

RICHMOND, CALIFORNIA, July 28, 2015

The Richmond City Council Evening Open Session was called to order at 6:00 p.m. by Mayor Tom Butt.

ROLL CALL

Present: Councilmembers Bates, Martinez, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmember Beckles arrived after adjourning to 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.

ADJOURN TO CLOSED SESSION

CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One Case

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

The Regular Meeting of the Richmond City Council was called to order at 7:02 p.m. by Mayor Tom Butt.

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

Items L-2, L-3, N-2 will be heard directly after Open Forum. City Council will recess to Closed Session and immediately discuss Item O-1. Councilmember Beckles removed Item J-5 from the agenda and Mayor Butt continued Item L-1 to the September 29, 2015, City Council meeting.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor Butt and Councilmember Pimplé presented a Certificate of Recognition to Ms. Jasmine Gill for being awarded the 2015 Gates Millennium Scholarship. Don Gosney gave comments.

Councilmember Bates presented a proclamation acknowledging Mr. André Farr's accomplishments and congratulating him for receiving the 2015 Innovative Entrepreneur of the Year from the Los Angeles Minority Business Development Agency. Bea Roberson gave comments.

Mayor Butt stated the City of Richmond Board and Commission vacancies as of July 28, 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

City Manager, Bill Lindsay, reported on the following items: Dr. Angie Wolfe from The National Council on Crime and Delinquency performed a process evaluation for the Office of Neighborhood Safety (ONS) and a discussion was broadcast on KQED Radio with herself and ONS Director, DeVone Boggan, regarding the study on KQED radio. Mr. Lindsay also stated that National Night Out will take place on Tuesday, August 4, 2015, beginning at the Target parking lot at 5 p.m. Mr. Lindsay acknowledged the excellent skills of Richmond Police Communications Supervisor, Diane Hardin, who handled a 911 call from a Richmond man whose wife was going into labor and she calmly assisted the husband with the delivery of the baby.

OPEN FORUM FOR PUBLIC COMMENT

Rodney Alamo Brown and Antwon Cloird invited everyone to the Soulful Softball Sunday Events at 2 p.m. at Nicholl Park.

Mark Wassberg stated that sanctuary cities will be outlawed by the Federal Government.

Naomi Williams thanked Mayor Butt, Councilmember Bates, Councilmember Pimple, and Vice Mayor Myrick, for attending the JFK Park redesign meeting. Ms. Williams also stated that on August 12, 2015, the members of the Commission on Aging will take a bus trip to Golden Gate Park Japanese Tea Garden in San Francisco.

Donna Powers stated that it's important for residents to apply for City boards or commissions.

Kathleen Sullivan invited everyone to the San Francisco Mime Troup event on Saturday, August 1, 2015, at Nicholl Park at 2 p.m.

Jackie Thompson stated that on Macdonald Avenue and 38th Street and at 24th and Macdonald Avenue a tree has lifted the sidewalk and is creating a hazardous situation. Ms. Thompson also stated that the vacant, former Bank of the West building, is a haven for homeless people and crime.

Bea Roberson announced that National Night Out will be on Tuesday, August 4, 2015, and will begin at the Target parking lot and will end at Pullman Point. Ms. Roberson also announced that on June 29, and 30, 2015, the Richmond Fire Department and the Office of Emergency Services hosted a conference on emergency preparedness. Many State and local officials attended and were very impressed with Richmond. There will be more classes offered on August 26, 2015, for persons to become Community Emergency Response Team (CERT) certified and urged people to participate.

Veronica Keeton stated that the sewer tax increases will not fix the sewer system problem.

Texanita Bluitt stated that there have been many successful people from Richmond that have made a positive contribution.

Mike Parker stated that Freedom Land Mime Troup presentation will be at Nicholl Park Saturday, August 1, 2015, at 1 p.m.

Chief Chris Magnus invited everyone to the Safe City Summer Expo on Saturday, August 22, 2015, at Civic Center Plaza, from 10a.m. to 3p.m.

CITY COUNCIL CONSENT CALENDAR

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

*- Approved an agreement with Moonlite Electric to upgrade electrical service at Port of Richmond Terminal 3 for a total amount not to exceed \$52,050. *City Manager, Bill Lindsay, stated that the term of the contract should be September 30, 2015.*

*- Approved a contract with Van Iwaarden Associates for actuarial services necessary for pension fund management for an amount not exceed \$36,400 and for a term from July 31, 2015, with two possible one-year contract extensions based upon satisfactory performance during the initial one year contract term.

CONTINUED to the August 3, 2015, meeting, the matter to approve a reimbursement agreement with the Richmond Museum Association to complete all necessary improvements necessary to relocate the SS

Red Oak Victory from berth 6A to Graving Basin Number 1 and then to Graving Basin Number 5 in an amount not to exceed \$350,000.

*- Approved the 2015/2016 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan that specifies the activities and specific funding allocations of revenue derived from the collection of mitigation fees from the waste recycling facility in North Richmond, as recommended by the North Richmond Waste and Recovery Mitigation Fee Committee.

*- Approved Amendment No. 4 to the existing construction agreement with Turner Group Construction to complete renovations of a 71-year old 4-plex located at 411-423 S. 23rd Street. The additional expenditures will not exceed \$33,690.

*- Authorized the City Manager and Port Executive Director to negotiate and execute a First Amendment to Lease with RJJ Resource Management Corp (RJJ) to change the Lease Rent Commencement Date to commence with RJJ's obtaining entitlements for operations, and to include a new provision for the Port to reimburse RJJ for an amount not to exceed \$60,000 for the cost of environmental review as required for such entitlements.

*- Adopted **Ordinance No. 20-15**, setting wastewater user rates for fiscal years 2015-16 through 2019-20. The recommended annual rate increases are 6.8% for each of these five fiscal years.

*- Directed staff to reject all bids for the rehabilitation of the Greenway Lighting, review Engineer's estimate and call for new bids.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Public Hearings

CONTINUED to the August 3, 2015, City Council meeting, to adopt a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code Chapters 9.22, 6.38, 9.50 and 2.63.

Continued Ordinances

CONTINUED to the August 3, 2015, City Council meeting, the matter to introduce an ordinance (first reading) amending Richmond Municipal Code Article VI, Building Regulations by adding a new Chapter 6.47, Permit Process for Small Residential Rooftop Solar Systems, implementing provisions of AB 2188 by creating an expedited, streamlined permitting process for small residential rooftop solar systems.

CONTINUED to the August 3, 2015, City Council meeting, the matter to introduce an ordinance (first reading) of the City Council of the City of Richmond repealing Article III, Chapter 3.40 of the Richmond Municipal Code pertaining to the Community Development Commission.

Continued Council as a Whole

WITHDREW from the agenda to direct staff to further research a Fair Housing Ordinance to include previously incarcerated residents.

PUBLIC HEARINGS

CONTINUED to the August 3, 2015, City Council meeting, to adopt a resolution approving a report of sewer service charges for FY2015/16, and allowing for the sanitary and stormwater fees to be collected on the annual 2015-2016 tax rolls.

STUDY SESSION

CONTINUED to the September 29, 2015, City Council meeting to receive a presentation to review policy initiatives to improve the availability, quality and development of affordable housing, from Mayor Tom Butt and local experts in affordable housing development.

The City Council received a presentation from Ed Barlow from North Star Destinations regarding the Mayor's Branding and Marketing Initiative by Ed Barlow. This marketing plan includes an overview of research and analysis of Richmond's current environment, illuminates strategic priorities for the city. Recommendations focus on a marketing and communications strategy and include broader recommendations to help the City of Richmond attract new businesses and grow its business cluster. The cost for developing an effective branding and marketing strategy is estimated at nearly \$100,000, which Mayor Butt is raising through private donations. No City funds will be used for this effort. Mayor Butt stated that the North Star representatives will be in town the rest of this week and can be contacted with any comments or questions by contacting staff in the Mayor's office.

The City Council received a presentation from the Office of the Sheriff regarding the West County Detention Facility Expansion Project, and considered whether to oppose or support the Sheriff's Office's expansion project. Sheriff Livingston, Captain Chalk, and Assistant Sherriff Shuler presented an overview of the matter. The following individuals gave comments: Sun Ae Choi, Don Gosney, Diana Wear, Antonio Medrano, Nancy Kelly, Norie Clark, Marcos Banales, Richard Stollings, Mark Wassberg, Antwon Cloird, Millie Cleveland, Mike Parker, Marilyn Langlois, Sylvia Hopkins, Melvin Willis, Kathleen Sullivan, and Maria Rivera. Mayor Butt and Councilmember Bates stated that the County should make a commitment to

address the matter regarding the lack of a West County booking center, which was promised when the West County detention facility was built. A motion was made by Councilmember McLaughlin, seconded by Councilmember Beckles, to oppose the expansion project. A substitute motion was made by Councilmember Bates, seconded by Councilmember Pimplé, to approve the project with the condition that the County make a commitment to eradicate the arrestee transportation problem to Martinez jail, failed by the following vote: **Ayes:** Councilmembers Bates, and Pimplé. **Noes:** Councilmembers Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Abstentions:** None. **Absent:** None. The original motion passed by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmembers Bates and Pimplé. **Abstentions:** None. **Absent:** None.

*A motion by Councilmember McLaughlin, seconded by Councilmember Beckles, to discuss Item O-1 now, passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé, and Vice Mayor Myrick. **Noes:** Mayor Butt. **Abstentions:** None. **Absent:** None.*

STUDY AND ACTION SESSION

CONTINUED to the August 3, 2015, City Council meeting, the matter to receive a report from the city manager and city clerk on ideas to produce the City Council agenda packet earlier than its current Friday production prior to the regularly scheduled Tuesday City Council meeting, and provide direction to staff.

CONTINUED to the August 3, 2015, City Council meeting, the matter to receive a presentation on the proposed 10-year Environmental and Community Investment Agreement (ECIA) budget; (2) adopt a resolution revising the ECIA budget for FY 2015-16; (3) authorize the City Manager to enter into an agreement with Chevron to establish an administrative plan for the Richmond Promise consistent with the guidelines of the ECIA; and (4) authorize the City Manager to enter administrative service contracts as required to ensure the scholarship is available to seniors graduating in 2016.

RESOLUTIONS

CONTINUED to the August 3, 2015, City Council meeting, the matter to adopt a resolution authorizing the issuance and sale of not to exceed \$35,000,000 City of Richmond, California, 2015-2016 Tax and Revenue Anticipation Notes; approving the forms of and directing the distribution of a Note Purchase Agreement, an Official Statement and a Continuing Disclosure Certificate and a Custody Agreement; delegating to Officers of the City authorization to negotiate a sale or placement of said

notes; and authorizing taking of necessary actions and execution of necessary documents.

CONTINUED to the August 3, 2015, City Council Meeting, the matter to adopt a resolution opposing the proposed West County Detention Facility Project.

ORDINANCES

The matter to adopt an ordinance (second reading) amending the Richmond Municipal Code to establish Rent Control plus Just Cause for Eviction and authorize the City Manager to enter into contracts, including sole source contracts, to implement the ordinance in an amount not to exceed \$100,000 was presented by City Manager, Bill Lindsay. A motion by Councilmember McLaughlin, seconded by Councilmember Beckles, to only allow 1 minute for comments from the speakers, failed by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, and Pimplé. **Noes:** Councilmembers Bates, Vice Mayor Myrick, and Mayor Butt. **Abstentions:** None. **Absent:** None. The following individuals gave comments: Zak Wear, Mark Wassberg, Brent Anderson, Susan Hybloom, Eric Meyers, Linda Newton, Jim Zaradkha, Mark Cheley, Donna Powers, Jeffrey Wright, Jas Sikand, Christina Lee, Mike Parker, Leisa Johnson, Sylvia Hopkins, Jon Wagner, Rita Barouch, Lin Mayr. A motion by Councilmember McLaughlin, seconded by Councilmember Beckles, to adopt the ordinance with the following changes: Delete the second sentence in Chapter 11.100.010 “Short Title and Effective Date” and add that “this ordinance shall be known as the Rent Control and Just Cause for Eviction Ordinance; the wording that “this chapter shall be in effect December 1, 2015” is deleted. The ordinance shall go into effect after the adoption of the ordinance plus 30 days. City Council will schedule a special meeting for the sole purpose of discussing the second reading of the Rent Control and Just Cause for Eviction ordinance on August 3, 2015, at 6:30 p.m., and direct the City Clerk to provide the required notice, provided the new first reading is approved, and authorize the City Manager to enter into contracts, including sole source contracts, to implement the ordinance, in an amount not to exceed \$100,000. *(The meeting adjourned without completing this item).*

11:00 p.m. - A motion by Councilmember Beckles, seconded by Vice Mayor Myrick to extend the meeting until 12 a.m. A substitute motion by Councilmember Pimplé, seconded by Mayor Butt, to only discuss the time-sensitive items, by the following vote: **Ayes:** Councilmember Pimplé and Mayor Butt. **Noes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Abstentions:** None. **Absent:** None. The original motion failed by the following vote: **Ayes:** Councilmember Beckles, Martinez, McLaughlin, and Vice Mayor Myrick. **Noes:** Councilmembers Bates, Pimplé, and Mayor Butt. **Abstentions:** None. **Absent:** None.

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 11:33 p.m., to meet again for a special meeting on Monday, August 3, 2015, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor