

RICHMOND, CALIFORNIA, February 18, 2020

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

ROLL CALL

Present: Councilmembers Ben Choi, Demnlus Johnson III, Eduardo Martinez, Vice Mayor Nat Bates, and Mayor Thomas K. Butt. **Absent:** Councilmember Jael Myrick. Councilmember Melvin Willis arrived at 5:44 p.m. during Closed Session.

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

LIABILITY CLAIMS -(Government Code Section 54956.9):

Rebekah Ireland-Clark vs. City of Richmond

Alyson Straub vs. City of Richmond

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Attorney

The Open Session adjourned to Closed Session at 5:30 p.m. Closed Session adjourned at 6:34 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:35 p.m., by Mayor Butt who led the Pledge of Allegiance to the flag.

ROLL CALL

Present: Councilmembers Choi, Johnson III, Martinez, Willis, Vice Mayor Bates, and Mayor Butt. **Absent:** Councilmember Myrick was absent the entire meeting.

STATEMENT OF CONFLICT OF INTEREST

Mayor Butt abstained and stated conflict of interest on Item H-15, because a member of Richmond Grown was a client of Mayor Butt's architecture firm.

AGENDA REVIEW

None.

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

Assistant City Attorney, Carlos Privat stated there were no reportable actions.

REPORT FROM THE CITY MANAGER

City Manager, Laura Snideman, announced the launch of Transparent Richmond www.transparentrichmond.org, a city-wide open data and performance reporting system. Ms. Snideman also reported that all of the information was gathered regarding the reason differentials were in place and would report back to the City Council on how pay differentials were addressed in the future.

OPEN FORUM FOR PUBLIC COMMENT

Beverly Young, Wanda Pryor, Elizabeth Martinez, Margot Scheltens, Tania Pulido, and Pedro Amaya stated that the corner of 20th Street and Coalinga was a dangerous intersection and requested speed bumps and stop signs.

Elsa Stevens, Robin Laper, James Daniels, and Susan Singh asked the City Council for support of a five-year rent freeze for the residents of the Heritage Park apartment complex.

Larry Lewis requested volunteers and mentors for the Richmond Police Activities League (RPAL) to assist with mentoring Richmond youth. Mr. Lewis also invited everyone to the Annual RPAL Luncheon on Thursday, February 20, 2020, at the PAL building from 11:30 a.m. to 1:00 p.m.

Mark Wassburg gave comments regarding the Coronavirus outbreak.

Joseph Jackson stated that the American Automobile Association (AAA) recently opened a corporate club owned fleet in Richmond and that there was a hiring fair to hire drivers and clerical staff.

Patricia Perez and Rick Perez stated that they were not able to obtain the Community Police Review Commission's report of the investigation conducted regarding the death of Pedie Perez.

Rosanne Ryken urged the city council to eliminate library fines.

Margaret Child gave comments regarding clean-up of the Zeneca site.

Bendrick Foster, Mark J., and Charles Duchine, Jr. from the New Life Movement, invited everyone to their business mixer, to assist Richmond youth, on Thursday, February 27, 2020, at New Life Resource Lounge, 322 Harbor Way, Ste. 10, from 4:30 p.m. to 7:30 p.m.

Ben Steinberg encouraged the community to vote no on Measure R, the West Contra Costa Unified School District construction bond.

Ben Therriault spoke in support of re-establishing the City Council Public Safety and Finance Standing Committees.

Diego Garcia asked the City to support building additional soccer fields in the City.

David Drisdale urged the City Council to adequately staff the City's street clean-up division.

Kabir Kapur urged councilmembers to endorse Bernie Sanders for president.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Johnson III, seconded by Councilmember Willis, the items marked with an (*) were approved by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Myrick, Willis, Vice Mayor Bates, and Mayor Butt. **Absent:** Councilmember Martinez.

***H-1.** Approved a contract with L.N. Curtis & Sons to provide annual maintenance and repair services for rescue and extrication equipment, for a total amount not to exceed \$24,500 through January 31, 2023.

***H-2.** Accepted and appropriated the Department of Justice Grant amount of \$100,000 for the Law Enforcement Mental Health and Wellness Act Program, and award the contract to Cordico in an amount not to exceed \$88,000 as directed in the Office of Community Oriented Policing Services (COPS Office) award letter.

***H-3.** Adopted **Resolution No. 9-20**, approving a Richmond Municipal Sewer District collection system sanitary sewer pipelines replacement/rehabilitation contract for Veolia Water to manage (on behalf of the City) a subcontract with WR Forde and Associates in an amount not to exceed \$3,429,045 [Project cost of \$2,581,140, plus 16.5% mark-up of \$425,888, plus 15% contingency of \$422,017].

***H-4.** Approved a contract with First Serve Productions, Inc. in an amount not to exceed \$38,888.00 for the resurfacing of the tennis courts located at Marina Bay. The contract term will be from February 19, 2020 to June 30, 2020.

***H-5.** Adopted **Resolution No. 10-20**, ordering the preparation of the Engineer's Report for Fiscal Year 2020-2021 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District.

***H-6.** Adopted **Resolution 11-20**, ordering the preparation of the Engineer's Report for Fiscal Year 2020-2021 regarding improvements and costs for the Hilltop Landscape Maintenance District.

***H-7.** Appropriated \$60,000 in cost recovery funds received for the City's Health and Safety Receivership Program, and APPROVE a contract amendment no. 2, with Silver and Wright LLP, increasing the contract amount by \$40,000 for a total not to exceed amount of \$100,000 through June 30, 2023, for legal services related to code enforcement and the City's Health and Safety Receivership Program.

***H-8.** Approved the second amendment to the legal services agreement with Downey Brand LLP to represent the City as California Environmental Quality Act (CEQA) counsel for the Point Molate project, to increase the payment limit by \$350,000 with a total payment limit of \$600,000 to be paid with funds deposited by the master developer.

***H-9.** Authorized the city manager to make a payment to Scott Rafferty in the amount of \$31,960.83 to satisfy his fee claim pursuant to Election Code section 10010(f)(1).

***H-10.** Approved the minutes of the January 28, 2020, Regular City Council meeting.

***H-11.** Approved the Memorandum of Understanding between the City of Richmond and Community Housing Development Corporation (CHDC) to support the transfer of the Richmond Revolving Loan Fund grant program that supports small businesses from the City to CHDC.

***H-12.** Received the monthly report on Point Molate activities for the month of December 2019.

***H-13.** Authorized the city manager to enter into a License Option Agreement with GRID Alternatives that establishes a due diligence period of one-year wherein the City, GRID Alternatives, and Auto Warehousing Corporation (AWC) will negotiate a License Agreement for the solar facility at the Port of Richmond.

***H-14.** Adopted **Resolution No. 12-20**: adopting the Richmond Resilience Roadmap; authorizing the city manager or designee to apply for and accept a Transformative Climate Communities Implementation grant and to execute all related documents to implement projects identified in the Richmond Resilience Roadmap; and authorizing the city manager or their designee to execute Memorandum of Understanding Agreements as approved to form by the city attorney with project partners as necessary to facilitate the grant application and verify the parties' commitments toward project implementation.

***H-15.** Approved a four-month extension to the date upon which Richmond Grown is required to provide construction deliverables, including approved final plans and specifications, a cost statement, approved construction contract, and a clear and demonstrated financing plan for the rehabilitation of the Historic General Warehouse (the "Construction Deliverables"), under Section 2.1 of the Construction Agreement with Richmond Grown. The new date for submission of the Construction Deliverables will be deferred to May 25, 2020. (*Mayor Butt did not vote on this item due to a conflict of interest*).

BUDGET SESSION

I-1. The matter to review the Fiscal Year 2019-20 operating and capital improvement budgets at mid-year, and adopt a resolution approving the proposed Fiscal Year 2019-20 budget adjustments was presented by Finance Director Belinda Brown and Budget Administrator Markisha Guillory. Discussion ensued. The City Council requested a Position Control List with the budget to highlight any change in positions or promotions. A motion by Councilmember Johnson III, seconded by Councilmember Choi, adopted **Resolution No. 13-20**, by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Myrick, Willis, and Mayor Butt. **Noes:** Vice Mayor Bates. **Absent:** None. **Abstain:** Councilmember Martinez.

PUBLIC HEARINGS

J-1. The city clerk announced that it was time, pursuant to public notice, to hold the matter to introduce an ordinance (first reading) amending Richmond Municipal Code (RMC) Article VI, Building Regulations by repealing and replacing Chapter 6.02, adopting the 2019 California Building Standards Code with noted Administrative and Energy Code amendments, and repealing Chapters 6.04, 6.16, 6.20, 6.28, which are superseded by the 2019 codes and incorporated into RMC Chapter 6.02, and repealing Chapter 6.46, which has been superseded by the California Green Building Standards Code incorporated into Chapter 6.02. The item was presented by Planning Director Lina Velasco, Building Official Chris Castanchoa, , and Environmental Manager Adam Lenz, , and included a Powerpoint which highlighted the following: Key changes to RMC Article VI; Administrative code amendments; State Energy Reach Code Process; Reach Codes adopted in the past year; Climate Action Plan implementation; and Benefits of Electification. Mayor Butt declared the public hearing open. Bruce Brubaker gave comments. The public hearing was closed. A motion by Councilmember Martinez, seconded by Councilmember Johnson III, said ordinance received the first reading and was laid over to March 3, 2020, for the second reading by the following vote: **Ayes:** Councilmembers Choi, Johnson III, Myrick, Willis, and Mayor Butt. **Noes:** Vice Mayor Bates. **Absent:** None. **Abstain:** Councilmember Martinez.

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

Councilmember Johnson III announced that he recently attended the National Association for the Advancement of Colored People (NAACP) Gala at the Richmond Auditorium.

Councilmember Willis announced that he attended the Bernie Sanders presidential rally recently at the Craneway Pavilion.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:04 p.m., in memory of W.A. Williams, past president of the NAACP, El Sobrante Hill Neighborhood Council President, Jeannette Mahoney, and four-year old Heitor Carreiro, to meet again on Tuesday, February 25, 2020, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor