

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: 11/27/07**

FROM: CITY ATTORNEY/COMMUNITY DEVELOPMENT DEPARTMENT **ITEM NO: 17**

WARD: ALL

SUBJECT: PROPOSED AMENDMENTS TO THE RIVERSIDE MUNICIPAL CODE IN ORDER TO REQUIRE MAINTENANCE AND REHABILITATION OF VACANT AND NEGLECTED BUILDINGS AND ENHANCE ENFORCEMENT OF EXTERIOR STRUCTURE MAINTENANCE AND LANDSCAPE MAINTENANCE REGULATIONS

ISSUES:

The first issue presented for consideration by the City Council is whether to consider an amendment to Riverside Municipal Code in order to require maintenance and rehabilitation of vacant and neglected buildings.

The second issue presented for consideration by the City Council is whether to consider amendments to the Riverside Municipal Code in order to enhance enforcement of exterior structure maintenance and landscape maintenance regulations in the City.

COMMITTEE RECOMMENDATIONS:

That the City Council:

1. Introduce and adopt the attached ordinance adding a new Chapter 6.11 to the Riverside Municipal Code; and
2. Introduce and adopt the attached ordinance deleting Riverside Municipal Code Chapter 6.13, amending Chapter 6.14, and amending Chapter 16.09 by deleting Section 16.09.070.

BACKGROUND:

The City of Riverside, like many other California cities, is now faced with the prospect of addressing the negative effects of soaring property foreclosures. According to a report by RealtyTrac on September 18, 2007, Riverside County posted 7,226 notices of defaults, trustee sales and lender repossessions, up 347% from a year earlier. Riverside County ranked 4th out of 58 counties in California in foreclosure activity. In July of this year, 189 homes were seized by

lenders. In August, that number increased to 1,198. Lenders seized more than 1,000 homes again in September. That is more than five times as many repossessed homes as in July and almost twenty times as many as in September of 2006.

This dramatic increase in foreclosure activity is likely to result in vacant and unkempt properties. One vacant property which is not actively and well maintained and managed can be the core and cause of spreading blight and attracting nuisance and criminal activity.

Vacant buildings are a major cause and source of blight in both residential and non-residential neighborhoods, especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not adversely affect the neighborhood. Vacant buildings discourage economic development and hamper appreciation of property values. Further, vacant buildings attract vagrants, gang members and other criminals as prime locations to conduct illegal criminal activities. Vacant buildings are extremely vulnerable to being set on fire by transients and others using the property illegally. Consequently, vacant buildings pose serious threats to the public's health and safety and therefore, should be considered public nuisances.

Consequently, the City Council is being asked to consider adding a new chapter to the Riverside Municipal Code which would require maintenance and rehabilitation of vacant and neglected buildings. The proposed amendment will clearly delineate a property owner's responsibilities with respect to a vacant building and require the property owner to maintain and rehabilitate the property so as not for the property to be declared a continuous public nuisance.

Currently, property maintenance provisions are contained in Riverside Municipal Code Chapters 6.13 and 6.14. Both chapters address exterior structure maintenance and landscape maintenance and require the appearance of a property uniformly to be in a condition "as compared to adjacent properties." This standard limits the City's ability to enforce property maintenance throughout the City. The proposed amendments will clarify that all properties are to be held to the same maintenance standards throughout the City and will allow for more efficient and effective code enforcement.

The proposed amendments will eliminate Chapter 6.13 and combine the property maintenance provisions under one provision, Chapter 6.14, delete the diminution of the appearance of the subject property as compared with adjacent properties standard to allow for more uniform property maintenance standards, and provide for enforcement of Chapter 6.14 through Chapter 1.17. The ultimate result is the increase in the City's ability to enforce property maintenance uniformly throughout the City.

The changes being proposed do not expand or extend landscape requirements for residential property within the City and do not extend the prohibition of bare dirt or soil and the requirement for landscaping in the front yard to the backyard or other areas not visible from the public right of way. These requirements are already found in Title 19 of the Riverside Municipal Code. Also, since landscape requirements are already set in Title 19, there will be no biological impacts since, again, nothing is changing. Further, the changes proposed will not result in an increase in runoff or pollution due to an increase in paving. As stated previously, the amount of paving allowed on a residential property is already provided for in Title 19.

As stated above, Title 19 of the Riverside Municipal Code requires front, side and rear yard setbacks on all residential property within the City. Section 19.74.060D requires front yard landscaping in all single-family residential (including the RC, RA, RR and HR zones) and R-2 zones. No additional requirements are being proposed. Rather, the proposed amendments clarify the existing code to allow for more efficient and effective code enforcement.

All affected departments have reviewed and concur with the recommendations herein.

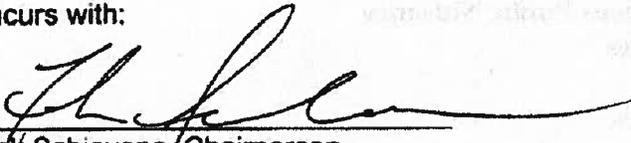
On November 20, 2007, the Governmental Affairs Committee (with Councilmember Melendrez substituting for Councilmember Adkison) reviewed the proposed ordinances. Following public comment and discussion, the Committee unanimously agreed to recommend that the City Council adopt the attached ordinances.

FISCAL IMPACT:

There is no direct fiscal impact to the City as a result of introducing and adopting the attached ordinances. The enforcement of the proposed ordinances would occur with the use of personnel within the existing budgeted positions of the affected departments.

Submitted by: Gregory P. Priamos, City Attorney and
Scott Barber, Community Development Director

Concurs with:



Frank Schiavone, Chairperson
Governmental Affairs Committee

Attachment: *Ordinances*

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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA AMENDING TITLE 6 OF THE RIVERSIDE MUNICIPAL CODE BY ADDING A NEW CHAPTER 6.11 REGARDING MAINTENANCE AND REHABILITATION OF VACANT AND NEGLECTED BUILDINGS.

The City Council of the City of Riverside does ordain as follows:

Section 1: Title 6 of the Riverside Municipal Code is amended to add a new Chapter 6.11 as follows:

**CHAPTER 6.11
MAINTENANCE AND REHABILITATION OF VACANT
AND NEGLECTED BUILDINGS**

- Section 6.11.010 Findings**
- Section 6.11.020 Definitions**
- Section 6.11.030 Classification of Nuisances**
- Section 6.11.040 Owner Responsibilities**
- Section 6.11.050 Administrative Civil Penalties**
- Section 6.11.060 Continuous Public Nuisance**
- Section 6.11.070 Remedies**

Section 6.11.010 Findings.

The City Council finds as follows:

- A. Vacant buildings are a major cause and source of blight in both residential and non-residential neighborhoods, especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not adversely affect the neighborhood.**
- B. Vacant buildings attract vagrants, gang members and other criminals and are prime locations to conduct illegal criminal activities.**
- C. Vacant buildings are extremely vulnerable to being set on fire by transients or others using the property illegally.**
- D. Vacant buildings pose serious threats to the public's health and safety and therefore are declared to be public nuisances.**
- E. It is the responsibility of property owners to prevent owned property from becoming a burden to the neighborhood and community and a threat to the public health, safety or welfare.**

1 F. Vacant buildings (whether or not those buildings are boarded, substandard
2 or unkempt buildings) discourage economic development and hamper appreciation
3 of property values.

4 **Section 6.11.020 Definitions.**

5 For purposes of this title, the term "vacant building" means any structure or
6 building that is unoccupied or occupied by unauthorized persons whether or not it is
7 unsecured or boarded.

8 **Section 6.11.030 Classification of Nuisances.**

9 The following acts and conditions, when performed or existing upon any lot or
10 parcel within the City, are declared to be unlawful and are defined as and declared
11 to be public nuisances per se that are injurious to the public health, safety, and
12 welfare:

13 A. Buildings or structures that are under construction or rehabilitation and are
14 not completed during the term of a valid building permit or building permit
15 extension issued by the Community Development Director, the Building Official, or
16 their designees.

17 B. Unoccupied buildings or structures that have been left unlocked or otherwise
18 open or unsecured from intrusion by persons, animals or the elements.

19 C. Buildings or structures for human use or occupancy that have been left
20 vacant for more than one hundred and eighty (180) days, unless one of the following
21 applies:

22 1. The building or structure is the subject of an active building permit
23 for repair or rehabilitation and the owner is progressing diligently to
24 complete the repair or rehabilitation.

25 2. The building or structure complies with all codes adopted by the City
26 of Riverside, does not otherwise constitute a public nuisance, is ready for use
27 or occupancy and is actively being offered for sale, lease or rent.

28 3. The building or structure, including the premises on which it is
located, does not otherwise constitute a public nuisance and is not likely to
become a public nuisance because it is being actively maintained and
monitored. Actively maintained and monitored means the owner is doing the
following:

(a) Maintaining landscaping and plant materials that comply with
the Riverside Municipal Code Chapter 6.14, Section 6.14.020. in good
condition.

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(b) Maintaining the exterior of the building or structure, including, but not limited to, its paint and finishes, windows and doors, fences and walls, porches and patios.

(c) Maintaining the interior of the building or structure free from litter, junk, trash, and debris.

(d) Maintaining the exterior free of trash, debris and graffiti;

(e) Maintaining of the building or structure in continuous compliance with all applicable codes and regulations, including Health and Safety Code section 17920.3.

(f) Preventing criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity.

Section 6.11.040 Owner Responsibilities.

A. Every owner, lessee, occupant, or person having charge or control of buildings, structures, or property within the City is required to maintain the building, structure or property in accord with this chapter.

B. Every owner, occupant or person having charge or control of a building, structure, or property is liable for violations of Chapter 6.11 regardless of any contract or agreement with any third party.

C. The owner of any vacant building, whether boarded by voluntary action of the owner or as a result of enforcement activity by the City, shall rehabilitate the boarded building for occupancy, in accord with all applicable codes and regulations, within one hundred and eighty (180) days after the building is boarded, except as provided in Section 6.11.030C.

Section 6.11.050 Administrative civil penalties.

