

RICHMOND, CALIFORNIA, September 12, 2017

The Richmond City Council Evening Open Session was called to order at 5:03 p.m.

ROLL CALL

Present: Councilmembers Ben Choi, Eduardo Martinez, Vice Mayor Jovanka Beckles, Melvin Willis, and Mayor Thomas K. Butt. **Absent:** Jael Myrick arrived after adjourning 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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

City of Richmond vs Trump et al

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: General Warehouse—Port of Richmond
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating parties: (i) Orton Development; and (ii) Richmond Grown LLC
Under negotiation: Price and terms of payment

Property: (former) Cafeteria Building—Port of Richmond
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating party: Golden Gate Meats/Up and Under Pub & Grill
Under negotiation: Price and terms of payment

Property: Richmond Main Post Office
Negotiators: Bill Lindsay
Negotiating party: US Postal Service
Under negotiation: Price and terms of payment

There were no public speakers.

Mayor Butt stated a conflict of interest on the closed session item regarding the General Warehouse and former Cafeteria Building due to having clients relating to these projects.

The Open Session adjourned to Closed Session at 5:05 p.m. Closed Session adjourned at 6:19 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 Choi, Martinez, Myrick, Willis, Vice Mayor Beckles, and Mayor Butt. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

City Clerk Pam Christian announced that Item I-6 was withdrawn from the agenda at staff's request.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor Butt presented a proclamation recognizing September 9-17, 2017, as "National Drive Electric Week" in the City of Richmond. Cordell Hindler and Allyson Gardner gave comments.

(6:50 p.m. - Meeting recessed in order to clear the overflow crowd. The meeting reconvened at 7:07 p.m.)

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 that the city recently received a \$100,000 grant from the Robert Wood Johnson Foundation to continue the work in the Health in All Policies approach to municipal services. Mr. Lindsay, thanked Shasa Curl and her staff for working on the grant.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Hindler gave comments encouraging Richmond residents to join city boards and commissions.

Kathy Robinson stated that last Saturday, a homeless man died in Richmond due to the heat. Ms. Robinson also stated that police officers should have water available to give out.

Antwon Cloird announced that the new Contra Costa County District Attorney was Diana Becton, and that she was the first female, African American in the position. Mr. Cloird also stated that the city doesn't have mental health resources for the mentally ill population.

Alamo Brown gave comments regarding an incident that occurred at Richmond Kaiser Hospital between Mrs. Dewanda Stewart, her daughter, who was mentally ill, and the Richmond Police Department.

Theresa Russell gave comments regarding some Fellows who participated in the Office of Neighborhood Safety (ONS) program who recently have been implicated in murders and other crimes in the City of Richmond. Mrs. Russell requested answers from the city regarding this program.

Ray Landry thanked Mayor Butt and councilmembers for their leadership and service.

Mykel Coleman stated he will be presenting a play on November 18, 2017, at the Richmond Auditorium, entitled "You Better Not Tell", regarding molestation, abuse, and paranoid schizophrenia.

Rick Perez gave comments regarding Richmond Police Department issues and requested an investigation in the case of his dead son, Pedie Perez.

Stan Woods and Gerald Smith urged the City Council to release the report to the public regarding the investigation by the Citizens Police Review Commission regarding the Pedie Perez case.

Ruscal Cayangyan invited everyone to a town hall meeting, regarding corporate polluters, on Wednesday, September 13, 2017, from 6:30 p.m. to 8:30 p.m., at the Norma King Community Center in Vallejo.

Amanda Elliot invited everyone to the Spirit & Soul Festival on Saturday, September 16, 2017, from 1 p.m. to 5 p.m., in downtown Richmond on Macdonald Avenue.

Richard Stollings requested information regarding the status of the International Hotel and a report on how the Richmond police officer body camera program is doing so far.

K. Harley commended the Richmond Police Department for catching those involved in the murder of Nico Martinez. Ms. Harley also thanked the council for considering support for the Value of Human Life Bill resolution. Ms. Harley also requested that the investigation done by the Citizen's Police Review Commission regarding the death of Pedie Perez be release to the family and the public.

Mike Parker spoke against recent comments made by Mayor Butt regarding City Council candidate, Marilyn Langlois.

CITY COUNCIL CONSENT CALENDAR

On motion of Vice Mayor Beckles, seconded by Councilmember Myrick, the item(s) marked with an (*) were approved by the unanimous vote of the City Council.

***I-1.** Received the City's Investment and Cash Balance Report for the months of June and July 2017.

***I-2.** Approved the minutes of the June 20 and 27 and July 11, 18, and 25, 2017, regular meetings of the Richmond City Council.

***I-3.** Approved a professional services contract with Boudreau Associates, LLC in an amount not to exceed \$95,000, to support dredging of Berths 7 and 8 of the Point Potrero Marine Terminal and the Marina Bay Yacht Harbor Entrance Channel.

***I-4.** Approved a Lease Agreement with Sause Bros., Inc., for the Machine Shop at Terminal 3.

***I-5.** Approved a Lease Agreement with NRC Environmental Services Inc., for Basin 3 at Point Potrero Marine Terminal.

I-6. WITHDREW the item to authorize travel for Jim Matzorkis, Port Director and Lucy Zhou, Port Operations and Marketing Manager to Zhoushan, China to attend the Third Annual International Island Tourism Conference, to update the Mutual Agreement between Richmond and Zhoushan, and finalize a Memorandum of Understanding for student and teacher exchange with Richmond schools.

***I-7.** Approved the purchase of one 2017 LeeBoy Model 8816B Paver, from Nixon Egli in an amount not to exceed \$330,000.

***I-8.** Approved an amendment to the contract with the Laborers' Community Service and Training Foundation to provide an additional series of environmental workforce development training classes at the RichmondBUILD Academy. The contract term will be January 13, 2014, through June 30, 2018. The contract will be increased by \$30,000, to a total amount not to exceed \$155,000.

***I-9.** Approved an amendment to the Bay Area Resource Center contract to provide technical assistance and construction capacity-building courses in support of the Construction Resource Center and the RichmondBUILD program. The contract term will be August 1, 2015, through June 30, 2019. The contract amount will be increased by \$42,000, for a total contract amount not to exceed \$199,000.

***I-10.** Approved a second amendment to the contract with Oakland Private Industry Council to provide additional services as the Contracting & Vendor Pay Agent for Individual Training Accounts and On-the-Job Training activities for the Workforce Innovation and Opportunity Act (WIOA) program. The contract term will be July 26, 2016, through September 30, 2018. The contract amount will be increased by \$140,958, for a total contract amount not to exceed \$392,309.52.

***I-11.** Adopted **Resolution No. 102-17**, setting a public hearing on October 17, 2017, regarding the City's intent to grant to Phillips 66 Co. 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 10 years.

***I-12.** Adopted **Resolution No. 103-17**, setting a public hearing on October 17, 2017, regarding the City's intent to grant to Chevron U.S.A. 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 10 years.

***I-13.** Approved the execution of a construction contract with Ghilotti Bros., Inc., for construction of the Rifle Range Retaining Wall Project in an amount not to exceed \$1,217,808.35, including a 10 percent contingency.

***I-14.** Adopted **Resolution No. 104-17**, 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.

***I-15.** Adopted **Resolution No. 105-17**, 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.

***I-16.** Adopted **Resolution No. 106-17**, of local support as required by the Metropolitan Transportation Commission to program \$7,700,000 in State Transportation Improvement Program (STIP) funds for improvements to reduce congestion on Central Avenue near I-80; and if awarded, accepted and appropriated the funds.

***I-17.** Adopted **Resolution No. 107-17**, of local support as required by the Metropolitan Transportation Commission to program \$2,205,000 in Local Streets and Road Preservation (LSRP) federal funds for street roadway improvements; and if awarded, accepted and appropriated the funds.

***I-18.** Adopted **Resolution No. 108-17**, of local support as required by the Metropolitan Transportation Commission to program \$320,000 in Safe Routes to School (SRTS) federal funds for pedestrian safety improvements at Lincoln Elementary School; and if awarded, accepted and appropriated the funds.

***I-19.** Approved a three-year contract, with the option of two, one-year renewal options, with O.C. Jones & Sons, Inc. for the rental of street paving equipment as needed, to supplement city crews on larger paving projects, in an amount not to exceed \$100,000 per fiscal year.

***I-20.** Adopted **Resolution of Intention No. 913**, to set a public hearing for October 3, 2017, for the proposed vacation of a storm drain easement owned by City of Richmond recorded within the property addresses of 3000-3050 Hilltop Mall Road.

***I-21.** Approved the use of City-funds for the tuition cost of four police academy training slots at the

Alameda County Sheriff's Office Regional Training Center, in an amount not to exceed \$18,000.

***I-22.** Approved a sole-source contract with Capture Technologies to maintain the Communications Center call logging system, in an amount not to exceed \$15,456, with a term from July 1, 2017, to June 30, 2018.

***I-23.** Approved a contract with Glen Price Group for as-needed grant writing services in an amount not to exceed \$60,000 (\$20,000 per year) from September 1, 2017, to June 30, 2020, with an option to extend an additional two years.

***I-24.** Received a report on the Richmond Municipal Sewer District for the month of June 2017.

***I-25.** Approved an amendment for a four-year contract extension with Downey Brand law firm in the amount of \$100,000, for the legal review of the requirements as predetermined in the existing Baykeeper Settlement Agreement, and to represent the City in future settlement agreement discussions, for a total contract amount not to exceed \$205,000.

***I-26.** Approved a contract amendment with Allied Universal to provide security services for the Port of Richmond Point Potrero Marine Terminal and Terminal 1, from July 1, 2017, to June 30, 2019, in the amount of \$1,200,000 for a total contract amount not to exceed \$1,933,688; and appropriated Fiscal Year (FY) 17-18 Budget funds in the amount of \$600,000, and FY18-19 funds in the amount of \$600,000.

COUNCIL AS A WHOLE

J-1. The matter to appoint a candidate to fill the vacant seat on the City Council that occurred on July 18, 2017, was presented by Mayor Butt. Mayor Butt explained the procedure for the appointment.

The following candidates gave comments: Soheila Bana, Maija Barretto, Diego Garcia, Timothy Golden, Allen Dale Green, Carole Johnson, Demnlus Johnson, Marilyn Langlois, Michael Malin, Ada Recinos, David Schoenthal, Peter Thelin, and David Allen Tucker. Candidate Michael Malin was not present. Councilmembers asked questions of the candidates. The following individuals gave comments: Cordell Hindler, Naomi Williams, Anselmo Ramirez, Victor Garcia, Peter Thelin, (withdrew himself from consideration), Annabelle Leal, Miguel Morfin, Gonzalo Rucobo, George Lerma, Dr. Connie Portero, Nathan Trivers, Larry Lewis, Jim Zahradka, Kathy Robinson, Roberto Reyes, Jessie West, Garry Hurlbut, Tim Laidman, Lorena Gonzalez, Megan Bleckinger, Artrese Morrison, Ray Landry, Zak Wear, Kara De La Paz, Rob Lightner, Juan Sanchez, Patricia Ponce, Tarnel Abbott, Kabir, Ashley Hughes, Marcie Prohofskey, Chris Coomber, Sonia Rivas, Susan Hybloom, Marcos Banales, Wendy Gonzalez, Alejandro Rios, Ameer Loggins, Gail Ellis, BK Williams, Rob Lightner, and Connie Portrero. Discussion

ensued. (11:00 p.m. - A motion by Councilmember Myrick, seconded by Councilmember Choi, extended the meeting 30 minutes, by the unanimous vote of the City Council).

Discussion continued. (11:30 p.m. - A motion by Councilmember Myrick, seconded by Vice Mayor Beckles, suspended the rules and extended the meeting to finish current Item J-1, passed by the unanimous vote of the City Council). The following candidates gave rebuttals: Diego Garcia, Demnlus Johnson, Marilyn Langlois, Ada Recinos, David Schoenthal, and David Allen Tucker. A motion by Councilmember Myrick, seconded by Vice Mayor Beckles, appointed Ada Recinos to the vacant City Council seat, by the unanimous vote of the City Council.

J-2. CONTINUED to the October 3, 2017, City Council meeting, the matter to discuss and consider donating funds to the City of Oakland to conduct a study on the feasibility of a public bank.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:38 p.m., to meet again on Tuesday, September 19, 2017, at 6:30 p.m.

Pamela Christian

Clerk of the City of Richmond

(SEAL)

Approved:

Tom Butt
Mayor