

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

849



FROM: Economic Development Agency / Facilities Management

SUBMITTAL DATE:
May 25, 2011

SUBJECT: Ordinance No. 906, An Ordinance of the County of Riverside Prohibiting Solicitation on County Property

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and adopt on successive weeks, Ordinance No. 906, prohibiting solicitation on County Property; and
2. Find that the adoption of Ordinance No. 906 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment; and
3. Direct the Clerk of the Board to file a Notice of Exemption with the County Clerk for posting.

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: EDA/Facilities Management Real Estate Division Budget	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended, IT WAS FURTHER ORDERED that the Presiding Judge and Economic Development Agency collaborate to identify an alternative adjacent site, and that the words "Board or their designee" be added to the end of Section 6e, with phase-in not to exceed 120 days.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: June 7, 2011
xc: EDA, COB

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

Prev. Agn. Ref.: 3.14 of 3/1/11

District: All

Agenda Number:

3.38

FORM APPROVED COUNTY COUNSEL
BY:
CYNTHIA M. GUNZEL
Department of Concurrence
DATE

Dep't Recomm.:]
Per Exec. Ofc.:

BACKGROUND:

The purpose of this ordinance is to prohibit unauthorized solicitation on County property by any person and to provide for enforcement of the ordinance by public safety personnel. In addition to County employees, the residents of the County and the general public at large regularly use such property for its intended purposes. Unauthorized solicitation on County property may obstruct, interfere or conflict with the use of such property for proper governmental purposes and may create a health and/or safety hazard within, about, or upon such property.

Ordinance No. 906 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment. The County's approval of this proposed ordinance does not create any reasonably foreseeable physical change in the environment; it only prohibits solicitation.

County Counsel has approved this ordinance as to form.

FINANCIAL DATA:

The estimated cost of preparing, processing and implementing this ordinance is approximately \$10,000 which will be paid by the Economic Development Agency – Facilities Management budget. The costs of enforcing the ordinance where the assistance from the Sheriff's Department would be warranted is currently undetermined, but conceivably a minimal amount.

Attachments:

Ordinance No. 906

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unincorporated or incorporated territory of the County. County Property includes real property in the possession of a public or private entity under contract with the County.

e. Person. Any individual, partnership, corporation, joint venture, firm, company, association, group, body politic, or other entity, and any officer, employee, agent, trustee, assignee or other representative thereof.

f. Solicitation. Any request, offer, enticement or action that announces the sale of any product, service or property; or, any request, offer, enticement or action that announces the availability for or of employment; or, any other commercial activity. Solicitation shall occur whether or not a transaction is completed, an exchange of money or other property takes place, an actual employment relationship is created, or any other commercial activity is initiated.

Section 5. PROHIBITION. It shall be unlawful for any person to engage in solicitation on County Property, in any manner or for any purpose, except to the extent described herein.

Section 6. EXEMPTIONS. This ordinance shall not apply to any of the following:

- a. Solicitation of any concession operated under authority granted by the Board.
- b. Solicitation for County employee benefits.
- c. Solicitation by any person having business with or calling upon the County in the ordinary course of County business.
- d. Solicitation for the benefit of a recognized, qualified charitable or non-profit organization in support of charitable programs that has been authorized by the Board.
- e. Any other solicitation that has been specifically authorized, regulated or exempted by order or resolution of the Board.

Section 7. VIOLATIONS AND PENALTIES. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted.

1 Violations of this ordinance may be prosecuted by county authorities in the name of the people of the
2 State of California. Any person convicted of violating this ordinance shall be: (1) guilty of an infraction
3 offense and punished by a fine not exceeding on hundred dollars (\$100) for a first violation; (2) guilty of
4 an infraction offense and punished by a fine not exceeding two hundred dollars (\$200) for a second
5 violation. The third and any additional violations shall constitute a misdemeanor offense and shall be
6 punishable by a fine not exceeding one thousand dollars (\$1,000) or six (6) months in jail, or both.
7 Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. The
8 penalties herein are in addition to any other remedies provided by law and the payment of any penalty
9 herein shall not relieve a person of the obligation to correct the violation.

10 Section 8. INITIAL PHASE-IN PERIOD. Notwithstanding the above, for ninety (90)
11 days following the Effective Date of this ordinance shall allow for an Initial Phase-In Period whereby
12 enforcement of this ordinance shall be stayed and only verbal warnings will be given to a person found in
13 violation of this ordinance. On the ninety-first (91st) day following the Effective Date, the Initial Phase-In
14 Period will expire.

15 Section 9. SEVERABILITY. If any provision, clause, sentence or paragraph of this
16 ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity
17 shall not affect the other provisions of this ordinance which can be given effect without the invalid
18 provision or application, and to this end, the provisions of this ordinance are hereby declared to be
19 severable.

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Section 10. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Bob Buster, Chairman

ATTEST:
KECIA HARPER-IHEM
CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:
May 23, 2011

By: Synthia M. Gunzel
Synthia M. Gunzel
Deputy County Counsel

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: FEARTH KEATING

Address: United Truckers Association
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 6/17/2011 **Agenda #** 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Mike Gardner

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 6/17/11 **Agenda #** 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support _____ **Oppose** _____ **Neutral**

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_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: SHERMILL ELLSWORTH
RESIDING DUOGE RIVERSIDE
COUNTY

Address: _____
(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: _____

Date: 5/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support _____ Oppose _____ Neutral _____

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ Support _____ Oppose _____ Neutral _____

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak

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SPEAKER'S NAME: CHRIS TAYLOR
RIVERSIDE SUPERIOR

Address: _____
(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: 5-1825

Date: 5/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support _____ Oppose _____ Neutral _____

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_____ Support _____ Oppose _____ Neutral _____

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak



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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Phil Adleson Esq. (Council)
United Trusters Association; C.I. Burns Horse Assoc

Address: 572 Selma Avenue, Second Floor
(only if follow-up mail response requested)

City: Campbell, CA Zip: 95008

Phone #: 408 341-0234

Date: 6/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

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for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak



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SPEAKER'S NAME: Richard Meyers
United Trusters Association

Address: 2030 Main Street St 1300
(only if follow-up mail response requested)

City: Irvine CA Zip: 92615

Phone #: 949 260-5020

Date: 6/8/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: Phil Adleson

Riverside County Board of Supervisors
Request to Speak

X

Submit request to Clerk of Board (right of podium),
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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Pam Soosa

Address: Resident - California mortgage
Association

(only if follow-up mail response requested)

City: Ontario - Standard mortgage Zip: _____

Phone #: _____

Date: 6/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose _____ Neutral _____

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support _____ Oppose _____ Neutral _____

I give my 3 minutes to: Phil Addison

Riverside County Board of Supervisors
Request to Speak

X

Submit request to Clerk of Board (right of podium),
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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: JULIE RABDALL, V.P.

Address: ~~RES~~ - UNION BANK

(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: _____

Date: 6/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support _____ Oppose Neutral _____

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for "Appeal", please state separately your position on
the appeal below:

Support _____ Oppose _____ Neutral _____

I give my 3 minutes to: [scribble]

Riverside County Board of Supervisors
Request to Speak



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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Renee Patrick Ward TAC

Address: 1820 E First Ste Ste 220
(only if follow-up mail response requested)

City: Santa Ana zip: 92705

Phone #: 7144805550

Date: 6/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak



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Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Wendy Cur
for LPS Agency Sale and Postng

Address: _____
(only if follow-up mail response requested)

City: Irvine zip: 92602

Phone #: 714-247-7503

Date: 6/7/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
Support Oppose Neutral

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for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak

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SPEAKER'S NAME: Sherry Betherly

Address: 1241 E Pyra
(only if follow-up mail response requested)

City: Santa Ana Zip: 92705

Phone #: (914) 234-8442

Date: 6-9-11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____

Riverside County Board of Supervisors
Request to Speak

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Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: John S. Brown

Address: _____
(only if follow-up mail response requested)

City: RIVERSIDE Zip: 92501-2301

Phone #: 686-1491

Date: 06/07/11 Agenda # 3.38

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support Oppose Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support Oppose Neutral

I give my 3 minutes to: _____