

RICHMOND, CALIFORNIA, April 19, 2016

The Regular Meeting of the Richmond City Council was called to order at 6:35 p.m., by Mayor Tom Butt, who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Jovanka Beckles, Gayle McLaughlin, Jael Myrick, Vinay Pimplé, Vice Mayor Eduardo Martinez, and Mayor Tom Butt. **Absent:** Councilmember Nathaniel Bates.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

At the request of Councilmember Beckles, **withdrew Item H-15 from the agenda.**

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Councilmember Myrick and Mayor Butt presented a proclamation recognizing the Week of the Young Child, celebrated nationally from April 10th through April 16th. Contra Costa County Director of the Head Start Program Camilla Rand accepted the proclamation on behalf of the county's Community Services Bureau. Mark Wassberg gave comments.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay presented a brief video regarding the launch of the Richmond Tool Library initiative. At the conclusion of the video, Mr. Lindsay acknowledged the video producers, AmeriCorps Interns Kiana Ward and Guadalupe Morales.

OPEN FORUM FOR PUBLIC COMMENT

Mark Wassberg gave comments regarding the new and former Richmond police chiefs, police checkpoints, the issuance of driving licenses to immigrants, and constitutional laws.

Naomi Williams announced the Commission on Aging's 22nd Annual Senior Night Out on Saturday, May 14, 2016, at the Richmond Memorial Auditorium from 6:30 p.m. to 10:00 p.m. Tickets cost \$20.00 per person at the Richmond Recreation Complex, 3230 Macdonald Avenue, Richmond.

Wesley Brinkman, representing the Public Affairs Committee of The Church of Jesus Christ of Latter Day Saints, extended an invitation to councilmembers to attend a worship service.

Richmond Police Activities League Executive Director Larry Lewis announced that the Richmond Young Scholars had a very successful trip with twenty-two youth to Washington D.C. for a college tour, April 1-7, 2016.

Patty Hopson gave comments regarding homelessness. Ms. Hopson distributed a signed petition and other documents concerning homelessness to councilmembers.

City of Richmond Paratransit Coordinator Samuel "Sam" Casas distributed a letter to councilmembers and gave comments regarding his personnel matters and alleged white supremacy at the City of Richmond.

Jackie Thompson gave comments regarding workplace bullying, city council meeting rules, illegal dumping, and mental illness.

Rick Perez gave comments regarding the city's Code of Ethics for law enforcement, police officer hiring and screening practices, and the Police Commission.

Patricia Perez gave comments regarding the loss of pets and children.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Beckles, and seconded by Councilmember Myrick, all items marked with an (*) were approved by the unanimous vote of the City Council.

*H-1. Appropriated the amount of \$652,781 from available funds in the Wastewater enterprise capital improvements budget for engineering services for the preparation of the Wastewater Treatment Plant Facility Plan and Clean Water State Revolving Fund loan application.

*H-2. Approved an agreement with Boudreau Associates, LLC to complete field sampling, environmental documentation, and permitting to obtain approval from the United States Army Corps of Engineers, Regional Water Quality Control Board, and Bay Conservation and Development Commission to dredge berths 7 and 8 of the Point Potrero Marine Terminal, at a cost of \$108,000 and for a term ending December 31, 2016.

*H-3. Reviewed and approved the City's Investment and Cash Balance Report for the month of February 2016.

*H-4. Approved a contract with The Gardner Group LLC to provide an organization and management review of services provided by the Recreation Department in an amount not to exceed \$25,000.

*H-5. Approved a three-year contract with Pyro Engineering, dba Bay Area Fireworks, in the amount of \$87,000 (\$20,000 per year for the fireworks show and \$9,000 per year for tug and barge services), for the fireworks shows at the Marina Bay Park on July 3, 2016, through 2018.

*H-6. Approved the purchase of closed-circuit television (CCTV) equipment from Halifax Security, Inc. to maintain the department's existing system in an amount not to exceed \$45,000.

*H-7. Approved the purchase of 46 Scott Dual Emergency Breathing System Retrofit Kits from Industrial Safety Supply Corporation in the amount of \$29,491.64.

*H-8. Received a report on the Richmond Municipal Sewer District for the month of February 2016.

*H-9. Approved an agreement with California PV Energy 2, LLC ("Constellation") related to an easement for underground storm drain pipelines held by the City of Richmond on the property at 850 Marina Bay Parkway, owned by the California Department of Public Health, which will facilitate the installation, operation and maintenance of solar panels on this property by Constellation.

*H-10. Approved a second amendment to the contract with D.M.G. Janitorial Services for park restroom cleaning services, increasing the contract by \$9,000 to cover the costs of servicing the new restroom at the Marina Bay Park, for a total contract amount not to exceed \$99,240, while maintaining the June 30, 2016, expiration date.

*H-11. Introduced an ordinance (first reading) amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to update the solid waste collection rates to reflect an: (1) annual CPI rate adjustment of 2.56 percent that took place on January 1, 2016; (2) expansion of the senior discount to include the 20 gallon mini-can service; and (3) approval of \$0.20 per month surcharge on residential accounts resulting from the high 2015 bulky item participation rate that exceeded the 2015 bulky item program budget.

*H-12. Approved actions to update the Economic Development Commission: Appointed Dexter Vizinou, re-appointment, seat #9, term expiring March 30, 2019.

*H-13. Approved appointments for the Environmental and Community Investment Agreement (ECIA) Grant Review Ad Hoc Committee: Appointed Lisa Stevenson-Johnson, new appointment, seat #1, term expiring April 30, 2017; Carol Hegstrom, new appointment, seat #2, term expiring April 30, 2017; Nancy Baer, new appointment, seat #3, term expiring April 30, 2017; Joseph Lorenz, new appointment, seat #4, term expiring April 30, 2017; Monica Lazo, new appointment, seat #5, term expiring April 30, 2017.

*H-14. Approved actions to update the Commission on Aging: Appointed LaVetta Jean Coleman, new appointment, seat #11, term expiring May 19, 2017.

H-15. **Withdrawn from the agenda**, the matter to adopt a resolution in support of the CyberTran International Inc., Ultra-Light Rail Transit System and to request a letter of support from Congressman DeSaulnier.

*H-16. Adopted **City Council Resolution No. 32-16** in opposition of the shipment of coal through the proposed marine terminal at the Port of Oakland, and in support of California Senate Bills 1277 and 1279 (Senator Hancock).

*H-17. Approved the minutes of the regular City Council meeting held Tuesday, March 22 and April 5, 2016.

ORDINANCES

I-1. The matter to introduce an ordinance (first reading) to amend Chapter 7.102 of the Richmond Municipal Code allowing and setting minimum standards for medical marijuana cultivation and marijuana businesses, was presented by City Manager Bill Lindsay, City Attorney Bruce Goodmiller and, Assistant City Attorney Trisha Aljoe. Following the overview of the item by staff, discussion ensued. Vice Mayor Martinez suggested that staff separate the regulations for marijuana manufacturing from cultivation in the ordinance and revisit manufacturing at a future meeting. Vice Mayor Martinez also pointed out that the ordinance did not include regulations for topical, inhalant, and ointment marijuana products. Councilmember Beckles requested non-barring of individuals with non-violent offenses. Mayor Butt requested that the ordinance also include regulations for permit fees and taxation. Councilmember Pimplé requested that staff include the total sales values for existing marijuana dispensaries for future council items concerning this matter. There were no public speakers for this item. On motion of Councilmember Pimplé, seconded by Councilmember McLaughlin, said ordinance received first reading and was laid over for two weeks with direction to staff to investigate the following items for potential revisions to the ordinance: expansion of the list of manufacturing products; regulation of delivery services by existing dispensaries in the city; cultivation outside of dispensaries; and permits to operate, taxation, and fees. The motion passed by the following vote. **Ayes:** Councilmembers Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

I-2. The matter to introduce an ordinance (first reading) amending Richmond Municipal Code Chapter 3.54 entitled "Citizens Police Review Commission Ordinance" to require the Investigative Officer to conduct an investigation in the event of death or serious bodily injury resulting from direct police action, was presented by City Attorney Bruce Goodmiller. Following Mr. Goodmiller's overview of the item, discussion ensued. The following speakers gave comments: Benjamin Therriault, Bea Roberson, and Mike Parker. On motion of Councilmember Myrick, seconded by Councilmember Beckles, said ordinance received first reading and was laid over for two weeks for second reading with direction to staff to define "serious bodily injury" in the ordinance as "requiring immediate hospitalization for a minimum period of 72 consecutive hours". The motion passed by the following vote. **Ayes:** Councilmembers Beckles, McLaughlin, Myrick, Pimplé, and Vice Mayor Martinez. **Noes:** Mayor Butt. **Abstentions:** None. **Absent:** Councilmember Bates.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:13 p.m., to meet again on Tuesday, April 26, 2016, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor