

RICHMOND, CALIFORNIA, November 7, 2017

The Regular Meeting of the Richmond City Council was called to order at 6:31 p.m., by Mayor Thomas K. Butt who led the Pledge of Allegiance to the Flag.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Vice Mayor Beckles requested to remove Item I-29 from the Consent Calendar for discussion. The item's sponsor Mayor Butt stated that the request was not made in accordance with City Council rules and ruled that the item could not be removed from the Consent Calendar. A motion was made by Vice Mayor Beckles, seconded by Councilmember Willis, to overrule the mayor's ruling by suspension of the rules and remove Item I-29 from the Consent Calendar. Discussion ensued. The motion failed for lack of a supermajority vote.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Vice Mayor Beckles presented a proclamation to members of the Richmond Rainbow Pride organization, recognizing October as Lesbian, Gay, Bi-sexual, and Transgender (LGBT) month and National Coming Out Day on October 11, 2017. Mark Wassberg proceeded to give comments.

(At approximately 6:43 p.m., the Council recessed to regain order. The Council reconvened at 6:48 p.m. with Councilmembers Myrick and Recinos absent).

Mayor Butt summarized the City Harassment Policy printed on page three of the agenda, and Mark Wassberg concluded his comments regarding Item E-1.

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

There was no Closed Session.

REPORT FROM THE CITY MANAGER

City Manager Bill Lindsay reported that the City of Richmond's proposal for a stationed-base bike share system in Richmond was recommended to the Metropolitan Transportation Commission for grant funding in the amount of \$825,000.

OPEN FORUM FOR PUBLIC COMMENT

Kathy Robinson gave comments regarding Homeless Awareness Month. Ms. Robinson announced a homeless event at the Nevin Community Center on November 15, 2017, from 6:30 p.m. to 9:30 p.m.

Don Gosney expressed concerns regarding increased traffic on city streets caused by metering lights on Richmond freeway on ramps. Mr. Gosney requested councilmembers to discuss this issue with the various transportation committees they are members of.

Richard Stollings requested the Council to invite the new Contra Costa County District Attorney (DA) to a City Council meeting regarding several Richmond issues that was being handled by the former DA, and to also address issues concerning conduct at City Council meetings. Mr. Stollings inquired about an appeal process for removing consent calendar items from the agenda and the freedom of information regarding handouts distributed to the Council during meetings.

Rick Perez expressed his appreciation for the timely start of the meeting. Mr. Perez expressed his disagreement with a previous speaker's comments regarding Item E-1. Mr. Perez gave comments regarding police misconduct. Mr. Perez expressed concerns regarding the Pedie Perez case investigation.

Tenzin Rangdol advised the Council that the community center renovation project for the Tibetan Association of Northern California in Richmond was abandoned by the contractor. Mr. Rangdol requested assistance from the City of Richmond to complete the project.

Naomi Williams announced that the Commission on Aging's Senior Winter Ball event was on Saturday, December 16, 2017, at the Richmond Memorial Auditorium. Tickets were on sale at the Richmond Recreation Complex, Monday through Friday, 9:00 a.m. to 4:00 p.m., for \$30 each or \$240 for a table of eight people.

Ruscal Cayangyang thanked Vice Mayor Beckles for placing the National Bullying Prevention Month proclamation on the October 24, 2017, City Council agenda. Mr. Cayangyang urged the Council to vote "no" on Consent Calendar Items I-18 and I-19 regarding franchise fees for use of city rights-of-ways. Mr. Cayanyang suggested that the City of Richmond adopt an ordinance that would set its own franchise fees at a higher rate. Mr. Cayangyang requested the Council to agendaize a future item to review City Council meeting procedures concerning conduct and hate speech during Open Forum.

Patricia Perez gave comments regarding an independent investigator's results of the Pedie Perez case. Ms. Perez provided details regarding the shooting incident that led to that investigation.

Tarnel Abbott, on behalf of the Richmond Southeast Shoreline Area Community Advisory Group, distributed a written request urging the Council to hold a study session on the proposed cleanup at the Zeneca/Campus Bay (former Stauffer Chemical) site.

Duane Chapman reminisced on his long term residency in Richmond during the time when the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome were trending topics of conversation. Mr. Chapman gave comments regarding freedom of speech.

Connie Portero, Jim Hanson, and Shirley Dean gave comments regarding Consent Calendar Item I-29, concerning Point Molate. Ms. Portero requested the Council to ensure that there was community input in designing the planning meetings regarding the future direction of Point Molate. Ms. Portero expressed concerns that there was no community oversight due to the defunct Point Molate Community Advisory Committee (PMCAC). Ms. Portero urged the Council to open the planning sessions for public input. Mr. Hanson requested that the item be brought back to the City Council as a regular agenda item not on the Consent Calendar. Ms. Dean expressed concerns that this item was not pursuant to the Council's directive in September 2016. Ms. Dean urged the Council to re-establish the PMCAC.

CITY COUNCIL CONSENT CALENDAR

A motion was made by Mayor Butt to approve all items on the Consent Calendar. The motion failed for lack of a second. Discussion ensued.

(At approximately 7:23 p.m., the Council recessed and reconvened at 7:26 p.m.)

A motion was made by Councilmember Willis, seconded by Vice Mayor Beckles, to continue all items on the Consent Calendar to the November 21, 2017, City Council meeting. Mayor Butt ruled the motion out of order and advised that all items on the Consent Calendar would be automatically continued to the next meeting.

I-1. Receive the City's Investment and Cash Balance Report for the month of September 2017.

I-2. Adopt a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records.

I-3. Approve a three-year contract with PFM Solutions LLC to provide subscription services to its Whitebirch Financial Model Platform in an amount not to exceed \$35,000.

I-4. Approve the purchase of three 2018 Ford Utility Police Interceptors from San Leandro Ford Store for use by the Police Department, in an aggregate amount not to exceed \$90,000.

I-5. Approve the purchase of one 2017 Ford Super Duty F450 Supercab Mechanics Truck for use by the Water Resource Recovery Department from National Auto Fleet Group in an amount not to exceed \$115,000.

I-6. Approve the purchase of seven 2018 Ford Utility Police Interceptors, to be used as replacement patrol vehicles, from Hilltop Ford, in an aggregate amount not to exceed \$215,000.

I-7. Approve an agreement with Contra Costa County providing for Richmond Police to monitor AB109 probationers and parolees from July 1, 2017, through June 30, 2018; and accept and appropriate \$135,720 in AB109 Realignment funds to be received by the City of Richmond from Contra Costa County in exchange for these services.

I-8. Adopt a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Staff Attorney - Rent Program. This staff attorney only provides legal counsel to the Rent Board.

I-9. Introduce an ordinance to establish the wages, salary, and compensation for the new classification of Staff Attorney - Rent Program. This staff attorney only provides legal counsel to the Rent Board. (Salary Range No. 3.1 \$9,024 - \$14,364/month).

I-10. Introduce an ordinance (first reading) to establish the wages, salary, and compensation for the new classification of Planning Manager (Salary Range No. 4.1 \$9,945 - \$15,830/ month).

I-11. Adopt a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Planning Manager.

I-12. Adopt an ordinance (second reading) to establish the wages, salary, and compensation for the new classification of Executive Director, Rent Program (Salary Range No. 3.1 \$9,024 - 14,364/month).

I-13. Adopt an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Deputy Director, Rent Program (Salary Range No. 2.1 \$8,087 - \$12,873/month).

I-14. Adopt an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Hearing Examiner, Rent Program (Salary Range No. 3.1 \$9,024 - \$14,364/month).

I-15. Adopt an ordinance (second reading) adding Chapter 2.44 to the Richmond Municipal Code approving use of electronic and paperless filing of Fair Political Practices Commission Campaign Disclosure Statements filed by elected officials, candidates, and committees.

I-16. Approve the minutes of the October 3 and 17, 2017, regular meetings of the Richmond City Council.

I-17. Approve a grant-funded contract with The Watershed Project for project management services for the Greening the Last Mile project at the Richmond Greenway in an amount not to exceed \$139,467.

I-18. Adopt an ordinance (second reading) 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-19. Adopt an ordinance (second reading) 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-20. Approve a contract with Best Contracting Services, Inc. for re-roofing the Richmond Family Justice Center at 256 24th Street, Richmond, in an amount not to exceed \$210,000.

I-21. Adopt a resolution renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first declared by the City Council on March 7, 2017.

I-22. Adopt a resolution renewing and continuing the local emergency on Via Verdi due to landslide damage, which was first declared by the City Council on February 28, 2017.

I-23. Adopt a resolution approving parking regulations along Isabel Street and Central Avenue, to provide no parking between 11:00 PM and 5:00 AM, and unlimited parking between 5:00 AM and 11:00 PM.

I-24. Adopt a Resolution of Intention for the proposed vacation of the Baxter Creek public access easement owned by City of Richmond at 11965 San Pablo Avenue in the City of El Cerrito, setting the matter for a public hearing on December 5, 2017.

I-25. Approve a contract with Security Signal Devices, Inc. for intrusion and fire alarm system services for all City buildings, in an amount not to exceed \$400,000 and for a term for extending to November 15, 2020, with two City options to extend the contract for one year each.

I-26. Adopt a resolution authorizing the city manager to execute a grant-funded contract with Stantec Consulting Services for environmental engineering services to support the Richmond Housing Renovation Program in an amount not to exceed \$374,318 and with a term ending December 31, 2019, with funding from the United States Environmental Protection Agency (EPA) Brownfields Assessment Grant.

I-27. Adopt a resolution approving a grant-funded construction agreement with the James E. Roberts-Obayashi Corporation for the Miraflores Greenbelt- Baxter Creek Phase 1 Project to daylight Baxter Creek and restore the floodplain in an amount not to exceed \$2,100,660.

I-28. Proclamation declaring November as Homelessness Awareness Month in the City of Richmond.

I-29. Direct the city manager, pursuant to previous direction by the City Council, to conduct three public workshops between now and the end of February 2018, to envision future land uses for the city-owned property at Point Molate.

RESOLUTIONS

J-1. The matter to adopt a resolution in support of efforts to repeal the Ellis Act, and the Costa Hawkins Rental Housing Act to strengthen efforts to prevent homelessness and protect renters, was presented by Vice Mayor Beckles and co-sponsored by Councilmember Willis. Discussion ensued. The following speakers gave comments: Rita Barouch, Ana Gonzalez, Ruscal Cayangyang, Genny Zentella, Raul Vasquez, Edith Pastrano, Justino Rodriguez, and Glen Moniz. A motion made by Vice Mayor Beckles to adopt said resolution, was seconded by Councilmember Willis with a friendly amendment to distribute the certified resolution to state legislators. The friendly amendment was accepted. Further discussion ensued. The motion passed by the following vote: **Ayes:** Councilmembers Choi, Martinez, Willis and Vice Mayor Beckles. **Noes:** Mayor Butt. **Absent:** Councilmembers Myrick and Recinos. **Abstentions:** None.

COUNCIL AS A WHOLE

K-1. The matter to discuss and consider directing staff to draft a city-wide Project Labor Agreement, was presented by Vice Mayor Beckles. The following speakers gave comments: Don Gosney, Bill Whitney, and Mike Hughes. Discussion ensued. A motion was made by Councilmember Willis, seconded by Councilmember Choi, to approve said directive to staff. Further discussion ensued. The motion passed by the following vote: **Ayes:** Councilmembers Choi, Martinez, Willis, Vice Mayor Beckles, and Mayor Butt. **Noes:** None. **Absent:** Councilmembers Myrick and Recinos. **Abstentions:** None.

(At approximately 8:02 p.m., Mayor Butt removed Item I-29 from the Consent Calendar for discussion. Vice Mayor Beckles requested to continue the item to the November 21, 2017, City Council agenda because the speakers were no longer present).

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

Councilmember Martinez reported on his attendance at a conference in Long Beach, California, regarding water rights.

Councilmember Choi announced that Richmond resident and independent filmmaker Erica Milsom's short feature film titled, "So Much Yellow", won an Audience Award at the Austin Film Festival on November 4, 2017.

(At approx. 8:05 p.m., Mayor Butt attempted to engage a discussion on Consent Calendar Item I-29 that was removed from the Consent Calendar at 8:02 p.m. Councilmembers Martinez, Willis, and Vice Mayor Beckles departed the meeting. Item I-29 was continued to the November 21, 2017, agenda for lack of a quorum).

ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m., to meet again on Tuesday, November 21, 2017, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor