

**RICHMOND, CALIFORNIA, October 20, 2015**

The Richmond City Council Evening Open Session was called to order at 5:09 p.m. by Mayor Tom Butt.

**ROLL CALL**

**Present:** Councilmembers Beckles, McLaughlin, Pimplé, and Mayor Butt. **Absent:** Councilmembers Bates and Martinez were absent the entire meeting. Vice Mayor Myrick arrived at 5:15 p.m. after adjourning 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. LIABILITY CLAIMS (Government Code Section 54956.9):** Pineda vs. City of Richmond

**A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):** Plummer vs. City of Richmond

Affordable Housing Land Consultants, LLC vs. City of Richmond

The Open Session adjourned to Closed Session at 5:10 p.m. Closed Session adjourned at 5:55 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:41 p.m. by Mayor Butt who led the Pledge of Allegiance to the Flag.

**ROLL CALL**

**Present:** Councilmembers Beckles, Pimplé, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmembers Bates and Martinez were absent the entire meeting.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

Mayor Butt continued Item J-1 to the November 3, 2015, City Council meeting. Items I-7, I-12, and I-20 were removed from the Consent Calendar. Item I-20 was heard immediately after approval of the Consent Calendar.

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

E-1. Mayor Butt and Councilmember McLaughlin presented a proclamation to Urban Tilth, declaring October 20, 2015, to October 24, 2015 as Food Week in Richmond. Cordell Hindler 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**

City Manager, Bill Lindsay, stated that the city's new Wastewater Manager is Ryan Smith. Mr. Lindsay also stated the John F. Kennedy Park rebuild will take place on October 24<sup>th</sup> from 8 a.m. to 4 p.m. Mr. Lindsay also stated that the Richmond Swim Center will also be reopening.

## **OPEN FORUM FOR PUBLIC COMMENT**

Leonard Taylor gave comments regarding the Fleet Week events last week. Mr. Taylor also announced that there will be a carnival at Hilltop Community Church on October 30<sup>th</sup>, from 6:00 p.m. to 9:00 p.m.

Cordell Hindler stated that the agenda should be organized in such a way that the city council can shorten the amount of time some agenda items have been taking.

Courtney Cummings thanked the city for recognizing October 12, 2015, as Indigenous Day. Ms. Cummings also announced that there will be a Halloween Party at the Native American Health Center on October 30<sup>th</sup> from 3:30 p.m. to 5:30 p.m.

Naomi Williams invited everyone to the JFK Park rebuild on Saturday, October 24<sup>th</sup> beginning at 8 a.m.

Richard Poe stated that it's been over 2 years since his project has been in process and is prepared to give the city \$2 million once his project is approved.

Kokoye Sande and Amy Aldrich stated that the Macdonald Avenue Senior Center needs to be opened as soon as possible as it has been closed since June 2015.

Donna Powers gave comments regarding deadbeat dads.

Texanita Bluitt stated that she is pleased that the Kennedy Swim Center is opening again.

Bea Roberson invited everyone to the Annual Richmond Fire and Police Holiday Toy Program Fundraising breakfast on Friday, November 6, 2015, at 6:30 a.m. at the Courtyard by Marriot at Hilltop.

Tarnell Abbott stated that there will be an Evening of Solidarity Cuban event at the East Bay Center for the Performing Arts on Friday, November 13<sup>th</sup> at 7:30 p.m.

Ruscal Cuyangyang thanked Councilmembers Beckles and McLaughlin for visiting the City of Vallejo. Mr. Cuyangyang also announced that Vallejo will be having a Downtown Art Walk every 2<sup>nd</sup> Friday of the month from 5 p.m. to 10 p.m.

Jenine Ball read a poem regarding how the family feels following the death of Pedie Perez.

Rick Perez, Frank Runninghorse, Julie Perez, Eugene Ruyle, Gerald Smith, Lori McGee, Patricia Perez, Stacey Means, and Steven Jacobsen, urged the City to perform an independent investigation regarding the death of Pedie Perez.

Fayza Ayyad thanked the City of Richmond Fire Department for saving her husband's life recently.

### **CITY COUNCIL CONSENT CALENDAR**

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

\*- I-1. Approved a contract amendment with Legacy Mechanical & Energy Services, Inc. for as-needed mechanical building maintenance services to perform major mechanical building maintenance services at various City-owned facilities, including Civic Center Plaza, Richmond Main Library, and the two swim centers, increasing the contract by \$50,000 for a total contract amount of \$210,000.

\*- I-2. Approved a three-year, sole-source contract with Socrata, Inc. to develop and maintain an open data portal to share police data with the public, in an amount not to exceed \$70,400 for the term of the contract, commencing November 1, 2015, through October 31, 2018.

\*- I-3. Approved the purchase of two 2016 Kawasaki Mule Pro-FX side-by-side utility vehicles from Green Valley Tractor, Inc., for the Police Department's Cadet and Park Ranger Programs, in an amount not to exceed \$34,000.

\*- I-4. Approved a contract with NEMA Construction for the rehabilitation of the Greenway lighting system in an amount not to exceed \$240,000.

\*- I-5. Approved a contract with Groundwork Richmond to function as the Urban Forestry Project Administrator, that will provide support to the City of Richmond Parks Division in implementing an urban forestry program to include tree planting, coordination of a tree committee and tree care oversight, in an amount not to exceed \$125,000, and with a contract term from November 1, 2015 to December 31, 2017, funded by the Chevron Refinery Modernization Project Environmental and Community Investment Agreement.

\*- I-6. Reviewed and approved the City's Investment and Cash Balance Reports for the months of July 2015 and August 2015.

\*- I-7. The matter to approve a contract with NEMA Construction to install a new elevator and perform Americans with Disabilities Act (ADA)-related restroom improvements at the Richmond Auditorium in an amount not to exceed \$990,000, to be financed using Community Development Block Grant (CDBG) funds was presented by Public Works Director, Yader Bermudez. Councilmember Pimplé expressed concern regarding the possibility of change orders being made on this project. A motion by Councilmember Myrick, seconded by Councilmember Beckles, approved the contract by the unanimous vote of the City Council.

\*- I-8. Approved an agreement with The Trust for Public Land to complete a community-build park project at John F. Kennedy Park.

\*- I-9. Approved a legal services agreement with Gordon & Rees for the evaluation and legal review of the City's Wastewater Operations (as contracted by Veolia Water North America), and the legal review of any documents regarding the Sludge Ponds Lease Agreement with West County Wastewater District, in an amount not to exceed \$25,000.

\*- I-10. Approved an amendment to the contract with Alliance Graphics, Inc. to provide graphic art services and promotional products for the RichmondBUILD Academy. The contract term will be extended through June 30, 2016, and the contract amount will be increased by \$9,000 for a total contract amount not to exceed \$18,500.

\*- I-11. Accept and appropriate the donation from Sally M. Adler in the amount of \$500.00 for the Office of Neighborhood Safety's (ONS) Operation Peacemaker Fellowship Program.

\*- I-12. The matter to adopt a resolution approving a 3% annual cost of living increase, in addition to the 2% minimum cost of living increase, for the recipients of the General Pension Fund, for a total annual cost of living increase of 5% for these recipients was presented by Susan Segovia, Finance Department. Leisa Johnson and Joe Puleo gave comments. Mayor Butt, seconded by Councilmember Pimple, to bring the

matter back in two weeks with additional information that supports the contention that the pension amounts lost value over the years, passed by unanimous vote of the City Council.

\*- I-13. Approved an amendment to the grant-funded contract with the Laborers' Community Service & Training Foundation to provide an additional series of four environmental workforce development training classes at the RichmondBUILD Academy. The contract term will be January 13, 2014, through June 30, 2016, and the contract amount will be increased by \$60,000 to a total contract amount not to exceed \$125,000.

\*- I-14. Adopted **Resolution No.'s 103-15 and 104-15**, establishing new stop controls, and revising existing stop controls, to improve safety along neighborhood traffic corridors.

\*- I-15. Approved a three-year contract with Wesco Graphics Inc. to print the next six editions of the Recreation Department's bilingual Activities Guide. The total contract amount is not to exceed \$45,000 for the period beginning October 1, 2015, and ending June 30, 2018.

\*- I-16. Approved a three-year contract with Corodata Records Management, Inc. and Recall Total Information Management, Inc. to provide off-site file and document storage services in an amount not to exceed \$200,000 per vendor over a three year period, with an option to extend the contracts for two years.

\*- I-17. Approved a contract amendment with Best Contracting Services, Inc. and payment for the final change order for roof replacement at the Point Richmond Library/Community Center, in an amount not to exceed \$92,459, for a total contract amount of \$332,459.

\*- I-18. Approved an emergency purchase of pool boiler parts from Parts4heating to repair the boiler at the Richmond Swim Center in an amount not to exceed \$20,000.

\*- I-19. Approved the minutes of the regular City Council meeting held Tuesday, September 29, 2015.

\*- I-20. The matter to approved first reading of an ordinance amending the contract between the California Public Employees' Retirement System and the Richmond City Council to allow classic local safety members in Richmond Fire Management Association (RFMA), International Association of Fire Fighters, Local 188 (Local 188) and Richmond Police Management Association (RPMA) to contribute an additional 1%, for a total of 3%, towards their retirement costs was presented by City Manager, Bill Lindsay. A motion by Councilmember Myrick,

seconded by Councilmember McLaughlin, approved first reading of said ordinance, by the unanimous vote of the City Council.

\*- I-21. Received the Certificate of Sufficiency of Initiative Petition dated October 6, 2015, indicating that the initiative petition entitled "Richmond General Plan 2030 Amendment" has a sufficient number of valid signatures to be submitted to the voters at a special election. This is the only Council action at this time.

\*- I-22. Received the Certificate of Sufficiency of Referendum Petition dated October 13, 2015, indicating that the referendum petition protesting the passage of Ordinance No. 21-15 N.S. -- amending Article XI of the Richmond Municipal Code to establish a rent control board and just cause requirement for evictions -- has a sufficient number of valid signatures for the ordinance to be suspended. This is the only Council action at this time.

### **COUNCIL AS A WHOLE**

CONTINUED to the November 3, 2015, City Council meeting, the matter to approve Richmond Compassionate Care Collective's ("RCCC") request for a sixty (60) day extension of time to commence operations, pursuant to Richmond Municipal Code ("RMC") section 7.102.030C, provided that RCCC resumes payment of quarterly regulatory permit fees.

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

None.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:55 p.m., to meet again on Tuesday, October 27, 2015, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor