

**RICHMOND, CALIFORNIA, February 17,  
2015**

The Richmond City Council Evening Open Session was called to order at 6:01 p.m.

**ROLL CALL**

**Present:** Councilmembers Bates, Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Absent:** Councilmember Bates arrived at 6:03 p.m. after the City Council 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**

**LIABILITY CLAIMS - (Government Code Section 54956.9):**

Robin Poindexter vs. City of Richmond

The Open Session adjourned to Closed Session at 6:01 p.m. Closed Session adjourned at 6:15 p.m.

The Regular Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council was called to order at 6:31 p.m. by Mayor Butt who led the Pledge of Allegiance to the Flag.

**ROLL CALL**

**Present:** Councilmembers Bates, Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Absent:** None.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

**Continued Item M-1**, the matter to consider directing staff to reduce the number of permits from six to three for the operation of medical marijuana establishments in the City of Richmond, **to March 3, 2015; Withdrew Items I-7**, the matter to introduce an ordinance for first reading amending the Richmond Municipal Code Section 14.40.060 to prohibit overnight parking of vehicles intended for sale to include privately, **and I-8**, the matter to adopt a resolution to extend the limited parking restriction and enforcement along 23rd Street between Bissell Avenue and Maricopa Avenue to 24 hours, seven days-a-week to address the problem of

unrestricted parking during evening hours and weekends crowding out available merchant parking spaces in the area. (This item was previously recommended for an engineering study with the collaboration of the Police Department by the Public Safety Standing Committee at its September 25, 2014, meeting), **from the agenda and placed on the March 3, 2015, agenda under the specific category the items pertain to;** on motion of Vice Mayor Myrick, seconded by Councilmember Martinez **continued Item J-2 to March 3, 2015**, the matter to introduce a proposed ordinance (first reading) adopting the zoning text amendments to Section 15.06 of the Sign Ordinance and Chapter 4.04 of the Sign Code, to March 3, 2015, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmember McLaughlin. **Abstentions:** None. **Absent:** None; **Withdrew Item J-5**, the matter to consider a letter urging the Federal Communications Commission (FCC) to ensure Internet For All Now by requiring Comcast to extend and increase subscribership for its Internet Essentials Program, and authorize the mayor to submit the letter to the FCC on behalf of the Richmond City Council, **from the Agenda;** and **removed Item I-19**, the matter to adopt a resolution to support and endorse the 2015 Annual Homeless Workforce conference by waiving the rental fee for the use of the Richmond Memorial Auditorium, **from the Consent Calendar to be discussed at the end of the agenda.**

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

The City Council presented City Clerk Diane Holmes a proclamation, plaque, and flowers to congratulate her on her retirement from the City of Richmond after a dedicated 30 years of service; 15 years as the City Clerk. Ms. Holmes thanked the City Council and the citizens of Richmond for the continued support throughout her years of service to the City of Richmond. Antwon Cloird, Corky Booze, Bea Roberson, Jan Mignone, and Jackie Thompson gave comments.

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

City Attorney Bruce Reed Goodmiller reported that there were no reportable actions.

### **OPEN FORUM FOR PUBLIC COMMENT**

Naomi Williams invited everyone to the Chinese New Year's Celebration at the Richmond Memorial Auditorium, February 28, 2015, 5:00 p.m. to 8:30 p.m. Ms. Williams also announced that the Commission on Aging was sponsoring a trip to Feather Falls, March 10, 2015. She asked that anyone interested contact her or Beverly Wallace.

Charles Ramsey thanked the City Council for supporting the schools in Richmond and the Valley View Project. He also expressed interest in meeting the City Councilmembers and staff to discuss what was fair for the citizens in Richmond.

Madeline Kronenberg thanked the City Council for the resolution encouraging the West Contra Costa Unified School Board to proceed with the Valley View Project.

Don Gosney gave comments regarding the Hacienda Housing Project and suggested the City Council place an item on the agenda to discuss issues relating to the relocation of the Hacienda Housing Project tenants.

Yenny Velasquez encouraged everyone to take part in the up-coming Sisters in Solidarity 2015 event.

Gloria Munoz, Quadelupe Corra, and Lupita Villanueva were unable to address the City Council regarding Item J-6, City Council vacancy, because the public comment period was closed and the item was agendized for Council deliberation and voting only.

Melvin Willis gave comments regarding the public's opportunity to speak on agenda items.

Mary Roth expressed concern regarding the reduction in emergency services in the City of Richmond due to the closure of Doctors Hospital.

Pilar Schiavo gave comments regarding the importance of the City Council to represent the citizens of Richmond.

Marie Walcer encouraged the City Council to show unity.

Disraeli Hives gave comments regarding employment and housing within the City of Richmond.

Donna Powers gave special comments to Diane Holmes regarding her retirement.

Corky Boozé stated that the Richmond Progressive Alliance helped Mayor Tom Butt win the 2014 election for mayor

Jackie Thompson encouraged the City of Richmond to rebuild the Martin Luther King Jr. Community Center.

Bruce Rhodes requested help with transportation to and from Medical Marijuana Cannabis locations within the City of Richmond.

Shawn Boss, Sarah Shrader, Beau Rollins, and Annalisa Hopper gave comments regarding the importance of medication cannabis dispensaries.

James Anthony gave an update regarding the search for property to open Compassionate Care Cannabis.

Lee Lawrence gave comments regarding the representation of the City Council.

Mike Parker stated that corporations had the real power in the City of Richmond and the Richmond Progressive Alliance organized to counter the power of big corporations.

Kris Mejia stated that it was important for the community to be heard.

Michael Beer gave comments regarding oil trains transporting crude oil.

Melanie Myers invited everyone to the 5<sup>th</sup> Annual Free Spring Event at the Solano Play Lot, April 11, 2015. She stated that the theme was fitness.

Johnny Holmes stated that the talent show held at the Richmond Memorial Auditorium in February 2015 was successful. He also stated that the next talent show was July 12, 2015.

Mr. Phillips gave comments regarding gentrification due to the relocation of individuals from the Hacienda Housing Complex. He expressed concern that there was no plan to relocate individuals moved from the City of Richmond from the Hacienda Housing Complex back to the City of Richmond.

Richard Stollings gave comments regarding a policy to limit councilmembers from speaking.

Andres Velasco and Lorenz Alvelar gave comments regarding a special Richmond resident.

### **SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**

On motion of McLaughlin seconded by Vice Mayor Myrick all items under the Successor Agency Consent Calendar marked with an (\*) were approved by the unanimous vote of the City Council.

\*-Adopted **Resolution No. 15-2** approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule for the period July 2015 to December 2015 (ROPS 15-16a) pursuant to AB 1X26 and AB 1484.

### **CITY COUNCIL CONSENT CALENDAR**

On motion of Councilmember McLaughlin seconded by Vice Mayor Myrick all items under the City

Council Consent Calendar marked with an (\*) were approved by the unanimous vote of the City Council.

\*-Received a report on the Richmond Municipal Sewer District for the month of January 2015.

\*-Adopted **Resolution No. 10-15** ordering the preparation of the Engineer's Report for fiscal year 2015-2016 regarding improvements and costs for the Hilltop Landscape Maintenance District.

\*-Adopted **Resolution No. 11-15** ordering the preparation of the Engineer's Report for fiscal year 2015-2016 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District.

\*-Approved a second contract amendment with Infrastructure Engineering Corporation to continue providing sewer flow monitoring data collection and reporting services at various locations throughout the City for a period of three years, increasing the contract amount by \$300,600 for a total contract amount of \$366,380.

\*-Adopted **Resolution No. 12-15** approving agreements with the California State Board of Equalization to provide for the collection of the extra half-cent sales tax that was approved by Richmond voters in the November 4, 2014, election.

\*-Approved a contract amendment with R&S Erection to perform maintenance, repairs, and installations of commercial roll up garage doors and automatic gate systems at various City-owned buildings, increasing the contract amount by \$20,000 for a total of \$129,000.

**Withdrew from the agenda** the matter to introduce an ordinance (first reading) amending the Richmond Municipal Code Section 14.40.060 to prohibit overnight parking of vehicles intended for sale to include privately-owned vehicles. **The item should be placed on the March 3, 2015, agenda under ordinances.**

**Withdrew from the agenda** the matter to adopt a resolution to extend the limited parking restriction and enforcement along 23rd Street between Bissell Avenue and Maricopa Avenue to 24 hours, seven days-a-week to address the problem of unrestricted parking during evening hours and weekends crowding out available merchant parking spaces in the area. (This item was previously recommended for an engineering study with the collaboration of the Police Department by the Public Safety Standing Committee at its September 25, 2014, meeting). **The item should be placed on the March 3, 2015, agenda under resolutions.**

\*-Approved a contract with Fehr & Peers in an amount not to exceed \$96,500, and for a term ending June 30, 2016, to complete an expanded traffic impact

analysis for the South Shoreline Specific Plan EIR to be paid by developer fees.

\*-Adopted **Resolution No. 13-15** approving standing contracts for as-needed construction management services for capital improvement project work with three Richmond engineering firms (The Hanna Group, BKF Engineers, and Ghirardelli Associates) in an amount not to exceed \$600,000 per firm over a three-year period, with an option to extend the contracts for two years.

\*-Approved a contract with: (1) Public Resources Advisory Group and (2) Backstrom, McCarley Berry & Co., LLC to provide financial advisory services in an amount not to exceed \$150,000 per vendor, and for a term of three years, with the option to renew each contract for an additional two years.

\*-Approved an emergency contract with Conflo Services, Inc. for asbestos removal at the Richmond Public Library in an amount not to exceed \$45,000.

\*-Adopted **Ordinance No. 6-15 N.S.** establishing the wages, salary, and compensation for the new classification of Assistant City Clerk (Salary Range No. 052C: \$5,659 - \$6,853/month).

\*-Approved a construction contract with California Pavement Maintenance, the lowest responsive bidder, to perform the 2015 Slurry Seal Project - Phase 1 in an amount not to exceed \$450,915.85 with an additional construction contingency not to exceed 10%, or \$45,091.59.

\*-Adopted **Ordinance No. 7-15 N. S.** amending the contract with the California Public Employee's Retirement System for employees sharing additional costs of two percent for all "classic" local safety members.

\*-Approved a contract with David Taussig and Associates in an amount not to exceed \$58,365 to prepare the Hilltop and Marina Assessment Districts Annual Engineer's Reports necessary to levy assessments for the 2015-2018 fiscal years. The contract term will be from February 18, 2015 to February 17, 2018, with two optional one-year extensions.

\*-Adopted **Resolution No. 14-15** adopting the Final Report for the Richmond Livable Corridors Sustainable Communities Strategy Planning Grant Project and certifying it as complete and accurate.

\*-Approved the minutes of the February 3 and 10, 2015, meetings.

The matter to adopt a resolution to support and endorse the 2015 Annual Homeless Workforce conference by waiving the rental fee for the use of the

Richmond Memorial Auditorium was removed from the Consent Calendar by Councilmember Bates. Councilmember McLaughlin gave an overview of the item. The following individuals gave comments: Jackie Thompson, Corky Boozé, and Lenora Brown. *(At 11:15 p.m. on motion of Vice mayor Myrick, seconded by Councilmember McLaughlin extended the meeting to 11:30 p.m. with Councilmember Bates and Mayor Butt voting Noe).* Speakers continued with Terrace Jackson, Valeria Salinas, Calvin Williams, John Middleton, Bea Roberson, and Marilyn Langlois. On motion of Vice Mayor Myrick, seconded by Councilmember McLaughlin adopted **Resolution No. 15-15** by the unanimous vote of the City Council.

\*-Approved the following appointments and re-appointments: Richmond-Shimada Friendship Commission: Marilyn Alford, new appointment, term expiring December 31, 2017; Commission on Aging: Naomi Williams, re-appointment, term expiring May 19, 2016; Commission on Aging: Beverly Wallace, re-appointment, term expiring May 19, 2016; Human Rights and Human Relations Commission: Courtney Cummings, re-appointment, term expiring March 30, 2018; Human Rights and Human Relations Commission: Joyce Harris, re-appointment, term expiring March 30, 2017; Historic Preservation Commission: Paul Scolari, re-appointment, term expiring July 31, 2018; Planning Commission: Nancy Baer, completing the unexpired term of Eduardo Martinez, term expiring June 30, 2016; Public Art Advisory Committee: Kathryn Sibley, re-appointment, term expiring January 31, 2017; Richmond Youth Council: Quelane Levi, new appointment, term expiring October 1, 2015.

### **ITEMS CONTINUED FROM PREVIOUS MEETINGS**

#### **- Continued Ordinances**

On motion of Vice Mayor Myrick, seconded by Councilmember Martinez **continued to March 3, 2015**, the matter to introduce a proposed ordinance (first reading) adopting the zoning text amendments to Section 15.06 of the Sign Ordinance and Chapter 4.04 of the Sign Code, to March 3, 2015, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Martinez, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmember McLaughlin. **Abstentions:** None. **Absent:** None.

#### **- Continued Resolutions**

The matter to adopt a resolution declaring our intent to communicate with the major owners of delinquent loans in regard to a nonprofit program to acquire troubled mortgages, save homes from foreclosure, and create affordable housing was presented by Councilmember McLaughlin. Don Gosney and Melvin Willis gave comments. On motion of Councilmember McLaughlin, seconded by

Councilmember Beckles adopted **Resolution No. 16-15** by the unanimous vote of the City Council.

**- Continued Council as a Whole**

The matter to direct staff to draft an ordinance that best suits the City of Richmond in establishing a Just Cause requirement for evictions, and consider the use of a Rent Board as in other cities or a smaller Tenant Protection Commission appointed by the Mayor which would potentially have smaller overhead, or other options for enforcement was presented by Vice Mayor Myrick. Donna Powers, Theresa Karr, Don Gosney, Melvin Willis, and Marilyn Langlois gave comments. A motion was made by Vice Mayor Myrick, seconded by Councilmember to direct staff to draft an ordinance that best suits the City of Richmond in establishing a Just Cause requirement for evictions. A substitute motion was made by Mayor Butt, seconded by Councilmember Bates to direct staff to convene a working group of stakeholder to look for a solution that will work for everyone. Following discussion, Vice Mayor Myrick accepted the substitute motion as a friendly amendment and directed staff to bring forth clear policy recommendations or an ordinance in 90 days. The original motion with the friendly amendment was approved by the unanimous vote of the City Council.

**Withdrew from the agenda the matter to** consider a letter urging the Federal Communications Commission (FCC) to ensure Internet For All Now by requiring Comcast to extend and increase subscribership for its Internet Essentials Program, and authorize the mayor to submit the letter to the FCC on behalf of the Richmond City Council.

The matter to appoint a candidate to fill the vacant seat on the City Council that occurred on January 13, 2015, was opened for discussion by Mayor Butt. This item was continued from the February 10, 2015, meeting. No further public comments were accepted. The item was for Council deliberation and voting only. A motion was made by Vice Mayor Myrick, seconded by Councilmember Butt to appoint Sheryl Lane to fill the vacant seat on the City Council. The motion failed by the following vote: **Ayes:** Vice Mayor Myrick and Mayor Butt. **Noes:** Councilmember Beckles. **Abstentions:** Councilmembers Bates, Martinez, and McLaughlin. **Absent:** None. A motion was made by Councilmember Bates, seconded by Councilmember Martinez to appoint Vinay Pimplé to fill the vacant seat on the City Council. The motion failed by the following vote: **Ayes:** Councilmembers Bates and Martinez. **Noes:** Councilmember Beckles. **Abstentions:** Councilmember McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Absent:** None. **The matter was continued to the February 24, 2015, meeting.**

**RESOLUTIONS**



The matter to adopt a resolution opposing the fast-track of the Trans-Pacific Partnership (TPP) Agreement, the Trans-Atlantic Free Trade Agreement (TAFTA) and the Trade in Services Agreement (TiSA) was presented by Mayor McLaughlin. Nancy Price, Marilyn Langlois, and Phoebe Sorgen gave comments. On motion of Councilmember McLaughlin, seconded by Councilmember Martinez adopted **Resolution No. 17-15** by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** None. **Abstentions:** Councilmember Bates. **Absent:** None.

The matter to adopt a resolution in support of establishing a Community Benefits Agreement with the UC Berkeley Global Campus was presented by Vice Mayor Myrick. The following individuals gave comments: Maricruz Manzanares, Melvin Willis, Cristian Mejia, Ruben Lizardo, Donnell Jones, Lee Lawrence, Mike Parker, and Corky Boozé. On motion of Councilmember Martinez, seconded by Vice Mayor Myrick adopted **Resolution No. 18-15** by the following vote: **Ayes:** Councilmembers Beckles, Martinez, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** None.

### **ORDINANCES**

The matter to introduce an ordinance for first reading amending Chapters 2.52, 2.62, and 7.102 of the Richmond Municipal Code to eliminate the Public Safety and the Finance Standing Committee was presented by City Attorney Bruce Reed Goodmiller. Donna Powers, Corky Boozé, and Naomi Williams gave comments. A motion was made by Mayor Butt, seconded by Councilmember McLaughlin to introduce the ordinance for first reading. The motion passed and said ordinance received first reading and was laid over for two weeks for second reading by the following vote: **Ayes:** Councilmembers Beckles, McLaughlin, Vice Mayor Myrick, and Mayor Butt. **Noes:** Councilmember Bates. **Abstentions:** Councilmember Martinez. **Absent:** None.

### **COUNCIL AS A WHOLE**

**Continued to March 3, 2015**, the matter to consider directing staff to reduce the number of permits from six to three for the operation of medical marijuana establishments in the City of Richmond.

The matter to direct staff to send a letter to the West Contra Costa Unified School District (WCCUSD) Board in support of the Healthy School Food Campaign to include salad bars in Richmond schools. On motion of Councilmember Beckles, seconded by Councilmember Martin directed staff to send a letter to the WCCUSD Board in support of the Healthy School Food Campaign to include salad bars in Richmond

schools by the unanimous vote of the City Council.

The matter to adopt a resolution that calls on Chevron to cooperate in a safe and orderly shutdown of the Chevron Richmond Refinery in the event that its permanent employees, who operate the Chevron Richmond Refinery, exercise their right to refuse work should a strike occur, and further calls on Contra Costa County to take all necessary steps, in cooperation with the City of Richmond, to ensure that Chevron will comply with the Richmond Industrial Safety Ordinance (RISO) during the strike; and direct City of Richmond staff to take all necessary steps, in cooperation with Contra Costa County staff, to ensure that Chevron will comply with the RISO during the strike, and to ensure that Chevron, Contra Costa County, and the United Steelworkers are timely provided a true and complete copy of this Resolution was presented by Councilmember McLaughlin. Mayor Butt stated for clarity, that it was not the intent of the City Council to interfere with Chevron's labor relations. The following individuals gave comments: Robert Travis, Greg Karas, Marie Walcer, Marilyn Langlois, Lipo Chanthanasak, Torm Nompraseurt, Elliott Hughes, Mike Parker, Melvin Willis, and Corky Boozé. A motion was made by Councilmember McLaughlin, seconded by Vice Mayor Myrick to adopt a resolution that calls on Chevron to cooperate in a safe and orderly shutdown of the Chevron Richmond Refinery in the event that its permanent employees, who operate the Chevron Richmond Refinery, exercise their right to refuse work should a strike occur, and further calls on Contra Costa County to take all necessary steps, in cooperation with the City of Richmond, to ensure that Chevron will comply with the Richmond Industrial Safety Ordinance (RISO) during the strike; and direct City of Richmond staff to take all necessary steps, in cooperation with Contra Costa County staff, to ensure that Chevron will comply with the RISO during the strike, and to ensure that Chevron, Contra Costa County, and the United Steelworkers are timely provided a true and complete copy of this Resolution. *(At 11:00 p.m. on motion of Vice Mayor Myrick, seconded by Councilmember Martinez extended the meeting for 15 minutes with Mayor Butt voting Noe.)* The motion passed and **Resolution No. 19-15** was adopted by the unanimous vote of the City Council.

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

City Clerk Diane Holmes requested that Mayor Butt adjourn the meeting in memory of long-time Richmond resident Matilda Foster; funeral services Wednesday, February 18, 2015; 2:00 p.m., Ephesians Church of God and Christ.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:26 p.m. in memory of Matilda Foster to meet again on Tuesday, February 24, 2015, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor