

**RICHMOND, CALIFORNIA, July 24, 2018**

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

**ROLL CALL**

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

**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):**

Markida Mitchell vs City of Richmond

**CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):**

Agency designated representatives: Bill Lindsay, Lisa Stephenson, Jack Hughes, and Maria Blue  
Employee organizations: Service Employees International Union (SEIU, Local 1021)

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

Property: Parcel FM Marina Bay  
Agency negotiators: Bill Lindsay and Richard Mitchell  
Negotiating Party: Orton Development Company  
Under negotiation: Price and terms of payment

**PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):**

Title: City Manager

There were no public speakers.

The Open Session adjourned to Closed Session at 5:01 p.m.  
Closed Session adjourned at 6:16 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:33 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**

None.

### **AGENDA REVIEW**

Item D-2 was withdrawn from the agenda. Item J-1 was moved for discussion after the Consent Calendar. Item J-2 was continued to the September 11, 2018, City Council meeting. All Consent Calendar items, except items H-7 and H-11, were removed for discussion at the end of the agenda.

### **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

D-1. Councilmember Choi, Mayor Butt, and Arts and Cultural Services Manager Michele Seville presented a proclamation recognizing John Wehrle, for his professionalism, dedication and being the greatest single contributor to public art murals throughout the City of Richmond.

D-2. **Withdrawn from the agenda**, the matter to receive a presentation from Wheelhouse Academy of Baseball about recently sending youth from Richmond to play baseball in Regla, Cuba.

D-3. Mayor Butt presented a proclamation honoring the members of the Oversight Board of the Successor Agency to the Richmond Community Redevelopment Agency for their service. Cordell Hindler and Tanya Brown gave comments.

D-4. 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 July 24, 2018, and asked 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 there were no final actions taken.

### **REPORT FROM THE CITY MANAGER**

City Manager Bill Lindsay announced that City Attorney Bruce Goodmiller was a recipient of the 2018 Ronald M. George Public Lawyer of the Year Award from the California Lawyers Association Public Law Section. Mr. Lindsay commended Mr. Goodmiller for his services to the City of Richmond.

## **OPEN FORUM FOR PUBLIC COMMENT**

Cordell Hinder thanked the Mayor for honoring him for his boards and commissions recruitment efforts. Mr. Hindler requested staff to place an item on the September 11, 2018, City Council agenda in recognition of his services.

Mark Wassberg gave comments regarding confrontations with councilmembers outside the Council Chamber.

Jannatt Muhammad, Edward Williams, Pam Bilbo, and Carl Mason gave comments in support of Consent Calendar item H-11 and the Men and Women of Valor organization. Mr. Williams requested transportation for the Men and Women of Valor to transport its clients. Ms. Muhammad expressed concerns regarding the upcoming 2018 North Richmond Music Festival.

Bea Roberson announced the National Night Out kickoff party was on August 7, 2018, at 4:00 p.m. in the Target store parking lot on Macdonald Avenue. Ms. Roberson provided additional details regarding the event and activities including the final party inside the Shops at Hilltop former J.C. Penny building.

Naomi Williams announced the Commission on Aging's Annual Zydeco Dance was on August 25, 2018, from 6:00 p.m. to 10:00 p.m. Admission tickets were on sale for \$15.00 at the Richmond Recreation Complex located at 3230 Macdonald Avenue and food was available for purchase at the event. Ms. Williams announced that Commission on Aging applicants were not required to be Richmond residents; however, they were required to live within the West Contra Costa Unified School District.

Kathy Robinson expressed concerns regarding crimes and injustice against African-Americans. Ms. Robinson encouraged everyone to vote.

Nicholas Delgado announced that the City of Richmond's ServiceWorks program was seeking mentors for youth services.

Deborah Akins, Herman Hudson, Audrey Jenkins, expressed their gratitude to Vice Mayor Willis and Richmond Rent Program Director Nicolas Traylor for resolving the rent increase issue at the Heritage Park Senior Apartments.

Eleanor Thompson thanked the Council for its consideration of Consent Calendar items H-7 and H-11, and for appointing her to the Recreation and Parks Commission.

Hulan Barnett expressed concerns regarding "donut" tire marks in front of the Richmond police station and the lack of police resources. Mr. Barnett announced that members of his community were initiating a petition to remove councilmembers from office.

Elsa Stevens expressed her gratitude to councilmembers Myrick, Beckles, and Vice Mayor Willis for supporting the community.

Millie Cleveland shared her disappointment with the three city manager candidates introduced at the forum held on July 23, 2018. Ms. Cleveland recommended that the City of Richmond continued its outreach efforts to fill the position.

Rick and Patricia Perez expressed condolences for murdered Richmond resident Kishana Harley. Mr. Perez announced a memorial in Ms. Harley's honor was on Thursday, July 26, 2018, at the Monterey Pines Apartments Community Center.

Tarnel Abbott thanked the Council for standing strong regarding the Zeneca site discussed at the July 10, 2018, City Council meeting. Ms. Abbott requested the Council to advise the consultant, PES, that the deadline for public comment on the site's draft study and plan was August 10, 2018. Ms. Abbott announced that the Department of Toxic Substances Control (DTSC) public hearing for the site was at 6:00 p.m. on July 26, 2018, at the Richmond Field Station. Ms. Abbott requested community members to attend the DTSC hearing and demand a thorough cleaning of the site. Ms. Abbott gave comments regarding harassment of councilmembers by members of the public.

Mike Mahoney announced that free classes were offered at Contra Costa College in conjunction with West Contra Costa Adult Education for plumbing and mechanical apprenticeships.

### **CITY COUNCIL CONSENT CALENDAR**

On motion of Councilmember Myrick, seconded by Vice Mayor Willis, approved items H-7 and H-11 by the unanimous vote of the City Council.

All previously removed Consent Calendar items were placed back on the Consent Calendar for approval except item H-16. On motion of Councilmember Myrick, seconded by Councilmember Martinez, the items marked with an (\*) were approved by the unanimous vote of the City Council:

\*H-1. Accepted and appropriated a fiscal year 2018-19 grant from the California State Library in the amount of \$50,000 for Library and Cultural Services Department, Literacy for Every Adult Program, and approved a contract with Rasa Cicieniene to coordinate grant activities from July 1, 2018 - June 30, 2019, in an amount not to exceed \$44,000.

\*H-2. Approved a contract with Tahoe Instruments to provide boiler chemical treatment services, and parts and supplies to multiple City-owned low pressure steam boilers and closed loop hot water boilers, in an amount not to exceed \$45,000 over a three year period, with the option to extend this contract for an additional two years.

\*H-3. Approved a grant-funded contract with Greater Richmond Interfaith Program to enhance and increase food rescue and food waste prevention initiatives within Richmond, for a total contract amount not to exceed \$210,000, with funding provided by CalRecycle, and with a term extending through March 31, 2021.

\*H-4. Approved and appropriated a \$1,000 grant award from the Richmond Community Foundation to partially fund a new summer youth coding program.

\*H-5. Adopted **Resolution No. 69-18** declaring a climate emergency, calling for the creation of a Regional Just Transition and Climate Emergency Mobilization Effort, and committing to continue participation in regional efforts to mitigate climate change.

\*H-6. Directed staff to analyze the potential of becoming a fossil fuel free city to further implement the Climate Action Plan and establish the goal of becoming a fossil fuel free City.

H-7. Approved the amended 2016/17 (July 1, 2016 through June 30, 2017) North Richmond Waste and Recovery Mitigation Fee Expenditure Plan; and the 2018/19 (July 1, 2018 through June 30, 2019) North Richmond Waste and Recovery Mitigation Fee Expenditure Plan, identifying the activities authorized to be funded with Mitigation Fee revenue, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee.

\*H-8. Approved a contract with PES Environmental, Inc. for environmental work at various locations in Marina Bay and at other city locations, as required by the State of California Department of Toxic Substances Control, in an amount not to exceed \$339,000 for the period ending June 30, 2019.

\*H-9. Approved a contract with AECOM Technical Services, Inc. to provide environmental work at various locations on the Richmond Parkway as required by the State of California Department of Toxic Substances Control, in an amount not to exceed \$19,900.00 for the period ending June 30, 2019.

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

H-11. Approved the recommendation from the City Council Environmental Community Investment Agreement (ECIA) Ad Hoc Committee to award \$56,190 in fiscal year 2018-19 ECIA Grant funds (Category 3 - City Council-Approved Award) to six Richmond-serving non-profit organizations.

\*H-12. Adopted **Ordinance No. 23-18 N.S.** (second reading) amending Chapter 2.28, Nondiscrimination Clauses in City Contracts, of the Richmond Municipal Code to include "gender identity" in non-discrimination clauses for city contracts.

\*H-13. Adopted **Ordinance No. 24-18 N.S.** (second reading) updating the fees and code provisions in Richmond Municipal Code Chapter 12.20, which establishes sewer service charges for the City of Richmond.

\*H-14. Adopted **Ordinance No. 25-18 N.S.** (second reading) adding Chapter 14.47 of the Richmond Municipal Code entitled "Parking Ticket Payment Plan" that provides a parking ticket payment plan for those who meet the indigency determination.

\*H-15. Approved the draft city-wide Community Workforce & Project Stabilization Agreement with the Contra Costa Building Trades Council covering all city-funded construction projects in excess of \$1,000,000 in estimated cost; and authorized the city attorney to make any necessary edits to finalize the agreement.

H-16. In the matter to adopt a resolution to submit to the voters at the next general municipal election to be held on November 6, 2018, a measure to increase the City of Richmond's real estate documentary transfer tax to 1.25% for properties valued between \$1 million and \$3 million and 1.35% for properties valued over \$3 million, City Manager Bill Lindsay requested additional time for further analysis. The item was continued to August 7, 2018.

### **PUBLIC HEARINGS**

I-1. The matter to hold a public hearing and adopt a resolution approving a report of sewer service charges for fiscal year 2018-19 allowing for the sanitary and stormwater fees to be collected on the annual 2018-2019 tax rolls, was introduced by Water Resource Recovery Senior Administrative Analyst Mary Phelps. Discussion ensued. Mayor Butt declared the public hearing opened. There were no public speakers. Mayor Butt declared the public hearing closed. On motion of Councilmember Recinos, seconded by Councilmember Martinez, adopted **Resolution No. 70-18** by the following vote: **Ayes:** Councilmembers Choi, Martinez, Myrick, Recinos, Vice Mayor Willis, and Mayor Butt. **Noes:** None. **Abstained:** Councilmember Beckles. **Absent:** None.

I-2. The matter to hold a public hearing regarding approval of a Disposition and Development Agreement (DDA) with SAA-EVI Richmond Partners, LLC for the development of the Successor Agency and city-owned property located along Nevin Avenue, North; Macdonald, South; 13th Street, East; and 11th Street, West; and authorize the city manager to negotiate and execute the final form of the DDA, was presented by Community and Economic Development Director Shasa Curl. Ms. Curl presented a Powerpoint presentation that highlighted the following: project background; community engagement; project components and affordability; design options and renderings; and compliance. Discussion ensued. Mayor Butt declared the public hearing open. The following speakers gave comments in support: Carlos Ornelas, Alejandro Navarro, René Edwards, and Jacob Adiarte. Mayor Butt declared the public hearing closed. On motion of Vice Mayor Willis, seconded by Councilmember Beckles, approved the item as recommended by the unanimous vote of the City Council.

### **STUDY AND ACTION SESSION**

J-1. The matter to receive the 2017-18 Rent Program Annual Report was introduced by Rent Program Director Nicolas Traylor. Rent Program Deputy Director Paige Roosa presented a Powerpoint presentation that highlighted the following: background and acknowledgments; mission statement and purpose; main components of the rent program ordinance, enforcement, and regulations; expenditures and revenue; and additional highlights. Discussion ensued. The Council requested the number of unjust tenancy terminations. The following speakers gave comments:

Stephen Heninger, James Daniels, Vincent Justin, Elda Fontenot, and Vicky Ramirez.

J-2. **Continued to September 11, 2018**, the matter to receive a report from the Human Rights Human Relations Commission on the July 12th tour of the West Contra Costa Detention.

J-3. The matter to receive a presentation from the Greater Richmond Interfaith Program (GRIP) staff about the programs they provide and the continued needs of the Homeless population in Richmond was presented by GRIP Executive Director Kathleen Sullivan, Care Center Director Contesa Tate, and Shelter Manager Siu Laulea. Their Powerpoint presentation highlighted the following: GRIP's background, services, new care center team, facts, and upcoming events. Discussion ensued. Mark Wassberg and Eddie Morris gave comments.

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

None.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:16 p.m., in memory of Richmond resident Kishana Harley, to meet again on Tuesday, August 7, 2018, at 6:30 p.m.

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Clerk of the City of Richmond

(SEAL)

Approved:

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Mayor