

RICHMOND, CALIFORNIA, October 16, 2018

The Richmond City Council Evening Open Session was called to order at 5:30 p.m. by Mayor Thomas K. Butt.

ROLL CALL

Present: Councilmembers Jovanka Beckles, Eduardo Martinez, Ada Recinos, and Mayor Thomas K. Butt. **Absent:** Councilmember Jael Myrick and Vice Mayor Melvin Willis arrived after the roll was called. Councilmember Ben Choi was absent for the entire 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. LIABILITY CLAIMS - (Government Code Section 54956.9):

Mark Gagan vs. City of Richmond

Cleveland Brown vs. City of Richmond

(City Attorney Bruce Goodmiller announced that the matter regarding Cleveland Brown was withdrawn from the agenda).

A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Sanchez-Bajaras vs. Walker et al.

There were no public speakers.

The Open Session adjourned to Closed Session at 5:31 p.m. Closed Session adjourned at 6:00 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:49 p.m., by Mayor Butt.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items G-10, G-11, and G-12 were removed from the Consent Calendar for discussion at the end of the agenda.

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

Former Acting City Manager Shasa Curl announced that the Richmond Climate Action Open Data Community meeting was at 6:00 p.m. on Thursday, October 18, 2018, in the Bermuda Room. Ms. Curl acknowledged Economic Development Administrator Janet Johnson for leading the excerpt on Richmond that printed in the San Francisco Business Times Advertising Supplement on October 12, 2018.

OPEN FORUM FOR PUBLIC COMMENT

Diana “Connie” Leyva shared her life challenges and requested housing assistance for the homeless community.

Rick Perez gave comments regarding liberty and power. Mr. Perez expressed concerns regarding a request to remove his deceased son’s photo from a Richmond store window.

Patricia Perez gave comments regarding the Citizens Police Review Commission meeting held October 10, 2018, and the Richard “Pedie” Perez case.

Wesley Ellis expressed his gratitude for actions taken at the Nevin Plaza apartments and other Richmond Housing Authority properties. Mr. Ellis asked if any member of the City Council expressed their condolences to the family of the tenant that passed away at the Nevin Plaza apartments.

Naomi Williams announced that the Commission on Aging was hosting a free Better Business Bureau Scam Workshop on October 23, 2018, at 9:00 a.m. to 2:00 p.m., in the Bermuda Room. Ms. Williams also announced that the annual Senior Winter Ball was on December 15, 2018. Ms. Williams acknowledged staff for the immediate action taken at the Nevin Plaza apartments.

Mark Wassberg gave comments regarding political power and Richmond mayoral/council candidates.

Mohammed (last name unknown), Anthony Tellez, and Cesar Moscato reported issues with the street lights on Pennsylvania Avenue and 23rd Street. Mr. Moscato also reported issues with the crosswalk lights on 23rd Street.

Jackie Thompson expressed concerns regarding the freedom of speech and the use of profanity in the Council Chamber. Ms. Thompson acknowledged staff for the immediate action taken at the Nevin Plaza apartments. Ms. Thompson complained that the decorum was out of order at the Housing Advisory Commission meeting held on October 15, 2018.

Kathy Robinson gave comments regarding the use of profanity in the Council Chamber, lack of police services, and uncleanliness in Richmond. Ms. Robinson demanded a city of respect.

Bea Roberson announced that registration sign up for the Richmond Fire and Police Toy Program for Richmond children (ages 0 - 12) would begin at 8:00 a.m. on October 27, 2018, at the E.M. Downer Family YMCA, 263 South 20th Street, Richmond. Donations were accepted at any Richmond fire station and online at: www.richmondfireandpolicetoyprogram.com.

Aldrin Dawang reported illegal dumping and fireworks near 614 Wilson Avenue. Mr. Dawang recommended that the City of Richmond install more security cameras in the area.

Kabir Kapar gave comments regarding policing language, homelessness, and illegal child labor.

Jorge Montano expressed concerns regarding crime and safety in the Nystrom Village neighborhood.

Romy Youkhana expressed concerns regarding the lack of resources to keep Richmond streets clean.

Jonnely Ortega reported issues with the street lights on Rumrill Boulevard and illegal dumping.

Tarnell Abbott expressed concerns regarding potential damage to eelgrass at Point Molate and traffic congestion if development at the site proceeds.

Mike Parker welcomed the new city manager and provided a brief overview of the Richmond community.

CITY COUNCIL CONSENT CALENDAR

(Items G-10, G-11, and G-12 were placed back on the Consent Calendar for approval).

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

*G-1. Approved a payment to Future Ford for vehicle repairs performed on a Ford F350 truck utilized by the Parks Division, in an amount not to exceed \$18,500.

*G-2. Received the City's Investment and Cash Balance Report for the month of August 2018.

*G-3. Received a report on the Richmond Municipal Sewer District for the month of August 2018.

*G-4. Adopted **Resolution No. 80-18** amending the City of Richmond's Position Classification Plan to re-title the existing Paratransit Driver classification to R-Transit Driver.

*G-5. Approved a contract amendment with Holland & Knight, LLP for mitigation monitoring and verification services relating to the Chevron Modernization Project increasing the payment limit by \$1,000,000 (to be paid by Chevron, the project applicant) and extending the term expiration to June 30, 2021.

*G-6. Approved the sole source purchase of annual software maintenance from Zoll Data Systems, Inc. for the Fire Department's Records Management System for a period of three years, in an amount not to exceed \$31,776.

*G-7. Adopted **Ordinance No. 26-18 N.S.** (second reading) amending Richmond Municipal Code Article VI, Building Regulations by adding a new Chapter 6.49 Permit Process for Electric Vehicle Charging Stations; to implement Assembly Bill No. 1236 setting forth procedures for an expedited permitting process for electric vehicle charging stations.

*G-8. Approved and appropriated a Grant Award Agreement with The Energy Coalition not to exceed \$3,635, to fund the Parchester Village Entrance Beautification Project, hosted by the Community Services Department, Love Your Block Program beginning September 1, 2018, through December 15, 2018.

*G-9. Approved a contract with Oscar I. Solano, Jr., dba ZumbaRico Fitness, to continue Zumba, Zumba Fitness, and Aqua Zumba classes at six sites, in an amount not to exceed \$90,000, beginning October 1, 2018, through June 30, 2020.

*G-10. Approved actions to update the Design Review Board; APPOINT Macy Leung, new appointment, seat #2, term expiration date March 17, 2019, and Tom Leader, reappointment, seat #5, term expiration date March 17, 2019.

*G-11. Presented a proclamation declaring October 20, 2018, as Arbor Day in the City of Richmond.

*G-12. Presented a proclamation declaring October 18, 2018, as RYSE-ing Leaders Day in the City of Richmond and commemorating the 10 year anniversary of the RYSE Center.

RESOLUTIONS

*H-1. The matter to adopt a resolution authorizing Planning Commission members whose terms have expired but who have not been re-appointed or replaced by a new appointee has been appointed by the Mayor and confirmed by the Council was introduced by Councilmember Martinez. The following speakers gave comments: Joe Puleo, Kabir Kapur, Tarnel Abbott, Jeff Kilbrth, Mike Parker, and Rita Barouch. Discussion ensued. On motion of Councilmember Martinez, seconded by Vice Mayor Willis, adopted **Resolution No. 81-18** by the following vote: **Ayes:** Councilmembers Beckles, Martinez, Myrick, Recinos, and Vice Mayor Willis. **Noes:** Mayor Butt. **Absent:** Councilmember Choi. **Abstained:** None.

COUNCIL AS A WHOLE

I-1. The matter to appoint a public safety representative to the Personnel Board from the following panel of three nominees elected at the Personnel Board Election held August 27, 2018, to September 11, 2018: (1) Kyra Worthy, (2) Catherine Montalbo, and (3) Walter E. Russey III, was presented by City Clerk Pamela Christian. Mrs. Christian provided an oral report. On motion of Councilmember Recinos, seconded by Councilmember Martinez, appointed Kyra Worthy by the following vote: **Ayes:** Councilmembers Beckles, Martinez, Myrick, Recinos, and Vice Mayor Willis. **Noes:** Mayor Butt. **Absent:** Councilmember Choi. **Abstained:** None.

I-2. The matter to direct staff to update the City of Richmond policy regarding the release of results of Citizens Police Review Commission (CPRC) investigations to comply with Senate Bill (SB) 1421 and provide as much transparency as allowed under State law, was presented by Councilmember Myrick. Tarnel Abbott and Rick Perez gave comments. Discussion ensued. A motion by Councilmember Myrick, seconded by Councilmember Beckles, directed staff to initiate the process of updating the City of Richmond’s policy including potentially returning to the Council with a reform to the ordinance related to the CPRC to maximize transparency with consideration of SB 1421, Assembly Bill 748 (police body-worn cameras), and all transparency-related issues; and work with the committee selected by the CPRC, passed by the unanimous vote of the City Council.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:50 p.m., in memory of retired Richmond Public Works employee Roosevelt Whittington, Jr. and Paul Saarman of Saarman Construction, to meet again on Tuesday, October 23, 2018, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor