

RICHMOND, CALIFORNIA, May 24, 2016

The Richmond City Council Evening Open and Closed Sessions were cancelled.

The Regular Meeting of the Richmond City Council was called to order at 6:30 p.m., by Mayor Butt, who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Jovanka Beckles, Gayle McLaughlin, Jael Myrick, Vinay Pimplé, and Mayor Tom Butt. **Absent:** Vice Mayor Eduardo Martinez was absent for the entire meeting.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Item I-2 from the consent calendar to the end of the agenda.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Deputy Fire Chief Emon Usher, Deputy Fire Marshall Robin Poindexter, Fire Prevention Inspector Eric Govan, Mayor Butt, and Congressman Mark DeSaulnier's Office Representative Ryan Brown presented awards to the first place winners of the 2016 Junior Fire Chief Program.

E-2. Mayor Butt presented certificates to the Richmond Crime Prevention TECHS All-Stars Reading Is Fun Book Club students. The book club's Program Coordinator Felicia Taylor provided an overview of the book club. Ms. Taylor expressed her appreciation to the book club's supporters.

E-3. Councilmembers Beckles, Myrick, and Mayor Butt presented a proclamation declaring June 2016 as Diversity Celebration Month and fly the flags of Juneteenth, Native American Pow Wow, and the Rainbow Flag the entire month of June. Representatives and members of the RYSE Youth Center, Cesar Zepeda, a representative from Richmond Rainbow Pride, Jerrold Hatchett, Richmond Crime Prevention Manager Michelle Milam, and Cordell Hindler gave comments. Naomi Williams announced the Juneteenth parade would commence at 10:00 a.m. on Saturday, June 18, 2016, at Harbour Way and Cutting Boulevard.

E-4. Councilmember Pimplé and Mayor Butt presented a proclamation to Arnold Dimas, Richmond High School senior and Gates Millennium Scholar. The recipient expressed his appreciation. Cordell Hindler gave comments.

E-5. Mayor Butt announced the City of Richmond Board and Commission vacancies as of May 24, 2016, and asked that interested residents send applications to the City Clerk. Cordell Hindler and Jackie Thompson gave comments.

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

The city clerk announced there was no Closed Session.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported on the following items: The city received a \$25,000 grant from the Cities of Service for the city's volunteerism program and emergency response team. The city received a \$400,000 grant from the United States Environmental Protection Agency for brownfields assessment. Jackie Thompson requested updates from the Housing Authority on the Hacienda housing complex and other housing developments be reported in the City Manager's weekly report. Ms. Thompson expressed the need for R-Transit (Paratransit) service on Saturdays.

OPEN FORUM FOR PUBLIC COMMENT

President of the Laurel Park Neighborhood Council Myrtle Braxton expressed concern regarding the condition of parks in the city and the lack of gardeners and groundskeepers. Ms. Braxton invited the City Council to tour the parks.

Representative for Park Plaza Neighborhood Council Cordell Hindler distributed flyers for the First Annual Richmond Promise Scholars Celebration on June 2, 2016, 5:00 p.m. to 7:00 p.m. at the Richmond Memorial Auditorium. Mr. Hindler expressed concerns regarding renaming community centers

Jennifer Diaz-Zamora expressed concern regarding a potential mass destruction of trees at the Wildcat Canyon Park under the Federal Emergency Management Agency's Wildfire Protection Plan.

Richard Stallings informed the City Council that he is awaiting feedback from the Contra Costa County District Attorney regarding City Council rules for public speaking on consent calendar items without consulting with staff.

Jackie Thompson informed the City Council that the Richmond Housing Authority placed storage bins in the parking stalls at the Friendship Manor senior housing complex, which has caused a major inconvenience to residents. Ms. Thompson recommended that the bins be placed at the Fire Training Center. Ms. Thompson also requested that the City Council follow up on displacement of residents at Friendship Manor due to the construction.

Joseph Puleo gave comments regarding Item I-2 on the agenda concerning medical marijuana cultivation and businesses. Mr. Puleo recommended that the city's historic Winehaven site be considered for such businesses and distributed a written hardcopy of his recommendation to the City Council.

CITY COUNCIL CONSENT CALENDAR

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

*I-1. Approved a sole-source contract with Linear Systems for an upgrade of the Digital Information Management System, in an amount not to exceed \$60,000, and with a term from February 1, 2016 through June 30, 2017.

I-2. In the matter to adopt an ordinance (second reading) to amend Chapter 7.102 of the Richmond Municipal Code (R.M.C.) allowing and setting minimum standards for medical marijuana cultivation and marijuana businesses. This item was removed from the Consent Calendar by the City Council for discussion. The City Council suggested that it was necessary to receive another recommendation from the Police Department on the application and permitting process. The City Council requested clarity on this matter moving forward and that parameters, rules, and regulations be set as it relates to the permitting process. Mayor Butt clarified that the application process was an administrative action previously in effect and it would only be necessary to develop a permitting process for cultivation. Assistant City Attorney Carlos Privat confirmed that the proposed ordinance included an application process. Masoud Barukzai informed the City Council of zoning limitations and issues locating viable real estate for marijuana businesses. On motion of Councilmember Beckles, seconded by Councilmember Myrick, adopted **Ordinance No. 7-16 N.S.** by the unanimous vote of the City Council.

STUDY/STUDY AND ACTION SESSION

J-1. The matter to receive an update from the East Bay Center for the Performing Arts (EBCPA) on the growth and impact of their community programs, was introduced by Administrative Chief Shasa Curl. Ms. Curl distributed to the City Council an EBCPA Executive Summary Report and brochures. The EBCPA Board of Directors President Glenn Holsclaw presented a brief video of the daily activities that take place at the center. Mr. Holsclaw gave comments and expressed appreciation to the city for its support. Executive Director Jordan Simmons provided an update of EBCPA's growth and impact. Two EBCPA students and one parent gave remarks about their positive experience at EBCPA. Jackie Thompson gave comments.

J-2. The matter to receive the annual presentation and update on activities by the Richmond Convention and Visitors Bureau (RCVB), was introduced by City Manager Bill Lindsay and presented by the RCVB's Executive Director Beth Javens. Ms. Javen's pointed out that the RCVB's sole source of funding is through hotel assessment not city funds. Ms. Javens stated that the Transient Occupancy Tax (TOT) benefit (estimate) to the city for the year 2015 was \$1.1 million. Ms. Javens reported that the TOT for the year 2016 was expected to be slightly higher with a decline anticipated for 2016's fourth quarter and the year 2017. Ms. Javen's PowerPoint presentation highlighted the following: mission statement; organizational structure and board of directors; executive director biography; glossary of terms; Tourism Business Improvement Districts/Marketing Districts; Richmond lodging facilities (609 rooms total); tourism and visitor promotion; sample expenses from assessment; California regional map (12 regions); bay area lodging forecast; hotel room supply construction (cost to build vs. convert); visitors in commercial lodging economic impact; where the TOT goes (multiple jurisdictions); RCVB's office location, promotional materials, website, e-newsletter, and monthly press releases; Richmond meeting and event space; Richmond visual and performing arts, recreation, and historic attractions; Richmond lodging and attractions map; RCVB's advertising and social media platforms; guide to food in Richmond; RCVB trade shows and notable press; RCVB information and assistance at Richmond events; Richmond Community Foundation Grant established by RCVB; RCVB's internship program; work to do; and then and now. Discussion ensued. The City Council requested RCVB's annual budget. The City Council requested staff to include a report of the auditorium's revenue and expenses with a future Recreation departmental budget presentation. The City Council requested to see tangible results working with the RCVB that demonstrate the usage of the bureau. Ms. Javens clarified that the RCVB is not supported by the city or its general fund. The City Council recommended that the RCVB consider working with Airbnb (private short-term rental lodging company) to collect additional sources of revenue. The City Council requested a status report in the next couple of weeks on the city's progress to collect TOT from Airbnb.

J-3. The matter to receive a presentation from the United States Environmental Protection Agency (EPA) on the status of remedial activities at the United Heckathorn Superfund Site, was introduced by Water Resource Recovery Department Head Ryan Smith and presented by the EPA's Project Manager Karen Jurist, Community Involvement Coordinator Jackie Lane, and Supervisor Rich Hyatt. Ms. Jurist's PowerPoint presentation highlighted the following: site background; contamination cleanup history; map of the United Heckathorn site; current site status; preventing exposure; Draft Focused Feasibility Study; fish sampling; National Remedy Review Board; possible remedies: dredging, in-situ (in place) treatment, capping, and cover; next steps; cleanup schedule; and contact information. Discussion ensued. The City Council expressed concerns regarding the cleanup schedule and lack of progress. The City Council requested staff to coordinate a meeting with the

EPA's regional director and possibly a state representative to accelerate the cleanup of the site. The City Council expressed concerns regarding businesses in operation at the contaminated site. Kevin Mahoney gave comments.

J-4. The matter to receive a presentation from Mark Howe, President of MSH Group and member of the Point Molate Community Advisory Committee (PMCAC), providing information on electrical systems and water/sewage needs and costs at Point Molate to begin to rent to temporary commercial tenants at the site, so as to start receiving revenue for the City of Richmond in the short-term while a more long-term vision for Point Molate continues to be explored; and provide direction to staff, was introduced by Councilmember McLaughlin and presented by Mr. Howe, Questa Engineering Principal Norm Hantzsche, Kennedy Wilson Vice President John Troughton, and Hot Watts Technologies President Paul Allen. Mr. Howe's PowerPoint presentation highlighted the following: Richmond's light industrial leasing activities; Point Molate leasing potential and comparative leases; and a Point Molate electrical study, presented by Mr. Allen. Mr. Hantzsche presented a Point Molate wastewater PowerPoint presentation that highlighted the following: potential wastewater facilities progression; Septic Tank Effluent Pump (STEP) wastewater sewer collection system; cluster or commercial STEP unit; other wastewater projects; residential STEP and holding tanks; treatment system installation; recycled water uses (tertiary and secondary treatment); and typical sanitary wastewater generation factors. Discussion ensued. Joseph Puleo gave comments and advised the City Council that there is only one access to Point Molate, which would not be sufficient for a large development. The City Council requested a Closed Session in the near future to receive an update on the Point Molate litigation. A motion was made by Councilmember McLaughlin, seconded by Councilmember Beckles, directing staff to meet with Mark Howe, two other PMCAC members, and other experts to discuss how to take the next step. Further discussion ensued. Mr. Lindsay recommended that any future discussions include zoning issues and the General Plan. Councilmember McLaughlin amended the main motion to include a direction to staff to provide an update on the pending litigation to determine what the impact would have on the ability to move forward. The amended motion failed by the following vote: **Ayes:** Councilmembers Beckles, McLaughlin, and Myrick. **Noes:** Councilmembers Bates, Pimplé, and Mayor Butt. **Absent:** Vice Mayor Martinez. **Abstentions:** None. The City Council requested that Mr. Howe contact the City Manager for a potential meeting.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:57 p.m., in memory of Preschool Retiree Cloriadell Jackson, Richmond Crime Prevention Volunteer Lionel Johnson, Reed William Goodmiller, and James Thomas Jr., to meet again for a special meeting on Tuesday, May 31, 2016, at 5:00 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor