

**RICHMOND, CALIFORNIA, October 7,
2014**

The Richmond City Council was called to order at 7:47 p.m. by Mayor McLaughlin.

ROLL CALL

Present: Councilmembers Bates, Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Withdrew Item D-1, a proclamation recognizing the Santa Fe Neighborhood for hosting the 2014 National Night Out Grand Finale, from the agenda; *continued Item I-2*, the matter to discuss options and provide direction to staff for analyzing the modification and expansion of Chapter 7.102 of Ordinance No. 28-10 N.S. to allow establishment of Medical Marijuana Collectives in additional zoning districts, to October 21, 2014; *moved Item I-3*, the matter to direct staff to send a letter to Chevron requesting an amendment to the Community Investment Agreement to redirect a portion of the \$90 million to Doctors Medical Center, immediately following the approval of the Consent Calendar; *request by Councilmember Bates and Boozé* to be recorded as voting **Noe** on Item G-17, the matter to approve a First Amendment to the Employment Agreement between the City of Richmond and Bruce Reed Goodmiller to extend the term of the agreement to March 7, 2017, with no increase in compensation.

**PRESENTATIONS, PROCLAMATIONS, AND
COMMENDATIONS**

Withdrew from the agenda a proclamation recognizing the Santa Fe Neighborhood for hosting the 2014 National Night Out Grand Finale.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor gave comments regarding the San Pablo Dam Road construction.

Mike Ali gave comments regarding the “Cuban five.”

On behalf of Ms. Ester Elizabeth McCoy’s family Robert McCoy thanked the City of Richmond, and other citizens of Richmond for their support during the loss of Ms. McCoy and also for dedicating September 27, 2014, at Nevin Center in her memory.

Bea Roberson announced that the Richmond/El Cerrito Police and Fire Holiday Toy Program will kick

off its Annual Breakfast fundraiser, 6:30 a.m. Friday, October 31, 2014, at the Courtyard Marriott at Hilltop, 3150 Garrity Way, and RPAHalloween adult party, October 25, 2014, 7:00 p.m. to midnight, 2200 Macdonald Avenue. Ms. Roberson also stated that proclamations should be given to exemplary employees, specifically Police Chief Chris Magnus.

Mark Wassberg gave comments regarding Municipal ID Cards.

Johnny Holmes announced that a talent show reunion will be held at the Richmond Memorial Auditorium, February 8, 2015, at 2:00 p.m. and tryouts for the event will be held January 17, 2015, at 10:00 a.m. at the Richmond Recreation Center on Macdonald Avenue.

Texanita Bluit expressed concerned regarding the criteria used for agenda items on the City Council Agenda.

Eleanor Thompson expressed support for Councilmember Booze. She also announced that tryouts for the Half Stepper's Track Team were held on Saturdays from 10:00 a.m. to 12:00 p.m. Ms. Thompson also stated that Mr. Holmes may be reached at (510) 860-2720.

Pam Bilbo gave comments in support of Councilmember Boozé.

Antwon Cloird gave comments regarding the Statewide Reentry Program.

Coir Reilly announced that on October 9, 2014, San Pablo and Richmond, in collaboration with community and county organizations, will host the first Community Design Workshop for the Rumrill Boulevard and 13th Street Project at the Lao Center in San Pablo. Mr. Reilly also announced there will be a bus tour at 5:00 p.m. and dinner at 6:00 p.m.

James Anthony gave a status update on Compassionate Care's search for a location to open its medical marijuana dispensary within the City of Richmond.

Jackie Thompson stated that Councilmember Myrick was disrespectful to Councilmember Boozé at the September 23, 2014, City Council Meeting. She also expressed concern regarding the residents that only attend City Council Meetings in large numbers for specific items.

Sharon Sanders gave comments regarding the lack of jobs for Richmond residents.

Mike Parker announced that on October 16, 2014, at 7:00 p.m., United States Senator Bernie Sanders will speak at the Richmond Memorial Auditorium

regarding the 2014 election.

Lisa Gyax expressed disappointment with the City of Richmond's appeal process for permits for cannabis companies.

Jeffrey Wright gave comments regarding the Richmond CARES Program.

Frederick Warren expressed his disappointment with the destruction of library books.

Eduardo Martinez encouraged everyone to attend the showing of a movie entitled "The New Black," Thursday, October 9, 2014, at the Bobby Goins Center, 1021 Macdonald Avenue, 7:00 p.m. to 9:30 p.m.

Raymond Landry expressed his disappointment with the new rules for pulling items from the Consent Calendar.

Kevin McDonald thanked Councilmembers Bates and Boozé for their support during the opening of his Welding School, and he encouraged the support of the full City Council.

Tarnel Abbott apologized to the city clerk for accidentally turning in a speaker's card to remove a Consent Calendar Item from the agenda when she failed to follow the proper process. She also expressed disappointment for the process of pulling Consent Calendar Items from the agenda.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Butt seconded by Vice Mayor Beckles all items under the City Council Consent Calendar marked with an (*) were approved by the following vote: **Ayes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates. *(Councilmembers Bates and Boozé voted Noe on Item G-17, the matter to approve a First Amendment to the Employment Agreement between the City of Richmond and Bruce Reed Goodmiller to extend the term of the agreement to March 7, 2017, with no increase in compensation.*

*-Adopted **Resolution No. 84-14** to accept and appropriate \$50,000 in State of California Alcoholic Beverage Control (ABC) Grant Assistance Program (GAP) funds awarded to the Richmond Police Department and San Pablo Police Department, with funds received from this ABC GAP Grant to be used during Fiscal Year 2014/15 to educate and enforce ABC regulations at establishments permitted to sell alcohol in Richmond and San Pablo.

*-Approved an Exclusive Authorization to Lease and Schedule of Commissions Agreement with Cassidy Turley for Port properties located at Point Potrero

Marine Terminal, and specifically the Rigger's Loft and Cafeteria Building, for a term commencing June 24, 2014, and ending June 23, 2015.

*-Authorized the Library and Cultural Services Director to ACCEPT a grant from the Institute of Museum and Library Services (IMLS) in the amount of \$249,314 for the Richmond Digital Health Literacy Project and APPROVE an amendment to the Fiscal Year 2014-15 Library Fund revenue and expenditure budgets for this grant-funded project.

*-Adopted **Resolution No. 85-14** to accept and appropriate \$83,891 in funding from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program awarded to the Richmond Police Department, with funding to be used to purchase 110 FirstVu Body Cameras that will be worn by uniformed police personnel.

*-Approved a grant-funded contract with Digital Ally for the purchase, warranty and electronic audio/video storage of 110 FirstVu Body Cameras that will be worn by uniformed police officers, in an amount not to exceed \$85,000. Funding for this purchase will come from the Edward Byrne Memorial Justice Assistance Grant.

*-Approved a contract with Renne Sloan Holtzman Sakai Public Law Group to perform compensation and classification studies for library, business and finance, and clerical positions in an amount not to exceed \$76,900 for a term beginning October 8, 2014, and ending on December 31, 2015.

*-Approved a contract with Egroflex Systems, Inc., dba Xybix Systems, Inc., for the design and installation of dispatch consoles, workspace furniture, and anti-static carpeting in the Richmond Emergency Communications Center. The total contract amount will not exceed \$197,365.90, funding provided by the West County Dispatch Consortium that includes Richmond, and is for a term from May 1, 2014, through May 31, 2015.

*-Approved a contract with the Contra Costa County District Attorney's Office for the dedicated services of Deputy District Attorney Molly Manoukian, who would be specifically assigned as Richmond's Community Based Prosecutor. The term of the contract is from July 1, 2014, through June 30, 2015, at a cost not to exceed \$200,000.

*-Approved a five year lease extension with DiCon Fiberoptics, Inc. for the Police Department facility at 1701 Regatta Boulevard, commencing January 1, 2015, and ending on December 31, 2019, for a total amount not to exceed \$9,831,785. Upon termination of the five year extended lease term, the City will have the option to further extend the lease for five one-year periods.

*-Adopted **Resolution No. 86-14** confirming the City of Richmond Investment Policy, consistent with guidelines established by the California Municipal Treasurer's Association (CMTA).

*-Approved a contract with Architects MA to provide architectural and engineering services for the Family Justice Center project in an amount not to exceed \$37,150.18, and for a term from August 2014 to June 2015.

*-Proclaimed October 25, 2014, as the City of Richmond's Official Arbor Day this year.

*-Adopted **Ordinance No. 16-14 N.S.** amending Chapter 12.17 of the Richmond Municipal Code to update requirements pertaining to the inspection and rehabilitation or replacement of private sanitary sewer laterals

*-Adopted **Ordinance No. 17-14 N.S.** amending the wages, salary, and compensation for the reassigned classification of Risk Manager to Exempt and Confidential Management (Salary Range No. 3.1: \$9,024 - \$13,806/month).

*-Adopted **Ordinance No. 18-14 N.S.** amending the Zoning Ordinance and Zoning Map to change the land use designation for undeveloped parcels on Jetty Drive from M-1 Industrial/Office Flex to PA, Planned Area District to provide conformity with the General Plan 2030.

*-Approved a one-year software maintenance agreement with Zoll Data Systems, Inc. to provide technical support, maintenance services, upgrades and licenses for the Fire Department's record management system (RMS), Computer Aided Dispatch (CAD) System and Telestaff interfaces in the amount of \$10,592.

*-Approved a First Amendment to the Employment Agreement between the City of Richmond and Bruce Reed Goodmiller to extend the term of the agreement to March 7, 2017, with no increase in compensation with **Councilmembers Bates and Boozé** voting *Noe*.

*-Rescinded Resolution No. 56-14 of the City of Richmond City Council regarding the interpretation of the State of California Policy Regarding Solar Energy Systems.

*-Adopted **Resolution No. 87-14** authorizing the City Manager to negotiate and execute Community Development Block Grant (CDBG) Section 108 Loan Program and HOME Investment Partnership Program loan agreements and related documents with the RHA Housing Corporation for the Triangle Court and Friendship Manor Rental Assistance Demonstration

(RAD) rehabilitation projects, in an amount not to exceed \$3,000,000.

*-Approved the following appointments:
Richmond Housing Advisory Commission: Candy Capogrossi, new appointment, completing an unexpired term, term ending November 1, 2015; Workforce Investment Board: Margaret Hanlon-Gradie, new appointment, no term expiration; Arts and Culture Commission: Susan Anderson, new appointment, term ending January 31, 2018; Public Arts Advisory Committee: Suzanne Tan, correcting term ending to January 31, 2018.

*-Adopted **Resolution No. 88-14** approving the transfer of \$75,000 from the Hilltop Landscape Maintenance District reserve funds to perform two proposed capital improvement beautification projects along the Richmond Parkway, including at the southwest corner at San Pablo Avenue and Richmond Parkway, as requested by the Hilltop Landscape Maintenance District Advisory Committee.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

- Continued Resolutions

Continued to October 21, 2014, the matter to adopt a resolution of the City Council of the City of Richmond to regulate development of parcels with creeks.

Continued to October 21, 2014, the matter to adopt a resolution to implement provisions of the General Plan 2030 relative to community trails.

- Continued Ordinances

Continued to October 21, 2014, the matter to introduce an ordinance (first reading) amending Section 6.40.020 of the Richmond Municipal Code Chapter 6.40, Residential Rental Dwelling Unit Inspection and Maintenance, expanding the residential rental inspection program (RRIP) to all residential rental properties, and making corrections to the current definition of "Residential Rental Dwelling Unit."

COUNCIL AS A WHOLE

Continued to October 21, 2014, the matter to consider amendments to City Council Rules and Procedures and the Posted Agenda Form in order to handle disruptions during City Council Meetings and to codify rules regarding campaigning at Council meetings; and ADOPT the amendments to the City Council Rules and Procedures and Posted Agenda Form.

Continued to October 21, 2014, the matter to discuss options and provide direction to staff for

analyzing the modification and expansion of Chapter 7.102 of Ordinance No. 28-10 N.S. to allow establishment of Medical Marijuana Collectives in additional zoning districts.

This item was heard immediately following the approval of the Consent Calendar. The matter to direct staff to send a letter to Chevron requesting an amendment to the Community Investment Agreement to redirect a portion of the \$90 million to Doctors Medical Center was presented by Councilmember Boozé. ***(The Council was in recess at 8:40 p.m. and reconvened at 8:48 p.m. Councilmember Bates arrived at 8:50 p.m.)*** The following individuals gave comments: Mike Ali, Bea Roberson, Dr. Brazelle Carter, Dr. Otis Rounds, Maria Sahagun, Dr. Sharon Dragor, Dawn Gideon, Pam Saucer-Bilbo, Rochelle Bradley, Rachel Mitchell, John Templeton, Reverend Andre Shumake, Sam Washington, Antwon Cloird, Eleanor Thompson, Texanita Bluitt, Lorenzo Friar, Jackie Thompson, Paul Cobb, Raymond Landry, Seung Choo, Irene Thompson, Marie Walcek, Pilar Schiavo, Kevin McDonald, Dr. Richard Stern, Mike Parker, Kathleen Wimer, Patricia Byors, Eduardo Martinez, Peter Tiernan, Honorable Deborah Campbell, Pamela Price, and Tarnel Abbott. A motion was made by Councilmember Bates, seconded by Councilmember Rogers to allow Dr. Desmond Carson to speak. The motion was approved by unanimous vote. Dr. Carson gave comments. Discussion began. ***(At 11:00 p.m. a motion was made by Councilmember Myrick to extend the meeting for 30 minutes. A substitute motion was made by Councilmember Rogers, seconded by Councilmember Myrick to extend the meeting to finish the item. A second substitute motion by Councilmember Butt, seconded by Vice Mayor Beckles extended the meeting to 11:30 p.m. by the unanimous vote of the City Council).*** A motion was made by Councilmember Boozé, seconded by Councilmember Rogers to direct the city manager and city attorney to meet with Chevron, Communities for a Better Environment, Contra Costa County, and other agencies and come back to the City Council in 15 days with recommendations to redirect \$20 million to save Doctors Medical Center (DMC). Mayor McLaughlin stated that she would make a substitute motion, the first part to include seeking other funding sources such as, other corporations in West County, refineries, hospitals, cities, and contact Contra Costa County – for a more sustainable source of funding such as the Utility User’s Tax in the unincorporated areas, etc. A substitute motion was made by Mayor McLaughlin, seconded by Councilmember Myrick to: (1) make a commitment of the City Council to allocate \$15 million from the \$50 million Community Program Section of the Chevron Agreement with the funds conditional to support for DMC as a full-service hospital; (2) direct staff to come back on October 21, 2014, with a multi-year allocation plan to be implemented after the litigation was settled and with an agreement from Chevron for accelerated money; and (3) direct staff to come back on October 21, 2014, with a plan for additional funding with

commitments from other sources as stated above. Following discussion, Mayor McLaughlin changed the first part of the substitute motion to: (1) the City Council would make a commit of intent to allocate \$15 million from the \$50 million Community Program Section of the Chevron Agreement, allocated pro rata, with the funds conditional to support for DMC as a full-service hospital. The substitute motion passed by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmember Boozé. **Absent:** None.

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

City Clerk Diane Holmes announced that vote by mail ballots may be submitted to the Clerk's Office beginning Wednesday, October 15, 2014, until 5:00 p.m. Election Day, November 4, 2014.

Councilmember Myrick announced that he travelled to Washington, D.C. with City of Richmond staff the week of September 28, 2014, and met with congressional representatives, White House staff, and Housing and Urban Development representatives. Councilmember Myrick stated that the White House was interest in the Office of Neighborhood Safety and the City of Richmond's Crime Prevention Programs.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:26 p.m. in memory of Richmond Police Officer Jeff Galvies, to meet again on Tuesday, October 21, 2014, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor