

RICHMOND, CALIFORNIA, February 5, 2019

The Richmond City Council Evening Open Session was called to order at 5:31 p.m. by Mayor Thomas K. Butt.

ROLL CALL

Present: Councilmembers Jael Myrick, Eduardo Martinez, Vice Mayor Ben Choi, and Mayor Thomas K. Butt. **Absent:** Councilmembers Nathaniel Bates, Demnlus Johnson III, and Melvin Willis arrived after the roll was called.

PUBLIC COMMENT

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:

CITY COUNCIL

**CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION (paragraph (1) of subdivision [d] of
Government Code Section 54956.9):**

Sims vs. City of Richmond

Richmond Police Officers' Association
vs. City of Richmond, Allwyn Brown

**LIABILITY CLAIMS - (Government Code Section
54956.9):**

Jason Silva vs. City of Richmond

There were no public speakers.

The Open Session adjourned to Closed Session at 5:31 p.m.
Closed Session adjourned at 6:13 p.m.

The Regular Meeting of the Richmond City Council was called to order at 7:46 p.m., by Mayor Thomas K. Butt.

ROLL CALL

Present: Councilmembers Bates, Johnson, Martinez, Myrick, Willis, Vice Mayor Choi, and Mayor Butt. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Item G-6 was removed from the Consent Calendar for discussion at the end of the agenda.

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

City Attorney Bruce Goodmiller stated there were no final actions taken.

REPORT FROM THE CITY MANAGER

City Manager Carlos Martinez announced that he was attending the League of California Cities City Managers Conference in Southern California on February 13-15, 2019.

OPEN FORUM FOR PUBLIC COMMENT

Antwon Cloird gave comments regarding the importance of Black History Month.

Don Gosney announced that the Plumbers and Steamfitters (Local Union 342) started accepting applications on February 4, 2019, for an apprenticeship program. Mr. Gosney reported that the mural on the Richmond Senior Center building at 2525 Macdonald Avenue was faded and needed replacement. Mr. Gosney requested that the street improvements be completed on Robert Miller Drive and the metering lights be fixed along Interstate 80 to improve traffic congestion.

Naomi Williams announced that the Richmond Commission on Aging was sponsoring a free Emergency Preparedness Workshop for seniors and disabled residents at the Richmond Memorial Auditorium on March 19, 2019, from 10:00 a.m. to 12:00 p.m. More information was available by calling (510) 620-6793.

Mark Wassberg gave comments regarding violence in Richmond.

Rick Perez expressed concerns that the City Council meeting started late. Mr. Perez gave comments regarding police accountability and pride.

Patricia Perez gave comments regarding police misconduct and Senate Bill 1421 (police records transparency). Ms. Perez reported that the Citizens Police Review Commission (CPRC) was not meeting on a regular basis due to the lack of a quorum. Ms. Perez requested new appointments be made to the CPRC.

Marsha Mather-Thrift gave comments regarding Consent Calendar Item G-7 and the Rosie the Riveter Trust programs provided in Richmond.

James Walker expressed concerns regarding R-Transit services. Mr. Walker reminded the Council that the Service Employees International Union 1021 contract expired three years ago.

Robin Townsen expressed concerns regarding the lack of housing in Richmond and numerous vacant buildings.

CITY COUNCIL CONSENT CALENDAR

(Item G-6 was placed back on the Consent Calendar for approval).

On motion of Councilmember Martinez, seconded by Councilmember Johnson, the items marked with an (*) were approved by the unanimous vote of the City Council:

*G-1. Approved a contract with Opticos Design, Inc., in an amount not to exceed \$75,000, through June 30, 2020, to assist staff in the review of projects proposed in the Richmond Bay Specific Plan.

*G-2. Approved a contract amendment no. 2 with R3 Consulting Group to continue assisting the City in the five-year compliance review of the conditional use permit for the Bulk Materials Processing Center and associated facilities, to increase the contract amount by \$26,884 for a total contract amount not to exceed \$102,884, for a term ending June 30, 2020.

*G-3. Received the City's Investment and Cash Balance Report for the month of December 2018.

*G-4. Received a report on the Richmond Municipal Sewer District for the month of December 2018.

