

## **RICHMOND, CALIFORNIA, March 20, 2018**

The Richmond City Council Evening Open Session was called to order at 5:00 p.m. by Mayor Tom Butt.

### **ROLL CALL**

**Present:** Councilmembers Ben Choi, Eduardo Martinez, Ada Recinos, Vice Mayor Melvin Willis, and Mayor Thomas K. Butt. **Absent:** Councilmember Jovanka Beckles arrived after the roll was called. Councilmember Jael Myrick arrived after the Open Session adjourned 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**

#### **A-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):**

Upstream vs. City of Richmond

The following speakers gave comments: David Helvarg, Derrick Morris, Deborah Bayer, Jan Gilbrecht, David Reinertson, Paul Carman, Jim Hanson, Charles Smith, Joseph Puleo, Merle Norman, and Kathleen Wimer.

#### **A-2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):**

City Attorney

Cordell Hinder gave comments.

#### **A-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):**

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

*(Mayor Butt recused himself from the discussion on this item due to a conflict of interest).*

The Open Session adjourned to Closed Session at 5:21 p.m. Closed Session adjourned at 6:24 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:30 p.m., by Mayor Butt.

## **ROLL CALL**

**Present:** Councilmembers Beckles, Choi, Martinez, Myrick, Recinos, Vice Mayor Willis, and Mayor Butt. **Absent:** None.

## **STATEMENT OF CONFLICT OF INTEREST**

Mayor Butt stated that he was abstaining from Item G-1.

## **AGENDA REVIEW**

Item G-2 was continued to the April 3, 2018, meeting.

## **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 announced community meetings for the 23<sup>rd</sup> Street Streetscape Improvement Plan scheduled from 10:00 a.m. to 2:00 p.m. on Saturday, March 31 and May 26, 2018, at Richmond High School.

## **OPEN FORUM FOR PUBLIC COMMENT**

Joceline Ayala and Martha Munoz gave comments regarding rent control, increased rents, and evictions.

Bea Roberson expressed concerns regarding debris in storm water drains and inequitable street sweeping citations in certain neighborhoods.

Luis Chacon and Diana Diaz-Noriega expressed concerns regarding the development movement in Richmond, gentrification, and lack of low-income housing. Ms. Diaz-Noriega gave comments regarding gun violence.

Rick Perez gave comments regarding complaints against the Richmond Police Department.

Kathy Robinson encouraged everyone to vote this election year for candidates that care about Richmond. Ms. Robinson requested more homeless shelters and police presence in Richmond neighborhoods.

Amy Lee and Nadine Anderson expressed concerns regarding unsafe and uninhabitable conditions at the apartments located at 2400 Nevin Avenue. Amy Lee Anderson requested to meet with a councilmember to discuss the specific issues.

Patricia Perez gave comments regarding the Pedie Perez case and investigation.

## CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Martinez, seconded by Vice Mayor Willis, the items marked with an (\*) were approved by the unanimous vote of the City Council:

G-1. Approved an Exclusive Right to Negotiate Agreement (ERN) with Richmond Grown for lease of the General Warehouse at the Port of Richmond. **Ayes:** Councilmembers Beckles, Choi, Martinez, Myrick, Recinos, and Vice Mayor Willis. **Noes:** None. **Absent:** None. **Abstained:** Mayor Butt.

G-2. **Continued to April 3, 2018**, the matter to adopt a resolution accepting as complete the Oil Spill Cleanup project at the Point Potrero Marine Terminal contracted to Performance Abatement Services.

\*G-3. Received the City's Investment and Cash Balance Report for the month of January 2018.

\*G-4. Received a report on the Richmond Municipal Sewer District for the month of January 2018.

\*G-5. Approved a three-year contract with Infrastructure Engineering Corporation to provide flow monitoring data in the sanitary and storm sewer collection system, computer and web hosting software support, technical reports, maintenance of the inflatable dams at the overflow weirs, and field support for city staff in an amount not to exceed \$360,330.

\*G-6. Approved a contract with Rising Sun Energy Center to employ and train local youth to install energy efficiency and water conservation measures for residences for a total amount not to exceed \$15,000 for a term ending December 31, 2018.

\*G-7. Approved the eighth amendment to the contract with Tyler Technologies for Software as a Service (SaaS) for the MUNIS Enterprise Resource Planning (ERP) System, extending the contract term six months to June 30, 2021, and increasing the contract amount by \$244,366.50 with a total contract amount not to exceed \$7,423,645.75.

\*G-8. Approved a five-year agreement with Superior, LLC for the continued licensed use, technical support and software updates for the TRAKIT permitting, business licensing, code enforcement, and Citizen Response Management (CRM) system for the period beginning April 1, 2018, through March 31, 2023, in an amount not to exceed \$352,283.43. The agreement also includes implementation of an interactive voice response (IVR) phone module for scheduling permit inspections and an additional five user licenses for the Rent Control department, which is using TRAKiT for the administration of the Rent Program.

\*G-9. Approved a lease agreement with the Richmond Promise, Inc., a community-wide college scholarship fund and college success initiative, for the use of approximately 650 square feet of City-owned property at 440 Civic Center Plaza as office space for a term ending February 28, 2019, with options to extend the lease term for three additional one-year periods, at a lease rate of \$665 per month beginning March 1, 2018.

\*G-10. Received the monthly report on Point Molate activities for the month of February 2018.

\*G-11. Approved the Environmental and Community Investment Agreement (ECIA)-funded purchase of two (2) zero emission vehicles in an amount not to exceed \$53,000 to replace two recently decommissioned gas engine pool vehicles, and to further support the City's green fleet conversion.

\*G-12. Approved a sole-source, Environmental and Community Investment Agreement (ECIA)-funded contract with the Richmond Community Foundation to provide and manage a series of capacity building trainings for Richmond-serving non-profits in an amount not to exceed \$60,000 for a three-year term commencing February 1, 2018, and ending January 31, 2021.

\*G-13. Approved the recommendation of the City Council to provide a compensation adjustment to the City Clerk. Effective March 2, 2018, the City Clerk's monthly salary will be increased to \$10,088/month (a 10% increase).

\*G-14. Adopted **Ordinance No. 7-18 N.S.** (second reading) to establish the wages, salary, and compensation for the new classification of Rent Program Services Analyst I (Salary Range No. 043D \$5,174 - \$6,187/month).

\*G-15. Adopted **Ordinance No. 8-18 N.S.** (second reading) to establish the wages, salary, and compensation for the new classification of Rent Program Services Analyst II (Salary Range No. 055D \$6,357 - \$7,684/month).

\*G-16. Approved a three-year contract, with two additional one-year extensions, with SCI Consulting Group to prepare the Hilltop Assessment District Annual Engineer's Report in an amount not to exceed \$33,750, for a term from March 21, 2018, to March 22, 2021.

\*G-17. Approved a three-year contract, with two optional one-year extensions, with Willdan Financial Services to prepare the Marina Assessment District Annual Engineer's Reports necessary to levy assessments for the 2018-2021 fiscal years, in an amount not to exceed \$23,250 and for a term from March 22, 2018, to March 23, 2021.

\*G-18. Approved the minutes of the February 20, 27, and March 6, 2018, regular Richmond City Council meetings.

## **PUBLIC HEARINGS**

H-1. **Continued to April 24, 2018**, the matter to hold a public hearing on the appeal of the Planning Commission's decision to approve the Anaviv Conditional Use Permit (CUP) Amendment (PLN17-572); and affirm the Planning Commission's CUP amendment approval.

H-2. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to adopt Order of Vacation No. 915, vacating the obsolete sanitary sewer easement, storm drain easement, and water line easement owned by the City of Richmond at 912 Harbour Way South, in conjunction with the private development of a 182,000 square foot warehouse building. Engineering and Capital Improvements Director Yader Bermudez provided an overview. Mayor Butt declared the public hearing open. There were no public speakers. Mayor Butt declared the public hearing closed. On motion of Councilmember Myrick, seconded by Councilmember Beckles, adopted **Order of Vacation No. 915** by the unanimous vote of the City Council.

### **COUNCIL AS A WHOLE**

I-1. The matter to receive a presentation concerning AB 503, which relates to the collection of delinquent fines for parking citations, and the different policies that municipalities are implementing to comply with the new law; and consider directing staff to prepare an ordinance to bring city parking policies in line with AB 503 was continued from the November 28, 2017, meeting. Councilmember Myrick provided an overview of the draft ordinance included in the agenda packet and stated that the maximum outstanding amount for the payment plan should be changed from \$500 to \$300. A motion was made by Councilmember Myrick directing staff to finalize the draft ordinance with said revision. The motion was seconded by Councilmember Recinos with a friendly amendment to provide the policy in English, Spanish, and Mandarin languages. The friendly amendment was accepted and the motion passed by the unanimous vote of the City Council. The Council requested a future Study Session on the parking policy in Richmond.

I-2. The matter to direct staff to review proposed changes to the Richmond Municipal Code (RMC) 10.08: Trimming, Pruning, Care, Planting, Removal and Moving of Trees, Shrubs, or Plants, as recommended by the Urban Forest Advisory Committee (UFAC), was presented by Councilmember Martinez. Derrick Morris gave comments. Discussion ensued. A motion made by Councilmember Martinez directing staff to work with the UFAC to finalize the proposed ordinance amendment and consider developing a private tree ordinance, seconded by Councilmember Beckles, passed by the unanimous vote of the City Council.

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

Councilmember Choi announced that Richmond resident and filmmaker Erica Milsom's short film was spotlighted at the "Albany Film Fest" on Sunday, March 25, 2018.

Councilmember Recinos announced the "Richmond Vota!" youth voter registration event was on Saturday, March 25, 2018, from 3:00 p.m. to 7:00 p.m., at 1428 Macdonald Avenue. Councilmember Recinos encouraged supporters to donate to the event's sponsor, Citizens Power Network.

Mayor Butt announced the Richmond-based “March for Our Lives” rally was on Saturday March 24, 2018, starting at 10:00 a.m. on Nevin Plaza. Mayor Butt announced his attendance to the Local Government Commission Yosemite Policymakers Conference, March 15-18, 2018. Mayor Butt announced that the Greater Richmond Interfaith Program (GRIP) had two units available for homeless veterans and GRIP Executive Director Kathleen Sullivan was the contact for more information.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:14 p.m., to meet again on Tuesday, March 27, 2018, at 6:30 p.m.

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Clerk of the City of Richmond

(SEAL)

Approved:

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Mayor