

City of Arts & Innovation

CITY COUNCIL

MINUTES

TUESDAY, DECEMBER 13, 2022, 1:00 P.M.
PUBLIC COMMENT IN PERSON/TELEPHONE
ART PICK COUNCIL CHAMBER
3900 MAIN STREET

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

ABSENT: None

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

ORAL COMMUNICATIONS FROM THE AUDIENCE

Patrick Maloney spoke regarding Open Mic Night Fundraiser at the Packinghouse Brewing Company and karaoke nights. Aurora Chavez spoke regarding Riverside Transit Authority presentation and Riverside Transmission Reliability Project task force.

COMMUNICATIONS

INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE UPDATE

There was no update on Intergovernmental relations and legislation.

HOMELESS SOLUTIONS UPDATE

The City Council received an update on homeless solutions.

SUSTAINABILITY UPDATE

There was no update on sustainability.

HEALTH, SAFETY, AND SECURITY UPDATES

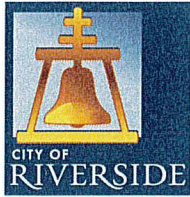
There was no update on health, safety, and security.

LEGAL UPDATE

There was no legal update.

COUNCILMEMBERS DECLARATION OF CONFLICT OF INTEREST

Councilmember Edwards recused herself from the Closed Session item regarding purchase, sale, exchange, or lease of property commonly known as Lot 33/Convention Center citing conflict of interest due to real property ownership within 500 feet.



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ANNOUNCEMENT

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

Mayor Lock Dawson introduced Community and Economic Development Director Jennifer Lilley.

DISCUSSION CALENDAR

SPEED HUMPS REMOVAL FROM NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

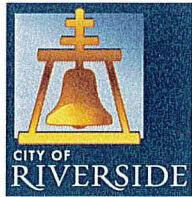
Following discussion, it was moved by Councilmember Cervantes and seconded by Councilmember Edwards to refer the Neighborhood Traffic Management Program and proposed pilot programs back to Mobility and Infrastructure Committee. The motion carried with Councilmembers Edwards, Cervantes, Fierro, Conder, Perry, and Hemenway voting aye and Councilwoman Plascencia voting no.

ACTIVE TRANSPORTATION PROGRAM CYCLE IV GRANT APPLICATION - ACTIVE TRANSPORTATION LOOP NAMED RIVERSIDE CIVIL RIGHTS WALK

Following discussion, it was moved by Councilmember Edwards and seconded by Councilmember Cervantes to (1) approve the acceptance of a grant award in the amount of \$2,340,000, or the actual awarded amount, under the Active Transportation Program Cycle VI program as administered by the Southern California Association of Governments and Riverside County Transportation Commission; and (2) authorize the City Manager, or designee, to execute all necessary documents in the process of applying for and securing funds under the Active Transportation Program Cycle VI, including making minor and non-substantive changes and executing agreement amendments and extensions, subject to the availability of budgeted funds. The motion carried unanimously.

EXPANSION OF LANGUAGE ACCESS FOR LIMITED ENGLISH PROFICIENCY PERSONS THROUGH SPANISH TRANSLATION OF AGENDAS AND AUTOMATED SPANISH CAPTIONED BROADCASTS FOR CITY COUNCIL AND COMMITTEE MEETINGS

Following discussion, it was moved by Councilwoman Plascencia and seconded by Councilmember Cervantes to approve the Inclusiveness, Community Engagement, and Governmental Processes Committee's Option 2 as outlined in the staff report to expand language access for Limited English Proficiency persons through automated Spanish



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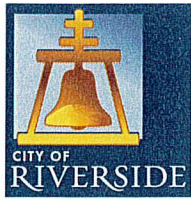
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captions of City Council and Committee meetings, and in-person interpreter for City Council and Committee meetings. The motion carried with Councilmembers Edwards, Cervantes, Fierro, Perry, Hemenway and Councilwoman Plascencia voting aye and Councilmember Conder abstaining.

CLOSED SESSIONS

The Mayor and City Council adjourned to closed sessions at 2:43 p.m. pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning *Al Hernandez v. City of Riverside*, WCAB Claim No.(s): ADJ7752906, ADJ1451217, ADJ14512206; (2) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning *William Schellhous v. City of Riverside*, WCAB Claim No. (s): 210067, ADJ13629523; (3) §54956.8 to instruct City's Negotiator, Michael Moore, regarding price and terms of payment for the purchase, sale, exchange, or lease of property located at 3720 and 3740 Mission Inn Blvd., APN: 213-262-006 by Eric James Brummell and Allison Mackenzie, Negotiators; (4) §54956.8 to instruct City's Negotiator, Michael Moore, regarding price and terms of payment for the purchase, sale, exchange, or lease of property with no site address located on the corner of Fifth and Orange Streets, commonly known as Lot 33/Convention Center, APNs: 213-113-001, 213-111-011, 213-111-012, 213-111-013, 213-111-014, 213-111-015, 213-111-016, and 213-111-017, by Greens Group / Griffin | Swinerton; Atman Kadakia, Korin Crawford, Negotiators; (5) §54957(a) for consultation with Chief of Police Larry Gonzalez and Chief Information Officer George Khalil regarding threat to public services or facilities; (6) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning anticipated litigation regarding one case; (7) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning the City Council deciding whether to initiate litigation regarding one case; and (8) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of all Executive Management employees except the City Manager, City Attorney, and City Clerk, all Management and Confidential employees as defined by PERS, Fire Management Unit, Riverside City Firefighters Association, Riverside Police Officers Association (Police and Police Supervisory Units), Service Employees International Union #721, International Brotherhood of Electrical Workers #47, and Riverside Police Administrators Association.



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The Mayor and City Council returned to open session at 3:12 p.m. with Mayor Lock Dawson presiding and all Councilmembers present.

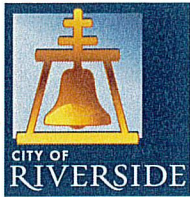
Councilmember Fierro recused himself from participating in the following item citing conflict of real property interest.

PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

CASE PR-2021-001120 - GENERAL PLAN AMENDMENT, REZONING, DESIGN REVIEW, AND VARIANCE - EXPAND EXISTING SELF-STORAGE FACILITY - 2998 IVY/3399 CENTRAL - RESOLUTION - ORDINANCE INTRODUCED

Hearing was called to consider a request by Andy Turner of Tierra Corporation for a General Plan Amendment, Rezone, Design Review, and Variance to expand an existing commercial self-storage facility by 158 self-storage units, located at 2998 Ivy Street and 3399 Central Avenue, situated on the south side of Ivy Street, west of Rockhill Way and east of State Route 91. Two people spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Cervantes to (1) determine that the proposed project will not have a significant effect on the environment based on the findings set forth in the case record and adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) pursuant to California Environmental Quality Act (CEQA) Sections 15074 and 21081.6; (2) approve PR-2021-001120 (General Plan Amendment, Rezone, Design Review and Variance) based on the findings outlined in the staff report and summarized in the staff report and subject to the recommended conditions; (3) adopt a Resolution to amend the General Plan 2025 land use designation of approximately 1.51 acres from LDR-Low Density Residential to C-Commercial; and (4) introduce an Ordinance amending the Zoning of approximately 1.62 acres from R-1-7000 - Single Family Residential and CG-Commercial General to CG-CS-Commercial General and Commercial Storage Overlay Zones. The motion carried with Councilmembers Edwards, Cervantes, Conder, Perry, Hemenway and Councilwoman Plascencia voting aye and Councilmember Fierro recused.



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Whereupon, the title having been read and further reading waived, Resolution No. 23936 of the City Council of Riverside, California, Amending the Land Use Designation of the Riverside General Plan 2025 as to Approximately 1.51 Acres of Property Located at 2998 Ivy Street and 3399 Central Avenue, from LDR–Low Density Residential to C–Commercial, was presented and adopted; and an ordinance entitled “An Ordinance of the City Council of the City of Riverside, California, Amending the Zoning Map of the City of Riverside Pursuant to Chapter 19.090 of the Riverside Municipal Code by Rezoning Approximately 1.62 Acres of Property Located at 2998 Ivy Street and 3399 Central Avenue from R-1-7000 - Single Family Residential and CG – Commercial General to CG-CS – Commercial General and Commercial Storage Overlay Zones,” was presented and introduced.

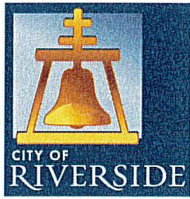
The Mayor and City Council recessed at 3:32 p.m. and reconvened at 6:15 p.m. with Mayor Lock Dawson presiding and all Councilmembers present.

the Invocation was given by Pastor Paul Lundgrin.

Councilwoman Plascencia led the Pledge of Allegiance.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Edwards reported on The Group's Annual Holiday Breakfast, Breakfast with Santa at the Springbrook Clubhouse, 10th Annual Miracle on Main Street event, Posadas at the Trujillo Adobe, Northside Improvement Association annual holiday potluck, Read Across America event at Evergreen National Cemetery and the Hanukkah Festival. Councilmember Cervantes reported on 10th Annual Miracle on Main Street event, Riverside Peacekeeper Ministry toy drive, University Community Garden toy giveaway, Residents of Eastside Active in Leadership (REAL) holiday posada at Patterson Park, Sigma Beta Xi (SBX) Young Perceptions Legends of the Inland Empire event, murals at the historic Masonic Lodge, Ward 2 Lincoln Park potluck and neighborhood meeting, and Lincoln Park toy giveaway. Councilmember Conder reported on Flannel and Flapjacks Parks and Recreation event, 3rd anniversary of Riverside Health and Fitness, and Hanukkah Festival. Councilwoman Plascencia reported on the loss of a family member, annual gift card drive, and thanked Clean Up Riverside's Environment (CURE) and Malissa McKeith for gift card donations. Councilmember Perry reported on Flannel and Flapjacks Parks and Recreation event, Victorian Christmas at the Heritage House, Mobile Home



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Education and Training Trust annual drawing donation to Alvord Cares, and thanked community partners for providing food and resources to those in need. Councilmember Hemenway reported on Norte Vista Christmas shoe box project. Mayor Lock Dawson reported on Latino Network 24th Annual Nuestra Navidad breakfast at the Marriott, Hanukkah festival, and blood drive.

CEREMONIAL PRESENTATION

DAY OF INCLUSION

Mayor Lock Dawson presented a Proclamation to Riverside Museum Associates Multicultural Council representatives Luz Negrón and Mike Eng designating December 17, 2022, as Day of Inclusion.

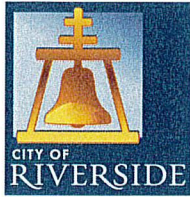
Councilmember Conder recused himself from participating in the following item citing conflict of interest and left the dais.

PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

APPEAL BY JEN LARRATT-SMITH - BOARD OF ETHICS HEARING PANEL PRE-HEARING CONFERENCE DECISION - CODE OF ETHICS AND CONDUCT COMPLAINT FILED AGAINST COUNCILMEMBER CONDER

Hearing was called to consider the appeal filed by Jen Larratt-Smith of the Board of Ethics Hearing Panel decision and determine whether the Hearing Panel committed clear error or an abuse of discretion in the dismissal or adopt the findings of the October 6, 2022 pre-hearing conference, regarding the complaint filed by Jen Larratt-Smith against Councilmember Conder. Nine people spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Edwards and seconded by Councilwoman Plascencia that the Board of Ethics Hearing Panel committed clear error in the dismissal, at the October 6, 2022 pre-hearing conference based upon the finding that the Hearing Panel did not follow the pre-hearing conference procedures as outlined in RMC Section 2.78.080 (E), specifically skipping Section 2.78.080 (E)(5), which provides for the complainant the opportunity to present evidence to prove the allegations in the complaint and to send the complaint back to the Board of Ethics. The motion carried



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with Councilmembers Edwards, Cervantes, Fierro, Perry, Hemenway and Councilwoman Plascencia voting aye and Councilmember Conder recused.

Councilmember Conder returned to the dais.

ORAL COMMUNICATIONS FROM THE AUDIENCE

Aurora Chavez spoke regarding Assembly Bill 2097 and Senate Bill 6, citing lack of parking and public safety concerns. Jason Hunter spoke regarding City Council meeting, Parada Lawsuit settlement and attorney fees.

CONSENT CALENDAR

It was moved by Councilmember Hemenway and seconded by Councilmember Perry to approve the Consent Calendar as presented affirming the actions appropriate to each item with the (1) Fiscal Year 2022-23 City Sponsorship Program in the form of monetary funding and/or in-kind contributions; and (2) Request for Proposal No. 2197 with the Greater Riverside Chambers of Commerce of Riverside for coordination of Community-Based Volunteer Beautification efforts removed from the Consent Calendar for separate discussion. The motion carried unanimously.

TITLE 12 UPDATES - AIRPORT RULES AND REGULATIONS

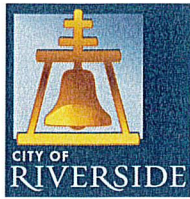
the City Council approve proposed updates to the Riverside Municipal Code Title 12 - Airport Rules and Regulations.

AGREEMENT - STATE LEGISLATIVE ADVOCACY SERVICES

The City Council (1) approved a Professional Consultant Services Agreement with Arc Strategies, LLC., to provide State Legislative Advocacy Services for an initial term of January 1, 2023, through December 31, 2025, in the amount of \$210,000 with an option to extend for three additional one-year terms; and (2) authorized the City Manager, or designee, to execute the Professional Consultant Service Agreement with Arc Strategies, LLC, including making minor and non-substantive changes, and to execute any optional one-year extensions in the amount of \$70,000 annually.

AGREEMENT AMENDMENT - EASEMENT PROPERTY - 4125 VINE

The City Council (1) approved the First Amendment to the Purchase, Sale and Development Agreement between Riverside Transit Agency (RTA) and the City of



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Riverside for 4125 Vine Street to extend the term of the agreement for ten years until June 22, 2032; Cancel escrow and return the Eleventh Street Well Piping relocation deposit of \$30,000; and (2) authorized the City Manager, or designee, to execute the First Amendment, including making minor and non-substantive changes, and to sign all documents and instruments necessary to complete the transaction in accordance with all purchasing policies.

AGREEMENT AMENDMENT - UNARMED SECURITY OFFICER SERVICES - VARIOUS CITY FACILITIES

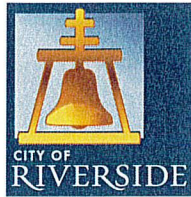
The City Council (1) approved the Eighth Amendment to Agreement for Unarmed Security Officer Services at various City facilities with Allied Universal Security Services in the amount of \$940,548.08 for an additional eight-month term from July 1, 2022 through February 28, 2023; (2) authorized 10 percent change order authority in the amount of \$94,054.80 for unforeseen changes in service including, but not limited to, requests to increase service frequency, add new City facilities, or provide special or emergency security services, for a total contract amount of \$7,237,062.58; and (3) authorized the City Manager, or designee, to execute the Eighth Amendment to Agreement for Unarmed Security Officer Services at various City facilities including making minor and non-substantive changes.

AGREEMENT - DONATION AND NAMING RIGHTS - CHILDREN'S STACK - MAIN LIBRARY TO READ AS "IN MEMORY OF BETSY COX MCQUAID" - 3900 MISSION INN

The City Council (1) approved Donation and Naming Rights Agreement in the amount of \$5,000 with Selina Cox Bremenstuhl for naming rights to the Children's Stack at the Main Library to read as "In Memory of Betsy Cox McQuaid", and (2) authorized the City Manager, or designee, to execute all necessary documents and approve future addendums to the agreements.

LEASE AGREEMENT AMENDMENT - CESAR CHAVEZ COMMUNITY CENTER - BOBBY BONDS PARKS

The City Council (1) approved the First Amendment to the Lease Agreement from January 1, 2023, through December 31, 2023, with the Farmworkers Institute of Education and Leadership Development; and (2) authorized the City Manager, or designee, to execute necessary documents to amend the Lease Agreement.



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FEED-IN TARIFF FOR RENEWABLE ENERGY GENERATION FACILITIES - FEED-IN TARIFF PURCHASE POWER AGREEMENT - FEED-IN TARIFF GENERATING FACILITY INTERCONNECTION AGREEMENT - RESOLUTION

The City Council (1) adopted a Resolution approving the changes to Schedule FIT, "Feed-In Tariff for Renewable Energy Generation Facilities"; (2) approved the Standard Form Feed-In Tariff Purchase Power Agreement and Standard Form Feed-in Tariff Generating Facility Interconnection Agreement; and (3) authorized the City Manager, or designee, to execute the Standard Form Feed-In Tariff Purchase Power Agreement and Standard Form Feed-in Tariff Generating Facility Interconnection Agreement and sign all necessary documents and instruments; whereupon, the title having been read and further reading waived, Resolution No. 23937 of the City Council of Riverside, California, (1) Adopting Revised Schedule FIT (Feed-in Tariff for Renewable Energy Generation Facilities); and (2) Making Findings of Fact, was presented and adopted.

SAN ONOFRE NUCLEAR GENERATING STATION UNITS 2 AND 3 2020 DECOMMISSIONING COST ESTIMATE UPDATE - DECOMMISSIONING OBLIGATION

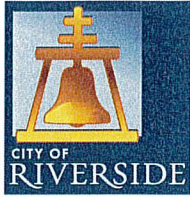
The City Council (1) received an update of the San Onofre Nuclear Generating Station 2020 Decommissioning cost estimate; (2) approved the transfer of up to \$9,721,693 from the Designated Additional Decommissioning Liability Reserve Account to the Restricted Trust Fund Accounts for the City's decommissioning obligation; and (3) authorized the City Manager, or designee, to execute all documents necessary to administer the transfer of funds from the Designated Additional Decommissioning Liability Reserve Account to the Restricted Trust Fund Accounts.

FISCAL YEAR 2021-22 ANNUAL ELECTRIC AND WATER UTILITY RATE PLAN UPDATE

The City Council received the annual electric and water utility rate plan update for the results of Fiscal Year 2021-22.

MEASURE Z - AGREEMENT AMENDMENT - MUNICIPAL TREE MAINTENANCE SERVICES

The City Council (1) approved a Third Amendment to the Agreement for Municipal Tree Maintenance Services with West Coast Arborists, Inc., Anaheim, California, in the amount of \$2,250,000 for a total contract cost of \$4,404,345 for services through June 30, 2023; and (2) authorized the City Manager, or designee, to execute the Third Amendment, including making minor and non-substantive changes.



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AGREEMENT AMENDMENT - SERVICES OF PLANS, SPECIFICATIONS, AND ESTIMATE PHASE - THIRD STREET GRADE SEPARATION PROJECT

The City Council (1) approved the First Amendment to the Professional Consultant Services Agreement for Plans, Specifications, and Estimate Phase of the Third Street Grade Separation Project with HDR Engineering, Inc., Omaha, Nebraska, to extend the term through December 31, 2025, and increase compensation in the amount of \$306,850.81, for a total contract amount of \$2,591,943.81; and (2) authorized the City Manager, or designee, to execute the First Amendment to the Professional Consultant Services Agreement, including making minor and non-substantive changes.

LOCAL ROADWAY SAFETY PLAN - RESOLUTION

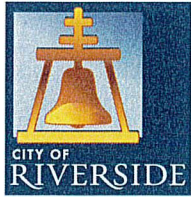
The City Council adopted a Resolution to approve the proposed City of Riverside Local Roadway Safety Plan; whereupon, the title having been read and further reading waived, Resolution No. 23938 of the City Council of Riverside, California, Adopting the City of Riverside Local Roadway Safety Plan, was presented and adopted.

DECLARE EMERGENCY SEWER MAIN REPAIRS - WAIVE FORMAL COMPETITIVE PROCUREMENT REQUIREMENTS - MULL - RESOLUTION

The City Council with at least five affirmative votes, adopted a Resolution declaring the emergency sewer main repairs on Mull Avenue an urgent necessity for the preservation of life, health, or property and waiving the formal competitive procurement requirements of City Charter Section 1109, and authorizing the expenditure in the amount of \$90,395 to C.P. Construction, Inc., for the emergency repairs; whereupon, the title having been read and further reading waived, Resolution No. 23939 of the City Council of Riverside, California, (1) Declaring that the Emergency Sewer Main Repairs on Mull Avenue is of Urgent Necessity for the Preservation of Life, Health, or Property and Waiving the Formal Competitive Procurement Requirements of City Charter Section 1109; and (2) Authorizing the Expenditure in the Amount of \$90,395.00 to C. P. Construction Co., Inc., for the Emergency Repairs, was presented and adopted.

FINAL PARCEL MAP NO. 37915 - RESOLUTION

The City Council adopted the Resolution of Acceptance for final approval of Parcel Map No. 37915 to subdivide 3 parcels into 7 parcels; whereupon, the title having been read and further reading waived, Resolution No. 23940 of the City Council of Riverside,



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California, Accepting the Final Map of Parcel Map No. 37915, was presented and adopted.

FINAL PARCEL MAP NO. 38138 - RESOLUTION

The City Council adopted the Resolution of Acceptance for final approval of Parcel Map No. 38138 to subdivide one parcel into 2 parcels; whereupon, the title having been read and further reading waived, Resolution No. 23941 of the City Council of Riverside, California, Accepting the Final Map of Parcel Map No. 38138, was presented and adopted.

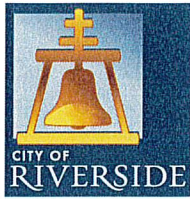
DISCUSSION CALENDAR

FISCAL YEAR 2022-23 CITY SPONSORSHIP PROGRAM - IN-KIND SERVICES - CHARITABLE AND COMMUNITY EVENTS

Following discussion, it was moved by Councilmember Cervantes and seconded by Councilmember Perry to approve the Economic Development, Placemaking and Branding/Marketing Committee recommendation to (1) review and approve the criteria used by City Departments in evaluating City Sponsorship applications; (2) approve the City Sponsorship Program support in the form of monetary funding and/or in-kind contributions of \$147,141 for charitable and community events produced by local non-profit organizations for the six-month period of January 1, 2023 – June 30, 2023; and (3) authorize the City Manager or his designee to execute any necessary financial or legal documents with the approved organizations, including making minor, non-substantive changes necessary to implement the sponsorship funding program. The motion carried unanimously.

REQUEST FOR PROPOSAL 2197 - AGREEMENT - COORDINATION OF COMMUNITY-BASED VOLUNTEER BEAUTIFICATION

Following discussion, it was moved by Councilmember Conder and seconded by Councilwoman Plascencia to (1) approve a Services Agreement for Coordination of Community-Based Volunteer Beautification Efforts from Request for Proposal No. 2197 with the Greater Riverside Chambers of Commerce of Riverside, California, in the amount of \$197,391, for a term through June 30, 2023, and with four optional one-year extensions; (2) authorize the City Manager, or designee, to execute the Services Agreement, including making minor and non-substantive changes; and (3) authorize the City



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Manager, or designee, to execute the four optional one-year extensions, provided that the annual amounts are included in the subsequent approved budgets. The motion carried unanimously.

COMMUNICATIONS

CITY ATTORNEY REPORT ON CLOSED SESSIONS

City Attorney Norton announced there were no reportable action taken during closed session.

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

Councilmember Edwards requested a Community Engagement Workshop at a future City Council meeting.

Councilmember Cervantes requested the City Council adjourn the meeting of December 20, 2022, in honor of University of California, Riverside Professor Howard Lee.

The City Council adjourned at 8:20 p.m. in honor of Air Force Colonel (Retired) Joseph Kittinger.

Respectfully submitted,

DONESIA GAUSE
City Clerk