



CODE OF ETHICS AND CONDUCT COMPLAINT

QUEJA DEL CÓDIGO DE ÉTICA Y DE CONDUCTA

Riverside Municipal Code Chapter 2.78
Código Municipal de Riverside Capítulo 2.78

A Public Document
Un Documento Público

- ☐ **Check box if this is an amendment to a complaint filed within the last 30 days.**
Marque la casilla si se trata de una enmienda a una queja presentada en los últimos 30 días.

1. Person filing complaint / 1. Persona que presenta la queja

Name: / Nombre: _____ **Phone: / Telefono:** _____

Address: / Dirección: _____ **Email: / Correo electrónico:** _____

2. Official who committed alleged violation / 2. El Oficial (Funcionario) que cometió presunta violación

Name: / Nombre: _____

Position: / Puesto: _____

3. Date(s) of alleged violation:

3. Fecha(s) de presunta violación: _____

4. Date you became aware of alleged violation:

4. Fecha en que se enteró de la presunta violación: _____

Complaints shall be filed with the City Clerk within one (1) year from the date of the alleged violation.

Las quejas deben presentarse ante la Secretaría Municipal dentro de un (1) año a partir de la fecha de la presunta violación.

5. Specific Prohibited Conduct of RMC Section 2.78.060 of Code of Ethics and Conduct allegedly violated:

5. Sección específica de conducta prohibida bajo RMC 2.78.060 del Código de Ética y Conducta presuntamente violada:

☐ **A. Use of Official Title or Position for Personal Gain Prohibited**

El uso del título o puesto oficial para beneficio personal es prohibido

☐ **B. Use or Divulgence of Confidential or Privileged Information Prohibited**

El uso o la divulgación de información confidencial o privilegiada es prohibido

☐ **C. Use of City Resources for Non-City Purposes Prohibited**

El uso de recursos de la ciudad para fines ajenos a la ciudad es prohibido

☐ **D. Advocacy of Private Interests of Third Parties in Certain Circumstances Prohibited**

La defensa de los intereses privados de terceros en determinadas circunstancias es prohibido

☐ **E. Endorsements for Compensation Prohibited**

Endosos por compensación es prohibido

☐ **F. Violation of Government Code Sections 87100 et seq., Prohibited (Conflict of Interest)**

Violación de las Secciones 87100 et seq., del Código de Gobierno, es prohibido (Conflicto de Intereses)

☐ **G. Certain Political Activity Prohibited (Coercion of City employees to participate in election activities)**

Ciertas actividades políticas son prohibidas (sugestionar empleados de la ciudad para participar en actividades electorales)

☐ **H. Display of Campaign Materials in or on City Vehicles Prohibited**

La exhibición de materiales de campaña en vehículos de la ciudad o sobre ellos es prohibido

☐ **I. Knowingly Assisting Another Public Official in Violating This Code of Ethics and Conduct Prohibited**

Ayudar deliberadamente a otro funcionario público a violar este Código de Ética y Conducta es prohibido

☐ **J. Negotiation for Employment With Any Party Having a Matter Pending Before City Prohibited**

Negociación de empleo con cualquier parte que tenga un asunto pendiente ante la ciudad es prohibido

☐ **K. Ex Parte Contact in Quasi-Judicial Matters Prohibited**

Contacto ex parte en asuntos cuasi-judiciales es prohibido

☐ **L. Attempts to Coerce Official Duties Prohibited**

Intentos de coaccionar los deberes oficiales es prohibido

☐ **M. Violations of Local Law Prohibited**

Se prohíben las infracciones de las leyes locales

☐ **N. Convictions of Federal or State Law Affecting Their Office Prohibited.**

Se prohíben las infracciones de las leyes federales o estatales afectando la oficina que ocupan

6. For alleged violations of RMC Section 2.78.070(M), the specific section(s) of the Charter of the City of Riverside or the Riverside Municipal Code, or the policy of the City of Riverside, including when the policy of the City of Riverside was established, that is alleged to have been violated must be identified below.

6. Para supuestas infracciones de la Sección 2.78.070(M) de RMC, la(s) sección(es) específica(s) de la Carta Orgánica de la Ciudad de Riverside o el Código Municipal de Riverside, o la política de la Ciudad de Riverside, incluso cuando se estableció la política de la Ciudad de Riverside, que se alega que fue violada deben ser identificadas aquí.

7. For alleged violations of RMC Section 2.78.070 (N), the specific federal or state law for which the public official was convicted or entered a plea of no contest must be identified below with an explanation of how the alleged violation affects the performance of their duties in the office that they hold.

7. Para supuestas infracciones de la Sección 2.78.070(N) de RMC, la ley federal o estatal específica por la cual el funcionario público fue condenado o presentó una declaración de no impugnación debe identificarse a continuación con una explicación de cómo la presunta infracción afecta el desempeño de las funciones de el puesto que ocupa el funcionario.

8. Names, addresses, telephone numbers, and email addresses, if known, of each person the complainant intends to call as a witness at the hearing (may identify additional witnesses on a separate sheet):

8. Nombres, direcciones, números de teléfono y direcciones de correo electrónico, si se conocen, de cada persona a la que el demandante intenta llamar como testigo en la audiencia (puede identificar testigos adicionales en una hoja separada):

9. Attach copies of any and all documents, photographs, recordings, or other tangible materials to be introduced and considered at the hearing.

9. Adjunte copias de todos y cada uno de los documentos, fotografías, grabaciones que se presentarán para consideración en la audiencia.

Witnesses, documents, photographs, recordings or other tangible materials, other than those submitted with the complaint or official's reply, shall not be introduced at the hearing or considered by the hearing panel, except upon a finding by the hearing panel that the discovery of the evidence came to the awareness of the proponent after the filing of the complaint or reply and that the proponent disclosed such information to the City Clerk as soon as practicable after becoming aware of its existence.

Testigos, documentos, fotografías, grabaciones y otros materiales que existen, que no sean los presentados con la queja o la respuesta del funcionario, no serán presentados en la audiencia o considerados por el panel de audiencia, excepto cuando el panel de audiencia determine que el descubrimiento de la evidencia llegó a conocimiento del proponente después de la presentación de la queja o respuesta y que el proponente divulgó dicha información a la Secretaría Municipal tan pronto como fue posible después de tener conocimiento de su existencia.

10. Signed under penalty of perjury of the laws of the State of California:
10. Firmado bajo pena de perjurio de las leyes del estado de California:

Signature / Firma

Date / Fecha

(Received stamp here)

OFFICE USE ONLY
PARA USO OFICIAL

Date City Clerk notified complainant, if deemed incomplete:_____

Date City Clerk accepted as complete and filed:_____

PLEASE NOTE:
TENGA EN CUENTA:

The burden of proof is on the complainant and the complainant must prove the violation by a preponderance of the evidence.
La carga de la prueba descansa sobre la persona que presenta la queja y la persona que presenta la queja debe probar la violación por preponderancia de la evidencia.

Failure to complete all sections of this form may result in the filing being deemed incomplete and the complainant will be so notified. Incomplete filings will not be processed.
Falta de completar todas las secciones de este formulario puede resultar en que la presentación se considere incompleta y se notificará a la persona que presenta la queja. No se procesarán las presentaciones incompletas.

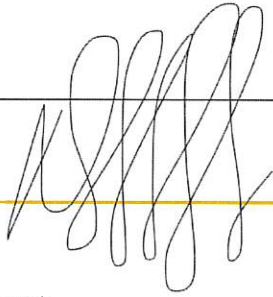
File completed form and attachments:
Presente o mande formulario completo y anexos:

**Office of the City Clerk
City of Riverside**
3900 Main Street
Riverside, CA 92522
(951) 826-5557
City_Clerk@RiversideCA.gov

10. Signed under penalty of perjury of the laws of the State of California:

10. Firmado bajo pena de perjurio de las leyes del estado de California:

Signature / Firma



Originally filed July 29, 2025

Date / Fecha

OFFICE USE ONLY
PARA USO OFICIAL

(Received stamp here)

RECEIVED

AUG 15 2025

City of Riverside
City Clerk's Office



Date City Clerk notified complainant, if deemed incomplete: 8/14/2025

Date City Clerk accepted as complete and filed: 8/18/2025

PLEASE NOTE:

TENGA EN CUENTA:

The burden of proof is on the complainant and the complainant must prove the violation by a preponderance of the evidence.

La carga de la prueba descansa sobre la persona que presenta la queja y la persona que presenta la queja debe probar la violación por preponderancia de la evidencia.

Failure to complete all sections of this form may result in the filing being deemed incomplete and the complainant will be so notified. Incomplete filings will not be processed.

Falta de completar todas las secciones de este formulario puede resultar en que la presentación se considere incompleta y se notificará a la persona que presenta la queja. No se procesarán las presentaciones incompletas.

File completed form and attachments:

Presente o mande formulario completo y anexos:

Office of the City Clerk
City of Riverside
3900 Main Street
Riverside, CA 92522
(951) 826-5557
City_Clerk@RiversideCA.gov

Nature of Violations:

On March 13, 2025 with **four sitting council members present at a Chamber of Commerce event**, the changes to the ordinance were discussed prior to the issue being discussed in an open public meeting on March 25, 2025 during a presentation by Councilmember Mill. *See attached declaration of Damian Martin – Exhibit 1.* A 2024 California Attorney General Opinion recently addressed this very question – when a majority of council attend a ticketed Chamber event, it is a meeting for purposes of the Ralph M. Brown Act and discussions of matters within the Council's jurisdiction are patently off limits per California Government Code §54952.2(a) and no exception applies. *See attached AG Opinion 23-102 – Exhibit 2.* We hope the Board of Ethics can subpoena the video of the Chamber meeting. We can try to do so through our legal proceeding, but it will likely take time.

Moreover, there is a suspected Brown Act violation, confirmed on July 15, 2025, regarding the changes to the Cannabis Ordinance where staff admitted to sequential meetings with councilmembers prior to January 7, 2025 when the discussion of amending the ordinance first took place in public. *See zoom transcript excerpt at 18:57:38 et seq.– we are waiting for the City clerk to advise re transcripts – Exhibit 3.*

By speaking on a matter pending before the Council prior to the public hearing, Councilperson Mill knowingly assisted the three other councilpersons – Robillard, Perry and Conder in violating their ethics as well.

There is a present moratorium on all communications regarding the commercial cannabis business and permitting process outside of the designated email channel. There are several instances of STIIIZY contacting and communicating with City staff – including this important issue of limiting the number of cannabis businesses in the City and per ward. There are emails from Jennifer Lily that instruct staff to cease communications in writing. This should all be investigated. There is something very strange happening behind the scenes. *See emails between Stiizy and City Staff – Exhibit 4.*

On July 15, 2025, staff admitted to sequential meetings with all Council members in making the recommendations and proposing changes to the cannabis ordinances. This is in addition to several instances of ex parte communications between the UFCW (who has binding agreements with and publicly advocates for STIIIZY and Embarc, the entities who stand to control five of seven licenses in the City), STIIIZY and its lobbyist. There is also evidence of City staff instructing other staff and the third party consultant to cease communicating via email in writing about the cannabis program. *See emails from*

Jennifer Lily – Exhibit 5. Also transcript of city council meeting July 15, 2025 – pending receipt from clerk.

We have made numerous public records act requests to learn of what is happening behind the scenes. Not surprisingly, we are not being given all the documents that exist. We hope the Ethics Board takes this matter seriously and investigates thoroughly or enables us to conduct our own investigation with City cooperation. For example, it is fairly clear that Jennifer Lily and Kyle Warsinski are had conversations prior to the January 7, 2025 meeting. These sort of serial meetings are exactly what the Brown Act was designed to protect from.

It makes little sense that a majority of the Council would change its position. Councilperson Cervantes stated on March 25, 2025 that she was disappointed that the ordinance will be changing, but made the motion anyway. Councilperson Falcone told the press he wanted 14 dispensaries in Riverside during his campaigns, only to do a total about face once elected. *See articles – Exhibit 6.* Sean Mill also supported cannabis businesses to generate tax revenue, but is now insisting that they be reduced significantly in number. *See article – Exhibit 7.* Measure B promised the voters 14 dispensaries.

For some reason, unknown to the public, they are getting 2 businesses controlling 5 licenses - even though the Council is trying for 7 licenses, there are no properties in wards 4 and 7. Something is not right, and without the Board of Ethics, the public will never know.

Exhibit 1

1 Dana Leigh Cisneros, Esq. (State Bar No. 250415)
2 **THE CISNEROS FIRM, A PROFESSIONAL CORPORATION**
3 155 N. Riverview Drive, Suite 1100-103
4 Anaheim Hills, CA 92808
5 *dana@cisernosfirm.com*
6 Tel: (714) 660-9045
7 Fax: (949) 258-9332

8 Attorneys for Petitioners and Plaintiffs
9 TAT RV, LLC, OTC Riverside, LLC, and
10 Packs Riverside, LLC

11 **THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF RIVERSIDE**

13 **TAT RV, LLC**, a California limited liability
14 company; **OTC RIVERSIDE, LLC**, a California
15 limited liability company; **PACKS RIVERSIDE,**
16 **LLC**, a California limited liability company;

17 **Petitioners and Plaintiffs,**
18 **vs.**

19 **CITY OF RIVERSIDE**, a California charter city
20 and municipal corporation; **DOES 1-20,**
21 **inclusive,**

22 **Respondent and Defendant.**

23 **Does 21-50, inclusive,**

24 **Real Parties in Interest.**

Case No.: CVRI2503564
Related Case No.: CVRI2503635

DECLARATION OF DAMIAN MARTIN

DECLARATION OF DAMIAN A. MARTIN

I, DAMIAN A. MARTIN, declare under penalty of perjury and, if called upon, I could and would testify competently based on personal knowledge of the following facts (the "Declaration"):

1. I am an attorney at law licensed to practice in the State of California and am an owner of and counsel of record in CATALYST-RIVERSIDE LLC vs CITY OF RIVERSIDE (CVRI2503635) for CATALYST - RIVERSIDE LLC ("Catalyst").
2. I make this Declaration of my own personal knowledge, unless qualified on information and belief as otherwise stated herein.
3. If called upon to testify as to this Declaration, I would and could testify competently thereto.
4. On or about January 8, 2025, through my personal completion and submission of a membership application, Catalyst became a member of the Greater Riverside Chambers of Commerce ("Riverside Chamber").
5. On March 13, 2025, after purchasing a ticket, I personally attended the Riverside Chamber's Good Morning Riverside event on behalf of Catalyst at which City of Riverside (the "City" or "Riverside") Councilmember Sean Mill ("Mill") was slated to provide "City of Riverside Ward 5 Updates". A true and correct copy of the flyer for the Riverside Chamber's Good Morning Riverside event on March 13, 2025, that the Riverside Chamber emailed directly to me is attached hereto as Exhibit A and incorporated herein by way of this reference.
6. Only members and prospective members of the Riverside Chamber were able to attend the Riverside Chamber's Good Morning Riverside event on March 13, 2025, and a ticket was required to be purchased. A true and correct copy of the receipt for the ticket I purchased to attend Riverside Chamber's Good Morning Riverside event on March 13, 2025, is attached hereto as Exhibit B and incorporated herein by way of this reference.
7. During the Riverside Chamber's Good Morning Riverside event on March 13, 2025, I personally observed that Mill was seated at the same table as Riverside

1 City Councilmembers Steven Robillard, Chuck Conder, and Jim Perry.

- 2 8. During presentation of "City of Riverside Ward 5 Updates" at the Riverside
3 Chamber's Good Morning Riverside event on March 13, 2025, I personally
4 heard Mill publicly announce that the City would be reducing the maximum
5 number of cannabis business permits from 14 to seven, with one cannabis
6 business permit maximum allowed per City Ward.

7 I make this declaration under the laws of penalty of perjury of the State of California.

8 Executed on July 29, 2025, at Long Beach, California.

9
10
11 By: 

12 DAMIAN A. MARTIN
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Exhibit A

Damian A. Martin

From: Greater Riverside Chambers of Commerce <rchamber-riverside-chamber.com@shared1.ccsend.com>
Sent: Wednesday, March 12, 2025 11:40 AM
To: damian.martin.esq@gmail.com
Subject: Community Celebrations & More at Good Morning Riverside!

GREATER RIVERSIDE CHAMBERS OF COMMERCE PRESENTS



THURSDAY, MARCH 13

Mission Inn Hotel & Spa |

Grand Parisian Ballroom

Check In: 6:45 AM | Event Start: 7:10 AM

[PURCHASE TICKETS](#)

Network with over 150 business and community leaders as they learn how the 163d Attack Wing maintains mission readiness at March Air Reserve Base.



Sponsored By:



Meet the Speakers:



Col. Ameer Howard

Commander of the 163d
Attack Wing, March Air
Reserve Base



**Farm House Collective
Grand Opening**

Beverly Bailey



**City of Riverside
Ward 5 Updates**

Councilmember Sean Mill

Secure Your Seat

Engage with This Month's Exhibitors!



Exhibitor Opportunity for Members!

Market your Business or Upcoming Event at Good Morning Riverside

Exhibitors Receive:

- Exclusive table opportunity
- (2) Tickets
- Verbal recognition during program

Secure an Exhibitor Spot

Ask About Our Non-Profit Rate!

Good Morning Riverside is Thursday, March 13

Check-In Begins at 6:45 AM

Event Starts at 7:10 AM



Member Ticket: \$35
Prospective Member Price: \$60

[Purchase Tickets](#)

Questions? Contact [Mary Megan MacGregor](#), 951-683-7100 Ext. 220

Reservations must be canceled 72 hours prior to event. Failure to cancel in advance will result in registrant being billed for event, regardless of attendance.



Greater Riverside Chambers of Commerce | 3985 University Avenue | Riverside, CA 92501 US

[Unsubscribe](#) | [Update Profile](#) | [Constant Contact Data Notice](#)



Exhibit B

Damian A. Martin

From: Damian Martin <damian.martin.esq@gmail.com>
Sent: Tuesday, July 29, 2025 10:06 AM
To: Damian Martin
Subject: Fwd: Transaction Receipt from Greater Riverside Chambers of Commrece for \$25.00 (USD)

----- Forwarded message -----

From: **Auto-Receipt** <noreply@mail.authorize.net>
Date: Tue, 11 Mar 2025 at 13:20
Subject: Transaction Receipt from Greater Riverside Chambers of Commrece for \$25.00 (USD)
To: Damian Martin <damian.martin.esq@gmail.com>

Order Information

Description: Greater Riverside Chambers of Commerce Online Purchase
Invoice Number 06225
Customer ID 06225

Billing Information

Damian Martin
6371 E ROCHELLE LN
Long Beach, CA 90815
US
damian.martin.esq@gmail.com
7576520460

Shipping Information

Damian Martin
401 Pine Avenue
Long Beach, AL 90802

Total: \$25.00 (USD)

Payment Information

Date/Time: 11-Mar-2025 13:20:12 PDT
Transaction ID: 80933066209
Payment Method: Visa xxxx9625
Transaction Type: Purchase
Auth Code: 737144

Merchant Contact Information

Greater Riverside Chambers of Commrece
Riverside, CA 92501
US
mmmacgregor@riverside-chamber.com

exhibit 2

TO BE PUBLISHED IN THE OFFICIAL REPORTS

OFFICE OF THE ATTORNEY GENERAL
State of California

ROB BONTA
Attorney General

OPINION	:	
	:	
of	:	No. 23-102
	:	
ROB BONTA	:	April 18, 2024
Attorney General	:	
	:	
RYAN B. McCARROLL	:	
Deputy Attorney General	:	

The HONORABLE ERIK A. NASARENKO, VENTURA COUNTY DISTRICT ATTORNEY, has requested an opinion on three questions relating to the Ralph M. Brown Act (Gov. Code, § 54950 et seq.), which generally requires that legislative bodies of local government agencies conduct their meetings in a manner that is open and accessible to the public.¹

QUESTIONS PRESENTED AND CONCLUSIONS

The Ventura Chamber of Commerce hosted an annual breakfast at which the mayor, who is a member of the city council, delivered a “State of the City” address. Members of the public could attend the event in person, but only if they purchased a ticket from the chamber of commerce. There was no other way for the public to watch the address in real time. Given this context, the questions presented are:

1. If a majority of the members of the city council were to attend the event described above, would that event constitute a “meeting” of the city council within the scope of the Brown Act under Government Code section 54952.2(a)?

¹ Statutory citations throughout the body of this opinion are to the Government Code.

Yes. If a majority of the members of the city council were to attend the event described above, that event would constitute a congregation of a majority of the councilmembers at the same time and location to hear—and potentially discuss—an item within their subject matter jurisdiction. As such, the event would constitute a “meeting” of the city council within the meaning of Government Code section 54952.2(a), and the meeting would have to comply with the open-meeting requirements of the Brown Act, unless a statutory exception applies.

2. Would the Brown Act exception for conferences or similar gatherings set forth in Government Code section 54952.2(c)(2) apply to such an event?

No. The event as described consisted of a single speech by a single official regarding the state of a single city. As such, it would not satisfy the Brown Act exception for conferences and similar gatherings set forth in Government Code section 54952.2(c)(2) because that exception involves a discussion of issues of general interest to the public or to public agencies of the type represented by the city council.

3. Would the Brown Act’s exception for “community meetings” set forth in Government Code section 54952.2(c)(3) apply to such an event?

No. The Brown Act exception for community meetings set forth in Government Code section 54952.2(c)(3) requires, among other things, that the event must be open to the public. The event in question would not satisfy that element because members of the public could only attend by purchasing a ticket from the chamber of commerce.

BACKGROUND

The City of Ventura is a charter city with a council-manager form of government.² The city council consists of seven members elected by district for staggered terms of four years.³ After each election, the council appoints one of its members to serve as mayor for a term of two years.⁴ The mayor acts as the official head of city government on public and ceremonial occasions.⁵ The mayor also presides over sessions of the city council and

² Ventura City Charter, §§ 800-803; Ventura Municipal Code, §§ 2.315.010-2.315.030.

³ Ventura City Charter, § 507; Ventura Municipal Code, §§ 2.210.010-2.210.030.

⁴ Ventura City Charter, § 703, subd. (a).

⁵ Ventura City Charter, § 703, subd. (c).

determines the order of business under council rules.⁶ But the mayor has no veto power over the council.⁷

On September 13, 2022, the city announced on social media that the mayor would deliver a “State of the City Address” on September 22 at an event “hosted by the Ventura Chamber of Commerce in the ballroom of the Crowne Plaza Ventura Beach.”⁸ The Ventura Chamber of Commerce is a private, voluntary association that promotes commercial interests in and around the city.⁹ The announcement indicated that members of the public could purchase tickets to the event from the chamber.¹⁰ The price of a ticket was \$60 for members of the chamber and \$80 for everyone else.¹¹ The announcement did not mention any other way for the public to watch the mayor’s address.¹²

On September 16, the city posted on social media a second announcement regarding the event.¹³ The announcement stated that the mayor’s presentation would be “available later online.”¹⁴ It also indicated that the mayor would “share this presentation with the public” at a regular meeting of the city council scheduled for October 10.¹⁵

On September 20, the Ventura City Attorney asked the Ventura County District Attorney, our requestor here, whether a quorum of the city council could attend the

⁶ *Ibid.*

⁷ *Ibid.*

⁸ City of Ventura, Facebook (Sept. 13, 2022) <https://www.facebook.com/CityofVentura/posts/pfbid0QFflqQNmUBmXKgAnJCEsL2riKiz9S6m7jmJbmJQBuBKx6f6MNgyXdx1kknZPCK32l> (as of Apr. 17, 2024).

⁹ Ventura Chamber of Commerce, Who We Are, <https://venturachamber.com/who-we-are> (as of Apr. 17, 2024).

¹⁰ See note 8, *supra*; accord, Requestor Letter (Jan. 20, 2023) p. 1.

¹¹ Ventura Chamber of Commerce, 2022 State of the City, <https://ventura.chambermaster.com/events/details/2022-state-of-the-city-22700?fbclid=IwAR2qdmAVPvAH8U4Cr93LqUT3KKGSVPpujHhezg4SV2L440llIrsNHPhnvQM> (as of Apr. 17, 2024).

¹² See notes 8 and 11, *supra*.

¹³ City of Ventura, Facebook (Sept. 16, 2022) <https://www.facebook.com/CityofVentura/posts/456982029809969> (as of Apr. 17, 2024).

¹⁴ *Ibid.*

¹⁵ *Ibid.*

chamber of commerce event without violating the Brown Act.¹⁶ The district attorney verbally advised the city attorney that “less than a quorum of the city council should attend the address,” presumably so that there would not be a “meeting” of the council within the scope of the Act.¹⁷ The mayor ultimately delivered the address during the chamber of commerce event on September 22 as scheduled.¹⁸ We understand from the opinion request that “less than a quorum of the council attended the event.”¹⁹

The district attorney and city attorney subsequently exchanged letters with each other regarding whether there would have been a Brown Act violation if a majority of the city council had attended the chamber of commerce event.²⁰ There appears to have been no dispute that, if a majority of the city council had attended, the event would have been a “meeting” of the council as the term is defined in section 54952.2(a) of the Brown Act. But the officials disagreed about whether such an event would qualify for either of two Brown Act exceptions set forth in section 54952.2(c).²¹ Specifically, the city attorney argued that “attendance by a majority of Councilmembers at a State of the City address is not a Brown Act meeting under a plain reading of the conference and community meeting exceptions.”²²

The district attorney asked us to resolve the dispute by answering three questions. As phrased by the district attorney, the questions were as follows:

1. Is it a violation of the Brown Act for a mayor to deliver a “State of the City” address to attendees at a fee-only private event specifically held to facilitate the address, where all or a quorum of fellow councilmembers are in attendance? [¶] 2. Does the “conference exception” of the Brown Act

¹⁶ See Letter from Ventura County District Attorney to Ventura City Attorney (Oct. 18, 2022) p. 1.

¹⁷ *Ibid.*

¹⁸ See City of Ventura, 2022 State of the City Address, https://www.youtube.com/watch?v=r_nkV7fxnV0 (as of Apr. 17, 2024).

¹⁹ Requestor Memorandum (Jan. 20, 2023) p. 2.

²⁰ Letter from Ventura County District Attorney to Ventura City Attorney (Oct. 18, 2022); Letter from Ventura City Attorney to Ventura County District Attorney (Dec. 2, 2022).

²¹ See Letter from Ventura County District Attorney to Ventura City Attorney, *supra*, at pp. 2-3; Letter from Ventura City Attorney to Ventura County District Attorney, *supra*, at pp. 1-2.

²² Letter from Ventura City Attorney to Ventura County District Attorney, *supra*, at p. 1, citing Gov. Code, §§ 54952.2, subds. (c)(2) & (c)(3).

apply? [¶] 3. Does the “community meetings exception” of the Brown Act apply?

We have rephrased those questions slightly for ease of analysis. Before presenting that analysis, we pause to note the limited nature of our inquiry. Our task here is to determine whether the posited hypothetical of a majority of councilmembers attending the chamber of commerce event as described herein would constitute a “meeting” as defined in the Brown Act. As such, we express no view on potential secondary questions that might arise in a district attorney’s consideration of enforcement options regarding an actual event. With that caveat, we proceed to summarize the established principles of law and then apply those principles to the hypothetical described above.

ANALYSIS

The California Constitution guarantees “public access to the meetings of public bodies.”²³ The Brown Act promotes that guarantee by establishing minimum standards of public access at the local level.²⁴ Under the Constitution, each of those standards “shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.”²⁵

As relevant here, the Brown Act states that every meeting of a city council or other legislative body of a local agency “shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.”²⁶ The Act elaborates that a member of the public “shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.”²⁷

²³ Cal. Const., art. I, § 3, subd. (b)(7); see *id.* at § 3, subd. (b)(1).

²⁴ See Cal. Const., art I, § 3, subd. (b)(7); Gov. Code, § 54950 (“the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly”); see also Gov. Code, § 54953.7 (local bodies “may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter”).

²⁵ Cal. Const., art. I, § 3, subd. (b)(2).

²⁶ Gov. Code, § 54953, subd. (a).

²⁷ Gov. Code, § 54953.3; see 36 Ops.Cal.Atty.Gen. 175, 178 (1960).

Likewise, a legislative body cannot conduct a meeting in a facility “where members of the public may not be present without making a payment or purchase.”²⁸

The foregoing rules apply whenever there is a “meeting” of the legislative body of a local agency.²⁹ The Brown Act broadly defines a meeting in section 54952.2(a) as a “congregation of a majority of the members of a legislative body at the same time and location . . . to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.” The Act guards against evasion by providing in section 54952.2(b)(1) that a majority “shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.”

But section 54952.2(c) tempers the broad definition of a meeting by providing that any number of the members of a legislative body may attend certain events without violating the Brown Act. As discussed in detail below, section 54952.2(c)(2) creates an exception to the Brown Act for “a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body.” And section 54952.2(c)(3) creates an exception for “an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency.”

Familiar principles of statutory interpretation guide our consideration of the Brown Act and its exceptions.³⁰ “Our primary task in interpreting a statute is to determine the Legislature’s intent, giving effect to the law’s purpose.”³¹ “In examining the language, the courts should give to the words of the statute their ordinary, everyday meaning [citations] unless, of course, the statute itself specifically defines those words to give them a special meaning [citations].”³² “If the statutory language permits more than one reasonable interpretation, courts may consider other aids, such as the statute’s purpose, legislative history, and public policy.”³³

²⁸ Gov. Code, § 54961, subd. (a).

²⁹ Gov. Code, §§ 54953, 54953.3, subd. (a), 54961, subd. (a).

³⁰ See 103 Ops.Cal.Atty.Gen. 42, 43 (2020).

³¹ *Tuolumne Jobs & Small Business Alliance v. Superior Court* (2014) 59 Cal.4th 1029, 1037.

³² *Halbert’s Lumber, Inc. v. Lucky Stores, Inc.* (1992) 6 Cal.App.4th 1233, 1238.

³³ *Coalition of Concerned Communities, Inc. v. City of Los Angeles* (2004) 34 Cal.4th 733, 737.

As previously mentioned, however, the California Constitution contains a special rule requiring that language appearing in the Brown Act “shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.”³⁴ Even before the voters adopted that special rule, we had concluded “as a matter of general policy, that ‘doubtful cases should be resolved in favor of open and public meetings.’”³⁵ Indeed, when interpreting open meeting laws, the Attorney General “has not acted as the protector of the bureaucrat, but rather has consistently prodded the agencies involved to be more open in their activities.”³⁶ Our approach here is no different.

1. If a Majority of the City Council Were to Attend the Chamber of Commerce Event, It Would Be a “Meeting” of the Council Within the Scope of the Brown Act

The first question asks whether the given set of facts would constitute a “meeting” of the city council under section 54952.2(a) if a majority of the council were to attend to the event. The definition of a meeting under the Brown Act can be parsed into three elements. The first element requires there to be a “congregation of a majority of the members of a legislative body at the same time and location.” The second element requires a collective intent “to hear, discuss, deliberate, or take action.” The third element requires that the object of that collective intent must be an “item that is within the subject matter jurisdiction of the legislative body.”

As to the first element, a “congregation” can be simply a “gathering” or an “assembly of persons.”³⁷ Although the congregation must include a majority of the members of a legislative body, there is no requirement that the congregation consist of those members exclusively. And because the mayor is a member of the city council, we may include the mayor when calculating whether a “majority” of the council had congregated at the same time and location under section 54952.2(a).³⁸ Video of the event at issue here revealed that attendees were gathered together in a single place to listen to the mayor’s speech.³⁹ As such, there would have been a qualifying “congregation of a

³⁴ Cal. Const., art I, § 3, subd. (b)(2).

³⁵ 57 Ops.Cal.Atty.Gen. 209, 212 (1974); see 61 Ops.Cal.Atty.Gen. 220, 225 (1978).

³⁶ Comment, *Access to Governmental Information in California* (1966) 54 Cal. L.Rev. 1650, 1653, fn. 23.

³⁷ Merriam-Webster’s Collegiate Dict. (11th ed. 2020) p. 262.

³⁸ We may also include the mayor when calculating whether a majority of the city council has engaged in “a series of communications” under section 54952.2(b).

³⁹ See note 18, *supra*.

majority of the members of the legislative body” if a majority of the city councilmembers had attended the event.

As to the second element of section 54952.2(a), we consider whether the city councilmembers would be congregated to “hear, discuss, deliberate, or take action” on an item. Our primary focus is on whether city councilmembers in the audience would be congregated to “hear” an item. In some situations, to hear an item might mean to consider it judicially.⁴⁰ In other settings, to hear an item can simply mean to listen to it with attention or understanding.⁴¹ In this instance, we must adopt a broad interpretation of the term “hear” pursuant to our duty to construe section 54952.2(a) in favor of public access. Based on that interpretation, we have little doubt that attending the chamber of commerce event to listen to the mayor’s speech would constitute “hear[ing]” an item within the meaning of the second element of section 54952.2(a). For this reason alone, we conclude the second element is satisfied.

In addition, because in this case the mayor is also a member of the city council, a mayoral address can also be likened to a “discussion” between the mayor and any councilmembers in the audience. We recognize that to “discuss” an item connotes a degree of reciprocity that is absent in a typical speech. This is particularly true in light of common definition of a “discussion” as meaning the “consideration of a question in open and usually informal debate.”⁴² But common definitions of what it means to “discuss” something include simply “to talk about” it or “to present [it] in detail for examination or consideration.”⁴³ We believe that delivering a state of the city address reasonably fits within those common definitions, especially when the speaker and members of the audience are part of the same legislative body. As a result, the mayor’s delivery of the speech to fellow councilmembers (albeit in the presence of others) supports our view that the councilmembers congregated to “hear” or “discuss” an item under the second element of section 54952.2(a).

Our overall conclusion in this regard is consistent with prior authorities. We have long described a “meeting” under the Brown Act as a gathering that involves the “collective acquisition and exchange of facts preliminary to the ultimate decision.”⁴⁴ For

⁴⁰ Shorter Oxford English Dict. (6th ed. 2007) p. 1221.

⁴¹ *Ibid.*; see Merriam-Webster’s Collegiate Dict., *supra*, at p. 574.

⁴² Merriam-Webster’s Collegiate Dict., *supra*, at p. 358; see Shorter Oxford English Dict. *supra*, at p. 702 (“Examination (of a point) by argument etc.; debate; an exchange of views; a conversation”).

⁴³ Merriam-Webster’s Collegiate Dict., *supra*, at p. 358.

⁴⁴ 103 Ops.Cal.Atty.Gen., *supra*, at p. 52, fn. 54 (2020); 94 Ops.Cal.Atty.Gen. 33, 35-36 (2011).

example, in 58 Ops.Cal.Atty.Gen. 839 (1975), we observed that “informal luncheon meetings of a city council with members of civil organizations to discuss matters of civic concern would fall within the ambit of [t]he Brown Act even though no action is contemplated or taken.”⁴⁵ We concluded that the same would be true if a majority of a county board of supervisors gathers to receive a report from the grand jury “on matters pertaining to the operation of county government.”⁴⁶ And there is no reason why the rule would be different when members of a city council gather at a state of the city address to receive, or perhaps exchange, information on matters pertaining to the operation of city government. In each instance, members of the relevant legislative body are engaging in the collective acquisition or exchange of information that is relevant to the performance of their official duties.

Finally, as to the third element of section 54952.2(a), there appears to be no dispute that the State of the City address involved an “item that is within the subject matter jurisdiction” of the city council. The same terminology appears in the highly analogous Bagley-Keene Open Meeting Act, which applies to state governmental bodies.⁴⁷ In that context, we have already concluded that “it would be inappropriate to adopt a definition of ‘item’ that would be limited to an item on an agenda.”⁴⁸ And we have explained that a body has “subject matter jurisdiction” over an item if the body has inherent authority to take action on the item.⁴⁹ Here, the city council is the city’s legislative body.⁵⁰ It has broad power to “pass ordinances not in conflict with the Constitution and laws of the State or the United States.”⁵¹ As such, the state of a

⁴⁵ 58 Ops.Cal.Atty.Gen. 839, 840 (1975), citing 43 Ops.Cal.Atty.Gen. 36 (1964).

⁴⁶ 58 Ops.Cal.Atty.Gen., *supra*, at p. 843; see Pen. Code, § 925 (grand jury “shall investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county”); Pen. Code, § 928 (a grand jury “may investigate and report upon the needs of all county officers in the county” and “shall cause of copy of such report to be transmitted to each member of the board of supervisors”).

⁴⁷ Gov. Code, § 11122.5, subd. (a). The Legislature modeled the Bagley-Keene Act after the Brown Act, and we construe their provisions in the same way absent a clear linguistic difference calling for a different result. (103 Ops.Cal.Atty.Gen., *supra*, at p. 44; see *Southern California Edison Co. v. Peevey* (2003) 31 Cal.4th 781, 799; *North Pacifica LLC v. California Coastal Com.* (2008) 166 Cal.App.4th 1416, 1434.)

⁴⁸ 103 Ops.Cal.Atty.Gen., *supra*, at p. 45.

⁴⁹ *Id.* at pp. 45-46.

⁵⁰ Gov. Code, § 34000; see Ventura City Charter, § 700.

⁵¹ Gov. Code, § 37100.

particular city is reasonably understood as an item within the subject matter jurisdiction of its city council.

We thus have little doubt that the event at issue here involved at least one item within the subject matter jurisdiction of the city council.

2. The Chamber of Commerce Event Would Not Satisfy the Brown Act Exception for Conferences or Similar Gatherings

Section 54952.2(c)(2) creates an exception to the Brown Act for “a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body.” If an event satisfies those elements, then a majority of the legislative body may attend the event without following the Brown Act’s requirements for “meetings,” so long as they “do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency.”⁵² As discussed below, we conclude that the mayor’s State of the City address at issue here would not satisfy this exception.

First we address whether the event in question was “open to the public” as required under section 54952.2(c)(2). The exception for a conference or similar gathering includes unique language stating that “[n]othing *in this paragraph* is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.”⁵³ That language makes clear that members of a legislative body may attend a qualifying conference even if organizers require members of the public to purchase an admission ticket. But the exception as a whole also makes clear that ticket sales must be open to all members the public. In other words, organizers cannot restrict ticket sales to a particular group of people. Here, the city and the chamber of commerce indicated that anyone could purchase an admission ticket from the chamber, and we have received no information to the contrary. Based on these facts, it appears that the chamber of commerce event would satisfy the openness element of section 54952.2(c)(2).⁵⁴

⁵² Gov. Code, § 54952.2, subd. (c)(2).

⁵³ *Ibid.*, italics added.

⁵⁴ Our requestor has not asked us to consider whether there are circumstances under which section 54952.2(c)(2) might require organizers to offer members of the public a discount short of the “free” admission disclaimed in the statute. As such, we have no occasion to consider here whether the price of admission charged to members of the public (\$80) was significant either by itself or in comparison to the discounted admission

We next consider the meaning of a “conference or similar gathering” under section 54952.2(c)(2). The Legislature has not defined a “conference” in this context, nor has it identified the elements that would make a gathering sufficiently “similar” to a conference. But common definitions of a “conference” suggest that there must be multiple presentations facilitating an interchange of views among multiple parties.⁵⁵ This understanding is consistent with the statutory requirement that a qualifying conference or similar gathering must involve a “discussion” of issues.⁵⁶ In contrast, the event as described here consisted of a single speech by a single official regarding the conditions in a single city. As such, the event would not appear to qualify as a conference or similar gathering under section 54952.2(c)(2).

Our understanding of what qualifies as a conference or similar gathering under section 54952.2(c)(2) is consistent with the use of the word “conference” elsewhere in the Brown Act. In particular, section 54954 uses the same word when providing that the governing board of a school district may meet outside of the district to “[a]ttend a conference on nonadversarial collective bargaining techniques.”⁵⁷ The Legislature appears to have been referring to training workshops like the ones formerly run by the California Foundation for Improvement of Employer-Employee Relations.⁵⁸ Those events typically lasted for several days and included “mock bargaining session[s], team-building exercises, and other activities designed to make the participants re-examine assumptions about labor-management relations.”⁵⁹ As such, the events were readily distinguishable from the chamber of commerce event at issue here.

charged to member of the chamber of commerce (\$60).

⁵⁵ See Cambridge English Dict., <https://dictionary.cambridge.org/us/dictionary/english/conference> (as of Apr. 17, 2024) (“an event, sometimes lasting a few days, at which there is a group of talks on a particular subject”); Britannica Dict., <https://www.britannica.com/dictionary/conference> (as of Apr. 17, 2024) (“a formal meeting in which many people gather in order to talk about ideas or problems related to a particular topic (such as medicine or business) usually for several days”); see also Merriam-Webster’s Collegiate Dict., *supra*, at p. 260; Black’s Law Dict. (10th ed. 2009) p. 360; Shorter Oxford English Dict., *supra*, at p. 486.

⁵⁶ Gov. Code, § 54952.2, subd. (c)(2).

⁵⁷ Gov. Code, § 54954, subd. (c)(1).

⁵⁸ See Sen. Bill No. 36 (1993-1994 Reg. Sess.) § 11, as introduced Dec. 7, 1992.

⁵⁹ Joanna Richardson, Calif. Foundation Urges New Approach to Labor Negotiations, Education Week (May 04, 1994); see Joanna M. Miller, School Districts’ Teams Learn Gentle Style of Contract Negotiation, Los Angeles Times (Feb. 7, 1996) p. B6 (teams from Ventura County participated in a three-day event that included “role-playing,

Our conclusion is also consistent with the legislative history of section 54952.2(c)(2) itself. An earlier version of the exception would have applied to “general conferences, conventions, symposia, speeches, classes, and seminars . . . that involve a discussion of broad issues, and that are attended by a broad spectrum of officials from a variety of government agencies.”⁶⁰ The Assembly replaced the quoted language with the current reference to a “conference or similar gathering . . . that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body.”⁶¹ The amendment means that a qualifying event does not need to be attended by a broad spectrum of officials from a variety of government agencies.⁶² But it also means that the exception applies only to conferences and to gatherings that are similar to conferences. That narrowed reference appears to include broadly faceted events like conventions, but not narrowly focused events like the chamber of commerce speech at issue here.

Finally, even if the chamber of commerce event qualified as a conference or similar gathering, we doubt that it involved “a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body” as required under section 54952.2(c)(2). As to the first prong of “general interest to the public,” the statutory language refers to “the public” without any narrowing qualification or modification. As such, an issue “of general interest to the public” is most reasonably read as being of general interest to the public as a whole, not just to those members of the public who happen to live or work within the territorial jurisdiction of the legislative body. Indeed, as discussed further below, the Legislature created a separate exception in section 54952.2(c)(3) for meetings that address a topic of “local community concern.” Because the Legislature used different language in different subdivisions of the same statute, we presume that it intended to create a distinction between an issue of “general

brainstorming and group discussions”).

⁶⁰ Sen. Bill No. 36 (1993-1994 Reg. Sess.) § 7, as amended Aug. 19, 1993; see 1 Sen. Final Hist. (1993-1994 Reg. Sess.) p. 40; 2 Assem. J. (1993-1994 Reg. Sess.) p. 3461.

⁶¹ Sen. Bill No. 36 (1993-1994 Reg. Sess.) § 2, as amended Sept. 8, 1993; see 1 Sen. Final Hist. (1993-1994 Reg. Sess.) p. 40; 3 Assem. J. (1993-1994 Reg. Sess.) p. 4247.

⁶² See California Attorney General’s Office, *The Brown Act: Open Meetings for Local Legislative Bodies* (2003) p. 9 (“the conference need not necessarily be a conference of public agencies to fall within the exemption; rather, the gathering could be a conference of media outlets, environmental organizations, health care entities, [or] social welfare organizations”).

interest to the public” under section 54952.2(c)(2) and a topic of “local community concern” under section 54952.2(c)(3).⁶³

Here, we have no doubt that the State of the City address delivered during the chamber of commerce event was of general interest within the city. But we suspect that it was of only limited interest outside of the city. As a result, our obligation to construe section 54952.2(c)(2) in favor of open access compels us to conclude that the chamber of commerce event did not involve a discussion of issues of general interest to the public as a whole.

We reach the same conclusion when considering whether the event involved issues of general interest to “public agencies of the type represented by the legislative body” under section 54952.2(c)(2). It is not enough for the issues to be of general interest to the relevant legislative body itself. Rather, the issues must be of interest to other public agencies that are of the same type as the legislative body. The type of public agency at issue here is a city council.⁶⁴ We therefore consider whether the chamber of commerce event involved issues of general interest to other city councils on a categorical basis.

Similar to our conclusion above, we have no doubt that the State of the City address delivered during the chamber of commerce event would be of general interest to members of the Ventura city council. But we doubt whether it would also be of general interest to other city councils on a categorical basis. As such, our duty to resolve doubts in favor of open access compels us to conclude that the chamber of commerce event did not include a discussion of issues of general interest to public agencies of the type represented by the city council under section 54952.2(c)(2).

Our conclusions here are consistent with our longstanding interpretation of nearly identical language in the Bagley-Keene Open Meeting Act. Similar to the Brown Act, the Bagley-Keene Act includes an exception in section 11122.5(c)(2)(A) that allows a majority of the members of a state body to attend “a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the state body.” We have long advised state bodies that, if a conference “only focuses on the laws or issues of a particular body it would not be exempt under the Act.”⁶⁵

⁶³ See *Roy v. Superior Court* (2011) 198 Cal.App.4th 1337, 1352.

⁶⁴ See Gov. Code, § 54950 (referring to the “public commissions, boards and councils and the other public agencies in this State”); see also Gov. Code, § 54951 (“local agency” includes any board, commission, or agency of a city).

⁶⁵ California Department of Justice, Bagley-Keene Open Meeting Act Guide (2023) p. 11; see California Attorney General’s Office, A Handy Guide to the Bagley-Keene

There is no apparent reason why the rule under the Brown Act would be different than it is under the Bagley-Keene Act. We recognize that, as a general rule, the subject matter jurisdiction of a city council is more diverse than the subject matter jurisdiction of a state body.⁶⁶ But the fact that there might be many different issues confronting a particular city council does not mean that those issues are necessarily of general interest to the public as a whole or to other city councils on a categorical basis. This is especially true with regard to a state of the city address, because such an address typically discusses issues only as they relate to the relevant city.

As a result, we conclude that the chamber of commerce event would not have qualified as a conference or similar gathering, much less one that involved a discussion of issues of general interest to the public or to public agencies of the type represented by the city council under section 54952.2(c)(2).⁶⁷

3. The Chamber of Commerce Event Would Not Satisfy the Brown Act Exception for Community Meetings

Section 54952.2(c)(3) creates an exception to the Brown Act for “an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency.” If an event satisfies those elements, then a majority of the legislative body may attend the event without the event being a “meeting” subject to the Brown Act’s requirements for open meetings so long as they “do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.”⁶⁸ As discussed below, we conclude that the chamber of commerce event

Open Meeting Act (2004) p. 7.

⁶⁶ See Gov. Code, § 37100.

⁶⁷ Our requestor has proffered an alternative reason why the given facts would not satisfy the exception in section 54952.2(c)(2). He suggests that the exception allows “only ‘passive’ attendance at a conference, versus the ‘active’ participation of the mayor delivering the address about city business to a quorum of the council.” (Requestor Letter, *supra*, at p. 3.) But we have already advised that, at a qualifying conference or similar gathering, members of a legislative body “may enter into discussions on issues or business affecting their local agency in a public forum as part of the scheduled program of the conference.” (California Attorney General’s Office, *The Brown Act: Open Meetings for Local Legislative Bodies*, *supra*, at p. 9.) There is no reason to reconsider that advice here.

⁶⁸ Gov. Code, § 54952.2(c)(3).

would not have been sufficiently “open” to satisfy this exception because attendees had to purchase a ticket to gain access.

The word “open” generally denotes a lack of secrecy, as in a meeting that is “exposed to general view or knowledge.”⁶⁹ It can also refer to a meeting that is “not restricted to a particular group or category of participants.”⁷⁰ Here, members of the public could attend the chamber of commerce event in person only if they purchased a ticket from the chamber. And there was no other way for them to watch the mayor’s address in real time. In other words, the event was necessarily restricted to a particular group or category of participants, that is, those who were financially able and otherwise willing to pay the price of admission. As a result, the event would not have been sufficiently “open” under section 54952.2(c)(3).⁷¹

As discussed above, the conference exception under section 54952.2(c)(2) expressly allows the charging of admission: “[n]othing in *this paragraph* is intended to allow members of the public *free admission* to a *conference or similar gathering*.”⁷² No such language appears in section 54952.2(c)(3) regarding community meetings. The absence of such language appears to have been intentional, because the Legislature enacted both exceptions at the same time.⁷³ As a result, under the familiar maxim that the expression of one thing is the exclusion of the other, we presume that the allowance for charging admission in section 54952.2(c)(2) applies only to conferences and similar gatherings, and not to the events termed community meetings under section 54952.2(c)(3).⁷⁴

⁶⁹ Merriam-Webster’s Collegiate Dict., *supra*, at p. 868.

⁷⁰ *Ibid.*

⁷¹ Our conclusion regarding admission fees does not necessarily extend to solicitations for donations, sponsorships, or the purchase of goods or services that organizers do not require as a condition of attending a community meeting. It would remain good practice, however, for any such solicitation to include a statement indicating that members of the public may attend the community meeting free of charge. (See Gov. Code, § 54953.3.)

⁷² Italics added.

⁷³ Stats. 1993, ch. 1137, § 2; Sen. Bill No. 36 (1993-1994 Reg. Sess.) § 2, as amended Sept. 8, 1993.

⁷⁴ See *In re J.W.* (2002) 29 Cal.4th 200, 209; *Craven v. Crout* (1985) 163 Cal.App.3d 779, 783 (“Where a statute referring to one subject contains a critical word or phrase, omission of that word or phrase from a similar statute on the same subject generally shows a different legislative intent”).

We reiterate that our conclusion as to this exception is based on the fact that there was no way for members of the public to participate in the Ventura chamber of commerce event free of charge. Although the city told the public that the mayor’s address would be available on the Internet, it also indicated that the address would not be available until sometime later, after the event was over.⁷⁵ In our view, the option of watching a recording of an event sometime “later” is not enough to satisfy the openness requirement of section 54952.2(c)(3).

4. No Other Brown Act Exceptions Apply

Before concluding our analysis, we note that we have received comments suggesting that a state of the city address might satisfy the Brown Act exception for a “purely social or ceremonial occasion” under section 54952.2(c)(5).⁷⁶ That exception allows a majority of a legislative body to attend a purely social or ceremonial occasion so long as they “do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.”⁷⁷ Although our requestor did not ask about that particular exception, it is at least arguably included in his request that we determine whether a Brown Act violation would have occurred here had a majority of councilmembers attended.⁷⁸ As such, and given that the exception is the only remaining Brown Act exception that might conceivably apply to the circumstances, we briefly address it here.

We begin by considering what it means for an occasion to be “purely social or ceremonial” under section 54952.2(c)(5). An occasion is commonly understood as being “social” if it is “marked by or passed in pleasant companionship with friends or associates.”⁷⁹ No matter how pleasant an occasion might be, however, it cannot be

⁷⁵ City of Ventura, Facebook (Sept. 16, 2022) <https://www.facebook.com/CityofVentura/posts/456982029809969> (as of Apr. 17, 2024).

⁷⁶ See, e.g., Comment Letter from League of California Cities (May 25, 2023) pp. 3-4 (some addresses “are purely ceremonial events intended to celebrate the city and its residents and [are] not related to any legislative or policy-making matters”); Comment Letter from California Chamber of Commerce (Mar. 24, 2023) p. 2 (members of a legislative body who merely attend an address perform a “role [that] is strictly ceremonial”).

⁷⁷ Gov. Code, § 54952.2, subd. (c)(5).

⁷⁸ As mentioned above, our requestor phrased the first question as being whether a particular set of facts would amount to a “violation” of the Brown Act. And a “violation” implies that the same set of facts would not satisfy any exception to the Brown Act.

⁷⁹ Merriam-Webster’s Collegiate Dict., *supra*, at p. 1183; see Shorter Oxford English Dict., *supra*, at p. 2903 (“consisting of people associated together for friendly interaction

considered “purely social” under the Brown Act if it is “arranged for pursuit of the public’s business.”⁸⁰ As for the meaning of a “ceremonial” occasion, a common definition of the term involves something that has “no real power or influence.”⁸¹ Examples of a “ceremonial role” under analogous provisions of the Political Reform Act include “throwing out the first pitch at a baseball game; cutting a ribbon at an opening; making a presentation of a certificate, proclamation, award, or other item, such as the key to the city.”⁸²

It is notable that the exception in section 54952.2(c)(5) applies only if the “occasion” itself is “purely” social or ceremonial. In other words, the exception applies only if an occasion is completely, exclusively, and genuinely social or ceremonial.⁸³ As such, an occasion that is partially or even predominately social or ceremonial would not qualify.

We conclude that the given facts would not qualify as a purely social or ceremonial occasion under section 54952.2(c)(5). We recognize that a typical state of the city address involves a degree of social interaction and ceremonial pomp. But that does not mean that the entire occasion is *purely* social or ceremonial. Indeed, we have received comments suggesting that a state of the city address can have a significant effect or influence on the local legislative process. For example, the League of California Cities tells us that a state of the city address could “outline the plans and goals for the coming year” and “highlight specific initiatives or projects.”⁸⁴ And the California Chamber of Commerce similarly takes the view that a state of the city address can include “upcoming priorities and important projects.”⁸⁵ The National League of Cities has likewise published their own guidance stating that a state of the city address may “recognize areas for improvement” and “set the policy agenda for the year ahead.”⁸⁶ As a result, we conclude that the chamber of commerce event at issue here would not satisfy section 54952.2(c)(5) or any other exception to the Brown Act.

or companionship”).

⁸⁰ *Sacramento Newspaper Guild v. Sacramento County Bd. of Supervisors* (1968) 263 Cal.App.2d 41, 50, fn. 8.

⁸¹ Merriam-Webster’s Collegiate Dict., *supra*, at p. 202.

⁸² Cal. Code Regs., tit. 2, § 18942.3.

⁸³ Shorter Oxford English Dict., *supra*, at p. 2408; see Merriam-Webster’s Collegiate Dict., *supra*, at p. 1010.

⁸⁴ Comment Letter from League of California Cities, *supra*, at p. 2.

⁸⁵ Comment Letter from California Chamber of Commerce, *supra*, at p. 2.

⁸⁶ National League of Cities, *How to Deliver an Effective State of the City Address* (2016) p. 2.

Exhibit 3

[Riverside Television] 18:15:27
Everybody, uh, welcome to the City of Riverside City Council meeting for July 15th.

[Riverside Television] 18:15:32
2025, uh, we are now at the evening portion of our agenda.

[Riverside Television] 18:15:37
Just a couple of announcements before we get started with our invocation.

[Riverside Television] 18:15:41
Um, just a few things. Councilmember Condor and Councilmember Hemenway are absent tonight.

[Riverside Television] 18:15:46
Because they are in D.C, um, Washington, D.C, doing. Some advocacy trips to try to bring some money back to our city, um, so they will be back next week.

[Riverside Television] 18:15:57
And then also, Councilmember Cervantes is not feeling well, so she's going to participate.

[Riverside Television] 18:16:04
Virtually, but we are going to have. Um, we have to, by law, read a little something in order to give her legal cover for this, so I will let our city clerk take it from here. Thank you, Madam Mayor, City Council.

[Riverside Television] 18:16:15
Councilmember Cervantes has requested to attend today's meeting via teleconference. Pursuant to Assembly Bill 24449.

[Riverside Television] 18:16:23
A member may participate remotely, only in one or two circumstances.

[Riverside Television] 18:16:28
Just calls or emergency circumstance, and in this instance, I believe it is just cause, as stated earlier, during.

[Riverside Television] 18:16:35
During the afternoon session. At this time, I will defer to Councilmember Cervantes.

[Riverside Television] 18:16:40
To state the provision that she would like to exercise. Thank you so much, Mayor, City Park. Yes, I would like to request to use Just Cause, and as I do not feel well, and I.

[Riverside Television] 18:16:52
Have symptoms of being contagious and wouldn't want to affect my colleagues or anyone else. Thank you.

[Riverside Television] 18:16:56
Alright, thank you, Councilmember. Madam Mayor, just one last question for the Council member.

[Riverside Television] 18:17:01
Please disclose if there's an individual 18 years or older in the present... in the, excuse me, present in the room at the remote location.

[Riverside Television] 18:17:10
There's no one else present over the age of 18 with me.

[Riverside Television] 18:17:13
And because you're participating via remote, you must participate through both.

[Riverside Television] 18:17:17

Audio and visual technology. Thank you, Madam Mayor. All right, thank you. Thank you, Councilmember.

[Riverside Television] 18:17:24

Uh, alright, we will start our meeting with an invocation, and this week we will have Councilmember Rovalard please lead us in that.

[Riverside Television] 18:17:33

Thank you, Mayor, and, um, I would like to invite. Pastor Justin Kowalski from San Luis Church on Palm Avenue. He's gonna go ahead and lead us in tonight's invocation.

[Riverside Television] 18:17:45

Welcome, Pastor Kowalski? Good evening, Mayor, members of the Council, and city staff.

[Riverside Television] 18:17:51

Thank you for having me today, I love being a part of this city. I've grown up in this city, Riverside's my home, I'm not planning on leaving.

[Riverside Television] 18:17:57

Um, and I love being able to, uh, to serve, you know, in my role as a pastor, especially at, uh.

[Riverside Television] 18:18:03

Palm Avenue here in Midtown, and so, uh. Excited about that, and excited to....

[Riverside Television] 18:18:07

Open up this morning... this evening, alright? Almighty God, we love you, and we're grateful for this opportunity to lead your city well.

[Riverside Television] 18:18:15

We ask for your wisdom, we ask for, um.... As we approach everything that is brought to the table tonight.

[Riverside Television] 18:18:21

That we do so with clarity. That we do so with your guidance.

[Riverside Television] 18:18:27

We have a great city that we have been put in charge of, God, and so....

[Riverside Television] 18:18:31

Let us lead well. Let us lead as we look at every single person.

[Riverside Television] 18:18:36

Not just in this room, but in our neighborhoods, and what our communities look like.

[Riverside Television] 18:18:41

And as we make decisions, we just ask for your wisdom to guide them.

[Riverside Television] 18:18:46

That we see beyond what our personal situations are. And look at the entire picture of what the needs of people are, God.

[Riverside Television] 18:18:53

Let us govern well. Let us ask you into every single situation that gets brought to us.

[Riverside Television] 18:19:01

That gets mentioned, that's on paper. That's... that we're not even aware of that people bring to the table, God.

[Riverside Television] 18:19:08

Let us consider them with wisdom. Let us be patient in our answers.

[Riverside Television] 18:19:14

But we ask that whatever situation gets brought here, God. That we bring it to you first.

[Riverside Television] 18:19:20

We have an incredible city. We have an incredible history that we get to be a part of.

[Riverside Television] 18:19:26

And we look forward to the future that you are continuing.

[Riverside Television] 18:19:29

To build the ideas that you are going to implement, God. We pray that we do this.

[Riverside Television] 18:19:35

Uh, in partnership with you. For without you, we can crumble.

[Riverside Television] 18:19:39

We love you, we are grateful for this time. May the City Council, may the leadership in this city.

[Riverside Television] 18:19:46

Do well, and invite you into the process. It is in your holy name we pray. Amen. Amen. Thank you all. Thank you. That's a lovely way to start the meeting.

[Riverside Television] 18:19:55

If everyone would please stand for the Pledge of Allegiance.

[Riverside Television] 18:20:01

I pledge allegiance to the flag.... In the United States of America.

[Riverside Television] 18:20:06

And to the republic for which it stands. One nation, under God.

[Riverside Television] 18:20:10

Indivisible, with liberty and justice for all.

[Riverside Television] 18:20:18

Alright, we are going to open our meeting now with public comment, and this is to comment on the consent calendar and any matters within the jurisdiction.

[Riverside Television] 18:20:27

Of the City Council. Public comment is now open for this item, available in both English and Spanish.

[Riverside Television] 18:20:33

Call 951-826-8686 and follow the prompts to access the meeting in either language.

[Riverside Television] 18:20:40

To request to speak, press star 9. You can also join via Zoom. The meeting ID for both languages can be found on the agenda.

[Riverside Television] 18:20:50

All right, thank you. We have several, uh, requests to speak in chambers, so we will start there.

[Riverside Television] 18:20:57

I will call Patrick Maloney forward, please. Welcome, Mr. Maloney.

[Riverside Television] 18:21:08

Good evening, Honorable Mayor, City Staff, and Council, and sorry, once again, for not bringing the dog. I know it's not right when I don't bring her. Uh, and on that note, I'll knock this out first. Uh, if you have a chance, I know I'll see our wonderful Ward 5 City Councilman at the Poptopia in Big Bear on July 26th.

[Riverside Television] 18:21:24

I can't lie is by far my favorite event of last year, and it's... I'm the most excited about it. I'm even doing Comic-Con before that, and I'm still more excited.

[Riverside Television] 18:21:31

About Puptopia, and I know it's not Riverside, but if you have a chance and you're up there, you'll see me, and I'll be definitely talking about Riverside, just like I did the other night with the, uh, summer concert series up there.

[Riverside Television] 18:21:40

We had an amazing country act, and I mentioned Riverside and amazing things, you know, like the Mission Inn, the Cheech, and of course, my Riverside Open Mic, because I'm a shameless self-promoter, but that's what I did. So, once again, if you're up there, um.

[Riverside Television] 18:21:52

At the end of this month, I also will be hosting, after the Poptopia, another event, which will be 24K Magic, it's Bruno Mars, tribute, free, hope to see you up there, and I will be, of course, wearing probably a Cheech Museum shirt while I'm up there.

[Riverside Television] 18:22:05

Um, also want to give a special shout out to Philip Falcone. Thank you so much for coming in now. My apologies. I'm gonna take responsibility, sorry about a certain gentleman being a little bit too much. He should have....

[Riverside Television] 18:22:16

He's a pain in the butt sometimes. I love him, but I love you, and I earned a lot of... you earned a lot of respect from me. I'm very proud of you.

[Riverside Television] 18:22:22

And I'm proud that you're representing Ward 1, so thank you from the bottom of my heart for what you do, and showing up to our meetings. I appreciate it.

[Riverside Television] 18:22:29

And then on top of that, if you are at Comic-Con, I am gonna be there for... let me make sure I get the info right, because I'm not used to this.

[Riverside Television] 18:22:37

Spike and Mike's sick and twisted, Festival of Animation, and the original festival will be on Thursday, July 24th at 2pm and 3pm.

[Riverside Television] 18:22:43

At the room 32AB. I'm just saying that in case someone's there, and then the next night, on Friday, I know we're following a guy named George Lucas, so it's gonna be a big room, so....

[Riverside Television] 18:22:54

If you're down there, hope to see you there. Once again, it's gonna be Spike and Mike's Festival Animation, which started here in Riverside, and as you've all know, I'm incredibly proud of, and....

[Riverside Television] 18:23:02

Uh, Spike will be there. So, he's getting old, and it's hard to get him out, so get out there and get his autograph if you're there. And last but not least.

[Riverside Television] 18:23:09

I got a minute left, so, um.... I have a busy two weeks. Saturdays is Packing House Brewing Company. Uh, Euro Brewing Company, I won't be. My friend Ace Guillen is filling in. I'm doing a rockabilly show at some place on Pierce Street. I'm so....

[Riverside Television] 18:23:22

Feeling bad that I forgot their name, but I'll be out in Pierce Street with a rockabilly band Friday, Saturday, and Sundays, I'm forgetting all of them. Last but not least is Tuesdays, tonight. I've been wanting to get everybody out there to karaoke, but I gotta be real, that's my toughest night. It's... we get some pretty rough characters down there.

[Riverside Television] 18:23:38

You're gonna hear a lot of singing of punk rock and heavy metal and hardcore rap, and....

[Riverside Television] 18:23:42

Um, I know our manager has asked, hey, should I come down? I'm like, no. Don't come down there. I don't want to subject you down there. There's a lady down there that is so offensive, I would never want anybody here to ever meet her. I love her, but I just don't want anybody down there at the night, so....

[Riverside Television] 18:23:56

Uh, don't come down unless you're ready for, uh, pretty much as far as you could possibly go to, uh.

[Riverside Television] 18:24:02

Well, living a real Spike and Mike festival animation in real life. Thanks a million, see ya, uh, in a couple weeks, and have a great weekend.

[Riverside Television] 18:24:09

Thank you, Mr. Maloney. And, uh, just, you know what? Next time.

[Riverside Television] 18:24:14

No shoes, no shirt, no pepper, no service. Yeah, no pepper.

[Riverside Television] 18:24:20

Alright, next I have Pam Nusser. Welcome, Ms. Nesser.

[Riverside Television] 18:24:27

Thank you. I haven't had to be here in quite a while, because we got a new council, and I pretty much agree with most of what they do.

[Riverside Television] 18:24:35

I would like to say that I'm really disappointed that Clarissa isn't here, but I'm looking at her straight on.

[Riverside Television] 18:24:41

What she did last week was just.... Crazy in my....

[Riverside Television] 18:24:46

World, and in other people's world, where she ranted and went against.

[Riverside Television] 18:24:51

What would be the law? And I understand, but I cannot even imagine going to another country and thinking that it's okay to be there and wave my flag.

[Riverside Television] 18:25:03

Do my stuff, and when the argument is that they pay taxes, those guys in front of Home Depot, guess what.

[Riverside Television] 18:25:11

They don't. I used to employ them before I realized the ramifications of what I was doing.

[Riverside Television] 18:25:17

And.... These people are here illegally, and I owned a restaurant.

[Riverside Television] 18:25:22

And I can't tell you how many people came into my restaurant yelling at me because I was harboring someone that stole their social security number.

[Riverside Television] 18:25:31

You have no idea, you've never been in the private sector, I don't think.

[Riverside Television] 18:25:35

To where you would know what it's like to hire people who have lied to you.

[Riverside Television] 18:25:40

And one of my cooks, my favorite, favorite cook of all time, left right before Trump came in, because he said.

[Riverside Television] 18:25:47

I'm gonna go before they send me. Well, Trump's first thing, nothing happened.

[Riverside Television] 18:25:53

But the right thing to do is come in the right way.

[Riverside Television] 18:25:56

And you incite problems. And you did it with a Palestinian thing in here. There was nothing but hate in this room.

[Riverside Television] 18:26:04

And it was bad. And I can't believe you did that. I can't believe you did that last week.

[Riverside Television] 18:26:11

It was hateful, it wasn't nice. You tried to talk nice with your nice little voice.

[Riverside Television] 18:26:16

But what you said is awful. And by the way, you don't make a difference when it comes to ICE.

[Riverside Television] 18:26:22

You don't make a difference. What you say just incites people and gets them worked up, and what.

[Riverside Television] 18:26:30

People did downtown is they caused businesses to close. Free speech is free speech, but when you get people walking in front of businesses and people get really scared about what's gonna happen, like they did with George Floyd.

[Riverside Television] 18:26:44

And there was so much stuff. They closed down their businesses.

[Riverside Television] 18:26:47

And that's what happens. And you should be ashamed of yourself that you incite this. We can have our beliefs all we want, but when you do this, you will not make a difference.

[Riverside Television] 18:26:58

Ice is still gonna come into town, they still don't have to show their stinkin' badges.

[Riverside Television] 18:27:02

Whatever. We want law and order. And if there's a way to get in here, then there's a way. And my daughter-

in-law, by the way, is from Peru, took her 6 years to become, and her kids.

[Riverside Television] 18:27:16

To become citizens. And we did it. And that is the right way.

[Riverside Television] 18:27:21

Thank you. Thank you, Mrs. Nussar. Um, we have a caller online, can we have our caller, please?

[Jason Hunter] 18:27:40

Hello, good evening, Jason Hunter, Ward 1. Uh, the city owns.

[Jason Hunter] 18:27:45

A public water utility, it's called RPU, the city owns. All of Gage Canal's former water, and the canal itself, which it took as part of the 1965.

[Jason Hunter] 18:27:58

Condemnation judgment. Uh, the city now owns 61% of what's left.

[Jason Hunter] 18:28:04

Of the Gage Canal Company, which is really just a service company at this juncture.

[Jason Hunter] 18:28:09

I've asked a couple questions now, and different.... Formats to different people and receive no answer.

[Jason Hunter] 18:28:16

So these two questions, and the public deserves to know the answers to these two questions.

[Jason Hunter] 18:28:23

There was a lawsuit, a temporary restraining order. Filed against me back in....

[Jason Hunter] 18:28:29

I think March of this year. Paid for with ratepayer money, RPU ratepayer money, because we own 60% of Gage Canal Company.

[Jason Hunter] 18:28:39

The board did not vote to file this law... this lawsuit.

[Jason Hunter] 18:28:44

The board did not even know. Most of the people on the board didn't even know that this lawsuit existed.

[Jason Hunter] 18:28:49

How does a lawsuit get filed without the Board of Gage Canal Company even knowing of its existence, and they still haven't spoke about it as a board?

[Jason Hunter] 18:29:00

5 months later, I think they started working on the... writing the declarations in the.

[Jason Hunter] 18:29:04

February, they still haven't discussed it at any gauge Canal. Meeting. Most of our city council, to my knowledge, did not know about this lawsuit.

[Jason Hunter] 18:29:13

When it was filed, or before it was filed. And we're paying 60% of the costs on what is a frivolous.

[Jason Hunter] 18:29:20

A totally frivolous lawsuit. So that's question number one. Under what authority that get filed? Because if it wasn't done under the proper authority.

[Jason Hunter] 18:29:28

It is incumbent upon the Council. To tell the Gage Canal Company.

[Jason Hunter] 18:29:34

Dismissed that lawsuit immediately, until it's been brought with the proper authority.

[Jason Hunter] 18:29:39

And number two, I would like to know. How did the council not know what a company it owns 60% of was doing?

[Jason Hunter] 18:29:47

Had no knowledge whatsoever. Uh, when our money is being spent.

[Jason Hunter] 18:29:53

Or, did people... staff, and who within staff knew about it and didn't tell you guys.

[Jason Hunter] 18:30:00

What they were planning. Now, I've been going down to city council meetings for almost 15 years. I've never had an issue.

[Jason Hunter] 18:30:06

Where you would go to such extreme measures as to file some stupid temporary restraining order against me, totally frivolous and totally false and exaggerated.

[Jason Hunter] 18:30:16

In a total colossal waste of ratepayer money. The public deserves answers as to how this lawfare is being conducted.

[Jason Hunter] 18:30:24

Okay? In the public's more or less their name, you own 60% of Gage Canal Company.

[Jason Hunter] 18:30:30

We need answers, and we need them now as to what kind of nonsense is going over at.

[Jason Hunter] 18:30:38

This totally fraudulent board, I guess, of Gates Canal Company that you let operate.

[Riverside Television] 18:30:43

Thank you, Mr. Hunter. Uh, I don't see any other requests to speak, so we'll close public comment and move on on our agenda.

[Riverside Television] 18:30:53

Let's see.... Um, this week, this month, we have.

[Riverside Television] 18:31:00

Board 5's Riverside Prospers Success Report, and I'm not going to say much about it, because Councillor Everville is going to do the introductions.

[Riverside Television] 18:31:09

And tell us why. Uh, this shop is such a great shop to be here in Riverside. Thank you, Mayor, and I....

[Riverside Television] 18:31:16

Believe they should have my PowerPoint presentation in the back. There we go.

[Riverside Television] 18:31:21

Tonight, it is my honor, and it really is an honor, to, uh.

[Riverside Television] 18:31:25

To recognize Key's main design. And, you know, I've talked a lot since I got here about the revitalization of Arlington. Well.

[Riverside Television] 18:31:34

Key's main design is the oldest. Business in Arlington.

[Riverside Television] 18:31:39

For those of you who don't know the history of Keys Mane Design.

[Riverside Television] 18:31:42

Let me... there we go. Uh, their story began in 1944.

[Riverside Television] 18:31:48

With herald keys, which is.... The grandfather, so we're gonna go all the way down the line. Harold Keyes, the founder.

[Riverside Television] 18:31:56

Open up the shop on 9492 Magnolia Avenue. Then in 1985, they moved to their current location, where they are thriving today, and the current location is.

[Riverside Television] 18:32:04

Just behind that, at \$37.61 Van Buren.

[Riverside Television] 18:32:13

Harold was the guy who started it all, but the legacy didn't stop with him.

[Riverside Television] 18:32:19

59, his son Charlie stepped into the shop, bringing steady hands and a commitment to keeping the tradition alive.

[Riverside Television] 18:32:25

And I just want to say this, um, Charlie Keys. Um, God rest his soul.

[Riverside Television] 18:32:30

It's the absolute nicest person I've.... Ever met, and the kindest Riversider from the day I moved to the city.

[Riverside Television] 18:32:39

Um, you know, fast forward to 1985, uh. When Cindy, which is Harold's granddaughter and Charlie's daughter.

[Riverside Television] 18:32:47

Uh, she joined the family business, becoming a trailblazer in a male-dominated industry.

[Riverside Television] 18:32:55

And just a few years later. In 1988, her brother, David.

[Riverside Television] 18:32:58

Followed, and now the legacy lives on with Harold's great-grandson, Lewis.

[Riverside Television] 18:33:04

Who joined this year representing the fourth generation to pick up the Clippers and carry the name forward.

[Riverside Television] 18:33:10

And each generation has brought something new. But all have shared one thing, a passion for the craft and a love for our community.

[Riverside Television] 18:33:20

You know, for the past 81 years, Keys Mane Design has been more than just a barbershop.

[Riverside Television] 18:33:25

It's a pillar to our community. It's been... you know, I've been going to this barbershop since I came to Riverside, and I can test.

[Riverside Television] 18:33:33

I can attest, you know, that once you take a seat in the barbershop, you actually become family.

[Riverside Television] 18:33:40

They're... you know, it's kind of funny how I found them, is that....

[Riverside Television] 18:33:43

They're Adventists. And I needed a haircut on a Sunday, and no other barbershop in town.

[Riverside Television] 18:33:47

Was open, but the Adventists were open on Sunday afternoon, and I walked in, and I've been going ever since, and I've been a member of their family ever since.

[Riverside Television] 18:33:56

You know, uh, Charlie... Charlie said it best. He said, Key's main design has quality service.

[Riverside Television] 18:34:04

Service... he said, service is our thing, and quality service is what we do.

[Riverside Television] 18:34:07

We once had four generations come in. Four generations is a good gift to me.

[Riverside Television] 18:34:12

And you go in their shop, and you look on the walls, and there's pictures of.

[Riverside Television] 18:34:18

A child, and then you see a picture of. That child growing up and having children, and they're cutting that.

[Riverside Television] 18:34:26

Child's hair, too. It's absolutely.... Amazing.

[Riverside Television] 18:34:33

And y'all probably didn't know this, but Arlington had... we used to have our own newspaper out in Arlington called the Arlington Times.

[Riverside Television] 18:34:39

And, you know, being a pillar of the community hasn't gone unnoticed.

[Riverside Television] 18:34:42

In 2014, the Press Enterprise featured. Uh, the key story, and in 2016, the Arlington Times.

[Riverside Television] 18:34:50

Highlighted their lasting legacy. These honors are well-deserved, but the recognition does not stop there.

[Riverside Television] 18:34:56

Just last week, uh, you know, I had an opportunity to....

[Riverside Television] 18:35:01

Uh, go out with Riverside TV and capture the incredible story of Keys Maine Design.

[Riverside Television] 18:35:06

This feature will be part of a new series called. Good company, and it will be airing soon on Riverside TV, as well as on my social media. Um, I'm real excited to see how it....

[Riverside Television] 18:35:15

How it... how it turned out. You know, here's all the information for the shop. Again, they're closed on Mondays and on Saturdays.

[Riverside Television] 18:35:26

And they close up at 3 p.m, uh. In observance of the sundown for the Adventist community on Fridays.

[Riverside Television] 18:35:34

But, again, open on Sunday mornings. So, in the meantime, if you're in need of a haircut, you know, I definitely would recommend this place.

[Riverside Television] 18:35:42

You know, but more importantly, if you're just in need of.

[Riverside Television] 18:35:44

You know, talking Riverside, talking Arlington, um, pay the Keys family a visit, and they, you know, they'll welcome you into their family as well.

[Riverside Television] 18:35:52

And, you know, tonight we have, uh, David. Gave his wife, we have Cindy, we have Lewis. I would like, uh, to invite you guys up. I have, uh....

[Riverside Television] 18:36:03

Have certificates of recognition from.... I have certificate recognition from Congressman DeCano.

[Riverside Television] 18:36:08

Assemblymember Leticia Castillo, Supervisor Jose Medina. Senator Sabrina Cervantes, and I'd just like to read.

[Riverside Television] 18:36:16

Uh, this one from myself and the mayor. It says, uh, certificate of Recognition. This certificate is presented to Keys Main Design Barbershop in recognition of your success and commitment.

[Riverside Television] 18:36:27

With respect and gratitude, the City of Riverside commands Keys Maine Design for your extraordinary commitment to our community as a family-run barbershop serving Riverside since 1944.

[Riverside Television] 18:36:37

We extend a heartfelt thanks for your valuable contribution to our city, your dedication and service.

[Riverside Television] 18:36:43

Have made a significant impact, enriching our community, enhancing the experiences of our residents and visitors alike. Day to this day, the 15th day of June.

[Riverside Television] 18:36:52

Signed by, uh, Mayor Patricia Log Dawson and myself, Sean H. Mill, Councilmember.

[Riverside Television] 18:36:57

Ward 5. So.... Cindy, you want to come up? I'm sure you've got something to say, you always do.

[Riverside Television] 18:37:04

You want to say a few words before we take a picture? Yeah, someone come on up and talk a little bit about your business.

[Riverside Television] 18:37:10

I... I just, uh, I.... I am very grateful to be at Riverside my whole life. I have never lived anywhere else.

[Riverside Television] 18:37:17

I've seen it go through high times, low times, good times, bad times.

[Riverside Television] 18:37:21

We always bounce back. We're Riverside, we're tough, and everything will be fine. Everything will be fine.

[Riverside Television] 18:37:26

Thank you very much. Thank you. Thank you.

[Riverside Television] 18:37:41

She's taking shots at you.

[Riverside Television] 18:38:00

Oh, yeah.

[Riverside Television] 18:38:19

Cool, thank you guys.

[Riverside Television] 18:38:26

Thank you, Mayor. Good to see you, good to see you again.

[Riverside Television] 18:38:29

Good job.

[Riverside Television] 18:38:40

You know what we say, when you choose Riverside, Riverside chooses you, so....

[Riverside Television] 18:38:45

Thanks for... thanks for believing in us all these years. Thank you.

[Riverside Television] 18:38:52

Okay.... Thank you, Councilmember Mill.

[Riverside Television] 18:38:59

Uh, we are now at the consent. Portion of our agenda. This is for routine items.

[Riverside Television] 18:39:06

And... I know City Manager, we have a couple things we wanted to pull, and then perhaps continue, so I will call on you, please.

[Riverside Television] 18:39:16

Yes, thank you. Uh, item 41, uh, we need to pull that off the consent calendar, and we will push that to the August 5.

[Riverside Television] 18:39:24

Agenda. Otherwise, no changes, Madam Mayor. Okay, great, thank you. So, um....

[Riverside Television] 18:39:32

Anybody else have anything to pull? Word 1? Pass. Word 2?

[Riverside Television] 18:39:39

I apologize, like, was the city manager say I'm 41? Yes, because we need 5 affirmative votes for that, and I know you had recused yourself earlier, so we will push it to when we have more council members here.

[Riverside Television] 18:39:52

So, alright, any other... Yeah, I was just gonna clarify if I had to repeat these again. Okay.

[Riverside Television] 18:39:56

All right. Um, word 3? Pass. Ward 5. Pass. Ward 6?

[Riverside Television] 18:40:02

No on 29 and move to approve the remainder of the consent calendar. Second.

[Riverside Television] 18:40:06

Alright, we have no on 29 for.... Um, Councilmember Perry, uh, we have continued item 41.

[Riverside Television] 18:40:15

And we have a motion and a second, so please vote by roll call. Ward 1? Yes. Ward 2.

[Riverside Television] 18:40:24

Yeah. Ward 3? Yes. Ward 5. Yes. Ward 6? Yes. Motion carries unanimous, except for item number 29 and 41.

[Riverside Television] 18:40:32

Okay, thank you. All right, Council.

[Riverside Television] 18:40:39

Moving along here....

[Riverside Television] 18:40:48

By the way, I'll congratulate Dr. Norm Elstrand for, um. Being appointed to the, uh.

[Riverside Television] 18:40:55

Where did we appoint Tim? Yeah, to the library board.

[Riverside Television] 18:41:02

It's a good friend of mine, and will do an excellent job.

[Riverside Television] 18:41:06

Sorry.

[Riverside Television] 18:41:14

All right. Okay, Council, we are now at item 45.

[Riverside Television] 18:41:20

We will conduct a public hearing. Regarding, um, a motion to reconsider amendments to our cannabis ordinance.

[Riverside Television] 18:41:30

So let me, uh, open with public comment. Public comment is now open for this item, available in both English and Spanish.

[Riverside Television] 18:41:39

Call 951-826-8686 and follow the prompts to access the meeting in either language.

[Riverside Television] 18:41:46

To request to speak, press star 9. You can also join via Zoom. The meeting ID for both languages can be found on the agenda.

[Riverside Television] 18:41:55

Alright, with that, I think I'm going to ask Councilmember Mill to lead us in this, is that correct? Um, I'm just asking for my colleagues to.

[Riverside Television] 18:42:04

Join me in reconsidering an item that we had before us on June 17th.

[Riverside Television] 18:42:09

That, uh, failed not because of.... Majority of the folks that were here, it was... we didn't have....

[Riverside Television] 18:42:16

Enough folks that were participating. To, uh, to vote that day. So, I'm just asking that we reconsider, uh, the item of June 17th, uh.

[Riverside Television] 18:42:27

This evening, which would be the, uh.... Changes the amendments to Chapter 5.77 of Title V and Title 19 of the Riverside Municipal Code.

[Riverside Television] 18:42:36

So that's a motion to reconsider. Yes, ma'am. So we have a motion and a second to reconsider the vote. Uh....

[Riverside Television] 18:42:44

Ward 5, Ward 1. Ward 1? Yes. Ward 2?

[Riverside Television] 18:42:53

Yeah. Ward 3? Yes. Ward 5? Yes. Ward 6? No. Motion carries for affirmative votes, 1 no vote, worth 6.

[Riverside Television] 18:43:03

Oh, I'm sorry, we were supposed to do public comment in between that. We jumped ahead, so let me see....

[Riverside Television] 18:43:08

If we have any public comment for this item. Says we have no callers, so we will close public comment for that item.

[Riverside Television] 18:43:15

Apologize. Um, yep.

[Riverside Television] 18:43:18

Alright, you jumped me... jumped right ahead there, Councilmember Bell. I got it going.

[Riverside Television] 18:43:24

Alright, um.... So, now we are at item 46, and we will open public comment for this item. This is actually to.

[Riverside Television] 18:43:34

Uh, review chapter 5.77. Let's open public comment. Public comment is now open for this item.

[Riverside Television] 18:43:40

Available in both English and Spanish. Call 951-826-8686 and follow the prompts to access the meeting in either language.

[Riverside Television] 18:43:50

To request to speak, press star 9. You can also join via Zoom, the meeting ID for both languages can be found on the agenda.

[Riverside Television] 18:43:59

Great, thank you. Um, I will call Kyle Warsinski, please, to the podium to give us a presentation on this item.

[Riverside Television] 18:44:09

Good evening, Mayor and City Council, members of the public. My name is Kyle Worsenski. I'm a Senior Project Manager in the Economic Development Division.

[Riverside Television] 18:44:17

At the March 25th, 2025 meeting, the City Council provided direction to make changes to the code.

[Riverside Television] 18:44:23

Related to retail cannabis program. Some of those changes were land use items, which went down the appropriate path, including being presented to the Planning Commission.

[Riverside Television] 18:44:33

The staff report and presentation is the formal action to amend those land use regulations in Chapter 5.77 and Title 19 of the Riverside Municipal Code.

[Riverside Television] 18:44:45

These proposed changes were presented to the Planning Commission on May 8th of 2025.

[Riverside Television] 18:44:50

Who recommended City Council approve the ordinance as presented with one modification, increasing the distance between retail commercial cannabis businesses.

[Riverside Television] 18:44:59

And parks from 600 feet to 1,000 feet.

[Riverside Television] 18:45:05

The ordinance contains land use changes to commercial cannabis business locations and their design to ensure compatibility with existing businesses.

[Riverside Television] 18:45:14

Prevent concentration of cannabis permits, and prohibit permit locations in downtown and midtown.

[Riverside Television] 18:45:23

Chapter 19 of the Riverside Municipal Code includes the permitted land use table for base zones.

[Riverside Television] 18:45:29

Retail storefront commercial cannabis businesses are considered retail uses by the city.

[Riverside Television] 18:45:35

And they're permitted in any zone allowing general retail sales. The proposed addition to this table.

[Riverside Television] 18:45:41

Provides a reference that additional location restrictions apply to these types of businesses beyond zoning.

[Riverside Television] 18:45:48

Which are detailed in Chapter 5.77.

[Riverside Television] 18:45:54

The ordinance updates where and how a cannabis business can operate to ensure they fit well with existing businesses.

[Riverside Television] 18:46:01

Protect sensitive receptors. Avoid over-concentration.

[Riverside Television] 18:46:05

And maintain the character of downtown and Midtown. This slide depicts the downtown neighborhood as defined in the Riverside General Plan.

[Riverside Television] 18:46:16

Commercial cannabis businesses would be prohibited within this area boundary. Similarly, commercial cannabis businesses would be prohibited within the Midtown area shown here.

[Riverside Television] 18:46:32

In 2023. Chapter 5.77 was approved establishing new rules and regulations, including location requirements.

[Riverside Television] 18:46:41

For all types of commercial cannabis businesses, including retail and non-retail.

[Riverside Television] 18:46:45

And if you're asking what are non-retail, those are manufacturing, distribution, and cannabis testing laboratories.

[Riverside Television] 18:46:53

Do you desire for non-retail uses to follow the same location restrictions?

[Riverside Television] 18:46:58

Or not. And so if non-retail uses are exempted from the location requirements that are being proposed tonight.

[Riverside Television] 18:47:05

Or even the ones that are on the books. The state minimum location requirements would still actually apply, meaning the businesses would still be required to be 600 feet away from schools.

[Riverside Television] 18:47:16

Daycares, and youth centers.

[Riverside Television] 18:47:24

The staff report and associated actions or alignment with strategic plan priority number 2, community well-being.

[Riverside Television] 18:47:31

And before I get into the recommendations, I want to talk to City Council about the next steps going on with the cannabis process.

[Riverside Television] 18:47:38

And so, in addition to the action tonight. Should the City Council approve the action, the second reading of the ordinance would occur on August the 5th.

[Riverside Television] 18:47:47

If approved at the second reading, the ordinance will go into effect on.

[Riverside Television] 18:47:51

September the 5th. Staff will return to City Council in August, on August 19th, with the staff report recommending necessary changes to the storefront retail permitting guidelines.

[Riverside Television] 18:48:04

Which outlines the application review and permitting process for retailers to go through to gain a final permit approval.

[Riverside Television] 18:48:13

The changes are needed to the permitting process to ensure consistency with the latest code updates if they're approved tonight.

[Riverside Television] 18:48:21

Including selection of a new preferred site location, which would begin on September 5th.

[Riverside Television] 18:48:27

At that same meeting, staff will present an item establishing the Cannabis Testing Laboratory Permitting Guidelines. Right now.

[Riverside Television] 18:48:34

The only guidelines on the books are for retail storefronts, and that was done purposefully.

[Riverside Television] 18:48:39

Um, so we're bringing back the guidelines to permit. Cannabis testing labs?

[Riverside Television] 18:48:44

And then the third item will be presented to establish. The other related fees for retail cannabis.

[Riverside Television] 18:48:51

Storefronts, and those would include an annual renewal fee. Permit transfer fee, modification, or a change of the premises.

[Riverside Television] 18:49:00

In and out-of-town delivery permit fee. So that's a glimpse into what's to come.

[Riverside Television] 18:49:06

So with that, staff recommends that City Council, one, determine that the project is exempt from the California Environmental Quality Act.

[Riverside Television] 18:49:14

Review pursuant to Section 15061B3. Of the CEQA guidelines in two approved planning case PR.

[Riverside Television] 18:49:24

2025-001795. Based on the findings outlined in the staff report.

[Riverside Television] 18:49:32

And three, introduce and subsequently adopt an ordinance amending Chapter 5.77, Business Activity... Cannabis Business Activities.

[Riverside Television] 18:49:42

In Title 19, zoning of the Riverside Municipal Code. And lastly, direct staff to provide an exemption for non-retail.

[Riverside Television] 18:49:50

Commercial cannabis uses from the location requirements in Chapter 5.77 of the Riverside Municipal Code.

[Riverside Television] 18:49:56

And that concludes my presentation. Happy to answer any questions. Thank you.

[Riverside Television] 18:50:00

All right, thank you, Mr. Worsenski. Let me see if we have any, uh, callers for this item.

[Riverside Television] 18:50:11

Alright, we have one caller, let's have our first caller, please.

[19495003240] 18:50:22

Are you ready for my comment? Okay, hello, my name's Deanna Cisneros.

[Riverside Television] 18:50:24

Yes, we are. Go ahead.

[19495003240] 18:50:29

I'm litigation counsel for artistry off the charts and Cox. Um, I'm, uh, commenting because, for some reason, the clerk had acknowledged receipt of our public comment in the lawsuit that we filed on June 30th.

[19495003240] 18:50:42

However, it was not included as part of. The Council file, um, even though we requested that it not only be included, but distributed to Council today.

[19495003240] 18:50:51

Uh, that legal action is now pending at the Riverside County Superior Court.

[19495003240] 18:50:55

It was filed on June 30th. Um, I understand that Catalyst also filed, um, their action as well at the same... on the same date.

[19495003240] 18:51:02

We have not received conformed copies yet. But I do not appreciate that this Council is not.

[19495003240] 18:51:08

Letting the public know that two actions have been filed against them for their unlawful conduct with respect.

[19495003240] 18:51:16

So this item, item 29 and item 45. 45. Um....

[19495003240] 18:51:20

In January 2025, the Council unlawfully postponed the processing of applications and building plans, preventing my clients from obtaining their lawfully entitled building permits.

[19495003240] 18:51:31

Advancing through the commercial cannabis business permitting process. Our prior letters all addressed this issue, as does my... as does the lawsuit that was filed on June 30th.

[19495003240] 18:51:39

Uh, that was given to your clerk on July the 10th, acknowledges received, but again, not included in the file today.

[19495003240] 18:51:47

The city's suspension of the process contravenes established California law, which we pointed out numerous times, and how to procedurally correct the missteps by the Council.

[19495003240] 18:51:55

Yeah, Council's done nothing. To correct their erroneous actions, and instead have left.

[19495003240] 18:52:00

The bottom seven applicants, um, with quite a fee, uh, quite a bill to deal with.

[19495003240] 18:52:05

Um, and no pro... and actually no guidance whatsoever. It's. It seems that the Council has, um.

[19495003240] 18:52:13

Instructed staff to stop processing applications. Um, rather than continuing with their ministerial obligations under the California Government Code.

[19495003240] 18:52:21

Um, I... I encourage the Council to continue this item until they can consider.

[19495003240] 18:52:26

Um, all of the statements and public comments that have been made by the numerous applicants to this point.

[19495003240] 18:52:32

Um, and also the, uh, allegations made within the lawsuits, and consider, um, whether or not the city would like to incur hundreds of thousands of dollars in legal fees instead of following what the voters instructed them to do, which is opening 14 dispensaries.

[19495003240] 18:52:47

Within the City of Riverside. Thank you.

[Riverside Television] 18:52:50

Alright, thank you, Mrs. Cisneros. Uh, do we have any other callers?

[Riverside Television] 18:53:00

Alright, we will close public comment and come back to Council. I see Councilmember Cervantes has her hand raised. Councilmember Cervantes?

[Riverside Television] 18:53:09

Thank you, Mayor. Just a couple clarifying questions on the item. Uh, first question, and I just wanted to see if you could clarify this, Kyle, and I had my staff check in, but would just love if we can put on record.

[Riverside Television] 18:53:20

Being safe. Um, there is one dispensary location that I believe is, uh, not too far from Sycamore Canyon Park. Um, I believe staff confirmed it was 1,200 feet distance, um, and.

[Riverside Television] 18:53:31

We just want to try to minimize, you know, the number of, again, of dispensers that would be impacted, uh, since we are narrowing these down. Um, can we confirm that this one exceeds the 1,000-foot distance from Sycamore?

[Riverside Television] 18:53:47

Thank you, Councilmember, for the question. We have looked through all 14 locations that were approved under the current code and measured the distances between those and in parks, and so.

[Riverside Television] 18:53:58

Um, it should be more than 1,000 feet away, but if you'd like, I can confirm that 100% right now.

[Riverside Television] 18:54:07

Yes, I would love that just to be extra safe. And, um, a follow-up question, because I do appreciate the foresight about the additional items to come back in the future. I didn't hear, but will that also include items that we've asked in previous meeting, um, in terms of.

[Riverside Television] 18:54:22

The other, um.... Folks that were originally approved for the permits, you know, what is that going to look like for them in the, uh, for....

[Riverside Television] 18:54:30

You know, the timeline, um, you know, it's down the line, we, again, allow them to open their doors, um, after our 6-month kind of period of rolling these first 7 out.

[Riverside Television] 18:54:42

What will that look like for them to still be able to have their time, uh, once they essentially can start an officially have business? I know this has kind of been a lengthy discussion, but is that going to also be included? What's going to come back in the near future?

[Riverside Television] 18:54:58

Thank you for that question. So the direction on March the 25th was to move forward with the proposed changes on item 29, as well as this item 46.

[Riverside Television] 18:55:08

Part of that direction that we received from Council. Was to issue the first 7 permits, one per ward, um, track.

[Riverside Television] 18:55:18

Progress and compliance of those 7 permits for a year. And for staff to return with an update to City Council after that year period has concluded.

[Riverside Television] 18:55:26

To, uh, gain further direction, whether City Council wanted to issue, uh, additional permits within the 14 that are allowed.

[Riverside Television] 18:55:38

Okay, thank you. I don't know why, I thought it was 6 months that was discussed, but maybe we landed on the year. I have to go back to double-check, but I trust your notes are correct, um, so thank you for clarifying that. Um, but yes, if Steph could please confirm before we take a vote, I don't know if my colleagues will have any other questions or comments before we, um.

[Riverside Television] 18:55:54

I'm happy to make a motion, but would just like to, uh, confirm on that 12, uh, that it exceeds the 1,000 foot, which I believe.

[Riverside Television] 18:56:01

We heard yesterday from Planning it was 1200 feet, but just want to be safe and make sure. Thank you.

[Riverside Television] 18:56:07

Alright, Councilmember Mill. Thank you, Mayor. You know, uh, the voters of Riverside spoke.

[Riverside Television] 18:56:14

And overwhelmingly said they wanted cannabis dispensaries. And this can's been kicked for....

[Riverside Television] 18:56:20

Years. You know, I, I.... Honestly believe that had.

[Riverside Television] 18:56:24

The previous council, and in particular, one council member, not.... Played games with the ordinance, um, we'd have 14 dispensaries opening in our city today.

[Riverside Television] 18:56:35

Two per ward. But at the 11th hour.

[Riverside Television] 18:56:39

That council member decided that he took the brakes off it.

[Riverside Television] 18:56:43

And so when I got here. 5 dispensaries were going to be in Ward 5.

[Riverside Television] 18:56:50

3 more were going to be on the board of Ward 5, which meant.

[Riverside Television] 18:56:53

8 of the 14 dispensaries were going to be in. My community. And my only ask, my only ask I've ever made

to my colleagues was.

[Riverside Television] 18:57:01

Please don't put all the dispensaries. In my community. So that's....

[Riverside Television] 18:57:07

Been my only ask since... since I got here. Uh, so, I believe it was in January when we had the meeting.

[Riverside Television] 18:57:15

And again, I'm looking out for my constituents. Could in good conscience sit up here and tell the....

[Riverside Television] 18:57:23

The residents of Ward 5, you know, well, sorry, I'm not.

[Riverside Television] 18:57:26

You know, stand up for you, I'm gonna allow all the dispensaries to go into our community, while some places aren't going to get any.

[Riverside Television] 18:57:32

And I remember after that meeting, uh.... The economic development team said they're gonna meet with.

[Riverside Television] 18:57:38

With all this. So, here's my questions for you, Kyle. Because there's a lot of.

[Riverside Television] 18:57:43

Misinformation that gets out there in the world. Somehow, um, you know, I....

[Riverside Television] 18:57:49

Apparently, I've created this whole thing. So, my question is, did I write this ordinance that....

[Riverside Television] 18:57:56

They changed it so that there would only be one. Dispensary board, was it Councilmember Mill that wrote that into the ordinance? Was that my idea?

[Riverside Television] 18:58:05

No, sir, it was not. Okay, so.... Help me... I think this is how it all went.

[Riverside Television] 18:58:12

Isn't it... didn't you meet with.... Everybody that sits up here on the dais, all the council members.

[Riverside Television] 18:58:19

From those meetings, um, that's how we got to where we are today. It wasn't....

[Riverside Television] 18:58:23

Councilmember Mill saying that we're gonna do this. It was.... A culmination of....

[Riverside Television] 18:58:28

Of a discussion with.... All of our elected leaders. Is that not how we got to where we are today?

[Riverside Television] 18:58:34

It is, and so on January. January 6th, I believe it was. It could have been January 7th.

[Riverside Television] 18:58:42

Um, City Council discussed the topic, discussed the concerns of concentration, and directed staff to do research, including the police department.

[Riverside Television] 18:58:51

And so, uh, staff went to... went to work. Researched what other cities were doing.

[Riverside Television] 18:58:58

Part of our research and feedback was also meeting with. Each city council member.

[Riverside Television] 18:59:03

All seven individually, to get their feedback on the process and what they may want to see. And so, all of the research that was performed by staff.

[Riverside Television] 18:59:12

Including the police department. And those one-on-one meetings with city council members.

[Riverside Television] 18:59:18

Were used to.... Present the findings of those results at the March 25th meeting.

[Riverside Television] 18:59:24

And at that meeting, City Council, after discussion and consideration, directed staff to move forward with.

[Riverside Television] 18:59:32

Certain concepts or components of the.... The items that we researched.

[Riverside Television] 18:59:38

And I think, you know, uh.... If I recollect correct.

[Riverside Television] 18:59:43

Um, when you and I met, I think you probably met with most of my colleagues.

[Riverside Television] 18:59:48

Prior to our meeting, but I went into that meeting, and I just assumed that we were going to have.

[Riverside Television] 18:59:53

14 dispensaries, I... because that.... Was kind of what we had thought all along, there was going to be 14 dispensaries, and....

[Riverside Television] 19:00:00

Our conversation between you and I was, um, I don't think I whispered this, I think I said it out loud for....

[Riverside Television] 19:00:07

Everybody in the room to hear, is I said, look. You know, ideally, um, it would be 2 per ward.

[Riverside Television] 19:00:14

I said, but I understand that there's a chance that there's some words that you're not going to be able to.

[Riverside Television] 19:00:20

Find two locations. I believe my conversation at that time was, I said, look.

[Riverside Television] 19:00:24

I get it. I see how Ward 5 is drawn up. I said, you know.

[Riverside Television] 19:00:28

Worst case scenario, I would be happy. I wouldn't be happy. I would be willing.

[Riverside Television] 19:00:33

To allow 3 dispensaries in Ward 5. I think that was the discussion that I had, because.

[Riverside Television] 19:00:40

We have the locations, um, and it would have.... Would have worked out. Now, ideally, is that what I

wanted? No, but I thought, again, we were going along with the.

[Riverside Television] 19:00:49

The theme of we're gonna have 14 dispensaries in the city, and I knew that.

[Riverside Television] 19:00:54

Probably in some words, we're... there's probably only one location possible in that ward. So in order to get to that number.

[Riverside Television] 19:01:01

14, I was like, you know what? Um, I'll take one for the team, and I know that we have.

[Riverside Television] 19:01:07

Three locations. Apparently, we have 5 locations in Ward 5, but I wasn't gonna... I wasn't gonna settle for that. But there were 3 that were spread out enough. I think that was a conversation we had at our time... at that time.

[Riverside Television] 19:01:17

And I think I was as surprised as anybody else when.

[Riverside Television] 19:01:21

We got the finished product, um.... And I saw that we're... we're only proposing 7.

[Riverside Television] 19:01:27

So, you know, I just want to clear it up for all the people that are out there that are telling a....

[Riverside Television] 19:01:33

A different tale. For political reasons, that somehow....

[Riverside Television] 19:01:38

This was all my doing, and that I'm... I'm the puppet master up here, because that's not... that's not the case.

[Riverside Television] 19:01:44

I've always assumed we were going to have 14 dispensaries. But, at the end of the day, um, I believe that elections have consequences, and.

[Riverside Television] 19:01:52

The voters of Riverside voted to have cannabis dispensaries. I don't have to like that.

[Riverside Television] 19:01:57

But I have to accept it, because the voters, just like... there's, you know, a lot of times folks don't like the results of elections, um.

[Riverside Television] 19:02:04

And, you know what? It's... there's still the results of the elections.

[Riverside Television] 19:02:08

And with that, I think that we have a duty as a council to move forward with this. The voters.

[Riverside Television] 19:02:14

Spoke... when exactly... I forget when that election was, it's gotta be close to over....

[Riverside Television] 19:02:19

10 years ago now, uh.... When was the election for... that we legalized dispensaries in Riverside? And we've been waiting since then for this to happen.

[Riverside Television] 19:02:28
The voters spoke.... What was it, 2015?

[Riverside Television] 19:02:33
2018? 2016. So, almost 10 years.

[Riverside Television] 19:02:38
Um, and I... and here we are, I think we've.... Got to the... to this point now, we're almost there. We're gonna have 7 dispensaries in the city.

[Riverside Television] 19:02:48
I know folks, there's some folks that are never going to be happy about it.

[Riverside Television] 19:02:52
Um, that's okay. Um, there's some people that aren't happy that we're gonna have 7.

[Riverside Television] 19:02:58
Or that we're only going to have seven, and that's okay, too.

[Riverside Television] 19:03:00
Um, but the voters of Riverside. Have spoken, and I think that this is....

[Riverside Television] 19:03:07
The best compromise, each board will have one dispensary per ward.

[Riverside Television] 19:03:11
My ward won't be inundated with. 5 directly, and 8.

[Riverside Television] 19:03:18
Surrounding me, and uh... with that, I would make a motion that we approve staff's recommendations.

[Riverside Television] 19:03:26
Second. Alright, I have a motion by Ward 5, second by Ward.

[Riverside Television] 19:03:35
Uh.... To approve.

[Riverside Television] 19:03:39
Staff's recommendation, um, I will ask our city clerk, please, to, um.

[Riverside Television] 19:03:46
I could do a roll call vote. Thank you, Madam Mayor. Ward 1? Yes. Ward 2?

[Riverside Television] 19:03:52
Yes, but really quick, um, Mayor, can I just ask the staff to confirm that this is a question I had posed? Thank you.

[Riverside Television] 19:04:00
Did you conf... did you have a chance to look it up, Ms. Worsens? We have. It's over 1,000 feet.

[Riverside Television] 19:04:04
Over a thousand. Okay. Yeah, thank you. Alright.

[Riverside Television] 19:04:10
Ward 3? Yes. Ward 5? Yes. Ward 6? No. Motion carries with 4 affirmative votes, 1 no vote, word 6.

[Riverside Television] 19:04:19

Great, thank you. Thanks, everybody, thanks.

[Riverside Television] 19:04:32

Nothing to report out.

Exhibit 4

From: Biggerstaff, Connor <CBiggerstaff@riversideca.gov>
Sent: 3/21/2024 11:43:38 AM
To: Christopoulos, Chris
Cc:
Subject:

Let me know if you need my participation in any other cannabis meeting, happy to help. In my opinion, Frank's concern is warranted, but if, say, Stiizy had submitted three applications for three locations in the City, and all were well-received and are high-end, I don't see an ethical issue; they went through the same scoring system, they shouldn't be penalized for high-performing proposals. With that said, we should keep an eye out for shenanigans.

From: Biggerstaff, Connor <Connor>
Sent: 6/20/2023 5:02:30 PM
To: matthew@stiizy.com
Cc:
Subject: Re: Zoning Inquiry
Attachments: [Outlook-cv4nwtvr.png](#)

Good Afternoon Matthew,

I wanted to respond to you in a timely manner. You have the proper people in this original email, Matthew Taylor and Judy Eguez are the likely Planners you will be speaking with when the time comes for the cannabis licensing program.

We have just received notification today, June 20th, that the City of Riverside has been granted funds from the state to pursue a licensing program, but has no formal plans as of yet when the rollout will occur or which Planner will be in charge of the program. I will recommend that you keep reaching out every few weeks to see where we are in the process. Our Economic Development Manager, Jorge Barrera, will also be involved with the program. You can add his name to this outreach list: jbarrera@riversideca.gov

Please let me know if you have any further questions, and I can answer them to the best of my ability at this current time.

Thank you,

Connor Biggerstaff
City of Riverside
Community & Economic Development Department
(951) 367-7399 Cell Phone
(951) 826-2438 Main Line
RiversideCA.gov

From: Office of Economic Development <econdev@riversideca.gov>
Sent: Tuesday, June 20, 2023 4:54 PM
To: Biggerstaff, Connor <CBiggerstaff@riversideca.gov>
Subject: Fw: Zoning Inquiry

From: Matthew Nathaniel <matthew@stiizy.com>
Sent: Tuesday, June 20, 2023 11:16 AM
To: Matthew Nathaniel <matthew@shrynegroup.com>; Office of Economic Development <econdev@riversideca.gov>; Taylor, Matthew <MTaylor@riversideca.gov>
Cc: Eguez, Judy <JEguez@riversideca.gov>
Subject: [EXTERNAL] Re: Zoning Inquiry

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Good evening,

I wanted to follow up on my previous email to find out the current status of the cannabis licensing program. Can you confirm which department is leading on this now, and when there may be additional clarity around some of the zoning considerations?

Thanks for your assistance.

Sincerely,

STIIIZY | Matthew Nathaniel
Director
323.420.1091
Matthew@STIIIZY.com
STIIIZY.com

From: Matthew Nathaniel <matthew@shrynegroup.com>
Sent: Monday, May 29, 2023 14:12
To: EconDev@RiversideCA.gov <EconDev@RiversideCA.gov>; Taylor, Matthew <MTaylor@riversideca.gov>
Subject: Zoning Inquiry

Good afternoon,

I hope this email finds you well. I wanted to inquire about the progress of the cannabis retail permitting process as it transitions to the Economic Development department. I also wanted to extend my best wishes in the hope that the city has been successful in securing the state grant to facilitate this process.

My purpose in reaching out is to seek further clarity on a question that arose previously. While I understand that cannabis retail is permissible in commercial areas, including downtown, with consideration for sensitive uses and buffers, I am still uncertain about the categorization of certain businesses. Specifically, I would like to understand if there is a distinction between preschools and daycares in terms of their classification. Additionally, I am curious to know if a drive-in theater would be considered a sensitive use under the regulations.

Your time and assistance in providing clarification on these matters would be greatly appreciated. Thank you once again for your ongoing support and guidance throughout this process.

Sincerely,



Matthew Nathaniel
Director
323.420.1091
Matthew@ShryneGroup.com
www.ShryneGroup.com

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From: Biggerstaff, Connor <CBiggerstaff@riversideca.gov>
Sent: 3/21/2024 11:43:38 AM
To: Christopoulos, Chris
Cc:
Subject:

Let me know if you need my participation in any other cannabis meeting, happy to help. In my opinion, Frank's concern is warranted, but if, say, Stiizy had submitted three applications for three locations in the City, and all were well-received and are high-end, I don't see an ethical issue; they went through the same scoring system, they shouldn't be penalized for high-performing proposals. With that said, we should keep an eye out for shenanigans.

From: Stephanie L. Uy <stephanie.uy@shrynegroup.com>
Sent: 3/15/2024 12:18:02 PM
To: Lilley, Jennifer, Jesse Ramirez
Cc:
Subject: [EXTERNAL] Re: Cannabis inquiry
Attachments: [image001.jpg](#)

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Hi Jennifer,

I hope this email finds you well. Now that the rankings have been released, I wanted to reach back out to you.

We are so excited to be ranked #1 and #2 and we look forward to moving forward in the process.

We had a few questions I was hoping you could help answer.

1. In initial conversations, the city mentioned limiting each council district to 2 cannabis retail licenses. Does this requirement of 2 licenses per council district still apply?
2. When will the preferred location form be released?
3. Please confirm Site Review Fee of \$17,864.00 per property. If that is the correct fee amount, can you point me to the resolution that establishes this fee?

Thank you so much & have a nice weekend,

From: Lilley, Jennifer <JLilley@riversideca.gov>
Sent: Thursday, November 9, 2023 3:50 PM
To: Stephanie L. Uy <stephanie.uy@shrynegroup.com>; Jesse Ramirez <jesse@socalprojectstrategies.com>
Subject: RE: Cannabis inquiry

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AMAZING! Thank you so much. I hope you have a great holiday weekend as well.



Jennifer A. Lilley, AICP
Community and Economic Development Director
3900 Main Street, Riverside, CA 92522
Office: (951) 826-5800 | (951) 826-5110
www.riversideca.gov | jlilley@riversideca.gov
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From: Stephanie L. Uy <stephanie.uy@shrynegroup.com>
Sent: Thursday, November 9, 2023 3:46 PM
To: Lilley, Jennifer <JLilley@riversideca.gov>; Jesse Ramirez <jesse@socalprojectstrategies.com>
Subject: [EXTERNAL] Re: Cannabis inquiry

CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.

Hi Jennifer,

Thank you for getting back to me. I really appreciate it. I will email cannabis@riversideca.gov directly with my questions. Have a nice holiday weekend.

Thank you,

From: Lilley, Jennifer <JLilley@riversideca.gov>
Sent: Tuesday, November 7, 2023 9:11 AM
To: Stephanie L. Uy <stephanie.uy@shrynegroup.com>; Jesse Ramirez <jesse@socalprojectstrategies.com>
Subject: RE: Cannabis inquiry

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Stephanie and Jesse
I appreciate your inquiry and reaching out. The City is working diligently to ensure equitable information to all potential applicants. As we have outlined in the guidelines under the direction of Council all inquiries are to be submitted in writing at our cannabis@riversideca.gov account so that we can respond on the FAQ and ensure everyone gets the same information at the same time.

I wanted to reach back out to ensure you knew that I received your emails. Thank you in advance for your interest in Riverside and direct you to the right place to get your question answered. All the best to you in this process. Jennifer



Jennifer A. Lilley, AICP
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www.riversideca.gov | jlilley@riversideca.gov
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From: Stephanie L. Uy <stephanie.uy@shrynegroup.com>
Sent: Monday, November 6, 2023 12:32 PM
To: Jesse Ramirez <jesse@socalprojectstrategies.com>; Lilley, Jennifer <JLilley@riversideca.gov>
Subject: [EXTERNAL] Re: Cannabis inquiry

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Hi Jennifer,

It's great to be connected with you. As Jesse mentioned, my company is interested in submitting two cannabis retail applications. The applications would be submitted under two different entities, but they would be owned by the same company. Is this allowed?

Thank you in advance for your insight.

Thank you,

From: Jesse Ramirez <jesse@socalprojectstrategies.com>
Sent: Monday, November 6, 2023 12:18 PM
To: Jennifer Lilley <JLilley@riversideca.gov>
Cc: Stephanie L. Uy <stephanie.uy@shrynegroup.com>
Subject: Cannabis inquiry

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon, Jennifer.

I wanted to come to you with Stephanie Uy. She is the VP of government relations for Stiizy (cannabis retail operator).

I believe she had some questions regarding how many applications can be submitted. There was interest in submitting two applications under different entities. Any guidance would be appreciated. Also, will there be a point of contact for similar questions moving forward?

Thank you in advance for your help.

Best,
Jesse Ramirez
Socalprojectstrategies.com
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From: Cruz Rene Garcia <cruzrene.garcia@stiiizy.com>
Sent: 7/11/2023 5:08:23 PM
To: Taylor, Matthew
Cc:
Subject: [EXTERNAL] RE: Question about Cannabis Ordinance

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Hi Matthew,

Thank you so much for your answer and insight. Itâ€™s much appreciated.

Have a great rest of your day.

Best,

Cruz R. Garcia

From: Taylor, Matthew <MTaylor@riversideca.gov>
Sent: Tuesday, July 11, 2023 4:48 PM
To: Cruz Rene Garcia <cruzrene.garcia@stiiizy.com>
Cc: Barrera, Jorge <JBarrera@riversideca.gov>
Subject: RE: Question about Cannabis Ordinance

Hi Cruz,

The ordinance that was adopted does not restrict a specific number of licenses to a particular Council ward or any other geographic area. However, as the application process and scoring criteria development moves forward, I canâ€™t say for certain whether geographic concentration will or will not be a factor in evaluating applications â€“ we are just not there yet.

Weâ€™ll add you to our interest list for notifications of when there are announcements or opportunities to provide input.

Thanks,

Matthew Taylor | Principal Planner
951.826.5944 | mtaylor@riversideca.gov

City of Riverside
Community & Economic Development Department
Planning Division
3900 Main Street | 3rd Floor | Riverside 92522

From: Cruz Rene Garcia <cruzrene.garcia@stiiizy.com>
Sent: Friday, July 7, 2023 2:50 PM
To: Taylor, Matthew <MTaylor@riversideca.gov>
Subject: [EXTERNAL] Question about Cannabis Ordinance

CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.

Hello,

I had a question regarding the cannabis ordinance. I understand that 14 license will be distributed to applicants, but I was wondering if those licenses had district designationsâ€”Is there a certain amount of operators allowed per district? For example, 2 license per 7 districts totaling 14 license.

Hope to hear from you soon. Thanks for reading.

Best,

Cruz R. Garcia

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Exhibit 5

From: Lilley, Jennifer <Jennifer>
Sent: 12/19/2023 11:08:45 AM
To: Cannabis,Marks, Jonathan
Cc: 'Jason Chiang',John Yonai
Subject: RE: Application question
Attachments: [image001.jpg](#), [image002.jpg](#)

Can I please ask that all emails regarding this cease. Thank you.



Jennifer A. Lilley, AICP
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3900 Main Street, Riverside, CA 92522
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From: Cannabis <Cannabis@riversideca.gov>
Sent: Friday, December 15, 2023 5:33 PM
To: Marks, Jonathan <JMarks@riversideca.gov>; Lilley, Jennifer <JLilley@riversideca.gov>
Cc: 'Jason Chiang' <jchiang@tierrawestadvisors.com>; John Yonai <jyonai@tierrawestadvisors.com>
Subject: RE: Application question

Another approach might be to extend the application period for a few days so that those who applied late (1 so far) and those that might be qualified but just submitted improperly can have time to fix their applications. If you look at the application and guidelines, it is not super clear on how to submit the application; only really addressed in FAQs which applicants are not required to read.

Just a thought,
Jane

From: Marks, Jonathan <JMarks@riversideca.gov>
Sent: Friday, December 15, 2023 5:27 PM
To: Cannabis <Cannabis@riversideca.gov>; Lilley, Jennifer <JLilley@riversideca.gov>
Cc: 'Jason Chiang' <jchiang@tierrawestadvisors.com>; John Yonai <jyonai@tierrawestadvisors.com>
Subject: RE: Application question

I'll have to let Jennifer answer that.



Jon Marks
Project Manager, Economic Development
City of Riverside, Community & Economic Development Department
Main: (951) 826-2438 | Direct: (951) 826-5498 | Mobile: (951) 231-4408
RiversideCA.gov

From: Cannabis <Cannabis@riversideca.gov>
Sent: Friday, December 15, 2023 5:14 PM
To: Lilley, Jennifer <JLilley@riversideca.gov>; Marks, Jonathan <JMarks@riversideca.gov>
Cc: 'Jason Chiang' <jchiang@tierrawestadvisors.com>; John Yonai <jyonai@tierrawestadvisors.com>
Subject: Application question

I am doing a count of the applications – many came in at the very last minute. At least one submitted the application in parts, not one pdf. If all the information is complete will the City consider those applications?

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From: Lilley, Jennifer <Jennifer>
Sent: 12/22/2023 12:32:05 AM
To: Jason Chiang
Cc: Jane McFarren
Subject: RE: Question RE: Application Clearance
Attachments: [image004.jpg](#), [image005.png](#), [image006.png](#), [image007.jpg](#), [Attachment 1 - DRAFT Procedure Guidelines and Evaluation Criteria - CC 10-17-2023.docx](#)

We have planned to validate all attested information from Phase I in Phase II. I think we don't need to flag anything. But if you have question/concern let's talk it through.

A couple of items for you.

1. We need to start to forward complete/confirmed applications to the committee as soon as they are identified. I have told the review committee to expect to see first applications Tuesday/Wednesday next week.
2. Can you please turn the Evaluation Criteria into a spreadsheet format for the reviewers to use to enter the scores and for you to use to gather all scores for all applications. Applicant Number across the top row. Review Criteria (by category and number) down the left side. Raters can then enter their score into the spreadsheet and provide to you to add to the master score sheet. If this can be ready when the applications get sent over, that would be great. I have provided the WORD version of the document so you can cut and paste the text and not have to type. However it is easier.



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From: Jason Chiang <jchiang@tierrawestadvisors.com>
Sent: Wednesday, December 20, 2023 4:26 PM
To: Lilley, Jennifer <JLilley@riversideca.gov>
Cc: Jane McFarren <jmcfarren@tierrawestadvisors.com>
Subject: [EXTERNAL] Question RE: Application Clearance

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Hey Jennifer!

The consultant team is busy reviewing the cannabis submissions, and preparing you a Master Excel Sheet that reconciles the applicants for you so that you can huddle with the City team on any recurring items. Thank you for taking the time to chat yesterday, and for your assistance in coordinating with the City Treasurer/Finance Dept in obtaining a list of names who are confirmed to have paid the application fee.

We have one main item that we would like you to weigh in on:

- The “CEDD_Cannabis Permit Guidelines 2023” file (attached) requests “documentation validating the identity and age of all owners, officers, and managers...” in the Background Form portion; please see below:

ii. Background Form:

(a) Owner, Officer, and Manager Information. The name, address, telephone number, e-mail address and age, including documentation validating the identity and age of all owners, officers and managers and the percentage of ownership interest or other financial interest, if any, held by each owner, officer and manager must be provided. All individuals listed will be subject to Background and Live Scan checks in later stages of the CCB Permit selection process if identified as a finalist.
- The “City of Riverside Storefront Retail Commercial Cannabis Business Permit Application Packet” file and “Cannabis Checklist” file (both attached) **do not** mention any required documentation validating the identity of all owners, officers, and managers in the Background Form portion; please see below for the excerpt from the Application Packet:

9. Cannabis Experience and Background

List any of the owners', officers', or managers' commercial cannabis experience since 2017. Any experience as an owner, officer, manager, lender, employee, volunteer, or agent shall be listed, including the location of the experience. All individuals listed will be subject to Background and Live Scan checks in later stages of the CCB Permit selection process if identified as a finalist.

Include copies of permits, licenses, or other written forms of permission by a state, county, or municipal government entity identifying claimed experience. Copies of supporting documents do not count against your application page limits, only the business proposal has page limits.

List the license types and license numbers that the applicant currently holds from the State of California and/or all other out-of-state licensing authorities.

All applicants must provide all financial information required by the State of California, pursuant to the California Code of Regulations, Title, 4, Section 15004, or other relevant law. (Section 15004)

We wanted to bring to your attention that it appears most applicants did not provide documentation validating the identity and age of all owners, officers, and managers; as this was not mentioned on the Application Packet file and Cannabis Checklist file. There are a few who must have used the “CEDD_Cannabis Permit Guidelines 2023” file as the North Star for application, and did provide the documentation validating the identity and age of all owners, officers, and managers...in the form of Drivers’ License etc.

Should we flag applications that are missing the documentation validating the identity/age of all owners, officers, and managers in the Background Form portion....or should we not consider this item because it is only mentioned in the CEDD_Cannabis Permit Guidelines 2023 file but NOT mentioned in the Checklist + Application Packet?

Happy to discuss over the phone if that is easiest or if we can clarify this item further.

Thanks!

--

Jason Chiang
Sr. Associate
Tierra West Advisors, Inc
A: 2616 East 3rd St. Los Angeles, CA 90033
P: (323) 265-4400 Ext 228 F: (323) 261-8676
W: tierrawestadvisors.com DBE/MBE/SLB #39013 #2829



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Exhibit 6



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2024 ELECTION

Get to Know Philip Falcone, Candidate for Ward 1

Philip Falcone, candidate for Ward 1 City Council in the March 2024 election, answers 14 questions about why he is running for election.



GAZETTE STAFF



Philip Falcone is running for the open Ward 1 City Council Seat in the 2024 election.

DECEMBER 21 2023 • 4:53 AM

12 MIN READ SHARE ▼

As a part of our mission to publish news helpful to Riversiders, *The Raincross Gazette* is expanding our [2024 Election Guide](#) with a series of interviews with each candidate running for a city office in the March 5, 2024 election.

Each candidate had several weeks to answer the same questions written in response to the nearly 500 questions *Gazette* readers submitted in a survey about their priorities for Riverside in the coming election. These answers have only been edited to fix minor

grammar or spelling errors to ensure a fair representation of each candidate.

Get to Know Philip Falcone

Philip Falcone is an educator, policy advisor, and county commissioner who has nearly a decade of experience in public service, having worked in two Riverside mayoral administrations. His portfolio of work includes architecture, historic preservation, public art, infrastructure, and environmental protection.

Relocating to Riverside from New Orleans following the loss of their family home in Hurricane Katrina, Philip found the outpouring of goodwill shown to his family as uniquely Riverside. He felt called to public service to repay this kindness. Philip is a product of Riverside schools; a graduate of RCC, UCR, and CBU. He resides in Downtown Riverside.

Why are you running for office?

In August 2005, my family lost our home and all our belongings in Hurricane Katrina. We moved from New Orleans to Riverside with five days-worth of clothing in our suitcases and nothing else—we were all but homeless. In Riverside, we lived with relatives, and an immediate outpouring of goodwill and charity for my family from the Riverside community ensured we had clothing, household items, gift cards for food, and more.

I have never forgotten how Riverside welcomed my family—people who were strangers to them—with warmth and kindness. It is now my life's mission to repay the goodwill shown to my family by dedicating myself to public service. And this public service takes shape as working for the people of Riverside on the City Council by being a responsive representative who is focused on getting the job done for Riversiders—addressing

1 1 . . 1 . 1 1 . . 1 1 1 . C

homelessness, attracting jobs, repaving the roads, improving the parks, and ensuring a safe city for all.

What is Riverside's city government currently doing well?

The 311 app and call center is a Riverside success story that continues to be effective. While working for Mayor Lock Dawson, our team conducted a citywide listening tour that went to every neighborhood, and the common positive thread was that Riversiders loved 311.

As a city staffer, I saw firsthand the hundreds of calls and service requests that were received each day—admittedly, I was often the one sending in dozens of requests a day as I walked and drove around the city snapping pictures of graffiti, potholes, and landscaping needs, I was later made aware that I had reported over 800 requests in a couple of months which was a record. The Public Works, RPU, and General Services workers who quickly respond to 311 requests are the reason for this program's success. Job well done!

What is Riverside's greatest challenge, and how will you approach it if elected?

Both homelessness and public safety are Riverside's greatest challenges, but since there are questions later in this questionnaire specifically about homelessness and public safety, I will use this space to discuss another great challenge—aging infrastructure and city services.

I have said before that I am a self-proclaimed infrastructure wonk, and it's true. I can talk about roads, sidewalks, sewer lines, parks, trees, and more that I categorize under the infrastructure umbrella all day long. Riverside's roads are in very poor condition. Our roads are rated 58/100—while I may be a professor, you do not need to be a professor to know that's a failing score. One of my commitments to Riversiders is to improve our road scoring by ten points to 68/100. A score of 68/100 is not a place of victory; however, it is an

improvement from 58/100 and is heading in the right direction.

Similarly, our parks, community centers, street medians, and more received upgrades fifteen years ago during the Riverside Renaissance and are now facing significant deferred maintenance issues. In these areas, the city must get back to the basic, foundational responsibility of local government before we can have large, luxurious visions for all our town can be. By doing the day-to-day work well, Riverside will show itself as a desirable city and thus make the large visions more attainable.

These improvements can be funded through Measure Z, which was approved by the voters in 2016 for public safety and quality of life projects. Measure Z has seen greater than expected revenues; therefore, additional funds can be allocated for roads and infrastructure projects, for example. If you want your roads repaved, parks improved, and make Riverside more walkable, bikeable, and safe—and want someone who knows how to get the job done at City Hall—then I am your candidate.

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If elected, how will you improve the political discourse in Riverside?

The role of City Councilmember is largely one of a facilitator. I see myself as someone who is uniquely able to bring differing people together and facilitate conversations on complex issues. Politically, I am a moderate person—something that may seem uncommon today, but I believe is more common than many people realize—who can represent, work with, and get stuff done with people of all beliefs. The way this improves the political discourse is by turning down the heat and getting to work.

Someone recently told me, “Philip, you are a workhorse—you’re always out in the field plowing away.” I see this as a good analogy for my character and work ethic. I am here to serve all the people of Ward 1 and Riverside—with a focus on getting stuff done irrespective of your or my political party. The discourse is improved when we focus on what we all want: a city that works, that is committed to the quality of life of all its residents. I am committed to a discourse that is productive, respectful, and welcoming of all viewpoints.

What past personal collaboration that demonstrates risk and compromise are you most proud of?

Having worked in the public, private, and non-profit sectors, I have seen risk and compromise in each. Knowing the push and pull of risk and compromise in the governmental and legislative sense is more valuable for a City Councilmember than the non-profit and private sectors because it cuts more to the knowledge of how municipal government operates. After nearly a decade in this sector, I can get to work on day one without the steep learning curve for those who have not served in a municipality before. I believe in compromise, and there are occasions where compromise can even be risky,

especially in politics and government.

The example that I believe is most conducive to the role of City Councilmember is my work through the Mayor's Office on CARE Court legislation. CARE Court is the first substantial change to California's mental health laws since 1967. The legislation has aspects of required mental healthcare treatment for those suffering from mental illness on the streets. There was risk in changing a decades-long approach that allowed people to refuse help and suffer on the streets, even if they lacked the capacity to legitimately make that decision for themselves. The nature of the topic is sensitive and risky, but we knew that with necessary compromises and guardrails, the risk of a positive impact on the lives of people across California was worth it. Riverside, under the direction of Mayor Lock Dawson, was bullish in getting Inland Empire cities, bipartisan groups, and others on board with the changes—the risk was worth it. Through our efforts, Riverside became one of the first seven counties in California to implement this law on October 1, 2023.

How many hours a week do you expect to put into serving as a councilmember, and what is your commitment to responding to constituents?

I will be a full-time Councilmember, dedicating well over forty hours a week to the job. During my previous service in City Hall, my work week averaged seventy hours a week, and I am prepared to continue that service in this role. I will respond to constituents within 24 hours, as I have done in the past.

What will you do to address the City's homelessness challenges?

Riverside's greatest challenge is the local (and statewide) homelessness crisis. There are many facets to this complex issue and if it was not so complex, it would have been solved

years ago.

The first thing to know is that we are at a tipping point that has resulted from decades of poor legislative decisions from Sacramento all the way down to cities. The homeless population is not a monolithic population, and it is not exaggerating to say each homeless person has a unique situation. However, for the sake of simplicity in this format, I divide the population into two main categories—the first category is the population who is down on their luck, lost a job and are newly on the streets, living in their car, or couch surfing; the second category is the population who has mental health challenges or drug addictions.

For the first category, Riverside has ample job training services and pathways to affordable housing—both of which remain the foundation for addressing this challenge. I will continue to advocate for high-quality, affordable housing development—both to lease and own. These services and housing options are often brushed aside as the government enabling the situation, but that view is overly simplistic. The purpose of these services is to prevent people from becoming homeless in the first place or getting them back on their feet again before chronic homelessness sets in after several months of living on the streets.