A. Any owner of a vacant building in violation of this chapter is subject to administrative civil penalties pursuant to procedures set forth in Chapter 1.17 of this Code.

Section 6.11.060 Continuous Public Nuisance.

Notwithstanding the assessment of administrative civil penalties or any other code enforcement remedy, any building which remains vacant for more than one hundred and eighty (180) days is hereby declared to be a permanent public nuisance per se.

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Except as provided in Section 6.11.030C, if such building remains vacant for more than one hundred and eighty (180) days, constituting a nuisance as defined in this chapter, the Community Development Director, or his or her designees, shall declare the building to be a permanent public nuisance and seek abatement of such continuous public nuisance pursuant to the procedures set forth in Chapter 6.15 and in compliance with all other applicable provisions of the Riverside Municipal Code.

Section 6.11.070 Remedies

The provisions of this chapter are nonexclusive and supplementary to existing rights and remedies, and the provisions of this chapter may be enforced by any remedies provided for in this code or otherwise available by law.

Section 2: The adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") including, but not limited to, State CEQA Guideline Section 15061(b)(3), 15301 and 15332, as it can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment. Further, the activities contemplated by this ordinance can involve minor alteration of existing facilities.

Section 3: The City Clerk shall certify to the adoption of this ordinance and cause publication once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

ADOPTED by the City Council and signed by the Mayor this _____ day of _____, 2007.

Mayor of the City of Riverside

Attest:

City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
3 ____ day of _____, 2007, and that hereafter the said ordinance was duly and
4 regularly adopted at a meeting of the City Council on the ____ day of _____, 2007,
5 by the following vote, to wit:

6 Ayes:

7 Noes:

8 Abstain:

9 Absent:

10 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of
11 the City of Riverside, California, this ____ day of _____, 2007.

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14 City Clerk of the City of Riverside
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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, DELETING CHAPTER 6.13 AND AMENDING CHAPTER 6.14 OF THE RIVERSIDE MUNICIPAL CODE TO COMBINE PROPERTY MAINTENANCE INTO ONE CHAPTER, TO DELETE THE ADJACENT PROPERTIES STANDARD AND TO PROVIDE FOR ENFORCEMENT UNDER CHAPTER 1.17 AND AMENDING CHAPTER 16.09 BY DELETING SECTION 16.09.070 REGARDING MAINTENANCE OF PREMISES.

The City Council of the City of Riverside does ordain as follows:

Section 1: Chapter 6.13 is hereby deleted in its entirety.

Section 2: Chapter 6.14 is hereby amended in its entirety as follows:

CHAPTER 6.14

PROPERTY MAINTENANCE

- Section 6.14.010 Findings.**
- Section 6.14.020 Landscape Maintenance.**
- Section 6.14.030 Exterior Structure Maintenance.**
- Section 6.14.040 Enforcement.**

6.14.010 Findings.

The City Council finds and determines as follows:

A. The property values and the general welfare of the City of Riverside are founded, in part, upon the appearance and maintenance of private property located within the City.

B. The lack of landscaping and/or landscape maintenance on private property, including overgrown, dead, or decayed vegetation and weeds and the accumulation of rubbish and debris, is a condition that is injurious to the public health, safety and welfare of the residents of the City of Riverside.

C. The lack of exterior structure maintenance, including, but not limited to, partially destroyed or partially constructed buildings; unpainted buildings or portions of buildings; broken windows; and damaged or defective building exteriors; roofs, walls, fences, driveways, sidewalks or walkways, is injurious to the public health, safety and welfare of the residents of the City of Riverside.

Section 6.14.020 Landscape maintenance.

A. It shall be unlawful for any person owning or having possession or control of any property subject to the provisions of Chapter 19.62 of this Code for which landscaping standards or requirements were established by the Zoning Administrator or

1 Planning Commission to fail to maintain such landscaping that is visible from the public
2 right-of-way in accordance with such conditions of approval imposed thereon and
generally recognized horticultural standards.

3 B. It shall be unlawful for any owner and/or occupant of any property visible
4 from the public right-of-way and used for commercial, office, industrial or residential
purposes to:

5 1. Allow or permit on such property overgrown vegetation including
6 trees, shrubbery, ground covers, lawns and other plantings.

7 2. Allow or permit on such property dead, decayed or diseased trees,
8 shrubs, or other vegetation.

9 3. Fail to provide and properly maintain landscaping in required yard
10 areas not covered by buildings, related structures, and driveways in a residential
11 zone; provided, however, consideration shall be given to the uses permitted in the
12 underlying residential zone. Landscaping is grass, trees, plants, shrubs, flowers,
13 or permitted decorative bark, concrete, and rock.

14 4. Fail to provide and properly maintain landscaping in required
15 landscape areas on property zoned for commercial or industrial use. Landscaping
16 on commercial and industrial properties cannot be decorative bark, concrete, or
17 rock unless prior approval in writing is obtained from the Community
18 Development Director or his or her designee or unless approved in accord with
19 Chapter 19.62.

20 C. It shall be unlawful for any person owning or having possession or control
21 of any property to maintain such property in violation of the following minimal
22 standards:

23 1. Landscaped areas shall be kept free from weeds and debris;

24 2. All plant materials shall receive regular maintenance, including but
25 not limited to, watering, fertilizing, mowing, and trimming;

26 3. Any damaged, dead, diseased, or decaying plant materials shall be
27 removed and replaced;

28 4. Irrigation systems shall be kept in proper working order to provide
proper amounts of water and proper coverage; and

5. Landscape screening materials, such as hedges, shall be pruned to
maintain their screening ability.

D. Owners and/or occupants of properties fronting on, or adjacent to, any
portion of a street shall comply with the provisions of this section 6.14.020 as well as
Chapter 13.06 for any landscaping along the street or within the street right-of-way
adjacent to their property, fronting on, or adjacent to, any portion of the street, that
includes the care of public or private parkways.

1 E. Nothing in this section shall be interpreted to require removal of biological
2 resources as described in the Western Riverside County Multi-Species Habitat
3 Conservation Plan.

4 Section 6.14.030 Exterior Structure Maintenance.

5 It shall be unlawful for any person owning or having possession and control of any
6 property to maintain any structures on the property with a lack of exterior structure
7 maintenance, as described in Section 6.14.010 C.

8 Section 6.14.040 Enforcement

9 The provisions of this chapter may be enforced through the administrative code
10 enforcement remedies set forth in Chapter 1.17 of this code in addition to all other
11 proceedings authorized by this code or otherwise by law.

12 Section 3: The title section of Chapter 16.09 is hereby amended as follows:

- 13 16.09.010 Reference to Housing Code.
14 16.09.020 Uniform Housing Code adopted--Filed with City Clerk.
15 16.09.030 Section 203 deleted.
16 16.09.035 Section 201.4 added—Deputies.
17 16.09.080 Section 1607 amended—Payment.
18 16.09.100 Additional requirement—Caretaker—Notice.

19 Section 4: The adoption of this ordinance is exempt from the provisions of the
20 California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for
21 Implementation of the California Environmental Quality Act (Title 15, California Code of
22 Regulations, commenting with Section 15000) as it can be seen with certainty that there if no
23 possibility that the activity will have a significant effect on the environment.

24 Section 5: Section 16.09.070 is hereby deleted in its entirety.

25 Section 6: The City Clerk shall certify to the adoption of this ordinance and cause
26 publication once in a newspaper of general circulation in accordance with Section 414 of the
27 Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the
28 date of its adoption.

1 ADOPTED by the City Council and signed by the Mayor this ____ day of _____,
2 2007.

3 _____
4 Mayor of the City of Riverside

4 Attest:
5 _____
6 City Clerk of the City of Riverside
7

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9 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
10 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
11 ____ day of _____, 2007, and that thereafter the said ordinance was duly and regularly
12 adopted at a meeting of the City Council on the ____ day of _____, 2007, by the
13 following vote, to wit:

- 14 Ayes:
- 15
- 16 Noes:
- 17 Absent:
- 18 Abstain:

19 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of
20 the City of Riverside, California, this ____ day of _____, 2007.

21 _____
22 City Clerk of the City of Riverside

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City Council Meeting Date: 11-27-07
Item No.: 2, 14, 15, 17, 18, 19, 23, 24, 25, and 31

Morton-Ellis, Sherry

From: K Wright [twodogkd@yahoo.com]
Sent: Tuesday, November 27, 2007 12:46 PM
To: twodogkd@yahoo.com; Morton-Ellis, Sherry; Betro, Dom; Melendrez, Andy; Gage, Art; Schiavone, Frank; Adkison, Ed; Hart, Nancy; Adams, Steve; Hudson, Brad
Subject: Re: URGENT City Council Agenda Nov 27 & GOV't AFFAIRS (ATTEND AND PROTEST)

DATE: Tuesday, November 27, 2007

TO:
city_clerk@riversideca.gov, dbetro@riversideca.gov, asmelendrez@riversideca.gov,
agage@riversideca.gov, fschiavone@riversideca.gov, eadkison@riversideca.gov,
nhart@riversideca.gov, sadams.riversideca.gov, bhudson@riversideca.gov
Colleen J. Nicol, MMC, City Clerk
The seven City Council Members
City Manager

Ralph J. Nunez, Parks, Recreation and Community Services Director

SUBJECT: City Council and Redevelopment Agency Items on the November 27, 2007 City Council/Redevelopment Agency Agenda for both the 3:00 and ^6:30 meetings

REGARDING:

-- My Comments for The Record, for Agenda Item Numbers as indicated below

-- For the Record I respectfully request that Item Numbers

- Item 5
- Item 6

Item 17 regarding property maintenance etc.

Item 18 regarding decorum and speaker cards etc.

Item 19 regarding the Governmental Affairs Committee meeting. Yes I do have something to say about this item and want it pulled.

Item 23 regarding 2025 tract maps

Item 24 regarding Noise Ordinance

Item 25 regarding Title 18 of the code and replacing it with 2025

Item 31 subdivision

be pulled from the day and evening CONSENT CALENDARS and MOVED TO THE DISCUSSION CALENDAR as these are NOT regularly recurring items and these are important matters that impact all wards of Riverside, all Residents of Riverside, all property owners in Riverside, all persons who wish to speak at the City Council meetings, and/or are significant to a particular ward and/or Group.

-- For the Record I formal protest the lack of access to backup documents in hard copy as the City Council offices were closed on Thursday and Friday prior to this Council meeting, such that backup documents were not available to the public who do not have internet access for the required 72 hours under the Brown Act, or the spirit of the Brown Act, and these matters that impact all citizens of

cc: ✓ Mayor
✓ City Council 11/27/07
✓ City Manager
✓ City Attorney dm
✓ City Clerk

11/27/2007

Riverside are being held at a time that families could be expected to be out of town for the holiday period. I personally believe this is part of the City of Riverside's continuing practice of denying citizens of Riverside our Democratic rights to speak on matters impacting citizens financially and by ordinance and laws enacted without giving citizens adequate and fair opportunities to speak. This Councils actions that denied Denied Riverside Citizens their democratic rights to speak by pulling items off the Consent Calendar are unconcionable and are a stain on the reputation on the City or now Dictatorship of Riverside at a time when our sons and daughters and others across the Nation are fighting, being injured and dying for our freedoms and to protect our rights to a Democratic rights. In effect this City Council has STOLEN our Democratic rights in favor special interests, while the Councils safety is secured by the lifes of past and present United States Citizens who gave their lifes to fight so we could live in a Democratic County. Shame will be this councils fame.

I also protest the lack of public notice about the 2025 General Plan and time for people to review and comment at the prior City Council meeting.

URGENT City Council Agenda Nov 27 & GOV't AFFAIRS

Reply to: comm-488947694@craigslist.org

Date: 2007-11-25, 11:01AM

NOTE: DOES THIS MEETING VIOLATE THE BROWN ACT DUE TO LACK OF ACCESS TO PUBLIC DOCUMENTS IN HARDCOPY FORMAT? Access sometime on Friday morning, and NOT BEFORE.

So by denying access to people to the documents on Friday, it would seem that the City is violating the Brown Act by holding this Council meeting as no one had access to the hard copy documents on Friday, and could not get them until Monday Nov 26 when the City offices open which does not meet the Brown Act requirements.

My comments for the record are inserted into the agenda below.

Karen Wright
4167 Central Avenue
Riverside, CA

CITY COUNCIL AND REDEVELOPMENT AGENCY AGENDA

(perpetual link to whatever the current agenda is
http://www.riversideca.gov/city_clerk/agenda.asp)

TUESDAY, NOVEMBER 27, 2007

ART PICK COUNCIL CHAMBER, CITY HALL

3900 MAIN STREET, RIVERSIDE, CA 92522

CITY CLERK'S OFFICE 951-826-5557

MISSION STATEMENT

The City of Riverside is committed to providing high quality municipal services to ensure a safe, inclusive, and livable community

PLEASE NOTE--The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Members of the City Council and Redevelopment Agency.

Pursuant to the City Council Meeting Rules adopted by Resolution No. 21525, the Members of the City Council and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the City Council and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the City Council or the presiding officer constitutes a violation of these rules.

3 P.M.--CITY COUNCIL

MAYOR CALLS MEETING TO ORDER

PUBLIC HEARINGS/PLANNING REFERRALS AND APPEALS --Audience participation is encouraged.

1. Riverside Renaissance - Environmental review for public improvements for Hunter Park Master Plan - Staff recommends continuance off-calendar - 1400 Iowa Avenue (Ward 1)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57610> (1 page)

2. Downtown Parking and Business Improvement Area annual levies - A Resolution of the City Council of Riverside, California, confirming the annual report of the Riverside Downtown Partnership acting in its capacity as the advisory board to the Downtown Parking and Business Improvement Area and levying assessments for Calendar Year 2008 - Waive further reading (Ward 1)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57611> (page 5)

If a majority protest is not received the City will adopt a resolution that will levy the assessment for CY 2008. The annual levy is projected to be in excess of \$300,000 for CY 2008 rate of 100% of the business tax rate charged. One letter in opposition, the rate does not take into consideration the meter revenue, the \$10 million mall redo nor the negative impacts of SmartPark which removed free parking and negatively impacted businesses downtown. I suggest businesses get together and fight this tax.

3. Riverside Renaissance - Environmental review for La Sierra Senior Center consisting of 13,787-square-foot building and parking lot, drop off area, visitor entrance, computer training and billiards rooms, arts and crafts patio, fitness center, dining hall, kitchen, library/reading room, and administrative offices - Ely. of existing La Sierra Community Center (5215 La Sierra Avenue) near intersection of Gramercy Place and La Sierra Avenue (Ward 7)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57612> (33 pages)

4. Public Comment Period -

This is the portion of the meeting specifically set aside to invite your comments regarding any items on closed sessions, Redevelopment Agency Consent Calendar, or other matters within the jurisdiction of the Redevelopment Agency - Individual audience participation is limited to 3 minutes and you will be asked to state your name and city of residence.

AGENCY CONSENT CALENDAR--All matters listed under the CONSENT CALENDAR are considered routine by the Agency and may be enacted by one motion in the form listed below. There will be no separate discussion of these items unless, before the Redevelopment Agency votes on the motion to adopt, Members of the Redevelopment Agency or staff request specific items be removed from the Consent Calendar for separate action.

Removed consent items will be discussed immediately after adoption of the balance of the Consent Calendar.

5. Development Committee recommends Letter Agreement with The Shopoff Group for feasibility of developing mixed-use retail and office project, including structured parking - 3420 Mission Inn Avenue (Ward 1)

6. Development Committee recommends Letter Agreement with First National Bank of Southern California for feasibility of developing bank/office project including surface parking and bank drive-through lane - 3372 University Avenue (Ward 1)

CLOSED SESSIONS - Time listed is approximate. The City Council/Redevelopment Agency may adjourn to the below listed Closed Sessions at their convenience during this City Council/Redevelopment Agency meeting.

7. City Council - Pursuant to Government Code § 54956.9(c) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation

8. City Council - Pursuant to Government Code § 54956.9(c) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation

9. Redevelopment Agency - Pursuant to Government Code § 54956.9(a) to confer with and/or receive advice from legal counsel concerning Redevelopment Agency of the City of Riverside v. John K. Garner, et al., Orange County Superior Court Case No. 06CC10222

10. Redevelopment Agency - Pursuant to Government Code § 54956.9(a) to confer with and/or receive advice from legal counsel concerning Redevelopment Agency of the City of Riverside v. John K. Garner, et al., Orange County Superior Court Case No. 07CC03962

6:15 P.M.

11. Report from Cultural Heritage Board Chairperson Stephanie Standerfer (All Wards)

6:30 P.M.--CITY COUNCIL

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG

12. Mayor Loveridge to call upon Housing and Neighborhoods Manager Eva Yakutis to recognize the Neighborhood Leadership Academy Program

13. Mayor Loveridge to call upon Woodcrest Christian High School Principal James Sullivan to introduce award winning science student Otana Jakpor

14. Public Comment Period

- This is the portion of the meeting specifically set aside to invite your comments regarding any items on City Council Consent Calendar, joint Consent items with the Redevelopment Agency, or matters within the jurisdiction of the City Council - Individual audience participation is limited to 3 minutes, and you will be asked to state your name and city of residence.

NOTE: THIS IS YOUR ONLY OPPORTUNITY TO COMMENT ON the CONSENT CALENDAR ITEMS listed on the Evening Agenda. The City Manager listed items on this agenda to deny citizens their say, and the City Council generally allows this denial of democratic rights to stand, even on matters impacting citizens in all wards. Except is if you can get a City Council member to PULL THE ITEM from the Consent Calendar and MOVE IT TO the Discussion Calendar, which would allow you three minutes to comment on the item. You can also email COMMENTS FOR THE RECORD to the City Clerk, City Council members, City Manager, etc. Include your name, address, City Council/Redevelopment Agency Agenda Item number (s) and Date and that your comments are "for the record".

CONSENT CALENDAR--All matters listed under the CONSENT CALENDAR are considered routine by the City Council and may be enacted by one motion in the form listed below. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, Members of the City Council or staff request specific items be removed from the Consent Calendar for separate action.

Removed consent items will be discussed immediately after adoption of the balance of the Consent Calendar.

City Attorney

15. Cases P04-0851, P05-1474, and P03-0840 - Friends of Riverside's Hills v. City of Riverside, Superior Court Case No. RIC 449789 - Vacate and set aside action of April 11, 2006, to approve Tract Map 31541, corresponding rezoning, General Plan amendment, and adoption of Mitigated Negative Declaration,

and adoption of Resolution No. 21154 - A Resolution of the City Council of the City of Riverside, California, repealing, in its entirety, Resolution No. 21154 making specific findings to override the Airport Land Use Commission's findings in regard to Tract Map 31541 - Waive further reading (Ward 7)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57620>

This item reverses a wrong I'm told in planned development of the old agricultural park about 62 acres, that the City of Riverside gave away/traded away to this developer for essentially nothing in return. Think this stops the excessive development this developer planned, and limits it to 50 homes. Heard that the public pathways will not be public. Heard this developer is the one that backed Steve Adams for reelection. Did not read 21154 so we need to check it out and see what else the City Council is trying to do before Betro, Gage and , Adkinson, are out of office.

City Clerk

16. Joint item with Redevelopment Agency - Minutes of November 20, 2007

City Council

17. Governmental Affairs Committee recommends introduction of an Ordinance of the City of Riverside, California amending Title 6 of the Riverside Municipal Code by adding a new Chapter 6.11 regarding maintenance and rehabilitation of vacant and neglected buildings, and an Ordinance of the City of Riverside, California, deleting Chapter 6.13 and amending Chapter 6.14 of the Riverside Municipal Code to combine property maintenance into one chapter, to delete the

adjacent properties standard and to provide for enforcement under Chapter 1.17 and amending Chapter 16.09 by deleting Section 16.09.070 regarding maintenance of premises (All Wards) <http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57621> (12 pages)

Please fight this change, that the City tried to pass in February but pulled from the calendar when citizens protested AND WOULD NOT LET US KNOW WHEN IT WAS RESCHEDULED. These changes are for the benefit of the City and NOT the citizens. This is a nightmare waiting to unfold. Please read and attend the City Council meeting to help fight this. They are rushing this through now when citizens are away on holiday, so they can do so while Council members who were voted out or who are leaving, can vote in something the Citizens of Riverside DO NOT WANT. This is not in the best interests of the citizens of Riverside and these items along with the code enforcement citations, fines, interests and costs will be used INSTEAD OF EMINENT DOMAIN to force citizens out of their homes and private properties. This impacts ALL WARDS of Riverside. This could be used against ANY HOMEOWNER, RENTER, Property owner in Riverside, no one is safe. This item and all other items on this agenda SHOULD NOT BE HEARD on Nov 27 as the spirit of the Brown Act was violated because hardcopy documents were not available for people to view on Friday as is normal, so that citizens did not have access to the documents for 72 hours prior to this Council meeting. Citizens that would normally try to pickup documents on Friday for review over the weekend, could thus not pick them up until Monday at the earliest. Also the lack of access to these documents was NOT advertized to the public who expect to have access to the documents Friday mornings. This City does not want people to know and does not publicize these matters in a way that people would know and be able to attend this meeting.

It creates double standards by pulling the City and Government entities from having this item be applicable to them. Now it will just apply to private property owners. Also it changes the standard from having keeping your home similar to others in your neighborhood to one standard. It deems minor items as health and safety violations. This is not in the best interests of Citizens. By reference I incorporate my prior comments that I made in February when this item was on the Agenda then and also incorporate Letitia's comments made in February both in writing and at the City Council against this item.

Vote NO on this item.

18. Governmental Affairs Committee recommends amending City Council meeting rules regarding meeting decorum, implementing use of speaker cards and outreach efforts, increasing engagement of public through new technology - A Resolution of the City Council of the City of Riverside, California, establishing Rules of Procedure and Order of Business for the City Council of the City of Riverside and related functions and activities and rescinding all prior actions taken thereto, and repealing Resolution No. 21528 - Waive further reading (All Wards) <http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57622> (33 pages)

The City Council is out of hand calling people names, insulting people, publicly sharing personal information shared in private, yet are trying to institute speakers cards which main purpose will be to deny citizens the right to speak -- regardless of what this City Council might tell you. Attend and tell them you do not want speaker cards, etc. Also this should not be heard, as stated above, there was not adequate notice per the Brown Act about this item. But then the City Council wants to push things through while people are out of town celebrating/vacationing. Just vote no on this item designed as a further effort to stifle free speech and the public's ability to comment on the things this City Council is voting on like taking away our right to pull consent calendar

items, and thus essentially taking away the democratic rights of Citizens in Riverside CA. Just vote no on this item as it is NOT in the best interests of Riverside citizens including the citizens in YOUR WARD

19. Announcement of committee meeting

a. Governmental Affairs Committee at 1 p.m. on Tuesday, November 27, 2007, Mayor's Ceremonial Room
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57645> (5 pages)

City is trying to sneak a fast one in on us here. City is trying to change the way elections are held, that will let the ward determine who is running BUT that will let EVERYONE IN THE CITY VOTE for who will be elected in that ward. Essentially in wards that will mean people in that ward have little say on who is elected from those nominated. If outsiders get someone nominated in your ward, then their group from across the city can vote in the ONE CANDIDATE people in the ward do not want. For example, the Chamber of Commerce, which has lots of members and is politically powerful, could endorse THE CANDIDATE they favor and their votes may help their candidate to win, so that the candidate would be beholden to the Chamber of Commerce rather than have a candidate be voted in by the people of the ward.

Also they want to change when the elections are held and want to remove the County Registrar of Voter in inset a contractor to mail out the ballots. I think this is a BAD IDEA. Costs of buying and maintaining equipment would be duplicated. Riverside IS PART OF Riverside County and is the largest City. Riverside should not pull away and separate from the County due to voting snafus but should

work with the County. This is wrong thinking.

The City is wrong to try to sneak this through on a holiday weekend with no notice to the public. The items on the city agenda DID NOT PROVIDE A LINK to the Government Affairs Agenda, and generally never does. I added that. They do not add a link because they do not want citizens to know what is happening in these meetings.

City Manager

20. Monthly investment summary and financial reports - October 31, 2007 (All Wards)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57623>

Community Development

21. Case P07-0508 - Joseph Harper - Tract Map 34345 - Subdivide approximately 20 vacant acres into eight single-family residential lots and 13.25 acres of open space - Ely. of Valencia Hill Drive, wly. of Mount Vernon Avenue, and nly. of Massachusetts Avenue (Ward 1)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57624>

22. Case P03-1340 - Appeal - Saint Francis de Sales Church - Denial of revision to previously approved vacation of public alley and 135-foot portion of ely. Thirteenth Street located between Mulberry and Lime Streets - A Resolution of the City Council of Riverside, California, declaring its intention to set a public hearing to vacate a portion of Thirteenth Street, situated between Lime Street and Mulberry Street, and setting the date, hour and place of hearing, pursuant to the Public Streets, Highways, and Service Easements Vacation Law - Waive further reading - Schedule public hearing for December 18, 2007, at 3 p.m. (Ward 1)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57625>

23. Adopt an Ordinance of the City of Riverside, California amending Title 19 of the Riverside Municipal Code in its entirety and the Zoning Map attached thereto, and replacing them with the new Title 19 Zoning Code and Zoning Map of the City of Riverside created in connection with the Riverside General Plan 2025 - Waive further reading (Intro. on 11-20-07, All Wards)
<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57626> (3 pages)

This item violates the spirit of Brown Act by being on this agenda. The backup says that Exhibits A and B are available to view at the City Hall on the seventh floor, but since the City offices were closed on Friday Nov 23, then the

documentation was not available for 72 hours prior to the Nov 27 hearing. If also said it was available online at <http://www.riversideca.gov> but DID NOT PROVIDE a link to the document so that citizens could not find this document online. I do not think the Brown Act considers hide and seek of information to be provided as fair access to the documents. If this information was truly available online and the City of Riverside truly wanted to provide citizens access than the specific links to the documents/maps being removed and to the documents/maps replacing it should have been clearly listed and direct links to the documentation provided. This is not provided in good faith and should be removed from the Nov 27 Agenda.

24. Adopt an Ordinance of the City of Riverside, California, amending Title 7 - Noise Ordinance to include Chapter 7.23, and further amending Chapters 7.10, 7.25, Chapter 7.30, and Chapter 7.40 - Waive further reading (Intro. on 11-20-07, All Wards)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57626>

Just say NO to this item. Fines/fees/etc are excessive, and more is wrong with this item

25. Adopt an Ordinance of the City of Riverside, California amending Title 18 of the Riverside Municipal Code in its entirety and replacing it with the new Title 18 Subdivision Code created in connection with the Riverside General Plan 2025 - Waive further reading (Intro. on 11-20-07, All Wards)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57628>

Development

26. Joint Item with Redevelopment Agency - Accept Redevelopment Agency Annual Financial Report and other mandated reports for Fiscal Year 2006-07 (All Wards)

27. Riverside Renaissance - Dedicate and accept .68 acre of Hunter Hobby Park to construct additional street travel lanes, sidewalks, curb, and gutter - A Resolution of the City Council of the City of Riverside, California, dedicating and accepting certain City-owned land at Hunter Hobby Park as a permanent easement and right-of-way for public street improvement along Iowa and Columbia Avenues - Waive further reading (Ward 1)

Fire

28. Accept \$1,000 donation from Skanska USA Civil West to purchase toys for 2007 i½Spark of Love i½ Fire Department Toy Drive - Supplemental appropriation (All Wards)

Mayor

29. Accept resignation of Susan D. Mazur-Stommen from the Metropolitan Museum Board (All Wards)

Public Works

30. Final approval of Parcel Map 33591 - Steve Schneider on behalf of Barton Center, LLC - Subdivide 1.8 acres developed with existing commercial center into two parcels to facilitate drive-thru coffee shop - Sely. corner of Alessandro Boulevard and Barton Road - A Resolution of the City Council of the City of Riverside, California, accepting the final map of Parcel Map 33591 - Waive further reading (Ward 4)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57633>

31. Final approval of Parcel Map 34026 - Albert A. Webb Associates on behalf of Trammell Crow Company and Edgemont Community Services District - Subdivide 50.6 vacant acres into five parcels for eight industrial lots - Ely. side of Sycamore Canyon Boulevard between Eastridge Avenue and Cottonwood Avenue - A Resolution of the City Council of the City of Riverside, California, accepting the final map of Parcel Map 34026 - Waive further reading (Ward 2)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57634>

32. Approve Supplemental Environmental Project for Pharmaceutical Disposal Program to reduce improper disposal of pharmaceuticals (All Wards)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57635>

DISCUSSION CALENDAR--This portion of the City Council's Agenda is for all matters where staff and public participation is anticipated. Audience participation is encouraged.

PLEASE NOTE--Individual audience participation is limited to 3 minutes.

33. Update on Santa Ana River conservation efforts (All Wards)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57638>

34. Oral update on Shop Riverside Program (All Wards)

35. Center for Digital Government award for use of digital technology to serve local residents (All Wards)

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57636> 1 page this is an oral report.

MAYOR/COUNCILMEMBER COMMUNICATIONS

36. Legislative report

a. League of California Cities Priority Focus dated November 16, 2007

<http://aquarius.riversideca.gov/clerkdb/docview.aspx?id=57637>

37. Brief reports on conferences, seminars, and meetings attended by Mayor and City Council

38. Items for future City Council consideration as requested by Mayor or Members of the City Council - City Manager Reports

The following meetings are scheduled for Tuesday, December 4, 2007

City Council/Redevelopment Agency at 1 p.m. for closed sessions

City Council at 6:30 p.m. for Consent and Discussion Calendars

City Council meetings broadcast on Charter Communications Channel 3

Rebroadcast Wednesdays at 4 p.m. and Saturdays at 9 a.m.

For live Webcast of the City Council Meeting:

<http://209.128.123.170/ppportal/agenda/webcast.aspx>

or visit our website at <http://www.riversideca.gov>

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