

RICHMOND, CALIFORNIA, December 5, 2017

The Richmond City Council Evening Open Session was called to order at 5:35 p.m.

ROLL CALL

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

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

LIABILITY CLAIMS - (Government Code Section 54956.9):

Graham vs. City of Richmond

Chandler vs. City of Richmond

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

In re Bond Insurance litigation

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One Case

The Open Session adjourned to Closed Session at 5:36 p.m. Closed Session adjourned at 6:19 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:39 p.m., by Councilmember Myrick.

ROLL CALL

Present: Councilmembers Choi, Martinez, Myrick, Recinos, and Willis. **Absent:** Vice Mayor Beckles and Mayor Butt were absent the entire meeting.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

A motion by Councilmember Willis, seconded by Councilmember Martinez, to place an urgency item on the agenda regarding Net Neutrality, passed by the following vote: **Ayes:** Councilmembers Choi, Martinez, Recinos, and Willis. **Noes:** Councilmember Myrick. **Absent:** Vice Mayor Beckles and Mayor Butt. **Abstain:** None. City Attorney Bruce Goodmiller stated that there were recommended changes made to Item G-10 second reading of an ordinance regarding regulations for cannabis businesses. The item was removed from the Consent Calendar for discussion.

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

City Attorney Bruce Goodmiller stated that there was nothing to report.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported that the city did not do enough to inform the residents of the changes in the false alarm ordinance; therefore those residents that received notices will have a zero balance. Mr. Lindsay also reported that after periodic review of the city's financial condition, S&P Global Ratings issued a credit rating of A- to the city.

OPEN FORUM FOR PUBLIC COMMENT

Corky Boozé gave comments regarding an invoice he received from the Rent Control Department indicting his property was a rental. Mr. Boozé suggested that a box be placed on the form to indicate that the home was not a rental and was owner occupied.

Kathy Robinson stated that many of the residents of the former Hacienda development were now homeless.

Dottie Heckman, Jack Heckman, and Bruce Alonzo stated that they received a \$300 bill from the City of Richmond's False Alarm Reduction Program (FARP), which neither the City Council, nor the Richmond Police Department, adequately informed the residents of Richmond of the ordinance. They further stated that there should not be a registration fee.

Tana Monteiro, Lidia Garcia, and Jessica Espinoza stated that they supported charter schools in Richmond because the children of Richmond deserved access to quality education.

Jerome Smith gave comments regarding the false alarm ordinance. Mr. Smith also read a poem in memory of Sandi Genser Mack.

Larry Lewis thanked Councilmember Recinos for signing up as a mentor at Richmond Police Activities League. Mr. Lewis also announced that Shop with a Cop, which rewards 50 youth from the community with holiday

gifts, would be on December 21, 2017. Mr. Lewis stated sponsorship and donations could be made payable to Richmond PAL, 2200 Macdonald Avenue, Richmond, CA 94801.

Pat Perez and Rick Perez stated there needs to be a more in depth investigation regarding the death of Pedie Perez and evidence must not be withheld.

URGENCY ITEM

The matter to adopt a resolution of Net Neutrality: a Free and Open Internet, and direct the City Manager or designee to send copies of said resolution to the President, Vice-President, House of Representatives, Majority Leader of the Senate and to each California Senator and Representative in the United States Congress was presented by Councilmember Willis. Councilmember Myrick changed his vote to place this urgency item on the agenda to 'no' because he was aware of the December 14th deadline to adopt a resolution several days prior to the preparation of the agenda. A motion by Councilmember Willis, seconded by Councilmember Martinez adopted **Resolution No. 142-17**, and requested that a copy of the resolution also be sent to the FCC, by the following vote: **Ayes:** Councilmembers Choi, Martinez, Myrick, Recinos, and Willis. **Noes:** None. **Absent:** Vice Mayor Beckles and Mayor Butt. **Abstain:** None.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Willis, seconded by Councilmember, the item(s) marked with an (*) were approved by the following vote: **Ayes:** Councilmembers Choi, Martinez, Myrick, Recinos, and Willis. **Noes:** None. **Absent:** Vice Mayor Beckles and Mayor Butt. **Abstain:** None.

***G-1.** Approved a three-year contract with one two-year option to extend with PlanetBids, Inc. to provide an online vendor registration / bid Management System (BidsOnline) in an amount not to exceed \$18,675 per year.

***G-2.** Adopted **Resolution No. 137-17**, approving a three percent annual cost of living increase, in addition to the two percent minimum cost of living increase, for the recipients of the General Pension Fund, for a total annual cost of living increase of five percent for these recipients.

***G-3.** Adopted **Resolution No. 138-17**, approving the submittal of an application for grant funds, pursuant to the California State Department of Parks and Recreation, Office of Grants and Local Services, to construct needed facilities at the City's forthcoming Miraflores Park, and, if awarded, accepted and appropriated the grant funding.

***G-4.** Approved a grant-funded amendment to the contract with Groundwork Richmond for community outreach, training, project management, tree-planting and maintenance related to the "Ten Thousand Trees 2.0" project, increasing the amount by \$24,568 for a total

contract amount of \$473,568, and extending the contract to June 30, 2018.

*G-5. Adopted **Resolution No. 139-17**, authorizing the city manager to accept and appropriate the US Environmental Protection Agency Brownfields Assessment Grant in the amount of \$400,000 to support the Richmond Housing Renovation Program.

*G-6. Adopted **Resolution No. 140-17**, authorizing the city manager and/or his designee to execute a United States Environmental Protection Agency (EPA) Brownfields Assessment Grant-funded contract with the Richmond Community Foundation to complete a comprehensive Community Involvement Plan (CIP) to support the Richmond Housing Renovation Program, in the amount not to exceed \$21,500 and for a term ending June 30, 2019.

*G-7. Adopted **Resolution No. 141-17**, authorizing the city manager and/or his designee to execute a United States Environmental Protection Agency (EPA) Grant-funded contract with Stantec Consulting Services for environmental engineering services to support the Richmond Housing Renovation Program in the amount not to exceed \$374,318 and for a term ending August 31, 2019.

*G-8. Approved an emergency contract with C&W Construction Specialty, Inc. to replace a traffic guardrail system on Richmond Parkway at Giant Road, and a crash cushion system at Richmond Parkway at Hensley Street, in an amount not to exceed \$55,000.

*G-9. Approved the minutes of the November 7, 2017, regular meeting of the Richmond City Council.

G-10. The matter to adopt an Ordinance initiating a zoning ordinance amendment process to update Article 15.04.610.270 of the Richmond Municipal Code to add regulations for adult-use commercial cannabis, and to temporarily restrict the approval of adult-use cannabis businesses until such regulations are developed, except that existing permitted dispensaries shall be permitted to sell adult-use cannabis with their current City permit and requisite state license until the City's regulations regarding adult use cannabis businesses go into effect was presented by City Attorney, Bruce Goodmiller. A motion by Councilmember Recinos, seconded by Councilmember Choi, introduced said ordinance on first reading with an amendment to Section 2 as follows: *Notwithstanding the foregoing, cannabis businesses (e.g., dispensaries, cultivators, manufacturers) permitted by the City as of the effective date of this ordinance shall be allowed to engage in equivalent adult-use commercial cannabis activities under their existing permit, consistent with state law and with the required state license(s) for a temporary period from January 1, 2018 until the City regulations regarding adult-use cannabis businesses go into effect. Upon the effective date of such City regulations, all such permittees must apply for a modification of their use permits in compliance with the new regulations.* The second reading will be heard on the December 19, 2017, City Council

meeting. The motion passed by the following vote: **Ayes:** Councilmembers Choi, Martinez, Myrick, Recinos, and Willis. **Noes:** None. **Absent:** Vice Mayor Beckles and Mayor Butt. **Abstain:** None. .

*G-11. Approved a contract amendment No. 1 with NBS Government Finance Group to expand the fee study scope to include an analysis of planning fees, and to complete a study comparing the City's building permit fees with those of other cities in the region, increasing the contract amount by \$19,700 for a total contract amount not to exceed \$29,600.

*G-12. Approved a contract amendment No. 2 with Dyett & Bhatia Urban & Regional Planners to assist with certain zoning text amendments needed to align with recently adopted State laws and other planning efforts, increasing the contract amount by \$70,000 for a total contract amount not to exceed \$700,000, and extending the term through December 31, 2018.

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

Councilmembers Martinez, Recinos, and Willis stated they recently attended a conference in Baltimore regarding racial justice and ways that communication between law enforcement and the community could be improved.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:56 p.m., in memory of community activist, Sandi Genser-Mack, and a recent homicide victim in the City of Richmond, to meet again on Tuesday, December 19, 2017, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor