

RICHMOND, CALIFORNIA, September 22, 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 Nathaniel Bates, Eduardo Martinez, Gayle McLaughlin, Vinay Pimplé, Vice Mayor Jael Myrick, and Mayor Tom Butt. **Absent:** Councilmember Beckles arrived after Open Session adjourned to Closed Session.

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.

**A-1 CONFERENCE WITH LEGAL COUNSEL
- EXISTING LITIGATION (Subdivision [a] of
Government Code Section 54956.9):**

City of Richmond vs Contra Costa County (WCDF)

**A-2 CONFERENCE WITH LABOR
NEGOTIATORS (Government Code Section 54957.6):**

Agency negotiators: Bill Lindsay, Lisa Stephenson,
Maria Blue Employee organization: SEIU Local 1021

The Open Session adjourned to Closed Session at 5:31 p.m. Closed Session adjourned at 6:11 p.m.

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

ROLL CALL

Present: Councilmembers Nathaniel Bates, Jovanka Beckles, Eduardo Martinez, Gayle McLaughlin, Vinay Pimplé, Vice Mayor Jael Myrick, and Mayor Tom Butt. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

City Manager Bill Lindsay stated that he had a conflict of interest with Item K-2. Mr. Lindsay advised that he would recuse himself and would not be present during the discussion.

AGENDA REVIEW

Withdrew Item I-1 from the agenda per staff's request. At the request of Mayor Tom Butt **removed Item**

I-7 from the Consent Calendar and placed it at the end of the agenda for discussion.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1 The matter to present a proclamation recognizing September 21st through the 27th, 2015, as "Falls Prevention Awareness (FPA) Week" was presented by Councilmember Bates, Vice Mayor Myrick, and Mayor Butt. Contra Costa County FPA Program Volunteer Ken Souza accepted the proclamation and gave comments.

E-2 The matter to present a proclamation to the Bay Area Rescue Mission for 50 years of impactful and important was presented by Mayor Butt. Bay Area Rescue Mission President/Chief Executive Officer Reverend John M. Anderson accepted the proclamation and gave comments.

E-3 The matter to present a proclamation in recognition of the success and camaraderie fostered by Soulful Softball Sundays was presented by Mayor Butt and Vice Mayor Myrick. Antwon Cloird and Rodney "Alamo" Brown accepted the proclamation. Mr. Cloird gave comments and thanked supporters and donors for their contributions. Tyrone Carey, Naomi Williams, Sharlee Battle, Sister Ansar, Robert Rodgers, Kathleen Sullivan, Dewanda Joseph, and James Holloway gave comments.

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

Mayor Butt announced that the City Manager's report would be dispensed in the essence of time and referred interested parties to the City Manager's Weekly Report on the City of Richmond Website.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor gave comments regarding bay area Walgreens pharmacy computer network failure; announced the Hilltop School Campus Open House on Wednesday, October 7, 2015, 4:00 p.m. to 8:00 p.m., at the new school campus near Shane Drive and the south side of the Walmart store; and requested that the flashing red street light at Blume and Hilltop Mall Drive be repaired.

Donna Powers gave comments against driving under the influence of alcohol; and requested information regarding responsibility for the City of Richmond Board members and Commissioners that consumed alcoholic beverages at civic events.

Amy Lee Anderson expressed interest in working with Councilmembers regarding the reinforcement of the City of Richmond's Space-Based Weapons resolution.

Nystrom Village Resident Council President Yolanda Pearl and Tara Amado expressed concerns regarding habitability and safety issues at Nystrom Village Apartments.

Dennis Dalton gave comments regarding the history of the African American culture and support of the proposed Richmond Riviera residential project at the south end of Marina Way South.

Jackie Thompson announced that Nystrom Village recently became a duly organized Resident Council and expressed concerns regarding Housing Authority staff and the Housing Authority Tenant Commission.

Making Waves School Teacher Brian Buttacavoli requested that Item K-1 be moved to the first item on the agenda in consideration of approximately 80 students that were in attendance.

Contra Costa Community College District Board of Trustees Secretary John Marquez invited Councilmembers to the State of the District Presentation at the Contra Costa College Campus John and Jean Knox Performing Arts Center on Wednesday, September 23, 2015, 7:30 a.m. to 9:00 a.m., with continental breakfast served from 7:00 a.m. to 7:30 a.m.

Leisa Johnson gave comments regarding the alleged assault of a Kennedy High School student on Friday, September 18, 2015, at the Miller Knox Regional Shoreline and expressed concerns regarding police response time.

Mike Peritz requested that the City Council consider compromises on proposed housing developments in Richmond to reserve more affordable housing for traditionally under-paid workers.

(On motion of Councilmember Bates, seconded by Councilmember Beckles, moved Item K-1 directly following the approval of the consent calendar by the following vote: Ayes: Councilmembers Bates, Beckles, Martinez, McLaughlin, Pimplé, and Vice Mayor Myrick. Noes: Mayor Butt. Abstentions: None. Absent: None.)

CITY COUNCIL CONSENT CALENDAR

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

Withdrew from the agenda, I-1 The matter to approve the purchase of one 2016 Ford F150 from Hilltop Ford for the Police Commercial Unit in an amount not to exceed \$35,000.

*I-2 Approved the purchase of four 2016 Ford Utility Police Interceptor Vehicles from Hilltop Ford in an amount not to exceed \$108,000.

*I-3 Approved contract amendment #2 with BioMax Environmental Services, LLC, for on-call services to monitor the level of hydrogen sulfide gas at and around the wastewater treatment plant, Point Richmond, Washington Elementary School and other neighboring communities, increasing the contract amount by \$90,000 for a total amount not to exceed \$180,000, and extending the contract term for an additional two years terminating on June 30, 2017.

*I-4 Reviewed and approved the City's Investment and Cash Balance Reports for the months of May 2015 and June 2015.

*I-5 Approved a third amendment to an existing lease with AT&T Wireless, providing for the installation of a privacy screen, and expansion of additional wireless facilities, on the roof of the Richmond Memorial Auditorium. Wireless carriers will pay 75% of the \$300,000 cost of the privacy screen; the City's \$75,000 share of the cost will be advanced by AT&T, which will receive a temporary reduction in monthly rent at a rate of \$15,000.00 per year for 5 years to reimburse this cost advance.

*I-6 Approved the following appointments and re-appointments: Commission on Aging, David Lee Farr, term expires May 19, 2017; Point Molate Community Advisory Committee, Jeff Lee, term expiring May 30, 2017, Al Guggemos, term expiring May 30, 2017, Scott Badler, term expiring May 30, 2017; Workforce Investment Board, Nicole Jalbert, term expiring September 22, 2017, Nathan Tyler, September 22, 2017, Sandra Escalante, September 22, 2017.

I-7 The matter to approve a contract with Federal Advocates for federal and state advocacy services to assist the City in monitoring legislative activity impacting the community, identifying funding opportunities to support programs and infrastructure development, and to maintain and enhance existing relationships with federal and state representatives, in the amount \$144,000 (\$12,000 per month) and for a term ending September 30, 2016 was discussed by Councilmembers. On motion of Councilmember Martinez, seconded by Councilmember Beckles approved said contract by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Abstentions:** Councilmember Pimplé. **Absent:** None.

*I-8 Approved a contract with Trans Metro Inc. for the use of one bus for paratransit services and other transportation shuttle service needs at a cost of \$12,500 for a five-month period.

*I-9 Approved the contract amendments associated with the 2015/2016 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan with (1) the Neighborhood House of North Richmond (NHNR) for North Richmond Green Community Service Programs, increasing the amount by \$99,407.33 to a total contract

amount of \$208,786.51, and extending the term to June 30, 2018; and (2) the Community Housing Development Corporation (CHDC) for blight abatement activities, increasing the amount by \$27,009.52 to a total contract amount of \$56,409.52 and extending the term to June 30, 2017.

*I-10 Accepted a donation from Point Richmond R&D Associates in the amount of \$1,250 and appropriate these funds for the Office of Neighborhood Safety's (ONS) Operation Peacemaker Fellowship Program.

*I-11 Accepted a donation from The Nancy P. and Richard K. Robbins Foundation in the amount of \$1,250, and appropriate these funds for the Office of Neighborhood Safety's (ONS) Operation Peacemaker Fellowship Program.

PUBLIC HEARINGS

J-1 The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to adopt a resolution amending the 2010-2015 Consolidated Plan to use the entire 2014 Community Development Block Grant (CDBG) allocation for the prepayment of 1999 Section 108 loans and use \$851,401 in unused CDBG funds from Fiscal Years 2011, 2012 and 2013 for the activities presented in the July 21, 2015, Public Hearing and approved by the City Council on that date was presented by Housing and Community Development Executive Director Tim Jones. Mayor Butt declared the public hearing opened. There were no public speakers. On motion of Vice Mayor Myrick, seconded by Councilmember Beckles closed the public hearing by the unanimous vote of the City Council. On motion of Vice Mayor Myrick, seconded by Councilmember Beckles adopted **Resolution No. 94-15** by the unanimous vote of the City Council.

J-2 The matter to adopt a resolution approving the 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER) for submission to the U.S. Department of Housing and Urban Development was presented by Housing and Community Development Executive Director Tim Jones. Mayor Butt declared the public hearing open. There were no public speakers. On motion of Vice Mayor Myrick, seconded by Councilmember Beckles closed the public hearing by the unanimous vote of the City Council. On motion of Vice Mayor Myrick, seconded by Councilmember Beckles adopted **Resolution No. 95-15** by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

K-1 The matter to receive recommendations from the Richmond Promise Ad Hoc Committee, and direct staff to prepare a comprehensive report on policy options for presentation at the September 29, 2015, City Council meeting for subsequent incorporation into the Richmond Promise Strategic Action Plan was presented by Administrative Chief Shasa Curl. Ms. Curl's PowerPoint presentation included: an overview and purpose of the item,

background information, Richmond Promise Ad Hoc Committee timeline and committee members, policy recommendations from the Ad Hoc Committee for City Council to consider, and next steps. Ms. Curl reminded Councilmembers that policy recommendation B regarding the inclusion of charter and private schools would likely necessitate an amendment to the Chevron Environmental Community Investment Agreement because the current draft stated, “public schools.” Discussion ensued following the presentation and Councilmember Bates requested that staff provide Councilmembers with clarification on eligibility limitations. Councilmember Pimplé requested staff distribute an updated Richmond Promise Program Data Request Log to Councilmembers. The following speakers gave comments: Mike Parker, Sergio Garci Becerra, Don Gosney, Jonathan Vargas, Daniel Carrillo, Karla Saldana, Marlyn Haasgen, Gisselle Marroquin, Heidi Mora, Meghan Lorenzo, Brian Buttacavoli, Arturo Castaneda, Joel Mackey, and Mike Peritz. A motion by Councilmember McLaughlin, seconded by Councilmember Beckles directed staff to return to City Council on September 29, 2015, with the inclusion of a report based on the guidelines of the Minority Report distributed to Councilmembers by Richmond Promise Ad Hoc Committee member Mike Parker and postpone the vote by City Council until October 6, 2015. A substitute motion was made by Councilmember Bates, seconded by Vice Mayor Myrick to follow staff recommendations and direct staff to prepare a comprehensive report on policy options for presentation at the September 29, 2015, City Council meeting. A friendly amendment by Councilmember McLaughlin directing staff to address the guidelines included in the Minority Report by Richmond Promise Ad Hoc Committee member Mike Parker was accepted and the substitute motion passed by the unanimous vote of the City Council.

K-2 The matter to direct City staff to prepare a report to the City Council on the two ballot measure petitions regarding the city manager's compensation and the proposed Richmond Riviera Housing Development was presented by Mayor Tom Butt. Terence James and Leisa Johnson gave comments. Following discussion, a motion by Mayor Butt, seconded by Vice Mayor Myrick directed staff to prepare said report by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Pimplé, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Abstentions:** Councilmember Martinez. **Absent:** None.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:19 p.m., in memory of Patricia McCall (grandmother of Finance Department Budget Analyst Leah Clark-Viramontes) and John Gerk (father of Office of Emergency Services Manager Kathy Gerk), to meet again on Tuesday, September 29, 2015, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor

Certified as a True Copy

Clerk of the City of Richmond