

RICHMOND, CALIFORNIA, April 7, 2015

The Richmond City Council Evening Open Session was called to order at 5:31 p.m.

ROLL CALL

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

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):

Albert Harris vs. City of Richmond

Jesse Ney vs. City of Richmond

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):

One case

The Open Session adjourned to Closed Session at 5:32 p.m. Closed Session adjourned at 6:15 p.m.

The Regular Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council was called to order at 6:30 p.m. by Mayor Butt who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Bates, Beckles,

Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Continued Item N-2 to the April 21, 2015, City Council meeting. Item M-2 was withdrawn from the agenda. Items J-2, J-4 and J-9 were removed from the Consent Calendar. A motion made by Mayor Butt, seconded by Councilmember McLaughlin, to continue Item K-2 to the April 21, 2015, City Council meeting, passed by the unanimous vote of the City Council. Item N-1 was moved up to be discussed immediately after approval of the Consent Calendar.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor Butt declared April 7, 2015, as National Service Recognition Day in the City of Richmond.

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

City Attorney, Bruce Reed Goodmiller, stated that there were no reportable actions.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor gave comments regarding the car he recently purchased.

Beverly Wallace, Chairperson of the Commission on Aging, Delores Johnson, Vice Chair of the Commission on Aging, Christine Cardwell, Rose Brooks, Naomi Williams, Myrtle Braxton, and Sara Cleveland, gave comments regarding the important role and events the commission provide free of charge and without funding from the city. They requested adding funds to the Commission on Aging's budget.

Amy Lee Anderson, Nadine Anderson, Rayman Web, Joseph Whip, and Elizabeth Adams, asked that the issue of targeted individuals be placed on a future City Council agenda.

Dr. Connie Portero stated that all city boards and commissions should be funded more adequately because they are a great service to the community.

David Lanieu stated he feels he was treated unfairly by the Richmond Police Department.

Jackie Thompson asked how many people who were recently appointed and reappointed to boards and commissions were appointed after the 90 day waiting period after their term expired. Ms. Thompson also submitted a public records request for further information regarding boards and commissions.

Raymond Landry stated that he is concerned about the many billboards throughout the city regarding guns.

Richard Stollings gave comments regarding the city council's process regarding public comment not being allowed at special city council meetings.

Wesley Ellis stated there should be a thorough internal investigation regarding the allegations recently made against the police chief.

Mark Wassberg gave comments regarding gay people.

Texanita Bluitt gave comments regarding fence heights on residential properties between Harbour Way and 8th Street.

Millie Cleveland spoke against a policy that would allow management to not allow employees to speak to a member of the city council during working hours.

Marilyn Langlois spoke in support of the City Council adopting a resolution declaring Richmond a

space based weapons free zone and to prohibit any weaponization of space.

**SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY
CONSENT CALENDAR**

The matter to adopt resolutions approving and authorizing the execution of the following documents for the construction of the Nevin Avenue Bicycle and Pedestrian Improvements 19th to 27th Street Project: (1) a construction agreement with O.C. Jones & Sons, Inc., in an amount not to exceed \$5,234,450 and the establishment of an Owner's Reserve in the amount of \$1,053,368 for contingencies and add-alternate construction items; (2) a construction management contract with Ghirardelli Associates in an amount not to exceed \$898,695; (3) a design services during construction contract with Vallier Design Associates in an amount not to exceed \$163,577; and (4) authorization to expend funds for utilities, permits and other miscellaneous project costs in an amount not to exceed \$50,000 was presented by Chad Smalley.

Councilmember Bates stated that there was not any information provided regarding the configuration of the proposed bike lanes. Mr. Smalley replied that there will not be dedicated lanes on the street for bikes, but rather striping that will indicate that the portion of the road near the curb is to be shared by both bicycles and vehicles. Raymond Landry and Marilyn Langlois gave comments. Discussion ensued. A motion by Vice Mayor Myrick, seconded by Councilmember Beckles, adopted **Resolutions 15-4, 15-5, 15-6, and 15-7**, respectively, by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.

**JOINT CITY COUNCIL AND SUCCESSOR
AGENCY BOARD CONSENT CALENDAR**

A motion made by Councilmember Myrick, seconded by Councilmember McLaughlin, adopted Successor Agency **Resolution No. 15-3**, and City Council **Resolution No. 28-15**, authorizing the

application for funds to the State of California Strategic Growth Council (SGC) under the Department of Housing and Community Development (HCD) Affordable Housing and Sustainable Communities (AHSC) Program in the amount of Five Million One Hundred Thousand Dollars (\$5,100,000) of which approximately \$4,100,000 is to be used for certain fees and costs related to the development of the Miraflores Affordable Senior Housing Development Project, and approximately \$1,000,000 of which is to be used for public owned city improvements, and if awarded, appropriate the funds to the Successor Agency's CIP budget for the Miraflores Project.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Beckles, all items under the City Council Consent Calendar marked with an (*) were approved by the unanimous vote of the City Council.

*- Adopted **Resolution No. 29-15** approving the 2015 Emergency Operations Plan (EOP), and a **Resolution No. 29-15(a)** approving the 2015 Continuity of Government City Council Standby Officers.

A motion by Councilmember Beckles, seconded by Vice Mayor Myrick, approved a contract with Contra Costa ARC dba: Commercial Support Services (CSS) to employ adults with intellectual and developmental disabilities to wash Richmond Police Department vehicles for the period November 1, 2014, to June 30, 2016, in an amount not to exceed \$25,000.

*- Reviewed the City's Investment Report and Cash Balance Report for the months of December 2014 to January 2015.

The matter to approve a contract with Alex Kushner General Contractor to perform Americans with Disabilities Act (ADA)-related restroom improvements at the Richmond Senior Center in an amount not to exceed \$370,000 was presented. Marilyn Langlois gave comments. A motion by Vice Mayor Myrick, seconded by Councilmember Martinez, approved the contract by

the unanimous vote of the City Council.

*- Received a written report on the Richmond Municipal Sewer District for the month of February 2015.

*- Approved a three-year contract with CRW for continued maintenance and support of the CRW TRAKiT permitting, business license and code enforcement software application for a total amount of \$95,036.75 (\$30,750 in the first year, \$31,968.75 in the second year, and \$32,318 in the third year.

*- Adopted **Resolution of Intention No. 30-15**, to establish the Richmond Tourism Marketing District (RTMD), and set the public meeting date on May 5, 2015, and the public hearing date on the establishment of the RTMD for June 2, 2015.

*- Adopted **Resolution No. 31-15**, authorizing the execution of: (1) a funding agreement with the Association of Bay Area Governments (ABAG) for a grant of \$63,000 in Bay Trail Planning Grants funds; and (2) a contract for design and environmental services with BKF Engineers in an amount not to exceed \$155,761, to be funded by the ABAG Bay Trail Planning Grant funds and Measure U proceeds.

The matter to adopt an ordinance amending certain sections of Chapter 7.102 of the Richmond Municipal Code reducing the number of medical marijuana collective permits from 6 to 3, establishing 3 medical marijuana products manufacturing permits, and providing clarifying language for certain sections of the ordinance was presented by Attorney, Trisha Aljoe. James Anthony, Raymond Landry, and Antwon Cloird gave comments. A motion by Councilmember McLaughlin, seconded by Councilmember Beckles, adopted said ordinance on first reading with changes to come back at the April 21, 2015, meeting.

*- Adopted **Resolution No. 32-15**, amending the City of Richmond's Position Classification Plan to revise and re-title the classification of Crime Analysis Assistant to Crime Analysis Technician.

*- Adopted a **Resolution No. 33-15**, in support of providing financial services at United States Post Offices, as recommended by the Inspector General of the United States Post Office.

*- Adopted **Resolution No. 34-15**, authorizing the application for funds to the State of California Strategic Growth Council (SGC) under the Department of Housing and Community Development (HCD) Affordable Housing and Sustainable Communities (AHSC) Program for funding in an amount not to exceed \$6,800,000 to be used for certain fees and costs related to the development of the Filbert Townhomes Multifamily Rental Housing Development Project, and, if awarded, appropriate the funds to the Housing and Community Development's CIP budget for the Filbert Townhomes Project

*- Approved the minutes of the February 24, 2015 and March 3, 2015.

*- Approved a contract with State Roofing Systems, Inc. for roof replacement at the Recreation Center in an amount not to exceed \$144,340.

*- Adopted **Resolution No. 35-15**, approving and authorizing: (1) the execution of a contract with Marcy Wong Donn Logan Architects in an amount not to exceed \$80,000 for schematic design of the MLK Community Center; and (2) amendment of the 2014-2015 CIP Budget to appropriate \$90,000 in MLK Community Center insurance claim proceeds for schematic design of the MLK Community Center.

* - Approved a contract with Lisa Wise Consulting, Inc. in an amount not to exceed \$35,000 to assist in the preparation of the City's Housing Element Update, required to be adopted and certified by May 31, 2015, with funding from the comprehensive planning fee generated by building permit activity.

*- Approved an emergency contract with CE Harris, Inc., dba Harris Electric, to perform electrical repairs to the high voltage system at Point Molate in an amount not to exceed \$14,183.

*- Approved a contract amendment with Tracey Elizabeth Webb Associates for strategic planning facilitation services, increasing the payment limit by \$3,500 to a total amount not to exceed \$13,400.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Resolutions

A motion by Mayor Butt, seconded by Councilmember McLaughlin, to continue for two weeks the adoption of a resolution by the City Council of the City of Richmond opposing the transportation of hazardous fossil fuel materials including coal and petroleum coke ("petcoke") along California waterways, through densely populated areas and through the City of Richmond; calling on the Bay Area Air Quality Management District board to regulate the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures, passed by the unanimous vote of the City Council.

PUBLIC HEARINGS

The matter to adopt a resolution, Order of Vacation No. 909, vacating South Hampton Court south of Lancaster Drive in the Westridge Apartments Development was presented. Mayor Butt declared the public hearing open. There were no public speakers. A motion made by Vice Mayor Myrick, seconded by Councilmember McLaughlin, adopted **Order of Vacation No. 909**, by the unanimous vote of the City Council.

The matter to approve a modification to the permit granted to the Green Remedy Collective, changing the permit location from a C-2 zone to a C-3 zone was presented by Captain Anthony Williams. Mayor Butt declared the public hearing open. The following individuals gave comments: Antwon Cloird, Eric Felder, Reggie Simmons, Johnny Holmes, and Bishop Andre Jackson. A motion by Councilmember Beckles, seconded by Councilmember Myrick, closed

the public hearing by the unanimous vote of the City Council. A motion by Councilmember Beckles, seconded by Councilmember McLaughlin, to approve the modification of the permit to a C-3 zone changing the permit location. A friendly amendment was made by Councilmember Pimplé that staff make findings for the exception to the land use permit and the modification to reduce the distance from 1,500 feet to 600 feet, and it be brought back on the April 21, 2015, City Council meeting for approval. Councilmember McLaughlin did not accept the friendly amendment and withdrew her second. Councilmember Bates seconded Councilmember Beckles' motion, which passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Absent:** None. **Abstain:** Councilmember Pimplé.

RESOLUTIONS

The matter to adopt a resolution to extend the limited parking restriction and enforcement to twenty-four hour, seven days-a-week along 23rd Street between Bissell Avenue and Maricopa Avenue. (This item was recommended for engineering study with the collaboration of Police Department by the Public Safety Committee at its September 25, 2014 meeting) was presented by Lt. Schlemmer. The following individuals gave comments: Jackie Thompson, Marilyn Langlois, and Rigo Mendoza. A motion by Councilmember Bates, seconded by Vice Mayor Myrick, that parking enforcement be until midnight, seven days a week, and that this matter be reviewed in 6 months, and **Resolution No. 36-15**, was adopted by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Absent:** None. **Abstain:** Councilmember Martinez.

WITHDREW the matter to adopt a resolution to prohibit City staff from using public funds to travel to Indiana; terminate contracts, in accordance with applicable terms and conditions, and prohibit City Departments from entering into new contracts with vendors that have corporate headquarters in Indiana in response to Indiana's passage of SB101.

COUNCIL AS A WHOLE

The matter to discuss and approve requested contribution by the City of Richmond in the amount of \$10,000 to The Trust for Public Land's contract with Lynn Sedway, a respected Bay Area real estate and urban economics expert/consultant, to conduct a high level "best use" market study for Point Molate was presented by Councilmember McLaughlin. Don Gosney and Paul Carman gave comments. A motion by Councilmember McLaughlin, seconded by Councilmember Martinez, approved the contribution, by the unanimous vote of the City Council.

CONTINUED to the April 21, 2015, City Council meeting, the matter to review options for an augmented street paving program using Measure U funds, and provide direction to staff.

The matter to direct staff to amend Section 15.04.810.020 of the Richmond Municipal Code within 60 days by relaxing restrictions and streamlining the approval process of Second Dwelling Units (SDU's) to comply with the California Second Unit Law and to explore SDU's as affordable housing types was presented by Vice Mayor Myrick. Don Gosney and Raymond Landry gave comments. Councilmember Pimplé suggested that a study session be given before deciding on this matter. A motion by Councilmember Beckles, seconded by Vice Mayor Myrick, approved the item by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmember Pimplé. **Absent:** None. **Abstain:** None.

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

None.

There being no further business, the meeting adjourned at 10:10 p.m., to meet again on Tuesday, April 21, 2015, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor