

RICHMOND, CALIFORNIA, May 3, 2016

The Richmond City Council Evening Open Session was called to order at 5:04 p.m.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Jovanka Beckles, Gayle McLaughlin, Vinay Pimplé, and Mayor Tom Butt. **Absent:** Councilmember Jael Myrick and Vice Mayor Eduardo Martinez arrived after roll call.

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. LIABILITY CLAIMS - (Government Code Section 54956.9):

Sousa vs. City of Richmond
Whitney vs. City of Richmond

A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6): Conference with Labor Negotiators:

City designated representative(s): Bill Lindsay, Lisa Stephenson, Maria Blue, Jack Hughes, Todd Simonson, Belinda Warner, and Bruce Soublet for SEIU Local 1021, IFPTE Local 21, Local 188, RPOA, RPMA, and RFMA.

A-3. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: Investigative Officer

There were no public speakers.

The Open Session adjourned to Closed Session at 5:05 p.m. Closed Session adjourned at 6:07 p.m.

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

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Item I-13 was removed from the consent calendar for discussion at the end of the agenda. **Item M-2** was **withdrawn** from the agenda. **Items I-6 and L-1** were **continued** to the May 17, 2016, meeting.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Vice Mayor Martinez and Mayor Butt presented a proclamation declaring May 2016 as Historic Preservation Month in Richmond to the City of Richmond's Historic Preservation Commission (HPC). HPC Vice Chair Sandi Genser-Maack announced the Historic Preservation Awards Ceremony on May 25, 2016, at 5:30 p.m. in the City Council Chamber followed by a reception at the Richmond Art Center.

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 on the following items: Weed abatement efforts with the use of alternative organic spray products were underway and scheduled for completion by May 13, 2016. The deadline to submit Environmental Community Investment Agreement grant applications was May 2, 2016. Staff received approximately sixty applications.

OPEN FORUM FOR PUBLIC COMMENT

Naomi Williams announced the Commission on Aging's 22nd Annual Senior Night Out event on Saturday, May 14, 2016, at the Richmond Memorial Auditorium from 6:30 p.m. to 10:00 p.m. Tickets cost \$20.00 per person at the Richmond Recreation Complex, 3230 Macdonald Avenue, Richmond.

Bea Roberson gave comments congratulating Richmond's Office of Emergency Services Manager Katherine Gerk for being recognized by the Federal Emergency Management Agency for her work.

Jackie Thompson urged the City Council to take notice of the conditions at the vacant Hacienda housing complex.

Al Nero requested that the City Council reconsider its decision made at the April 26, 2016, meeting to table the matter concerning a full audit of the city organization.

Rick Perez gave comments regarding San Francisco and Proposition 12. Mr. Perez requested that the City Council make Richmond citizens a priority and allow citizens to participate on the Citizens Police Review Commission.

CITY COUNCIL CONSENT CALENDAR

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

*I-1. Approved a one-year contract with Glen Price Group to prepare a grant application for the California Board of State and Community Corrections (BSCC) Strengthening Law Enforcement and Community Relations grant for the period March 1, 2016 to December 31, 2016, in an amount not to exceed \$17,500.

*I-2. Approved a contract amendment with Noonan and Hart Investigative Services, Inc. for the purpose of conducting pre-employment background investigations in the Police Department, increasing the contract amount by \$19,000 to a total amount not to exceed \$25,000, and with a term from February 1, 2016, through December 31, 2016.

*I-3. Approved an amendment to the grant funded contract with the Bay Area Resource Center, allowing for an expansion of the existing training courses provided to new and small Richmond-based contractors as part of the RichmondBUILD program. The contract term will be extended through June 30, 2017; and the contract amount will be increased by \$30,000 for a total amount not to exceed \$80,000.

*I-4. Adopted **City Council Resolution No. 33-16** approving the Engineer's Report for Fiscal Year 2016-2017 for the Hilltop Landscape Maintenance District ("HLMD"), declaring the Council's intention to increase the annual assessment in the HLMD, and announcing a public hearing concerning the proposed increased assessment on June 7, 2016, at 6:30 PM in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond.

*I-5. Adopted **City Council Resolution No. 34-16** approving the Engineer's Report for FY 2016-2017 for the Marina Bay Landscaping and Lighting Maintenance District, declaring the Council's intention to increase the annual assessment in the Marina Bay Landscaping and Lighting Maintenance District, and announcing a public hearing concerning the proposed increased assessment on June 7, 2016, at 6:30 PM in City Council Chambers at 440 Civic Center Plaza in the City of Richmond.

I-6. **Continued to the May 17, 2016, meeting.** The matter to approve 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 with a term from February 1, 2016 through June 30, 2017.

*I-7. Approved an amendment to the grant funded contract with the Cypress Mandela Training Center to provide multi-craft core curriculum and industry-recognized certifications for (15) program participants at the Cypress Mandela Training Center in support of the RichmondBUILD Academy's Clean Energy Grant. The contract term will be extended through June 30, 2017; the contract amount will be increased by \$75,000 for a total contract amount not to exceed \$275,000.

*I-8. Approved an amendment to the grant funded contract with Contra Costa County Employment and Human Services Dept. on behalf of the Workforce Development Board to provide additional multi-craft core curriculum and industry-recognized certificate for (10) Future Build program participants on behalf of RichmondBUILD Academy. The contract amount will be increased by \$50,000 for a total contract amount not to exceed \$150,000.

*I-9. Approved an amendment to the grant funded contract with the Laborers' Community Service & Training Foundation to provide an additional series of Multi-Craft Core Curriculum training classes at the RichmondBUILD Academy. The contract term will be extended through June 30, 2017; the contract amount will be increased by \$10,000 for a total amount not to exceed \$50,000.

*I-10. Approved actions to update the Housing Advisory Commission: Appointed Anntheia Farr, new appointment, seat #1, term expiring November 1, 2017.

*I-11. Approved a standing purchase order with Statewide Traffic Safety & Signs, Inc. for traffic signs and lines materials in an amount not to exceed \$100,000 for the three fiscal years from 2016-2019.

*I-12. Approved a contract with Delta Grinding, Inc. for as-needed rental of street paving grinding equipment in an amount not to exceed \$175,000 per year.

I-13. The matter to appoint Bea Roberson as an employee representative to the Personnel Board nominated by the public safety unions and elected at the Personnel Board Election held April 8 to April 18, 2016, was removed from the consent calendar at the request of the City Council. Discussion ensued. The City Council expressed concern regarding a potential conflict of interest because the appointee currently served on the Citizens Police Review Commission (former Police Commission). A motion by Councilmember Bates to approve the appointment in accordance with the city charter died for lack of a second. Further discussion ensued. The City Council did not take any further action on this item.

*I-14. Approved actions to update the Arts and Culture Commission: Appointed Consuelo Lara, new appointment, seat #5, term expiring January 31, 2018.

*I-15. Approved a contract with Community Violence Solutions (CVS) for the continuation of services for the Children's Interviewing Center (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, 2015 through June 30, 2016 in an amount not to exceed \$20,207.00.

*I-16. Adopted **Ordinance No. 5-16 N.S.** (second reading) amending Richmond Municipal Code Chapter 3.54 entitled "Citizens Police Review Commission Ordinance" to require the Investigative Officer to conduct an investigation in the event of death or serious bodily injury resulting from direct police action.

*I-17. Adopted **Ordinance No. 6-16 N.S.** (second reading) amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to update the solid waste collection rates to reflect an: (1) annual CPI rate adjustment of 2.56 percent that took place on January 1, 2016; (2) expansion of the senior discount to include the 20 gallon mini-can service; and (3) approval of \$0.20 per month surcharge on residential accounts resulting from the high 2015 bulky item participation rate that exceeded the 2015 bulky item program budget.

*I-18. Approved the minutes of the regular City Council meeting held Tuesday, April 19, 2016.

STUDY AND ACTION SESSION

J-1. The matter to receive a report from City Council Public Policy Interns regarding tiny house villages for the homeless and direct the City Manager to research the feasibility of developing a village in Richmond, was introduced by Councilmember Beckles and presented by Interns Gyu Choi and Mariah Fairley. The interns Powerpoint presentation gave an overview of the following: definition and purpose of a tiny house; successful projects including Opportunity Village in Eugene, Oregon; program logistics and development; aspects of a tiny house community agreement; pros and cons; potential issues; potential funding and volunteer sources; and a tiny village resident success story. At the conclusion of the presentation, discussion ensued. The City Council expressed concern regarding safety and security within a tiny house village. The City Council recommended that staff identify ideal communities and locations in Richmond for a tiny house village; specify project parameters; consider partnering with a private, non-profit or homeless organization for financial support and leadership; and consider the use of in-lieu fees, if permissible. A motion by Councilmember Beckles, seconded by Councilmember Myrick, directed the City Manager to conduct said research by the unanimous vote of the City Council.

RESOLUTIONS

K-1. The matter to adopt a resolution opposing Measure N, regarding the Richmond Riviera Residential Development Initiative; and Measure O, regarding Compensation of the City Manager and City Officials, was presented by Mayor Butt. City Manager Bill Lindsay informed the City Council of a conflict of interest and recused himself for this item. Discussion ensued. A motion by Councilmember Bates for the City Council to take action on each measure separately died for lack of a second. City Attorney Bruce Goodmiller pointed out that separating the two measures would require two separate resolutions. The following public speakers gave comments: Leisa Johnson, Andrew Werbrock, Dennis Dalton, Scott Littlehale, Veronica Keeton, and Roberta Selna. Planning and Building Services Director Richard Mitchell provided an overview of the project proposal referenced in Measure N. A motion was made by Councilmember McLaughlin, seconded by Councilmember Pimplé, to adopt said resolution. Another motion was made by Councilmember Bates to table the item died for lack of a second. The main motion failed by the following vote: **Ayes:** Councilmembers McLaughlin, Pimplé, and Mayor Butt. **Noes:** Councilmembers Bates and Myrick. **Abstentions:** Councilmember Beckles and Vice Mayor Martinez. **Absent:** None.

ORDINANCES

L-1. **Continued to the May 17, 2016, meeting.** The matter to introduce an ordinance (first reading) to amend Chapter 7.102 of the Richmond Municipal Code allowing and setting minimum standards for medical marijuana cultivation and marijuana businesses.

COUNCIL AS A WHOLE

M-1. The matter to acknowledge receipt of the draft Fiscal Year 2016-17 Annual Operating Budget and the draft Fiscal Year 2016-21 Five-Year Capital Improvement Budget, was introduced by City Manager Bill Lindsay and presented by Finance Director Belinda Warner. Ms. Warner's PowerPoint presentation gave an overview of the following: budget calendar; General Fund budget, status, and balance sheet; budget summary; and a schedule of departmental budget presentations. The City Council requested department heads to include an additional six percent budget reduction proposal with their budget presentations. Police Chief Allwyn Brown presented a departmental budget PowerPoint presentation. Discussion ensued. The City Council requested staff to research the city's fees for district attorney services and taxes paid to Contra Costa County in comparison to other cities with similar demographics within the same county. Chief Brown indicated that an additional budget reduction could be achieved by reducing more overtime and pending grants could increase revenue. Fire Chief Adrian Sheppard presented a departmental budget PowerPoint presentation. Discussion ensued. The City Council suggested that fire compliance inspections should be conducted as billed. The City Council requested the Fire Department's overtime expenses for the fiscal years 2012-13 and 2013-14. The

City Council requested the net revenue amount for a fire compliance inspection. Chief Sheppard advised the City Council of his intent to initiate a cost recovery program for services provided to non-residents, which would be an additional revenue source. Advance Peace Consultant/Office of Neighborhood Safety (ONS) Director Devone Boggan provided a departmental budget report. The City Council requested that all department heads provide hardcopies of budget presentations to councilmembers in the future. Mr. Boggan indicated that ONS could achieve an additional budget reduction by reducing his consulting time or eliminating the Advance Peace consulting contract with the city. The City Council requested an outline of ONS's process and services to the community. The City Council also requested staff to provide other recommendations for additional reductions to ONS's budget, potential revenue sources to restore ONS's financial position, and the consequences of such actions.

(At approximately 10:53 p.m. - a motion by Councilmember Bates, seconded by Councilmember Myrick, extended the meeting to 11:30 p.m. by the following vote: Ayes: Councilmembers Bates, Myrick, Pimplé, and Vice Mayor Martinez. Noes: Councilmembers Beckles, McLaughlin, and Mayor Butt. Abstentions: None. Absent: None).

Housing and Community Development (HCD) Executive Director Tim Jones presented a departmental budget report. Discussion ensued. Mr. Jones informed the City Council of his intent, as directed by the City Manager, to reduce HCD's general fund subsidy to zero for the fiscal year 2016-17. Mr. Jones indicated that additional budget reductions could be achieved by implementing project management cost recovery and recovering administrative fees from the revolving loan fund.

(At approximately 11:03 p.m. - Councilmember Beckles departed the remainder of the meeting).

Port Executive Director Jim Matzorkis distributed to councilmembers the Port's five-year budget projections and capital improvement budget. Mr. Matzorkis presented a departmental budget report. Discussion ensued. Mr. Matzorkis informed the City Council that the sale of Terminal One will offset the general fund debt balance by \$10 million, originally \$17 million. Mr. Matzorkis indicated that additional revenue could be achieved by expanding automobile business, growing the new log export operation, and exploring new business opportunities. Mr. Matzorkis informed the City Council that the Port was not subsidized by the general fund and that the Port contributed \$150,000 per year to the general fund.

M-2. Withdrawn from the agenda. The matter to discuss and consider establishing an oversight committee to ensure that the \$90 million specified in Environmental and Community Investment Agreement is expended as outlined in the agreement.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:30 p.m., in memory of Mauriana Capri Seymore and Reginald Atkinson, to meet again on Tuesday, May 17, 2016, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor