

RICHMOND, CALIFORNIA, July 11, 2017

The Regular Meeting of the Richmond City Council was called to order at 6:31 p.m.

ROLL CALL

Present: Councilmembers Ben Choi, Eduardo Martinez, Melvin Willis, Gayle McLaughlin, Jael Myrick, and Mayor Thomas K. Butt. **Absent:** Vice Mayor Beckles arrived after the roll was called.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Item G-29 was continued to the July 25, 2017, City Council Meeting.

Mayor Butt proposed to continue item I-1 for two weeks. A motion was made by Councilmember McLaughlin, seconded by Councilmember Willis, to keep item I-1 on the current agenda. The motion passed by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, and Willis. **Noes:** Mayor Butt. **Absent:** None. **Abstentions:** Councilmember Myrick and Vice Mayor Beckles.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported:

The City of Richmond received a rating and credit report from S&P, and the bonds were rated by S&P as a AA- credit, with a stable outlook.

The California Department of Housing and Community Development (HCD) announced this week that the City of Richmond will be receiving \$1,710,829 for housing related park improvements. This is the third largest allocation in the State, after only the City of Los Angeles and the City and County of San Francisco. The money from HCD's Housing-Related Parks Program will go toward creating or improving parks in 64 cities and 31 counties across California. The Housing-Related Parks Program is funded through Proposition IC, the Housing and Emergency Shelter Trust Fund Act of 2006. Grant funds will be used throughout California for a wide range of park-related capital asset projects, including new parks and recreation facilities, community centers, playgrounds, and improvements to existing parks.

The City of Richmond is hosting a series of community education workshops to educate the community about the Rent Program and the Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance. These meetings will be held on Wednesday, July 12th and Thursday, July 27th, and are intended to provide an overview and assistance with the 2017 Annual General Adjustment (AGA), and to allow participants to explore

resources available to tenants and landlords. The two separate meetings will focus on tenants and landlords, respectively, but both meetings are open to all.

Community Education Workshop - Tenant Focused
Wednesday, July 12th
6:00 PM - 7:30 PM
East Bay Center for the Performing Arts, 339 11th Street

Community Education Workshop - Landlord Focused
Thursday, July 27th
6:00 PM - 7:30 PM
Richmond Auditorium, Bermuda Room, 403 Civic Center Plaza

Nicholas Traylor was hired as the new Rent Program Director.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Hindler gave comments regarding establishing a public safety committee and the adoption of the budget. He acknowledged the City Clerk's Office for its ability to get the City Council agendas out in a timely manner.

Leslie Plettner gave comments regarding an opportunity for the City to generate revenue from the sale of cannabis and the use of the general warehouse as the location.

Darrell Caraway gave comments and distributed copies to the Council regarding proposed improvements to Carlson Boulevard.

Rick and Patricia Perez gave comments regarding the Richmond Police Department and the investigation of the death of Pedi Perez. There was also concern that the August Richmond Police Commission meeting was cancelled.

L. Zephyr, Virginia Harrison, and Marilyn Wilts expressed concern regarding the amount of illegal fireworks and explosives in the City of Richmond and requested that the City Council and Police Department collaborate with other cities to help find solutions.

Richard Stollings gave comments regarding paid and free parking.

Pam Bilbo invited everyone to the 8th Annual North Richmond Music Festival, Saturday, July 15, 2017, 12:00 p.m. to 6:00 p.m. Shields Reid Park, 1410 Kelsey Street, Richmond.

Eleanor Thompson gave comments regarding the ECIA grant. She also gave comments regarding the annexation of North Richmond. Ms. Thompson requested instructions on how to arrange a meeting with the mayor.

Jackie Thompson and Alberta Henry expressed concern regarding the lack of communication with Friendship Manor residents by staff and invited the Council to attend Friendship Manor resident's meeting, Wednesday, July 12, 2017; 6:00 p.m. in the Community Room.

Naomi Williams gave comments regarding the East Bay Mud rate increases.

Tarnel Abbott gave comments regarding the South Richmond Shoreline area. She announced that a meeting to discuss the Blair Landfill Radiation was scheduled for Thursday, July 13, 2017, 6:30 p.m. in the basement of 440 Civic Center Plaza. She also gave comments regarding the Perez family.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember McLaughlin, seconded by Councilmember Choi, the item(s) marked with an (*) were approved by the unanimous vote of the City Council:

*G-1. Approved a one-year contract amendment with Kronos Inc. for maintenance of the TeleStaff automated scheduling system, increasing the amount by \$15,000 to a total not to exceed \$44,000, and extending the term to June 30, 2018.

*G-2. Authorized the Richmond Police Department to participate in the State of California rental vehicle program for the purpose of securing indistinguishable automobiles for police use with Enterprise Holdings Incorporated in an amount not to exceed \$120,000 from July 1, 2017 to June 30, 2018.

*G-3. Approved a one-year contract amendment with Fleetwash Inc. for mobile car washing services for the Police Department automobile fleet, increasing the amount by \$11,000 to a total not to exceed \$40,000, and extending the term to June 30, 2018.

*G-4. Approved a one-year amendment to the sole-source contract with Network Fleet for maintenance of the GPS (global positioning system) hardware that monitors Police Department vehicles, increasing the amount by \$20,160 for a total non to exceed amount of \$40,320, and extending the term to June 30, 2018.

*G-5. Approved a sole-source agreement with the Contra Costa County District Attorney's Office for the dedicated services of a deputy district attorney to work out of Richmond police headquarters, exclusively assigned as Richmond's Community-Based Prosecutor, at a cost not to exceed \$200,000, from July 1, 2017 through June 30, 2018.

*G-6. Approved a Memorandum of Understanding (MOU) with the Richmond Police Activities League (RPAL) to subsidize RPAL programs, to continue academic, athletic, and life-skills services offered by RPAL for the period July 11, 2017 - June 30, 2019, in an amount not to exceed \$600,000 (\$300,000 annually for two years).

*G-7. Adopted **Resolution No. 76-17** authorizing the City Manager and Police Chief to execute reoccurring contracts for fiscal years 2017-2018 and 2018-2019 with Contra Costa

County and the State of California at an aggregate annual amount of \$673,000. The execution of these contracts shall not exceed the limits as set forth: Services contracted with Contra Costa County include the following: California Law Enforcement Telecommunications System (CLETS) -\$10,000; California Identification Division (CAL ID) - \$135,000; Automated Regional Information Exchange System (ARIES) - \$45,000; All County Criminal Justice Information System (ACCCJIN) - \$20,000; Martinez Detention Facility intake fees - \$30,000; alcohol/toxic drug and crime scene evidence analysis - \$350,000; Sexual Assault Response Team (SART) examinations - \$40,000; annual jail inspection and audit - \$18,000; Coroner & Gunshot Residue (GSR) examination and analysis - \$10,000; out of state inmate extradition - \$4,000. The State of California contracted service includes all Live Scan fingerprinting.

*G-8. Approved a two-year, sole-source contract with Motorrad LLC to provide ongoing maintenance and repairs on police BMW motorcycles, at a cost not to exceed \$40,000 (\$20,000 per year) from July 1, 2017 to June 30, 2019.

*G-9. Adopted **Resolution No. 77-17** authorizing the City Manager to execute an agreement for the provision of communication services by the City of Richmond to the City of El Cerrito from July 1, 2017 to June 30, 2022, with revenue to the City of Richmond as follows: \$760,456 in FY 2017-18, \$798,479 in FY2018-19, \$838,403 in FY2019-20, \$880,323 in FY2020-21, and \$924,339 in FY2021-22.

*G-10. Received a report on the Richmond Municipal Sewer District for the month of May 2017.

*G-11. Adopted **Resolution No. 78-17** to amend the Port of Richmond Tariff FMC No. 3 reflecting a 2.5% increase in tariff rates as approved by the Executive Committee of the California Association of Port Authorities (CAPA).

*G-12. Approved a professional services agreement with Highland Consulting Group (Robert Stevens, Engineer) for engineering and program management services at the Port of Richmond to support the closeout of capital improvement projects in an amount not to exceed \$195,000 and for a term ending June 30, 2018.

*G-13. Adopted **Resolution No. 79-17** renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first adopted by the City Council on March 7, 2017.

*G-14. Adopted **Resolution No. 80-17** renewing and continuing the local emergency on Via Verdi due to landslide damage, which was first adopted by the City Council on February 28, 2017.

*G-15. Approved an agreement with the County of Contra Costa for real property right of way services necessary for the construction of the Interstate 80/Central Avenue Interchange Improvements Project, Phase 2, in an amount not to exceed \$50,000.00.

*G-16. Approved a professional services agreement with Nichols Consulting Engineers, Chtd., to design the Yellow Brick Road project for an amount not to exceed \$795,697.58.

*G-17. Approved a two-year contract, with two one-year extension options, with Golden Gate Petroleum to deliver bulk oil and lubricants to the Equipment Services Division in an amount not to exceed \$60,000 per fiscal year.

*G-18. Approved an emergency purchase of a rapid flashing crosswalk beacon from Lake Traffic Solutions to replace the non-functioning flashing beacon at 7th Street and Lucas Avenue in an amount not to exceed \$11,882.94.

*G-19. Approved a contract with Willdan Financial Services to continue drafting a service plan and fiscal analysis for the proposed annexation of unincorporated North Richmond to the City of Richmond in the amount not to exceed \$39,000 for contract term from April 1, 2017 to June 30, 2018.

*G-20. Approved a contract amendment (No. 1) with TRB + Associates to provide on-call building plan check and inspection services, increasing the amount of the contract by \$500,000 for a total amount not to exceed \$1,250,000, and maintaining the existing term to December 31, 2018.

*G-21. Approved a contract amendment (No. 2) with AMEC Foster Wheeler Environment and Infrastructure, Inc., increasing the contract by \$154,950, for a total contract amount not to exceed \$359,950, and maintaining the contract term to December 31, 2018, to assist with the preparation and submittal of documentation and data to the San Francisco Bay Regional Water Quality Control Board to modify the existing Order for the Terminal One site to align it with the residential project approved by the City Council. Additional cost will be paid using clean-up funds as outlined in the settlement agreement with the previous industrial occupants of the property.

*G-22. Adopted **Resolution No. 81-17** amending the City of Richmond's Position Classification Plan to revise and re-title the flexibly-staffed classification of Source Control Inspector I/II/III to Environmental Compliance Inspector and Senior Environmental Compliance Inspector.

*G-23. Introduced an ordinance for first reading amending the wages, salary, and compensation for the new classifications of Environmental Compliance Inspector (Salary Range No. 52G \$6,287 - \$7,610/month) and Senior Environmental Compliance Inspector (Salary Range No. 128 \$7,090 - \$8,577). This item is the re-titling of two existing classifications.

*G-24. Adopted **Resolution No. 82-17** to amend the City of Richmond's Position Classification Plan to revise and re-title the classification of Source Control Superintendent to Environmental Services Manager.

*G-25. Introduced an ordinance for first reading establishing the wages, salary, and compensation for the new classification of Environmental Services Manager Salary Range No. 071B \$10,322 - \$12,547/month). This item is a re-titling of an existing classification.

*G-26. Adopted **Resolution No. 83-17** amending the City of Richmond's Position Classification Plan to add the new classification of Director of Water Resource Recovery Department.

*G-27. Introduced an ordinance for first reading establishing wages, salary, and compensation for the new classification of Director of Water Resource Recovery (Salary Range 3.1: \$9,024 - \$14,364).

*G-28. Approved the recommendation of the City Council to provide a compensation adjustment to the City Clerk. Effective March 2, 2017, the City Clerk's monthly salary will be \$9,171/month (an 8.0% increase).

G-29. **CONTINUED to the July 25, 2017**, City Council meeting, establishing (1) the Fiscal Year 2016-17 and Fiscal Year 2017-18 Residential Rental Housing Fees in the amounts of \$47 per unit and \$98 per unit, respectfully in the Master Fee Schedule; (2) a late penalty of 10% of the Residential Rental Housing Fee ('Fee') for Residential Rental Housing Fees paid 1-30 days late, 25% of the Fee for those paid 31-60 days late, and 50% of the Fee for those paid over 60 days late; and (3) allowance of liens to be placed on properties owned by Landlords who have failed to pay the Residential Rental Housing Fee; and **CONSIDER** a pass-through of 50% of the Residential Rental Housing Fee, that may be charged to the Tenant in excess of the Maximum Allowable Rent.

*G-30. Approved the minutes of the May 23 and June 6, 2017, regular meeting of the Richmond City Council.

*G-31. Approved an amendment to the Utility Management System contract, modifying the scope of work, and increasing the payment limit by \$7,246.40 for a not to exceed amount of \$37,246.40.

PUBLIC HEARINGS

H-1. The city clerk announced it was time, pursuant to public notice, to hold a public hearing to adopt a resolution renewing the Downtown Richmond Property and Business Improvement District (DRPBID), approving the assessment formula, and levying the assessments. Economic Development Administrator Janet Johnson gave an overview of the item. Mayor Butt declared the public hearing open. Cordell Hindler gave comments. Mayor Butt closed the public hearing. A motion by Councilmember Myrick, seconded by Councilmember McLaughlin adopted **Resolution No. 84-17** by the following vote: **Ayes:** Councilmembers Choi, McLaughlin, Myrick, Willis, Vice Mayor Beckles and Mayor Butt. **Noes:** None. **Absent:** Councilmember Martinez. **Abstain:** None.

H-2. The city clerk announced it was time, pursuant to public notice, to hold a public hearing to adopt a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code chapters 9.22 and 2.63. Director of Infrastructure and Maintenance Operations Tim Higaes gave an overview of the item. Mayor Butt opened the public hearing; Jackie Thompson gave comments. Mayor Butt closed the public hearing. A motion by Vice Mayor Beckles, seconded by Councilmember McLaughlin, adopted **Resolution No. 85-17** by the unanimous vote of the City Council.

H-3. **CONTINUED to July 18, 2017**, the matter to adopt a resolution upholding the appeal by T-Mobile of the Planning Commission approval of a Conditional Use Permit modification (CU96-11) and modifying certain conditions. **This item was continued from the June 20, 2017, meeting.**

ORDINANCES

I-1. The matter to introduce an ordinance adding chapter 12.62 of Article XII to the Richmond Municipal Code, establishing a One-Percent for Public Art on Private Projects Program, requiring commercial developments of \$500,000 or more, and residential developments of ten (10) units or more, to provide on-site public art, or a payment into an in-lieu fund to be used for public art projects was presented by Arts and Culture Manager Michele Seville. The following individuals gave comments: Linda Kalin, Fletcher Oakes, Kate Sibley, and Jenny Balisle. On motion of Councilmember McLaughlin, seconded by Vice Mayor Beckles said ordinance received first reading by the unanimous vote of the City Council.

I-2. The matter to introduce an ordinance amending the City's Minimum Wage Ordinance (RMC Chapter 7.108) to eliminate certain exemptions and to accelerate the transition period, providing for a minimum wage of \$13.41 on January 1, 2018, and \$15.00 per hour on January 2, 2019 was presented by City Attorney Bruce Reed Goodmiller. The following individuals gave comments: Sharlee Battle, Kimberly Gamboa, Ana Gonzalez, Olivia Lopez, Virginia Ramirez, Edith Pastrano, Carole Johnson, Tim Sandoval, LaDamien Flowers, James Hinton, Ruscal Cayangyang, Gregory Everetts, Cordell Hindler, Tarnel Abbott, Yen Do, Tamisha Walker, Juan Reardon, and Glen Morris. Following discussion, on motion of Councilmember Willis, seconded by Councilmember Myrick, said ordinance received first reading by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

J-1. The matter to receive a presentation from Willdan Financial Services regarding the draft fiscal analysis and service plan study on the feasibility of annexing the unincorporated area of North Richmond to the City of Richmond was presented by LaShonda White, City Management's Office, Robert Rogers, Representative of Supervisor John Gioia's Office, Christopher Whitmore, Mayor's Office Representative, Willdan Financial Services Representative, and Supervisor John Gioia. The following individuals gave comments: Eleanor Thompson, Henry Clark, and Annie King-Meredith. Staff will return to the City Council at its September 26, 2017, meeting with a presentation on the service plan and fiscal impact analysis.

J-2. The matter to approve a contract with Maze and Associates to provide annual audit services to the City and its related entities for Fiscal Year (FY) 2016-17, 2017-2018 and FY 2018-19 for amounts not to exceed \$350,310, \$360,819 and \$371,644 respectively, for the three-year engagement was presented by Finance Director, Belinda Warner. Cordell Hindler gave comments. Following discussion, on motion of Mayor Butt, seconded by Councilmember Myrick approved a one-year contract with Maze and Associates to provide annual audit services to the City and its related entities for FY 2016-17 by the unanimous vote of the City Council.

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

Councilmember Myrick announced that he would miss the July 18, 2017, City Council Meeting and thanked Councilmember McLaughlin for her services to the City of Richmond.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:18 p.m., to meet again on Tuesday, July 18, 2017, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor