

**RICHMOND, CALIFORNIA, November  
16, 2010**

The Richmond City Council Evening  
Open Session was called to order at 5:08 p.m.

**ROLL CALL**

**Present:** Councilmembers Butt, Lopez,  
Vice Mayor Ritterman, and Mayor McLaughlin.  
**Absent:** Councilmembers Bates, Rogers, and  
Viramontes (Councilmembers Bates, Rogers, and  
Viramontes arrived after adjourning to Closed  
Session).

**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 - EXISTING LITIGATION  
(Subdivision [a] of Government Code Section  
54956.9):** Vigil vs. City of Richmond; Booker vs.  
City of Richmond; Jenkins vs. City of Richmond; and  
City of Richmond vs. The Employment Risk  
Management Authority

**CONFERENCE WITH LABOR  
NEGOTIATORS (Government Code Section  
54957.6):** Unrepresented employee(s): City Manager  
City Designated Representative: Randy Riddle

There were no public speakers.

The Evening Open Session adjourned to Closed  
Session at 5:09 p.m. The Closed Session adjourned at  
6:31 p.m.

The Joint Meeting of the Richmond  
Redevelopment Agency/Richmond City Council was  
called to order at 6:37 p.m. by Mayor McLaughlin  
who led the Pledge of Allegiance to the Flag. (*See  
Redevelopment Minutes RCRA16Nov2010*).

**ROLL CALL**

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

**STATEMENT OF CONFLICT OF INTEREST**

None.

## **OPEN FORUM FOR PUBLIC COMMENT**

Texanita Bluitt expressed her concern for the need of wheelchair access in Laural Park Area.

Mohania Williams invited everyone to the town meeting every Thursday at 730 p.m. in Parchester Village.

Corky Booze thanked those who voted for him during the election and says he will work with the community.

Jackie Thompson gave comments and distributed a copy of an anonymous hate letter she received to the Councilmembers.

Bishop Andre Jackson gave comments regarding street sweep on Cutting Boulevard.

Mark Wassberg stated that traffic checkpoints need to be reinstated in Richmond.

Margaret Judkins gave comments regarding a school district bond tax that is being charged on senior citizens property taxes. Ms. Judkins also announced that there will be a public hearing on Wednesday, November 17, 2010, at Lavonya De Jean Middle School to discuss the matters. If senior citizens want to remove the CL tax, they may call 1-800-273-5167.

Dennis Dalton gave comments regarding speeding bikers in the Marina Esplanade area. Mr. Dalton also stated that he is impressed by the attitudes of the outgoing Councilmembers.

Mary Williams thanked the Councilmembers for all the work they have done.

Andres Soto thanked the voters of Richmond for voting the way they did.

Reverend Kenneth Davis thanked the residents of Richmond for the way they voted.

Leonard Taylor announced that the Richmond Rescue Mission will host a Thanksgiving dinner. He thanked the outgoing Councilmembers and welcomed the new.

Simms Thompson gave comments regarding street lights that are in disrepair throughout the City.

Michael Beer gave comments regarding pro-business.

Billy Alexander stated that it was a disgrace that Mayor McLaughlin was re-elected because she was anti-business.

Herk Schusteff gave comments regarding how people can become successful through consensus building and compromise.

Naomi Williams stated that the annual Richmond Neighborhood Coordinating Council's Annual Christmas Party will be held on December 13, 2010, at 3230 Macdonald Avenue. Ms. Williams asked that participants donate unwrapped toys for ages 0-12 for the Richmond Fire and Police Holiday Toy Program. There was also a need for slightly used clean coats and jackets for the Greater Richmond Interfaith Program (GRIP). The coats can be dropped off at Wilson and Kratzer Mortuary.

Michael Parker thanked the Richmond Police Department and regarding the way they handled situations that occurred at various polling places on Election Day Code Enforcement and .

Eduardo Martinez thanked the citizens of Richmond for voting no on the casino.

Rhonda Harris stated that she will continue to work with the newly elected Councilmembers. Ms. Harris also thanked all her volunteers and contributors.

Juan Reardon congratulated the Mayor and those who won the election.

### **AGENDA REVIEW**

Items I-1, I-3, I-5, I-7, I-14, and I-20 were removed from the Consent Calendar. Item J-1 was withdrawn from the agenda. Item K-2 will be heard before K-1 and K-3 will be heard last.

### **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Mayor McLaughlin presented a proclamation to the Richmond Community Foundation, recognizing November 12 through 18, 2010, as National Community Foundation Week.

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

City Attorney Randy Riddle reported that he has a conflict of interest on a reportable item; therefore, City Manager Bill Lindsay gave the following report:

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):** Vigil vs. City of Richmond (*the City Council authorized legal council to seek judicial review from the California Supreme Court by unanimous vote*).

## CONSENT CALENDAR

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

The matter to consider adopting a resolution accepting a grant from the California Emergency Management Agency (Cal-EMA) in the amount of \$228,488 (which includes an in-kind match from the City in the amount of \$57,122) for one full-time sexual assault victims' advocate provided by Community Violence Solutions (CVS) and one full-time domestic violence victims' advocate provided by STAND! Against Domestic Violence, both of whom are to be located at the Richmond Police Department and partial salary and training costs for Richmond Police Department personnel was presented. This grant is for the period of January 1, 2010, to December 31, 2010. A motion made by Councilmember Viramontes, seconded by Vice Mayor Ritterman adopted **Resolution No. 122-10** by the unanimous vote of the Council.

\*-Approved the sole source purchase of fire apparatus repair services from Hi-Tech EVS, in an amount not to exceed \$60,000 per fiscal year for a term extending from Fiscal Years 2010-2011 through 2013-2014.

The matter to consider approving a contract with ABC Security Service, Inc. to provide unarmed security services for the Richmond Public Library in an amount not to exceed \$44,000 for the period beginning July 1, 2010, and ending February 28, 2011 was presented. Corky Booze gave comments. A motion by Councilmember Viramontes, seconded by Vice Mayor Ritterman, approved the contract by the unanimous vote of the Council.

\*-Approved a contract with the Omega Boys Club (Street Soldiers) to launch the Alive and Free Richmond Program through the Office of Neighborhood Safety's (ONS) California Gang Intervention Program (CalGRIP) in an amount not to exceed \$30,000. The contract term is from November 1, 2010, to March 31, 2011.

The matter to consider adopting a resolution approving the Office of Neighborhood Safety (ONS) Vendor Services List, generated from the Request for Qualifications (RFQ), for the provision of life skills training and supportive services on an as-needed 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 by Tammi Edwards, Office of Neighborhood Safety. The following individuals gave comments: Jackie Thompson, Corky Booze, Simms Thompson, Amanda Pruitt, Saleem Bey, Kenny Franklin, and McKinley Ross. A motion was made by Councilmember Rogers, that this matter return to the City Council at the next regular meeting in order so that the City Manager respond to questions raised by the

public speakers. There was no second to the motion. On motion of Councilmember Viramontes, seconded by Councilmember Lopez approved **Resolution No. 123-10** and added that any amount up to \$50,000 per vendor return to the City Council for approval by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmember Bates. **Absent:** None.

\*-Approved a contract with LC Action Police Supply to provide 150 fitted Safariland Second Chance Summit Series Threat Level IIIA ballistic vests in an amount not to exceed \$119,628.75.

The matter to consider adopting an ordinance amending the ordinance regulating Medical Marijuana Collectives adopted on September 21, 2010, to: (1) eliminate the requirement that a Medical Marijuana Collective submit a Determination Letter from the Franchise Tax Board indicating that the Collective is exempt from income taxes; (2) clarify and make technical amendments to that ordinance; and (3) state that collectives operating without a permit as of December 31, 2010, will be ineligible to apply for a permit was presented. The following individuals gave comments: Simms Thompson, Ken Estes, Lisa Hirschorn, Armando Soto, Carlos Plazola, Laura Blair, and John Marquez. There will be a resolution regarding the rating criteria placed on the December 7, 2010, agenda. On motion of Councilmember Butt, seconded by Vice Mayor Ritterman adopted **Ordinance No. 31-10 N.S.** by the unanimous vote of the Council.

\*-Approved an amendment to the contract with The Glen Price Group to develop proposal content, drafts, and attachments necessary to submit final copies of grant applications to various state and federal agencies or other funders by the agreed upon target dates. The contract term will be October 1, 2010, through December 31, 2011. The contract amount will be increased by \$63,000 for a contract amount not to exceed \$72,000.

\*-Approved an amendment to the contract with Contra Costa County, Opportunity West to provide additional case management and reporting services for the Workforce Investment Act client enrollments; and assist the Youth Services Division with the coordination of transportation services for client activities. The contract term will be May 4, 2010, through June 30, 2011. The contract amount will be increased by \$12,000 for a contract amount not to exceed \$76,165.

\*-Approved an amendment to the contract with Brian Liston to supervise tenant improvements at 500 23rd Street, oversee the RichmondBUILD graduates providing the labor for the improvements, and provide instructional services on an as-needed basis. The contract amount would be increased by \$2,000 for a not to exceed amount of \$32,000.

\*-Adopted **Resolution No. 124-10** authorizing the City of Richmond to continue its participation in the Contra Costa Clean Water program and authorizing the City Manager to execute the Contra Costa Clean Water Program 2010-2025 Agreement.

\*-Approved a professional services contract with DCMI to provide design review services for the Atlas Road Bridge Project in an amount not to exceed \$13,900.

\*-Adopted **Ordinance No. 32-10 N. S.** amending Richmond Municipal Code Chapter 6.06 to require evaluation for historical significance prior to demolition of a structure more than 50 years old and changing the name of the Historic Preservation Advisory Committee to the Historic Preservation Commission.

The matter to introduce an ordinance amending the wages, salary, and compensation for the classification of Code Enforcement Manager (Salary Range No. 069E: \$8,556 - \$10,400/month) for first reading and was presented. On motion of Councilmember Butt, seconded by Councilmember Lopez said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Bates, Butt, Lopez, Rogers, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Viramontes.

\*-Approved the minutes for the July 6, 2010, September 28, 2010, and October 5, 19, and 26, 2010, meetings.

\*-Approved the following appointments and re-appointments: Commission on Aging: Dolores Johnson (filling unexpired term of David Rohrer, who resigned), term expiring May 19, 2011; Bettye Randle, term expiring May 19, 2012; Arts and Culture Commission: Andrew Ting, term expiring January 31, 2015; Historic Preservation Advisory Committee: Donald Bastin, Incumbent, term expiring December 2, 2012; Richard Borjes, Incumbent, term expiring July 31, 2012; Recreation and Parks Commission: Diego Garcia, Incumbent, term expiring October 26, 2013; Connie Portero, Incumbent, term expiring October 26, 2013; Vorrieece Anthony Cooper, term expiring October 26, 2013.

\*-Adopted **Resolution No. 125-10** approving the forms of and authorizing the execution and delivery of a lease purchase agreement and a purchase contract relating to the issuance of Qualified Energy Conservation Bonds (QECBs) to finance energy efficiency improvements at city facilities.

\*-Approved an agreement with Portland State University (PSU), authorized the Library and Cultural Services Director to accept the Broadband Technology

Opportunity Program (BTOP) grant in the amount of \$396,659, and approved an amendment to the FY 2010-2011 operating budget to increase library fund revenue and expenditures in the amount of \$396,659 for the purpose of providing computer literacy and expanded internet access to Richmond residents.

\*-Approved the use of the National Joint Powers Association (NJPA) Office Supply contract with Staples Contract and Commercial, Inc. and the US Communities Contract with Radstons Office Supply in an amount not to exceed \$450,000 per year for the two vendors for a period of three-years.

The matter to approve two grant-funded contracts for domestic violence/sexual assault victims advocates to be located at the Richmond Police Department, one with STAND! Against Domestic Violence in the amount of \$82,943 and the other with Community Violence Solutions in the amount of \$69,533, for the period between January 1, 2010, and December 31, 2010. Funding for both these contracts have been disbursed to Richmond Police Department by the State of California Emergency Services Agency was presented. A motion made by Councilmember Viramontes, seconded by Vice Mayor Ritterman, approved by the unanimous vote of the Council.

### **ORDINANCES**

*Withdrew from the Agenda* a proposed an ordinance declaring a moratorium on the acceptance, processing and approval of applications to establish formula retail and/or formula restaurants in the Point Richmond Neighborhood Commercial (C-1) District until the earlier of: (1) such time as a zoning amendment addressing formula retail and formula restaurants becomes effective; or (2) Tuesday, January 3, 2012.

### **COUNCIL AS A WHOLE**

The City Council received a report and presentation by Amanda Elliott about the Main Street Initiative Summer Youth Entrepreneur Program. Ms. Elliot presented a PowerPoint about the program. Fred Jackson and Jovanka Beckles gave comments.

The City Council received a presentation by Arts and Culture Commission of the winners of Richmond Writes! writing competition. Kate Sibley and Michelle Seville gave an overview of the competition. Mayor McLaughlin presented awards to the winners. Jovanka Beckles congratulated the participants.

In the matter to discuss the recently approved wireless communications tower in the Hilltop residential community and the concerns of the local residents relative to public safety Councilmember Bates gave an overview. City Planner, Lina Velasco, gave an overview of the issue. The following individuals gave

comments: Terry Ito, Beverly Hunt, George Ito, Paul Park, and Shirley Cotton. Members of the public opposed the project after the appeal period was over. Councilmember Butt suggested that this matter be discussed with East Bay Municipal Utility District since the proposed tower is planned to be placed on their property. A motion made by Councilmember Viramontes, seconded by Mayor McLaughlin to direct staff to agendaize this matter for a closed session on December 7, 2010; send an official letter to EBMUD to ask that the lease not be approved and that they look for an alternate location; amend the existing ordinance regarding the 100 square foot limit requirement from homes and schools, passed by the unanimous vote of the City Council.

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

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:14 p.m. in memory of Kamron LeJon Bluit-Edwards to meet again on Tuesday, December 7, 2010, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor