

**RICHMOND, CALIFORNIA, February 18,
2014**

The Richmond City Council Evening Open Session was called to order at 5:38 p.m.

ROLL CALL

Present: Councilmembers Butt, Myrick, Rogers, and Mayor McLaughlin. **Absent:** Councilmembers Bates and Boozé arrived after adjourning to Closed Session. Vice Mayor Beckles arrived at 6:40 p.m.

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

**LIABILITY CLAIMS - PENDING LITIGATION
(Government Code Section 54956.9):**

Claimant: Robbie Hurtado
Agency claimed against: City of Richmond

Claimant: Christian Castanchoa
Agency claimed against: City of Richmond

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

Property: Westridge Apartments
Agency negotiators: Bill Lindsay, James Goins, and Tim Jones
Negotiating party: Menlo Capital Group
Under negotiation: price and terms of payment

There were no public speakers.

The Open Session adjourned to Closed Session at 5:39 p.m. Closed Session adjourned at 6:26 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:35 p.m. by Mayor McLaughlin.

ROLL CALL

Present: Councilmembers Bates, Butt, Myrick, Rogers, and Mayor McLaughlin. **Absent:** Vice Mayor Beckles arrived at 6:36 p.m. Councilmember Boozé arrived at 6:39 p.m.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Items I-4, I-7, I-11, I-16, I-17, I-20, and I-22 from the City Council Consent Calendar to be heard at the end of the agenda. City Manager, Bill Lindsay, stated that Item I-7 be continued to the February 25, 2014, City Council meeting, and Item I-21 be continued to the March 4, 2014, City Council meeting.

A motion by Mayor McLaughlin, seconded by Vice Mayor Beckles, added an emergency item to the agenda regarding Housing Authority issues, passed by the unanimous vote of the City Council. This matter will be discussed immediately after the approval of the Consent Calendar.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin presented Black History Month 2014 proclamations honoring long-standing, outstanding Richmond community leaders Naomi Williams, Texanita Bluitt, and Myrtle Braxton. Ms. Bluitt and Ms. Williams thanked everyone for the recognition. Wesley Ellis gave comments.

(A motion by Councilmember Boozé, seconded by Councilmember Bates, that the Housing Authority emergency item be discussed prior to Open Forum, passed by the unanimous vote of the City Council).

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

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

EMERGENCY ITEM

Housing Director, Tim Jones, gave an overview of the matter and stated that the recent newspaper articles have depicted the Housing Authority as haven fallen short of its mission to provide, safe and decent housing to its residents at some of its properties, especially at the Hacienda and apologized to the residents for not meeting its service delivery obligations. Mr. Jones also stated that the housing issues are not due to mismanagement but rather due to lack of funding and on three occasions, expenditures exceeded revenues for the Housing Authority as a whole. Mr. Jones took a tour of the Hacienda property with the (Housing and Urban Development) HUD Region 9 Administrator, and the Director of HUD, San Francisco hub Office, so they could see the property improvement challenges first hand. Extensive efforts have also been made to exterminate vermon and other pests from the units and will determine why previous efforts have not been successful and what other course of action can be taken to gain better outcome. The news article has highlighted the need for a more uniform and thorough quality control processes throughout all areas of property management; however the report also contained many inaccuracies. The Housing Director's salary was increased 18.54%, not 31% as stated in the article. Mr. Jones also stated that all complaints made by the residents will be followed up and an update will be given to the Housing Authority Board. The following individuals gave comments: Valerie Robinson, Jacine Scott, Felton Amos, Jackie

Thompson, Juanita Coleman, Leonard Taylor, Wesley Ellis, Charles Smith, Nina Smith, Eduardo Martinez, Frances Clay, Rina Simon, Ms. Smith, Sylvia Ledesma, Sula Mcade, and Ebony Rhine. Discussion ensued. An updated report regarding the housing issues and complaints will be discussed at an ad-hoc committee this Friday. Councilmember Rogers stated that the security company should be changed. Councilmember Myrick stated that staff must be ordered to treat residents with dignity and respect. Councilmember Boozé stated that a 30-day termination letter be sent to Cypress Security Company and also suggested that funds from the sale of the Westridge Apartments be used to fix the Hacienda development. Councilmember Boozé requested that a report detailing how much rent money is being lost due to vacancies in uninhabitable units be provided. Vice Mayor Beckles requested that the Housing Authority personnel staff matters be discussed at a future Closed Session meeting. Councilmember Bates suggested that a special meeting be scheduled, in the near future, to discuss the housing authority issues only.

OPEN FORUM FOR PUBLIC COMMENT

Rev. Kenneth Davis, Roxanne Alexander, Elnora Williams, Barry Dugard, Pam Bilbo, Eleanor Thompson, Juanita Hasnat, stated that Paratransit services need to be augmented with better staffing and additional hours.

Pam Bilbo thanked the City and the City Manager for the new location of the Easy-Go transit center at the Richmond Bart Station. Ms. Bilbo also stated that she participated in the wonderful black history events at the auditorium. Ms. Bilbo also congratulated Naomi Williams, Myrtle Braxton, and Texanita Bluit for receiving the 2014 Black History Month award.

Jackie Thomspson stated that a bus bench is needed at 4th & Macdonald Avenue.

Sims Thompson suggested that Councilmembers take a tour around the City to

determine what is needed and what is being neglected.

Antwon Cloird stated that the City's compliance for work hours should be increased to 35% Richmond workers hired for Richmond jobs.

Texanita Bluitt stated that the Civic Center Plaza does not have support elements for the disabled. Ms. Bluitt also stated that the exit doors at the Kennedy Swim Center are very heavy and make it very difficult for disabled persons to open.

Larry Lewis thanked Vice Mayor Beckles for chaperoning four youth at the Shop-with-a-Cop event. Mr. Lewis also announced that the Annual PAL Luncheon will be on Thursday, February 27, 2014, from 11:30 a.m. to 1 p.m.

Marilyn Langlois stated that all persons should be spoken to with courtesy and respect at all times by City staff. Ms. Langlois also stated that the Richmond Progressive Alliance Members joined Native American Leaders for the "Idle No More Movement" that participated in a march to Chevron.

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

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

*- Adopted **Resolution No. 14-2**, approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule for the period July 2014 to December 2014 (ROPS 14/15A) pursuant to AB 1X26 and AB 1484.

*- Adopted **Resolution No. 14-3**, approving a contract with the Center for Creative Land Recycling (CCLR) in an amount not to exceed \$25,000, and for a term from March 1, 2014, to June 30, 2015, to provide

environmental and program management assistance including but not limited to administrative, audit, regulatory, and grant compliance services related to completion of soil remediation activities at the Miraflores Housing Development site.

*- Adopted **City Council Resolution No. 9-14** and **Successor Agency Resolution No. 14-4**, approving and authorizing: (1) amendment of the 2013-2015 biennial budget for the Officer Bradley A. Moody Memorial Underpass, increasing fiscal year 2013-2014 expenditures by \$9,750,400 to \$28,026,205, decreasing fiscal year 2014-2015 expenditures by \$5,289,206 to \$10,774,193, and reallocating \$4,461,194 of unspent fiscal year 2012-2013 expenditures to fiscal year 2013-2014; and (2) adopted **City Council Resolution No. 10-14** and **Successor Agency Resolution No. 14-5**, for amendment of the construction management contract with The Hanna Group, increasing the payment limit by \$322,645 to a total not to exceed amount of \$4,822,068.

CITY COUNCIL CONSENT CALENDAR

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

*- Received a monthly report on the Richmond Municipal Sewer District for January 2014.

*- Authorized the Port to enter into an amended lease with Intren Inc. for a portion of the warehouse and the land at Terminal 3, 1411 Harbour Way South, for a term of one year, with two options to extend the lease for a period of six months each, providing annual revenue of \$90,000.

*- Approved a sole-source agreement with L.N. Curtis & Sons, the exclusive distributor of Globe Millenia brand personal protective clothing, for the purchase of such personal protective clothing for fire department personnel in an amount not to exceed \$90,000 within a three-year period.

CONTINUED to the March 4, 2014, City Council meeting, a resolution in support of the I-80/Central Avenue Interchange Enhancement Project Phase I concept plan and direct staff to proceed with project implementation using Contra Costa Transportation Authority funds.

* - Adopted **Resolution No. 11-14**, approving a Memorandum of Understanding (MOU) between SEIU Local 1021 and the City of Richmond. The MOU will be effective from July 1, 2013, through March 31, 2016, and provides for a 6% salary increase over a three-year period

*- Introduced an ordinance to establish wages, salaries, and compensation for the classifications represented by the Service Employees' International Union (SEIU Local 1021) in the City's classified service, and repealing Ordinance No. 42-06 N.S.

CONTINUED to the February 25, 2014, City Council meeting, to approve actions relating to the competitive procurement of post-collection processing and disposal services conducted by the West Contra Costa Integrated Waste Management Authority ("RecycleMore"): (1) ADOPT a post-collection service agreement with Richmond Sanitary Services, a subsidiary of Republic Services, Inc. (Republic); (2) APPROVE a collection franchise agreement amendment with Richmond Sanitary Service / Republic; and (3) APPROVE the transfer station franchise agreement with Golden Bear Transfer Services, Inc.

*- Introduced an ordinance amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to increase the solid waste collection rates by 1.56% to reflect the change in the Consumer Price Index (CPI) in accordance with the franchise agreement between the City of Richmond and Richmond Sanitary Service.

*- Approved a sole-source agreement with ECMS, Inc. to clean and repair the Fire Department's personal protective equipment in an amount not to exceed \$15,000 over the next three years.

*- Approved a contract amendment with Architects MA to provide structural design changes and environmental assessments to the Family Justice Center in an amount not to exceed \$13,600, with a total contract amount not to exceed \$158,100 that is included in the Council-approved bond and budget for the project.

A motion by Councilmember Butt, seconded by Councilmember Myrick, approved a construction agreement with Turner Group Construction in an amount not to exceed \$86,795 to renovate the property at 127 South 27th Street using Neighborhood Stabilization Program III (NSP3) funds, and to provide construction-related training and work experience to Richmond BUILD participants.

*- Approved a construction agreement with Turner Group Construction for an amount not to exceed \$424,215 to renovate the property at 411-423 South 23rd Street using Neighborhood Stabilization Program III (NSP3) funds, and to provide construction-related training and work experience to Richmond BUILD participants.

*- Approved the purchase of a technical rescue vehicle from Hi-Tech EVS to replace an existing unit for the Richmond Fire Department for a total cost of \$399,000, and authorize the balance of funding in the amount of \$99,000 to augment \$300,000 in previously-accepted grant funds for this purchase.

*- Approved the minutes of the regular December 17, 2013, City Council Meeting.

*- Adopted **Resolution No. 12-14**, approving the application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection

Bond Act of 2006 (Proposition 84) for development of the Richmond Climate Action Plan.

CONTINUED to the March 4, 2014, City Council meeting, an amendment to the existing on-call design services contract with Harris & Associates to continue pavement designs for the City of Richmond, increasing the term by 12 months to a revised termination date of June 30, 2015, and increasing the contract amount by \$100,000 to a total contract amount not to exceed \$600,000

CONTINUED to the March 4, 2014, City Council meeting, a contract with Liebert Cassidy Whitmore MP in an amount of \$100,000 to continue contract negotiations, legal consultation, and employee training for the period January 1, 2014, through December 31, 2014.

*- Approved the National Joint Powers Association (NJPA) contract with Staples & Commercial, Inc. and the National Cooperative Purchasing Alliance (NCPA) contract with American Office Products Distributors, Inc. (AOPD), with The Office City as the local distributor, in an amount not to exceed \$350,000 per year for the two vendors for a period of three years, with two one-year options to renew.

*- Approved a contract with Baker & Taylor, Inc. authorizing Richmond Public Library to purchase preprocessed library materials, and customized services, not to exceed a total of \$750,000 over the period of fiscal years 2013-14, 2014-2015, and 2015-2016 with the option of two one-year extensions.

* - Adopted **Resolution No. 13-14**, authorizing the utilization of a progressive design-build project delivery method for construction of a wet weather storage facility, with construction costs not to exceed \$17,500,000 and project management costs not to exceed \$850,000, and authorize a contract with Carollo Engineers to lead the progressive design-build team.

CONTINUED to the March 4, 2014, City Council meeting, a 20-year master lease agreement with Golden Solar Power Group (GSPG) for the General Warehouse located at the Point Potrero Marine Terminal, providing for approximately \$4,900,000 of lease revenue to the Port, with the Port retaining the value of the building rehabilitation, and restoration which is anticipated to be a minimum of \$1,000,000.

A three-year license agreement with Nematode Holdings, Inc. to use City-owned property at 2100 Western Drive at Point Molate from March 1, 2014 - February 28, 2017, for the storage of miscellaneous equipment primarily related to the ferry rider's publication "Bay Crossings", a periodical which covers ferry service and the working waterfront scene around the Bay was presented by City Manager, Bill Lindsay. Councilmember Boozé stated that this property could be leased for a higher amount of money. A motion by Councilmember Butt, seconded by Councilmember Beckles, approved the agreement by the following vote: **Ayes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstain:** None. **Absent:** Councilmember Bates.

* - Adopted **Resolution No. 14-14**, to apply for and accept \$249,600 in grant funds from the Bay Area Air Quality Management District (BAAQMD) for the continuation of an employment shuttle service within the City of Richmond.

RESOLUTIONS

The matter to adopt a resolution endorsing the Saffron Strand 2014 Annual Homeless Workforce Conference "Let's Get Serious: Skills, Jobs, Careers as Paths Out of Homelessness and Poverty" taking place June 16-17 at the Richmond Auditorium and waive the rental fee of the Auditorium was presented by Mayor McLaughlin and Councilmember Myrick. The following individuals gave comments: Lenora Brown, Shamar Shankur, Yvonne Nair, Marilyn Langlois, Wesley Ellis, John Garth, Eduardo Martinez, Cassandra Nair, and Fabiola Gonzales. A motion by

Councilmember Myrick, seconded by Vice Mayor Beckles, adopted **Resolution No. 15-14**, by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstain:** None. **Absent:** None.

*(A motion by Mayor McLaughlin, seconded by Councilmember Butt, to move Item L-4 to the beginning of Council As A Whole portion of the agenda, passed by the following vote: **Ayes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmembers Bates and Boozé. **Abstain:** None. **Absent:** None).*

ORDINANCES

The introduction of an ordinance regulating the operation of Second Hand Dealers, including but not limited to "Cash for Gold" businesses, and restricting their location to C-2, General Commercial and C-3, Regional Commercial, zoning districts within the City was presented by Planning Director, Richard Mitchell. A motion by Councilmember Butt, seconded by Councilmember Rogers, introduced said ordinance by the following vote: **Ayes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmembers Bates and Boozé. **Abstain:** None. **Absent:** None.

COUNCIL AS A WHOLE

CONTINUED the matter to discuss and provide direction to staff regarding the amount of funding Holland and Knight obtained for the City of Richmond during the term of their contract.

CONTINUED the matter to discuss and consider directing staff to send a letter to Google inviting them to consider the Port of Richmond for the relocation of the barge currently docked at Treasure Island.

CONTINUED the matter to discuss and consider directing staff to submit a written response regarding a petition from Karki Enterprise Inc. dba: Point Richmond Market and Deli to remove or modify alcohol beverage license conditions.

The matter to approve the second amendment to loan documents with the East Bay Center for the Performing Arts (EBC) to amend the bridge loan and promissory note by: (1) extending the repayment maturity date to no later than June 30, 2018; and (2) providing a grant of \$200,000 per year for the next five years starting in June 2014 to be used as leverage by EBC for raising capital and program funds was presented by Finance Director, Jim Goins. *(A motion by Councilmember Butt, seconded by Vice Mayor Beckles to end debate, passed by the following vote: Ayes: Councilmembers Butt, Myrick, Vice Mayor Beckles, and Mayor McLaughlin. Noes: Councilmembers Bates, Boozé, and Rogers. Abstain: None. Absent: None.* A motion by Councilmember Butt, seconded by Councilmember Myrick, approved the amendment by the following vote: **Ayes:** Councilmembers Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstain:** Councilmember Bates. **Absent:** None.

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 11:34 p.m. in memory of Pam Wimberly and Karen Ewing Mason, to meet again on Tuesday, February 25, 2014, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor