

## **RICHMOND, CALIFORNIA, June 2, 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 Bates, Martinez, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmembers Beckles and McLaughlin.

### **PUBLIC COMMENT**

None.

### **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):** Jeffery Galaviz vs. City of Richmond

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):** Property: Port of Richmond Terminal 3  
Agency negotiators: Bill Lindsay and Jim Matzorkis  
Negotiating party: RJJ Resource Management Corp.  
Under negotiations: Price and terms of payment

### **ROLL CALL**

**Present:** Councilmembers Bates, Beckles, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmembers Martinez and McLaughlin.

### **STATEMENT OF CONFLICT OF INTEREST**

None.

## **AGENDA REVIEW**

A motion made by Councilmember Bates, seconded by Councilmember Martinez, removed Items **I-6**: Approve a legal services agreement with Trisha A. Aljoe in the amount of \$180,000 to provide continued legal services with respect to the Police Department in connection with Code Enforcement activities, drug house abatement matters, civil and criminal prosecutions of the Richmond Municipal Code and general legal matters. The term of the contract shall be July 1, 2015, through June 30, 2016 and **I-8**: APPROVE a contract with Community Violence Solutions (CVS) for the continuation of services for on-site advocates to assist victims of domestic violence and sexual assault, for the period January 1, 2015 to December 31, 2015, in an amount not to exceed \$81,110 from the Consent Calendar.

## **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Councilmember Martinez, Fire Marshall Terry Harris, and Deputy Fire Marshall Robin Poindexter presented the first place winners of the 2015 Junior Fire Chief Program. The following children received awards but all were not present: Overall School Winner: 1<sup>st</sup> place - Wilson Elementary School. 2<sup>nd</sup> place - Murphy Elementary School. Individual winners: King Elementary: 1<sup>st</sup> place Alberto Cortez. 2<sup>nd</sup> place Lashoy Thomas. Valley View: 1<sup>st</sup> place Jocelyn Garcia. 2<sup>nd</sup> place Brandon Simangan. Lincoln Elementary: 1<sup>st</sup> place Julianna Rosales. 2<sup>nd</sup> place Ariana Ramos. Chavez Elementary: 1<sup>st</sup> place Adamaris Jauregui. 2<sup>nd</sup> place Ashley Jimenez. Coronado Elementary: 1<sup>st</sup> place Alfonso Alvarez. 2<sup>nd</sup> place Jackeline Rosales. Highland Elementary: 1<sup>st</sup> place Ernesto Gomez. 2<sup>nd</sup> place Jacobo Elneser. Wilson Elementary: 1st place Edgar Villasenor. 2<sup>nd</sup> place Josephine Hernandez. Sheldon Elementary: 1st place Punjab Sekhon. 2<sup>nd</sup> place Wasiya Shah. Sheldon Elementary (Room 22): 1st place Jieun Warner. 2<sup>nd</sup> place Alize Salinas. Murphy Elementary (2 winners for 1st place and for 2<sup>nd</sup> place). 1<sup>st</sup> place Bailey Rose. 1<sup>st</sup> place Alexander Garcia. 2<sup>nd</sup> place Christopher Otten.

2<sup>nd</sup> place Julia Fasold. J. O.Ford Elementary: 1st place Paulina Acevedo. 2<sup>nd</sup> place Julia Sarmiento. Mira Vista Elementary: 1<sup>st</sup> place: Jurmay Lhamo. 2<sup>nd</sup> place Mahleah Alammari. Peres Elementary (2 winners for 1st place-they are in 2 different classes). 151 place Lane'Ja Roberson. 1<sup>st</sup> place Emily Mendoza. Grant Elementary: 1<sup>st</sup> place Sarah Alkrizy. 2<sup>nd</sup> place Estefany Zavala. Olinda Elementary (Room 16): 1st place: Sahaj. 2<sup>nd</sup> place Reece Harris. Olinda Elementary (Room 14): 1st place Jayden Tran. 2<sup>nd</sup> place Tyler Tran.

Councilmember Beckles presented a proclamation to Lynn Sugihara in recognition of the 11th Annual Queer Women of Color Media Arts Project Film Festival. Mark Wassburg and Cesar Zepeda gave comments.

Mayor Butt announced City of Richmond board, commission and committee vacancies as of June 2, 2015, and asked that interested residents send applications to the City Clerk.

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

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

### **REPORT FROM THE CITY MANAGER**

Acting City Manager, Chris Magnus, stated that the grand opening of the West County Family Justice Center will be Thursday, June 4, 2015, at 3:00 p.m., at 256 24<sup>th</sup> Street.

### **OPEN FORUM FOR PUBLIC COMMENT**

Leonard Taylor stated the video game convention and pinball convention will take place in Santa Clara on July 18, and 19, 2015.

Verna Earl asked why, Housing Authority Director, Tim Jones gets paid more than the Governor

and why the Housing Authority is being investigated by the FBI.

Harinder Singh Kalsi gave comments regarding the murder of his two brothers in 2007 and is concerned that the murders haven't been solved.

Margaret Judkins stated that she lives directly across the street from the BNSF tracks and the number of honking and screeching trains has increased.

Amy Lee Anderson stated she is upset with comments made by Richmond Police Captain, Mark Gagan, regarding targeted individuals.

Richard Stollings stated that open forum section of the City Council meetings is for the public to provide input on their issues and should not be removed.

Johnny Holmes announced that this year's talent show will take place on July 12, 2015 and the tryouts will be on June 13, 2015.

Pam Saucer-Bilbo announced that there will be a FestivALL on Saturday, June 27, 2015, from 10 a.m. to 4:00 p.m., at City Hall Plaza. There will also be an after party from 5:00 p.m. to 9:00 p.m. in the Richmond Auditorium.

Rosa Lopez, Community Fellow, at the Family Justice Center, invited everyone to the grand opening of the center on June 4, 2015.

Ben Therriault gave comments regarding the City Council's recent discussion regarding the weaponization of space and stated that the city has no say in the matter and should focus on more important city related issues.

Denita Jones asked what will be done with persons who reside at the Hacienda who have received vouchers from the Housing Authority.

Andrea Torres stated that charter schools should also be included in the Richmond Promise.

Cesar Zepeda announced that the First Annual Richmond Rainbow Pride Group Picnic Day will take place on Saturday, June 2, 2015.

Courtney Cummings thanked the community and City Council for recently presenting a proclamation in honor and support of the Richmond Native American Pow Wow and the Native American community in general.

Antwon Cloird stated that Sims Metal contributes greatly to the community and needs to stay in Richmond.

Mister Phillips presented a petition requesting that residents of the Hacienda Housing Complex be allowed to return there after the renovation.

Mike Parker stated that the Berkeley Global Campus will be a tremendous benefit for Richmond and announced that there will be a rally on Thursday, June 4, 2015, at 5:00 p.m., on the steps of City Hall to show support for the Community Benefits Agreement, signed with the University of California, Berkeley, to ensure that Richmond receives the maximum benefits.

Councilmember Bates stated that charter schools need to be included in the Richmond Promise Program.

### **CITY COUNCIL CONSENT CALENDAR**

On motion of Councilmember Bates, seconded by Councilmember Pimplé, all items marked with an (\*) were approved by the unanimous vote of the City Council.

\*- Review and receive the City's Investment and Cash Balance Report for the month of March 2015.

\*- Approved an agreement with Performance Abatement Services to complete the cleanup and disposal of polychlorinated biphenyls at the Point Potrero Marine Terminal for an amount not to exceed \$600,640.

\*- Adopted **Resolution No. 52-15**, authorizing service contracts with CEQA and NEPA consulting firms (15 firms referenced in resolution) for as-needed services for an amount not to exceed \$1,000,000 per firm over a three-year period, with an option to extend the contracts for one year.

Port Director, Jim Matzorkis, stated that the term of the lease be revised to conform to the terms of the resolution previously made by the City Council regarding the transport of 'petcoke' and coal in the City of Richmond. The City Council authorized the Port to enter into a 10-year lease with RJJ Resource Management Corp. (RJJ) for use of property at Terminal 3 for their operation to receive, handle, process, store, and export logs, providing minimum annual guaranteed (MAG) revenue of \$500,000 for the Port of Richmond for the first three years of the lease, including the property lease, and port tariff charges for dockage and wharfage. Vice Mayor Myrick abstained.

\*- Adopted **Resolution No. 53-15**, approving standing contracts for as-needed electrical contractor services for high voltage and major electrical projects in an amount not to exceed \$100,000 per year, per contractor over a three year period, with an option to extend the contracts for two years. The qualified electrical contractors are: Net Electric, Inc. (Richmond); NEMA Construction (Albany); and St. Francis Electric, Inc. (San Leandro).

The matter to approve a legal services agreement with Trisha A. Aljoe in the amount of \$180,000 to provide continued legal services with respect to the Police Department in connection with Code Enforcement activities, drug house abatement matters, civil and criminal prosecutions of the Richmond Municipal Code and general legal matters. The term of the contract shall be July 1, 2015, through June 30, 2016 was presented. Councilmember Bates expressed concern over spending this amount of money during the current budget crisis. A motion by Councilmember Beckles, seconded by Vice Mayor Myrick, approved the agreement by the following vote: Bates no.

\*- Approved a contract with Community Violence Solutions (CVS) for the continuation of services for CIC to provide a forensic interviewer for all investigations where a child has been sexually abused, physically abused and/or severely neglected, for the period July 1, 2014 through June 30, 2015 in an amount not to exceed \$21,901.

The matter to approve a contract with Community Violence Solutions (CVS) for the continuation of services for on-site advocates to assist victims of domestic violence and sexual assault, for the period January 1, 2015 to December 31, 2015, in an amount not to exceed \$81,110 was presented. Councilmember Bates expressed concern over the fact that the contract has been in effect for 5 months already.

\*- Accepted and appropriated the 2015 California Governor's Office of Emergency Services (CalOES) grant funds in the amount of \$188,975; and APPROVE the continuation of a contract with STAND! For Families Free of Violence, funded by the CALOES grant for on-site advocates to assist victims of domestic violence, for the period January 1, 2015, to December 31, 2015, in an amount not to exceed \$95,134.

\*- Introduced an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2015-16 at 0.14% budget for the period from January 1, 2015, to June 30, 2015.

\*- Approved a contract with the State of California Department of Transportation (CalTrans) for receiving the donation of Total Station electronic surveying equipment to assist with collision and crime scene investigations.

\*- Adopted **Resolution of Intention No. 54-15**, and adopted urgency **Ordinance No. 16-15**, amending the contract between the California Public Employee's Retirement System and the Richmond City Council for employees sharing additional costs of three percent for classic local safety members in Richmond Police Officers' Association (RPOA).

\*- Approved the following appointments and re-appointments: Economic Development Commission: Jayma Brown, new appointment, term expiring March 30, 2018; Point Molate Citizens Advisory Committee: Robert McNeil, new appointment, term expiring May 30, 2017; Mark Howe, new appointment, term expiring May 30, 2017; Shana Bagley, new appointment, term expiring May 30, 2017; Charles Garland Duncan, new appointment, term expiring May 30, 2017.

\*- Adopted **Resolution No. 55-15**, authorizing the City Manager and Police Chief to execute reoccurring law enforcement services contracts for fiscal years 2014-2015, 2015-2016, 2016-2017, and 2017-2018 with Contra Costa County and the State of California at an aggregate annual amount of \$651,000. The execution of these contracts shall not exceed the limits as set forth. Services contracted with Contra Costa County include the following: California Law Enforcement Telecommunications System (CLETS) - \$10,000; California Identification Division (CAL ID) - \$119,000; Automated Regional Information Exchange System (ARIES) - \$40,000; All County Criminal Justice Information System (ACCCJIN) - \$20,000; Martinez Detention Facility intake fees - \$30,000; alcohol/toxic drug and crime scene evidence analysis - \$350,000; Sexual Assault Response Team (SART) examinations - \$40,000; annual jail inspection and audit - \$18,000; Coroner & Gunshot Residue (GSR) examination and analysis - \$10,000; out of state inmate extradition \$4,000. The State of California contracted service includes all Live Scan fingerprinting - \$10,000.

## **PUBLIC HEARINGS**

The matter to hear public comment relating to the proposed issuance of multifamily housing revenue obligations by the California Statewide Communities Development Authority ("CSCDA") in an amount not to exceed \$15,000,000, in connection with multifamily housing revenue obligations to Levy Affiliated Holdings (the "Borrower"). The proceeds of the obligations will enable the Borrower to finance the acquisition and rehabilitation of 100 residential rental facilities at Liberty Village; and adopt a resolution to

approve the proposed financing by the CSCDA was presented by Susan Segovia, Finance Department. Mayor Butt declared the public hearing open. Don Gosney gave comments. A motion by Councilmember Bates, seconded by Vice Mayor Myrick, closed the public hearing by the unanimous vote of the City Council. A motion by Vice Mayor Myrick, seconded by Councilmember Martinez, approved the item and adopted **Resolution No. 56-15**, by the unanimous vote of the City Council.

The matter to declare results of the majority protest proceeding and adopt the Resolution Establishing the Richmond Tourism Marketing District (RTMD); and ADOPT (second reading) the ordinance disestablishing the Richmond Tourism Business Improvement District (RTBID) was presented by Janet Johnson. The public hearing was opened. A motion by Councilmember Beckles, seconded by Councilmember Pimplé, closed the public hearing by the unanimous vote of the City Council. A motion by Vice Mayor Myrick, seconded by Councilmember Beckles, approved the item and adopted **Resolution No. 57-15**, by the unanimous vote of the City Council.

**CONTINUED to June 16, 2015** - HEAR an appeal by Chung Yeung Yiu, of the Planning Commission's APPROVAL of a 289-unit transit oriented affordable housing development, proposed for two parcels located near the Richmond Intermodal terminal, and render a decision.

### **RESOLUTIONS**

The matter to adopt a resolution authorizing the issuance of not to exceed \$3,000,000 aggregate principal amount of Social Impact Bonds (Richmond Housing Rehabilitation Project) Taxable 2015 Series A; authorizing the forms of and directing the execution and delivery of an indenture of trust; a loan agreement and a bond purchase agreement; and approving the taking of all necessary actions in connection therewith was presented by Jim Goins, John Knox, and Josh Genser. A motion by Councilmember Bates, seconded by Vice Mayor Myrick, adopted **Resolution No. 58-15**, by the

unanimous vote of the City Council.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:25 p.m., to meet again on Tuesday, June 16, 2015, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor