

RICHMOND, CALIFORNIA, September 17, 2019

The Richmond City Council Evening Open Session was called to order at 5:00 p.m. by Mayor Thomas K. Butt.

ROLL CALL

Present: Councilmembers Nathaniel Bates, Demnlus Johnson III, Eduardo Martinez, Jael Myrick, Vice Mayor Ben Choi, and Mayor Thomas K. Butt. **Absent:** Councilmember Melvin Willis arrived after Open Session adjourned 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

A-1. LIABILITY CLAIMS - (Government Code Section 54956.9):

Christine Boynton vs. City of Richmond
Elisa Ollison vs. City of Richmond

A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (paragraph (1) of Subdivision [d] of Government Code Section 54956.9):

SPRAWLDEF vs. City of Richmond

A-3. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

Cordell Hindler gave comments regarding Item A-3.

The Open Session adjourned to Closed Session at 5:01 p.m.
Closed Session adjourned at 6:24 p.m.

The Regular Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council was called to order at 6:35 p.m., by Mayor Butt.

ROLL CALL

Present: Councilmembers Bates, Johnson, Martinez, Myrick, Willis, Vice Mayor Choi, and Mayor Butt. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items H-11 and H-12 were withdrawn from the agenda. Items H-5, H-6, H-7, H-8, and H-20 were removed from the Consent Calendar for discussion at the end of the agenda.

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

Senior Assistant City Attorney Carlos Privat stated there were no final actions taken.

REPORT FROM THE CITY MANAGER

Interim City Manager Steven Falk reported that he would continue to meet with staff and developers and had nothing new to report. He also announced that the National Drive Electric Week Event would be held on Thursday, September 19, 2019, between noon and 3 p.m. in the parking lot directly across from 325 Civic Center Plaza. He also announced that he would display his 1961 Volkswagen Beetle, which had been completely renovated from gas to electric.

OPEN FORUM FOR PUBLIC COMMENT

Deneshia Clemons gave comments regarding House of Loving Hands, a Non-Profit Corporation for Abused Women and Children. Ms. Clemons thanked the Richmond City Council and Environmental Community Investment Agreement staff for approving a \$6,000 grant for the House of Loving Hands. She also invited the City Council and Housing Authority Tenant Commissioners to a Christmas Holiday event entitled "It's All About You" to be held on Saturday, December 14, 2019, from 5:00 p.m. to 9:00 p.m. at St. David Dining Hall, 871 Sonoma Street, Richmond, California 94805.

Don Gosney gave comments regarding a petition from an attorney named Scott Rafferty urging the City of Richmond to change from At Large Elections to District Elections.

Naomi Williams welcomed Interim City Manager Steven Falk and congratulated Bisa French for her new assignment as Police Chief. Ms. Williams also thanked City Attorney Bruce Goodmiller for allowing city attorneys to train the Richmond Commission On Aging on the Brown Act.

Patricia Perez gave comments regarding unfair police actions and the Pedie Perez case.

Mark Wassberg gave comments regarding the availability of e-cigarettes in surrounding cities.

David Drisdale expressed concerns regarding areas in Richmond in need of cleanup, cars parked on residential lawns, and the trash along the highway. Mr. Drisdale requested additional staff for code enforcement, parks maintenance, and recreation. Mr. Drisdale also expressed his opposition to item H-20.

Deborah Bayer gave comments regarding the financial analysis report for Point Molate.

Robert Guillebeau expressed concerns regarding homelessness and mental issues in Richmond.

Ray Landry stated that Independent Holiness Church would not have made it without the City of Richmond and extended gratitude for the help received to rebuild the church after the fire. Mr. Landry also stated that Reverend Tommie Bradford was the founder of Independent Holiness Church, and that the church would be honoring him on the following three Sundays, October 6, 20, and 27th.

**SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY CONSENT
CALENDAR**

On motion of Councilmember Johnson, seconded by Councilmember Martinez, the item marked with an (*) was approved by the unanimous vote of the City Council:

G-1. *Adopted **Resolution No. 19-3** approving a contract amendment with Best Best & Krieger to increase its contract limit by \$100,000, bringing the new contract limit to \$385,000, and extending the contract to June 30, 2020, for legal services associated with Successor Agency activities.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Martinez, the items marked with an (*) were approved by the unanimous vote of the City Council:

H-1. *Approved the additional cost to build two fire apparatus-pumpers from Hi-Tech in an amount not to exceed \$25,000.

H-2. *Received the City's Investment and Cash Balance Report for the month of June 2019.

H-3. * Received the City's Investment and Cash Balance Report for the month of July 2019.

H-4. *Adopted **Resolution No. 81-19** approving the Fifth Amended and Restated Joint Exercise of Powers Agreement for the West Contra Costa Integrated Waste Management Authority (RecycleMore).

H-5. The matter to adopt a resolution approving standing contracts for Veolia Water to manage (on behalf of the City) on-call engineering design services with eight firms: Advanced Hydro (Walnut Creek), Carollo Engineers (Walnut Creek), GHD (Emeryville), HydroScience (Berkeley), IEC (San Jose), NCE (Point Richmond), V&A (Oakland), VW Housen (Walnut Creek), in an amount not to exceed \$600,000 per firm, per year, over a three-year period, with two optional one-year extensions was introduced by Engineering and Capital Improvement Projects Director Yader Bermudez. Discussion ensued. The Council requested future staff reports state if the funds were from a restricted budget. On motion of Councilmember Willis, seconded by Councilmember Myrick adopted **Resolution No. 82-19** by the unanimous vote of the City Council.

H-6. The matter to adopt a resolution amending the Fiscal Year 2019-20 Stormwater Capital Improvement Budget in the amount of \$317,395; and approve the emergency justification for Veolia Water to manage (on behalf of the City of Richmond) and award Valley View Sinkhole Repairs project subcontracts to: BayHawk Inc., Traffic Management Inc., and Nicholls Consulting Engineers, in an amount not to exceed \$278,116 [proposal cost of \$238,726 plus Veolia Mark-up of 16.5 percent of \$39,390] was introduced by Engineering and Capital Improvement Projects Director Yader Bermudez. Discussion ensued. The Council requested that future staff reports state if the funds were from a restricted budget. On motion of Councilmember Martinez, seconded by Councilmember Willis adopted **Resolution No. 83-19** and approved the emergency justification for Veolia Water to manage (on behalf of the City of Richmond) and award Valley View Sinkhole Repairs project subcontracts by the unanimous vote of the City Council.

H-7. The matter to adopt a resolution approving standing contracts for Veolia Water to manage (on behalf of the City) for on-call technical design services with six firms: Questa Engineering (Richmond), BSK Associates (Livermore), V&A Associates (Oakland), Kister, Savio & Rei (Pinole), Terraphase Engineering (Oakland) and CSW/ST2 (Richmond) in an amount not to exceed \$600,000 per firm, per year, over a three-year period, with two optional one-year extensions was introduced by Engineering and Capital Improvement Projects Director Yader Bermudez. Discussion ensued. On motion of Councilmember Martinez, seconded by Councilmember Willis adopted **Resolution No. 84-19** by the unanimous vote of the City Council.

H-8. The matter to adopt a resolution approving a contract for Veolia Water to manage and award the System Control and Data Acquisition (SCADA) project to Calcon Systems, Inc. to design and install the new standard SCADA program and servers and train the Operators and Maintenance staff at the Richmond Wastewater Treatment Plant and Lift Stations for an amount not to exceed \$2,036,565 [project cost of \$1,670,000, plus Veolia 16.5 percent mark-up of \$275,550, plus 5.0 percent contingency of \$83,500 plus Veolia 9.0 percent mark-up of \$7,515] was introduced by Engineering and Capital Improvement Projects Director Yader Bermudez. Discussion ensued. On motion of Councilmember Martinez, seconded by Councilmember Willis adopted **Resolution No. 85-19** by the unanimous vote of the City Council.

H-9. *Adopted **Resolution No. 86-19** accepting the California Environmental Quality Act (CEQA) Addendum for the Richmond Wastewater Treatment Plant Cogeneration Facility Project.

H-10. *Adopted **Resolution No. 87-19** to approve the Green Infrastructure Plan, which addresses pollutants of concern (Polychlorinated Biphenyls PCBs and Mercury) from urban stormwater run-off, in order to be in compliance with the Municipal Regional Permit (MRP 2.0).

H-11. Withdrawn from the agenda the matter to introduce an ordinance (first reading) to establish wages, salaries, and compensation for the new Police Records and Property Manager classification (Salary Range No. 070D \$9,535 - \$11,532/month).

H-12. Withdrawn from the agenda the matter to adopt a resolution amending the City of Richmond's Position Classification Plan to add the new Police Records and Property Manager classification.

H-13. *Adopted **Resolution No. 88-19** to accept and appropriate \$235,000 in grant funding from the California Office of Traffic Safety (OTS) awarded to the Police Department to combat deaths and injuries in motor vehicle crashes resulting from impaired driving within the City of Richmond.

H-14. *Approved the minutes of the July 23, 2019, Special Joint Richmond Housing Authority and City Council meeting.

H-15. *Approved contract amendment number one with Jordan Consulting & Investigations to provide pre-employment background investigations, increasing the contract by \$30,000, for a total amount not to exceed \$60,000, and extending the term of the contract through June 30, 2022.

H-16. *Adopted **Resolution No. 89-19** accepting the recommendation of the Richmond Brownfields Revolving Loan Fund Approval Committee to award the Richmond Community Foundation an \$84,000 grant; and Authorized the city manager and/or his designee to execute a contract with the Richmond Community Foundation to complete remediation of two properties in the Richmond Housing Renovation Program.

H-17. *Approved the distribution of grant awards, in a total amount not to exceed \$50,000, to 12 organizations approved as recipients through Category Four City of Richmond and Chevron Environmental Community Investment Agreement processes and guidelines.

H-18. *Received the monthly report on Point Molate activities for the month of June 2019.

H-19. * Received a monthly report on Point Molate activities for the month of July 2019.

H-20. The matter to approve international travel requests from Councilmembers Nathaniel Bates, Demnlus Johnson III, Eduardo Martinez, and staff liaison Trina Jackson to attend the Obi Matsuri Festival in Shimada, Japan from October 11 to 14, 2019, was introduced by Councilmember Bates. The following speakers gave comments: Myrtle Braxton, Naomi Williams, and Madalyn Law. Further discussion ensued. On motion of Councilmember Bates, seconded by Vice Mayor Choi approved international travel requests from Councilmembers Nathaniel Bates, Demnlus Johnson III, Eduardo Martinez, and staff liaison Trina Jackson to attend the Obi Matsuri Festival in Shimada, Japan from October 11 to 14, 2019, by the following vote: **Ayes:** Councilmembers Bates, Martinez, Vice Mayor Choi, and Mayor Butt. **Noes:** None. **Abstentions:** Councilmembers Johnson III and Myrick. **Absent:** None.

PUBLIC HEARINGS

I-1. Withdrawn by Applicant (PLN18-128) - the matter to deny the appeal and adopt a resolution denying PLN18-123, a Conditional Use Permit and Design Review Permit to install a T-Mobile small cell site on a pole within the public right of way adjacent to 2100 Grant Avenue.

COUNCIL AS A WHOLE

J-1. The matter to direct staff to begin drafting a "Tenants Opportunity to Purchase" Ordinance requiring owners of rental facilities in the City to offer tenants the first opportunity to purchase the rental facility before it may be demolished, discontinued, or sold on the market to a third-party purchaser, and to bring back an ordinance for the City Council to consider on first reading before the end of the calendar year was introduced by Councilmembers Johnson, Myrick, and Willis. Discussion ensued. Virginia Ramirez and Ilona Clark gave comments. Further discussion ensued. A motion was made by Councilmember Myrick to approve said direction to staff, seconded by Councilmember Johnson. Further discussion ensued. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Johnson, Martinez, Myrick, Willis, and Vice Mayor Choi. **Noes:** Mayor Butt. **Absent:** None. **Abstained:** None.

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

Councilmember Martinez reported that on Monday, September 16, 2019, he attended the Urban Forestry Advisory Committee Meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:52 p.m. in memory of Military Veteran Winters Calvin and Richmond Native and Former National Football League Player Terrell Roberts, to meet again on Tuesday, September 24, 2019, at 6:30 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor