

RICHMOND, CALIFORNIA, August 2, 2010

The Special Meeting of the Richmond City Council was called to order at 2:04 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Butt, Lopez, Rogers, Viramontes, and Mayor McLaughlin.
Absent: Councilmembers Bates and Vice Mayor Ritterman (Vice Mayor Ritterman arrived at 2:06 p.m.).

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Items F-1, F-2, F-3, F-4, and F-5 from the Consent Calendar.

OPEN FORUM FOR PUBLIC COMMENT

Antwon Cloird expressed his disappointment with the city's use of vendors that are located outside the City of Richmond.

Everett Jenkins expressed his appreciation for the positive and successful celebration of life held on Thursday, July 29, 2010, in honor of former City Manager Leveron Bryant. He encouraged the City Council to place a permanent memorial of Mr. Bryant at City Hall.

Reverend Andre Shumake stated that the Office of Neighborhood Safety should be held accountable.

James Cash spoke in support of keeping Kennedy High School open.

Corky Booze spoke in support of keeping Kennedy High School open. He also expressed his appreciation to City Clerk Diane Holmes for the support she gives candidates. Mr. Booze also stated that the City Council acted unprofessionally at its last meeting.

Raymond Landry expressed his disappointment for the amount of time the City Council spent addressing the medical marijuana issue at the July 27, 2010, meeting.

Jackie Thompson expressed her disappointment for the amount of time the City Council spent on various items at the July 27, 2010, meeting. She also asked the City Council to remember proper etiquette at the dais.

Laura Blair spoke in support of medical marijuana dispensaries.

CITY COUNCIL CONSENT CALENDAR

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

A proposal to approve the Office of Neighborhood Safety (ONS) Vendor Services List (VSL) generated from the Request for Qualifications (RFQ) for Vendor Activities and Workshops (Life Skills and Supportive Services) to provide Life Skills and Supportive Services on an on-call basis for fiscal years July 1, 2010, through June 30, 2013, in an amount not to exceed \$200,000 per vendor per fiscal year was presented. Office of Neighborhood Safety Director DeVone Boggan gave an overview of the item. The following individuals gave comments: Antwon Cloird, Raymond Landry, Jackie Thompson, Reverend Andre Shumake, James Cash, Corky Booze, Sidney Keys, and Patrice Keys. Following discussion, a motion was made by Councilmember Viramontes, seconded by Councilmember Lopez to not approve the list presented by staff; however, keep the 11 vendors that applied so that they do not have to reapply, and extend the opportunity for others to submit grant applications to September 16, 2010, at 5:00 p.m.; direct staff to send out a letter to nonprofits with an outline of the proposal; direct the Director of ONS Devone Boggan to do outreach to nonprofits regarding the RFQ; and place a notice on KCRT that indicates where the bid information was located on the City of Richmond's website. A friendly amendment was offered by Councilmember Butt to grandfather the 11 vendors. The amendment was not accepted. A substitute motion was made by Councilmember Butt, seconded by Mayor McLaughlin to approve the current list and immediately open the list for other potential providers. ONS Representative Tammi Edwards gave comments. Following discussion, Mayor McLaughlin withdrew her second. Councilmember Butt offered a friendly amendment to move forward the three Richmond vendors. The friendly amendment was not accepted. The original motion passed by the following vote: **Ayes:** Councilmembers Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** Councilmember Bates.

A proposal to approve the third contract amendment with Neighborhood House of North Richmond to change the scope of work to align with the Expenditure Plan, increase the payment limit by \$196,912 to an amount not to exceed \$223,762, and extend the contract term to March 31, 2012, in order

to fund specific activities described in the 2010/2011 Amended North Richmond Waste and Recovery Mitigation Fee Expenditure Plan was presented. Management Analyst LaShonda Wilson gave an overview of the item. The following individuals gave comments: Jackie, Thompson, Antwon Cloird, and Corky Booze. Following discussion, on motion of Councilmember Viramontes, seconded by Vice Mayor Ritterman approved a third contract amendment with Neighborhood House of North Richmond by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

A proposal to approve a construction contract with W. Bradley Electric Inc. in the amount of \$726,025, with a contingency and reserve not to exceed \$108,000, for the Park Plaza Neighborhood Series Street Light Conversion Project was presented. Interim City Engineer Edric Kwan along with Contract Employment Program Specialist Gina Baker, and Engineer Joel Camacho gave an overview of the item. The following individuals gave comments: Wilson Lew, David Lau, Mohamad Fararjeh, and Kal Slayteh. Following discussion, on motion of Councilmember Viramontes, seconded by Vice Mayor Ritterman approved a contract with W. Bradley Electric Inc. by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

A proposal to approve a grant award to the Office of Neighborhood Safety (ONS) in the amount of \$382,639 in California Gang Reduction and Intervention Program (CalGRIP III) funding from the California Emergency Management Agency (CalEMA) to confront the issue of gang violence in the City of Richmond was presented. Office of Neighborhood Safety Director DeVone Boggan gave an overview of the item. The following individuals gave comments: Jackie Thompson, Corky Booze, Sidney Keys, and Patrice Keys. On motion of Councilmember Viramontes, seconded by Councilmember Lopez approved a grant award to the Office of Neighborhood Safety by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates. *Staff was directed to schedule a study session or town hall meeting to guide the public through the process of the Bids on Line System.*

A proposal to approve the activities and expenditures associated with the CalGRIP III Grant Award in the amount of \$382,639, to include the right to negotiation and enter into contracts with the City of San Pablo (\$114,791), City of Richmond's

Employment and Training Department (\$66,961), RYSE Inc. (\$114,791), Office of Neighborhood Safety Administrative Cost (\$9,569), and contract services for a Job Development and Placement Specialist (\$76,527) was presented. Office of Neighborhood Safety Director DeVone Boggan gave an overview of the item. The following individuals gave comments: Raymond Landry, Jackie Thompson, Corky Booze, Sidney Keys, and Patrice Keys. On motion of Councilmember Viramontes, seconded by Councilmember Lopez approved the item by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates and Butt.

*-Adopted **Ordinance No. 26-10 N.S.** amending Richmond Municipal Code Chapter 11.86 (Bingo Games) to eliminate the restriction on the number of days per week that an organization may conduct bingo games and to ensure that all charitable bingo gaming is conducted in a manner that preserves the public safety and welfare.

*-Approved a term sheet and directed the city attorney to prepare, and the city manager to execute, a lease with Contra Costa County and a sublease with Solar Richmond consistent with the approved term sheet for 6000 square feet of space at 2730 Maine Avenue, Richmond for use by Solar Richmond as classroom and training space for a term of five-years with an initial expenditure by the city of approximately \$75,000 for tenant improvements to be repaid by Solar Richmond over the term of the lease, and other terms and conditions set forth in the term sheet included in the agenda materials. Councilmember Lopez requested staff provide the justification of public benefit for providing services and money to Solar Richmond. City Manager Bill Lindsay stated that the public benefits are: (1) Solar Richmond is a subcontractor to the RichmondBUILD Project and the location is approximate to the RichmondBUILD facility; (2) Solar Richmond provides specific services which have to do with analysis of municipal solar facilities and it is advantageous to have Solar Richmond located within the city; (3) provides an opportunity for the building to be renovated which is a benefit to the neighborhood; (4) Solar Richmond is not using the entire space and would be co-located with SparkPoint, a new nonprofit enterprise which is funded by United Way and provides a number of programs related to financial literacy; and (5) there is a repayment provision; the total costs is the opportunity costs of investment earnings.

PUBLIC COMMENT

The city clerk announced that the purpose of the Special Afternoon 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 LEGAL
COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section**

54956.9): People of the State of California and the City of Richmond vs. Parle, et al; People of the State of California and the City of Richmond vs. Soto, et al; People of the State of California and the City of Richmond vs. Tiongco, et al; People of the State of California and the City of Richmond vs. Vasquez, et al; People of the State of California and the City of Richmond vs. Kennedy, et al; People of the State of California and the City of Richmond vs. Dayem, et al; People of the State of California and the City of Richmond vs. Estes, et al; and People of the State of California and the City of Richmond vs. Clay, et al.

The following individuals gave comments:

Ken Estes stated that marijuana is a medicine that works for him. He urged the City Council to drop its lawsuit.

Jason Newell distributed statistical information regarding medical marijuana to the City Council and urged the Council to drop its lawsuits.

John Clay spoke in support of medical marijuana.

Robert Newell urged the City Council to consider the law and the needs of the citizens when making its decision.

Fran Moulton spoke in support of medical marijuana.

The Special Afternoon Open Session adjourned to Closed Session at 5:14 p.m. The Closed Session adjourned at 5:43 p.m. and reconvened the Special Meeting of the Richmond City Council.

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

City Attorney, Randy Riddle, stated that the City Council reaffirmed direction given by staff to continue with legal action to close down all illegally operating marijuana dispensaries.

ADJOURNMENT

There being no further business, the
Special Meeting of the Richmond City Council
adjourned at 5:44 p.m.

City Clerk

(SEAL)

Approved:

Mayor