The second category is a particular passion of mine as the topic of mental health and the decades-long poor approach to mental health California has taken is having real-world ramifications before our eyes. While the City does not have a health department, I pledge to use my existing partnerships to collaborate with our county and state leaders to focus on mental and behavioral health issues through the implementation of new state laws such as CARE Court and others, which will require those deemed “severely disabled” to accept mental and/or behavioral health treatment. (The construction of mental healthcare facilities will also be on the ballot in March as the state’s Proposition 1.)

Allowing people to live and die on our streets is inhumane and unacceptable. Riverside cannot allow people to live this way. One can accept services from the city or county and get in a better situation, but they cannot camp on our streets or in our parks, victimizing

others or being victimized themselves. I pledge to be a strong advocate for Ward 1 quality of life by ensuring our county and state uphold their role of providing mental and behavioral health services.

What are your plans to help Riverside's growing senior population?

Riverside has a vibrant senior population. I have toured all our city's senior centers, and they are always bustling with activity. This programming will remain and can be expanded as each center needs. Current population numbers show Riverside is short on senior center access per senior compared to cities of similar size. The Eastside neighborhood, for example, lacks a senior center facility, and I will advocate for the construction of this facility on the City Council.

Ward 1 has a large senior population but limited senior housing and affordable housing options. First, Riverside must focus on more affordable housing across the board. Second, it must identify specific sites close to public transportation, medical resources, and shopping that can be developed for senior housing.

Having safe and affordable public transportation is also important for seniors who do not have a car or are unable to drive. This is done in partnership with RTA and the city to keep our bus stops and transportation hubs clean and safe. Ensuring life is more affordable for seniors on fixed incomes or Social Security can be done through RPU customer aid, which was recently expanded to offer more financial assistance to those with fixed or lower incomes. All these aspects can be done to ensure our seniors feel valued and respected in a community that deeply cares for our elders and their contributions.

How do you plan to deal with the trash collection issues

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Riversiders have been contending with since early 2020:

The solid waste collection disruptions over the last few years underscore the importance of Riverside's government's need to return to the basic responsibility of local government, as I have previously discussed. It should not take a year and multiple calls to receive a new trashcan after yours was damaged. Similarly, it should not take three or more days to collect waste from three bins.

Solid waste rates were recently increased by the City Council with a pledge that the additional funding will get the staffing and equipment up to par following years of kicking the can down the road with deferred maintenance and neglecting the imbalances in the refuse fund. In the coming months, as these additional funds go into effect and new equipment arrives, Riversiders will be able to judge the effectiveness of these actions.

I am committed to doing what it takes to get the solid waste collection back on track—everything from a deep dive examination into why staffing numbers cannot seem to catch up, ensuring our pay is commensurate with companies like Amazon and others who have lured away many of our drivers, and reassigning staff to drive solid waste collection vehicles as necessary.

Would you support making City Council roles full-time jobs?

Yes, in a city of our size—the 12th largest in California—the role of the City Council has grown exponentially in recent years, and the residents deserve a full-time City Councilmember.

I often say this is a full-time job with part-time pay. I am putting forward my name for this job at its current pay scale, and I am doing so in earnest. At this stage in my life, I do not have a family to support and am able to work on the City Council full-time, teach part-time, and survive, but that is not the case for many people. Therefore, a whole sector of

Dr.

Riversiders are being boxed out of public service because the pay is too low.

How do you see legal cannabis sales in Riverside affecting our budgets and community culture?

The short answer on how the hard numbers on cannabis sales for Riverside will come in remains to be seen as the program is not yet fully implemented. Other cities have seen financial benefits through tax revenue, and the question of how that tax revenue will look will be asked in greater detail on the March ballot through a city measure.

I personally do not use cannabis and do not support its promotion or sale near schools, parks, or other locales with high numbers of families and children. With necessary measures in place, there will not be insurmountable cultural shifts with the recreational sale of marijuana in Riverside. Following the legalization of its recreational use statewide, it was used in Riverside and purchased in other cities without significant criminal or negative community cultural ties to its usage.

Pending General Fund Transfer lawsuits may reduce the City's annual budget by over \$40 million; if elected, how would you respond to a 14% reduction of the City's operating budget?

The city cannot cut its way out of a 14% operating budget shortfall. There must be a mixture of cuts to spending where we can and new revenue generation through economic development, new businesses, and more people coming to and spending money in Riverside. This will be a difficult financial time for Riverside if this occurs, especially since the voters have repeatedly approved the General Fund Transfer over the course of the last several decades.

What would help reduce crime in town, and how do you plan to advocate for safe communities?

TO ADVOCATE FOR SAFE COMMUNITIES:

Public safety is another one of the foundational city services I have mentioned throughout these questions. People feeling safe to go to the park, grocery store, or even their front yard is critical to having a strong quality of life in Riverside. I support our Riverside Police Department—I have toured all our city police stations, been on several ride-alongs, and have strong working relationships with employees at every level of the department. In many ways, state laws—not local ordinances—have created frustrating and unsafe situations for both police and residents. Voters have approved ballot measures that have lessened consequences for criminal activity. With the county jail in Downtown Riverside, those booked into jail across our county are released into downtown after several hours of served time.

In a larger approach, I am committed to advocating for changes to state laws and measures that require consequences for criminal behavior, and locally, I am committed to ensuring our first responders have the funding and necessary support to do their job well—from staffing to training. As a whole, Riverside must continue to build stronger relationships between the community and law enforcement to ensure mutual respect is established.

What is your position on the Riverside Transmission Reliability Project?

The second connection to the state electrical grid is an absolute necessity—all seem to agree



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unobscured open space, I prefer the lines to be underground. However, if the state rejects this request and there is not ample funding from other sources to do so, we cannot wait for another several years—the project must then move forward as previously planned and approved.

The ball is in the court of the state Public Utilities Commission at this time, and more will

evolve as word is received from them on the next steps. I refer to an earlier question about risk and compromise. There is documented risk for both above-ground and underground wires; the greatest risk, in my view, is not having a second connection to the grid in a region where natural disasters are becoming more and more common.



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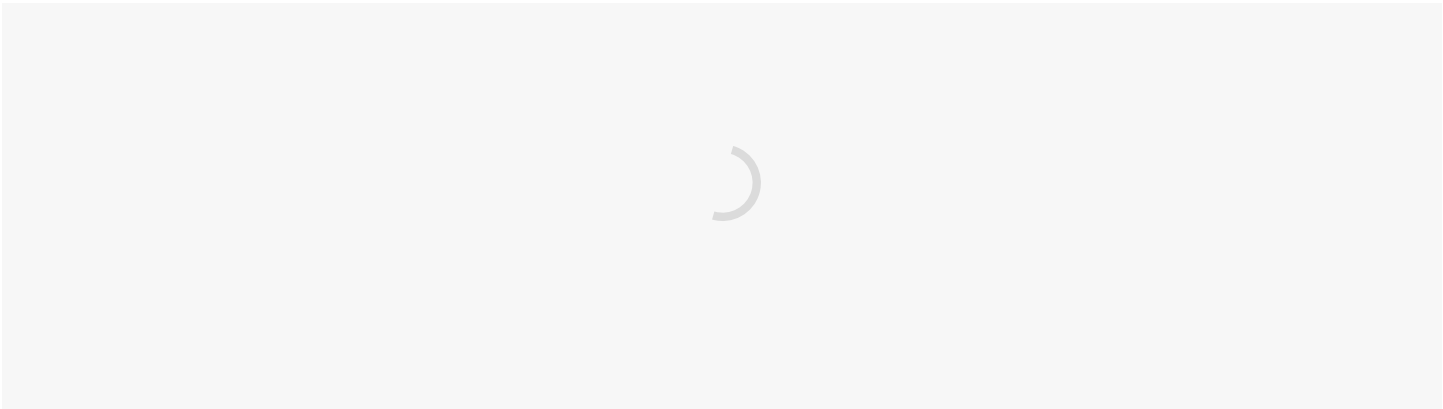
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2024 ELECTION

Get to Know Steven Robillard, Candidate for Ward 3

Steven Robillard, candidate for Ward 3 City Council in the March 2024 election, answers 14 questions about why he is running for election.



GAZETTE STAFF



Steven Robillard is running for the open Ward 3 City Council Seat in the 2024 election.

JANUARY 11 2024 • 4:55 AM

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Each candidate had several weeks to answer the same questions written in response to the nearly 500 questions *Gazette* readers submitted in a survey about their priorities for Riverside in the coming election. These answers have only been edited to fix minor grammar or spelling errors to ensure a fair representation of each candidate.

Get to Know Steven Robillard

I'm a lifelong Riverside resident and local business owner. I was a Police Cadet with Riverside PD before I got my real estate license. After graduating from UC Riverside, I married my high school sweetheart, Lexie. We own a family real estate business and are raising our son in Ward 3.

I coached little league and high school track and field. I served on Riverside's Agricultural Water Rate Task Force, where I advocated for affordable utility rates for residents and businesses. I actively volunteer, serving in non-profit organizations and helping those in need.

Why are you running for office?

I'm running for City Council to get things done for residents and build a safer, more prosperous Riverside. As a lifelong resident, I've watched our city change over the years. We now face challenges that will require new, bold solutions. We need leadership and vision on the City Council. Leveraging my deep roots in Riverside, unique skill set, and commitment to service, I will confront our issues head-on and deliver results for residents.

What is Riverside's city government currently doing well?

Our current city manager and economic development director bring valuable contributions to our city. With robust leadership from the city council, they have the potential to achieve significant accomplishments. It's crucial to emphasize the pivotal role of a strong city manager in facilitating effective communication and implementing positive changes.

What is Riverside's greatest challenge, and how will you approach it if elected?

Public safety has become our biggest challenge. Homelessness and crime are threatening our quality of life. Our neighbors shouldn't feel anxious about going to the store or taking their kids to the park. It's time to allocate more resources toward public safety and address the homeless crisis effectively.

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If elected, how will you improve the political discourse in Riverside?

City Council Members should focus on addressing the needs of residents. Our challenges are not partisan – we can all find common ground on what needs to be done to improve

our city. I think the change will come through leadership by, for example, electing Council Members who work for residents.

What past personal collaboration that demonstrates risk and compromise are you most proud of?

I served on Riverside's Agricultural Water Rate Task Force. It was an opportunity to work with other community leaders to find common ground. I learned a lot about the legislative process and how to be a strong advocate for residents.

How many hours a week do you expect to put into serving as a councilmember, and what is your commitment to responding to constituents?

Serving on the City Council comes with an obligation to address the needs of residents. I give 100% to every commitment I undertake. I would not be running if I didn't have the flexibility and support from my family to give this position my all. I am blessed with the ability to control my work schedule, so I will make time to meet with residents and deliver results. My office will have an open-door policy, and I will be dedicated to serving the residents in Ward 3.

What will you do to address the City's homelessness challenges?

I have a comprehensive plan to address homelessness. I have met with police, firefighters, non-profits, community leaders, and city leaders to discuss homelessness in depth. I've learned about the challenges and how we can overcome them. I will partner with law enforcement to ensure they have the tools and support they need to address the criminal component. I will also push for data-driven policies and put metrics in place to determine

which programs and initiatives are working and which ones are not. No more excuses; we need results.

What are your plans to help Riverside's growing senior population?

Working in the real estate industry and serving on a regional housing coalition, I have seen firsthand how challenging life has become for our senior population. Many seniors are facing housing challenges and struggling to pay their bills. We must advocate for vulnerable seniors and ensure we provide meal assistance, healthcare services, and rent/utility assistance to those in need.

How do you plan to deal with the trash collection issues Riversiders have been contending with since early 2020?

Trash collection is one of the issues I hear about the most from my friends and neighbors. I don't think it's asking too much to have routine trash collection. This issue has been ongoing for years and we need a solution. The status quo is not working, we need to take a hard look at the program we have in place and consider ways to improve efficiency.

Would you support making City Council roles full-time jobs?

I am not in favor of changing the City Council position to a full-time job. To me, being on City Council is a privilege; it's an opportunity to improve your city and help your neighbors. I don't think money or selfish ambition should be a factor. We have a talented, qualified city staff who is more than capable of running the day-to-day operation of the City. A City Council Member makes policy decisions, creates a vision for the city, and ensures City Hall is working for residents. The truth is, if you don't have the time and dedication to do the job effectively, you shouldn't be running.

How do you see legal cannabis sales in Riverside affecting our budgets and community culture?

I am not convinced that legal cannabis sales will solve our budget shortfalls.

Pending General Fund Transfer lawsuits may reduce the City's annual budget by over \$40 million; if elected, how would you respond to a 14% reduction of the City's operating budget?

We need to focus on economic development. Riverside has an abundance of opportunities, and we should embrace policies that foster a business-friendly environment. With three universities and a community college, we have a pool of talented graduates who, unfortunately, leave our city due to limited job prospects. We possess the necessary tools, resources, and talent to become an economic hub, but it requires leadership and council members with a business mindset to transform that potential into reality.

What would help reduce crime in town, and how do you plan to advocate for safe communities?

Public safety is critical. I worked as a Police Cadet for the Riverside Police Department while I was in college. I saw firsthand the challenges and needs of our PD. Police officers are overworked, and the department is underfunded. We are struggling to recruit new officers. We can't expect our city to be safer without providing PD with the tools and manpower they need to get the job done. I'll ensure Riverside's Police and Firefighters have the staff and funding required to be effective.

What is your position on the Riverside Transmission Reliability Project?

The fact is, we need a second power plant. Our city is growing, and we have more and more residents. We need more power supply. A citywide power outage, like we unfortunately experienced last year, could be devastating and dangerous.



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2024 ELECTION

Get to Know Sean Mill, Candidate for Ward 5

Sean Mill, candidate for Ward 5 City Council in the March 2024 election, answers 14 questions about why he is running for election.



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As a part of our mission to publish news helpful to Riversiders, *The Raincross Gazette* is expanding our [2024 Election Guide](#) with a series of interviews with each candidate running for a city office in the March 5, 2024 election.

Each candidate had several weeks to answer the same questions written in response to the nearly 500 questions *Gazette* readers submitted in a survey about their priorities for Riverside in the coming election. These answers have only been edited to fix minor grammar or spelling errors to ensure a fair representation of each candidate.

Get to Know Sean Mill

I'm a husband, father, and successful business owner with deep roots in Riverside. I served on Riverside's Planning Commission and was a local high school football coach. I'm a board member of the Arlington Business Council and Commissioner on the Riverside County Flood Control and Water Conservation Management District. I actively volunteer in Riverside because I'm committed to serving our community.

My wife, Trenna, is a Riverside native and a graduate of Poly High School. My daughter Hailey also graduated from Poly. We have two dogs, Poochie and Tigger. We are proud residents of Ward 5!

Why are you running for office?

I'm running to enhance our quality of life and address the needs of residents. My priorities are public safety, solving the homeless crisis, and improving our neighborhoods.

What is Riverside's city government currently doing well?

Riverside's Police Department is our city's crown jewel. I attribute the department's success to the amazing leadership of Chief Larry Gonzalez, the first-rate professionalism of the department's rank and file, effective community engagement, and a commitment to transparency and accountability.

What is Riverside's greatest challenge, and how will you approach it if elected?

Homelessness. The problem is only getting worse, but we can solve this crisis by implementing proven housing, mental health, and substance abuse programs. It's time to stop wasting city resources on programs that are not working – we need results. We also need to enforce our laws and hold criminal offenders accountable.

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If elected, how will you improve the political discourse in Riverside?

Several of our City Council members are distracted by partisan politics. They are more concerned about climbing the political ladder than serving the people they represent. My answer is simple – focus on the needs of residents. There's plenty of work to do in Riverside; leave the political agendas out of it. We need to get back to basics – repaving roads, tree trimming, park maintenance, graffiti removal, routine trash collection, etc. – it's time to roll up our sleeves and get to work!

What past personal collaboration that demonstrates risk and compromise are you most proud of?

Serving on the Riverside Planning Commission.

How many hours a week do you expect to put into serving as a councilmember, and what is your commitment to responding to constituents?

City Council members need to treat the position as a full-time commitment to be effective. Working nights, weekends, and long hours is part of the job. Fortunately, as a business owner, I can structure my schedule to dedicate the necessary time to be responsive to constituents and get the job done for our community.

What will you do to address the City's homelessness challenges?

No one should be living on our streets. The problem is only getting worse, but we can solve this crisis by implementing proven housing, mental health, and substance abuse programs. It's time to stop wasting city resources on programs that are not working – we need results. We also need to enforce our laws and hold criminal offenders accountable.

What are your plans to help Riverside's growing senior population?

Affordability is a big issue for seniors, especially those on a fixed income. I will oppose higher taxes and city fees. I will also work to enhance our senior centers and provide more resources and services to seniors in need.

How do you plan to deal with the trash collection issues Riversiders have been contending with since early 2020?

Accountability. Trash collection is a basic city service. If employee retention and reliability is the issue, we need to create incentives and enhance recruitment, or consider alternative options to get the job done.

Would you support making City Council roles full-time jobs?

No. Serving on the City Council is a privilege. Making it a full-time job will bring out people with bad intentions. I think you need to be motivated to serve the people of Riverside, not collect a paycheck or use the position as a springboard for higher office.

How do you see legal cannabis sales in Riverside affecting our budgets and community culture?

I hope the legal shops will bring in the amount of revenue we're hearing about and drive out the illegal shops across the city.

Pending General Fund Transfer lawsuits may reduce the City's annual budget by over \$40 million; if elected, how

would you respond to a 14% reduction of the City's operating budget?

If and when that happens, we need to take a hard look at our City's finances. We will have to consider ways to increase efficiency and cut costs without sacrificing services for residents. We also need to focus on growing our local economy and fostering new businesses to increase city revenues. The key will be in economic development by creating a truly business-friendly atmosphere that will attract folks to bring their businesses to Riverside and bolster our economy.

What would help reduce crime in town, and how do you plan to advocate for safe communities?

Public safety is my top priority. I'll make sure Riverside's Police Department has the resources, equipment, and staffing they need to be effective.

What is your position on the Riverside Transmission Reliability Project?

Riverside needs a second connection to the power grid. We can't have a repeat of the citywide power outage back in 2007. We need to have access to a second connection. It's crucial that we come together to agree on the best path forward on this project. I believe that the best path forward is for the power lines to be undergrounded. We cannot be a city committed to environmental and social justice and then allow a huge power line project to be installed over a nature preserve and the Arlanza community.



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