

RICHMOND, CALIFORNIA, June 20, 2017

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

ROLL CALL

Present: Councilmembers Eduardo Martinez, Gayle McLaughlin, Jael Myrick, Vice Mayor Jovanka Beckles, and Mayor Thomas K. Butt. **Absent:** Councilmembers Ben Choi and Melvin Willis arrived after the roll was called.

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Clerk

There were no public speakers.

The Open Session adjourned to Closed Session at 6:01 p.m. Closed Session adjourned at 6:24 p.m.

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 Choi, Martinez, McLaughlin, Willis, Vice Mayor Beckles, and Mayor Butt. **Absent:** Councilmember Myrick arrived after the roll was called.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

City Manager Bill Lindsay announced that a revised agenda report for item H-16 was distributed to the Council, and included the name of the contractor and the amount of the bid.

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 reported on the Community Services Department 'Love Your Block Award Celebration' held on June 14, 2017. Mr. Lindsay presented a Powerpoint presentation that displayed before and after comparisons of the program's completed projects. Mr. Lindsay also reported that the Community Services Department received grants from the Office of Grants and Local Services Office for basketball court renovations at John F. Kennedy and Unity parks.

OPEN FORUM FOR PUBLIC COMMENT

Jesus Jaime gave comments regarding the General Warehouse located at the Richmond Port and a proposal for economic development at the site.

City of Richmond Teen Services Librarian Angela Cox announced that the Richmond Public Library Teens sponsored a six-week Scholastic Assessment Test preparation workshop and scholarship program. Ms. Cox stated that the annual scholarship award ceremony held on June 14, 2017, could be viewed at www.wccusd.net.

Naomi Williams gave comments regarding the approval of the West County Detention Facility expansion in Richmond by the Contra Costa County Board of Supervisors at its meeting held on June 20, 2017. Ms. Williams expressed her gratitude for the four-way stop sign at South 37th Street and Center Avenue (referenced in item H-8).

Kathy Robinson gave comments regarding increased homeless populations across America. Ms. Robinson requested respect and kindness for homeless people.

Rick and Patricia Perez gave comments regarding the Pedie Perez police shooting investigation. Mr. Perez also gave comments regarding two police shootings involving a Minnesota man named Philandro Castile and a mentally-ill pregnant woman.

Richmond Recreation and Parks Commission Chair Maryn Hurlbut requested that the flooring in the Richmond Plunge swimming pool be corrected because it was not safe.

Chantee Nealy and Theresa Russell expressed concerns regarding gun violence in Richmond and their opposition to Item H-2.

Eleanor Thompson expressed her condolences to families impacted by gun violence. Ms. Thompson requested the Council to attend the North Richmond Fourth of July parade and festival, commencing at 10:00 a.m. on 7th Street and Ripley Avenue. Ms. Thompson requested fee waivers and funds for the event. Ms. Thompson gave comments regarding the Pedie Perez investigation.

Amy Lee Anderson gave comments regarding her career goals and personal progress. Ms. Anderson requested Mayor Butt to call a special meeting with the residents of the

Richmond Nevin Plaza apartments regarding a former tenant's violation of a restraining order. Ms. Anderson reported that the building was an unsafe drug infested environment.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Choi, the item(s) marked with an (*) were approved by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

*H-1. Approved a contract with Waxie Sanitary Supply for Bigbelly trash and recycling receptacles ("solar compactors") for \$336,725 with a \$10,000 project contingency, for a total contract amount of 346,725, with a term extending through June 30, 2019.

*H-2. Approved a contract with Advance Peace (fiscal agent Safe Passages, services provided by Devone Boggan) to provide technical assistance and oversight of the Office of Neighborhood Safety (ONS) core operating, programming, evaluation, communications, resource development and quality control functions in the amount of \$93,420, and for a term from July 1, 2017 through June 30, 2018.

*H-3. Adopted **Resolution of Intention No. 912** to vacate a storm drain easement owned by City of Richmond and recorded within the property addresses of 3000-3050 Hilltop Mall Road, setting a public hearing for the proposed vacation for July 11, 2017.

*H-4. Adopted **Resolution No. 65-17** renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first adopted by the City Council on March 7, 2017.

*H-5. Adopted **Resolution No. 66-17** renewing and continuing the local emergency on Via Verdi due to landslide damage, which was first adopted by the City Council on February 28, 2017.

*H-6. Approved a contract with Centerline Striping Company, Inc. to install paint stripes and markings on Canal Boulevard between Cutting Boulevard and the Richmond Port office in an amount not to exceed \$14,255.00.

*H-7. Adopted **Ordinance No. 8-17 N.S.** (second reading) regarding the City's intent to grant to SFPP, L.P. a 10 year franchise agreement to use or lay and use oil pipes and appurtenances for the purpose of transmitting and distributing oil and oil products within the City's rights-of-way for a period of ten years.

*H-8. Adopted **Resolution No. 67-17** authorizing the installation of a four-way stop at South 37th Street and Center Avenue.

*H-9. Approved an amendment to the contract with the city's independent financial auditors, Maze & Associates, increasing the dollar amount of the contract by \$20,000 for a total contract amount of \$2,583,915, to adjust for authorized additions to their work scope.

*H-10. Adopted **Ordinance No. 9-17 N.S.** (second reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2017-18 at 0.14%.

*H-11. Adopted **Ordinance No. 10-17 N.S.** (second reading) establishing certain fees for the proposed Master Fee Schedule; and adopted **Resolution No. 68-17** setting the dollar amount for the new fees and adjusting the dollar amount for current fees.

*H-12. Approved a contract with Acclamation Insurance Management Services, Inc. to serve as the City's third-party administrator of workers' compensation claims for fiscal years 2017/18 (\$558,655), 2018/19 (\$574,415), and 2019/20 (\$592,677) for a total of \$1,726,747 for the contract period of July 1, 2017, through June 30, 2020. An additional extension of up to two years may be negotiated at the option of the City.

*H-13. Approved a contract with International Fire Equipment Company, Inc. to provide mobile, on site, portable fire extinguisher recharging services, fire suppression system testing and repair services in City-owned buildings in an amount not to exceed \$100,000.00 over a three year period, with an option to extend for two years.

*H-14. Approved a contract with John Toki for the design, fabrication and installation of a ceramic sculpture with a water feature at the West County Family Justice Center, 256 24th Street, in an amount not to exceed \$23,000. Contract dates are May 2, 2017 to October 31, 2018.

*H-15. Approved actions to update the Human Rights/Human Relations Commission: appointed Phillip Mitchell, new appointment, seat #2, term expiration date March 30, 2020; Texanita Bluitt, reappointment, seat #3, term expiration date March 30, 2020; and Victoria Sawicki, reappointment, seat #6, term expiration date March 30, 2020.

*H-16. Approved an agreement with Manson Construction Co. for maintenance dredging at Berths 7 and 8 at the Point Potrero Marine Terminal and the entrance channel to the Marina Bay Yacht Harbor for the amount of \$1,917,710.00.

BUDGET SESSION

I-1. The matter to receive an update on the proposed operating budget for Fiscal Year (FY) 2017-18 and the Capital Improvement Plan for FY 2017-22 and direct staff to finalize documents for adoption on June 27, 2017 was introduced by Budget Administrator Markisha Guillory. Ms. Guillory stated that the proposed operating

budget was balanced with a nominal surplus of \$442.00. Ms. Guillory presented a Powerpoint presentation that highlighted the following: budget overview; General Fund revenue, expenditures, adjustments, and summary; total revenue budget of \$295.8 million; total expenditure budget of \$317.4 million; and city-wide staffing summary. Discussion ensued. The Council requested staff to provide by email the number of subordinate staff per police captain, lieutenant, and sergeant; the number of police new hires, lateral transfers, and financial impact over the last three years; and police average salaries. The Council requested staff to consider hiring dedicated staff to focus on low-income affordable housing developments. The Council requested staff to conduct a comparative analysis for police staffing as a future study session item to determine if a position in the Police Department could be utilized to fill an affordable housing position. The Council requested staff to contact the City of Oakland and San Francisco regarding their affordable housing mottos. The Council requested an explanation of how the City of Richmond finds affordable housing developers and recommended the implementation of a municipal policy that prioritizes public, rented, and cooperative housing as well as the use of vacant buildings. The Council requested a list of vacant apartments, effective sanctions for banks, and real estate companies that adopted the best housing practices. The Council requested an affordable housing strategies study session within the next few months. The following speakers gave comments: Steve Paskowitz, Garry Hurlbut, and Maryn Hurlbut. The Council recommended staff use the affordable housing development located at 5255 Creely Avenue in Richmond as a model. On motion of Councilmember Myrick, seconded by Councilmember Choi, directed staff to finalize said budget documents for adoption on June 27, 2017, by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

PUBLIC HEARINGS

J-1. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to adopt a resolution approving the Engineer's Report and ordering the levy and collection of assessments in the Hilltop Landscape Maintenance District for Fiscal Year 2017-2018, providing for a 3% increase in assessments. Department of Infrastructure Maintenance and Operations Director Tim Higare provided an oral report. Mayor Butt declared the public hearing open. There were no public speakers. Mayor Butt declared the public hearing closed. On motion of Councilmember Myrick, seconded by Councilmember Willis, adopted **Resolution No. 69-17** by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

J-2. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to adopt a resolution approving the Engineer's Report and ordering the levy and collection of assessments in the Marina Bay Landscaping and Lighting Maintenance District for Fiscal

Year 2017-2018, providing for a 3% increase in annual assessments. Mayor Butt declared the public hearing open. There were no public speakers. Mayor Butt declared the public hearing closed. On motion of Councilmember McLaughlin, seconded by Councilmember Myrick, adopted **Resolution No. 70-17** by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

J-3. The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to adopt a resolution upholding the appeal by T-Mobile of the Planning Commission approval of a Conditional Use Permit modification (CU96-11) and modifying certain conditions. Planning and Building Services Director Richard Mitchell and Senior Planner Lina Velasco provided and oral report regarding T-Mobile's proposal to upgrade an antenna system located on the building at 5220 Central Avenue in Richmond. Conditions of approval 3 and 16 appealed by T-Mobile were concerning the abatement of existing graffiti and screening (camouflage) of other telecommunication carriers' antennas at the same site. Discussion ensued. Mayor Butt declared the public hearing opened. The appellant's representative Jacqueline Smart-Steinberg gave comments in opposition to screen other carriers' antennas and confirmed that the graffiti was abated. There were no public speakers. Mayor Butt declared the public hearing closed. On motion of Councilmember Myrick, seconded by Councilmember Martinez, held the item over to July 11, 2017, to allow time for the appellant to work with the building owner and other carriers to resolve the antennas screening issue, by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

COUNCIL AS A WHOLE

K-1. The matter to adopt: (1) a resolution (a) authorizing a substitute letter of credit relating to the variable rate wastewater revenue refunding bonds; (b) authorizing the execution and delivery of a fifth supplemental indenture, a replacement remarketing agreement, a reimbursement agreement, a custody agreement, a fee letter and a continuing disclosure agreement; (c) approving the form and distribution of a remarketing statement; (d) authorizing the appointment of Barclays Capital Inc. as remarketing agent; (e) authorizing an amendment or novation of an interest rate swap; (f) directing the execution of, or certain amendments to, an International Swaps and Derivatives Association master agreement and documents related thereto; and (g) authorizing taking necessary actions and execution of necessary documents and certificates in connection therewith; and (2) a resolution (a) providing for the issuance of City of Richmond Wastewater Revenue Bonds, Series 2017A; (b) authorizing the execution and delivery of a sixth supplemental indenture, a bond purchase agreement, an escrow agreement, a continuing disclosure agreement and an official statement; (c) approving a form of preliminary official statement in connection therewith; and

(d) authorizing certain other actions in connection therewith, was presented by Finance Director Belinda Warner; Public Resources Advisory Group Financial Advisor Jo Mortensen; Orrick, Herrington & Sutcliffe LLP Bond Counsel John Palmer; Stifel, Nicolaus & Co. Inc Senior Manager Anant Sitaram; and Veolia Wastewater System Operations and Capital Program Management Representatives Aaron Winer and Fadi Alabbas. The group's Powerpoint presentation highlighted the following: current rates; recent significant capital investment in the system; recent significant capital investment; overview of 2017A bonds; Fiscal Year 2017-2022 capital improvement projects; and annual debt service. Discussion ensued. On motion of Councilmember Myrick, seconded by Councilmember McLaughlin, adopted **Resolution No. 71-17**, by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles. On motion of Councilmember Myrick, seconded by Councilmember Choi, adopted **Resolution No. 72-17**, by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

K-2. The matter to approve an agreement with Ghilotti Construction Company, Inc. for construction of the Carlson Crosstown Connection Project in the amount of \$1,485,018, plus five bid alternate bus shelter locations in the combined amount of \$388,933, and a contingency of 10% (\$187,395) for a not-to-exceed amount of \$2,061,346 was introduced by City Engineer Tawfic Halaby. The Council requested bid summaries with future staff reports for bid awards. On motion of Councilmember Myrick, seconded by Councilmember Martinez, approved said agreement by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

K-3. The matter to authorize a \$45,000 commitment of funds as the City of Richmond's contribution to the turf replacement project at the Gilman Sports Fields, necessary after eight years of heavy use, and to meet new safety standards was introduced by Community Services Director Rochelle Monk and Sports Coordinator Dean Vigil. Discussion ensued. The Council recommended the creation of more soccer fields in Richmond. The Council requested staff to confirm if Richmond's soccer leagues desired to utilize the Gilman Sports Fields. On motion of Councilmember Willis, seconded by Councilmember Myrick, held the item over to a future meeting until a comprehensive deal with the City of Berkeley was reached that guaranteed Richmond access to the Gilman Sports Fields by the following vote: **Ayes:** Councilmembers Choi, Martinez, McLaughlin, Myrick, Willis, and Mayor Butt. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Beckles.

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

Councilmember Martinez reported on attendance to the 'Fearless Cities: International Municipalist Summit' on June 9, 2017.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:20 p.m., in memory of former Kennedy and Richmond High schools teacher Phyllis Peres-Brown, to meet again on Tuesday, June 27, 2017, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt

Mayor