

**RICHMOND, CALIFORNIA, May 19, 2015**

The Richmond City Council Evening Open Session was called to order at 5:30 p.m. by Mayor Tom Butt.

**ROLL CALL**

**Present:** Councilmembers Nathaniel Bates, Jovanka Beckles, Eduardo Martinez, Gayle McLaughlin, Vinay Pimplé, and Mayor Tom Butt.  
**Absent:** Vice Mayor Jael Myrick arrived after the City Council adjourned to Closed Session.

**PUBLIC COMMENT**

None.

**CITY COUNCIL**

The city clerk announced that the purpose of the Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session.

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9): Two Cases

The Open Session adjourned to Closed Session at 5:31 p.m. Closed Session adjourned at 6:35 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:38 p.m. by Mayor Tom Butt.

**ROLL CALL**

**Present:** Councilmembers Bates, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmember Beckles.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

**Withdrew Item G-3 from the agenda**, (“the matter to review options for an augmented street paving program using Measure U funds, and provide direction to staff”), and **continued Item J-2 to the June 2, 2015, City Council meeting** (“to consider requesting that the West Contra Costa Transportation Advisory Committee recommend that the Contra Costa Transportation Authority include funding for CyberTran International Inc. in the 2016 Measure J Expenditure Plan.”)

**REPORT FROM THE CITY ATTORNEY OF  
FINAL DECISIONS MADE DURING CLOSED  
SESSION**

City Attorney Bruce Goodmiller stated that there were no reportable actions.

**OPEN FORUM FOR PUBLIC COMMENT**

Leonard Taylor gave comments regarding events in the Bay Area.

Mike Ali urged residents to boycott purchasing bottled water from Nestles, Starbucks, and Wal-Mart.

Norma Labat gave comments regarding rent control and just case evictions.

Mark Wassberg gave comments regarding the morals of police officers.

Richard Stollings gave comments regarding opportunities for the public to comment at City Council Meetings and the process for the public to remove items from the Consent Calendar.

Carmen Flores invited the City Council and the community to the grand opening of the Family Justice Center, June 4, 2015, at 3 p.m.

Alicia Jackson thanked Councilmember Bates, Police Chief Chris Magnus, City employees Michele Milan and Trina Jackson, and West Contra Costa County School District Superintendent Bruce Harder for acknowledging Reverend Lonnie Cardell Wafer for his years of service as a crossing guard at 37<sup>th</sup> Street and Wall Avenue in City of Richmond.

Marilyn Langlois invited the community to a film showing event sponsored by the Richmond Regla Committee, Saturday, June 13, 2015, 6:00 p.m., at the East Bay Center for the Performing Arts, 11<sup>th</sup> Street and Macdonald Avenue, \$15 donation.

Antwon Cloird announced that the Juneteenth celebration would be held Saturday, June 20, 2015. He also stated that the community should be involved with the process for new businesses coming to Richmond.

Eleanor Thompson thanked everyone that participated in previous Fourth of July events in North Richmond and asked the City Councilmembers to donate \$100 towards the 2015 event. She also gave comments regarding the process for removing items from the Consent Calendar.

**CITY COUNCIL CONSENT CALENDAR**

On motion of Vice Mayor Myrick, seconded by Councilmember Beckles, all items marked with an (\*) were approved by the unanimous vote of the City Council.

\*- Accepted the City's Investment and Cash Balance Report for the month of February 2015.

\*- Approved a contract amendment with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway at Gertrude and Goodrick Avenues, and increasing the original contract amount by \$150,000 for a total contract amount not to exceed \$450,000.

\*- Approved the following appointments and re-appointments: Commission on Aging: Myrtle Braxton, re-appointment, term expiring May 19, 2017; Kathleen Good, re-appointment, term expiring May 19, 2017; Rose Brooks, re-appointment, term expiring May 19, 2017; Dolores Johnson, re-appointment, term expiring May 19, 2017; Economic Development Commission: Larry Fleming, re-appointment, term expiring March 30, 2018; Point Molate Citizens Advisory Committee: Bruce Brubaker, new appointment, term expiring May 30, 2017; Bruce Beyaert, new appointment, term expiring May 30, 2017; Katrinka Ruk, new appointment, term expiring May 30, 2017; Urban Forest Advisory Committee: Toody Maher, new appointment; Libby Smith, new appointment; Lon Sun, new appointment; Liz Bittner, new appointment; Felix Hunziker, new appointment.

\*- Adopted **Ordinance No. 15-15 N. S.** amending the definitions in Richmond Municipal Code Section 15.04.020, the uses listed in Sections 15.04.100 through 15.04.250; and provisions relating to homeless shelters and transitional housing in Section 15.04.810.040, to bring the City's land use regulations into compliance with adopted amendments (Senate Bill (SB) 2 and SB 745) to Government Code Sections 65582, 65583 and 65589.5.

\*- Approved appointments and updates to the 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions.

\*- Adopted **Resolution No. 46-15** defining the role of City Council members appointed to serve as liaisons for City boards, commissions and committees.

\*- Introduced an ordinance for first reading to disestablish the Richmond Tourism Business Improvement District, which is being reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law.

### **ITEMS CONTINUED FROM PREVIOUS MEETINGS**

The matter to adopt a resolution supporting increased local, state and federal regulation of the storage and handling of coal and petroleum coke ("petcoke"); calling on the Bay Area Air Quality Management District board to regulate air quality as it pertains to the storage, handling, and transportation of

coal and petcoke; and directing staff to research similar pollution mitigation measures; and adopt a resolution opposing mining, export and burning of coal, and the transportation of coal and petroleum coke ("petcoke") along California waterways and through densely populated areas including the City of Richmond was presented by Mayor Butt and Councilmember McLaughlin. A motion by Councilmember McLaughlin, seconded by Councilmember Martinez, adopted **Resolution No. 47-15** supporting increased local, state and federal regulation of the storage and handling of coal and petroleum coke ("petcoke"); calling on the Bay Area Air Quality Management District board to regulate air quality as it pertains to the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures; and **Resolution No. 48-15** opposing mining, export and burning of coal, and the transportation of coal and petroleum coke ("petcoke") along California waterways and through densely populated areas including the City of Richmond by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** None.

**WITHDREW from the agenda** the matter to review options for an augmented street paving program using Measure U funds, and provide direction to staff.

The matter to adopt a resolution adopting the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan as an appendix to the City of Richmond Pedestrian Plan was presented by Senior Planner Lina Velasco, Executive Director of Pogo Park Toody Maher, Senior Planner at Fehr & Peers Carrie Nielson, and Josh Meyer, Director of Community Planning, Local Government Commission. A motion by Vice Mayor Myrick, seconded by Councilmember McLaughlin adopted **Resolution No. 49-15** by the unanimous vote of the City Council.

### **PUBLIC HEARINGS**

The matter to approve Richmond Compassionate Care Collective's request for a modification of their marijuana dispensary permit to relocate from their previously approved location to a new location at 3190 Klose Way was presented by Police Lieutenant Albert Walle. The following individuals gave comments: Yvonne Westbrook-White, Robin Hoadshell, Cesar Zepeda, Beverly Hunt, Pastor Jim Heden, Lisa Hirschorn, Martin Gonzales, Mark Wassberg, Judith Herman, Sandra Godfrey, Demanuelle Gross, Suzanne Gross, Raymond Martinez, Casey Chaney, Roni Lara, Stacey Bratton, Amani Bolden, Beatriz Ashley, Shane Jones, Mike Denja, Tammi Baxston, Ron Hayes, Charmaine Whitley, Glenda Jennings, Kayleena Lopez, Jessica Collins, Marcella Ford, Guy Whitley, Charles Harris, Vernadine Speech, Amira Paysinger, Nicolas Naudain, Eddie Jefferson,

Frank Culpepper, Warren Chambers, Marshaq Owens, Geraldine Caldwell, Jameel Oden, Montrese Gordon, Ray Smith, Gary Davis, Tasha Bibbs, Jethro Miller, Marlene, Carmen Brown, Cleo Richardson, James Anthony, Linda Jackson, Yvonne Eashman, Leonard Miller, Elizabeth Bostic, Darinx Dayamasela, Joanne Reynolds, Preston Davis, Chris Hagan, RB Willis, Nina Smith, Charles Smith, Sarah Shrader, and Hulan Barnett. A motion by Councilmember Bates, seconded by Councilmember Beckles, closed the public hearing by the unanimous vote of the City Council. Discussion ensued. A motion by Councilmember Bates, seconded by Councilmember Pimplé to deny staff's recommendation and extend Richmond Compassionate Care Collective's permit for three months from July 2, 2015, to allow the collective time to work with the City to locate a site suitable for the City and the collective; and suspend the monthly fees for that three-month period passed by the following vote: **Ayes:** Councilmembers Bates, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Abstentions:** Councilmembers Beckles and Martinez **Absent:** None.

The matter to adopt a resolution adopting the Addendum to the Richmond General Plan 2030 EIR and the draft 5th Cycle Housing Element Update was presented by Senior Planner Lina Velasco. Mayor Tom Butt declared the public hearing open. A motion by Vice Mayor Myrick, seconded by Councilmember McLaughlin closed the public hearing by the unanimous vote of the City Council. A motion by Vice Mayor Myrick, seconded by Councilmember Pimplé adopted **Resolution No. 50-15** by the unanimous vote of the City Council.

### **RESOLUTIONS**

The matter to adopt a resolution in support of the Space Preservation Act and the Space Preservation Treaty to permanently ban space-based weapons was presented by Councilmember Beckles. The following individuals gave comments: Amy Lee Anderson, Jessie Beltran, Dr. Edward Spencer, Ben Colodzen, Lisa Becker, LaQuesha Becker, Delores Hall, Kimberly Buckner, Alec Rafter, Robert Swegan, Marilyn Langlois, Sylvia Gray-White, and Elizabeth Adams. A motion by Councilmember Beckles, seconded by Councilmember McLaughlin adopted **Resolution No. 51-15** by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noes:** Councilmember Pimplé and Mayor Butt. **Abstentions:** None. **Absent:** None.

### **COUNCIL AS A WHOLE**

The matter to direct the city manager to work with the city clerk to develop a schedule to make the agenda packet available to the public seven days prior to the City Council meeting was presented by Councilmember Pimplé. A motion was made by

Councilmember Bates, seconded by Councilmember Pimplé to direct the city manager to work with the city clerk to develop a schedule to have the agenda packet seven days prior to the city council meeting or thereabouts. Councilmember McLaughlin offered a friendly amendment to have the cm come up with a few options with different amount of days to see what works best. The friendly amendment was not accepted. A substitute motion made by Councilmember McLaughlin, seconded by Vice Mayor Myrick directed the city manager to work with the city clerk to develop ideas to change the schedule to present to the City Council passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noes:** Councilmember Pimplé and Mayor Butt. **Abstentions:** None. **Absent:** None.

**CONTINUED** the matter to the June 2, 2015, City Council Meeting, to consider requesting that the West Contra Costa Transportation Advisory Committee recommend that the Contra Costa Transportation Authority include funding for CyberTran International Inc. in the 2016 Measure J Expenditure Plan.

**REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)**

Jovanka Beckles thanked everyone that came out Tuesday, May 19, 2015, at 8:00 a.m., 725 Court Street, Martinez, California, to protest in support of African American Youth who are being unfairly sentenced in the Contra Costa County Juvenile Delinquency Court System.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:31 p.m., in memory of long-time Richmond resident George Schmidt and Blues Legend B. B. King, to meet again on Tuesday, May 26, 2015, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor