

RICHMOND, CALIFORNIA, April 16, 2019

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 Nathaniel Bates, Demnlus Johnson III, Vice Mayor Ben Choi, and Mayor Thomas K. Butt.
Absent: Councilmembers Jael Myrick and Melvin Willis arrived during Public Comment. Councilmember Eduardo Martinez 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. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Point Molate
Agency negotiators: Carlos Martinez and Lina Velasco
Negotiating parties: SunCal
Under negotiations: price and terms of payment

The following speakers gave comments: Jim Hanson, Joseph Puleo, Tarnel Abbott, and Deborah Bayer.

A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency Representatives: Lisa Stephenson, Bruce Soublet, Belinda Warner, Maria Blue, and Jack Hughes
Employee organization: Service Employees International Union (SEIU Local 1021)

Agency Representatives: Lisa Stephenson, Bruce Soublet, Belinda Warner, Maria Blue, and Todd Simonson
Employee organization: International Federation of Technical and Professional Engineers (IFTPE Local 21)

Agency Representatives: Carlos Martinez, Lisa Stephenson, Fire Chief Adrian Sheppard, Rick Bolanos, and Lisa Charabonneau (from LCW)
Employee organization: International Association of Fire Fighters (IAFF Local 188)

Cordell Hindler gave comments.

The Open Session adjourned to Closed Session at 5:10 p.m.
Closed Session adjourned at 7:11 p.m.

The Regular Meeting of the Richmond City Council was called to order at 7:26 p.m., by Mayor Butt.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

Councilmember Myrick stated that he had a conflict of interest with item H-1.

AGENDA REVIEW

Item H-1 was continued to the May 7, 2019, City Council meeting. Item J-2 was continued to the April 23, 2019, City Council meeting.

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

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

REPORT FROM THE CITY MANAGER

City Manager Carlos Martinez stated there were no items to report.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Hindler expressed his disappointment with the behavior displayed by the Council at the April 2, 2019, City Council meeting.

Tarnel Abbott gave comments regarding an article in a San Francisco Gate news report concerning an emergency evacuation plan and traffic conditions at Point Molate.

Bea Roberson gave comments regarding items G-13 and G-15. Ms. Roberson reported issues with the street sweeping and requested street sweeping in all neighborhoods including the Panhandle Annex.

Naomi Williams announced, on behalf of Jerrold Hatchett and the Neighborhood Block Association, that the West County Juneteenth Parade and Family Day was on June 15, 2019, starting at 10:00 a.m. from the Richmond Booker T. Anderson Park and 11:00 a.m. at Nicholl Park. Ms. Williams urged vendors to register before May 15, 2019, to receive a 10% discount. Ms. Williams stated that the cost to participate in the parade was \$5.

Don Gosney urged the Council to demand the use of Project Labor Agreements (PLAs) by the Point Molate developer. Mr. Gosney explained that PLAs were not the same as prevailing wages.

Andrea Hughes expressed concerns regarding housing issues in Richmond. Ms. Hughes urged the City of Richmond to

contact her non-profit organization, Dare2Care, to help in the community.

Jackie Thompson gave comments regarding mental illness. Ms. Thompson reported trash on the streets from the corner of Cutting Boulevard and Stege Avenue to 27th Street. Ms. Thompson requested volunteer help to remove the trash.

Jan Gilbrecht expressed concerns regarding the abatement of the homeless encampment located near the Greater Richmond Interfaith Program (GRIP) at Carlson Boulevard and 22nd Street. Ms. Gilbrecht announced that the GRIP shelter opened a homeless warming center.

Marilyn Langlois thanked the Council for its decision at the April 2, 2019, City Council meeting upholding the Planning Commissions denial of applications to install T-Mobile small cell sites. Ms. Langlois urged the Council to deny another appeal to install a cell site scheduled for the May 7, 2019, City Council meeting. Ms. Langlois reminded the Council of zoning regulations pertaining to cell facilities. Ms. Langlois stated that she sent the Council an email regarding an equity issue and to call her with questions.

Elsa Monroe announced that the Service Employees International Union Nurse Alliance was meeting in Sacramento for legislation to discuss how to become effective first responders in the event of a crisis. Ms. Monroe expressed concerns regarding trains transporting coal through Richmond.

Gerrald Smith, Rick Perez, and Patricia Perez gave comments regarding Senate Bill 1421 (release of police records), the Pedie Perez complaint and investigative report, and the Community Police Review Commission (CPRC). Mr. Smith requested corrective action and recommended an amendment to the CPRC ordinance to allow one appointment by each councilmember.

Janet Johnson expressed concerns on behalf of the “No Coal in Richmond Alliance” working to end the shipment of coal from the Port of Richmond. Ms. Johnson gave comments regarding health risks and a proposed ordinance to regulate the issue.

Rosanne Ryken reported a fatal vehicle accident that occurred on Garvin Avenue and 35th Street. Ms. Ryken requested a traffic survey and speed bumps for major streets like Garvin Avenue, Rheem Avenue, and Clinton Avenue going towards 23rd Street.

Mike Parker gave comments in support of PLAs for Point Molate. Mr. Parker expressed concerns regarding the cancellation of the CPRC and Rent Board meetings due to vacancies and the lack of a quorum. Mr. Parker urged the Council to make appointments to the vacant seats.

Kabir Kapur gave comments regarding Point Molate and the remembrance of history. Mr. Kapur expressed concerns regarding the Notre Dame Cathedral fire in France on April 15, 2019.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Willis, seconded by Councilmember Johnson, the items marked with an (*) were approved by the unanimous vote of the City Council.

***G-1.** Approved the purchase of three 2019 Ford Vanwagons from Towne Ford, for use by the Facilities Maintenance Division and the Information Technology Department, in an aggregate amount not to exceed \$94,000.

***G-2.** Approved the purchase of one 2019 Ford Ranger from Towne Ford, for use by the Code Enforcement Division, in an amount not to exceed \$25,000.

***G-3.** Approved the purchase of two 2020 Ford Explorers from Towne Ford, for use by the Office of Neighborhood Safety, in an aggregate amount not to exceed \$77,000.

***G-4.** Approved an amendment to the contract with Landscape Structures, Inc. for the purchase and installation of play equipment, exercise equipment, safety surfacing and site furnishings at Nicholl Park and Southside Park site work in an amount not to exceed \$267,241.98.

***G-5.** Approved a three-year contract with Jeremy Clark, dba Clark Services, in an amount not to exceed \$218,196 for restroom cleaning services at Jay & Barbara Vincent Park, Shimada Park, Lucretia Edwards Park, Marina Bay Park, Nevin Park, Nicholl Park, Martin Luther King Jr. Park (MLK), Booker T. Anderson Park (BTA), the North Richmond Ballfield, Lucas Park, Southside Park, and John F. Kennedy Park (JFK). The contract term was from July 1, 2019, to June 30, 2022.

***G-6.** Approved a three-year contract with United Site Services, Inc., to provide and service portable toilets, in an amount not to exceed \$70,000, and for a term from July 1, 2019, to June 30, 2022.

***G-7.** Approved the purchase of one S650 T4 Skid-Steer Loader from Bobcat, for use by the Abatement Division, in an amount not to exceed \$75,000.

***G-8.** Approved a Memorandum of Understanding (MOU) in partnership with Rosie the Riveter Trust and Rosie the Riveter/WWII Home Front National Historical Park and the City of Richmond Community Services Department to support a welding and carpentry summer camp for girls between the ages of 11 and 13, effective June 17, 2019, through September 30, 2019; and appropriated grant-funding of \$31,850 to cover start-up costs, supplies, participation fees, and staff.

***G-9.** Approved a contract with AT&T for 1 GIG Internet service for a period of two years for a total amount not to exceed \$54,129.60.

***G-10.** Adopted **Resolution No. 14-19** authorizing the city manager to enter into a funding agreement with MTC to develop and implement a traffic signal coordination plan for the Richmond Parkway with a total cost in the amount of \$112,500 and with the City's contribution in the amount of \$22,125.

***G-11.** Adopted **Resolution No. 15-19** authorizing the execution of a Construction Agreement for the North Shore (Goodrick Avenue) Bay Trail Gap Closure Project with R.V. Stich Construction, Inc. in the base bid amount of \$605,053 plus a construction contingency of 15%, for a total not-to-exceed amount of \$695,810.

***G-12.** Adopted **Resolution No. 16-19** approving the project list for Senate Bill 1 Road Maintenance and Rehabilitation Account funding for Fiscal Year 2019-20.

***G-13.** Appropriated the amount of \$111,257.50 from the Wastewater enterprise fund balance to fund the Force Main Condition Assessment project.

***G-14.** Received a report on the Richmond Municipal Sewer District for the month of February 2019.

***G-15.** Received a report on the stormwater trash capture device installation projects funded by Caltrans.

***G-16.** Adopted **Resolution No. 17-19** (1) adopting a program for managing polychlorinated biphenyls (PCBs) in building materials during the demolition of certain building, and (2) authorizing the city manager to develop and promulgate regulations to enact the program.

***G-17.** Approved a contract with First Student Inc. to provide bus transportation services, to the City of Richmond Community Services Department's summer camp excursions, in an amount not to exceed \$15,000. The term of the contract was July 1, 2019, through December 31, 2019.

***G-18.** Approved the minutes of the February 26, March 19, 26, and April 2, 2019, regular Richmond City Council meetings.

***G-19.** Adopted **Resolution No. 18-19** revising the authorization list on the Local Agency Investment Fund (LAIF) accounts to reflect the current staff assignments in the Finance Department.

***G-20.** Approved a contract with Wildan Financial Services to prepare the Impact Fee and User Fee Study.

***G-21.** Adopted **Resolution No. 19-19** accepting the 2018 Annual Progress Report for the City's Housing Element (2015-2023).

***G-22.** Adopted **Resolution No. 20-19 and Resolution No. 21-19** denying the appeals by ExteNet Systems from a denial of the Conditional Use Permits and Design Review Permits for PLN18-128 and PLN18-130.

***G-23.** Adopted **Ordinance No. 4-19 N.S.** (second reading) amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to update the solid waste collection rates to include the imposition of recycling and green waste contamination, special service, and overage surcharges.

***G-24.** Adopted **Ordinance No. 5-19 N.S.** (second reading) amending Richmond Municipal Code Chapter 3.54 changing the name of the Citizens Police Review Commission to the Community Police Review Commission.

PUBLIC HEARINGS

H-1. Continued to **May 7, 2019**, the matter to consider an appeal, filed by Eric Whann, of the Planning Commission's approval of PLN18-053, and affirm the Planning Commission's conditional approval of Conditional Use Permit and Design Review Permit for a mini-storage facility with artist work studios at 205 Cutting Boulevard.

ORDINANCES

I-1. The matter to introduce an ordinance (first reading) to amend Richmond Municipal Code 2.34 entitled "Schedule of Fees and Service Charges" to charge fees to members of the public seeking electronic records under the Public Records Act to review, extract and redact audio and video files was presented by Police Chief Allwyn Brown. Chief Brown provided an oral report. Discussion ensued. The following speakers gave comments: Tarnel Abbott, Don Gosney, Gerald Smith, Mike Parker, Kabir Kapur, Elaine Dockens, Rick Perez, and Patricia Perez. Discussion ensued. A motion made by Councilmember Myrick to accept the staff recommendation with an amendment to provide a fee waiver for anyone directly related to the victim in a complaint, specifically: mother, father, brother, sister, son, daughter, husband or wife, died for the lack of a second. Further discussion ensued. A motion was made by Mayor Butt to accept the staff recommendation as presented. Further discussion ensued. The motion was seconded by Councilmember Bates with a friendly amendment to reduce the fee by 50% for immediate family members: parents, grandparents, and siblings. The friendly amendment was not accepted. Councilmember Bates withdrew his second and the motion died. Further discussion ensued. A motion made by Councilmember Bates, seconded by Mayor Butt, to accept the staff recommendation with an amendment to reduce the fee by 25% for immediate family members failed by the following vote: **Ayes:** Councilmembers Bates and Mayor Butt. **Noes:** Councilmembers Choi and Willis. **Absent:** Councilmember Martinez. **Abstained:** Councilmembers Johnson and Myrick.

COUNCIL AS A WHOLE

J-1. The matter to (1) receive a presentation regarding the 2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact fee; (2) authorize signing the Master Cooperative Agreement with the West Contra Costa Transportation Advisory Committee (WCCTAC); and (3) introduce an ordinance (first reading) amending Chapter 15.12 of the Richmond Municipal Code updating the Subregional Transportation Mitigation Program (STMP) was introduced by Transportation Manager Lori Reese-Brown. WCCTAC Director John Nemeth, WCCTAC Project Manager Leah Greenblat, and Fehr & Peers Associate Francisco Martin presented a Powerpoint that highlighted the following: background on the WCCTAC; Mitigation Fee Act requirements; West County STMP area; funded projects and proposed projects; 2019 STMP update and project locations; new development's fair share; 2019 Nexus Report; new fee levels and comparisons; and procedural steps. A motion was

made by Councilmember Willis, seconded by Councilmember Johnson, to accept the staff recommendation. Discussion ensued. The motion passed and said ordinance received the first reading and was laid over for one week for the second reading by the unanimous vote of the City Council.

J-2. Continued to April 23, 2019, the matter to consider reinstating the Finance, Economic Development and Administrative Services Standing Committee and the Public Services/Safety Committee.

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

Councilmember Johnson reported his attendance to the National Forum for Black Public Administration, sponsored by the Office of Neighborhood Safety, April 3-7, 2019.

Councilmember Willis reported his attendance to the Othering & Belonging Conference sponsored by the Haas Institute, April 8-10, 2019.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:27 p.m., in memory of Richmond residents Leon Cho, Brenda Idell Fisher, Carrie Cartier, and former City of San Pablo Mayor and Councilmember Leonard McNeil, to meet again on Tuesday, April 23, 2019, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor