

RICHMOND, CALIFORNIA, March 3, 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 Beckles, Martinez, McLaughlin, and Mayor Butt. **Absent:** Councilmember Bates and Vice Mayor Myrick arrived at 5:33 p.m.

PUBLIC COMMENT

Antwon Cloird, Jerald Hatchett, Sims Thompson, and Adres Abama gave comments in support of Sims Metal under Item A-2 Property Negotiator.

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:

LIABILITY CLAIMS - (Government Code Section 54956.9):

Deorian vs. City of Richmond
David Funk vs. City of Richmond

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Terminal 3
Negotiator: Bill Lindsay and Jim Matzorkis
Negotiating party: Sims Metals and RJJ Resources
Under negotiation: price and terms of payment

The Open Session adjourned to Closed Session at 5:36 p.m. Closed Session adjourned at 6:19 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:30 p.m. by Mayor Butt. Councilmember Bates led the Pledge of Allegiance to the Flag.

ROLL CALL

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

ADMINISTER THE OATH OF OFFICE TO COUNCILMEMBER APPOINTEE

City Clerk, Pamela Christian, administered the Oath of Office to Councilmember Appointee Vinay Pimplé. Leonard Taylor and Mark Wassberg gave comments.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Item H-1 was removed from the agenda. Items H-7, H-11, H-12, and H-14 were removed from the Consent Calendar and placed at the end of the agenda for consideration. Item J-1 was continued to the March 17, 2015, City Council meeting.

REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION

City Attorney Bruce Reed Goodmiller stated there was no report.

OPEN FORUM FOR PUBLIC COMMENT

Nancy Lewis announced that the Solano Playlot's 6th Annual Spring Festival will be held on Saturday, April 11, 2015 from 2-4 p.m.

Brian Lewis invited Councilmembers to a conference regarding how to respond to a railroad emergency that will be held on Saturday, March 14, 2015.

Leonard Taylor asked why El Portal Drive is still closed.

Antwon Cloird welcomed newly appointed Councilmember Vinay Pimplé. Mr. Cloird also spoke in support of Sims Metal and allowing them to complete what they need to do for Terminal 3.

Richard Stollings gave comments regarding City Council policies.

Mark Wassberg spoke against the support of some of the Councilmembers support of issuing identification cards to illegal immigrants.

Bea Roberson gave comments regarding the many duties and responsibilities of the Richmond Fire Department.

Don Gosney stated that the city council should hold a special meeting to discuss and inform the Hacienda residents about their upcoming relocation.

Pam Bilbo and Eleanor Thompson spoke in support of Sims Metal obtaining some nearby property for their business.

Cesar Zepeda announced that there will be a board meeting at Doctor's Medical Center on Wednesday, March 4, 2015, and hoped the City of Richmond willing to help the hospital remain open.

Kathleen Wimmer announced that the Bay Area Air Quality Management District will host a town hall meeting regarding the bay area refinery emission rule on Tuesday, March 17, 2015, from 5:30 to 7p.m. in the Whittelsey Room, 320 Civic Center Plaza.

Jackie Thompson stated that there needs to be a left turn signal on Cutting Boulevard and Carlson Avenue.

Marilyn Langlois congratulated and welcomed newly appointed councilmember Vinay Pimplé. Ms. Langlois also announced that the 8th Annual Sisters in Solidarity Women's Day Celebration will be held on Saturday, March 7, 2015, at Nystrom School, 230 Harbour Way from 10 a.m. to 3 p.m.

Sims Thompson suggested the new councilmembers take a tour of the city to see what is needed or needs to be changed.

Naomi Williams announced that there are still a few tickets available for those who would like to go to the Feather Falls Casino on March 10, 2015, with the Commission on Aging. Tickets can be purchased by calling (510) 918-6955.

Al Nero thanked the city manager, city council, and staff for all of the development improvements and maintenance issues made in the city over the last few years.

Mike Parker announced that the West County Health District Board will have a meeting on Wednesday, March 4, 2015, at Doctor's Medical Center at 4 p.m., to consider parts of the proposal put forward by City Manager, Bill Lindsay, and discuss temporary measures to keep the hospital open while long term measures are discussed.

CITY COUNCIL CONSENT CALENDAR

On motion of Vice Mayor Myrick, seconded by Councilmember McLaughlin, all items marked with an (*) were approved by the unanimous vote of the City Council. Councilmember Bates voted Noe on Item H-17.

WITHDREW from the agenda the matter to approve the purchase of one SMART electric vehicle from Beshoff Motorcars Mercedes Benz to replace

existing equipment used in enforcing parking regulations, in an amount not to exceed \$20,000.

*-**Adopted Resolution No. 20-15**, authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records.

*-Reviewed the City's Investment Report and Cash Balance Report for the months of August 2014 to November 2014.

*-**Adopted Resolution of Intention No. 21-15**, to vacate the cul-de-sac at South Hampton Court within the property of Westridge Apartments, previously owned by Richmond Housing Authority, at the request of current property owners Menlo Westridge Affordable Partners, and set the public hearing on the matter for April 7, 2015.

*-Approved the recommendation of the City Council to provide an annual base salary of \$97,044 to the newly appointed City Clerk, effective March 2, 2015. The salary range for the City Clerk classification is \$97,044 to \$151,440 annually.

*-Approved the purchase of Scott Pak-Tracker firefighter locator hand-held receivers, charging systems, and forty-four (44) licenses for Kit Pak-Tracker software for self-contained breathing apparatus (SCBA) cylinders in the amount of \$19,521.92.

The matter to approve a contract amendment with, and associated payment to, NEMA Construction for the final construction change order for the renovation of the Richmond Parkway lighting system, in an amount not to exceed \$389,660 for a total contract amount of \$1,069,660 was presented. Councilmember Beckles asked why there is a need for an amendment. City Manager, Bill Lindsay responded that the original bid was put out with old as-build plans and there is additional equipment, light fixtures, and wiring are needed. A motion by Councilmember Beckles, seconded by Vice Mayor Myrick to approve the item passed by the unanimous vote of the City Council.

*-Authorized the City Manager to enter into a Memorandum of Understanding (MOU) with 15 inner East Bay communities, the counties of Alameda and Contra Costa and the Association of Bay Area Governments (ABAG), to establish the East Bay Corridors Initiative (Initiative), the goal of which is to support projects and programs that promote complete communities and economic vitality for the East Bay.

*-Received a report on Point Molate activities.

*-Approved a contract amendment with Turner Group Construction, Inc. to provide additional unforeseen general contracting services for the Family Justice Center Project at 256 24th Street in an amount of \$25,375.00 for an amended total contract amount not to exceed \$1,566,900.

Items marked by a () were voted on together (Items H-11, H-12, and H-14).**

The matter to adopt an ordinance for second reading amending the wages, salary, and compensation for the classification of Crime Analysis Assistant (Salary Range No. 42A: \$4,588 - \$5,413/month) was removed from the Consent Calendar by Councilmember Beckles for discussion. Following discussion, on motion of Councilmember Bates, seconded by Councilmember Beckles adopted **Ordinance No. by the unanimous vote of the City Council.

**The matter to introduce an ordinance (first reading) amending the wages, salary, and compensation for the classification of Fire Chief (Salary Range No.5.2: \$11,800 - \$18,417/month) was removed from the Consent Calendar by Councilmember Beckles for discussion. Following discussion, on motion of Councilmember Bates, seconded by Councilmember Beckles said ordinance received first reading and was laid over two weeks for second reading by the unanimous vote of the City Council.

*-Approved the minutes of the February 17, 2015, meeting.

The matter to adopt a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Deputy Fire Chief was removed from the Consent Calendar by Councilmember Beckles for discussion. Following discussion, on motion of Councilmember Bates, seconded by Councilmember Beckles adopted **Resolution No. 22-15, by the unanimous vote of the City Council.

*-Introduced an ordinance for first reading establishing the wages, salary, and compensation for the new classification of Deputy Fire Chief (Executive Management Salary Range 5.1 \$10,728-\$16,743/month).

*-Adopted **Resolution No. 23-15**, authorizing the execution of a Memorandum of Understanding with the City of San Pablo for the design and construction of the San Pablo Avenue Complete Streets Project (Project), which provides that the City of Richmond and the City of San Pablo will each contribute up to \$615,000 for design and construction of the Project, with the City of Richmond's contribution provided by Measure U proceeds.

*-Adopted **Ordinance No. 9-15 N.S.**, amending Chapters 2.52, 2.62, and 7.102 of the Richmond Municipal Code to eliminate the Public Safety and the Finance Standing Committee.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Council as a Whole

The matter to review the Fiscal Year 2014-15 Operating and Capital improvement budgets at mid-year, and ADOPT a resolution approving the proposed FY2014-15 budget adjustments was presented by City Manager Bill Lindsay. Councilmember Bates requested a list of all professional service contracts. Mr. Lindsay will provide the list. Tarnel Abbot gave comments. On motion of Councilmember McLaughlin, seconded by Vice Mayor Myrick reviewed the Fiscal Year 2014-15 Operating and Capital Improvement Budgets and

adopted **Resolution No. 24-15** approving the proposed FY2014-15 budget adjustments by the unanimous vote of the City Council.

Continued Ordinances

The matter to introduce a proposed ordinance for first reading adopting the zoning text amendments to Section 15.06 of the Sign Ordinance and Chapter 4.04 of the Sign Code was presented by Planning and Building Services Director Richard Mitchell and Associate Planned Kieron Slaughter. The following individuals gave comments: Don Gosney, Raymond Landry, Antwon Cloird, Robert Hatton, Amit Patel, Steven Cheavacci, Cesar Zepeda, Mark Gastinnau, Joseph Puleo, Mary Selva, Garland Ellis, Jerry Yoshida, Graham Taylor, Mike Parker, Larry Yavorsky, Margaret Jordan, and Marilyn Langlois. A motion was made by Councilmember Beckles, seconded by Vice Mayor Myrick to adopt the zoning text amendments and include that the billboard placement is competitive and available to companies that don't currently have billboards in the city. A substitute motion was made by Councilmember Martinez, seconded by Councilmember McLaughlin, to adopt the Planning Commission's recommendations. Councilmember Pimplé made a friendly amendment that staff return with information about ownership of the small triangular parcel of land where the Hilltop sign is located. The substitute motion passed by the following vote: **Ayes:** Councilmembers Martinez, McLaughlin, Pimplé and Mayor Butt. **Noes:** Councilmembers Bates and Beckles, and Vice Mayor Myrick. **Absent: Abstain:** None.

PUBLIC HEARINGS

CONTINUED to March 17, 2015, the matter to consider an appeal by Richmore Village/Metro Square Residents of the Planning Commission's approval of a modification to an existing Conditional Use Permit to change the existing Type 41 Alcoholic Beverage Control (ABC) license (On-Sale Beer and Wine for Bona Fide Public Eating Place) to a Type 47 license (On-Sale General for Bona Fide Public Eating Place) and expand the hours of operation at El Campesino

restaurant located at 232 23rd Street and render a decision.

RESOLUTIONS

The matter to adopt a resolution supporting California Senate Bill 203, and direct staff to send a copy of the resolution to California State Senator William Monning, California State Senator Loni Hancock, and California Assembly member Tony Thurmond was presented by Mayor Tom Butt. Jeff Ritterman and Charlotte Dickson gave comments. A motion by Councilmember McLaughlin, seconded by Mayor Butt, adopted **Resolution No. 25-15**, by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick and Mayor Butt. **Noes:** Councilmember Bates. **Absent:** None. **Abstain:** None.

COUNCIL AS A WHOLE

The matter to direct the city manager to schedule a joint meeting of the City Council and the West Contra Costa Unified School Board for the purpose of gathering information about the bond measure and current financial situation of Richmond schools was presented by Councilmember Martinez. Raymond Landry gave comments. A motion by Councilmember Martinez, seconded by Councilmember Pimplé, directed the City Manager to schedule a joint meeting with focus on the bond measure, as well as other general items, passed by the unanimous vote of the City Council.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:49 p.m., in memory of Lynn Martin to meet again on Tuesday, March 17, 2015, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor