



City of Arts & Innovation

CITY COUNCIL

MINUTES

TUESDAY, JANUARY 23, 2024, 1 P.M.
PUBLIC COMMENT IN PERSON/TELEPHONE
ART PICK COUNCIL CHAMBER
3900 MAIN STREET

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

ABSENT: Councilmember Fierro

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

ORAL COMMUNICATIONS FROM THE AUDIENCE

Rich Gardner spoke regarding a commemorative flag for those with special needs and request a proclamation for March Special Needs Month. Tom Evans spoke regarding the City Manager Book of Work and the proposed Victoria Avenue restoration.

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.

Councilmember Cervantes entered the meeting at 1:10 p.m.

SUSTAINABILITY UPDATE

There was no update on sustainability.

LEGAL UPDATE

City Attorney Norton announced that the Closed Session item regarding Steve Horton v the City of Riverside is being removed from agenda.

COUNCILMEMBERS DECLARATION OF CONFLICTS OF INTEREST

Councilmember Edwards recused herself from the item regarding the Request for Proposal for the Riverside Alive project citing financial conflict of interest. Councilmember Cervantes recused herself from the appeal of Board of Ethics pre-conference decision on the complaint filed by Ben Clymer, Jr. citing she is a party to the matter.



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APPEAL

WATER UTILITY SERVICES - 2639 BRADEN

Following discussion, it was moved by Councilwoman Plascencia and seconded by Councilmember Perry to deny the appeal from Dianna Koster for water utility services from July 2023 to September 2023, at 2639 Braden Place, and uphold the Board of Public Utilities decision to deny the appeal. The motion carried with Councilmembers Edwards, Conder, Perry, Hemenway and Councilwoman Plascencia voting aye, Councilmember Cervantes voting no, and Councilmember Fierro absent.

DISCUSSION CALENDAR

EXPLORATION STUDY - MAYOR AND COUNCILMEMBER COMPENSATION

Following discussion, it was moved by Councilmember Cervantes and seconded by Councilmember Edwards to approve the Inclusiveness, Community Engagement, and Governmental Processes Committee recommendation to consider convening a Charter Review Committee and direct staff to return with options and a timeline for implementation in 2026.

Following further discussion, it was moved by Councilmember Perry and seconded by Councilwoman Plascencia to refer the study of the Mayor and Councilmember compensation back to the Governmental Processes Committee for further discussion. The motion carried with Councilmembers Conder, Perry, Hemenway, and Councilwoman Plascencia voting aye Councilmembers Edwards and Cervantes voting no and Councilmember Fierro absent.

AMERICAN RESCUE PLAN ACT SUBRECIPIENT AGREEMENT - ENTRADA AFFORDABLE HOUSING PROJECT EASTSIDE NEIGHBORHOOD - 1701-1757 SEVENTH - SUPPLEMENTAL APPROPRIATION

Following discussion, it was moved by Councilmember Cervantes and seconded by Councilwoman Plascencia to (1) approve an American Rescue Plan Act Subrecipient Agreement with Wakeland Entrada LP for \$1,000,000 to assist with development costs related to the Entrada affordable housing project; and (2) authorize the City Manager, or designee, to sign and execute the attached American Rescue Plan Act Subrecipient Agreement with Wakeland Housing and Development Corporation, including making



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minor and non-substantive changes. The motion carried with Councilmember Fierro absent.

BUDGET TRANSFER - SEVEN OAKS DAM ENHANCED RECHARGE PROJECT

Following discussion, it was moved by Councilwoman Plascencia and seconded by Councilmember Edwards to approve a budget transfer in the amount of \$5,504,698 from the Public Utilities/Water Transmission Mains Account No. 6230100-470735 to the Seven Oaks Dam Account No. 6230000-470813. The motion carried with Councilmember Fierro absent.

The Mayor and City Council recessed at 2:46 p.m. and reconvened at 3:01 p.m. with Mayor Lock Dawson presiding and all Councilmembers present except Councilmember Fierro.

PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS

CASE PR-2021-001180 - VACATE SPENCER COURT AND CHANGE STREET NAME - GREEN ORCHARD PLACE/LONE PEAK COURT/CRYSTAL VIEW TERRACE - RESOLUTION

Public Hearing was called to consider a proposal by Shahvand Aryana to (1) vacate Spencer Court, situated on the east side of Green Orchard Place between Lone Peak Court and Crystal View Terrace, and (2) change the street name from "Spencer Court" to "Aryana View Court," to facilitate a gated residential community. No one spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Conder and seconded by Councilmember Perry to (1) determine that this proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense) of the CEQA Guidelines, as it can be seen with certainty that there is no possibility the project will have a significant effect on the environment; (2) approve Planning Case PR-2021-001180 (Street Vacation and Street Name Change), based on the findings outlined in the staff report and subject to the recommended conditions; (3) adopt a Resolution vacating the subject right-of-way pursuant to the Public Streets, Highways and Service Easements Vacation Law; and (4) adopt a Resolution changing the street name from "Spencer Court" to "Aryana View Court." The motion carried with Councilmember Fierro absent.



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Whereupon, the titles having been read and further readings waived, Resolution No. 24077 of the City Council of the City of Riverside, California, Making its Findings and Determinations in the Matter of Resolution of Intention No. 24068; and Making its Order Vacating Approximately 0.84-Acres of Spencer Court, and Resolution No. 24078 of the City Council of the City of Riverside, California Changing the Street Name of Spencer Court to Aryana View Court, were presented and adopted.

TITLE 20 TEXT AMENDMENT - CULTURAL RESOURCES - ORDINANCE INTRODUCED

Public Hearing was called to consider Planning Case PR-2021-001145 (Title 20 Text Amendment) for proposed comprehensive update to amend Title 20 (Cultural Resources) of the Riverside Municipal Code including, but not limited to, revisions to Approvals and Hearings processes, revisions and clarification of the CEQA process for Cultural Resources, clarification on the Designation process, revisions and clarification of the Certificate of Appropriateness process, addition of preliminary review process, codification of Cultural Resource Report requirement for demolition, addition of an Archaeological and Tribal Consultation Chapter, clarification of Enforcements and Penalties processes, revision of Title 20 amendment findings, clarifications to Definitions, addition of definition for demolition, and revisions of other technical language. Seven people spoke on the matter. The public hearing was officially closed.

Following discussion, it was moved by Councilmember Cervantes and seconded by Councilmember Edwards to approve the Land Use, Sustainability, and Resilience Committee recommendation to (1) determine that Planning Case PR-2021-001145 is exempt from further California Environmental Quality Act (CEQA) review pursuant to Sections 15308 (Actions to Protect Environment), 15060(c)(2) (No Physical Change), 15060(c)(3) (Not A Project), and 15061(b)(3) (General Rule), as the proposed amendment will cause no direct or indirect change to the environment, does not meet the definition of a Project under CEQA, and it can be seen with certainty that the proposed amendment will not have an effect on the environment; (2) approve Planning Case PR-2021-001145 (Title 20 Text Amendment) as outlined in the staff report and summarized in the Findings Section of this report; (3) introduce an Ordinance amending Title 20 (Cultural Resources) of the Riverside Municipal Code; (4) approve amendments 1 through 3, and 6 through 9 in the staff report; and (5) direct staff to bring back amendment 4 and 5 in the staff report, and the four policy areas recommended by the Cultural Heritage Board for a City Council Workshop. The motion carried with Councilmembers Edwards,



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Cervantes, Conder, Hemenway and Councilwoman Plascencia voting aye Councilmember Perry voting no and Councilmember Fierro absent.

Whereupon, an Ordinance entitled, "An Ordinance of the City of Riverside, California, Amending Numerous Sections of Title 20 the Riverside Municipal Code Regarding Cultural Resources," was presented and introduced.

CLOSED SESSIONS

The City Council adjourned to closed sessions at X:XX p.m. pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning Timothy Strack v. City of Riverside, WCAB Claim No.(s): 230211; (2) §54956.9(d)(1) to confer with and/or receive from legal counsel concerning Steve Horton v. City of Riverside, WCAB Claim No.(s): ADJ3619618, ADJ3536465, ADJ1568817, ADJ336351, ADJ8258868, ADJ8860577 and ADJ9336032; (3) §54957(a) for consultation with Chief of Police Larry Gonzalez, or his respective deputy, and Chief Information Officer George Khalil regarding threat to public services or facilities; (4) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning anticipated litigation regarding one case; (5) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning the City Council deciding whether to initiate litigation regarding two cases; and (6) §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.

