

RICHMOND, CALIFORNIA, January 30, 2018

The Richmond City Council Evening Open Session was called to order at 5:06 p.m. by Mayor Tom Butt.

ROLL CALL

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

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 vs. City of Richmond

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

Property: Port of Richmond General Warehouse
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating party: Richmond Grown
Under negotiation: Price and terms of payment.

There were no public speakers.

The Open Session adjourned to Closed Session at 5:07 p.m. Closed Session adjourned at 6:04 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 Beckles, Choi, Martinez, Recinos, Vice Mayor Willis, and Mayor Butt. **Absent:** Councilmember Myrick was absent the entire meeting.

STATEMENT OF CONFLICT OF INTEREST

Mayor Butt stated a conflict of interest with Item K-1 due to a potential buyer of one of the properties being a client of his architectural firm, Interactive Resources.

AGENDA REVIEW

Public Hearing Item J-1 was moved to be heard before Open Forum.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Mayor Butt and Councilmembers presented a proclamation declaring February 2018 as Black History Month in the City of Richmond. A video narrated by Betty Reid Soskin was presented. Military veterans were also honored. Mayor Butt encouraged everyone to purchase Betty Reid Soskin's new book entitled "Sign My Name To Freedom." Cordell Hindler gave comments.

E-2. Mayor Butt announced recent resignations from City of Richmond Boards, Commissions and Committees; announced vacancies on City of Richmond Boards, Commissions, and Committees as of January 30, 2018, and asked that interested individuals send applications to the City Clerk's Office. Cordell Hindler gave comments.

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

City Attorney Bruce Goodmiller stated there were no final actions taken.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported that there was a Shelter in Place warning in effect for the Santa Fe, Atchison Village, Iron Triangle, and North Richmond areas due to heavy smoke from a fire at South 4th Street. City Manager Lindsay also acknowledged City employees for their generosity in contributing \$44,000 in support of non-profit organizations during the Richmond Employee Charitable Giving Campaign.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Hindler stated that Mark Wassburg made disrespectful comments and should be banned from council meetings. Mr. Hindler also spoke in support of reestablishing the Finance and Public Safety Committees.

Kathy Robinson gave comments regarding the inadequate state of our public schools.

Edward Paasch gave comments regarding the termination proceedings against Richmond Police Captain Mark Gagan. Mr. Paasch also stated that there were many feral cats located at Hilltop Lake.

Sharon Saunders stated that there was poor lighting in many areas of the City and urged the Councilmembers to go out and engage more in the community.

Don Gosney, representing the Plumbers and Steamfitters Local 342, announced that apprenticeship sign-ups would be from February 5-9, 2018. More information could be obtained by calling (925) 686-0730.

Joseph Puleo stated that relocation costs should be reconsidered for Richmond landlords.

Rick Perez gave comments regarding the Richmond Police Officer who was recently run over and suggested that officers should receive adequate training.

Patricia Perez stated she was awaiting the final report regarding the death of her grandson Pedie Perez.

Michael Gliksohn gave comments regarding a recent report by the Haas Institute titled "Housing Policy and Belonging in Richmond," which highlighted current housing policy information.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Beckles, seconded by Councilmember Recinos, the item(s) marked with an (*) were approved by the unanimous vote of the City Council:

***I-1.** Approved actions to update the Citizens Police Review Commission; appointed Demnlus Johnson III, new appointment, seat #2, term expiration November 1, 2020.

***I-2.** Approved actions to update the Personnel Board; appointed Mindy Pines, seat #2, term expiration September 11, 2022.

***I-3.** Approved the minutes of the regular December 19, 2017, and January 16, 2018, Richmond City Council meetings.

PUBLIC HEARINGS

J-1. The city clerk announced that it was time pursuant to public notice to hold a public hearing to adopt an Urgency Ordinance extending the temporary moratorium on the approval of applications to construct, modify or place schools within certain commercial and mixed-use zoning districts in the City of Richmond until December 17, 2018. City Attorney Bruce Goodmiller, Planning Director Richard Mitchell, and Planning Manager Lina Velasco gave an overview of the matter. Mayor Butt declared the public hearing opened and reiterated there was nothing in the ordinance that mentions charter schools. The following individuals gave comments: Arto Rinteela, Carlos Tobaada, Mike Peritz, Krystal Jones, Luis Sandoval, Carmen Ortega, Jorge Lopez, Pete Cordero, John Irminger, Erik Munoz, Gabriela Rodriguez, Lizbeth Gonzalez, Luis Ledesma, and Mina Wilson. Mayor Butt declared the public hearing closed. A motion by Councilmember Beckles, seconded by Vice Mayor Willis, adopted **Urgency Ordinance No. 03-18 N.S.**, by the unanimous vote of the City Council.

STUDY AND ACTION SESSION

K-1. The matter to receive a presentation and provide feedback on the emerging concepts for the Change Area 12 (Northshore) General Plan Amendment was presented by Planning Manager Lina Velasco, and, Principal of Dyett and Bhatia Michael Dyett. The following individuals gave comments: Scott Jenny, Wayne

Rasmussen, Dan Murray, Robert Herbst, Iuo Keller, Marilyn Langlois, Ahmad Nana, and Ebrahim Nana. Discussion ensued. The Council requested an expanded list of the possible uses and potential revenue of Concept A.

K-2. The matter to discuss proposed amendments to the Tobacco Retailer License Ordinance, and provide direction to staff on policy options, including outreach, education and schedule for implementation of regulations, scope of a ban on sale of flavored tobacco products, scope of a ban on sale of cigarettes with menthol flavor and other flavored tobacco products, minimum pack size, and location of new tobacco retailers was presented by City Attorney Bruce Goodmiller, and Assistant City Attorney Shannon Moore. In Richmond there were 40 stores that sold tobacco within 1,000 feet of a school. The following individuals gave comments: Frank Biafore, Kari Hess, Stefan Didak, Ali Wohlgemuth, Phillip Banks, Jose Torres, Michael Posada, Nancy Ybarra, Norma Perez, Karina Guadalupe, Lynsey Inthasone, Kern Chhikara, Jen Y, Mary Jaccodine, Jaime Rojas, and Dr. Valerie Yerger. The following policy options were approved by the Councilmembers: **Outreach and Education: Yes:** unanimous; **Delayed Enforcement: No** Delayed Enforcement: 9 months – **Yes:** Councilmembers Beckles, Martinez, Recinos, Vice Mayor Willis', and Mayor Butt. **No:** Councilmember Choi. **Regulate Sale of Menthol and other Flavored Tobacco Products: Citywide - Yes:** Councilmember Beckles, Martinez, Recinos, Vice Mayor Willis, and Mayor Butt. **No:** Councilmember Choi. **Minimum Pack Size: Single \$5 or more cigar exemption: Yes:** unanimous. **New Tobacco Retailers: 1000 feet of schools, parks, playgrounds and libraries – Yes:** unanimous. **New Tobacco Retailers: Within 500 feet of existing Tobacco Retailers – Yes:** Unanimous.

K-3. The matter to receive an update on the Richmond Municipal Identification Card Program and authorize the city manager to explore the feasibility of integrating the intake and marketing components of the program into an existing City of Richmond department was presented by Senior Management Analyst Lashonda White of the City of Richmond, and Dr. Paula Cruz Tacash and Jaime Soriano from San Francisco (SF) Global. To date, approximately 645 identification cards were issued. The City of Richmond would receive the card applications and market the program. The SF Global would still process the applications and issue the identification cards. A motion by Councilmember Beckles, seconded by Vice Mayor Willis, approved the item by the unanimous vote of the City Council.

(10:09 p.m. – Councilmember Beckles left the meeting).

K-4. The matter to receive a presentation on the proposed guidelines and application for the Fiscal Year (FY) 2018-19 competitive grant program funded through the Environmental and Community Investment Agreement (ECIA); and approve the FY 2018-19 ECIA guidelines and application was presented by Senior Management Analyst

LaShonda White. Under the agreement, the competitive grant program was established to fund organizations that were providing services to supporting youth and youth services in the community. Cordell Hindler gave comments. A motion by Vice Mayor Willis, seconded by Councilmember Martinez, approved the item by the following vote: **Ayes:** Councilmembers Choi, Martinez, Recinos, Tom Butt, and Vice Mayor Willis. **Noes:** None. **Absent:** Councilmembers Beckles and Myrick. **Abstain:** None.

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

Councilmember Recinos reported that she attended the League of California Cities Conference for newly elected councilmembers.

Councilmember Martinez reported that he attended the California Association of Sanitation Agencies (CASA) Conference regarding emergency preparedness and climate change.

Mayor Butt reported that he attended the League of California Cities Conference and participated in the Environmental Quality Policy Committee. Mayor Butt also attended the United States Conference of Mayors in Washington, DC and the New Partners for Smart Growth Conference in San Francisco.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:28 p.m., to meet again on Tuesday, February 6, 2018, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor