

RICHMOND, CALIFORNIA, October 28, 2008

The Regular Meeting of the Richmond City Council was called to order at 5:17 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Butt, Rogers, Sandhu, Vice Mayor Marquez, and Mayor McLaughlin. **Absent:** Councilmembers Bates, Lopez, Thurmond, and Viramontes.

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

CONFERENCE WITH REAL PROPERTY

NEGOTIATOR (Government Code Section 54956.8): Property: 1320 Canal Boulevard, Richmond, CA 94804
Agency Negotiator: Jim Matzorkis
Negotiating Parties: City of Richmond and Auto Warehousing Co.
Negotiations: Price and Terms of Payment

REDEVELOPMENT AGENCY

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Section 54956.9): One Case

There were no public speakers.

The Open Session adjourned to Closed Session at 5:18 p.m. The Closed Session adjourned at 5:51 p.m. The Regular Meeting of the City Council was reconvened at 7:06 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Butt, Bates, Rogers, Sandhu, Vice Mayor Marquez, and Mayor McLaughlin. **Absent:** Councilmembers Lopez, Thurmond, and Viramontes (Councilmember Lopez arrived at 7:08 p.m.).

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Items F-1 and F-11 from the Consent Calendar.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

None.

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Continued to a later date the presentation of certificates of appreciation to the Latino Peace Officers Association and the Latino Firefighters Association for their contributions to the community. Vice Mayor Marquez and Mayor McLaughlin presented a certificate of appreciation to St. Vincent de Paul organization for their contribution to the community. Porfiria Vazquez of the St. Vincent de Paul organization introduced her staff and thanked the City Council for the certificate of appreciation.

Continued to November 25, 2008, a presentation by East Bay Municipal Utility District (EBMUD) Board President Lesa McIntosh concerning the current water shortage. Councilmember Lopez announced that Ms. McIntosh would not be able to attend the meeting and she requested the community to continue to conserve water.

Mayor McLaughlin presented proclamations honoring American Red Cross Bay Area's Act of Courage Heroes award recipients Michael Harrison, Dante Lee, Fredrick Madden, Espenosa Matthews, and Ricardo Mendoza, for risking their lives to rescue members of the Zaragoza family from a house fire in December 2007. The Zaragoza family was present, and Fred Jackson spoke on this item.

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

City Attorney, Randy Riddle, reported the following:

CITY COUNCIL

**CONFERENCE WITH REAL PROPERTY
NEGOTIATOR (Government Code Section 54956.8):** Property:
1320 Canal Boulevard, Richmond, CA 94804
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Negotiations: Price and Terms of Payment – ***CONTINUED TO
NOVEMBER 18, 2008.***

REDEVELOPMENT AGENCY

**CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION (Initiation of litigation
pursuant to Subdivision (c) of Section 54956.9):** One Case – ***no
reportable action.***

CONSENT CALENDAR

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

A proposed resolution authorizing placement of liens on property tax rolls for unpaid garbage collection service fees was presented. Finance Director Goins gave an overview of the item. Speakers were: Corky Booze and Simms Thompson. On motion of Councilmember Bates, seconded by Vice Mayor Marquez adopted **Resolution No. 121-08** by the following

vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstention:** None. **Absent:** Councilmember Lopez and Viramontes.

*-Adopted **Resolution No. 122-08** approving modification of the stop controls at Garrard Boulevard, Canal Boulevard, and the Burlington Northern Santa Fe (BNSF) Railway yard driveway, changing the existing four-way stop to a two-way stop.

*-Adopted **Resolution No. 123-08** approving the removal of the existing stop control on Regatta Boulevard at Marina Bay Parkway and replacement of this stop control with a right-of-way yield sign for southbound Marina Bay Parkway traffic turning onto Regatta Boulevard.

*-Accepted the work completed by Top Grade Construction, Inc. for the 2007 Pavement Rehabilitation Area A Project at a final construction cost of \$5,240,082.42.

*-Accepted the work completed by Bay Cities Paving and Grading, Inc. for the 2007 Pavement Rehabilitation Area B Project at a final construction cost of \$1,842,100.39.

*-Approved a contract with Muller & Caulfield Architects (M&C) to provide architectural, engineering and construction support services for the retrofit at 2705 Macdonald Avenue to house the Employment & Training Department in an amount not to exceed \$281,893 with a term from November 1, 2008, through June 30, 2010.

*-Approved a contract with Bellecci & Associates Inc. to provide professional design services to assess the structural integrity and develop repair strategies for the roofs at Fire Stations 61, 62, and 64 in an amount not to exceed \$45,000.00.

*-Approved a contract with Mark Albertson, AIA to provide professional design and engineering services for replacement of a damaged roof beam at Booker T. Anderson Center in an amount not to exceed \$13,800.00.

*-Approved amendment of contract with Mark Albertson, AIA Architect to provide professional design and engineering services to remodel Fire Station 68 in an amount not to exceed \$22,930.00 for a total contract amount of \$88,245.00.

*-Approved a contract with Mark Albertson, AIA Architect to design and provide construction support for the installation of two new above-ground fuel stations at Richmond Fire Stations 63 and 68 in an amount not to exceed \$36,050.00.

A proposed contract with ProForce Marketing for the purchase of 20 X26E Tasers, at a total cost of \$17,801.23 was presented. On motion of Vice Mayor Marquez, second by Councilmember Thurmond approved the contract by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, and Vice Mayor Marquez. **Noes:** Mayor McLaughlin. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

*-Acknowledged: (1) the City's receipt of an oversight cost reimbursement account letter that allows the California Regional Water Quality Control Board (CRWQB) to be reimbursed \$135 an hour annually for overseeing the cleanup and abatement efforts at the former Point Molate Naval Fuel Depot, and (2) authorized the city manager to approve payment of the annual invoices for documented costs from the CRWQB.

*-Approved the appointment of Janell Hurd to the Commission on Aging, for a term expiring May 19, 2010.

PUBLIC HEARINGS

None.

OPEN FORUM FOR PUBLIC COMMENT

Naomi Williams requested a status report on the incident that occurred in the Richmond's Parks Department. Human Resource Director Leslie Knight stated an investigation is ongoing and the police have opened a hate crime case.

Corky Booze thanked the mayor for stating she would place an item on the agenda to address moving open forum to an earlier time on the City Council agenda. He also stated that a senior citizen told him that volunteers for Vice Mayor Marquez campaign were taking down Cortland Booze signs and replacing them with John Marquez signs.

Jackie Thompson stated that the outbursts among the City Council need to stop. She asked the Richmond Police Department for assistance with people double parking in the mornings on 37th Street and Stege Avenue.

Jackie Robinson asked that everyone vote on November 4, 2008.

Michael Beer spoke in support of Measure T.

Jerome Smith spoke in support of Measure T.

Margaret Jordan spoke in support of Measure T.

Simms Thompson expressed his disappointment that there are no signs to identify when entering Richmond.

Jovanka Beckles thanked the City Council for the proclamation honoring the young people. She encouraged everyone to become active in the community.

Vice Mayor Marquez stated that he does not authorize volunteers to take down signs. He also stated that he runs a clean campaign.

RESOLUTIONS

None.

ORDINANCES

None.

COUNCIL AS A WHOLE

In the matter to discuss and direct staff to report on the feasibility of implementing the recommendations of the Latino Community Coalition to improve the quality of service to the Latino and Spanish speaking community of Richmond. Mayor McLaughlin and Jorge Lerma gave an overview of the item. Speakers were: Corky Booze, Jackie Thompson, and Mary Spearman. Vice Mayor Marquez stated that the whole city needs services and not just the Latino or Spanish speaking community. Councilmember Bates stated he will not support an independent study that deals with one racial group he is in support of recommendations that includes all ethnicities. Councilmember Thurmond asked staff, in bringing whatever comes forward, to include some consideration for how we can use our budget to provide staff to support the Human Relations Coalition to act proactively on how we nurture Richmond's overall diversity. A motion was made by Mayor McLaughlin, seconded by Vice Mayor McLaughlin to direct staff to report the feasibility of implementing the recommendations of the Latino Community Coalition to improve the quality of service to the Latino and Spanish speaking community of Richmond and to address the needs of all communities in Richmond and to bring in representatives of the Human Rights and Human Relations Commission. The motion passes by the following vote: **Ayes:** Councilmembers Bates, Butt, Lopez, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Viramontes.

In the matter to discuss and establish a policy to allow Councilmembers to respond to personal attacks from the audience. Councilmember Bates gave an overview of the item. Speakers were: Corky Booze, Jackie Thompson, and Jerome Smith. A motion was made by Councilmember Bates, seconded by Vice Mayor Marquez to refer the item to staff for review and evaluation of how other cities handle the issue. Councilmember Thurmond recommended that staff establish a committee to review the level of decorum and professionalism in the City Council Meetings. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Rogers, Sandhu, Thurmond, and Vice Mayor Marquez. **Noes:** Councilmember Butt. **Abstentions:** Councilmember Lopez and Mayor McLaughlin. **Absent:** Councilmember Viramontes.

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 9:05 p.m. to meet again on Tuesday, November 18, 2008, at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor