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RESOLUTION NO. 22676

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. 22546.

WHEREAS, it is the intent and desire of the City Council to conduct its business in an orderly and fair manner; and

WHEREAS, there are certain basic rights of due process and opportunity to address issues with equity, fairness, and equal protection of the law; and

WHEREAS, certain parliamentary procedures have been found to be useful in order to assure that the communication and process of government are fair, reasonable, and just; and

WHEREAS, the City has a duty to proceed with the business of government in an efficient and orderly fashion; and

WHEREAS, the City Council desires to establish uniform norms and procedures in order to accomplish these goals.

BE IT RESOLVED by the City Council of the City of Riverside as follows:

That the following shall be the Rules of Procedure and Order of Business of the City Council, and shall govern all proceedings of the City Council therein described, subject to the exceptions and deviations provided for in such rules.

Violation of these rules shall not be construed as a penal offense, excepting that breach of the peace or willful failure to comply with the lawful orders of the City Council or its presiding officer shall be punishable as misdemeanors under applicable law.

I

AUTHORITY

The Charter of the City of Riverside provides that the City Council shall determine its own rules and order of business. By virtue thereof, and when not in conflict with the Charter of the City of Riverside and the Constitution and laws of the State of California, the following set of rules shall be in effect upon adoption by the City Council and until such time as they are amended

1 or new rules adopted in the manner hereinafter provided and shall prevail to govern the order of
2 business of the City Council of the City of Riverside.

3 II

4 ACT IN THE PUBLIC INTEREST

5 A. City Council and staff shall recognize that stewardship of the public interest must
6 be the primary concern.

7 B. City Council will work for the common good of the people of Riverside.

8 C. City Council will assure fair and equal treatment of all persons, claims and
9 transactions coming before the City Council and Boards and Commissions.

10 III

11 ADVOCACY

12 A. City Council shall represent the official policies or positions of the City Council
13 when designated as delegates for this purpose.

14 B. When representing their individual opinions and positions, City Council shall
15 explicitly state they do not represent the City Council of the City, nor will they allow the
16 inference that they do.

17 IV

18 DUTIES

19 A. DUTIES OF MAYOR; MAYOR PRO TEMPORE

20 The Mayor shall be the presiding officer at all meetings of the City Council and shall have
21 a voice in all its proceedings but shall not vote except for appointments to City Boards &
22 Commissions or to break a City Council tie-vote which exists for any cause. The Mayor shall be
23 the official head of the City for all ceremonial purposes. The Mayor shall have the primary but
24 not exclusive responsibility for interpreting the policies, programs and needs of the city
25 government to the people, and of informing the people of any major change in policy or program.
26 The Mayor shall advise the City Council on all matters of policy and public relations and perform
27 such other duties as may be prescribed by the City Charter. At any time before the adjournment
28 of a meeting, the Mayor may, by public declaration spread upon the minutes of the meeting, veto

1 any formal action taken by vote of the City Council including any ordinance or resolution, except
2 an emergency ordinance, the annual budget or an ordinance proposed by initiative petition.
3 Thereupon, pending the vote to override the veto as herein provided, such ordinance, resolution or
4 action shall be deemed neither approved nor adopted. The Mayor shall, no more than twenty days
5 following the veto, provide to Council members, in writing, reasons for the Mayor's veto. If the
6 Mayor fails to provide a written veto message within the time allotted, the original action of the
7 City Council shall stand. At any regular or adjourned meeting held not less than thirty days, nor
8 more than sixty days after veto the City Council shall reconsider such ordinance, resolution or
9 action and vote on the question of overriding the veto. Five affirmative votes shall be required for
10 its adoption or approval. The Mayor shall have no right to veto the veto override of any
11 ordinance, resolution or action.

12 In the absence of the Mayor, the Mayor Pro Tempore shall assume the duties of the
13 Mayor. The Mayor Pro Tempore shall be appointed from members of the City Council on the
14 following ward rotational basis with each member serving for a term of six months: Ward 7,
15 Ward 6, Ward 5, Ward 4, Ward 3, Ward 2, and Ward 1 or as otherwise determined by the City
16 Council. In the event the Mayor and Mayor Pro Tempore are absent, the Councilmember last
17 serving as Mayor Pro Tempore shall be assigned said role. The Mayor Pro Tempore shall
18 conduct the City Council meetings and shall vote only as a member of the City Council, not as
19 Mayor Pro Tempore. In the event of a tie- vote, the Mayor Pro Tempore shall not have a tie-
20 breaking vote and City Council vote shall be recorded as a negative or "nay" vote. The Mayor
21 Pro Tempore shall not have the power to veto acts of the City Council.

22 In addition to the duties enumerated above, the Mayor Pro Tempore shall be responsible
23 for the coordination of any special or annual evaluation of the City Manager, City Attorney or the
24 City Clerk. Said responsibility may include but not be limited to the distribution, collection and
25 tabulation of any written evaluations; and the calendaring of any closed session during which time
26 the evaluations shall be conducted. The Mayor Pro Tempore shall also be responsible for the
27 direct supervision and evaluation of the Executive Assistant to the City Council.

28

1 The Mayor Pro Tempore shall also use their best efforts to participate in the agenda
2 conference preceding each City Council meeting.

3 B. DUTIES OF MAYOR AND COUNCIL MEMBERS

4 Promptly at the hour set by law on the date of each regular meeting, the Mayor and
5 Councilmembers shall take their regular stations in the Art Pick Council Chamber and the
6 business of the City Council shall be taken up for consideration and disposition.

7 C. MOTIONS TO BE STATED BY PRESIDING OFFICER

8 When a motion is made, it shall be stated by the presiding officer or the City Clerk before
9 debate.

10 D. DECORUM

11 While the City Council is in session, the members must preserve order and decorum, and a
12 member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of
13 the City Council nor disturb any member while speaking, nor refuse to obey the orders of the City
14 Council, or the presiding officer, except as otherwise herein provided.

15 E. VOTES REQUIRED TO TAKE ACTION

16 Unless a higher vote is required by provisions of the City Charter, the affirmative votes of
17 at least four members of the City Council shall be required in order for the City Council to take
18 action on an item of business or the adoption of any ordinance or resolution, or for the making or
19 approving of any order for the payment of money.

20 Any ordinance declared by the City Council to be necessary as an emergency measure as
21 hereinafter defined may be introduced and adopted at one and the same meeting if passed by at
22 least five affirmative votes.

23 At any meeting after the adoption of the City's budget, the City Council may amend or
24 supplement the budget by motion adopted by the affirmative votes of at least five members so as
25 to authorize the transfer of unused balances appropriated for one purpose to another purpose or to
26 appropriate available funds not included in the budget.

1 F. VOTING DISQUALIFICATION

2 Neither the Mayor nor any Council member who is disqualified shall vote upon the matter
3 on which the member is disqualified. Any member shall openly state that they are abstaining
4 because of a disqualifying financial or other conflict of interest. The Mayor or any
5 councilmember who is disqualified due to a financial interest shall publicly identify the financial
6 interest in detail sufficient to be understood by the public except that disclosure of the exact street
7 address of a residence is not required. As to any other conflict of interest, the member's
8 determination may be accompanied by an oral or written disclosure of such conflict of interest.
9 A member who is disqualified by a conflict of interest in any matter shall not remain in the
10 member's chair during the discussion and vote on such matter unless the matter has been placed
11 on the consent agenda.

12 G. PARTICIPATION ON NON-PROFIT BOARDS OF DIRECTORS AND
13 CONFLICTS OF INTEREST.

14 It shall be the policy of this Council that the Mayor and members of the City Council
15 should not serve as members of the board of directors of a non-profit corporation which is
16 receiving or will be reasonably likely in the future to seek and/or receive funding from the City of
17 Riverside so as to avoid any appearance of a conflict of interest.

18 In the event that the Mayor and/or a member of the City Council serves as a non-
19 compensated member of the board of directors of a non-profit corporation, then a contract may be
20 made between the City of Riverside and the non-profit corporation provided that:

- 21 • The public official discloses his/her participation on the non-profit corporation's
22 board of directors to the City Council at the time the City Council is considering the contract with
23 the non-profit corporation;
- 24 • The public official's interest as a member of the non-profit corporation's board of
25 directors is noted in the official minutes of the City Council meeting; and
- 26 • The public official disqualifies themselves from any vote, deliberation or influence
27 on the matter before the City Council.

1 6. Once a vote is taken on an issue, Councilmembers will support the law made by
2 the City Council. If a Councilmember wants an issue to be reconsidered, he/she will make a
3 motion to reconsider as provided for in Section XII of these Rules of Procedure. When possible,
4 the City Council should attempt to reach consensus on an issue. When this is not possible, the
5 majority vote shall prevail. However, the City Council shall respect the opinion of the minority.

6 7. The Mayor and City Council shall publicly share substantive information, which
7 they may have received from sources outside the public decision-making process, that is relevant
8 to a matter under consideration by the City Council.

9 8. Allow for everyone’s opinion to be heard and respected, even if they do not win
10 the vote or prevail on the issue. Strive for a win-win situation by respecting diverse opinions.

11 9. Councilmembers will allow room for dialogue. When discussing an agenda item,
12 The City Council will allow the opportunity to dialogue with each other to build consensus on an
13 item.

14 10. Any member of the City Council may move to require the Mayor to enforce the
15 rules and an affirmative vote of a majority of Council members present shall be required to do so.

16 B. MAYOR AND CITY COUNCIL CONDUCT WITH ONE ANOTHER

17 1. The Mayor and City Council will value each other’s time.

18 2. All Councilmembers have the opportunity to speak and agree to disagree.

19 3. The City Council will avoid negative comments that could offend other
20 Councilmembers during public meetings, in the press, or any other time.

21 4. The City Council will practice civility and decorum in discussions and debate.

22 5. The Mayor has an affirmative duty to maintain order. The City Council will honor
23 the role of the Mayor in maintaining order.

24 C. MAYOR, CITY COUNCIL AND CITY MANAGER CONDUCT WITH STAFF

25 1. Mayor and Councilmembers should always feel free to speak directly with the City
26 Manager on matters of interest or concern to them.

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1 2. The Mayor, City Council, City Manager and City Staff shall respect and adhere to
2 the City’s form of government, which is a Charter City operating under a Council-Manager form
3 of government, with the City Council acting as the legislative body of the City. The City Council
4 is the visionary policy maker and staff is responsible for implementation of City Council policies.

5 3. The City Council directs the City Manager to implement City Council policy
6 decisions through the administrative functions of the City.

7 4. The Mayor and City Council shall treat staff professionally.

8 5. The Mayor and City Council shall not publicly criticize an individual employee.

9 6. When possible, the Mayor and City Council should attempt to seek answers to
10 questions on an item on the agenda, from the City Manager, City Attorney, City Clerk or
11 Department/Division Head prior to the meeting.

12 7. The Mayor and Councilmembers will not get involved in personnel issues except
13 during a closed session where personnel issues may be discussed or as otherwise appropriate
14 concerning the City Manager, City Attorney, City Clerk or other staff appointed by the City
15 Council. This includes hiring, firing, promoting, disciplining, and all other forms of personnel
16 matters.

17 8. If a Councilmember is unhappy about a department or an employee he/she may
18 discuss the situation with the City Manager, Assistant City Manager, or Deputy City Manager, or
19 the City Attorney or City Clerk as appropriate.

20 D. MAYOR AND CITY COUNCIL CONDUCT WITH THE PUBLIC

21 1. The Mayor and City Council will make the public feel welcome.

22 2. The Mayor and City Council shall not be partial, prejudiced or disrespectful
23 toward the public.

24 3. The Mayor and City Council should not make snappy, sarcastic comments to the
25 public or to each other.

26 4. The Mayor and City Council shall treat members of the public equally.

27 5. The Mayor and City Council members shall make no promises to the public on
28 behalf of the City Council.

1 6. The Mayor and City Council shall not argue with members of the public.

2 7. The Mayor and City Council shall listen courteously and attentively to all public
3 comments before the City Council.

4 E. MAYOR AND CITY COUNCIL CONDUCT WITH OTHER AGENCIES

5 1. The Mayor and City Council shall be clear about representing the City or personal
6 interests to members of other agencies.

7 2. The Mayor and City Council shall project a positive image of the City when
8 dealing with other agencies.

9 3. The Mayor and individual Councilmembers can lobby or discuss with other
10 legislators, government officials or developers issues that have been adopted by the City Council
11 or are City Council policy; they should not represent themselves as the City if it is only an
12 individual issue.

13 4. The Mayor and City Council shall show tolerance and respect for other agencies'
14 opinions and issues and agree to disagree with them when necessary.

15 F. MAYOR AND CITY COUNCIL CONDUCT WITH BOARDS AND
16 COMMISSIONS

17 1. The Mayor and City Council works through the board/commission chairs.

18 2. The Mayor and City Council shall treat all members of Boards and Commissions
19 with appreciation and respect.

20 3. It has been the practice of the Mayor and City Council to not participate in Board
21 and Commission meetings for the purpose of influencing the outcome of said meetings.

22 G. COUNCIL CONDUCT WITH STANDING CITY COUNCIL COMMITTEES

23 1. *Government Code* section 54952.2 defines a meeting of the legislative body of the
24 City of Riverside and provides certain limitations on the attendance of its members.

25 2. A member of the City Council, who is not a member of the standing committee,
26 may attend an open and noticed meeting of a standing committee of the City Council, provided
27 that they attend only as observers and do not participate in any discussion.

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H. MAYOR AND CITY COUNCIL CONDUCT WITH THE MEDIA

1. The Mayor and City Council shall never go “off the record”, discuss information pertaining to closed sessions, personnel, litigation or acquisition of property items, when dealing with the media. Providing background information is acceptable.

I. OBTAINING THE FLOOR

1. Any member of the City Council wishing to speak must further obtain the floor by being recognized by the Mayor. The Mayor must recognize any Councilmember who seeks the floor when appropriately entitled to do so.

2. With the concurrence of the Mayor, a Councilmember holding the floor may address a question to another Councilmember and that Councilmember may respond while the floor is still held by the Councilmember asking the question. A Councilmember may opt not to answer a question while another Councilmember has the floor.

VI

ROLE OF CITY STAFF

A. City staff will provide written analysis and information on all agenda items prior to the meetings. Additionally, a copy of the materials, including technical reports will be available to the public.

B. Staff will be available to answer questions of the City Council prior to and during City Council meetings.

C. Staff will respond to questions from the public during City Council meetings when requested to do so by the Mayor, City Council, or City Manager.

D. Staff will not argue with the public or the City Council.

E. During City Council meetings staff shall turn off or switch any electronic equipment such as pagers and cellular telephones to a silent mode.

F. Councilmembers and staff who participate in meetings with outsiders should be apprised of any follow-up correspondence to that party, particularly if there is some controversy; The City Manager and all Councilmembers should get copied on all correspondence.

1 G. Staff will remain objective on issues. Staff should not be an advocate for issues
2 unless so directed by the City Council. Rather, they should promote or assist the efforts of City
3 Council.

4 H. Staff will inform City Council as soon as possible of upcoming issues, particularly
5 issues that will impact the City significantly and may be coming before City Council on short
6 notice.

7 I. Staff will provide each Councilmember with written notification of any meetings
8 or discussions relative to any development or redevelopment project in the Councilmember's
9 respective ward. Each Councilmember may, at their option, follow up with staff regarding the
10 details of the project and any policy issues that may be coming before the City Council.

11 J. If only one or two Councilmembers feel something is controversial or a "hot" issue
12 and it may be coming before the City Council, the City Manager will inform the Mayor and the
13 Councilmembers whose ward the issue concerns.

14 K. The City Manager will advise management to become aware of and sensitive to
15 potentially political or controversial issues coming before the City Council.

16 L. City staff will implement all City Council policies as directed by the City
17 Manager; staff will not implement any actions for the City without prior approval of the City
18 Council and City Manager.

19 VII

20 ROLE OF THE PUBLIC

21 A. Members of the public attending the City Council meetings shall observe the same
22 rules and decorum applicable to the City Council and staff.

23 B. All speakers must approach the podium when recognized by the Mayor. Members
24 of the public shall only speak from the podium. Stamping of feet, whistles, yells or shouting,
25 and/or similar demonstrations are unacceptable public behavior.

26 C. Members of the public shall turn off or switch any electronic equipment such as
27 pagers and cellular telephones to a silent mode while attending a City Council meeting.
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1 D. If a member of the public desires to provide written correspondence (11 copies
2 recommended) to the City Council, all such materials shall be given directly to the City Clerk
3 prior to the meeting, or if during the course of the meeting, the materials shall be given to the City
4 staff on the dais. At no time shall the public enter the well to provide the materials directly to
5 members of the City Council.

6 VIII

7 MEETINGS

8 A. CALL TO ORDER - PRESIDING OFFICER

9 The Mayor, or in the Mayor's absence the Mayor Pro Tempore, shall take the chair at the
10 hour appointed for the meeting and shall immediately call the City Council to order. Upon the
11 arrival of the Mayor, the Mayor Pro Tempore shall immediately relinquish the chair at the
12 conclusion of the business presently before the City Council.

13 B. ROLL CALL

14 Before the City Council shall proceed with the business before it, the City Clerk shall
15 enter into the minutes the names of those Councilmembers present. The later arrival of any
16 absentee shall also be entered into the minutes.

17 C. QUORUM CALL

18 During the course of the meeting, should the presiding officer note a City Council quorum
19 is lacking, the presiding officer shall call this fact to the attention of the City Clerk. The presiding
20 officer shall issue a quorum call. If a quorum has not been restored within two minutes of a
21 quorum call, the Chair may declare a recess for a reasonable period of time in order to reestablish
22 a quorum or the meeting shall be deemed automatically adjourned.

23 D. CITY COUNCIL MEETING SCHEDULE

24 Save and except for the months of July, August and September of each year, regular
25 meetings of the City Council shall be held in the Art Pick Council Chamber, 3900 Main Street,
26 Riverside, California, on the first four Tuesdays of each month, taking into consideration any
27 legal holidays which may occur. No meeting shall be held if the meeting date follows a City
28 holiday on the immediately preceding Monday.

1 On the first three Tuesdays of each month, the regular meetings of the City Council shall
2 commence at approximately 2:00 p.m., beginning with oral communication from the public
3 followed by any closed sessions or public hearings. Public hearings shall commence at
4 approximately 3:00 p.m. An additional period for oral communications from the public shall
5 precede the City Council's consideration of the consent calendar during the open session portion
6 of the City Council meeting which begins at approximately 6:30 p.m.

7 On the fourth Tuesday of each month, the regular meeting of the City Council shall be
8 called to order at approximately 2:00 p.m. and shall begin with oral communications from the
9 public followed by any closed sessions and any City Council workshops, as necessary. All other
10 business of the City Council shall be scheduled for 6:30 p.m. An additional period for oral
11 communications from the public shall precede the City Council's consideration of the consent
12 calendar during the open session portion of the City Council meeting which begins at
13 approximately 6:30 p.m.

14 During the months of July, August and September, regular meetings of the City Council
15 shall only be held on the second and fourth Tuesdays beginning at the approximate hour of 2:00
16 p.m.

17 The appointed hours noted herein are set forth for the convenience of the City Council and
18 are subject to change.

19 E. ADJOURNED MEETINGS

20 The City Council may adjourn any regular, adjourned regular, special or adjourned special
21 meeting to a time and place specified in the order of adjournment as permitted by law.

22 F. SPECIAL MEETINGS

23 The Mayor or a majority of the City Council may call a special meeting by providing
24 notice twenty-four (24) hours in advance of the meeting to the Mayor, all members of the City
25 Council, to all media outlets, and to persons having requested notification pursuant to State law.

26 G. CLOSED SESSIONS

27 The City Clerk or his/her designee shall attend each closed session of the City Council and
28 keep and enter in a minute book a record of topics discussed and decisions made at the meeting.

1 In the event of a closed session concerning personnel matters conducted in conformance with
2 *California Government Code* section 54957, the Mayor Pro Tempore or his/her designee shall
3 enter in a minute book a record of the topics discussed and decisions made at the meeting. The
4 minute book is not a public record subject to inspection pursuant to the California Public Records
5 Act (*California Government Code* section 6250 *et seq.*), and shall be kept confidential. The
6 minute book shall be available only to members of the legislative body or, if a violation of
7 *California Government Code* sections 54950 through 54962 is alleged to have occurred at a
8 closed session, to a court of general jurisdiction wherein the local agency lies.

9 All proper matters discussed during closed sessions shall be private and confidential, and
10 the disclosure by any person of the topics or details of such matters is expressly prohibited. If a
11 Councilmember feels it is necessary, then preliminary notes may be taken which should not be
12 kept as the Councilmembers permanent records. All closed session information, verbal or
13 written, is confidential and private.

14 H. EMERGENCY MEETINGS.

15 In the case of an emergency situation involving matters upon which prompt action is
16 necessary due to the disruption or threatened disruption of public facilities, the City Council may
17 hold an emergency meeting without complying with either the 24-hour notice requirement or the
18 24-hour posting requirement of *Section 54956* or both of the notice and posting requirement.

19 Each local newspaper of general circulation and radio or television station that has
20 requested notice of special meetings pursuant to *Section 54956* shall be notified by the presiding
21 officer of the legislative body, or designee thereof, one hour prior to the emergency meeting, or,
22 in the case of a dire emergency, at or near the time that the presiding officer or designee notifies
23 the members of the City Council of the emergency meeting. This notice shall be given by
24 telephone and all telephone numbers provided in the most recent request of a newspaper or station
25 for notification of special meetings shall be exhausted. In the event that telephone services are
26 not functioning, the notice requirements of this section shall be deemed waived, and the
27 legislative body, or designee of the legislative body, shall notify those newspapers, radio stations,
28 or television stations of the fact of the holding of the emergency meeting, the purpose of the

1 meeting, and any action taken at the meeting as soon after the meeting as possible.

2 During an emergency meeting, the City Council may meet in closed session pursuant to
3 *Section 54957* if agreed to by a two-thirds vote of the members of the City Council present, or, if
4 less than two-thirds of the members are present, by an unanimous vote of the members present.

5 All special meeting requirements, as prescribed in *Section 54956* shall be applicable to an
6 emergency meeting, with the exception of the 24-hour notice requirement.

7 The minutes of an emergency meeting, a list of persons who the presiding officer of the
8 City Council, or designee of the City Council, notified or attempted to notify, a copy of the roll
9 call vote, and any actions taken at the meeting shall be posted for a minimum of ten days in a
10 public place as soon after the meeting as possible.

11 IX

12 AGENDA

13 A. DECLARATION OF POLICY

14 No ordinance, resolution, or item of business shall be introduced or acted upon before the
15 City Council at its meeting without prior thereto its having been published on the agenda of the
16 meeting and posted in accordance with *California Government Code* section 54954.2(a) as the
17 same now exists or is hereafter amended. Exceptions to this rule are limited to those provided by
18 State law and matters of business remaining uncompleted from a regular meeting.

19 B. DEFINITIONS

20 For purposes of this section, the terms listed herein shall be defined as follows:

21 1. "Agenda Item" means an item placed on the agenda irrespective of location (save
22 and except for matters raised under Oral Communications) to be transacted or discussed by the
23 City Council. For purposes of this Section, any quasi-judicial appeals shall be considered action
24 items in accordance with *California Government Code* section 54952.6 as the same now exists or
25 hereafter may be amended.

26 Each agenda item shall contain a brief general description of each item of business to be
27 transacted or discussed at the meeting in accordance with *California Government Code* section
28 54954.2 as the same now exists or hereafter may be amended, whether the matter is to be

1 presented in Closed Session, on the Consent Calendar, the Public Hearing Calendar, or such other
2 time as may be scheduled.

3 Each agenda item shall be supported by all relevant documentation, which may include
4 but not be limited to the following as applicable:

5 a. The need therefore and the department or departments involved or affected
6 thereby;

7 b. Recommendation of the City Manager, if applicable;

8 c. Comments of the City Attorney, if the item involves legal issues;

9 d. Past City Council actions or practices, if any, relating to such matter;

10 e. Past legislative history or hearings, if any;

11 f. Financial benefits or costs which would accrue to the City as a result of the
12 recommended action;

13 g. For awards of contracts, the contracts shall be prepared and presented, with
14 telephone number;

15 h. If funds are requested, the budgetary source of funds;

16 i. Person or persons to contact for further information;

17 j. Estimated balances shall be included for appropriations from Economic
18 Development Reserve, General Fund Contingency Reserve and supplemental appropriations from
19 fund balance.

20 2. "Agenda" means the compilation of the descriptive titles of agenda items
21 submitted to the City Clerk, arranged in the sequence established in Section III.E. hereof.

22 3. "Packet" means the Agenda and all supporting documentation.

23 4. "Emergency Situation" means both of the following:

24 a. An emergency, which shall be defined as a work stoppage, crippling activity, or
25 other activity that severely impairs public health, safety, or both, as determined by a majority of
26 the members of the City Council.

27 b. A dire emergency, which shall be defined as a crippling disaster, mass destruction,
28 terrorist act, or threatened terrorist activity that poses peril so immediate and significant that

1 requiring a legislative body to provide one-hour notice before holding an emergency meeting
2 may endanger the public health, safety, or both, as determined by a majority of the members of
3 the City Council.

4 5. "Items Carried Over" means items uncompleted from a prior agenda of a City
5 Council meeting.

6 C. PROCEDURE FOR BRINGING MATTERS BEFORE CITY COUNCIL

7 1. Persons Who May Place Matters On The Agenda

8 Except for matters pending before any committee, commission or other advisory body of
9 the City or the City Council, matters pertinent to and within the jurisdiction of the City may be
10 placed on the agenda by the Mayor, any Councilmember, the City Manager, any Department
11 Director, or any other person, subject to the discretion of the City Manager.

12 1.1. Scheduling Public Hearings Mandated By State, Federal or Local Statute.

13 The City Clerk may schedule a public hearing at any available time and date in those cases
14 where State, Federal or local statute mandates the City Council hold a public hearing.

15 2. Submission of Agenda Items.

16 Except for Items Carried Over, as a condition to placing an item on the Council's agenda,
17 a City Council report should be prepared and submitted to the City Clerk not later than 12:00
18 p.m. of the eighth (8th) day prior to each regular City Council meeting at which the item shall be
19 heard.

20 3. Preparation of the Packet.

21 Not later than 5:00 p.m. on the Thursday prior to each regular City Council meeting, the
22 City Clerk shall prepare the packet. No item shall be considered by the City Council if not
23 included in the packet, except that a correction or supplement to an item already included in the
24 packet may be included.

25 4. Posting of Agenda.

26 The City Clerk shall post the agenda of each City Council Regular or Adjourned Regular
27 Meeting at least 72 hours in advance of said meeting in a location that is freely accessible to
28

1 members of the public. The City Clerk shall maintain an affidavit indicating the location, date
2 and time of posting each agenda.

3 5. Distribution of the Packet.

4 Not later than 6:30 p.m. on the Thursday prior to each regular City Council meeting, the
5 City Clerk shall distribute the packet to the Mayor and each member of the City Council. On the
6 Friday prior to each regular City Council meeting, the City Clerk shall distribute the packet to the
7 designated department directors, and such other persons or institutions as the City Clerk shall
8 deem necessary or appropriate. Paper or electronic copies of the packet shall be made for the
9 news media and such other organizations, agencies, institutions or persons as may wish to
10 subscribe to receipt thereof, the City Clerk will make the packet available electronically on the
11 City's webpage.

12 6. Failure to Meet Deadlines.

13 a. The City Clerk shall not, without the consent of the City Manager or City
14 Attorney, accept any agenda item or revised agenda item after the deadlines
15 established hereby.

16 b. Matters not included on the published agenda may be discussed and acted upon
17 providing the City Council finds one of the following conditions is met:

18 1). A majority of the City Council determines that the subject meets the
19 criteria of "Emergency" as defined in Section III.B.4, above.

20 2). Two-thirds (2/3) of the City Council or by unanimous vote of the
21 City Council, if less than two-thirds is present, determines that the need to
22 take immediate action arose subsequent to the posting of the agenda and
23 was not omitted from the posted agenda due to reason of scheduling
24 convenience or oversight.

25 D. CONSENT CALENDAR

26 There shall be a consent calendar on all regular meeting agendas on which shall be
27 included those matters which the Mayor, Councilmembers, and City Manager deem to be routine
28 in nature and not likely to be subject to debate or inquiry.

1 All items for presentation on the consent calendar shall conform to the format, guidelines
2 and deadlines set out in Section B, above. On any matter not requiring immediate action,
3 Councilmembers are encouraged to utilize a Motion to Postpone to a Time/Date Certain, as
4 opposed to a Motion to Table the matter, in order to have substantive issues addressed further.

5 It is the policy of the City Council that Councilmembers wishing to ask questions
6 concerning consent calendar items should ask questions of the contact person identified prior to
7 the City Council meeting so that the need for discussion of consent calendar items can be
8 minimized.

9 E. AGENDA SEQUENCE AND ORDER OF BUSINESS

10 1. The City Council agenda is to be arranged in the following order and sections for
11 each of the first three regular meetings of each month:

12 a). Joint session of the City Council and all other related agencies meeting to receive
13 oral communications from the public regarding closed session agenda items, Redevelopment
14 Agency consent agenda items, or matters within the jurisdiction of any such governing bodies.

15 b). Closed Sessions.

16 c). Public Hearings/Land Use Appeals.

17 d). Ceremonial Matters.

18 e). Discussion Calendar.

19 f). Oral communications from the audience regarding consent calendar items or
20 matters within the jurisdiction of the City.

21 g). Consent Calendar.

22 Removal of items from the Consent Calendar, shall be followed by one motion for action
23 on uncontested Consent Calendar Items. Thereafter, removed consent items will be discussed
24 immediately after adoption of the balance of the consent calendar.

25 h). Pulled consent calendar items, if any.

26 i). Mayor/Councilmember Communications.

27 j). Adjournment

28

1 a. Staff comments, information and reports, followed by questions from the Mayor
2 and Councilmembers.

3 b. Public comments and information by those in favor of the item followed by
4 questions from the Mayor and Councilmembers.

5 c. Public comments and information by those in opposition, followed by questions
6 from the Mayor and Councilmembers.

7 d. Closure of public hearing.

8 e. Mayor and Council discussion, motion and action.

9 3. Appeals/Quasi-Judicial Hearings.

10 a. Staff comments, information and reports followed by questions from the Mayor
11 and Councilmembers.

12 b. Appellant/proponent comments, information and reports followed by questions
13 from the Mayor and Councilmembers.

14 c. Public comments, information and reports by those in favor of the appeal followed
15 by questions from the Mayor and Councilmembers.

16 d. Public comments, information and reports by those in opposition to the appeal
17 followed by questions from the Mayor and Councilmembers.

18 e. Closing statements by appellant/proponent limited to addressing comments made
19 in opposition to the appeal.

20 f. Closure of public testimony.

21 g. Mayor and City Council discussion, motion and action.

22 Once the agenda item is placed before the City Council for discussion, motion and action,
23 no staff member nor member of the public shall be allowed to address the City Council without
24 the consent of the City Council.

25 B. CONSENT CALENDAR ITEMS CALLED UP FOR DISCUSSION

26 The Mayor, any Councilmember, the City Manager or any Department Director, may
27 request that any matter be removed from the Consent Calendar. If a matter placed on a Consent
28 Calendar at a regular business meeting is removed, it will be discussed immediately after adoption

1 of the balance of the consent calendar. All matters remaining on the Consent Calendar and
2 which have not been removed shall be approved by a single action, such single action to have the
3 legal effect of individual action on each matter. The City Clerk shall read into the record each
4 item on the Consent Calendar which has been removed.

5 C. ORAL COMMUNICATIONS FROM THE AUDIENCE.

6 A portion of each agenda of a regular meeting of the City Council shall provide an
7 opportunity to members of the public to address the City Council on any issue concerning City
8 business, including closed session, consent calendar items, or item of interest that is within the
9 subject matter jurisdiction of the City. Each person desiring to address the City Council shall fill
10 out and file a form provided by the City Clerk. Requests to be heard must be submitted to the
11 City Clerk before the scheduled meeting time, or at any recess called by the Presiding Officer
12 prior to the oral communications portion of the meeting. Requests will not be accepted during the
13 meeting so as not to disrupt the meeting. Each person speaking shall limit his/her remarks to
14 three (3) minutes. For each and every public speaker, the presiding officer shall be required to
15 utilize the timing system which provides them with notice of their remaining time to complete
16 their presentations.

17 The Mayor and members of the City Council may:

- 18 1. Briefly respond to statements made or questions posed by members of the public.
- 19 2. Ask questions for clarification.
- 20 3. Provide a reference to staff or other resources for factual information.
- 21 4. Request staff to report back to the City Council at a subsequent meeting on any
22 matter.
- 23 5. Take action to direct staff to place a matter of business on a future agenda.

24 The City Council retains the right, by majority vote, to alter the time allotted for public
25 remarks.

26 D. PUBLIC HEARINGS

27 The City Council or City Clerk shall set the time and place for each public hearing. In the
28 conduct of the public hearing, the presiding officer will direct those making presentations to avoid

1 repetition in order to permit maximum information to be provided the City Council within the
2 time allotted to the hearing.

3 E. PUBLIC DISCUSSION

4 The City Council may, from time to time, schedule a matter for a public meeting. At the
5 scheduled time for public discussion, the City Council may state the amount of time to be allotted
6 for testimony from the public.

7 F. TIME LIMITATION FOR PUBLIC TESTIMONY AT PUBLIC HEARINGS
8 AND PUBLIC DISCUSSION

9 The City Council may limit the total amount of time of testimony on particular issues and
10 for each individual speaker. Presentations for other than quasi-judicial hearings, are to be limited
11 to no more than one 3-minute presentation. More or less time may be authorized by a majority of
12 the City Council. For quasi-judicial hearings, presentations are to be limited as follows: an
13 appellant or applicant may be allowed one ten minute presentation and an additional five (5)
14 minutes for surrebuttal. A designated representative of an organization in opposition thereof may
15 be allowed a ten (10) minute presentation.

16 The City Council reserves the right to determine the total amount of time for testimony on
17 any particular hearing matter and/or for each individual speaker.

18 For each and every public speaker, the presiding officer shall be required to utilize the
19 timing system which provides them with notice of their remaining time to complete their
20 presentations. A green light on the timing system will be activated at the start of a presentation; a
21 yellow light will be activated as a warning that one minute remains; when the red light is
22 activated, the speaker shall cease speaking. In the further interest of time, speakers will be asked
23 to limit their comments to new materials and not repeat what a prior speaker said. Organized
24 groups may choose a single spokesperson who may speak for the group. Speakers may not
25 concede any part of their allotted time to another speaker.

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XI

FACILITIES

A. COUNCIL CHAMBER CAPACITY

Council Chamber attendance shall be limited to the posted seating capacity thereof. Entrance to the Council Chamber will be appropriately regulated by the City Manager on occasions when the Council Chamber capacity is likely to be exceeded. While the City Council is in session, members of the public shall not remain standing in the seating area or aisles of the Council Chamber except to address the City Council, and sitting on the floor shall not be permitted.

B. ALTERNATE FACILITIES FOR CITY COUNCIL MEETINGS

The City Council shall approve in advance a proposal that a City Council meeting be held at a facility other than the City Council Chamber.

If the Mayor or City Manager has reason to anticipate that the attendance for a meeting will be substantially greater than the capacity of the City Council Chamber and insufficient time exists to secure the approval of the City Council to hold the meeting at an alternate facility, the City Manager shall make arrangements for the use of a suitable alternate facility to which such meeting may be recessed and moved, if the City Council authorizes the action.

If a suitable alternate facility is not available, the City Council may reschedule the matter to a date when a suitable alternate facility will be available.

Alternate facilities should be selected from those facilities previously approved by the City Council as suitable for meetings away from the City Council Chamber.

XII

PROCEDURAL MATTERS

A. PERSONS AUTHORIZED TO SIT AT TABLES

No person, except officials, officers, employees and agents of the City shall be permitted to sit at the tables in front of the City Council without the consent of the City Council.

1 B. DECORUM

2 It is the policy of the City Council that the right to express one's views at a City
3 Council meeting is fundamental to a free society; however, it is not absolute and is subject to
4 valid regulations. The public has a right to address the City Council at any meeting on any
5 subject that is within the City Council's subject matter jurisdiction and further, the public has the
6 right to express its criticism of the policies, procedures, programs or services of the City or its acts
7 or omissions. We must balance the right of the public to address the City Council with the need
8 to ensure that public comment does not hinder the smooth and efficient legislative function of the
9 City Council.

10 No member of the public shall approach the speaker's podium while the City Council is in
11 session, unless specifically requested to do so by the presiding officer. Unruly conduct, such as
12 undue noise, hissing, profanity, insult or physical disturbance which disrupts, disturbs or
13 otherwise impedes the orderly conduct of the Council meeting shall not be permitted. Any person
14 making personal, impertinent, slanderous or profane remarks to any member of the Council, staff
15 or general public which disrupts, disturbs, or otherwise impedes the orderly conduct of any
16 Council meeting shall, at the discretion of the presiding officer or a majority of the Council, be
17 barred from further audience before the City Council at said meeting, unless permission to
18 continue be granted by a majority vote of the Council.

19 C. ENFORCEMENT OF DECORUM

20 Any law enforcement or security officers on duty or whose services are commanded by
21 the presiding officer shall be Sergeant-at-Arms of the City Council meetings. The Sergeant-at-
22 Arms shall carry out all orders and instructions given by the presiding officer for the purpose of
23 maintaining order and decorum at the City Council's meetings. Upon instructions of the presiding
24 officer, it shall be the duty of the Sergeant-of-Arms, or any of them present, to place any person
25 who violates the order and decorum of the meeting under arrest, and cause the person to be
26 prosecuted under the provisions of applicable law, the complaint to be signed by the presiding
27 officer.

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D. PRECEDENCE OF MOTIONS

When a question is before the City Council, no motion shall be entertained except:

1. Motion To Adjourn.

A motion to adjourn requires a second and is not debatable except to set the date and time to which the meeting is adjourned to consider the unfinished business. The purpose of a motion to adjourn is to terminate the meeting forthwith, notwithstanding that the business on the agenda has not been completed, and notwithstanding a time fixed for adjournment has not yet arrived. A motion to adjourn shall be in order at any time, except as follows: (i) When repeated without intervening business or discussion; (ii) when made as an interruption of a Councilmember while speaking; (iii) when the previous question has been moved; and (iv) while a vote is being taken.

2. Motion To Lay On The Table.

The purpose of the motion is to terminate further consideration of the subject being discussed, without qualification. The effect of the motion, if approved, is to not only end discussion on any other motion being considered, but to preclude any other motion being made. A motion to table requires a second, is not amendable, and is not debatable. The foregoing shall not preclude any Councilmember from placing the subject on an agenda for a later City Council meeting.

3. Motion to Call for The Question (Close Debate).

The Councilmember moving any item before the City Council, including, the adoption of an ordinance or resolution, or the Mayor Pro Tem, shall have the privilege of moving to close the debate and at once to take the vote on the immediately pending question. Such a motion requires a second and is not debatable, and is not amendable, and shall require a two-thirds vote of Councilmembers present and voting for adoption. Such a motion also requires that each Councilmember be afforded at least one opportunity to speak on the item before closing the debate. The making of the motion shall not constitute a violation of Section V of these rules.

1 4. Motion To Postpone To A Certain Time/Day.

2 A motion to postpone to time certain is amendable, and is debatable as to the propriety of
3 postponement and as to time set in the motion. The purpose of the motion is to postpone the
4 subject under discussion to another, specified time.

5 5. Motion to Substitute.

6 A motion to substitute the motion under consideration with another motion requires a
7 second, is not amendable and is debatable. A motion to substitute must be germane to the subject
8 and compatible with the underlying purpose of the motion under consideration; and if passed, the
9 substitute motion will, by its own action, eliminate the necessity to vote on the motion being
10 substituted. If the substitute motion fails to pass, debate will resume on the motion previously
11 being contested.

12 6. Motion to Amend.

13 A motion to amend the motion under consideration requires a second, but the proposed
14 amendment must be germane, or related, to the main motion, and is debatable. A motion to
15 amend is defined as amending a motion that is on the floor and has been seconded, by inserting
16 or adding, striking out, or striking out and inserting words within the main motion. The
17 proposed amendment is voted on first, and if adopted, there is a vote on the main motion as
18 amended. If the motion fails, debate will resume on the main motion.

19 7. Motion To Reconsider.

20 A motion to reconsider any action taken by the City Council must be made not later than
21 the second succeeding official regular meeting of the City Council and only if said motion is
22 based upon a different state of facts giving rise to the motion. Such a motion can only be made by
23 a member who voted with the majority. It can be seconded by any member, and is debatable. At
24 the time such reconsideration is heard by the City Council, testimony shall be limited to the
25 alleged facts in support of the motion. No question shall be twice reconsidered, except by
26 unanimous consent of the City Council, except that action relating to any contract may be
27 reconsidered at any time before the final execution thereof.

28

1 These motions shall have precedence in the order indicated. Any such motion, except to
2 adjourn, amend, or substitute, shall be put to a vote without discussion.

3 E. RULES OF DISCUSSION

4 1. Presiding Officer May Debate: The presiding officer may debate from the chair,
5 subject only to such limitations of debate as are by these rules imposed on all members, and shall
6 not be deprived of any of the rights and privileges as a member of the City Council by reason of
7 acting as the presiding officer.

8 2. Getting the Floor: Improper References to be Avoided: Every member desiring to
9 speak shall utilize the electronic call device to gain the attention and priority of the presiding
10 officer, and upon recognition by the presiding officer, shall confine him/herself to the question
11 under debate, avoiding all personalities and indecorous language.

12 3. Interruptions: A Councilmember, once recognized, shall not be interrupted when
13 speaking unless it be to call the person to order, or as herein otherwise provided. If a
14 Councilmember, while speaking, be called to order, the Councilmember shall cease speaking until
15 the question of order be determined, and, if in order, shall be permitted to proceed.

16 4. Division of Question: If the question contains two or more divisional propositions,
17 each of which is capable of standing as a complete proposition if the others are removed, the
18 presiding officer may, and upon request of a Councilmember shall (unless appealed), divide the
19 question.

20 5. Withdrawal of Motion: A motion may not be withdrawn by the mover without the
21 consent of the Councilmember seconding it.

22 6. Voting: On the passage of every motion, the vote shall be taken by electronic
23 voting device and entered in full upon the record. If the device is inoperable, the vote shall be
24 taken by roll call voice vote recorded by the City Clerk. The presiding officer shall announce the
25 result of the vote. No member shall be excused from voting except on matters involving the
26 consideration of the Councilmembers own official conduct, or where a conflict of interest exists.
27 Refusal to vote without excuse shall be an affirmative vote.

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F. ADDRESSING THE CITY COUNCIL

Any person desiring to address the City Council shall first secure the permission of the presiding officer to do so. Under the following headings of business, unless the presiding officer rules otherwise, any interested person shall have the right to address the City Council in accordance with the following conditions and upon obtaining recognition by the presiding officer:

1. Speakers. A person may request to be heard on a public hearing item or a discussion calendar item by filling out and filing a form provided by the City Clerk. Requests to be heard must be submitted to the City Clerk before the scheduled meeting time, or at any recess called by the Presiding Officer prior to the item being heard. Requests will not be accepted during the meeting so as not to disrupt the meeting. Each person addressing the City Council shall step up before the City Council and may give their name and address in an audible tone of voice for the record. All remarks shall be addressed to the City Council as a body and not to any Councilmember thereof.

2. Written Communications. Interested parties or their authorized representatives may address the City Council by written communications in regard to matters of concern to them. Communications received by the City Clerk prior to close of business on the day prior to a City Council meeting shall be submitted to the City Council at the meeting if related to an item which is on the agenda for that meeting.

3. Public Hearings. Interested persons or their authorized representatives may address the City Council by reading protests, petitions, or communications relating to matters then under consideration, subject to the time limitations imposed by the City Council.

4. Public Comment. Interested persons may address the City Council on any issue concerning City business during the period assigned to Oral Communications, except comments relating to appeals before the City Council where the City Council must make its decision based on the written record or set the matter for public hearing.

1 G. ADDRESSING THE CITY COUNCIL AFTER MOTION MADE

2 When a motion is pending before the City Council, no person other than a Councilmember
3 shall address the City Council without first securing the permission of the presiding officer or
4 City Council to do so.

5 XIII

6 CITY COUNCIL STANDING COMMITTEES AND REGIONAL
7 ORGANIZATION REPRESENTATION

8 A. STANDING COMMITTEE NUMBER, NAMES, COMPOSITION, AND
9 APPOINTMENTS AND REGIONAL ORGANIZATION APPOINTMENTS

10 1. There shall be eight Standing Committees of the City Council entitled
11 Development, Community Services and Youth, Finance, Governmental Affairs, Utility
12 Services/Land Use/Energy Development, Public Safety, Transportation, and Mayor's Nominating
13 and Screening.

14 2. Following each election and/or appointment to fill a City Council vacancy,
15 reorganization of City Council Standing Committee and regional organizational assignments shall
16 be considered by the Mayor's Nominating and Screening Committee for a recommendation to the
17 City Council.

18 3. Each Standing Committee shall be comprised of three members. Each
19 Councilmember shall serve as Chair, Vice-Chair, and Member of three Committees, respectively.

20 4. The Mayor's Nominating and Screening Committee shall be comprised of the
21 Mayor who shall serve as Chair and the members of the Governmental Affairs Committee.

22 5. To the greatest extent possible for Standing Committee and regional organization
23 appointments, preferences of senior Councilmembers shall be honored.

24 B. REFERRAL OF MATTERS TO CITY COUNCIL STANDING COMMITTEES

25 1. Generally, all items agendized for City Council Standing Committees must first be
26 referred by the City Council for review and a recommendation to the City Council within 120
27 days, subject to the exceptions set forth below or as otherwise modified by the City Council.

28 2. The Annual Year-End Finance Report by the Public Utilities Department is

1 automatically referred directly to the Finance Committee for review and a recommendation to the
2 City Council within 120 days.

3 3. All Redevelopment Agency matters are automatically referred to the Development
4 Committee for review and a recommendation to the Redevelopment Agency Board within 120
5 days.

6 4. All requests for comments on projects within the City's sphere of influence are
7 automatically referred to the Utility Services/Land Use/Energy Development Committee for
8 review and submission of comments to the County of Riverside or as a recommendation to the
9 City Council as time permits.

10 5. With the concurrence of the Committee Chairperson and the City Manager, an
11 item may be sent directly to a Council committee without City Council referral. If a matter is so
12 referred to a Council committee, the committee agenda will note such fact on the face of the
13 agenda. Such referrals are not required to be forwarded to the City Council for action following
14 committee review.

XIV

COUNCIL REQUESTS

17 A. All Council requests dealing with policy issues and those requests which may be
18 construed as direction, go through the City Manager, except for general inquiries or questions in
19 which case the City Council may go to the Department Heads or key staff in the City Manager's
20 Office. Councilmembers may also deal directly with the City Attorney, City Clerk or other staff
21 appointed by the City Council.

22 B. Any request from the City Council requiring funding must go through the City
23 Manager. The City Manager will respond in a timely manner.

XV

ADMINISTRATION

26 A. The City Council will review and revise the City Council norms and procedures as
27 needed or every two (2) years.

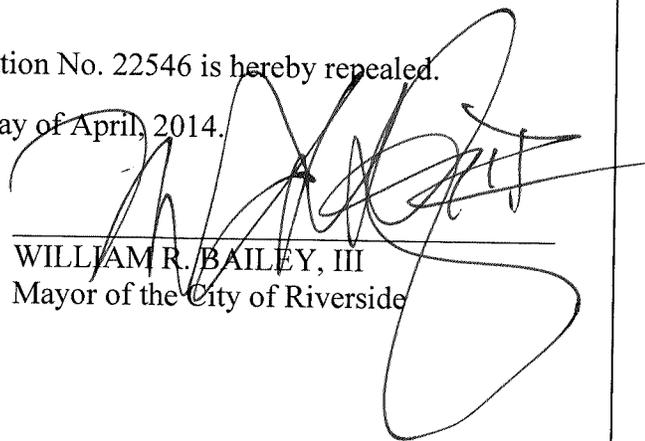
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B. During City Council discussions, deliberations, and proceedings, the Mayor has been designated with the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council's norms and procedures.

BE IT FURTHER RESOLVED that Resolution No. 22546 is hereby repealed.

ADOPTED by the City Council this 22nd day of April, 2014.



WILLIAM R. BAILEY, III
Mayor of the City of Riverside

ATTEST:



COLLEEN J. NICOL
City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the 22nd day of April, 2014, by the following vote, to wit:

Ayes: Councilmembers Gardner, Melendrez, Soubrouse, Mac Arthur, Perry, and Adams

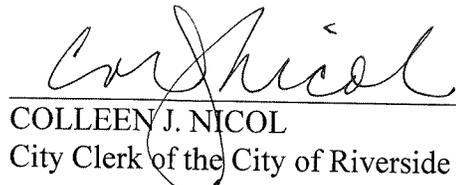
Noes: None

Abstain: None

Absent: Councilmember Davis

Disqualified: None

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 24th day of April, 2014.



COLLEEN J. NICOL
City Clerk of the City of Riverside