The City Council recessed at 4:24 p.m. and reconvened at 6:16 p.m. with Mayor Lock Dawson presiding and all Councilmembers present except Councilmember Fierro.

Councilwoman Plascencia gave the Invocation and led the Pledge of Allegiance.

ORAL COMMUNICATIONS FROM THE AUDIENCE

There was no one wishing to address the City Council.



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MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Edwards reported on Latino Network regarding Riverside County Transportation Commission (RCTC) traffic management plan, office hours, United Way process application for small and micro grants, State of the City address, and Luna fest. Councilmember Cervantes acknowledged Riverside Clergy Association, and reported on Luna fest, and flag raising ceremony for International Holocaust Remembrance Day. Councilmember Conder thanked Frank Arreola for his work with the homeless and Public Works Department staff and reported on RCTC Strategic Planning Workshop. Councilwoman Plascencia thanked the City Chief Innovation Officer Khalil for attending Ward 5 office hours meeting and Chief Gonzalez for a meeting on public safety policy. Councilmember Perry reported on hosting 130 La Sierra High School Academy students on a walking tour of Downtown. Mayor Lock Dawson thanked Councilmember Hemenway for his Mayor Pro Tem duties while she attended the United States Conference of Mayors meeting in Washington, D.C. and reported on Councilmember Fierro's absence, upcoming Workshop for Public Private Partnership (P3) initiatives in the City, and the State of the City Address.

CEREMONIAL PRESENTATION

CERTIFICATE OF RECOGNITION

This item was moved to a future City Council meeting.

Councilmember Cervantes recused herself from the appeal of the Board of Ethics and left the dais.

APPEAL

APPEAL - BOARD OF ETHICS PRE-CONFERENCE DECISION - CODE OF ETHICS AND CONDUCT COMPLAINT FILED BY BEN CLYMER, JR., AGAINST COUNCILMEMBER CERVANTES
The City Council considered the appeal, filed by Ben Clymer, Jr., of the Board of Ethics decision at the November 2, 2023, pre-conference of the complaint filed by Ben Clymer, Jr., against Councilmember Cervantes to determine whether the Board of Ethics committed a clear procedural error based upon the pre-conference record.



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Following discussion, it was moved by Councilmember Edwards and seconded by Councilmember Hemenway to determine there is no finding of a clear procedural error based upon the pre-conference record and adopted the decision of the Board of Ethics. The motion carried with Councilmember Edwards, Conder, Perry, Hemenway and Councilwoman Plascencia voting aye, Councilmember Cervantes recused, and Councilmember Fierro absent.

Councilmember Cervantes returned to the dais.

CONSENT CALENDAR

It was moved by Councilmember Perry and seconded by Councilmember Hemenway to approve the Consent Calendar as presented affirming the actions appropriate to each item. The motion carried with Mayor Lock Dawson voting aye on the Board and Commission appointments and resignations, Councilmembers Conder and Perry voting no on the amended Master Fees and Charges schedule to establish the storefront retail commercial cannabis business permit, Councilmember Edwards recusing on the Request for Proposal for the proposed Riverside Alive mixed-used project, and Councilmember Fierro absent.

BOARD AND COMMISSION APPOINTMENT AND RESIGNATIONS

The Mayor and City Council (1) appointed Macy S. Pulos to the Commission of the Deaf Youth Ex Officio seat for a term through March 1, 2024; (2) filed the resignation of Kianna A. Williams from the Board of Library Trustees Ward 6 seat; and (3) filed the resignation of Marsha J. Gonzalez from the Human Resources Board Ward 6 seat, effective immediately.

ACCEPTANCE OF GRANT FUNDS - ROUND 3 CONNECTING NEIGHBORS TO NEIGHBORS PROGRAM - SUPPLEMENTAL APPROPRIATION - RESOLUTION

The City Council (1) authorized a Resolution to apply for, and for the acceptance of, up to \$1,000,000 in Grant funds and authorization to enter into a Standard Agreement with the State of California Office of Planning and Research/California Volunteers Program to implement Connecting Neighbors to Neighbors Program funding; (2) approved a receipt of funding from the Round 3 Connecting Neighbors to Neighbors Program in an amount not-to-exceed \$1,000,000; (3) authorized the Chief Financial Officer or designee, to record an increase in revenue in an amount of \$1,000,000, or the actual grant award,



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and appropriate expenditures in the same amount in the Grants and Restricted Programs Fund, Connecting Neighbors Program Grant revenue and expenditure accounts; and (4) authorized the City Manager or designee to execute any and all documents related to the application and administration of the Connecting Neighbors to Neighbors Program Grant including any applications, Standard Agreements, extensions, etc., making minor corrections as necessary; whereupon, the title having been read and further reading waived, Resolution No. 24079 of the City Council of the City of Riverside, California, Authorizing the Submission of an Application, and Acceptance of, Grant Funds from the Connecting Neighbors to Neighbors Program Administered Through State of California Office of Planning and Research California Volunteers; and Authorizing the Execution of all Required Documents by the City Manager or His Designee, was presented and adopted.

REQUEST FOR PROPOSAL 2315 - AGREEMENT - COMPREHENSIVE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW - PROPOSED RIVERSIDE ALIVE MIXED-USE PROJECT - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved Professional Consultant Services Agreement from Request for Proposals No. 2315 for Albert A. Webb Associates for comprehensive California Environmental Quality Act (CEQA) environmental review and clearance for a maximum potential development envelope of the proposed Riverside Alive mixed-use project for an amount of \$582,690; (2) authorized a 10 percent contingency in the amount of \$58,269, resulting in a contract amount not-to-exceed \$640,959; (3) authorized the City Manager, or his designee, to execute the Professional Consultant Services Agreement with Albert A. Webb Associates, including making minor and non-substantive changes including but not limited to extensions to the term of the Agreement; and (4) authorized the Chief Financial Officer, or designee, to record a supplemental appropriation in the amount of \$640,959 from the General Fund available Fund Balance to the General Fund, Riverside Alive Account No. 9918900-421000.

MASTER FEES AND CHARGES SCHEDULE AMENDMENT -, ESTABLISH STOREFRONT RETAIL COMMERCIAL CANNABIS BUSINESS PERMIT APPEALS FEE -RESOLUTION

The City Council (1) adopted a Resolution amending the City's Fees and Charges Schedule providing for a Storefront Retail Commercial Cannabis Business Permit Appeals Fee; whereupon, the title having been read and further reading waived, Resolution No. 24080 of the City Council of the City of Riverside, California, Amending the City's



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Master Fees and Charges Schedule in Resolution No. 21960, as Amended, Establishing the Storefront Retail Commercial Cannabis Business Permit Appeals Fee, was presented and adopted.

FISCAL YEAR 2022-2023 ANNUAL AUDIT REPORTS

The City Council received and ordered filed the annual audit reports from external independent auditor, Lance, Soll & Lunghard, LLP on the City of Riverside financial results for Fiscal Year 2022/23 as required by the Riverside City Charter.

AGREEMENT - RE-PIPING CHILLER WATER LINES - RIVERSIDE CONVENTION CENTER HVAC PROJECT

The City Council (1) approved the Services Agreement for TCB Industries, LLC, Banning, for the re-piping of the chiller water lines for Riverside Convention Center Chiller Replacement Project in the amount of \$72,300; (2) authorized 15 percent change order authority in the amount of \$10,845 for unforeseen issues; and (3) authorized the City Manager or his designee to execute the Agreement with TCB Industries, LLC, Banning, including making minor and non-substantive changes.

REQUEST FOR PROPOSAL 2316 - AGREEMENT - ZERO-EMISSION FLEET TRANSITION PLAN SERVICES - SUPPLEMENTAL APPROPRIATION

The City Council (1) approved a Professional Consultant Services Agreement with Black & Veatch Corporation, of Overland Park, Kansas for zero-emission fleet transition plan services. The term of the Agreement shall be from the date of execution through February 2025, for a total contract amount not-to-exceed \$99,600; and (2) authorized the Chief Financial Officer or designee, to record a supplemental appropriation in the amount of \$47,760 from Central Garage Fund available fund balance to the Central Garage, Professional Services expenditure account; and (3) authorized the City Manager, or his designee, to execute the Professional Consultant Services Agreement, including making minor and non-substantive changes.

RIVERSIDE MUNICIPAL CODE TITLE 12 - AIRPORT RULES AND REGULATIONS UPDATE - 6951 FLIGHT

The City Council considered an update to Title 12 of the City of Riverside Municipal Code – Airport Rules and Regulations.



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MEASURE Z - WAIVE FORMAL PROCUREMENT PROCESS - PURCHASE NEW AND USED VEHICLES AND MOTORCYCLES

The City Council (1) waived the formal procurement process per section 602(p) of Purchasing Resolution 23914 and authorize the purchase of new and used vehicles, motorcycles included, for the Police Department with various vendors for an additional 5-month term ending June 30, 2024; and (2) authorized the City Manager, or designee, to execute the individual purchase orders and all necessary documents as needed for these individual purchases with all authority for such.

NON-SAFETY VEHICLE PROCUREMENT UPDATE

The City Council received an update on the non-safety vehicle procurement.

MEASURE Z - PROFESSIONAL CONSULTANT SERVICES AND SUBRECIPIENT AGREEMENTS - STREET OUTREACH SERVICES

The City Council (1) approved a Professional Consultant Services Agreement with Step Up on Second Street, Inc. for \$280,860.13 in Measure Z funds for street outreach services; (2) approved a Subrecipient Agreement for Homeless Housing, Assistance and Prevention Program Round 2 with Step Up on Second Street, Inc., for \$216,046.25 in grant funds for street outreach services; and (3) authorized the City Manager, or designee, to sign and execute the Professional Consultant Services Agreement and Subrecipient Agreement for Homeless Housing, Assistance and Prevention Round 2 with Step Up on Second Street, Inc., including making minor and non-substantive changes.

MEASURE Z - AWARD BID 7987 - BORDWELL PARK BASKETBALL COURT RENOVATION PROJECT

The City Council (1) awarded Bid 7987 to Wheeler Paving, Inc., Riverside, in the amount of \$187,666.25 for the construction of the Bordwell Park Basketball Court Renovation Project; (2) authorized 10 percent change order authority in the amount up to \$18,766.63 for project changes including, but not limited to, unforeseen conditions or necessary design changes, for a total contract amount of \$206,432.88; and (3) authorized the City Manager, or designee, to execute a Construction Agreement with Wheeler Paving, Inc., Riverside, including making minor and non-substantive changes.



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INCREASE CHANGE ORDER AUTHORITY - JANET GOESKE RESTROOM RENOVATION

The City Council (1) authorized an increase in change order authority from 10 percent to 15 percent in the amount of \$27,675, increasing the not-to-exceed total compensation amount to \$212,175 for Camp Constructors, Inc. for project changes including, but not limited to, unforeseen conditions or necessary design changes for the Janet Goeske Restroom Renovation Project.

COMMERCIAL LEASE AGREEMENT AMENDMENT - 3750 UNIVERSITY, SUITE 550

The City Council (1) approved a First Amendment to the Lease Agreement with Greenberg & Greenberg, a Professional Law Corporation to amend the Commencement Date of the Lease and Rent Commencement Date from March 23, 2020, to August 1, 2020; (2) amended the Base Year from 2019 to 2020 to be consistent with the new commencement date per Section 20 of the Lease Agreement stated in the Basic Lease Information; and (3) authorized the City Manager, or designee, to execute the First Amendment to the Lease Agreement, including making minor, non-substantive changes, and to sign all documents and instruments necessary to complete the transaction.

COMMUNICATIONS

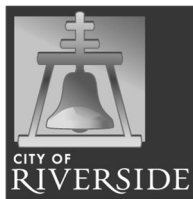
CITY ATTORNEY REPORT ON CLOSED SESSIONS

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

ITEMS FOR FUTURE CITY COUNCIL CONSIDERATION

Mayor Lock Dawson requested an update on all the housing project developments in the City. Councilmember Cervantes requested a resolution on the February 6, 2024, evening agenda to demand cease fire in GAZA and release of hostage. Councilmember Conder requested an agenda item to bring back a commemorative flag for Developmental Disabilities Awareness month.

The City Council adjourned at 6:49 p.m.



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Respectfully submitted,

DONESIA GAUSE
City Clerk