

RICHMOND, CALIFORNIA, July 30, 2013

The Richmond City Council Evening Open Session was called to order at 5:13 p.m.

ROLL CALL

Present: Councilmembers Bates, Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Absent:** None.

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

**CONFERENCE WITH LABOR
NEGOTIATORS (Government Code Section
54957.6):**

Agency designated representatives: Bill Lindsay, Jack Hughes, Lisa Stephenson, and Bruce Soublet
Employee organization: International Federation of Professional Technical Employees (IFPTE), Local 21

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

Property: Port of Richmond General Warehouse
Agency negotiators: Jim Matzorkis and Bill Lindsay
Negotiating parties: Golden State Power Group and MSH Group

Property: Port of Richmond Terminal One
Agency negotiators: Bill Lindsay, Jim Matzorkis, and Richard Mitchell
Negotiating parties: KB-Bakewell Richmond Venture, Sares/Regis, and Suzhou Weibang Property Management, LLC

**CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION (Significant
exposure to litigation pursuant to Subdivision (b) of
Government Code Section 54956.9):**

One Case

Jeff Ritterman gave comments in support of Item A-2, the Golden Power Group's proposal.

The Evening Open Session adjourned to Closed Session at 5:16 p.m. The Closed Session adjourned at 6:44 p.m.

The Special Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and Richmond City Council was called to order at 6:52 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Bates, Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Absent:** None.

*Police Captain Bisa French read the following statement: “Good Evening, At tonight’s meeting, we would like for the atmosphere to be open and safe, where everyone feels as though they’re able to have their opinions voiced and to be heard. That being said, there is a State governed code of conduct that must be adhered to at all public meetings. While citizens have the right and responsibility to state their opinions and provide feedback to those in power, there is an appropriate way to do so. This meeting **will** proceed in an orderly fashion. You will be allowed to speak your opinion for the allowed time period during the public comment portion, wear armbands, shirts, and hold signs expressing your point of view without blocking the view of others, and submit comment cards. However, you may **not** intentionally disturb this meeting by violating the rules and customs of the City Council. Inappropriate actions include chanting, yelling, singing, using an amplifying device, or otherwise engaging in behavior which interrupts other speakers and interferes with tonight’s agenda. While we hope that everyone’s behavior tonight promotes an environment conducive to productivity and harmony, it is our intention to enforce all State-governed laws. Committing any action that intentionally disturbs this meeting is a misdemeanor crime under Penal Code Section 403.”*

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items I-2, I-5, I-9, I-11, I-14, I-15, and I-26 were removed from the Consent Calendar and will be heard at the end of the meeting; continued Item J-1 to September 24, 2013.

The City Council was in recess at 6:58 p.m. and reconvened at 7:03 p.m.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin and Vice Mayor Booze presented a proclamation to the Yin Family welcoming Grocery Outlet Bargain Market to Richmond. The owner thanked the City Council and stated they were happy to be in the City of Richmond. Ray Landry and Adrienne Harris gave comments.

Mayor McLaughlin and Vice Mayor Boozé presented a proclamation in recognition of National Night Out that will be held Tuesday, August 6, 2013, in the City of Richmond. Al Perez gave comments for the National Night Out Committee. Ray Landry, Naomi Williams, and Rhonda Harris gave comments.

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

City Attorney Bruce Reed Goodmiller stated that there were no reportable actions.

OPEN FORUM FOR PUBLIC COMMENT

Sims Thompson stated that the lighting on 23rd Street should be addressed immediately.

Mark Wassberg gave comments regarding his freedom of speech, which included homophobic remarks.

Bea Roberson and Larry Lewis invited everyone to the Richmond Police Activities League's Back to School Carnival August 15 through 18, 2013; Thursday and Friday, 5:00 p.m. to 10:00 p.m.; Saturday, noon to 10:00 p.m.; and Sunday, noon to 8:00 p.m.; Hilltop Mall, 2200 Hilltop Mall Road.

Naomi Williams also invited everyone to the Richmond Police Activities League's Back to School Carnival. Ms. Williams also stated that Black organizations in the City of Richmond do not all think alike.

Larry Lewis thanked all for support of PAL and gave comments regarding the activities and success of the program.

Paul Maunu gave comments regarding Mark Wassberg's "hate speech." Mr. Maunu stated that Mr. Wassberg needs a lesson in morality. He also stated that the last thing the citizens of Richmond needed was Mr. Wassberg poisoning their consciousness and solidarity.

Andres Soto invited everyone to join a rally and

nonviolent direct action march to Chevron Richmond Refinery; Saturday, August 3, 2013, beginning at Richmond Bart, 10:00 a.m.

Reginal Russell stated that the citizens of Richmond need jobs.

Richard Stollings requested the status of the renovation of the International Hotel. He also stated that Mayor McLaughlin did not put everyone out of the Council Chambers at the July 23, 2013, City Council Meeting. Mr. Stollings also commented regarding the number of police officers present in the Chambers.

Otheree Christian thanked everyone that participated in making the 20th Annual Iron Triangle Community Picnic and Lifelong Brookside Health Fair a success.

Curtis Reese requested that the City Council conduct itself in a professional manner.

Juan Reardon gave comments regarding bullies. He stated that more police officers are present because individuals do not know how to behave.

Captain Bisa French announced that on Friday, August 2, 2013, the Richmond Police Department in partnership with the Contra Costa County District Attorney's Office will host a Gun Buy Back Program in the 27th Street parking lot in front of the City Hall, beginning at 8:00 a.m.

Melvin Willis stated that Alliance of Californians for Community Empowerment, not Mayor McLaughlin, sent individuals to Bank of American to protest its foreclosures and lack of loan modification practices.

Ray Landry state the following "that in the proposal of a federal illegal business a proprietor in this city paid for two police officers to police the neighborhoods; in the Capon days this would be called a bribe. A city Councilman Rogers carried the message to the black neighborhood promising to provide police protection in exchange for safer neighborhoods; in Capon days, he would be considered a crooked politician. The license to operate his federal illegal business has to have the blessings of the chief of police; in Capon days, you have to wow unto them that call evil good and good evil."

Johnny Valdepena gave comments regarding a Cease Fire City-wide Night Walk with over 300 participants from New Hope Baptist Church in North Richmond to Bethlehem Baptist Church in South Richmond. Mr. Valdepena stated that the walk was to spread the message of love and hope to the community. Mr. Valdepena also stated that the next walk was scheduled for August 23, 2013; he would return with the details and encouraged everyone to participate.

Bob Dabney expressed his concern regarding the verbal exchanges that have occurred among the City Council and members of the public. Mr. Dabney also stated that Councilmember Butt's blog promotes race-baiting and does nothing to calm racial tensions that have erupted in the City.

Michael Beer stated that the City of Richmond was on the front page of the New York Times regarding eminent domain and also for the scheduled August 3, 2013, demonstration regarding climate change, beginning at the Richmond BART and ending at the Chevron Refinery.

Gard Gragg stated that when the public disagrees with an issue, the City Council should respect the public's wishes.

Zak Wear stated that the spread of hate has got to stop, and everyone needs to respect one another because we are all in the fight to make Richmond a better place.

Jackie Thompson addressed her comments to City Manager Bill Lindsay. Ms. Thompson stated that City employee Lorie Reese-Brown called her a bully as she was escorted from the Chambers, and she would like Mr. Lindsay to address this issue.

Eleanor Thompson stated that there will always be division in the City because of the letters and correspondence distributed by the Richmond Progressive Alliance and Tom Butt's blog.

Linda Jackson-Whitmore announced that the Young Actor's Workshop was back at Contra Costa College; open enrollment for students ages 12-16; the workshop will provide principles in theatre, voice, movement, pantomime, improvisation, acting, and stage performance; the cost \$150, on Tuesdays and Thursdays.

Texanita Bluit the National Association for the Advancement of Colored People will host a Family Health Day on August 10, 2013, at Nicholas Park.

Billy Alexander expressed his disappointment with the Richmond Progressive Alliance and Councilmember Butt regarding a newspaper article about Vice Mayor Booze and Richmond resident Pam Bilbo. Mr. Alexander stated that Vice Mayor Booze would be reelected to the City Council in 2014.

Marcos Banales gave comments regarding a letter from Vice Mayor Booze who stated his support of the gay and lesbian community when he has not shown support in the past.

City Clerk Diane Holmes read a statement by Vickie Robertson. Ms. Robertson encouraged the City

Council to install speed bumps near the George Miller III Children's Center 300 South 27th.

Corky Booze read a letter he wrote dated July 24, 2013, proclaiming his support of the Lesbian, Gay, Bisexual, Transgender, and Questioning Community.

Sylvia Ledezma congratulated the City Council for its efforts to support project labor agreements by creating sustainable living wages and safety standards to improve family living standards.

Elaine Merriweather invited everyone to participate in 63 minutes of peace. Ms. Merriweather stated that some 250,000 people attended the March on Washington for jobs and freedom on August 28, 1963, where Martin Luther King Jr. delivered his "I Have a Dream Speech" at 3:00 p.m. Ms. Merriweather encouraged everyone to take 63 minutes on August 28, 2013, to do something positive and productive.

Mike Parker stated that the City of Richmond should celebrate the positive things that happened in Richmond such as the Cease Fire Walks and the Iron Triangle Festival, which are signs that the community was coming together. Mr. Parker also stated that with a progressive approach, the City of Richmond can take steps to fight the problems that exist in Richmond.

Marilyn Langlois invited everyone to the March on Chevron and the Gun Buy-Back Program. She also encouraged everyone to participate in the Friday, August 23, 2013, to the Cease Fire City-wide Night Walk. Ms. Langlois also thanked Mayor McLaughlin, Councilmembers, and the audience who have spoken to each other with respect and dignity.

Eduardo Martinez encouraged the City Council to join the Friday Cease Fire walks.

Councilmember Beckles stated that Councilmember Butt did not mention all the Black organizations in the City of Richmond such as Black Mobilization Organization Education Richmond (BMOER) because they were the only organization to speak out regarding the dysfunction of the City Council, environmental issues, and holding Chevron accountable.

Vice Mayor Booze stated that Melvin Willis' information was incorrect and Mayor McLaughlin, Marilyn Langois, and Eduardo Martinez played a part in shutting down Bank of America.

Mayor McLaughlin stated that Melvin Willis was born and raised in the City of Richmond.

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

On motion of Councilmember Beckles, seconded by Councilmember Myrick all items marked with an (*) were approved by the unanimous vote of the Council.

***-Adopted Resolution No. 75-13 and 13-7** approving a contract amendment with Nichols Consulting Engineers, Chtd. to perform soil-gas sampling and analysis as part of the approved State Department of Toxic Substances Control (DTSC) Work Plan at certain locations in Marina Bay, increasing the contract amount by \$54,810 for a total amount not to exceed \$197,236.

***-Adopted Resolution No. 76-13 and 13-8** approving amendments to contracts with Eagle Environmental Construction (EEC) for: (1) abatement, demolition, and historic structures relocation, increasing the contract amount by \$100,000 for a total of \$4,465,000; and (2) soil remediation activities, increasing the contract amount by \$1,200,000 for a total amount of \$2,499,987; and (3) with PES Environmental, Inc. acting as the City of Richmond's owner's representative providing project oversight and monitoring, increasing the contract amount by \$700,000 for a total amount of \$1,400,000. The requested amendments will also extend contract terms to December 2015.

***-Adopted Resolution No. 77-13 and 13-9** approving an amendment to a contract with Holland and Knight, LLP to continue to provide environmental legal services for the Miraflores Housing Development, increasing the contract amount by \$75,000, for a total amount of \$200,000, and extending the term through December 2015.

***-Approved a joint Resolution No 78-13 and 13-10** of the City Council and the Successor Agency authorizing the application for grant funds from the California Department of Housing and Community Development's (HCD) Infill Infrastructure Grant Program in an amount not to exceed \$4,000,000 to be used for certain fees and costs related to the development of the Miraflores Affordable Senior Housing Development Project.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Rogers all items marked with an (*) were approved by the unanimous vote of the Council. **(Councilmember Bates voted Noe on Item G-16).**

*-Adopted **Resolution No. 79-13** accepting a new subdivision improvement agreement (SIA) transferring obligations to complete subdivision improvements in the Pinole Point Business Park (Subdivision 8414) from Richmond Pinole Point Properties, Inc. to Richmond Pinole Point Industrial, LLC.

The matter to approve the recommendations of the Community and Information Panel to award \$50,000 in funds provided by Veolia Environmental Services in North Richmond as a hazardous waste facility license fee to 11 non-governmental organizations providing services to residents in the Iron Triangle and North Richmond communities selected via a competitive grant process was pulled from the Consent Calendar; however, the individuals that pulled the item chose not to speak on the item. On motion of Mayor McLaughlin, seconded by Councilmember Beckles approved the recommendations of the Community and Information Panel by the unanimous vote of the City Council.

*-Adopted **Resolution No. 80-13** to accept and appropriate \$45,000 in grant funds from the Association of Bay Area Governments (ABAG) to complete funding for construction of the Bay Trail from Ferry Point Tunnel to Cutting Boulevard.

*-Authorized the city manager to execute a Cooperative Funding Agreement with the East Bay Regional Park District, providing \$18,250 in City funds to pay for design revisions to the Atlas Road bridge structure.

In the matter to approve the purchase of the pre-fabricated restroom building from CXT Inc. Precast Products to be placed at Booker T. Anderson Park (BTA) in an amount not to exceed \$120,673.41, and APPROVE a contract with McNabb Construction Inc. for the demolition and site preparation for this new restroom building at BTA in an amount not to exceed \$20,697.60, which includes a 10% city-controlled cost contingency; the contract term will be from August 1, 2013, to June 30, 2014, City Manager Bill Lindsay gave an overview. On motion of Councilmember Beckles, seconded by Councilmember Butt approved the purchase of pre-fabricated restroom building from CXT Inc. Precast Products by the unanimous vote of the City Council.

(Mayor McLaughlin stated she would use her authority to move I-26 before Items I-9, I-14, I-15. A motion was made by Councilmember Butt to address Items I-9, I-14 and I-15 before Item I-26 because they were time sensitive and dealt with City funds died for lack of a second. A substitute motion was made by Vice Mayor Booze, seconded by Councilmember Beckles to move Item I-26 before Items I-9, I-14, I-15 passed by the following vote: Ayes: Councilmembers

Beckles, Myrick, Rogers, Vice Mayor Booze, and Mayor McLaughlin. Noes: Councilmembers Bates and Butt. Abstentions: None. Absent: None. Discussion continued and Item I-26 was not heard before 11:30 p.m. At 11:30 p.m. a motion was made by Councilmember Beckles, seconded by Councilmember Myrick to extend the meeting until midnight. A substitute motion by Vice Mayor Booze to extend the meeting for 15 minutes died for lack of a second. The original motion failed by the following vote: Ayes: Councilmembers Beckles, Myrick, Rogers, and Mayor McLaughlin. Noes: Councilmembers Bates, Butt, and Vice Mayor Booze. Abstentions: None. Absent: None. A motion made by Mayor McLaughlin, seconded by Councilmember Beckles to suspend the rules and extend the meeting for 20 minutes failed by the following vote: Ayes: Councilmembers Beckles, Myrick, Rogers, and Mayor McLaughlin. Noes: Councilmembers Bates, Butt, and Vice Mayor Booze. Abstentions: None. Absent: None. A motion by Councilmember Butt, seconded Councilmember Bates to extend the meeting for 15 minutes to hear Items I-9, I-14, and I-15 with the friendly amendment by Councilmember Rogers to hear from the public with no debate or remarks from the City Council passed by the unanimous vote of the City Council).

*-Adopted **Ordinance No. 13-13 N.S.** to establish wages, salaries, and compensation for the classifications represented by the International Association of Firefighters (IAFF Local 188) in the City's classified service, and repealing Ordinance No. 43-06 N.S. On June 25, 2013, the parties reached a Tentative Agreement, which extends the current MOU until June 30, 2016, and provides salary increases in 2013, 2014, and 2015.

*-Adopted **Resolution No. 81-13** authorizing the City of Richmond to enter into a two-year agreement with the Association of Bay Area Governments (ABAG) allowing the San Francisco Estuary Partnership (SFEP) to implement a Green Street Retrofit Project along San Pablo Avenue.

*-Adopted **Resolution No. 82-13** authorizing the extension of the letter of credit provided by Union Bank, N.A., relating to the Variable Rate Wastewater Revenue Refunding Bonds, Series 2008A; and approving the taking of all necessary actions in connection therewith.

In the matter to approve an agreement with the Trust for Public Land (TPL) for construction of the Park Activation Project on the Richmond Greenway from 8th Street to Harbour Way, with the project scope to include a children's play area and community gardens Ray Landry gave comments. On motion of Councilmember Butt, seconded by Councilmember Rogers approved an agreement with the Trust for Public

Land by the unanimous vote of the City Council.

*-Approved the purchase of Globe Manufacturing personal protective equipment for the 12 new firefighter trainees from L.N. Curtis & Sons in the amount of \$29,233.80.

In the matter to adopt a resolution accepting \$300,000 in funds from the Bay Area Air Quality Management District Transportation Fund for Clean Air; appropriate these funds into the Fiscal Year 2013-2014 Budget; and APPROVE an amendment to the contract with TransMetro Inc. to continue transportation shuttle service operations through June 30, 2015, in an amount not to exceed \$300,000, on motion of Mayor McLaughlin, seconded by Councilmember Beckles adopted **Resolution No. 83-13** and approved an amendment to the contract with TransMetro Inc. by the unanimous vote of the City Council.

*-Adopted **Resolution No. 84-13** authorizing staff to submit a request to the Metropolitan Transportation Commission, Regional Measure 2 Program, to provide funding for the construction of the "Overcoming Physical Barriers to Safe Transit Access Project" (Richmond/Ohlone Greenway Gap Closure Project).

*-Approved a contract with Architects MA to provide architectural and engineering services for the Family Justice Center Project in an amount not to exceed \$144,500, and for a term from August 2013 to December 2014.

In the matter to approve a second amendment to a three-year (2010-2013) contract with Du-All Safety, LLC, exercising a contract option to extend safety program compliance services for one-year covering Fiscal Year 2013-2014, in an amount not to exceed \$117,308, on motion of Councilmember Bates, seconded by Councilmember Butt approved a second amendment to a three-year (2010-2013) contract with Du-All Safety, LLC, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Booze.

In the matter to adopt a resolution approving a grant-funded contract with Vallier Design Associates Inc. to provide professional landscape and architectural design, engineering, project, and construction management services for the Miraflores Sustainable Community Greenbelt Project as part of the Miraflores Housing Development; the contract amount is \$450,000 and the term is through June 30, 2015; the following individuals gave comments: Jeff Peters, Margot Yapp, Marcia Vallier, Rich Walkling, and Irving Gonzales. On motion of Councilmember Bates, seconded by Councilmember Butt adopted **Resolution No. 85-13** by

the unanimous vote of the City Council.

(At 11:48 p.m. a motion by Councilmember Bates, seconded by Councilmember Myrick extended the meeting for 15 minutes to hear Item I-26 passed with Vice Mayor Booze voting Noe).

*-Approved a grant-funded construction contract with Chrisp Company for construction of the Barrett Avenue Bike Lanes - Garrard Boulevard to San Pablo Avenue in the amount of \$352,845, with an additional City-controlled construction contingency not to exceed 10% of the contract cost, for a total budget of \$388,130. **Councilmember Bates voted Noe.**

*-Approved a construction contract with W.R. Forde Associates in the amount of \$384,540, with a City-administered contingency and reserve not to exceed \$76,908, for the Bay Trail Gap Closure Ferry Point/Shipyard 3 Project.

*-Approved the minutes of the June 18, 2013, Regular City Council Meeting, and the June 25, 2013, Special City Council Meeting.

*-Approved an Assignment and Assumption Agreement with Upstream Point Molate, LLC for assignment of the Master Consulting Services Agreement with Terraphase Engineering, Inc. for the provision of environmental services at Point Molate.

*-Approved the installation of four-way stop signs at nine intersections in the North and East and Belding/Woods Neighborhoods.

*-Adopted **Resolution No. 86-13** approving a Memorandum of Understanding (MOU) between IFPTE Local 21 and the City of Richmond. The MOU will be effective from July 1, 2013, through June 30, 2016, and provides for a 2% annual salary increase each July 1 for the years 2013, 2014, and 2015.

*-Introduced an ordinance for first reading to establish wages, salaries, and compensation for the classifications represented by the International Federation of Professional and Technical Employees (IFPTE Local 21) in the City's classified service, and repealing Ordinance No. 38-06 N.S.

*-Approved the following new appointment to the Work Investment Board: Chudy E. Nnebe, appointment term as of July 30, 2013.

*-Directed staff to write a letter to Attorney General Eric Holder expressing the Richmond City Council's outrage over the verdict of the George Zimmerman case surrounding the killing of Trayvon Martin and urging him to prosecute the civil rights violations in this case.

*-Approved travel by the city manager and port executive director to Zhoushan, China to attend the Ocean Forum being hosted by the City of Zhoushan on August 11-13, 2013, with all travel and meeting expenses paid for by the City of Zhoushan.

In the matter to adopted an ordinance adding Chapter 2.65 to the Richmond Municipal Code entitled "Ban the Box" requiring any contractor or their subcontractors, lessee, and recipient of financial aid to refrain from any inquiries regarding employment applicants' prior criminal convictions the following individuals gave comments: Vinay Pimple, Marilyn Langlois, Melvin Willis, Charles Newsome, Clarence Ford, Johnny Valdepena, Tamisha Walker, LaVern Vaughn, Eduardo Martinez, Zak Wear, and Michael Parker. A motion was made by Councilmember Beckles, seconded by Councilmember Myrick to adopt the ordinance as presented. A substitute motion by Councilmember Butt to substitute for the final screening the updated enforcement guidance on employer use of arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964 as amended failed for lack of a second. The original motion was approved and **Ordinance No. 14-13** was adopted by the following vote: **Ayes:** Councilmembers Bates, Beckles, Myrick, Rogers, Vice Mayor Booze, and Mayor McLaughlin. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** None.

*-Approved an amendment to the standing purchase order with Bay Area Barricade for procuring traffic signs and lines materials, increasing the not-to-exceed amount by \$50,000 for a total of \$100,000 during Fiscal Year 2013-14, and including an option to extend this purchase order at \$100,000 per year for an additional two years.

*-Approved the following re-appointments to the Historic Preservation Commission: Rosemary Corbin, incumbent, term expiring July 31, 2017; Sandy Genser-Maack, incumbent, term expiring July 31, 2017.

*-Approved a contract with Central Striping Service, Inc. for materials and installation of new thermoplastic striping and marking on Cutting Boulevard between South 37th Street and Interstate I-80, in an amount not to exceed \$35,000.

STUDY AND DIRECTION TO STAFF SESSION

Continued to September 24, 2013, the matter to discuss and direct staff to investigate how to better coordinate services between departments within the City of Richmond and with Contra Costa Health Department for dealing with mold related issues in residential dwellings was presented by Councilmember Myrick.

In the matter to discuss findings and adopt a resolution expressing concerns about hazardous

conditions at the Chevron Richmond refinery and direct staff, including the Building Official and Fire Marshal, to immediately begin work to verify evidence to determine whether dangerous or unsafe conditions exist, and, if verified, to proceed expeditiously in accordance with all City and State laws the following individuals gave comments: Andres Soto, Marilyn Langlois, Bill Pinkham, Ray Landry, Roberto Reyes, Roger Lin, Greg Karras, Ross Nakasone, Michael Parker, Paul Larudee, Sylvia Gray-White, Eduardo Martinez, Garry Tanner, Dinorah Barton-Antonio, Tim Laidman, Nile Malloy, Rita Barouch, and Elliot Hughes.

PUBLIC HEARINGS

The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to receive testimony regarding the proposed 2013 Annual Consolidated Action Plan, which outlines priorities and uses of Community Development Block Grant (CDBG), CDBG Program Income, Home Investment Partnership Program (HOME), HOME Program Income and NSP 1 and 3 funds; and adopt a resolution approving the 2013-2014 Annual Consolidated Action Plan. Housing and Community Development Agency Director Patrick Lynch gave an overview of the item. Mayor McLaughlin opened the public hearing. There were no public speakers. On motion of Councilmember Rogers, seconded by Councilmember Beckles closed the public hearing by the unanimous vote of the City Council. On motion of Councilmember Rogers, seconded by Councilmember Myrick adopted **Resolution No. 87-13** by the unanimous vote of the Council.

The city clerk announced that it was time, pursuant to public notice, to hold a public hearing adopt a resolution approving the report on sewer service charges for Fiscal Year 2013-2014 allowing the sanitary and stormwater fees to be collected on the Annual 2013-2014 Tax Rolls. Chad Davisson of the Engineering Services Department gave an overview. Mayor McLaughlin opened the public hearing. On motion of Councilmember Myrick, seconded by Councilmember Rogers closed the public hearing by the unanimous vote of the City Council. On motion of Councilmember Myrick, seconded by Councilmember Rogers adopted **Resolution No. 88-13** by the unanimous vote of the City Council.

The city clerk announced that it was time, pursuant to public notice, to hold a public hearing to approve the transfer of Richmond Compassionate Care's permit from a C-3 zone to a C-2 zone to operate as a medical marijuana collective at 425 South 2nd Street in substantial compliance with their application submitted on or about May 2, 2011, and again on April 16, 2013. The public hearing was closed on June 18, 2013. On motion of Councilmember Rogers, seconded by Councilmember Myrick reopened the public hearing by the unanimous vote of the City Council. Police Chief

Chris Magnus gave an overview. The following individuals gave comments: Daniel Lehonillier, Naomi Williams, John Valdes, David Pete, Dean Arbit, Gary Metekki, Bea Roberson, Ray Landry, Dorian Spain, Lisa Boguean, Celina Hall, Don Woodrow, Texanita Bluitt, Linda Jackson-Whitmore, Rhonda Harris, Janie Holland, Annie King-Meredith, Tracy Reed, Jan Mignone, Stephanie Hervey, Cynthia Haden, Mathew Potter, and Eduardo Martinez. On motion of Councilmember Bates, seconded by Councilmember Rogers closed the public hearing by the unanimous vote of the City Council. Councilmember Beckles stated that she would not support the item because the community was against it. *(At 11:05 p.m. a motion was made by Councilmember Myrick, seconded by Councilmember Rogers to suspend the rules and extend the meeting until the time-sensitive items were completed. A substitute motion made by Vice Mayor Booze, seconded by Councilmember Bates to extend the meeting to 11:30 p.m. and continue all items that were not addressed to the following appropriate meeting failed by the following vote: Ayes: Councilmember Bates and Vice Mayor Booze. Noes: Councilmember Butt, Beckles, Myrick, Rogers, and Mayor McLaughlin. Abstentions: None. Absent: None. The original motion to suspend the rules and extend the meeting until the time-sensitive items were completed failed by the following vote: Ayes: Councilmember Beckles, Myrick, Rogers, and Mayor McLaughlin. Noes: Councilmember Bates, Butt, and Vice Mayor Booze. Abstentions: None. Absent: None. A motion was made by Councilmember Rogers, seconded by Councilmember Myrick to suspend the rules and extend the meeting until 12 midnight and complete whatever they could. A substitute motion by Councilmember Butt, seconded by Vice Mayor Booze to extend the meeting until 11:30 p.m. passed by the unanimous vote of the City Council).* A motion was made by Vice Mayor Booze, seconded by Councilmember Rogers to send the issue back to the neighborhood councils to discuss and come back to the City Council with recommendations. A substitute motion by Councilmember Beckles, seconded by Councilmember Butt to deny the transfer from C-3 zone to a C-2 zone was approved by the following vote: **Ayes:** Councilmembers Beckles, Butt, Myrick, and Mayor McLaughlin. **Noes:** Councilmember Rogers and Vice Mayor Booze. **Abstentions:** Councilmember Bates. **Absent:** None.

Continued to September 17, 2013, a hearing to rename Western Drive north of I-580 to "Stenmark Drive" in recognition of Captain J. O. Stenmark's colorful contribution to the early history of Richmond.

ORDINANCES

The matter to adopt an urgency ordinance declaring a 45-day moratorium on the acceptance, processing, and approval of applications for Second

Hand Dealers, including but not limited to "Cash for Gold" businesses in any zoning district within the City was presented by Planning and Building Services Director Richard Mitchell. On motion of Councilmember Butt, seconded by Councilmember Rogers adopted **Ordinance No. 15-13** by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

Continued to September 10, 2013, the matter to receive a presentation and report from the National Research Center on the City of Richmond's 2013 Community Survey results, and provide direction to staff as appropriate was presented by City Manager Bill Lindsay and Management Analyst LaShonda White.

Continued to September 10, 2013, the matter to designate a voting delegate and alternate(s) to represent the City of Richmond at the Annual Business Meeting of the League of California Cities 2013 Annual Conference to be held September 18-20, 2013, at the Sacramento Convention Center, Sacramento, California, was presented by City Clerk Diane Holmes.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:00 a.m. with prayers for Gary Bell and family, and in memory of Oris Washington and Mildred Hooper, to meet again on Tuesday, September 10, 2013, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor