

RICHMOND, CALIFORNIA, January 14, 2020

The Richmond City Council Evening Open Session was called to order at 5:31 p.m. by Mayor Thomas K. Butt who led the Pledge of Allegiance to the flag.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Eduardo Martinez, Jael Myrick, Vice Mayor Ben Choi, and Mayor Thomas K. Butt. **Absent:** Councilmember Demnlus Johnson III was absent for the entire Open and Closed Sessions. Councilmember Willis 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

CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of Subdivision (d) [as applicable] of Government Code Section 54956.9):

Anticipated Litigation (one case)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957):

Title: City Manager

Cordell Hindler gave comments regarding the performance evaluation item.

The Open Session adjourned to Closed Session at 5:34 p.m.
Closed Session adjourned at 6:36 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:39 p.m. by Mayor Butt who led the Pledge of Allegiance to the flag.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items H-3 and H-8 were removed from the Consent Calendar for discussion at the end of the agenda. Items H-16, H-17, and H-19 were continued to the January 21, 2020, City Council meeting.

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

Senior Assistant City Attorney Carlos Privat stated there were no final actions taken.

REPORT FROM THE CITY MANAGER

Interim City Manager Steven Falk stated there were no items to report.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Hindler gave comments in support of item H-15 and urged the Council to approve the item. Mr. Hindler also gave comments regarding the Richmond Rent Program 2018-2019 Annual Report presented at the November 26, 2019, City Council meeting.

Jason Gallia, Jason Lindsey, and Michael di Lorenzo gave comments regarding the importance of keeping good jobs with benefits in Richmond.

Don Gosney announced that the Plumbers & Steamfitters Local Union 342 was offering apprenticeship program sign-ups from February 3-7, 2020. Mr. Gosney informed the audience that he had sign-up packages available by calling him at (510) 233-2060.

Audrey Jenkins provided a short synopsis of her life as a coal miner's daughter. Ms. Jenkins expressed concerns regarding the health of the community.

Elsa Stevens expressed her support of union job workers and shared her experience working in the health care industry handling hazardous materials. Ms. Stevens gave comments regarding job retraining.

Jud Peake gave comments in support of the Green New Deal and the protection of health and safety.

Steve Morris expressed concerns regarding corporations that divided groups that should be allies. Mr. Morris gave comments in opposition to an alliance with the fossil fuel industry.

Naomi Williams announced the Black History Celebration on February 29, 2020, at the Richmond Memorial Auditorium. Tickets were on sale for \$10 per person. Ms. Williams reported that there was illegal dumping on Carlson Boulevard between Broadway and 23rd Street.

Michael Gliksohn and Jane Courant gave comments in opposition of the proposed Point Molate development and the Zeneca site clean-up plan.

Jeanne Kortz quoted excerpts from an article that was published in the New York Times on January 14, 2020, regarding the BlackRock asset management corporation and its environmental sustainability goals.

Leslie Grady stated that her father worked in the steel industry and became very ill. Ms. Grady stated that Pittsburg had turned from an industrial city to beautiful and Richmond had the capability by making wise decisions. Ms. Grady stated that there had to be a compromise for union workers. Ms. Grady expressed concern regarding the Zeneca site clean-up plan.

Joseph Puleo stated that the majority of the Council had no concern with the health and welfare of Richmond's future residents related to Point Molate and the Zeneca site. Mr. Puleo advised that items on the agenda concerned present Richmond residents and the Council had to balance the health of residents against union jobs.

Patricia Perez gave comments regarding the Richmond Police Department and the shooting of Eric Reason in Vallejo on November 10, 2019. Ms. Perez extended her condolences to Richmond resident Mike Parker for the passing of his wife, Margaret Jordan.

Mark Wassberg stated that if a vote of the Council violated the Constitution of the United States of America, the matter could be escalated to the federal or supreme court. Mr. Wassberg gave comments regarding coal dust.

Hari Lamba applauded Richmond's Climate Action Plan. Mr. Lamba stated that he wanted to educate members of the public on how to reduce their carbon footprint. Mr. Lamba described a proposed global climate action plan for a complete reindustrialization of America.

Stephen Linsley and Sherry Padgett expressed concerns regarding the Zeneca site clean-up plan and proposed project. Mr. Linsley described chemicals that were formerly used at the site. Mr. Linsley recommended a complete clean-up of the site.

Kabir Kapur gave comments regarding Australian wildfires and coal exporting. Mr. Kapur expressed concerns regarding air quality.

Philip Rosenthal recommended moving highly attended City Council meetings to the Richmond Memorial Auditorium. Mr. Rosenthal gave comments in support of a complete clean-up at the Zeneca site.

John Wade requested the Council and residents to support the Contra Costa College Comets Basketball Team that was playing at the Richmond Memorial Auditorium on February 5 and 12, 2020. Tickets to the games were free for Richmond residents.

Elizabeth Woods stated that she was a resident of the Nevin Plaza Apartments and no one addressed a noise complaint that she reported to City of Richmond officials. Ms. Woods expressed concerns regarding the Nevin Plaza Apartments proposed temporary tenant relocations and renovations.

Margaret Child expressed concerns regarding potential air quality issues from the proposed Zeneca site construction project. Ms. Child recommended that environmental impact and chemical exposure reports should be considered for the proposed project.

Leisa Johnson requested an update on the next City Council meeting agenda regarding the Waste Water Treatment Plant violations. Ms. Johnson recommended a financial bond audit.

Cesar Zepeda along with Naomi Williams extended their condolences to Richmond resident Mike Parker and family for the passing of his wife and community leader, Margaret Jordan.

Tarnel Abbott announced that the City of Richmond lost two gentle warriors and champions of environmental and social justice, Margaret Jordan and Whitney Dotson.

Deborah Bayer gave comments regarding a labor dispute regarding the proposed development at the Concord Naval Weapons Station. Ms. Bayer inquired about the status of Terminal One. Ms. Bayer urged the Council to be careful when negotiating with land developers.

Antwon Cloird gave comments in support of union workers. Mr. Cloird expressed concerns regarding the newly hired Richmond city manager, Laura Snideman.

CITY COUNCIL CONSENT CALENDAR

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

***H-1.** Approved an Interagency Agreement between the City of Richmond and Contra Costa County and appropriated up to \$17,490 in funding to support the Love Your Block community beautification program in the North Richmond community, as authorized in the North Richmond Mitigation Fee Expenditure Plan.

***H-2.** Received the City's Investment and Cash Balance Report for the month of November 2019.

H-3. The matter to approve an amendment to the standard contract with Steven Falk to serve as Interim City Manager of the City of Richmond through January 24, 2020, and then to provide as-requested, as-needed consulting services through June 30, 2020, was introduced by Senior Assistant City Attorney Carlos Privat. Discussion ensued. Luis Padilla gave comments. A motion made by Councilmember Myrick, seconded by Councilmember Willis, approved a contract amendment with Interim City Manager Steven Falk extending the term to January 30, 2020, with no additional consulting services, by the unanimous vote of the City Council.

***H-4.** Approved the minutes of the December 3, 7, 10, and 17, 2019, Regular and Special City Council meetings.

***H-5.** Adopted **Ordinance No. 01-20 N.S.** (second reading) amending sections of Richmond Municipal Code Chapter 9.48 Integrated Pest Management.

***H-6.** Approved a sole-source contract with Priority Dispatch to provide maintenance, support and critical updates to the ProQA software application and card sets used by the Communications Center, for a total amount not to exceed \$22,401 through March 31, 2023.

***H-7.** Received and acknowledged receipt of a report pursuant to Health and Safety Code 13146.4 regarding fire inspection compliance for 2019.

H-8. The matter to adopt a resolution to adopt the Richmond Community Wildfire Protection Plan, an appendix to the Contra Costa County Wide Community Wildfire Protection Plan was introduced by Fire Chief Adrian Sheppard. Fire Marshal Eric Govan provided a report. Discussion ensued. The following speakers gave comments: Joseph Puleo, Deborah Bayer, and Jim Hanson. A motion was made by Councilmember Bates, seconded by Councilmember Willis, to adopt said resolution. Further discussion ensued. The Council requested staff to consider recommendations given by the public speakers regarding fire evacuation for Point Molate. The motion adopted **Resolution No. 1-20** by the unanimous vote of the City Council.

***H-9.** Approved a contract with Websedge to develop police personnel promotional material and provide recruitment and branding services in an amount not to exceed \$25,000. The contract term was from August 1, 2019, to June 30, 2020.

***H-10.** Approved a police services agreement with Contra Costa County to provide monitoring of Assembly Bill (AB) 109 probationers and parolees from July 1, 2019, through June 30, 2020; and accepted and appropriated \$146,795 in AB 109 Realignment funds.

***H-11.** Approved the purchase of a trailer to be used for impaired driving enforcement operations, and the purchase of three portable speed displays for traffic safety and enforcement operations, through the approved and accepted Office of Traffic Safety 2019/2020 Grant, in an amount not to exceed \$46,400.

***H-12.** Adopted **Resolution No. 2-20** authorizing the acceptance and appropriation of a \$14,000 Target Mini-Pitch Enhancement Grant.

***H-13.** Adopted **Resolution No. 3-20** approving the transfer of \$50,000 from the District reserve funds to perform certain capital improvement projects at the Marina, as requested by the Marina Landscape and Lighting Maintenance District Advisory Committee.

***H-14.** Adopted **Resolution No. 4-20** authorizing on-call professional services contracts with three firms: Avila Project Management, CSW | ST2, and mack5, for as-needed project management services for capital projects, including federally funded projects, in an amount not to exceed \$400,000 per firm for a three-year term with the option to extend the term for one additional year.

***H-15.** Adopted **Ordinance No. 02-20 N.S.** (second reading) to establish wages, salary, and compensation for Deputy City Manager (Salary Range No. 5.5. \$12,338 - \$19,640); Community Development Director (Salary Range No. 5.2. \$11,801 - \$18,785), Library and Community Services Director (Salary Range No. 5.1 \$10,728 - \$17,078) and Public Works Director (Salary Range No. 5.1 \$10,728 - \$17,078) classifications.

H-16. Continued to January 21, 2020, the matter to adopt a resolution amending the City of Richmond's Position Classification Plan to add the new Communications Dispatcher III classification.

H-17. Continued to January 21, 2020, the matter to introduce an ordinance (first reading) to establish wages, salaries, and compensation for the new classification specification for Communications Dispatcher III (Salary Range No. 128 \$7,090 - \$8,577/month).

***H-18.** Approved a contract with Governmentjobs.com dba NeoGov for software support and subscription with governmentjobs.com for job postings to the public.

H-19. Continued to January 21, 2020, the matter to adopt by resolution the Demonstration Partnerships Policy as set forth in Exhibit A; and authorize the city manager to enter into Demonstration Partnerships agreements when not otherwise subject to any City Code restrictions, if the agreements meet specified criteria of the Demonstration Partnerships Policy; and direct the city manager to lead implementation of the Demonstration Partnership Policy; as specified therein.

PUBLIC HEARINGS

I-1. The city clerk announced that it was time, pursuant to public notice, to hold the fifth public hearing to receive public input on draft maps of voting district boundaries and election sequencing as part of the City's transition from an "at-large" election system of electing City Councilmembers to a "by-district" election system; select a map to establish district boundaries; and: (1) introduce and adopt an Urgency Ordinance adopting sections 2.16.050 (City Council Election Districts and Sequencing) and 2.16.060 (City Council Residency) of the Richmond Municipal Code to transition from at-large to by-district elections of City Councilmembers; and (2) introduce an ordinance (first reading) adopting sections 2.16.050 (City Council Election Districts and Sequencing) and 2.16.060 (City Council Residency) of the Richmond Municipal Code to transition from at-large to by-district elections of City Councilmembers. Assistant City Attorney James Atencio introduced the item. Demographer Douglas Johnson of National Demographics Corporation presented a Powerpoint presentation that highlighted the districting process, rules, goals, map summary, and details. Discussion ensued. Mayor Butt declared the public hearing open. The following speakers gave comments: Leisa Johnson, Mark Wassberg, Norma LaBat, Don Gosney, Scott Rafferty, Cesar Zepeda, Kathy Scharff, Antwon Cloird, Jim Hanson, Kabir Kapur, and Michele Rappaport. Mayor Butt closed the public hearing. Further discussion ensued. The Council requested the establishment of an independent voting districts committee to select future maps. On motion of Councilmember Bates, seconded by Councilmember Martinez, **selected map 115b to establish voting district boundaries** by the

following vote: **Ayes:** Councilmembers Bates, Martinez, Willis, Vice Mayor Choi, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Johnson. **Abstained:** Councilmember Myrick. Further discussion ensued. A motion was made by Councilmember Bates, seconded by Councilmember Myrick, to set the election sequence to 1, 4, and 3. Further discussion ensued. Councilmember Myrick withdrew his second. The motion failed for lack of a second. Further discussion ensued. A motion was made by Councilmember Willis, seconded by Councilmember Myrick, to set the election sequence to 1, 5, and 6. Further discussion ensued. The motion **set the election sequence to 1, 5, and 6** by the following vote: **Ayes:** Councilmembers Myrick, Willis, Vice Mayor Choi, and Mayor Butt. **Noes:** None. **Absent:** Councilmember Johnson. **Abstained:** Councilmembers Bates and Martinez. Further discussion ensued. On motion of Councilmember Willis, seconded by Councilmember Martinez, **introduced and adopted Urgency Ordinance No. 03-20 N.S. and directed staff to place an item on a future City Council meeting agenda to establish an independent voting districts committee** by the unanimous vote of the City Council. On motion of Vice Mayor Choi, seconded by Councilmember Myrick, **said ordinance received the first reading and was laid over to January 21, 2020, for the second reading** by the unanimous vote of the City Council.

I-2. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to introduce an ordinance (first reading): (1) adding Article 15.04.615 to the Richmond Municipal Code ("RMC") to prohibit new land uses and phase out existing land uses related to the storage and handling of coal and petroleum coke, and (2) making conforming amendments to the Richmond Municipal Code ("RMC") to ensure that it was internally consistent. This item was continued from the December 3, 2019, meeting and the public hearing was opened and closed at that meeting. The item was for Council deliberation only. On motion of Councilmember Willis, seconded by Councilmember Martinez, said ordinance received the first reading and was laid over to January 21, 2020, for the second reading by the following vote: **Ayes:** Councilmembers Martinez, Myrick, Willis, Vice Mayor Choi, and Mayor Butt. **Noes:** Councilmember Bates. **Absent:** Councilmember Johnson. **Abstained:** None.

(At approximately 9:13 p.m., Mayor Butt called for a five-minute recess. The Council reconvened at 9:18 p.m. with Councilmembers Johnson and Myrick absent. Councilmember Myrick rejoined the meeting during the introduction of Item I-3).

I-3. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to adopt an order of vacation, vacating Meeker Avenue from an unbuilt portion of Meeker Avenue from the west line of South 19th Street to the east line of South 17th Street. The item was introduced by Engineering and Capital Improvement Projects Director Yader Bermudez. Discussion ensued. Mayor Butt declared the public hearing open. There were no public speakers. Mayor Butt closed the public hearing. A motion made by Councilmember Myrick, seconded by Councilmember Willis, adopted **Order of Vacation No. 917** 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 10:01 p.m., in memory of Margaret Jordan, Whitney Dotson, Michael Davenport, and Councilmember Bates' grandson, Jabar Anderson, to meet again on Tuesday, January 21, 2020, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor