

**RICHMOND, CALIFORNIA, March 1, 2016**

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

**ROLL CALL**

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

**CITY COUNCIL**

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

City of Richmond vs. County of Contra Costa

**A-2. LIABILITY CLAIMS - (Government Code Section 54956.9):**

Gormley vs. City of Richmond

**A-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):**

Title: City Clerk

The Open Session adjourned to Closed Session at 5:32 p.m. Closed Session adjourned at 6:34 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:37 p.m., by Mayor Butt, who led the Pledge of Allegiance to the Flag.

## **ROLL CALL**

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

## **STATEMENT OF CONFLICT OF INTEREST**

None.

## **AGENDA REVIEW**

Item H-4 was removed from the Consent Calendar. Mayor Butt continued Item H-16 to the March 15, 2016, City Council meeting.

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

City Attorney Bruce Goodmiller stated that there were no final actions taken.

## **REPORT FROM THE CITY MANAGER**

City Manager Bill Lindsay reported that the Draft Environmental Impact Report for the Terminal 1 Project was released last week for review. Copies are available on-line and at the Richmond Public Library. The 45-day written comment period ends at 5p.m. on April 11, 2016, and are to be sent to Lina Velasco in the Planning Department.

## **OPEN FORUM FOR PUBLIC COMMENT**

Leonard Taylor stated that the recent freeway shooting caused a major traffic backup.

Rosemary Corbin announced that the East Bay Heritage Quilters Show will take place at the Craneway Pavilion on Saturday, March 19, 2016, from 10a.m. to 5p.m. and Sunday, March 20, 2016, from 10a.m. to 4p.m. Tickets are \$15 for adults and children under 12 are free.

Jackie Thompson apologized to Councilmember Pimplé for missing their meeting. Ms. Thompson also gave comments regarding unsanitary and unsafe conditions at Friendship Manor with residents relocating from Triangle Court.

Antwon Cloird stated that the media doesn't report the positive things happening in Richmond.

Marcos Banales and Tarnel Abbott read a letter from a Richmond Progressive Alliance (RPA) member, Jeff Shogi, about Mayor Butt's e-mail forum stating that the RPA does not support the Richmond Kids First Initiative.

Edna Campbell requested financial support for the rehabilitation of Lillie Mae Jones' home.

Rick Perez gave comments regarding statements made by Mayor Butt's son regarding Pedie Perez.

Fayza gave comments in support of gun control and helping our youth.

Rita Barouch, Chairperson of the Richmond Regla Friendship Committee, will be hosting a forum with Miquel Fraga, the first secretary of the new Cuban embassy in Washington D.C., in the Richmond Public Library Whittelsey Room on March 11, 2016, at 7p.m. Ms. Barouch also stated that Doria Robinson and Michelle Seville will give a presentation about their experiences during their recent trip to Cuba on March 23, 2016, at 6:30 p.m. at the Richmond Public Library.

### **CITY COUNCIL CONSENT CALENDAR**

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

\*- H-1. Adopted **Resolution No.15-16**, authorizing the execution of an agreement with The Trust for Public Land (TPL) for the design and construction of a vegetated swale, tree planting, and installation of a native plant garden as part of the Harbour to 8th Street Richmond Greenway project, with all costs covered by TPL through a Proposition 84 Urban Greening grant.

\*-H-2. Reviewed and approved the City's Investment and Cash Balance Report for the month of January 2016.

\*-H-3. Approved a contract amendment with Veolia Operating Services West to include operations and

maintenance of the Bradley Moody Underpass stormwater pump station (MUPS) and the wet weather storage facility (WWSF), increasing payments to Veolia by \$6,601 per month (\$79,212 annually) for maintenance of the MUPS, and by \$23,446 per month (\$281,352 annually) for maintenance of the WWSF.

H-4. The matter to approve a contract with First Alarm Security Patrol, Inc. dba First Security Services, to provide security services to the former Naval Fuel Depot Point Molate for a period from March 1, 2016, to June 30, 2019, in an amount not to exceed \$676,551.20. Staff is also requesting approval for two option years for Fiscal Year 2019-2020 and Fiscal Year 2020-2021 at a cost of \$187,965.36 per year was presented by City Manager, Bill Lindsay. Councilmember Bates asked what the local employment will be. Craig Murray replied that the employees of the prior security company will be hired. Councilmember Bates also stated that vendors should not be allowed to do any work until the City Council has reviewed and approved contracts. A motion by Councilmember Beckles, seconded by Councilmember McLaughlin, approved the contract by the unanimous vote of the City Council.

\*-H-5. Adopted **Resolution No. 16-16**, authorizing the execution of a construction contract with Ghilotti Bros., Inc., for construction of the Safe Routes to School Cycle 1 Improvements Project (Ford, Grant, King, and Lincoln elementary schools) in an amount not to exceed \$587,875.75, including a 10% contingency (\$53,443.25).

\*-H-6. Authorized the submittal of an application for recycling programs and related authorizations for the Fiscal Year 2015-16 State Department of Resources, Recycling, and Recovery (CalRecycle); appropriated the grant award to the City of Richmond's Environmental Initiatives Division; and adopted **City Council Resolution No. 16-16(a)**.

\*-H-7. Approved a sole-source contract with Linear Systems for an upgrade of the Digital Information Management System, in an amount not to exceed \$60,000, and for a term from February 1, 2016, through June 30, 2016.

\*-H-8. Adopted **Resolution No. 17-16**, authorizing placement of liens and special assessments for unpaid

garbage collection service fees on County property tax records.

\*-H-9. Appropriated the amount of \$200,000 from the storm drainage impact fee fund to the Stormwater Improvements Capital Project to pay the City's required share of the North Richmond Stormwater Pump Station Diversion Project managed by Contra Costa County

\*-H-10 Approved a contract with First Data Merchant Services Corporation for credit card merchant services and equipment utilized at various department locations, including Finance, Police, and R-Transit.

\*-H-11. Adopted **Resolution No. 18-16**, authorizing an amnesty program for a period of 10 months, allowing businesses that have failed to pay their business license tax and transient occupancy tax (TOT), including short-term rentals, the opportunity to bring their accounts current without payment of penalties and interest.

\*-H-12. Adopted **Resolution No. 19-16**, to accept and appropriate \$782,907 in funding from the Contra Costa County Health Services Hazardous Materials Division in support of the Richmond Fire Department Hazardous Materials Response Program, and approve a two-year interagency agreement with a term extending from July 1, 2015, to June 30, 2017.

\*-H-13. Proclamation acknowledging March 7 - 13, 2016 as Multiple Sclerosis (MS) Awareness Week to heighten public knowledge of the disease, support individuals suffering from MS, and support the search for a cure.

\*-H-14. Adopted **Resolution No. 20-16**, authorizing the City to act as petitioner in court to initiate probate leading to the eventual sale of certain properties where: (1) the City is a creditor in probate consistent with a reduced cost legal services agreement with probate counsel; and (2) there is an indemnity agreement with Richmond Housing Restoration, LLC, the entity created by the Richmond Community Foundation for this purpose.

\*-H-15. APPROVE actions to update the Historic Preservation Commission: accept the resignation of Donald Bastin who was serving in seat #2 for a term ending July

31, 2016; declare Seat #2 vacant; and direct the City Clerk to post the seat's vacancy.

H-16. CONTINUED to the March 15, 2016, City Council meeting, to appoint Annie King-Meredith to the North Richmond Resident, Incorporated Area Seat on the North Richmond Mitigation Fund Committee; appoint Marena Brown to serve as the Alternate for the North Richmond Resident, Incorporated Area Seat on the North Richmond Mitigation Fund Committee.

\*-H-17. Approved actions to update the Richmond Workforce Development Board: Appointed Richard Johnson, New Appointment, Seat #6, Term Expiring March 1, 2020; Bob Lilley, New Appointment, Seat #7, Term Expiring March 1, 2020; Kelly Schelin, New Appointment, Seat #8, Term Expiring March 1, 2020

\*-H-18. Approved the minutes of the regular City Council meeting held Tuesday, February 2, 2016.

### **PUBLIC HEARINGS**

I-1. APPEAL WITHDRAWN BY APPELLANT - the matter to consider an appeal of the Design Review Board's decision to approve Design Review Permit (PLN15-374) for the construction of the MCE Richmond Solar PV Project proposed on the Chevron Richmond Refinery property (APNs: 561-100-038, 561-100-034, and 561-100-037); and affirmed the Design Review Board's Design Review Permit approval.

### **RESOLUTIONS**

J-1. The matter to adopt a resolution to accept and appropriate \$625,000 in grant funding from the U.S. Department of Justice Office of Community Oriented Policing Services awarded to the Richmond Police Department for the hiring of additional police officers and allow a \$2,111,227 in-kind match over a three year period that will be budgeted accordingly was presented by Interim Police Chief, Allwyn Brown. This item was continued from the February 2 and 16, 2016, meetings. The following individuals gave comments: Joseph Puleo, Richard Stollings, and Leisa Johnson. Discussion ensued. Councilmember Bates requested an analysis of the possibility of using reserve officers in order to save money. Councilmember McLaughlin requested a report regarding

the police department's use of non-lethal methods. A motion by Councilmember Beckles, seconded by Vice Mayor Myrick, adopted Resolution No. 21-16, and to request a waiver of the in-kind match, passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, and Mayor Butt. **Noes:** None. **Absent:** **Abstain:** Vice Mayor Martinez.

J-2. The matter to adopt a resolution supporting seed saving within the City of Richmond and Assembly Bill 1810, The Seed Exchange Democracy Act was presented by Mayor Butt. A motion by Councilmember McLaughlin, seconded by Vice Mayor Martinez, adopted **Resolution No. 22-16**, by the unanimous vote of the City Council.

J-3. The matter to adopt a resolution calling for an end to the United States' economic, commercial and financial blockade against Cuba was presented by Councilmember McLaughlin. The following individuals gave comments: Tarnel Abbott, Liz Watts, and Rita Barouch. A motion by Councilmember McLaughlin seconded by Vice Mayor Martinez, adopted Resolution No. 23-16, and changed the word "blockade" to "embargo", passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, Vice Mayor McLaughlin, and Mayor Butt. **Noes:** None. **Absent:** None. **Abstain:** Councilmember Pimplé.

J-4. The matter to adopt a resolution supporting the "Safety for All Act of 2016" was presented by Vice Mayor Martinez. Ben Therriault gave comments. Councilmember Bates suggested that Officer Therriault draft some language regarding this matter to send to the Lieutenant Governor. A motion by Vice Mayor Martinez, seconded by Councilmember Bates, adopted **Resolution No. 24-16**, by the unanimous vote of the City Council.

## **ORDINANCES**

K-1. The matter to introduce an ordinance revising the Richmond Police Commission enabling ordinance, Richmond Municipal Code 3.54 was presented by Mayor Butt. The following individuals gave comments: Cordell Hindler, Tarnel Abbott, Ben Therriault, and Bea Roberson. Discussion ensued. A motion by Councilmember Myrick, seconded by Vice Mayor Martinez, introduced said ordinance by the following vote:

**Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, and Mayor Butt. **Noes:** Councilmembers Pimplé and Mayor Butt. **Absent:** None. **Abstain:** None.

### **COUNCIL AS A WHOLE**

The matter to discuss new revenue opportunities for the City of Richmond that require ballot measures to be enacted, and directed staff to initiate the process for preparing revenue generating ballot measures for the 2016 general election was presented. The following individuals gave comments: Leisa Johnson, Eric Felder, Tammy Bankston, Deborah Leslie, Kevin Leslie, Bill Koziol, Helen Cobb, Cordell Hindler, Lisa Hirshorn, Kirk Wood, Mike Jenkins, Collin Hill, Markida Mitchell, Sherman Broadway, Ananise Jack, Ralph, Miguel Correa, Nate McQueen, Asia Davis, Esmeralda Frias, Melvin Willis, and Jim Hicks. Discussion ensued. Mayor Butt requested that the Interim Police Chief look into enforcement of marijuana delivery services into the City from outside locations. Councilmember Beckles asked when the RFP for manufacturing marijuana will be released. Councilmembers Bates and Pimplé stated that an independent audit should be done on all city departments before the community is taxed. The Councilmembers were supportive of a litter tax, soda tax, cannabis cultivation tax, and real estate transfer tax. Some of the suggestions will be placed on a future agenda for discussion and possible placement on the ballot.

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

Vice Mayor Martinez stated he attended an Energy Policy Symposium in Long Beach, CA.

Councilmember Beckles attended a conference regarding healing our communities and person who experience trauma.

Councilmember Bates appreciated Independent Holiness Church who celebrated and honored Black History Month. The honorees were Councilmember Bates, Councilmember Myrick, Lillie Mae Jones, and Kathleen Jones.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:30 p.m., in memory of Doris Bell and Xavier McClanahan, to meet again on Tuesday, March 15, 2016, at 6:30 p.m.

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Clerk of the City of Richmond

(SEAL)

Approved:

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Mayor