

RICHMOND, CALIFORNIA, November 1, 2016

The Richmond City Council Evening Open Session was called to order at 6:15 p.m.

ROLL CALL

Present: Councilmembers Bates, Beckles, McLaughlin, Pimplé, Vice Mayor Martinez, and Mayor Butt. **Absent:** Councilmember Myrick.

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. LIABILITY CLAIMS - (Government Code Section 54956.9):

Daniel Colvig vs. City of Richmond

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

City Attorney (continued to the November 8, 2016, City Council Meeting).

The Open Session adjourned to Closed Session at 6:16 p.m. Closed Session adjourned at 6:24 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:34 p.m., by Mayor Butt, who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Bates, Beckles, McLaughlin, Pimplé, Vice Mayor Martinez, and Mayor Butt. **Absent:** Councilmember Myrick arrived at 6:37 p.m.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items H-2 and H-3 were removed from the Consent Calendar.

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

City Attorney Bruce Goodmiller stated that there were no final actions taken.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay recognized Richmond Main Street on their 15th Anniversary, and will have a

celebration on November 3, 2016. The city's Beautification Program has collaborated with the Main Street Program to develop an interactive chalkboard art installation in front of the Richmond BART station.

OPEN FORUM FOR PUBLIC COMMENT

Mark Wassberg stated that persons should not be kicked out of the Council Chambers because someone doesn't like what they say.

Bea Roberson announced that the Richmond/El Cerrito Fire and Police Holiday Program is signing up families at 8:00 a.m., on Saturday, November 5th, to receive toys and food for the holidays. The giveaway will be on Saturday, December 17, 2016.

Clarence Underwood stated that President Obama can authorize energy contracts with the approval of congress.

Nikki Beasley, Executive Director of Richmond Neighborhood Housing, stated that her organization would like to partner with the city to assist with the homeless population.

Melvin Willis thanked those involved in the recent youth forum for their ideas and suggestions to improve the city.

Rich Doellstedt, president of Richmond Wholesale Meat, gave comments regarding some unreasonable requirements placed on a conditional use permit for his business.

Membre Aklilu, owner of Salute's Restaurant, spoke in support of Richmond Wholesale Meat Company staying in business. Ms. Aklilu stated they provide the turkeys for the free Thanksgiving meal at Salute's every year.

Katrinka Ruk stated that the sound wall recommended for the Richmond Wholesale Meat Company is excessive and is in support of the company in their upcoming appeal before the City Council. Mr. Perez also stated that further investigation needs to be conducted regarding the death of his son, Pedie Perez.

Ben Therriault, President of the Richmond Police Officer's Association, stated he was relieved that Vice Mayor Martinez was not hurt while being robbed recently and was glad the suspect was arrested. Mr. Therriault also expressed concern regarding the use of a city vehicle by Vice Mayor Martinez because he receives a \$300 month vehicle allowance as well.

Rick Perez praised, City Manager Bill Lindsay, for suspending the police officers involved in the sex scandal.

CITY COUNCIL CONSENT CALENDAR

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

***H-1.** Approved a grant-funded contract with the Local Government Commission (LGC), in an amount not to exceed \$69,730 and for a term ending June 30, 2018, to assist in the development and implementation of a First Mile / Last Mile Transportation Strategic Plan, as included in the scope of work of the Department of Transportation (Caltrans) sustainability grant to the City of Richmond.

H-2. The matter to approve payment in the amount of \$21,364.55 to Nichols Consulting Engineers (NCE) for work within the budget of the prior contract related to technical and budgetary oversight for environmental remediation activities at Pt. Molate, and approve a new contract with NCE for continued technical assistance on this project, in an amount not to exceed \$80,000 and with a term extending through December 31, 2017 was presented by Councilmember McLaughlin. Jim Hanson gave comments. Discussion ensued. A study session regarding this matter was recommended. A motion by Councilmember McLaughlin, seconded by Councilmember Beckles approved the payment of \$21,364.55 and not extend the contract, passed by the unanimous vote of the City Council.

H-3. The matter to approve the purchase of two 2017 Ford Super Duty F350 trucks from National Auto Fleet Group, in an aggregate amount not to exceed \$190,000, as replacement vehicles in the Parks Division and Facilities Maintenance Division, respectively was presented. Councilmember Bates asked why the cost of two trucks was so expensive. Tim Higaes, Director of the Department of Infrastructure and Maintenance replied that the trucks are custom ordered to the specifications and needs of the City. A motion by Councilmember Bates, seconded by Councilmember Beckles, approved the item by the unanimous vote of the City Council.

***H-4.** Approved the purchase of three replacement Toro Z580D mowers from Aloha Saw & Mower, Inc., in an aggregate amount not to exceed \$45,000, for use by the Parks Division.

***H-5.** Approved actions to update the Point Molate Community Advisory Committee; announced the vacancy of seat #15 previously held by Al Guggemos, term expiration May 30, 2017; and directed the City Clerk to post the vacancy.

***H-6.** Approved actions to update the Workforce Development Board; appointed: Paul Shatswell, new appointment, seat #22, term expiration March 1, 2020.

***H-7.** Approved actions to update the Recreation and Parks Commission; appointed Mark Torres, re-appointment, seat #7, term expiration October 26, 2019.

***H-8.** APPROVE actions to update the Recreation and Parks Commission; appointed Steven Paskowitz, new appointment, seat #1, term expiration October 26, 2018.

***H-9.** Approved actions to update the Economic Development Commission; announced the vacancy of Seat #3 previously held by Brian McKeown, term expiration April 28, 2017; and directed the City Clerk to post the vacancy.

***H-10.** Approved the minutes of the regular City Council meetings held Tuesday, September 27, 2016, and October 4, 2016.

***H-11.** Introduced an ordinance (first reading) to remove Robert H. Miller Drive as a designated truck route, and designate Hilltop Drive from Robert H. Miller Drive to the Richmond Parkway as a truck route, as part of the project to construct pedestrian and bicycle improvements along San Pablo Avenue between Rivers Street and Hilltop Drive.

***H-12.** Approved a contract with NEMA Construction to provide and install 130 Christy traffic rated boxes and to re-wire the Richmond Parkway traffic signal interconnect system from Hensley Street to Ohio Avenue and on Castro Street, and to install video detection systems along Richmond Parkway at Hensley Street, Atlas Road, Lakeside Drive and Bella Vista Avenue in an amount not to exceed \$500,000.00.

PUBLIC HEARINGS

I-1. The matter to adopt a resolution approving Addendum to the General Plan EIR and introduce an ordinance (first reading) repealing Article XV Zoning and Subdivisions, Chapter 6.06 Historic Structures Code, and Chapter 7.102, Medical Marijuana Collectives of the Richmond Municipal Code, and adopting revised Article XV, Zoning and Subdivisions, and new Zoning Map. City Planner, Lina Velasco, Planning Director, Richard Mitchell, and Michael Dyett, zoning consultant, provided an overview of the matter. Mayor Butt declared the public hearing open. The following individuals gave comments: Daryl Henline, Jeff Wright, Kit Pappenheimer, Scott Robinson, Guy Corrie, Noreen Weeden, Cindy Margulis, Rodrick Satre, Kathryn Dienst, Katrinka Ruk, Christine Firstenberg, and Michael Parker. Mayor Butt closed the public hearing. The suggested additions to the ordinance are Instructional Services for Marine Related, Community Assembly, Cultural Facility Services Hotel/Motel, Coastline Commercial and to create an Administrative Use Permit (AUP) process. A motion by Councilmember Bates, seconded by Councilmember McLaughlin, to continue the matter two weeks to allow staff to work with the business community. Councilmember McLaughlin withdrew her second to the motion. Vice Mayor Martinez made a friendly amendment to change the Conditional Use Permit (CUP) requirement to an Administrative Use Permit (AUP) instead. Councilmember McLaughlin made a friendly amendment that staff research if the City of San Francisco will agree to the bird safe window glazing requirement, and if so, that the City of Richmond does also.

Councilmember McLaughlin withdrew her friendly amendment and asked that staff research the window glazing issue. A motion made by Councilmember Beckles, seconded by Councilmember McLaughlin, approved the item as presented with changes to include addendums and the Coastal/Commercial section for Instructional Services, Community Assembly, Cultural Facilities, Lodging Hotel/Motel; that the IS Overlays 2 and 1 require an AUP, rather than a CUP; and to research the bird safe window glazing, and adopted **Resolution No. 102-16**, by the following vote: **Ayes:** Councilmembers Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor, and Mayor Butt. **Noes:** Councilmember Bates. **Absent:** None. **Abstain:** None.

COUNCIL AS A WHOLE

J-1. The matter to discuss notification from the California Department of Alcoholic Beverage Control (ABC) about a petition to extend the alcoholic beverage sale hours at the ARCO AM/PM at 12890 San Pablo Avenue in Richmond, and direct staff to respond to ABC's notification by the department's deadline to file a written response to the modification of the conditions was presented by Mayor Butt. The city can only make recommendations to ABC regarding these notifications. Nasreen Saleem and Naomi Williams gave comments. Mayor Butt stated that he will work with the Planning Department and Police Department to discuss how to handle future requests.

J-2. The matter to review a draft ordinance limiting the use of information by landlords about past convictions of potential tenants in leasing activity related to public and subsidized housing ("Fair Chance Access to Affordable Housing Ordinance"), and provide direction to staff was presented by Housing Director, Tim Jones. The following individuals gave comments: Nikki Beasley, Theresa Karr, Mike Parker, Marilyn Langlois, Nicholas Alexander, Randall Hudson, and Emily Ross. Discussion ensued. A motion by Councilmember Beckles, seconded by Councilmember McLaughlin directed staff to develop an ordinance and review this matter in 12 months, passed 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 10:56, to meet again on Tuesday, November 15, 2016, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor