

RICHMOND, CALIFORNIA, July 6, 2010

The Richmond City Council Evening Open Session was called to order at 5:10 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Bates, Butt, Lopez, and Mayor McLaughlin. **Absent:** Councilmembers Rogers*, Viramontes**, and Vice Mayor Ritterman* - (*arrived at 5:13 p.m.; **arrived at 5:18 p.m.)

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9): People vs. Clay, et al. People vs. Soto, et al. People vs. Tiongco, et al. Four cases (service pending)

The following persons gave comments:
Francis Moulton, Lisa Hershorn, Jason Newell, and John Clay.

The Evening Open Session adjourned to Closed Session at 5:33 p.m. The Closed Session adjourned at 6:53 p.m.

The Joint Meeting of the Richmond Redevelopment Agency/Richmond City Council was called to order at 6:54 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag. (*See Redevelopment Minutes RCRA06July2010*).

ROLL CALL

Present: Councilmembers Bates, Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Cordell Jones spoke against violence in Richmond.

Leonard Taylor stated that many video games can now be played on many smart phones.

Mark Wassberg spoke in favor of police checkpoints in Richmond.

Corky Booze gave comments about the ineffectiveness of the Office of Neighborhood Safety.

Jackie Thompson gave comments regarding her visit to the Oakland Museum. Ms. Thompson also stated that there are illegal food vendors on the corner of Cutting & Carlson.

Courtney Cummings thanked the Mayor and Council for its support for the first annual Richmond Pow Wow event.

The following individuals gave comments regarding the recent tragic death of Osama Ayyad: Amena Jandali, Faysa Ayyad, Hebah Ayyad, Diana Ayyad, Manal Ayayd, and Zee Handoush.

The following individuals spoke in favor of keeping medical marijuana dispensaries open in Richmond: Jason Newel, Lisa Hirschorn, Robert Newell, Amanda Schow, Warren Taylor, Kyle Powell, Andrew Collins, and John Clay.

Simms Thompson stated that city government needs to be held accountable for taxes paid by citizens versus services that are actually provided.

AJ Jelani, President of the Belding Woods Neighborhood Council, stated that the Richmond's Got Talent Show will be held on July 23, 2010, in the Richmond Civic Auditorium.

James Walker stated that the July 3rd Fireworks event was excellent.

AGENDA REVIEW

Removed Items H-3, H-4, H-7, H-8, H-12, H-13, H-14 and H-15 from the Consent Calendar. Item K-1 was removed from the agenda and continued to the July 20, 2010, City Council meeting.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

The Council received an update from Communities Organized to Save Adult School (COSAS) on the status of adult education in West Contra Costa County. Roberto Reyes and Eduardo Martinez gave comments.

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

Assistant City Attorney, Scott Dickey, stated there were no reportable actions taken. Mayor McLaughlin stated that there will be a draft ordinance presented to the City Council on July 20, 2010, regarding medical marijuana dispensaries. Jackie Thompson gave comments.

**REDEVELOPMENT AGENCY BOARD
CONSENT CALENDAR**

*(See Redevelopment Minutes
RCRA06July2010).*

CITY COUNCIL 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 one-year agreement with the Contra Costa District Attorney's Office to provide one of the two assistant district attorneys assigned to, and housed within, the Richmond Police Department for the Police-Prosecutor Liaison Program, to assist in the preparation and review of criminal cases, as well as other services, at a cost not to exceed \$200,000 from April 1, 2010, to March 31, 2011. (This item was reviewed by both the Public Safety Committee and the Finance Committee, and was recommended for approval of a one-year contract).

* - Approved a two-year contract with York Insurance Services Group, Inc. - California for Workers' Compensation claims adjusting services in an amount not to exceed \$1,070,350 beginning in FY 2010-2011 and ending in FY 2011-2012. (This item was reviewed and recommended for approval by the Finance Committee at its June 4, 2010, meeting).

The matter to approve a contract with Wadsworth Glass Co. for the board up of abandoned officers' homes at Point Molate in an amount not to exceed \$55,000 was presented. A motion by Councilmember Rogers, seconded by Councilmember Lopez, approved the contract by the unanimous vote of the Council.

The matter to approve a contract with Ki Research Institute (KRI) to deliver conflict resolution training for the Richmond Public Library's Literacy for Every Adult Project (L.E.A.P) in an amount not to exceed \$12,000 annually to continue Ki training with L.E.A.P. students through June 30, 2013 was presented by Monique Le Conge. Millie Cleveland and James Walker gave comments. A motion by Councilmember Bates, seconded by Councilmember Viramontes,

approved the contract by the unanimous vote of the Council.

* - Approved an amendment to the contract with Straight Talk on Prison (STOP) for academic coordination based on the receipt of the Bridges to Success Drop Out Prevention and Academic Support Grant. The contract term will be extended through December 31, 2011, and the contract amount will be increased by \$42,000 to an amount not to exceed \$72,000.

* - Approved an amendment to the contract with RYSE Center to provide health, wellness and academic support services to qualifying West County youth. The contract term will be extended through June 30, 2011, and the contract amount will be increased by \$25,000 to an amount not to exceed \$30,000.

The matter to approve a contract with the Latina Center in an amount not to exceed \$27,124, funded by the CalGRIP II grant, to provide health and leadership services to adolescents in Richmond area middle and high schools for a term from April 1, 2010 through March 31, 2011 was presented by Devone Boggan. Jackie Thompson gave comments. A motion by Councilmember Viramontes, seconded by Vice Mayor Ritterman, approved the contract by the unanimous vote of the City Council.

The matter to contract with Jane Lofgren, dba Central Cleaning, for restroom cleaning services at Jay & Barbara Vincent Park, Shimada Park, Lucretia Edwards Park, Nevin Park, Nicholl Park, and North Richmond Ballfield in an amount not to exceed \$15,300. The contract term will be from July 1, 2010, to June 30, 2011 was presented by Yader Bermudez. A motion by Councilmember Viramontes, seconded by Vice Mayor Ritterman, approved the contract by the unanimous vote of the City Council.

* - Approved the purchase from PROFORCE MARKETING Inc. for additional and replacement X26E Tasers and cartridges at a cost not to exceed \$84,000 (\$28,000 per year, for three years) for FY 2010 through FY 2013. This action requires an exception be made to Resolution 55-10, which directs that city staff refrain from doing business with any company based in Arizona until SB 1070 is repealed, since the sole source for this item is Taser, International and Proforce Marketing, located in the State of Arizona.

* - Approved the Construction Access, Property Use, and Restoration License Agreement ("Agreement") by and between the West Contra Costa County Unified School District ("District") and the City of Richmond for the District's use of a portion of the softball field located at Martin Luther King Jr. Park for the installation of a construction staging area for the Nystrom Elementary School Multi-Purpose Building and staff parking lot, and pedestrian access for students and staff until October 2011, or until the completion of

the Nystrom Elementary School Multi-Purpose Building Project; and AUTHORIZE the city manager or his designee to enter into the Agreement with the District.

* - Adopted **Resolution No. 77-10** adopting rules and regulations implementing Chapter 2.50 of the Richmond Municipal Code, entitled the Business Opportunity Ordinance, to promote the goals and intent of the ordinance previously adopted by the City Council.

The matter to adopt an ordinance (second reading) setting wastewater user rates for fiscal years 2011-2012 through 2013-14, establishing annual rate increases of 5% for each of these three fiscal years was presented by Chad Davisson, Engineering Department. Corky Booze gave comments. Councilmember Viramontes stated that she will vote against the proposed rate increase. A motion by Vice-Mayor Ritterman, seconded by Mayor McLaughlin, adopted **Ordinance No. 22-10**, by the following vote: **Ayes:** Councilmembers Bates, Butt, Lopez, Rogers, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** Councilmember Viramontes. **Abstentions:** None. **Absent:** None.

The matter to adopt an ordinance (second reading) amending Chapter 9.17 of the Richmond Municipal Code related to the use of food ware by Richmond food providers to: (a) include technical revisions regarding elimination of the use of the term "Biodegradable;" (b) inclusion of cutlery items required to be compostable; and (c) inclusion of an exemption for food ware for which there is no suitable alternative was presented by Jennifer Ly, Sustainability Intern. A motion by Councilmember Viramontes, seconded by Mayor McLaughlin, adopted **Ordinance No. 23-10**, by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** None.

The matter to approve the following appointments and re-appointments: Commission on Aging: Janell Hurd, incumbent, term expiring May 19, 2012; Barbara Scott-Jackson, incumbent, term expiring May 19, 2012; Eli Williams, incumbent, term expiring May 19, 2012; Planning Commission: Charles Duncan, incumbent, term expiring June 30, 2012; Jeff Lee, incumbent, term expiring June 30, 2012; Ben Choi, filling vacant seat, term expiring June 30, 2012; Andres Soto, filling vacant seat, term expiring June 30, 2012 was presented. Councilmember Bates stated that he does not support the appointment of Andres Soto to the Planning Commission. A motion by Councilmember Butt, seconded by Vice Mayor Ritterman, approved the appointments by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** Councilmember Bates – voted 'no' to the appointment

of Andres Soto only. **Abstentions:** None. **Absent:** None.

The matter to adopt a resolution authorizing the city manager to increase the city's bridge financing to the Rosie the Riveter Trust, or an affiliated wholly-owned for-profit entity, raising the not to exceed loan amount from \$2,000,000 to \$3,100,000 for the renovation and rehabilitation of the historic Maritime Day Care Center, and to enter into a loan agreement and related documents for such purposes was presented. Rhonda Harris gave comments. A motion by Councilmember Viramontes, seconded by Vice Mayor Ritterman, adopted **Resolution No. 78-10**, by the unanimous vote of the City Council.

PUBLIC HEARINGS

The city clerk announced that this was the time set, pursuant to published notice, to conduct a public hearing to receive public comment regarding the matter to conduct a public hearing to consider adopting a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, foreclosure ordinance fines, maintaining abandoned houses, and weed and rubbish abatements pursuant to Richmond Municipal Code Chapters 9.22, 2.63, 6.38, and 9.50. Code Enforcement Manager, Tim Higaes, gave an overview of the matter. The Mayor declared the public hearing opened. Leonard Taylor gave comments and Lori Sousie and Karen Oliver spoke against placement of liens on their properties. A motion by Councilmember Butt, seconded by Councilmember Lopez, closed the public hearing by the unanimous vote of the Council. A motion by Councilmember Butt, seconded by Councilmember Rogers, adopted **Resolution 79-10**, and removed Lori Souise and Karen Oliver from the lien list.

RESOLUTIONS

The matter to adopt a resolution to opposing the \$11.1 billion water bond officially titled "Safe, Clean, and Reliable Drinking Water Supply Act of 2010" on the November 2010 ballot was presented. A motion by Councilmember Viramontes, seconded by Mayor McLaughlin, adopted **Resolution No. 80-10**, by the unanimous vote of the Council.

ORDINANCES

CONTINUED to the July 20, 2010, City Council meeting, the matter to adopt an ordinance (first reading) amending Richmond Municipal Code Chapter 6.06.074 to require special approval prior to demolition of a structure more than 50 years old.

COUNCIL AS A WHOLE

The matter to direct city officials and staff to adhere to the policy regarding presentations, proclamations and commendations that was adopted by City Council Resolution No. 2-07 effective January 16, 2007, amended by Resolution No. 69-09 was presented by Councilmember Bates. The following persons gave comments: Jackie Thompson, Corky Booze, and Rhonda Harris. Discussion ensued. Mayor McLaughlin stated that she will try to limit presentations to three per agenda and that if there is an unusually large number of presentation that a special meeting may be called to deal with them.

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

Diane Holmes, City Clerk, announced that the filing period for obtaining documents for running for City Council will open at 8:30 a.m. on Monday, July 12, 2010, and will close at 5:00 p.m. on Friday, August 6, 2010. Packets can be obtained in the City Clerk’s Office.

Councilmember Lopez stated that the July 3rd Fireworks show was a great success. She also informed that starting this month food waste will be collected in the green bins.

City Manager, Bill Lindsay, stated that the City Council retreat is scheduled for Tuesday, July 20, 2010, from 1 p.m. – 4 p.m. at the Courtyard by Marriot.

Mayor McLaughlin congratulated the (Literacy for Every Adult Program (LEAP) graduates.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:02 p.m. in memory of Diedra Katz, wife of Paul Katz, and countywide library advocate; Retired Lt. Tony Zantelli, past president of the Richmond Police Officers Association; and homicide victims Asama Ayyad, Alan Torres, and Douglas Crosley to meet again on Tuesday, July 20, 2010, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor