

*City of Arts & Innovation*

## CITY COUNCIL

### MINUTES

TUESDAY, MAY 24, 2022, 1 P.M.

PUBLIC COMMENT IN PERSON/TELEPHONE

ART PICK COUNCIL CHAMBER

3900 MAIN STREET

PRESENT: Mayor Lock Dawson, Councilmembers Edwards, Fierro, Conder, Perry, and Hemenway and Councilwoman Plascencia

ABSENT: Councilmember Cervantes

Mayor Lock Dawson called the meeting to order at 1:00 p.m.

#### ORAL COMMUNICATIONS FROM THE AUDIENCE

Conrad Newberry, Jr., spoke regarding landscaping at Fairmount Park. Patrick Maloney spoke regarding Spike and Mike's show at the Fox Theatre. Jason Hunter spoke regarding Measure MM and professional services contracts.

#### COMMUNICATIONS

##### INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE

The City Council received an update on Intergovernmental relations and legislation.

##### HOMELESS SOLUTIONS UPDATE

The City Council received an update on homeless solutions.

##### SUSTAINABILITY UPDATE

There was no update on sustainability.

##### HEALTH, SAFETY, AND SECURITY UPDATES

There was no update on health, safety, and security.

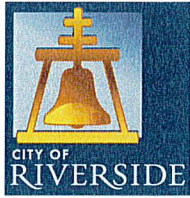
##### LEGAL UPDATE

There was no legal update.

#### DISCUSSION CALENDAR

WAIVE SUNSHINE ORDINANCE - STATE OF CALIFORNIA MATCHING GRANTS PROGRAM - MULBERRY GARDEN APARTMENTS PROJECT AND EDEN HOUSING, INC.'S

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Perry to waive the Sunshine Ordinance by a two-thirds vote pursuant to



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Riverside Municipal Code Section 4.05.050(D)(1)(b) to consider a Resolution supporting the Mulberry Garden Apartments, a 209-unit family and senior affordable housing community located at 2524 Mulberry Street, and supporting Eden Housing, Inc's funding applications to the State of California Excess Sites local Government Matching Grants Program, the California Tax Credit Allocation Committee, and to the City of Riverside for \$3,000,000 in Fiscal Year 2021/2022 HOME Investment Partnerships Act-ARP funds to prevent missing out on this grant opportunity. The motion carried with Councilmember Cervantes absent.

#### STATE OF CALIFORNIA MATCHING GRANTS PROGRAM - MULBERRY GARDEN APARTMENTS PROJECT AND EDEN HOUSING, INC. - 2524 MULBERRY - RESOLUTION

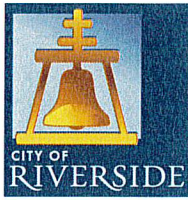
Following discussion, it was moved by Councilmember Edwards and seconded by Councilmember Perry to adopt a Resolution supporting the Mulberry Garden Apartments, a 209-unit family and senior affordable housing community located at 2524 Mulberry Street and Eden Housing Inc's funding applications to the State of California Excess Sites Local Government Matching Grants Program, the California Tax Credit Allocation Committee, and to the City of Riverside for \$3,000,000 in Fiscal Year 2021/2022 HOME Investment Partnerships ACT-ARP funds. The motion carried with Councilmember Cervantes absent.

Whereupon, the title having been read and further reading waived, Resolution No. 23855 of the City Council of the City of Riverside, California, Supporting the Mulberry Garden Apartments Project, Located at 2524 Mulberry Street, and Eden Housing, Inc.'s Funding Applications to the State of California Excess Sites Local Government Matching Grants Program, the California Tax Credit Allocation Committee, and to the City of Riverside for up to \$3,000,000 in FY 2021/22 Home Investment Partnerships ACT-ARP Funds, was presented and adopted.

#### CLOSED SESSIONS

The Mayor and City Council adjourned to closed sessions at 1:33 p.m. pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Service Employees International Union, Local 721 v. City of Riverside, Case No. LA-CE-1577-M; (2) §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; (3) §54956.9(d)(1) to confer with and/or receive advice from





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legal counsel concerning *Riversiders Against Increased Taxes v. City of Riverside, et al.*, Riverside Superior Court Case No. CVRI 2104120; (4) §54957(a) for consultation with Chief of Police Larry Gonzalez and Chief Information Officer George Khalil regarding threat to public services or facilities; (5) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning significant exposure to litigation regarding one case; (6) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning the City Council deciding whether to initiate litigation regarding one case; (7) §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 except the City Manager, 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 recruitment/appointment of City Manager by the City Council.

#### PRESENTATION

##### RIVERSIDE MILITARY WALL OF HONOR REDEDICATION

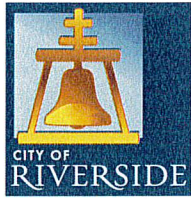
Mayor Lock Dawson in partnership with Greater Riverside Chambers of Commerce rededicated the Riverside Military Wall of Honor at the Main Street Pedestrian Mall at Tenth Street.

The Mayor and City Council reconvened at 6:15 p.m. with Mayor Lock Dawson presiding and Councilmembers Cervantes and Hemenway absent.

Lieutenant Colonel David Sorento, Chaplain at the California Air National Guard gave the Invocation and led the Pledge of Allegiance.

#### PRESENTATION

Councilmember Conder presented a video in honor of Memorial Day.



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#### MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Edwards announced the third virtual meeting to discuss the Northside Specific Plan. Councilmember Conder reported on a community meeting in Ward 4 regarding home invasions and safety and Neighbors Better Together meeting. Councilwoman Plascencia reported on reading to Head Start students at Arlanza Elementary and office hours at Hunt Park. Councilmember Perry reported on graduation ceremonies, neighborhood walking in Ward 6, rededication of Military Wall, and thanked Al Zelinka for his years of service and dedication. Mayor Lock Dawson thanked the sponsors who contributed to the Military Wall of Honor and Philip Falcone for leading the project and reported on Big Tent Tour dates and Southern California Association of Government (SCAG) appointment to the Legislative Communications and Membership Committee.

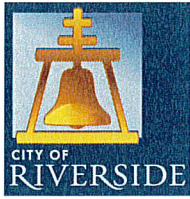
#### PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

##### CASE PR-2021-001082 - ZONING CODE AMENDMENT - 7920 LINDBERGH - ORDINANCE INTRODUCED

Hearing was called to consider a request by Adam Kooienga of Hofman Planning Associates for a Zoning Code Text Amendment and Minor Conditional Use Permit to permit a Tesla dealership with outdoor display and an indoor vehicle repair facility, located at 7920 Lindbergh Drive, situated on the east side of Lindbergh Drive between Jesse Lane and Earhart Way. Two people spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Perry to (1) determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061.b.3 (Common Sense Exemption) and 15301 (Existing Facilities) of the CEQA Guidelines, as the project will not have a significant effect on the environment; (2) approve Planning Case PR-2021-001082 Zoning Code Text Amendment and Minor Conditional Use Permit, based on the findings outlined in the staff report and summarized in the findings and subject to the recommended conditions; and (3) introduce an Ordinance amending the Zoning Code. The motion carried with Councilmembers Cervantes and Hemenway absent.





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Whereupon, and Ordinance entitled, "An Ordinance of the City Council of the City of Riverside, California, Amending Section 19.130.010 and Table 19.150.020.A in Title 19 of the Riverside Municipal Code," was presented and introduced.

CASE P09-0173 - ZONING CODE AMENDMENT - 18049 CLARKE - ORDINANCE INTRODUCED  
Hearing was called to consider proposal by the City of Riverside for a Title 19 - Zoning Ordinance clean-up item to rezone 0.47-acre portion of a larger parcel from R-1-1/2 Acre - Single Family Residential Zone to RC-Residential Conservation Zone, a clean-up item, located at 18049 Clarke Court, situated on the south side of the Clarke Court cul-de-sac. No one spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Edwards to (1) determine that the proposed project will not have a significant effect on the environment and is consistent with the Negative Declaration adopted by the City Council on September 1, 2009, pursuant to Sections 15074 and 21081.6 of the California Environmental Quality Act (CEQA) Guidelines; and (2) introduce the Title 19 - Zoning Ordinance Amendment related to the Zoning Code Map Amendment (P09-0173), approved by City Council on September 1, 2009. The motion carried with Councilmembers Cervantes and Hemenway absent.

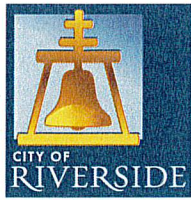
Whereupon, and Ordinance entitled, "An Ordinance of the City of Riverside, California, Amending the Zoning Map of the City of Riverside Pursuant to Chapter 19.090 of the Riverside Municipal Code by Rezoning a 0.47-Acre Portion of a 5.01-Acre Parcel Located at 18049 Clarke Court, from the R-1-1/2-Single Family Residential Zone to RC-Residential Conservation Zone," was presented and introduced.

#### ORAL COMMUNICATIONS FROM THE AUDIENCE

Rich Gardner spoke regarding Alzheimer Caregivers event.

#### CONSENT CALENDAR

It was moved by Councilmember Perry and seconded by Councilmember Conder to approve the Consent Calendar as presented affirming the actions appropriate to each item. The motion carried with Councilmembers Cervantes and Hemenway absent.



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#### EXTEND LEGAL SERVICES AGREEMENTS FOR RETENTION OF OUTSIDE LEGAL SERVICES

The City Council (1) approved extensions to Legal Services Agreements to June 30, 2023, with the law firms of Thompson Coburn, Smith Law Offices and Burke, Williams & Sorensen, LLP, for the retention of outside legal services; and (2) authorized the City Attorney to execute such extensions to such Legal Services Agreements for the retention of outside legal services.

#### BOARD AND COMMISSION APPOINTMENT

The Mayor and City Council appointed Marsha J. Gonzalez to the Ward 6 seat on the Human Resources Board for a term through March 1, 2025.

#### MINUTES

The minutes of the meeting for May 10, 2022, were approved as presented.

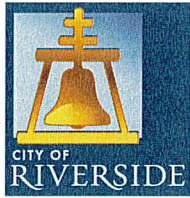
#### APPOINTMENT OF CITY MANAGER PRO TEMPORE

The City Council confirmed the appointment of (1) Assistant City Manager Kris Martinez as City Manager Pro Tempore; (2) Assistant City Manager Rafael Guzman as City Manager Pro Tempore; and (3) Interim Assistant City Manager Edward Enriquez as City Manager Pro Tempore.

#### STANDARD GRANT AGREEMENT - CALIFORNIANS FOR ALL YOUTH WORKFORCE PROGRAM - SUPPLEMENTAL APPROPRIATION

The City Council (1) accepted a grant in the amount of \$4,401,597 from the State of California Governor's Office of Planning and Budget/California Volunteers Program; (2) authorized a Standard Agreement between the City and the State of California Governor's Office of Planning and Budget/California Volunteers Program for the grant amount of \$4,401,597 or the actual award amount; (3) authorized the Chief Financial Officer, or his designee, to execute a Standard Agreement with the State of California Governor's Office of Planning and Budget/California Volunteers Program including making minor and non-substantive changes as needed; and (4) upon receipt of the award, authorize the Chief Financial Officer, or his designee, to record an increase in estimated revenues and a supplemental appropriation in the Grants and Restricted Programs Fund, Office of the City Manager, California Youth Grant Account in the amount of the grant award.





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#### MEASURE Z - POLICE HELICOPTERS FINANCING - SUPPLEMENTAL APPROPRIATION - RESOLUTION

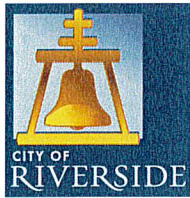
The City Council (1) adopted a resolution approving the form of a financing agreement with Banc of America Public Capital Corp in the amount of \$11,291,564, payable over a period of ten years at an interest rate of 1.7729 percent; (2) authorized the City Manager, the Chief Financial Officer, or designee to execute and deliver all associated documents necessary to complete the financing; and (3) authorized the Chief Financial Officer to increase the budgeted debt payments in the Measure Z Fund to match the debt service schedule, estimated to require a supplemental appropriation of \$626,576 in Fiscal Year 2022/23 and \$14,995 in Fiscal Year 2023/24; whereupon, the title having been read and further reading waived, Resolution No. 23856 of the City Council of the City of Riverside, California, Approving a Schedule of Property No. 4 and Authorizing Certain Actions in Connection Therewith Relating to the Financing of Certain Equipment for the City, was presented and adopted.

#### MEASURE Z - DOWNTOWN POLICE HEADQUARTERS PROJECT - RESOLUTION

The City Council adopted a Reimbursement Resolution to provide the option of using future bond proceeds for the Downtown Police Headquarters project, with the understanding that Measure Z funds will be used for the acquisition and construction needs in the interim; whereupon, the title having been read and further reading waived, Resolution No. 23857 of the City Council of the City of Riverside, California, Regarding Intention to Issue Tax-Exempt Obligations and Declaring its Official Intent to Reimburse Certain Qualified Capital Expenditures from Such Anticipated Tax-Exempt Obligations, was presented and adopted.

#### MEASURE Z - BID 7864 - REPLACEMENT OF POLICE HELIPAD LANDING LIGHTS AT POLICE SPECIAL OPERATIONS/METRO FACILITY - 7020 CENTRAL

The City Council (1) awarded Bid 7864 to M. Brey Electric, Inc., Beaumont, in the amount of \$95,095 for Replacement of the Helipad Landing Lights at the Police Special Operations/Metro facility located at 7020 Central Avenue; (2) authorized 20 percent change order authority in an amount up to \$19,019 for project changes including, but not limited to, unforeseen conditions, or necessary design changes for a total not-to-exceed amount of \$114,114; and (3) authorized the City Manager, or his designee, to execute a Construction Agreement with M. Brey Electric, Inc., including making minor and non-substantive changes.



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#### SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY SEMI-ANNUAL EXPENDITURES

The City Council received the Southern California Public Power Authority semi-annual expenditure report for the period of July 2021 through December 2021.

#### PURCHASE - PIPELINE INSPECTION CAMERA SYSTEM - ENGINEERING DIVISION

The City Council approved the purchase of one Rovver X pipeline inspection camera system with Portable Outpost Enclosure with accessories from Haaker Equipment Company, La Verne, for the Public Works Engineering Division – Environmental Services Section in the amount of \$121,336.35.

#### AGREEMENT - THIRD STREET GRADE SEPARATION PROJECT DESIGN PHASE

The City Council (1) approved a Preliminary Engineering Services Agreement with BNSF Railway Company for the design phase of the Project; and (2) authorized the City Manager, or his designee, to execute the agreement, including making minor and non-substantive changes.

#### COMMUNICATIONS

##### CITY ATTORNEY REPORT ON CLOSED SESSIONS

City Attorney Norton announced there was no reportable action taken during closed session on Item Nos. 9, 13, and 14.

Councilmember Conder thanked Al Zelinka for his service as City Manager and reported on the passing of Paul Renck.

##### ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

There were no future items requested at this time.

The City Council adjourned at 7:01 p.m.

Respectfully submitted,

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DONESIA GAUSE  
City Clerk