*G-5. Approved an amendment to the Laborers' Community Service & Training Foundation contract to provide an additional series of Multi-Craft Core Curriculum training classes at the RichmondBUILD Academy. The contract term will be extended through December 31, 2019. The contract will be increased by \$17,600 for a total contract amount not to exceed \$172,600.

*G-6. Approved appointment to the Richmond Youth Council: Appointed Ashley Moore, re-appointment, seat 3, term expiration date October 1, 2019.

*G-7. Approved a two-year lease agreement amendment with the Rosie the Riveter Trust to lease office space at 440 Civic Center Plaza, extending the term to December 31, 2020, with two additional one-year options to extend the lease, and at a lease rate of \$665 per month.

*G-8. Received the monthly report on Point Molate activities for the month of November 2018.

*G-9. Received the monthly report on Point Molate activities for the month of December 2018.

*G-10. Approved the Second Amended 2017/2018 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan, with updated funding allocations applicable to previously approved activities for the period of July 1, 2017, through June 30, 2018, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee.

*G-11. Approved authorization to make a construction change order payment to Havrilesko Construction for additional work at the Richmond Municipal Natatorium in an amount not to exceed \$4,000 for a total contract amount of \$13,500.

*G-12. Approved the First Amendment to Lease Agreement with Sause Bros Inc. at Terminal 3 for storage and minor dockside maintenance operations for its barge fleet. The Amendment provides two additional five-year option terms to the existing Lease Agreement, which has a five-year term with a single five-year option.

PUBLIC HEARINGS

H-1. **Continued to March 5, 2019**, the matter to consider the appeal of the Planning Commission's denial of PLN18-123, a Conditional Use Permit and Design Review Permit to install a T-Mobile small cell site with a canister enclosing an antenna, supported by a pole attachment arm and associated pole affixed equipment shroud on a pole within the public right of way adjacent to 2100 Grant Avenue.

H-2. **Continued to March 5, 2019**, the matter to consider the appeal of the Planning Commission's denial of PLN18-128, a Conditional Use Permit and Design Review Permit to install a T-Mobile small cell site with a canister enclosing an antenna, supported by a pole attachment arm and associated pole affixed equipment shroud on a pole within the public right of way adjacent to 2732 Downer Avenue.

H-3. **Continued to March 5, 2019**, the matter to consider the appeal of the Planning Commission's denial of PLN18-130, a Conditional Use Permit and Design Review Permit to install a T-Mobile small cell site with a canister enclosing an antenna, supported by a pole attachment arm and associated pole affixed equipment shroud on a pole within the public right of way adjacent to 2901 Garvin Avenue.

COUNCIL AS A WHOLE

I-1. The matter to review the Fiscal Year 2018-19 operating and capital improvement budgets at mid-year, and adopt a resolution approving the proposed Fiscal Year 2018-19 budget adjustments was presented by Finance Director Belinda Warner and Budget Administrator Markisha Guillory. Their Powerpoint presentation highlighted the following: Revenues and expenditures through June 2018; General Fund three-year summary; negative cash balances; General Fund highlights; proposed mid-year adjustments; revenue and expenditures through December 2018; General Fund and non-General Fund summary; capital project highlights; and next steps. Discussion ensued. The Council requested staff to review expenditures for utilities and the need for certain professional services. The Council requested clarification on how the expenditure and revenue amounts were stated in the budget report. On motion of Councilmember Bates, seconded by Vice Mayor Choi, adopted **Resolution No. 4-19** by the unanimous vote of the City Council.

I-2. The matter to receive a presentation on the City of Richmond's updated five-year financial forecast for the General Fund was presented by Finance Director Belinda Warner, Budget Administrator Markisha Guillory, and Revenue Manager Antonio Banuelos. Their Powerpoint presentation highlighted the following: purpose; key revenue assumptions and taxes; key expenditure assumptions; budgeted positions; impact of Kids First initiative on the General Fund; total expenditures and forecast summary; surplus/deficit impact on cash reserves; cash reserve analysis and scenarios; and next actions. Discussion ensued. The Council requested staff to review the City of Richmond's realistic ability to comply with its 15% cash reserve policy.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:10 p.m., to meet again on Tuesday, February 19, 2019, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor