

RICHMOND, CALIFORNIA, November 15, 2016

The Richmond City Council Evening Open Session was called to order at 5:05 p.m.

ROLL CALL

Present: Councilmembers Jovanka Beckles, Gayle McLaughlin, Vinay Pimplé, Vice Mayor Eduardo Martinez, and Mayor Tom Butt. **Absent:** Councilmember Jael Myrick arrived after adjourning to Closed Session. Councilmember Nat Bates was absent the entire meeting.

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Attorney

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

BCARD vs. City of Richmond

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

Property: 12th and Macdonald
Agency negotiators: Bill Lindsay and Shasa Curl
Negotiating party: SAA-EVI Richmond Partners, LLC
Under Negotiation: Price and terms of payment

Property: Sheridan Point
Agency Negotiators: Bill Lindsay and Shasa Curl
Negotiating Party: San Francisco Bay Area Water Emergency Transportation Authority (WETA)
Under Negotiation: Price and terms of payment

Property: Sheridan Point
Agency Negotiators: Bill Lindsay and Shasa Curl
Negotiating Party: Ford Point, LLC
Under Negotiation: Price and terms of payment

Property: No. 1 Barrett Avenue
Agency Negotiators: Bill Lindsay, Richard Mitchell, and Tim Higaes
Negotiating Party: Orton Development
Under Negotiation: Price and term of payment

The Open Session adjourned to Closed Session at 5:09 p.m. Closed Session adjourned at 6:24 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:34 p.m., by Mayor Butt, who led the Pledge of Allegiance to the Flag.

The Special Meeting of the Richmond Housing Authority was cancelled.

ROLL CALL

Present: Councilmembers Beckles, McLaughlin, Pimplé, Vice Mayor Martinez, and Mayor Butt. **Absent:** Councilmember Bates was absent the entire meeting. Councilmember Myrick arrived at 6:40 p.m.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

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

City Attorney Bruce Goodmiller stated that there were two mediation sessions and an agreement was made in the matter of Brickyard Cove Alliance for Responsible Development (BCARD) vs. City of Richmond, regarding the Terminal 1 Project. The project approvals are unchanged; however, the unit count went from 323 to 315. The agreement will be available for public review once it is signed by all of the parties.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay stated that the City Manager's Office has prepared a fact sheet regarding the Fair Rent and Just Cause for Eviction ordinance that was prepared in response to inquiries from the public. The informational sheet is also available on the city's website.

OPEN FORUM FOR PUBLIC COMMENT

Isabella Zizi and Courtney Cummings stated that everyone needs to support the Native American community of Standing Rock, North Dakota, who are fighting against the Dakota access pipeline. Ms. Cummings also invited everyone to the Native American Health Center on Thursday, November 17, 2016, from 5:30 p.m. to 7:30 p.m. in recognition of Native American Heritage month.

Mike Parker thanked Richmond voters for passing Measure L regarding rent control and just cause for eviction. Mr. Parker also stated that the city needs to continue to support its immigrant community despite the outcome of the presidential election.

Melvin Willis thanked those who voted for him for Richmond City Council and also stated that the city needs to insure that the rights of the undocumented population continue to be protected.

Rick Perez gave comments about the harassment of Vice Mayor Martinez by some members of the Richmond Police Department regarding the incident when he was robbed. Mr. Perez also stated that there has been a lot of cover-up of information during the investigation regarding the death of his son, Pedie Perez.

Gerald Smith stated that the video of the shooting of Pedie Perez shows that he did not lunge towards Officer Jensen as is stated in the investigative report.

Joseph Puleo gave comments regarding violence in Richmond and believes the city has not done enough for youth and suggested that a sugar tax measure be placed on the June 2017 ballot and that those funds be dedicated strictly for helping youth in the city.

Jabier Castaneda stated that there was a 30-day eviction notice given to the property owner at 2700 Giant Road where approximately 120 horses are housed. Mr. Castaneda also stated that there is no plan for how these horses will be cared for or relocated and asked the city to reconsider its decision or allow more time to clear the property.

Diane Frizzie, property owner at 2700 Giant Road, where the horses are located, said she attended a meeting with city staff regarding the eviction and stated the process and actions by the city have been unfair.

Mark Wassberg gave comments regarding illegal immigrants.

Bea Roberson asked that people donate to the Richmond/El Cerrito Fire and Police Holiday Toy Program. Donations can be made at youcaring.com or by sending donations to 3060 El Cerrito Plaza, Ste. 360, El Cerrito, CA 94530.

Naomi Williams announced that the Senior Winter Ball will be on Saturday, December 10, 2016, from 6 p.m. to 10 p.m. Tickets are \$35 each. Ms. Williams also stated that her neighborhood was not aware that the Carlson Boulevard pedestrian and bicycle plan was on tonight's agenda and they would like the opportunity to review and provide input and requested that the item be continued to a future meeting.

Patricia Perez gave comments regarding the investigation of the death of her grandson, Pedie Perez.

CITY COUNCIL CONSENT CALENDAR

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

***G-1.** Approved a contract with Federal Advocates for federal and state advocacy services, in the monthly amount of \$9,600 per month (\$192,000 for the term of the contract), and for a term extending through June 30, 2018.

***G-2.** Approved international travel for the environmental manager to attend the Social Impact Investor Matchmaker Workshop in Amsterdam, the Netherlands, with all travel costs funded by the non-profit organization Carbon Disclosure Project.

***G-3.** Accepted and appropriated \$6,410 in grant funds from the Best Buy Foundation to fund laptops, software and trainers for use in the Master Your Domain web development training program at Richmond Public Library in the Fiscal Year 2016-2017.

***G-4.** Introduced an ordinance (first reading) adjusting and setting the fees as outlined in the proposed Richmond Fire Department Prevention Services Division Fee Schedule.

***G-5.** Approved the grant-funded purchase of 2,000 emergency kits from More Prepared in the amount of \$15,220.50, using proceeds of a Cities of Service grant accepted by the City in October 2016.

***G-6.** Introduced an ordinance (first reading) updating and amending Chapter 8.16 of the Richmond Municipal Code that pertains to Fire Prevention, including incorporating the 2016 California Fire Code and 2015 International Fire Code.

***G-7.** Adopted **Ordinance No. 15-16 N.S.**, to remove Robert H. Miller Drive as a designated truck route, and designate Hilltop Drive from Robert H. Miller Drive to the Richmond Parkway as a truck route, as part of the project to construct pedestrian and bicycle improvements along San Pablo Avenue between Rivers Street and Hilltop Drive.

***G-8.** Approved actions to update the Workforce Development Board; appointed Steve Bell, new appointment, seat #23, term expiration March 1, 2020, Dan Torres, new appointment, seat #24, term expiration March 1, 2020.

***G-9.** Approved actions to update the Point Molate Community Advisory Committee; Appointed Don Gosney, new appointment, seat #2, expiration date May 30, 2017.

***G-10.** Approved the purchase of four (4) replacement 2017 Ford Utility Police Interceptors from Hilltop Ford, in an amount not to exceed \$118,000.

***G-11.** Approved the purchase of eight (8) 2017 Ford Utility Police Interceptors from Towne Ford, in an aggregate amount not to exceed \$250,000.

***G-12.** Approved the purchase of one (1) 2017 Ford Transit Vanwagon XL from Towne Ford, in an amount not to exceed \$30,000, to replace a vehicle for use by the Facilities Maintenance Division.

***G-13.** Approved the purchase of a replacement 2016 Volvo DD25B-W Asphalt Compaction Roller from Volvo Construction Equipment & Services, in an amount not to exceed \$45,000.

***G-14.** Approved an amendment to the contract with Utility Management System, which provides software for utility analysis and efficient bill paying, increasing the amount by \$20,150 for a not to exceed amount of \$30,000, and maintaining the current term of six years.

***G-15.** Adopted **Ordinance No.16-16**, repealing Article XV Zoning and Subdivisions, Chapter 6.06 Historic Structures Code, and Chapter 7.102, Medical Marijuana Collectives of the Richmond Municipal Code, and adopting revised Article XV, Zoning and Subdivisions, and new Zoning Map.

***G-16.** Adopted **Resolution No.103-16**, authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records.

***G-17.** Adopted **Resolution No. 104-16**, 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.

***G-18.** Approved the minutes of the regular City Council meetings held Tuesday, October 18 and October 25, 2016.

PUBLIC HEARINGS

H-1. CONTINUED to March 21, 2017, the matter to consider an appeal by Jay R. Fenton of the Planning Commission's approval of a Parcel Map (PLN15-282) to create three parcels located at 3501 Collins Avenue; and reaffirm, modify, or reverse the Planning Commission's decision. This item was continued from the June 7, 2016, July 5, 2016, and September 13, 2016, meetings.

STUDY AND ACTION SESSION

The matter to receive a presentation and recommendations from the Richmond Police Department, the Office of Neighborhood Safety, Community Services, Ceasefire, Safe Return and the RYSE Youth Center on reducing violence in Richmond was presented by Councilmember Beckles who gave an overview of the matter. Richmond Police Chief Allwyn Brown, members of the Office of Neighborhood Safety, Rochelle Monk, Community Services, Richmond Police Captain Anthony Williams, Ceasefire, Safe Return, and RYSE Youth Center members gave presentations. Mark Wassberg and Joseph Puleo gave comments. Discussion ensued. More collaboration will be made between the police department, Contra Costa County District Attorney's Office, and city organizations, to have better and quicker access to funds from the Victims of Crime program. The city and all the various organizations need to communicate and collaborate more effectively with each other in order to try and obtain as much funding as possible to help provide resources to victims.

COUNCIL AS A WHOLE

J-1. Continued to the December 6, 2016, City Council meeting, the matter to a general employee representative to the Personnel Board from the following panel of three nominees elected at the Personnel Board Election held October 26, 2016, to November 9, 2016: (1) Robert Davila, (2) Charles Smith, and (3) Pamela Bilbo-Saucer.

J-2. Continued to the December 6, 2016, City Council meeting, the matter to receive a presentation on the design of the grant-funded Carlson Boulevard Crosstown Connection pedestrian and bicycle improvements project and direct staff to advertise this construction contract.

J-3. The matter to direct staff to prepare a wayfinding program in the Marina Bay community similar to that for the Hilltop District and paid for from the Marina Bay Landscaping District was presented by Alex Knox. Discussion ensued. A motion by Councilmember Myrick, seconded by Vice Mayor Martinez, directed staff to prepare a wayfinding program, 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 8:56 p.m., to meet again on Tuesday, November 22, 2016, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor