

RICHMOND, CALIFORNIA, July 26, 2016

The Richmond City Council Evening Open Session was called to order at 5:02 p.m.

ROLL CALL

Present: Councilmembers Beckles, McLaughlin, Myrick, Vice Mayor Martinez, and Mayor Butt. **Absent:** Councilmember Bates arrived after adjourning to Closed Session. Councilmember Pimplé arrived at 5:03 p.m. Councilmember Beckles arrived at 5:08 p.m.

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

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

Upstream Point Molate vs. City of Richmond

Serkes vs. City of Richmond

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: 12th Street and Macdonald Avenue
Agency Negotiators: Bill Lindsay and Shasa Curl
Negotiating parties: Highridge Costa Development Group
Under negotiation: Price and terms of payment

The Open Session adjourned to Closed Session at 5:12 p.m. Closed Session adjourned at 6:43 p.m.

The Regular Meeting of the Richmond City Council was called to order at 7:11 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

Items K-1 and K-3 were continued to the September 13, 2016, City Council meeting. A motion made by Councilmember Myrick to add the matter of the Kid's First Initiative to the agenda tonight, failed for lack of a second. (*Council recessed for 10 minutes*). A motion by Councilmember Myrick, seconded by Vice Mayor Martinez, to overrule Mayor Butt and add the Kid's First Initiative to the agenda, failed by the following vote: **Ayes:** Councilmember Myrick and Vice Mayor Martinez. **Noes:** Mayor Butt. **Absent:** None. **Abstain:** Councilmembers Bates, Beckles, McLaughlin, and Pimplé.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

D-1. Mayor Butt announced City of Richmond Board and Commission vacancies as of July 26, 2016, and ask 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 final actions taken.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported that the Grand Opening of Richmond's Tool Lending Library was held this past Saturday at the Richmond Recreation Center. Mr. Lindsay also stated that the Richmond Build Academy had a graduation in July.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Hindler spoke in support of the Kid's First Initiative.

Zak Wear, Kimberlyn Carson Thrower, and Millie Cleveland, spoke against the Kid's First Initiative due to the financial crisis it would cause the city.

Edward Abwao gave comments regarding his position being cut from the budget and the hiring of a supervisor in the public works department.

Mark Wassburg spoke about how dangerous it currently is to travel to Europe.

Bea Roberson invited everyone to National Night Out on Tuesday, August 2, 2016, which will begin at Target and end at the 23rd Street Merchant Association location.

Naomi Williams stated that Carlson Boulevard is being planned to change to a one-lane street. Ms. Williams also stated that she can be contacted to sign a petition in opposition of the change.

Rick Perez gave comments regarding Officer Wallace Jensen receiving \$70,000 per year on disability.

Eugene Ruyle stated there has been misinformation regarding the Pedie Perez case and stated that an independent investigation should be conducted.

Jackie Thompson gave comments regarding the \$30,000 planned to be spent on rehabilitating the woman involved in the police sex scandal and stated that that money should be used to assist youth in the community instead.

James Walker spoke against the hiring of an equipment supervisor in the Public Works Department, while a mechanic is going to be laid off.

Eleanor Thompson stated the ECIA Grant funds were not given out fairly.

Patricia Perez and Richard Perez stated that the Richmond Police Department is withholding information regarding the death of Pedie Perez.

James Roberson stated his position is supposed to be cut in the Recreation Department.

Johnny Holmes expressed disappointment in not receiving any ECIA grant funds that he applied for in order

to take the Half Steppers Track team to the Junior Olympics in Texas.

Mike Parker stated that he supports the idea of the Kids First Initiative; however there is no indication what the source of the funds would be. Mr. Parker also stated that there needs to be a coalition to raise funds for these programs, rather than be taken from the city's general fund.

Leisa Johnson stated that the city council needs to allow the democratic process to occur regarding the Kids First Initiative process.

Ben Therriault stated he supports the concept of the Kid's First Initiative, however is concerned about the fiscal impact it will have on the city, if it were to pass. Officer Therriault also stated that the police are not the community's enemy.

Vice Mayor Eduardo Martinez stated that the Kids First Initiative would cause other funding for youth programs to be eliminated in order to fund the proposed initiative.

The following individuals spoke in support of the Kid's First Initiative: Diana Ramirez, Jakia Kiel, Alexandra Rodriguez, Kenny Roberts, Monica Diaz, Valerie Jameson, Francisco Rojas, Anure McGee, Kimberly Aceves, Destiny Madison, Veronica Stevens, Dilan Pedraza, Roxanne Garza, Raquel Garcia, Joel Mackey, Kristin Lobos, John Gioia, Maaika Marshall, Destiny Imuoma, Kea Everett, Randy Joseph, Vanessa Espinoza, Zahiera Jones, Darlene Scruggs, Eric Aaholm, Andrew Yeung, Kanwarpal Dhaliwal, Deanna Gao, Sara Kershner, Jamileh Ebrahimi, Carlos Lemus, Atiya Gallon, Tarnell Abbott, Tamina Alon, Diana Diaz, and Jed Rodriguez.

CITY COUNCIL CONSENT CALENDAR

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

*- **H-1.** Authorized the city manager to enter into an Exclusive Right to Negotiate (ERN) with Integral Group for development of the city-owned former fire training center site located at 3506 Cutting Boulevard.

*- **H-2.** Authorized the city manager to negotiate and enter into an Exclusive Right to Negotiate (ERN) with the Highridge Costa Development Group for the development of the site located at 12th Street and Macdonald Avenue.

*- **H-3.** Approved a contract with the Oakland Private Industry Council to be the contracting and vendor pay agent for Individual Training Accounts and on-the-job training activities for the Workforce Innovation and Opportunity Act (WIOA) program participants. The contract term will be from July 26, 2016, through September 30, 2017, with a total contract amount not to exceed \$170,926.

*- **H-4.** Adopted **Resolution No. 76-16**, approving and authorizing execution of a Master Agreement for Taxing Entity Compensation with affected taxing entities, allowing for the transfer to the City of seven properties owned by the former Richmond Community Redevelopment Agency to be utilized for future development.

*- **H-5.** Approved a contract with Willdan Financial Services to prepared a service plan and fiscal analysis for the potential annexation of unincorporated North Richmond to the City of Richmond in an amount not to exceed \$55,000 and for a contract term from August 1, 2016 to March 31, 2017.

*- **H-6.** Approved the City of Richmond response to Grand Jury Report No. 1602 entitled, "Protecting Our Groundwater Resources," and authorize submittal of the response to the foreperson of the 2015-2016 Contra Costa County Civil Grand Jury.

*- **H-7.** Accepted and appropriated all donations and grants received to support the Career Online High School (COHS) Diploma Program offered through Richmond Public Library's Literacy for Every Adult Program (LEAP) and approved an agreement with the California State Library to provide matching funds for 25 scholarships as part of California's COHS Pilot Program and approved the purchase of COHS scholarships in an amount not to exceed the available balance of donation and grant funds in fiscal years 2016-17 through 2019-2020.

*-**H-8.** Approved the City of Richmond response to Grand Jury Report No. 1605 entitled, "Caring for the Victims: Commercial Sexual Exploitation of Children in Contra Costa County," and authorize submittal of the response to the foreperson of the 2015-2016 Contra Costa County Civil Grand Jury.

*- **H-9.** Approved the first amendment to the professional services agreement with Boudreau Associates, LLC to complete field sampling, environmental documentation, and permitting to obtain approval from the United States Army Corps of Engineers, Regional Water Quality Control Board, and the Bay Conservation and Development Commission to dredge berths 7 and 8, increasing the amount by \$364,147 to a total not to exceed \$472,147.

*- **H-10.** Adopted **Resolution No. 77-16**, authorizing the execution of agreements between the City of Richmond and the State of California Department of Transportation (Caltrans) for the use of \$293,381 in Sustainable Communities grant funding to support a project to develop an Integrated and Equitable Multimodal Mobility Plan.

*- **H-11.** Adopted **Resolution No. 78-16**, authorizing the city manager to execute amended loan documents, if necessary, and a new subordination agreement between the City and JP Morgan Chase Bank, N.A., which agreement will subordinate the City's \$4,500,000 loan, in support of the Richmond Housing Authority's Rental Assistance Demonstration Project for Friendship Manor and Triangle Court to a new total \$17,500,000 bond allocation.

*-**H-12.** Approved a two-year contract with Daud Abdullah and Urban Tilth to create pieces of mosaic artwork that enhance the City's beauty, engage the community, and promote reuse and recycling practices for an amount not to exceed \$90,000, with a term extending through December 31, 2018; approved the purchase and installation of recycling top facilities on existing trash receptacles from EcoPop Designs for an amount not to exceed \$84,600, with a term extending through December 31, 2018; and appropriated \$174,600 from the Recyclemore funds received in FY2015/16 for these purposes.

*- **H-13.** Approved actions to update the Commission on Aging; appointed Naomi Williams, re-appointment, seat #9, term expiring May 19, 2018.

*- **H-14.** Approved appointments for the ECIA Transportation Oversight Committee: appointed Christa Erasmus, new appointment, seat #1, term expiration July 25, 2019; Eric Anderson, new appointment, seat #2, term expiration July 25, 2019; Martha Serianz, new appointment, seat #3, term expiration July 25, 2019; and Erica Benita Haywood, new appointment, seat #4, term expiration July 25, 2019.

*- **H-15.** Approved actions to update the Historic Preservation Commission: appointed Michael Hibma, re-appointment, seat #2, term expiring July 31, 2020.

*- **H-16.** Approved actions to update the Economic Development Commission; appointed Bryan Briggs, new appointment, seat #12, term expiration March 30, 2019; Tanya Brown, new appointment, seat #13, term expiration March 30, 2019.

*- **H-17.** Proclamation declaring September 17-23, 2016 as Constitution Week and encouraging residents to learn about their rights under the nation's Constitution.

*- **H-18.** Authorized the Port Director and city staff and Councilmembers to comprise a delegation of Richmond City officials to visit Zhoushan, China to attend the second annual International Island Tourism Conference.

*- **H-19.** Approved the minutes of the regular City Council meeting held Tuesday, June 28, 2016.

*- **H-20.** Authorized the city manager to execute an Indefeasible Right of Use Agreement (IRU) with Internet Archive, allowing Internet Archive exclusive use of four (4) strands of City of Richmond owned fiber optic cable in return for providing free broadband wireless Internet access in select locations within the City for a period of 30 years. This item was continued from the July 19, 2016, meeting.

RESOLUTIONS

I-1. The matter to adopt a resolution of the City Council of the City of Richmond Approving the Issuance by the Richmond Joint Powers Financing Authority of not

to exceed \$9,500,000 Principal Amount of Richmond Joint Powers Financing Authority Reassessment District Revenue Refunding Bonds, Series 2016; Approving the Forms of an Amended and Restated Trust Agreement, authorizing the execution and delivery thereof, and authorizing and directing certain related actions necessary to implement the proposed refunding program. Sam Casas gave comments. A motion by Councilmember Myrick, seconded by Councilmember McLaughlin, adopted **Resolution No. 79-16**, by the unanimous vote of the City Council.

PUBLIC HEARINGS

J-1. The matter to adopt a resolution, Order of Vacation No. 910, vacating the west end of Meeker Avenue from the west of south 17th Street for 241 feet to the west end of Meeker Avenue was presented by City Manager, Bill Lindsay. Sam Casas gave comments. A motion by Councilmember Myrick, seconded by Councilmember Beckles, adopted **Order of Vacation No. 910**, by the unanimous vote of the City Council.

STUDY SESSION/STUDY AND ACTION SESSION

K-1. CONTINUED to the September 13, 2016, City Council meeting, the matter to receive a presentation from AmeriCorps staff members Guadalupe Morales and Kiana Ward highlighting the 2015-2016 accomplishments of Richmond's Love Your Block Program.

K-2. (1) Received a presentation on the Draft Climate Action Plan; (2) authorized the City Manager to increase the contract amount by \$30,000 with Environmental Science Associates (ESA) for a total contract amount not to exceed \$344,832 to complete the Final Climate Action Plan; (3) authorized the City Manager to implement actions of the Draft CAP by entering into all agreements necessary to receive a \$1.495 million grant award from the California Energy Commission for the Richmond Advanced Energy Community Initiatives, and appropriate \$255,000 in City staff time to the City's FY16-17 budget; and (4) authorized the City Manager and Housing Authority Director to implement actions of the Draft Climate Action Plan by entering into a no-cost Installation Services Agreement with the non-profit GRID Alternatives to solarize 98 units at Triangle Court Housing Development with all project funds of \$816,275 provided by State Cap and Trade

incentives was presented by Administrative Chief, Sasha Curl, City Planner, Lina Velasco, and Environmental Manager, Adam Lenz. Jim Zaradka and Jackie Thompson gave comments. Discussion ensued. A motion by Councilmember Beckles, seconded by Councilmember McLaughlin, approved all the actions associated with the item as presented, by the unanimous vote of the City Council.

K-3. CONTINUED to the September 13, 2016, matter to receive a presentation from Richmond High School students about their planned trip to Europe in 2017 and how the community can best support them.

K-4. The matter to receive a presentation providing an update to the five-year financial projection for the City of Richmond was presented by Finance Director, Belinda Warner and City Manager, Bill Lindsay. The Fiscal Year 2017 budget is balanced; however the General Fund balance will continue to be depleted without continued expense reductions, an infusion of new or increased revenue, and potential voter-approved tax rate increases. Discussion ensued. Leisa Johnson and Sam Casas gave comments.

K-5. The matter to receive a presentation on Fair Housing Ordinances and policies that could be implemented in Richmond for those returning from incarceration to have access to housing needs; and, consider directing staff to work with community groups such as the Safe Return Project to draft an ordinance for the Council to approve in the fall was presented by Kelly Dunn, Rubicon programs, Michelle Walker and Tamisha Walker, Safe Return Project members, Eli Moore, Haas Institute, and Margaretta Lyn, Dellums Institute. The following individuals gave comments: Nikk Beasley, Donald Holbert, Larnel Wolfe, Jackie Thompson, Janet Johnson, Melvin Willis, Rhody McCoy, Demetrius Burnett, Kathleen Sullivan, and Nicholas Alexander. Discussion ensued. Mayor Butt stated that outreach to landlords, managers, and developers that deal with subsidized housing should be included in the discussion regarding the drafting of the ordinance. A motion by Councilmember Beckles, seconded by Councilmember Myrick, approved the item by the following vote: **Ayes:** Councilmembers Bates, Beckles, McLaughlin, Myrick, Vice Mayor Martinez, and Mayor Butt. **Noes:** None. **Absent:** None. **Abstain:** Councilmember Pimplé.

COUNCIL AS A WHOLE

L-1. The matter to review and discuss operational and financial issues associated with the City of Richmond paratransit program and provide policy direction to staff was presented by City Manager, Bill Lindsay, and Lori-Reese Brown. The city's Paratransit system is unable to meet cost needs due to the inadequate number of drivers, the inability to serve client's needs, and the inability to achieve revenue goals to serve client needs. The recommendation is to initiate discussions with SEIU/Local 1021 regarding staffing issues. *(11:00 p.m. – A motion by Councilmember Myrick, seconded by Councilmember McLaughlin, extended the meeting 30 minutes).* The following individuals gave comments: Millie Cleveland, Rosanne Ryken, Sam Valdez, Maria Contreras, Lisa King, Jackie Thompson, Sam Casas, Lacy Douglas, James Walker, Melvin Willis, and Naomi Williams. *(11:30 p.m. – A motion by Councilmember Myrick, seconded by Councilmember McLaughlin, to suspend the rules and extend the meeting until the completion of this item, passed by the unanimous vote of the City Council. A motion by Mayor Butt, seconded by Councilmember Bates, that staff will conduct discussions with SEIU/Local 1021 regarding this matter. Councilmember Beckles made a friendly amendment that staff return to the City Council before any final decision is made, passed by the unanimous vote of the City Council.*

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:07 a.m., to meet again on Tuesday, September 13, 2016, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor