

**RICHMOND, CALIFORNIA, July 25, 2017**

The Richmond City Council Evening Open Session was called to order at 5:03 p.m.

**ROLL CALL**

**Present:** Councilmembers Ben Choi, Eduardo Martinez, Vice Mayor Jovanka Beckles, and Melvin Willis, and Mayor Thomas K. Butt. **Absent:** Councilmember Jael Myrick 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**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):**

Title: One Case

**LIABILITY CLAIMS -(Government Code Section 54956.9):**

Pickett vs. City of Richmond

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

Property: 1 Barrett Avenue, Richmond  
Agency negotiators: Bill Lindsay  
Negotiating parties: Orton Development  
Under negotiation: Price and terms of payment

There were no public speakers.

The Open Session adjourned to Closed Session at 5:03 p.m. Closed Session adjourned at 6:10 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:36 p.m., by Mayor Butt led the Pledge of Allegiance to the Flag during the preceding Housing Authority Meeting.

**ROLL CALL**

**Present:** Councilmembers Choi, Martinez, McLaughlin, Willis, and Mayor Butt. Vice Mayor Beckles arrived at 6:41p.m. **Absent:** None.

**STATEMENT OF CONFLICT OF INTEREST**

None.

## **AGENDA REVIEW**

Removed Item H-8 from the Consent Calendar to be discussed at the end of the agenda.

## **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATION**

D-1. Vice Mayor Beckles presented a proclamation recognizing Ms. Virginia Rigney for her role in co-creating the Percent for Art Program in Richmond. Ms. Rigney and members of the Percent Art Program gave comments.

D-2. Mayor Butt and Councilmember Martinez presented a proclamation recognizing Mr. Daniel Ari, Ciera-Jevae Gordon, and Robert Lipton as the Poets Laureate from June 2017 to June 2019 to promote poetry in the City of Richmond. Mr. Daniel and Lipton gave comments.

D-3. Mayor Butt and Vice Mayor Beckles presented a proclamation recognizing the Economic Development Commission for coordinating the inaugural Taste of Richmond and acknowledging Far West Cider Company as the People's Choice Vendor. Members of the Economic Development Commission and Cordell Hindler gave comments.

D-4. Mayor Butt announced recent resignations from City of Richmond Boards, Commissions and Committees; ANNOUNCE vacancies on City of Richmond Boards, Commissions and Committees as of July 25, 2017, and ask that interested individuals send applications to the City Clerk. 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 final actions taken.

## **REPORT FROM THE CITY MANAGER**

City Manager Bill Lindsay reported on the Youth Plan Learn Act Now (YPLAN) National Program, and reported that Richmond was hosting a group of students from Tohoku, Japan. Mr. Lindsay also reported that the City of Richmond received a credit report from S&P, and the City's Waste Water Bonds were rated by S&P as an AA- credit, with a stable outlook, and the City successfully sold the bonds.

## **OPEN FORUM FOR PUBLIC COMMENT**

Cordell Hindler gave comments regarding revenue and jobs needed for the City of Richmond.

Kathy Robinson gave comments regarding programs and land for the homeless population.

Lizabeth Lubin and Jessi Taran gave comments regarding dirt being used on Unity Park and contaminated soil in the Greenway.

Rick and Patricia Perez gave comments regarding police interaction with the community and the death and investigation of Padi Perez.

Jackie Thompson stated that the weeds at Carlson Boulevard and Broadway Avenue are a fire hazard. Ms. Thompson also gave comments regarding the exclusion of open forum on a special meeting agenda.

Antwon Cloird gave comments regarding the return of Soulful Softball Sunday August 27th at 12:00 p.m., Nicholl Park, 3230 Macdonald Avenue.

David Drisdale expressed concern regarding the conditions at Laurel Park.

Pam Bilbo gave comments regarding the clean-up work the Man and Women of Valor provided at Laurel Park.

Thomas Sumner gave comments regarding car modified exhaust and loud car radios.

K. Harley gave comments regarding the value of human rights bill, and also rights for law enforcement versus regular citizens.

### **CITY COUNCIL CONSENT CALENDAR**

On motion of Councilmember Myrick, seconded by Councilmember Willis, the item(s) marked with an (\*) were approved by the unanimous vote of the City Council.

**\*H-1.** Adopted **Resolution No. 97-17** approving a two-year contract with AmeriNational to provide loan servicing related to City of Richmond Housing programs, including servicing the Home Improvement Loan Program loan portfolio, in an amount not to exceed \$ 20,000.

**\*H-2.** Approved the purchase of two electric vehicles to be used in parking regulation services in an amount not to exceed \$50,000, and with funding from Environmental and Community Investment Agreement (ECIA) Transportation Funds included in the adopted FY 2017-2018 ECIA budget.

**\*H-3.** Approved a multi-year rental lease between the Employment and Training Department (as lessee) and Richmond Housing Authority (as lessor), as required by the Department of Housing and Urban Development (HUD) effective April 1, 2017, and ending June 30, 2020, with two-three year options. The annual amount of the lease during the initial term will not exceed \$128,100.

**\*H-4.** Adopted **Resolution No. 98-17** to reduce the maximum number of seats on the Point Molate Community Advisory Committee from 19 seats to 11 seats.

**\*H-5.** Approved a fifth amendment to the existing agreement with Cox, Wootton, Lerner, Griffin & Hansen, LLP for continued legal services regarding maritime law matters,

increasing the contract amount by \$50,000 for a total contract amount not to exceed \$210,000.

**\*H-6.** Approved a fourth amendment to the existing agreement with Rogers, Joseph & O'Donnell for continued legal services related to the Regional Water Quality Control Board (RWQCB) order pertaining to Port Terminal 4. The Port is seeking an amendment for time only.

**\*H-7.** Approved actions to update the Richmond-Zhoushan Sister City Commission; Appoint Matthew Lewis, new appointment, seat #1, term expiration date December 31, 2019, Eric Peterson, new appointment, seat #2, term expiration date December 31, 2019, Stanley Li, new appointment, seat #3, term expiration date December 31, 2019, Yang Liu, new appointment, seat #4, term expiration date December 31, 2019, Joseph Kong, new appointment, seat #5, term expiration date December 31, 2019, "Sara" Min Zhao, new appointment, seat #6, term expiration date December 31, 2018, James Lee, new appointment, seat #7, term expiration date December 31, 2018, and Leonard Ray Berry, new appointment, seat #8, term expiration date December 31, 2018.

**H-8.** The matter to adopt an ordinance (for second reading) establishing (1) the Residential Housing Fees in the Master Fee Schedule; (2) a late penalty of 10% of the Residential Rental Housing Fee ('Fee') for Residential Rental Housing Fees paid 1-30 days late, 25% of the Fee for those paid 31-60 days late, and 50% of the Fee for those paid over 60 days late; and (3) provisions to allow liens to be placed on properties owned by Landlords who fail to pay the Residential Rental Housing Fee; and Adopt a resolution establishing the Fiscal Year 2016-17 and Fiscal Year 2017-18 Residential Rental Housing Fees in the amounts of \$47 per unit and \$98 per unit, respectively in the Master Fee Schedule was pulled from the Consent Calendar by Mayor Butt for discussion. Following discussion, on motion of Councilmember Willis and seconded by Vice Mayor Beckles adopted **Ordinance No. 16-17 N. S.** by the following vote: **Ayes:** Councilmembers Choi, Martinez, Myrick, Willis, and Vice Mayor Beckles. **Noes:** Mayor Butt. **Abstentions:** None. **Absent:** None.

**\*H-9.** Adopted **Ordinance No. 17-17 N. S.** amending the Miscellaneous Provisions ordinance RMC 9.40 of the Health Code providing for a pilot project to evaluate the use of tiny houses on wheels for transitional residential occupancy by homeless persons.

## **STUDY AND ACTION SESSION**

**I-1.** The matter to: 1) Approve the original recommendation from the Environment and Community Investment Agreement (ECIA) Grant Review Committee for Fiscal Year (FY) 2017-2018 grant awards to 21 organizations in an amount not to exceed \$513,000; (2) Adopt a resolution of the approved list of FY 2017-2018 ECIA grant awardees; (3) Approve increasing the amount of advanced payment allowable from 25% to up to 50%, and (4) Authorize the city manager to negotiate and execute Grant Service Agreements with approved grantees; Alternatively, if the Council determines not to approve the ECIA Grant Committee recommendations, staff recommends that the Council thank the Committee for its work and refer the item to staff for revised recommendations at its next meeting in September utilizing alternate criteria which were discussed by the Council at its June 27, 2017, meeting was presented by LaShonda White of the City Manager's Office and Patrick Seals

of the City Attorney's Office. The following individuals gave comments: Cordell Hindler, Jim Becker, Melinda McCrary, Mirna Cervantes, Antwon Cloird, Matt Holmes, Pam Bilbo, Amanda Elliott, Tiffany Harris, Lidia Perdomo, and Eleanor Thompson. Discussion began. A motion was made by Vice Mayor Beckles to approve \$40,000 to 990 and 99N organizations awarded over \$50,000 and divide \$80,000 among organizations that were disqualified, and come back to the City Council for input on new clear criteria. The motion died for lack of a second. A motion was made by Councilmember Willis, seconded by Mayor Butt to approve the committee recommendations, add category three (\$50,000) money to the 990 Ns, and direct staff to provide a list of all organizations that received FY 2017-2018 grant awards when the ECIA grant process was presented for the FY 2018-2019. A substitute motion made by Councilmember Martinez to provide an equal percentage of money to all 990 organizations that scored 100 and over died for lack of a second. The original motion to approve the committee recommendations, approve increasing the amount of advanced payment allowable from 25% to up to 50%, authorize the city manager to negotiate and execute Grant Service Agreements with approved grantees, add category three (\$50,000) money to the 990 Ns, and direct staff to provide a list of all organizations that received FY 2017-2018 grant awards when the ECIA grant process was presented for the FY 2018-2019, passed and **Resolution No. 100-17** was adopted by the following vote: **Ayes:** Councilmembers Choi, Willis, Vice Mayor Beckles, and Mayor Butt. **Noes:** Councilmember Myrick. **Abstentions:** Councilmember Martinez. **Absent:** None.

**I-2.** The matter to receive a presentation concerning the draft 2017 Countywide Transportation Plan (CTP) Update, and provide comments as appropriate was presented by the Matt Kelly with the Contra Costa County Transportation Authority. Cordell Hindler gave comments. Citizens may visit <http://2017ctpupdate.net/> to view the plan.

**I-3.** The matter to receive an update from Employment and Training Director Sal Vaca regarding ongoing job training programs and initiatives being implemented; including Environmental and Community Investment Agreement (ECIA)-funded programs was presented by Employment and Training Director Sal Vaca. Jackie Thompson gave comments.

**I-4.** The matter to receive a report on the recent implementation of the False Alarm Reduction Program, Richmond Municipal Code Chapter 7.96, and associated fees, and provide direction to staff was presented Police Chief Allwyn Brown, Assistant Police Chief Bisa French, and Lieutenant Eric Smith.

**I-5. CONTINUED to September 12, 2017,** the matter to receive a presentation on the Staying Power fellowship that explores and reflects on the impacts of the housing crisis in Richmond.

**I-6.** The matter to receive a report from the California Emerging Technology Fund on the Neighborhood Transformation Partnership and consider joining the multi-agency partnership to improve the lives of residents in the neighborhoods surrounding Lovonya DeJean Middle School in Richmond was presented by a Neighborhood Transformation Partnership Representative and Contra Costa County Supervisor John Gioia. Following discussion, on motion of Councilmember Martinez, seconded by Councilmember Willis received the report and direct staff to take steps to join the multi-agency partnership to improve the lives of residents in the

neighborhoods surrounding Lovonya DeJean Middle School in Richmond by the unanimous vote of the City Council.

### **RESOLUTIONS**

**J-1.** The matter to adopt a resolution in support of AB 1008 (McCarty) Employment discrimination: prior criminal history, also known as "Ban the Box" was presented by Vice Mayor Beckles. The following individuals gave comments: Cordell Hindler, Richard Stollings, James Hinton, and Rusal Cayangyang. On motion of Councilmember Myrick, seconded by Councilmember Choi adopted **Resolution No. 101-17** by the unanimous vote of the City Council.

### **COUNCIL AS A WHOLE**

**K-1.** The matter to announce the City Council seat vacancy that occurred on Tuesday, July 18, 2017; and establish Tuesday, August 8, 2017, as the deadline to file candidates' statements in the City Clerk's Office, and set Tuesday, September 12, 2017, at the scheduled City Council meeting, as the date for the public meeting to fill the vacancy was presented by Mayor Butt. Cordell Hindler gave comments. Following discussion, on motion of Councilmember Willis, seconded by Vice Mayor Beckles established Tuesday, August 15, 2017, as the deadline to file candidates' statements in the City Clerk's Office, and set Tuesday, September 12, 2017, at the scheduled City Council meeting, as the date for the public meeting to fill the vacancy by the following vote: **Ayes:** Councilmembers Choi, Myrick, Willis, Vice Mayor Beckles, and Mayor Butt. **Noes:** Councilmember Martinez. **Abstentions:** None. **Absent:** None.

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

Councilmember Martinez attended the Water Now Alliance Conference on Friday, July 21, 2017.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:42 p.m., to meet again on Tuesday, September 12, 2017, at 6:30 p.m.

Pamela Christian  
Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt  
Mayor