



CITY COUNCIL MINUTES

TUESDAY, JANUARY 9, 2018, 12:30 P.M.
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
1	2	3	4	5	6	7
X	X	X	X	X	X	X

Roll Call:

Present

Mayor Bailey called the meeting to order at 12:33 p.m., in the Art Pick Council Chamber with all Councilmembers present.

ORAL COMMUNICATIONS FROM THE AUDIENCE

John Fisher spoke regarding cannabis. Vanosheh Vahidy and Ali Vahidy spoke regarding the Frontier Communities project dust control.

CLOSED SESSIONS

The Mayor and City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code (1) §54957 for performance evaluation of City Manager; (2) §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 unrepresented employee: City Manager; (3) §54957(a) for consultation with Carl Carey, General Services Director; Sergio Diaz, Chief of Police; and Girish Balachandran, General Manager of Riverside Public Utilities regarding threat to public services or facilities; (4) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Dennis Causey v. City of Riverside, WCAB Claim No: 150226; (5) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning David Campos v. City of Riverside, WCAB Claim No: ADJ 10604392; (6) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning City of Riverside v. Wells Fargo Bank, N.A., et al., Riverside County Superior Court Case No. RIC 1613127; (7) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Maria Lacson v. City of Riverside, et al., RCSC Case No. RIC 1603834; (8) §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, Suite M, APN's: 215-371-001, 002, 003, and 004, by L'Bistro, LLC; Laurent Baillon and Gabriela Rodriguez, Negotiators; (9) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; and (10) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning two cases of anticipated litigation.

RECESS

The Mayor and City Council returned to the Art Pick Council Chamber.



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<u>COMMUNICATIONS</u>								
LEGISLATIVE REPORT								
Intergovernmental Relations Officer Lopez reported on reconvening of the State Legislature, housing and homelessness, marijuana, sexual harassment claims, State Reserves and Budget, and the County of Riverside Board of Supervisors Budget challenges.								
<u>PRESENTATION</u>								
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT EMPLOYEE RECOGNITION								
The City Council received and ordered filed the Community and Economic Development Department overview and employee recognition.								
<u>DISCUSSION CALENDAR</u>								
CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM - RESOLUTION OF INTENTION								
Following discussion, the City Council approved a Resolution of Intention to amend the contract with the California Public Employees' Retirement System to implement a retirement cost-sharing provision of 1.5 percent as specified in the Police Units Memoranda of Understanding for Tier 1 employees; whereupon, the title having been read and further reading waived, Resolution of Intention No. 23260 to Approve an Amendment to Contract between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Riverside, was presented and adopted.								
	Motion Second All Ayes	X			X			
CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM - ORDINANCE INTRODUCED								
Following discussion, the City Council introduced an ordinance amending the contract with the California Public Employees' Retirement System to implement a retirement cost-sharing provision of 1.5 percent as specified in the Police Units Memoranda of Understanding for Tier 1 Police employees; whereupon, an ordinance entitled, "An Ordinance of the City of Riverside, California, Authorizing an Amendment to the Contract Between the City of Riverside and the Board of Administration of the California Public Employees' Retirement System," was presented and introduced.								
	Motion Second All Ayes	X			X			



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	1	2	3	4	5	6	7
<u>PUBLIC HEARING</u>							
CASES P17-0512 AND P17-0513 - MOBILE HOME PARK DEVELOPMENT- CONDITIONAL USE PERMIT - 4000 PIERCE - ORDINANCE INTRODUCED							
Hearing was called for a proposal by Gabriel Ybarra of Action Surveys, Inc., on behalf of Dennis Wagener of Riverside Meadows, LLC to rezone a 46.09-acre parcel developed with a 354-unit mobile home park from R-1-7000 - Single Family Residential Zone to R-1-7000-MH - Single-Family Residential and Mobile Home Park Overlay Zones and to revise a previously approved conditional use permit for six additional mobile home ground lease spaces located at 4000 Pierce Street. One person spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) review pursuant to Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, as this project will not have a significant effect on the environment; (2) approved Planning Cases P17-0513 (Rezone) and P17-0512 (Revised CUP); and (3) introduced an ordinance amending the Zoning Map; 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 Rezoning Property Located at 4000 Pierce Street from Single-Family Residential Zone ("R-1-7000"), to Single-Family Residential and Mobile Home Park Overlay Zones ("R-1-7000-MH")," was presented and introduced.						X	X
						X	
<u>WORKSHOP</u>							
CANNABIS REGULATIONS AND POLICY DEVELOPMENT - CONTINUED				X			X
Following discussion, the City Council continued the workshop for forty-five days to follow a City delegation visit to Denver, Colorado.	X	X	X	X	X	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) §54957 for performance evaluation of City Manager; (2) §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							



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WARDS

unrepresented employee: City Manager; (3) §54957(a) for consultation with Carl Carey, General Services Director; Sergio Diaz, Chief of Police; and Girish Balachandran, General Manager of Riverside Public Utilities regarding threat to public services or facilities; (4) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Dennis Causey v. City of Riverside, WCAB Claim No: 150226; (5) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning David Campos v. City of Riverside, WCAB Claim No: ADJ 10604392; (6) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning City of Riverside v. Wells Fargo Bank, N.A., et al., Riverside County Superior Court Case No. RIC 1613127; (7) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Maria Lacson v. City of Riverside, et al., RCSC Case No. RIC 1603834; (8) §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, Suite M, APN's: 215-371-001, 002, 003, and 004, by L'Bistro, LLC; Laurent Baillon and Gabriela Rodriguez, Negotiators; (9) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; and (10) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning two cases of anticipated litigation.

RECESS

The City Council recessed at 4:40 p.m. and reconvened at 6:15 p.m., in the Art Pick Council Chamber with all Councilmembers present and Mayor Bailey presiding.

The Invocation was given by Councilmember Mac Arthur.

The Pledge of Allegiance was given to the Flag.

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

Councilmember Conder reported on a budget meeting in Ward 4, the March Air Field 100th Anniversary and Air Show, and the Rose Parade float. Councilmember Adams reported a Ward 7 community meeting and the Norte Vista FFA Program. Councilmember Perry reported on a Ward 6 community meeting. Councilmember Gardner reported on the Festival of Lights. Councilmember Melendrez reported on the Martin Luther King, Jr.,

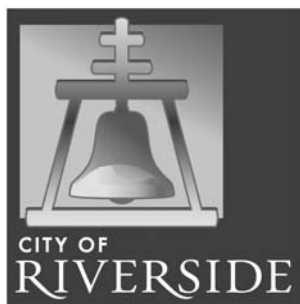


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<p>Walk. Councilmember Mac Arthur reported on the Norte Vista FFA Program. Councilmember Soubrious reported on the Rose Parade float. Mayor Bailey reported on the Rose Parade float and support staff.</p> <p><u>INTRODUCTION</u></p> <p>City Manager John Russo introduced new Museum Director Robyn G. Peterson.</p> <p><u>MAYOR PRO TEM APPOINTMENT</u></p> <p>Mayor Bailey presented a plaque to Councilmember Perry for his dedicated service as Mayor Pro Tem from July through December 2017.</p> <p>Following discussion, the City Council appointed Councilmember Mac Arthur as Mayor Pro Tem for January through June 30, 2018.</p> <p><u>PRESENTATIONS</u></p> <p>Mayor Bailey called upon Arts and Cultural Affairs Manager Margie Haupt to recognize Culver Center for the Arts as Arts Honoree of the Month.</p> <p>Mayor Bailey called upon Councilmember Melendrez who presented a Proclamation to Dr. Edward Chang recognizing Korean American Day and contributions of Korean Americans.</p> <p><u>RIVERSIDE PRIDE SUCCESS REPORT</u></p> <p>Councilmember Melendrez reported on HEAL Zone Food Systems Alliance in Ward 2.</p> <p><u>ORAL COMMUNICATIONS FROM THE AUDIENCE</u></p> <p>Theresa Newham spoke regarding the Agricultural Park. Ana Miramontes spoke regarding National Law Enforcement Appreciation Day. Karen Wright spoke regarding City Council Committee announcements, City Council meeting frequency, commercial cannabis, the Planning Commission, and Mayor Pro Tem service. Carolyn Brodeur spoke regarding sexual predators.</p> <p><u>CONSENT CALENDAR</u></p> <p>The following items were approved by one motion affirming the actions appropriate to each item with Councilmember Mac Arthur disqualifying himself from participating on the item regarding amendments to the Zoning</p>							
Motion Second All Ayes						X	X



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<p>Map pursuant to Chapter 19.090 of the Riverside Municipal Code by rezoning land to allow for multi-family residential development in furtherance of the Implementation Plan of the 2014-2021 Housing Element as he has a property interest.</p> <p>CASES P15-0610 AND P15-0611 - SET ASIDE AND VACATE APPROVALS - OAKMONT SENIOR LIVING FACILITY - 5695 GLENHAVEN</p> <p>The City Council, in compliance with the Riverside Superior Court order set aside and vacated its May 3, 2016, approvals of Planning Cases P15-0610 (conditional use permit) and P15-0611 (design review) for the Oakmont Senior Living Facility at 5695 Glenhaven Avenue, Riverside, CA.</p> <p>CORRECTION TO MINUTES OF MAY 19, 2015</p> <p>The City Council amended the minutes of May 19, 2015, to reflect that Councilmember Perry recused himself from participating in the interview of Judy G. Teunissen for the Ward 6 seat on the Planning Commission and left the Seventh Floor Conference Room.</p> <p>MINUTES</p> <p>The Minutes of the City Council meetings of December 12 and 19, 2017, were approved as presented.</p> <p>CITYWIDE OVERTIME ASSESSMENT AND ENHANCEMENTS UPDATE</p> <p>The City Council received and ordered filed the status update on the Citywide Overtime Assessment and Enhancements.</p> <p>ANNOUNCEMENT OF COMMITTEE MEETINGS</p> <p>The City Council Transportation Committee will meet at 1 p.m. on Thursday, January 11, 2018, in the Art Pick Council Chamber.</p> <p>PURCHASE AND SALE AGREEMENT - CITY-OWNED UNOCCUPIED TWO-STORY OFFICE BUILDING - 6104 RIVERSIDE AVENUE</p> <p>The City Council (1) approved the Purchase and Sale Agreement with Guardian Realty Services, Inc., in the amount of \$141,150 for sale of the City-owned unoccupied two-story office building located at 6104 Riverside Avenue, identified as Assessor's Parcel Number (APN) 225-091-067; and (2) authorized the City Manager, or his designee, to execute the Agreement, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction and to expend up to</p>			X				X
Motion Second All Ayes							



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<p>\$5,000 for title, escrow and miscellaneous related closing costs.</p> <p>CASES P17-0180 AND P17-0182 - HOUSING ELEMENT IMPLEMENTATION PROGRAM - ZONING MAP AMENDMENT - ORDINANCES ADOPTED</p> <p>The City Council adopted ordinances (1) amending the Zoning Map pursuant to Chapter 19.090 of the Riverside Municipal Code by rezoning land to allow for multi-family residential development; and (2) amending Title 19 of the Riverside Municipal Code in furtherance of the Implementation Plan of the 2014-2021 Housing Element regarding nonconformities, base zones, uses and development provisions, permitted uses, design review, site plan review, accessory dwelling units, drive-thru businesses, and to address State law regarding Supportive and Transitional Housing and Single Room Occupancies; whereupon, the titles having been read and further readings waived, Ordinance No. 7407 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 Multi-Family Residential Development in Furtherance of the Implementation Plan of the 2014-2021 Housing Element; and Ordinance No. 7408 of the City of Riverside, California, Amending Title 19 of the Riverside Municipal Code in Furtherance of the Implementation Plan of the 2014-2021 Housing Element, were presented and adopted.</p> <p>CASE P17-0648 - SUMMARY VACATION - UNACCEPTED OFFER OF DEDICATION - TURRELL COURT - TURRELL/WOOD - RESOLUTION</p> <p>The City Council (1) approved Planning Case P17-0648 subject to the recommended conditions relative to a proposal by Craig Cook of Gabel, Cook and Associates, Inc., on behalf of James and Diana Harrell for the summary vacation of .56 acre of an unaccepted offer of dedication for construction of Turrell Court, an unimproved cul-de-sac located at Turrell Way and west of Wood Road; (2) adopted a resolution vacating an approximately 400-foot-long segment of unaccepted offer of dedication for street and public utility purposes located at Turrell Court; and (3) authorized the City Manager to execute quitclaim deeds as necessary; whereupon, the title having been read and further reading waived, Resolution No. 23261 of the City Council of the City of Riverside, California, Providing for the Summary Vacation (Case No. P17-0648) of Approximately 400-Foot Long Segment of an Offer of Dedication Located at Turrell Court Westerly of Wood Road, in the City of Riverside, California, was presented and adopted.</p>							
Disqualified					X		



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ADAMS	7	
PERRY	6	
MACARTHUR	5	
CONDER	4	
SOUBIROUS	3	
MELENDREZ	2	
GARDNER	1	

CASE P17-0632 - SUMMARY VACATION - EXCESS RIGHT-OF-WAY -
6608 INDIANA - RESOLUTION

The City Council (1) approved Planning Case P17-0632 subject to the recommended conditions relative to a proposal by Craig Cook of Gabel, Cook and Associates, Inc., on behalf of Mark Thompson of 3434-44 Thompson, LLC to summarily vacate excess right-of-way at the southeast corner of Indiana and Arlington Avenues located at 6608 Indiana Avenue; (2) adopted a Resolution vacating approximately 351 square-feet of excess right-of-way; and (3) authorized the City Manager to execute quitclaim deeds as necessary; whereupon, the title having been read and further reading waived, Resolution No. 23262 of the City Council of the City of Riverside, California, Providing for the Summary Vacation (Case No. P17-0632) of Approximately 351 Square Feet of Excess Right-of-Way Located at the Southeast Corner of Indiana and Arlington Avenues, in the City of Riverside, California, was presented and adopted.

2017 URBAN AREAS SECURITY INITIATIVE GRANT - DEPARTMENT OF
HOMELAND SECURITY - SUPPLEMENTAL APPROPRIATION -
RESOLUTION

The City Council (1) adopted a resolution authorizing the City Manager, or his designee, to accept the U.S. Department of Homeland Security grant award of \$2,369,600 sub-granted through the State of California Office of Emergency Services for the Fiscal Year 2017 Urban Areas Security Initiative grant program and to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the U.S. Department of Homeland Security and sub-granted through the State of California; and (2) upon grant award, authorized an increase in estimated revenue in the amount of \$2,369,600 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. 23263 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 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 2017-18 Accordingly, was presented and adopted.



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1	2	3	4	5	6	7

WARDS

MEMORANDUM OF UNDERSTANDING AMENDMENT - RIVERSIDE POLICE OFFICERS' ASSOCIATION POLICE UNIT

The City Council (1) approved amendments to the Memorandum of Understanding (MOU) to reduce required experience for collateral duties from three years to two years and to clarify treatment of three sworn officers with regards to California Public Employees Retirement System (CalPERS) contributions; and (2) authorized preparation of an amendment to the Memorandum of Understanding and authorized the City Manager, or his designee, to execute the amendment to the Memorandum of Understanding on behalf of the City.

CALIFORNIA STATE LIBRARY GRANT - LAPTOPSANYTIME 12 BAY HOST LAPTOP KIOSK - MAIN LIBRARY - 3581 MISSION INN - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved a cash match of \$20,140.50 as required under the current grant management policy to be funded from Special Programs Gift Fund Account 5145000-450201 for purchase of an automated laptop checkout machine LaptopsAnytime 12 Bay Host Laptop Kiosk; (2) upon approval of the grant match, accepted the award and authorized an increase in estimated revenues in the amount of \$27,450 and appropriated expenditures in the same amount to Grants and Capital, Libraries Illuminated Project Account 5145000-450201; and (3) authorized the City Manager, or his designee, to execute all documents and agreements related to the grant including making minor and non-substantive changes and amendments.

NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT BOARD OF TRUSTEES APPOINTMENT

The City Council reappointed Dr. Gary Bradley to the Board of Trustees of the Northwest Mosquito and Vector Control District for a four-year term through December 31, 2021.

STATE AND FEDERAL TASK FORCES - SUPPLEMENTAL APPROPRIATIONS

The City Council (1) authorized an increase in estimated revenues in the amount of \$18,042 and increased appropriations in the same amount to project accounts 9161000681-33110000/44011000 for the High Intensity Drug Trafficking Area Task Force overtime reimbursements from the United States Drug Enforcement Administration; (2) authorized an increase in estimated revenues in the amount of \$59,046.25 and increased appropriations in the same amount to project accounts



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91607000681-33110000/44011000 for the Inland Narcotic Crackdown Allied Task Force overtime reimbursements from the State of California Department of Justice; (3) authorized an increase in estimated revenues in the amount of \$75,000 and increased appropriations in the same amount to project accounts 91608000681-33110000/44011000 for the Inland Narcotic Crackdown Allied Task Force helicopter maintenance reimbursements from the State of California Department of Justice; (4) authorized an increase in estimated revenues in the amount of \$18,042 and increased appropriations in the same amount to project accounts 91609000681-33110000/44011000 for the Inland Regional Apprehension Team Task Force overtime reimbursements from the Federal Bureau of Investigation; (5) authorized an increase in estimated revenues in the amount of \$30,000 and increased appropriations in the same amount to project accounts 91611000681-33110000/44011000 for the Alcohol Tobacco and Firearms Gun/Gang Task Force overtime reimbursements from the United States Department of Justice, Bureau of Alcohol, Tobacco and Firearms; (6) authorized an increase in estimated revenues in the amount of \$40,000 and increased appropriations in the same amount to project accounts 91612000681-33110000/44011000 for the United States Marshals Service (USMS) Regional Fugitive Task Force overtime reimbursements from the United States Marshals Service; (7) authorized an increase in estimated revenues in the amount of \$36,084 and increased appropriations in the same amount to project accounts 91606000681-33110000/44011000 for the Drug Enforcement Administration Task Force overtime reimbursement from the Department of Justice, Drug Enforcement Administration; and (8) authorized an increase in estimated revenues in the amount of \$18,042 and increased appropriations in the same amount to project accounts 91613000681-33110000/44011000 for the Orange County Regional Computer Forensic Laboratory for overtime reimbursement from the Federal Bureau of Investigation.

BID 7420 - ARLINGTON SEWER CONSTRUCTION AND DEMOLITION OF SEWER PUMP STATION - CHANGE ORDER AUTHORITY INCREASE - ARLINGTON/FAIRHAVEN/WESTERN HILLS

The City Council approved Bid 7420 to Mamco Inc., dba Alabbasi, increasing the cumulative change order authority by \$220,000 from \$59,888 (10 percent) to \$279,888 (46.73 percent) for a total contract amount of \$878,776 from the Arlington/Fairhaven Pump Upgrade Account for the Arlington Avenue Sewer Construction and Demolition of Sewer Pump Station Project located at the intersection of Arlington Avenue and Fairhaven Drive to Western Hills Drive.



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DESIGN-BUILD AGREEMENT - RFP 1669 - REPLACEMENT BLOWER NO. 2 - REGIONAL WATER QUALITY CONTROL PLANT - 5950 ACORN
The City Council (1) approved a Design-Build Agreement, Request for Proposal 1669, with B.R. Frost Company, in the amount of \$995,400 from the Public Works Department Sewer Projects Plant 2 Blower No. 2 Rehabilitation/Replacement Account for replacement of Blower No. 2 at the Regional Water Quality Control Plant located at 5950 Acorn Street; and (2) authorized the City Manager, or his designee, to execute the Design-Build Agreement with B.R. Frost Company and make minor, non-substantive changes.

COMMUNICATIONS

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

There were no items requested for future City Council consideration.

CITY ATTORNEY REPORT ON CLOSED SESSIONS

City Attorney Geuss announced (1) settlement of the three plaintiff case of Patricia Roberts v. City of Riverside, Case RIC1514919, in the amount of \$325,000 for each plaintiff for a total settlement of \$975,000 as authorized in closed session on May 2, 2017, with Councilmembers Gardner, Melendrez, Soubrious, Davis, Mac Arthur, Perry, and Burnard voting aye; and (2) settlement of Marshall v. City of Riverside, Case RIC1501909 for \$475,000 as authorized in closed session on December 19, 2017, by a unanimous vote of the City Council.

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The City Council adjourned in honor of Mrs. Rosemary Bailey at 7:41 p.m.



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ADAMS	7	
PERRY	6	
MACARTHUR	5	
CONDER	4	
SOUBIROUS	3	
MELENDREZ	2	
GARDNER	1	

COLLEEN J. NICOL
City Clerk