction agreement for emergency and non-emergency general contracting services pursuant to Request for Proposal 1522 with Stillwell Construction, Inc., Riverside, in the amount not-to-exceed \$1,000,000 per fiscal year between the period of November 1, 2015, through June 30, 2019; (2) approved a construction agreement for emergency and non-emergency general contracting services pursuant to Request for Proposal 1522 with Alabbasi Construction and Engineering, Perris, in the amount not-to-exceed \$1,000,000 per fiscal year between the period of November 1, 2015, through June 30, 2019; and (3) authorized the City Manager, or his designee, to execute the respective agreements, including making minor non-substantive changes.

INVESTMENT SUMMARY AND FINANCIAL REPORTS

The City Council (1) received and ordered filed the monthly investment and debt reports for July 2015; and (2) delegated investment responsibility to the City's Chief Financial Officer/Treasurer for a period of up to one year.

DONATION - URBAN SEARCH AND RESCUE PROGRAM - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved acceptance of a \$320 cash donation from Kleinfelder, Riverside, for the Urban Search and Rescue Program; and (2) approved a supplemental appropriation in the amount of \$320 to Miscellaneous Fire Receipts Account 0000101-341220 and appropriated \$320 for expenditures to Fire-Operations/Special Departmental Supplies Account 3510000-426800.

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GARDNER	1		X
MELENDREZ	2		X
SUBIROUS	3		X
DAVIS	4		X X
MACARTHUR	5		X
PERRY	6		X
BURNARD	7		X

DONATION OF CITY VEHICLES TO SISTER CITY - ENSENADA, MEXICO
The City Council (1) declared the following Police Department assets as surplus to their needs: (a) Asset B1494, 2004 Mercury Marquis; (b) Asset B1399, 2004 Ford Crown Victoria; (c) Asset B1422, 2005 Ford Crown Victoria; (d) Asset B1435, 2005 Ford Crown Victoria; and (e) Asset B1481, 2006 Ford Crown Victoria; and (2) authorized the transfer of vehicles to the City of Ensenada as a Sister City gift and demonstration of good will.

The City Council approved Mayor Bailey's recommendations to appoint Cheryl Tavaglione to the Citywide seat on the Mayor's Commission on Aging for a term ending March 1, 2017.

The City Council (1) authorized acceptance of grant funds in the amount of \$433,800 from the New York County District Attorney's Office through September 30, 2017; (2) authorized an increase in revenues in the amount of \$433,800 and appropriated expenditures in the same amount to an account as assigned by the Finance Department for the New York County District Attorney's Office grant; and (3) authorized the City Manager, or his designee, to execute all grant documents.

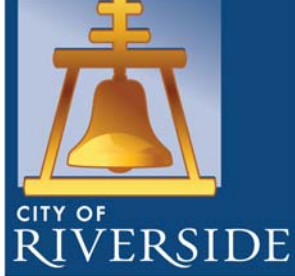
The City Council awarded the First Amendment to the Agreement for biosolids hauling and disposal services for the Regional Water Quality Control Plant (RWQCP) to Denali Water Solutions, LLC (formerly Terra Renewal West, LLC), Garden Grove, in the amount not-to-exceed \$1,000,000 through April 25, 2016.

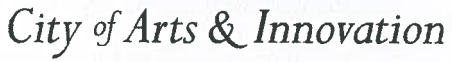
Following discussion, the City Council (1) approved hiring of an independent attorney following interview with the full City Council to further investigate the internal audit report on outside legal services; (2) determined that the selected attorney will work with the internal and external auditor, as needed; (3) determined that the City Council shall determine the scope of services for the investigation; (4) determined that the scope of services shall include who approved payments for outside legal counsel for a report back to the City Council; and (5) determined that following the investigation a Grand Jury referral will be considered, if appropriate.

Motion
Second
Ayes
Noes

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City of Arts & Innovation	WARDS	1	2	3	4	5	6	7	
<div>UNITED STATES DEPARTMENT OF HOMELAND SECURITY 2015 URBAN AREAS SECURITY INITIATIVE GRANT - SUPPLEMENTAL APPROPRIATION - RESOLUTION</div> <div>Following discussion, the City Council (1) authorized submittal of the grant application to the United States Department of Homeland Security through the State of California Office of Emergency Services for the Fiscal Year 2015 Urban Areas Security Initiative grant program; (2) adopted a Resolution authorizing the City Manager, or his designee, to accept the United States Department of Homeland Security's grant award of \$2,400,000 sub-granted through the State of California Office of Emergency Services for the Fiscal Year 2015 Urban Areas Security Initiative grant program and to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the United States Department of Homeland Security and sub-granted through the State of California; and (3) upon grant award, authorized an increase in estimated revenue in the amount of \$2,400,000 and appropriated expenditures in the same amount to a project account to be assigned by the Finance Department; whereupon, the title having been read and further reading waived, Resolution No. 22919 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 2015 Urban Areas Security Initiative (UASI) Grant Program and Authorizing the Execution of all Required Documents by the City Manager, Assistant City Manager, or Fire Chief; and Amending the Budget for Fiscal Year 2015-2016 Accordingly, was presented and adopted.</div> <div>MAYOR/COUNCILMEMBER COMMUNICATIONS</div> <div>LEGISLATIVE REPORTS</div> <div>There was nothing to report on the CA Cities Advocate dated September 25, 2015.</div> <div>CITY ATTORNEY REPORT ON CLOSED SESSIONS</div> <div>City Attorney Geuss announced there was nothing to report on the closed sessions held earlier in the day.</div> <div>ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION</div> <div>There were no items for future City Council consideration.</div> <div>The City Council adjourned at 10:22 p.m.</div>	Motion Second All Ayes	X			X				



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BURNARD	7	
PERRY	6	
MACARTHUR	5	
DAVIS	4	
SOURIBROUS	3	
MELENDREZ	2	
GARDNER	1	


COLLEEN J. NICOL
City Clerk

COLLEEN J. NICOL
City Clerk

WARDS