

**RICHMOND, CALIFORNIA, December 4, 2018**

The Richmond City Council Evening Open Session was called to order at 5:02 p.m. by Mayor Thomas K. Butt.

**ROLL CALL**

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

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

In the matter of Casmalia Disposal Site, Santa Barbara County, US EPA Docket No. 99-02(a)

SPRAWLDEF vs. City of Richmond

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

Property: Point Molate

Agency negotiators: Carlos Martinez, Richard Mitchell, and Lina Velasco

Parties: Respondents to Point Molate RFP (recipients of the RFP included Warmington Residential, Orton

Development, Inc., Samuelson Schafer

Investor/Developer, Point Molate Partners [Mar Ventures, Inc. and Cal-Coast Companies, LLC], Wilson Meany and SunCal)

Under negotiations: Price and terms of payment

There were no public speakers.

The Open Session adjourned to Closed Session at 5:03 p.m. Closed Session adjourned at 6:34 p.m.

The Regular Meeting of the Richmond City Council was called to order at 8:50 p.m., by Mayor Thomas K. Butt.

**ROLL CALL**

**Present:** Councilmembers Beckles, Choi, Recinos, Vice Mayor Willis, and Mayor Butt. **Absent:** Councilmembers Martinez and Myrick arrived after the roll was called.

**STATEMENT OF CONFLICT OF INTEREST**

None.

## **AGENDA REVIEW**

Item G-1 was 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 reported that the Council voted 6 to 1, with Mayor Butt voting no, to authorize a United States Environmental Protection Agency claim settlement in the amount of \$198,000 against the City of Richmond regarding the Casmalia Disposal Site matter. Mr. Goodmiller stated that the Council voted to recommence deliberation on the SPRAWLDEF and Point Molate matters at the end of the agenda.

## **REPORT FROM THE CITY MANAGER**

City Manager Carlos Martinez reported that the State of California Health and Human Services Department awarded a \$2.4 million Community Solar Pilot Program grant to the City of Richmond. Mr. Martinez acknowledged GRID Alternatives and City of Richmond staff for their assistance with the grant application.

## **OPEN FORUM FOR PUBLIC COMMENT**

Bea Roberson announced that the Richmond Fire and Police Toy Program was accepting unwrapped toys for children aged 0 to 12 years old at all Richmond fire stations. Donations were also accepted at [richmondfireandpolicetoyprogram.com](http://richmondfireandpolicetoyprogram.com) or by mail to P.O. Box 5468, Richmond, California 94805. Ms. Roberson stated that toy recipients' families would also receive food and that donations were still needed.

Jim Hanson extended his gratitude to the Council for its service and acceptance of the Community Vision Plan for Point Molate.

Deanna Gonzalez and Claudio Lopez reported excessive litter in Richmond and the lack of waste containers. Ms. Gonzales recommended the placement of decorative public waste containers along 23<sup>rd</sup> Street.

Irma Paez Santillan requested more murals in Richmond to represent the diversity of the community. Ms. Paez Santillan recommended that the City of Richmond coordinate outreach to Richmond schools and provide supplies to student artists for painting community murals in Richmond.

Kenneth De LaCruz and Edwin Hernandez requested more stop signs and street lights in Richmond to improve vehicle and pedestrian safety. Mr. Hernandez stated that 23<sup>rd</sup> Street was very dark in front of Richmond High School.

Rick Perez expressed concerns regarding the late start time of the City Council meeting. Mr. Perez gave comments in opposition to a Richmond police officer's request to remove a photo of Mr. Perez's deceased son from a Richmond store window.

Patricia Perez gave comments regarding the Richard "Pedie" Perez case and police accountability.

Jackie Thompson expressed concerns regarding smoking near the Richmond main library entrance and walkway. Ms. Thompson requested “No Smoking” signage be posted in the area.

Fatima Sanchez expressed concerns regarding vehicle accidents on Barrett Avenue. Ms. Sanchez recommended that video cameras be installed to determine the causes and prevention of vehicle accidents.

Vanessa Velazquez and Arianna Soto requested sensorized crosswalk lights along 23<sup>rd</sup> Street and more police patrol near Cesar Chavez Elementary School.

Antwon Cloird announced that a successful Richmond-native named Darrell Jobe provided re-entry job opportunities and was donating free toys and food to 150 Richmond residents on December 23, 2018, at the Richmond Independent Holiness Church at 605 South 16<sup>th</sup> Street. Mr. Cloird thanked Mr. Jobe for giving back to the community.

Anaria Martinez expressed safety concerns regarding gun violence in Richmond neighborhoods.

Rosanne Ryken gave comments in opposition of Planning and Building Services Department project (PLN18-128) for a proposed wireless facility near Downer Avenue and 27<sup>th</sup> Street. Ms. Ryken stated that the proposed installation site was near a high traffic zone, school, and bird park. Ms. Ryken recommended that future project public notices include Spanish translation to increase community engagement. Ms. Ryken requested more street lighting and public waste containers in Richmond neighborhoods.

Kabir Kapur gave comments regarding white supremacy and racism in the United States of America. Mr. Kapur expressed concerns regarding racial discrimination in Richmond.

## **CITY COUNCIL CONSENT CALENDAR**

*(The request to remove item G-1 from the Consent Calendar was withdrawn and approved after item H-1).*

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

G-1. On motion of Councilmember Myrick, seconded by Vice Mayor Willis, received the monthly report on Point Molate activities for the month of October 2018, by the unanimous vote of the City Council.

\*G-2. Approved the minutes of the November 13 and 20, 2018, regular Richmond City Council meetings.

\*G-3. Approved the third contract amendment with The Permanente Medical Group, Inc. to continue to provide occupational medical examination services, increasing the contract by \$55,000, for a total amount not to exceed \$260,000, and extending the term of the contract through December 31, 2021.

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

\*G-5. Received the City's Investment and Cash Balance Report for the month of October 2018.

\*G-6. Adopted **Resolution No. 91-18** authorizing the City of Richmond to submit an allocation request to accept and appropriate \$500,000 in Safe Routes to Transit funding from the Metropolitan Transportation Commission for the Carlson Crosstown Connection project.

\*G-7. Approved a contract with Jet Mulch, Inc. to install blown-in engineered wood fiber safety surfacing that is compliant with applicable ASTM standards and Consumer Product Safety Commission at 22 park playgrounds in an amount not to exceed \$36,924.60. The contract term will be from December 1, 2018, through June 30, 2019.

\*G-8. Approved the purchase of two air conditioning units from Norman S. Wright, Precision Environmental & Power Division to provide cooling to the server room and equipment at the Police Communications Center in an amount not to exceed \$19,120.12.

\*G-9. Approved a three-year contract with SPIDR Tech notification software, to provide automated text responses to citizens calling into the Communications Center, in an amount not to exceed \$165,000.

\*G-10. Approved actions to update the Housing Advisory Commission: Appointed Tanise Smith, re-appointment, seat #3, term expiration date November 1, 2020, and Toni Autry, new appointment, seat #7, term expiration date November 1, 2020; and appointed Tanise Smith to the Housing Authority Board of Commissioners as a Tenant Commissioner.

\*G-11. Approved actions to update the Recreation and Parks Commission: Appointed Eleanor Thompson, re-appointment, seat #5, term expiration date October 26, 2021, and Pardip Saini, re-appointment, seat #6, term expiration date October 26, 2021.

\*G-12. Approved actions to update the Library Commission: Appointed Adrian Ratcliff, new appointment, seat #1, term expiration date July 1, 2021, Ritchie Cook, new appointment, seat #4, term expiration date July 1, 2021.

## **PUBLIC HEARINGS**

H-1. The matter to introduce an ordinance (first reading) amending Chapter 15.04, Zoning and Subdivisions Regulations of the Richmond Municipal Code needed for General Plan consistency, correction of technical and grammatical errors, elimination of conflicts, state and federal law consistency, and clarification was introduced by Planning and Building Services Director Richard Mitchell and Planning Manager Lina Velasco. The public hearing was opened and closed on November 13, 2018. The item was for Council deliberation only. Michael Dyett of Dyett and Bhatia Urban and Regional Planners consulting firm presented a Powerpoint that highlighted the following issues identified by the Council at its November 13, 2018, public hearing: historic preservation designations; accessory dwelling units; animal keeping; and temporary uses. On motion of Councilmember Myrick, seconded by Vice Mayor Willis, said

ordinance received the first reading with additional revisions, and was laid over for two weeks for the second reading, by the unanimous vote of the City Council.

H-2. The matter to introduce an ordinance (first reading) amending Article 15.04.614 - Wireless Communications Facilities intended for clarification and consistency with federal regulations for small wireless facilities; and adopt a resolution, to be effective upon the effective date of the ordinance amendments, adopting a City Council policy that regulates small wireless facilities consistent with federal regulations for such facilities was introduced by Planning and Building Services Director Richard Mitchell and Planning Manager Lina Velasco. Michael Johnston of Telecom Law Firm presented a Powerpoint that highlighted the following: legal framework overview; Federal Communications Commission's 2018 Small Cell Order; description of a "Small Wireless Facility" and antennas; effective prohibitions; new "shot clock" rules; summary of amendments; small wireless facility policy; and the staff recommendation. Discussion ensued. The Council requested that the proposed ordinance included a listing of locations for all small cell towers installed in Richmond. Mayor Butt declared the public hearing opened. The following speakers gave comments in opposition: Dante Williams, David Smith, and Natalia Lawrence. Mayor Butt declared the public hearing closed. Further discussion ensued. On motion of Councilmember Myrick, seconded by Councilmember Martinez, said ordinance received the first reading and was laid over for two weeks for the second reading with the following text added to section 15.04.164.040(c)(4): *"In addition, the director shall make publicly available an inventory of small wireless facilities that shows the location of each such facility deployed within the city and categorized by neighborhood"*; adopted **Resolution No. 92-18**; and directed to staff to provide the City of Richmond some authority over cell tower installation aesthetics and to study the possibility of electromagnetic (EMF) monitoring and periodic readings, by the unanimous vote of the City Council.

H-3. **Continued to December 18, 2018**, the matter to adopt a resolution adopting the Addendum to the General Plan Update Final Environmental Impact Report (SCH#2008022018) and General Plan Amendments; and introduce an ordinance adopting associated zoning text amendments and rezoning for Change Area 12 (Northshore).

## **RESOLUTIONS**

I-1. The matter to adopt a resolution in support of systematically applying a racial equity lens in decision-making was introduced by Councilmember Myrick and Vice Mayor Willis. City Council Liaison Trina Jackson and City Manager's Office Chief of Staff LaShonda White provided an oral report. Discussion ensued. Don Gosney gave comments. On motion of Councilmember Myrick, seconded by Councilmember Beckles, adopted **Resolution No. 93-18** by the unanimous vote of the City Council.

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

Councilmember Recinos gave comments regarding the inappropriate use of sexual innuendo references in the workplace.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:32 p.m., to meet again on Tuesday, December 18, 2018, at 6:30 p.m.

*(At approximately 10:32 p.m., the Council adjourned to Closed Session to recommence deliberation on the SPRAWLDEF and Point Molate Closed Session items. Closed Session adjourned at 10:59 p.m.)*

---

Clerk of the City of Richmond

(SEAL)

Approved:

---

Mayor