

**RICHMOND, CALIFORNIA,  
February 16, 2010**

The Richmond City Council Evening Open Session was called to order at 5:21 p.m. by Mayor Gayle McLaughlin.

**ROLL CALL**

**Present:** Councilmembers Bates, Butt, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Absent:** Councilmember Bates, Lopez, and Viramontes (Councilmembers Bates and Lopez arrived after adjourning to Closed Session).

**PUBLIC COMMENT**

The city clerk announced that the purpose of the Evening Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session:

**CITY COUNCIL**

**LIABILITY CLAIMS – PENDING LITIGATION (Government Code Section 54956.9):** Burke vs. City of Richmond

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision (a) of Government Code Section 54956.9):** Citizens of East Shore Parks vs. City of Richmond; Communities for a Better Environment vs. City of Richmond; Chevron vs. City of Richmond (two cases)

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):** Property: Point Molate (site of former Naval Shipyard Depot)  
Agency Negotiators: Bill Lindsay and Janet Schneider  
Negotiating Party: Upstream Point Molate LLC  
Under Negotiation: Price and Terms of Payment

There were no public speakers.

The Evening Open Session adjourned to Closed Session at 5:22 p.m. The Closed Session adjourned at 6:38 p.m.

The Joint Meeting of the Richmond Redevelopment Agency/Richmond City Council was called to order at 6:44 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag. (*See Redevelopment Minutes RCRA16Feb2010*).

## **ROLL CALL**

**Present:** Councilmembers Bates, Butt, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Absent:** Councilmember Lopez (Councilmember Lopez arrived at 7:40 p.m.).

## **STATEMENT OF CONFLICT OF INTEREST**

None.

## **OPEN FORUM FOR PUBLIC COMMENT**

Chief Chris Magnus gave a brief update regarding the shooting that occurred on Sunday, February 14, 2010, at the New Gethsemane Church of God in Christ located at 2100 Roosevelt Avenue in the City of Richmond. He offered condolences and best wishes to the congregation. Chief Magnus clarified that the Richmond Police Department was receiving help from residents and multiple investigators are working around the clock to solve the case. He also clarified that the Richmond Police Department does not disclose to the media when individuals come forward with information during an investigation. Chief Magnus stated that the Richmond Police Department has begun a process of implementing a series of strategies for reducing gun violence within the City of Richmond which includes working with the United States Attorney General's Office, United States Department of Justice, and a number of other offices. He stated that more strategies will be discussed at an upcoming City Council Study Session, as well as at several other events that will take place within the City of Richmond.

Corky Booze stated that the Office of Neighborhood Safety should be held accountable for the shooting that took place in the New Gethsemane Church of God in Christ.

Jackie Thompson made a public request for individuals that she was not familiar with to stop sending items to her e-mail address.

Jordan Simmons gave a six-month report regarding the Center for Performing Arts Street on 11<sup>th</sup> and Macdonald. He also stated that the project was moving forward make good progress. Mr. Simmons also encouraged the City Council to support Main Street Projects.

Leonard Taylor reported that there was a hit and run accident on 39<sup>th</sup> Street and Roosevelt Avenue.

Bennie Singleton urged the City Council to complete West Macdonald Avenue.

Anyka Barber encouraged the City Council to support the Main Street Project.

Bob Dabney encouraged the City Council to support the Main Street Project.

Cheryl Maier encouraged the City Council to support the Main Street Project.

Baron White encouraged the City Council to approve projects that help get Richmond residents back to work.

Ricky Singh addressed the Council on behalf of Harinder Singh Kalsi who is in the United States to try to find solutions to his brother, Ravinder Singh Kalsi's murder, which took place on December 27, 2007. Mr. Singh Kalsi requested a meeting with the City Council to discuss this matter.

Eleanor Thompson stated that when young people qualify for a job, they should be given the job.

Jessica Montiel expressed her deep appreciation and gratitude to Mayor McLaughlin for her work with the Human Rights and Human Relations Commission.

Mohania Williams encouraged the City Council to judge fairly and think reasonably when issues come forward.

James Cash spoke in support of the Point Molate Project.

Simms Thompson expressed his concern for the safety of residents within the City of Richmond.

Otheree Christian encouraged the City Council to support the Main Street Project and the Streetscape Project.

Raymond Landry expressed his concern regarding the lack of support from the City Council for the Point Molate Project. He also encouraged the City Council to support the Main Street Project. He also stated that he supports RichmondBuild.

Becky Ross encouraged the City Council to remember the signage needed from the I-80 Freeway.

Pastor Edwin Brown expressed his concern regarding the City Council's lack of support for the Point Molate Project. He also stated that the City Council was slowing down on issues that could help turn around the City of Richmond.

Jovanka Beckles stated the children of Richmond need direction and hope.

Peter Minkwitz stated that the Point Richmond Neighborhood Council was not opposed to the Point Molate Resort; however, it opposed to the building of the casino.

Naomi Williams expressed her disappointment with the way Black History Month was agendized. She also spoke in support of the Point Molate Resort.

Xavier Abrams encouraged the City Council to support the Main Street Project.

Gary Bell encouraged the City Council to support the Main Street Project.

Anthony Allen encouraged the City Council to support the Main Street Project.

Mary Laverne encouraged the City Council to support the Main Street Project.

Tawana Easter addressed the City Council in support of the Point Molate Project.

Armado Soto addressed the City Council regarding marijuana dispensaries.

### **AGENDA REVIEW**

Withdrew Item H-2 from the agenda. Moved Item J-1 directly following Presentations, Proclamations, and Commendations.

### **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Mayor McLaughlin presented proclamations in honor of Black History Month 2010 to Ms. Eula Averhart, Mr. Courtland “Corky” Booze, Ms. Lillie Mae Jones, and Reverend Phil Lawson acknowledging their past and on-going commitment to positive social change in Richmond. Each recipient gave comments as well as the following individuals: Jackie Thompson, Corky Booze, Jovanka Beckles, Reverend Kenneth Davis, and Rhonda Harris.

### **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**

City Attorney Randy Riddle reported that in the matter of Burke vs. City of Richmond the City Council voted to approve a settlement in the amount of \$20,000.

### **CONSENT CALENDAR**

On motion of Vice Mayor Ritterman, seconded by Councilmember Butt all items marked with an asterisk (\*-) were approved by the unanimous vote of the Council.

\*-Approved a contract with DP Security, LLC (DP Security) to provide security services at 440 Civic Center Plaza and 450 Civic Center Plaza for a period from March 1, 2010, to February 28, 2011, in an amount not to exceed \$445,799.06

**Withdrew from the agenda in the matter to approve** a sole-source contract with Solar Richmond to provide solar technology and solar installation training for RichmondBUILD students for a term from March 1, 2010, to March 31, 2011, in an amount not to exceed \$135,000. This contract is fully funded by a state grant.

\*-Approved a contract with Gary Douppnik Manufacturing, Inc. to pay for authorized change orders for a project to install a modular classroom structure at the Fire Training Center in June 2009 in an amount not to exceed \$15,086.

\*-Approved a sole-source contract with Rising Sun Energy Center to provide energy efficiency workforce development training for RichmondBUILD students for a term from March 1, 2010, to March 31, 2011, in an amount not to exceed \$135,000. This contract is fully funded by a state grant.

\*-Approved a three-year contract with Dunbar Armored, Inc. to provide armored car services in an amount not to exceed \$31,800 for a three-year term beginning February 17, 2010, and ending February 16, 2013.

\*Adopted **Ordinance No. 7-10** amending Richmond Municipal Code 12.20.050 to include establishing a Stormwater Permitting Program (separate from wastewater); and **Ordinance No. 8-10** amending Richmond Municipal Code 2.34.04 to incorporate the current Master Fee Schedule Stormwater Charges into the Stormwater Permitting Program fee schedule.

\*Adopted **Ordinance No. 9-10** amending Sections 15.04.820.030 through 15.04.820.035 of the Richmond Municipal Code to provide for technical amendments to the City's Wireless Telecommunications Ordinance, and the related definitions section of the Zoning Ordinance.

\*-Adopted **Resolution No. 23-10** approving the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the temporary by-pass road near the intersection of Meade Street and Regatta Boulevard in the City of Richmond.

\*-Adopted **Ordinance No. 11-10** amending Chapter 2.50 of the Richmond Municipal Code entitled the Business Opportunity Ordinance.

\*-Adopted **Resolution No. 24-10** authorizing the city manager to enter into a construction contract with Alten Construction in the amount of \$4,275,468 and authorizing the city manager to enter into a loan agreement to provide bridge financing to Rosie the Riveter Trust, or an affiliated wholly-owned for-profit entity, in an amount not to exceed \$2,000,000, for the renovation and rehabilitation of the Maritime Day Care Center.

\*-Adopted the Green Cities California Sustainability **Resolution No. 25-10** to join Green Cities California, committing Richmond to work cooperatively with other California local governments to accelerate local, regional, national and international efforts to achieve sustainability.

\*-Approved the ground lease agreement between the City of Richmond and the West County Wastewater District for sludge dewatering. The initial term is from January 1, 2010, through December 31, 2012, with possible extensions through December 31, 2017. The initial lease cost is \$153,000 in years 2010 through 2012; with minimum rent increases of 3% annually from 2013 through 2017, if extended beyond 2012.

## **RESOLUTIONS**

A proposed resolution of support for the Wildcat Creek Trail Over-Crossing of the Richmond Parkway and authorization to execute a cooperative funding agreement was presented. Mayor McLaughlin gave an overview of the item. On motion of Mayor McLaughlin, seconded by Councilmember Butt, adopted **Resolution No. 26-10** by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** None.

## **COUNCIL AS A WHOLE**

In the matter to adopt a resolution naming the Marina Bay Parkway Underpass Project the "Officer Bradley A. Moody Memorial Underpass," Councilmember Rogers gave an overview. The following individuals gave comments: Susan Moody, Officer James Moody, Corky Booze, John Marquez, Virginia Finlay, and Sergeant Tood Opdyke. Councilmembers Viramontes, Butt, and Mayor McLaughlin gave comments. On motion of Councilmember Rogers, seconded by Councilmember Viramontes adopted **Resolution No. 27-10** by the unanimous vote of the Council.

In the matter to adopt a resolution directing and authorizing the city manager to establish a Downtown Revitalization Project Fund of \$8 million for specific projects that were to be funded by the Redevelopment Agency before recent reductions in Agency funding, and direct the Redevelopment Agency to administer this fund, which will start with any remaining Civic Center Project funds at project close-out and then from one-time revenues, such as land sale proceeds, including but not limited to Point Molate and Terminal One, or other one-time or non-operating sources of funds as soon as they become available. Councilmember Viramontes gave an overview of the item. Viramontes recommended that the City Council approve the following: (1) return \$8 million to the Redevelopment Agency dedicated to downtown (close

out balance of \$1.9 million to be immediately turned over to the Redevelopment Agency and balance be provided upon receipt of one-time payments); (2) fund a list of projects that the City Council has approved; and (3) authorize the Redevelopment Agency staff to develop a Memo of Understanding (MOU) an agreement between the Redevelopment Agency and City of Richmond that established the entire Macdonald Avenue Economic Revitalization Project as a priority project. The following individuals gave comments on this item: Amanda Elliott, Michelle Itagaki, Jackie Thompson, Corky Booze, Maria Alegria, Simms Thompson, Rhonda Harris, John Marquez, Eleanor Thompson, and Anthony Allen. A motion was made by Councilmember Viramontes, seconded by Councilmember Lopez to authorize the city manager to return the balance of the Civic Center Phase I construction funds, \$1.9 million, to the Redevelopment Agency for the downtown, and consider the funding of Main Street and the project list that was voted on by the City Council, and direct staff to come back with an (MOU) between Redevelopment Agency and the City of Richmond establishing how to complete downtown. Community Redevelopment Agency Director Steve Duran spoke on this item. Councilmember Rogers offered a friendly amendment to give the City Council flexibility that if other funding comes forward other projects can be moved forward. The amendment was accepted. Councilmember Rogers offered another friendly amendment to reinstall the \$1 million per year, for fixing streets, be added into the priority list of money that would be spent for the Redevelopment area. The amount was reduced to \$500,000. The amendment was accepted. Councilmember Viramontes suggested splitting the motion. On motion of Councilmember Viramontes, seconded by Councilmember Lopez authorized the city manager to return the balance of the Civic Center Phase I construction funds, \$1.9 million, to the Redevelopment Agency for downtown by the unanimous vote of the Council. On motion of Councilmember Viramontes, seconded by Councilmember Lopez adopted **Resolution No. 28-10** authorizing the city manager to take the balance of the \$8 million to be paid to the Redevelopment Agency for one-time uses including the priority for Macdonald Avenue and also added \$500,000 to other Redevelopment area street repair by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmember Bates. **Absent:** None.

In the matter to review the Mid-Year Budget Financial Forecast and adopt a resolution approving the proposed FY2009-10 budget adjustments. City Manager Bill Lindsay gave an overview of the item. He stated that the City of Richmond had an operating deficit of approximately \$10 million. He also stated that the projected General Fund operating reserve at year end was approximately \$9.8 million, which was within the operating reserve policy established by the City Council; however, it was moving towards the low end.

Mr. Lindsay stated that if the 2010-2011 budget year had the same level of deficit as the 2009-2010 budget year, the City of Richmond would run out of General Fund money at the end of 2010-2011. He stated that staff's recommendation was to have the City Council direct staff to approach the budget issue as part of the 2010-2011 budget year. He also stated that as a short-term remedy, staff had instituted a hiring freeze throughout all departments and staff from the City Manager's Office and the Finance Department was working with departments to identify other cost savings. The Finance Director Jim Goins and staff gave a presentation of the Mid-Year Budget Review which included a PowerPoint presentation. Councilmember Bates requested staff supply a cost-analysis of festivals held within the City of Richmond. He also requested that staff post safety rules throughout the skate park at Nicoll Park. Mr. Lindsay stated he would follow-up to make sure proper signage was posted. Naomi Williams addressed the Council regarding a Southside Police Substation. Councilmember Bates requested staff look into re-establishing a substation at East Shore Park. Mr. Lindsay stated he would follow-up on the issue. On motion of Councilmember Lopez, seconded by Councilmember Viramontes adopted **Resolution No. 29-10** to approve the proposed FY2009-10 budget adjustments and directed staff to bring back to Council an analysis of the number of positions from five years back to present and also a listing of the current active positions and the number of vacancies that would be frozen this year by the unanimous vote of the Council.

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

Councilmember Butt reported that he attended the Smart Growth Conference.

Vice Mayor Ritterman also reported that he also attended the Smart Growth Conference.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:50 p.m. with Mayor McLaughlin encouraging everyone to keep the victims of the shooting at New Gethsemane Church of God in Christ in their thoughts. The City Council was scheduled to meet again on Tuesday, February 23, 2010, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor