

**RICHMOND, CALIFORNIA, January 4,
2011**

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

ROLL CALL

Present: Councilmembers Butt, Vice
Mayor Ritterman, and Mayor McLaughlin.
Absent: Councilmember Rogers; Councilmember
Bates arrived at 5:09 p.m.; Councilmember Lopez
arrived at 5:15 p.m.; and Councilmember
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):** Communities for a Better Environment vs.
City of Richmond

**CONFERENCE WITH LABOR
NEGOTIATORS (Government Code Section
54957.6):** City-designated representatives(s): Bill
Lindsay, Leslie Knight, Jack Hughes, Lisa
Stephenson, and Bruce Soublet. Employee
organization or unrepresented employee(s):
Richmond Fire Management Association and Local
188

There were no public speakers.

The Evening Open Session adjourned to Closed
Session at 5:09 p.m. The Closed Session adjourned at
6:00 p.m.

The Joint Meeting of the Richmond Housing
Authority/Richmond Community Redevelopment
Agency/Richmond City Council was called to order at
6:32 p.m. by Mayor McLaughlin who led the Pledge
of Allegiance to the Flag (*See HA RCRA CC 11Jan4*).

The Joint Meeting of the Richmond
Redevelopment Agency/Richmond City Council was
called to order at 6:34 p.m. (*See also RCRA4Jan2011*)

ROLL CALL

Present: Councilmembers Bates, Butt,
Lopez, Viramontes, Vice Mayor Ritterman, and
Mayor McLaughlin. **Absent:** Councilmember
Rogers arrived at 6:42 p.m.

STATEMENT OF CONFLICT OF INTEREST

Councilmember Butt stated that the West Contra Costa Unified School District was his client and he would recuse himself from voting on Item H-1.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor stated that 2010 was one of the City of Richmond's lowest crime years.

Naomi Williams thanked Mayor McLaughlin, Councilmember Bates, and department heads for attending the Christmas lunch sponsored by Southside Plus One. She also thanked Mayor McLaughlin and her spouse for feeding the hungry on Christmas day with the Greater Richmond Interfaith Program (GRIP). She also thanked everyone that donated to GRIP. Ms. Williams also thanked the railroad and the city for the fence along Carlson Boulevard. She also expressed concern for the safety improvements needed on Cutting and Carlson Boulevards.

Paul Miao expressed concern regarding the City of Richmond's policy regarding pedestrian crossing at railroad tracks.

Corky Booze thanked Edna Campbell and all volunteers that feed people on Christmas day.

Sims Thompson expressed his concern for the missing lights on 23rd Street.

Mike Ali stated that the citizens of Richmond need jobs.

Charlotte McIntire stated that the citizens of Richmond need jobs.

Jackie Thompson encouraged families to get involved within their communities. She also requested that the City Council address the left-turn signal needed at Carlson and Cutting Boulevards.

Chantay Scott expressed her concern regarding the poor conditions at the Richmond fishing pier.

Eleanor Thompson stated that she is pleased with the outcome of the November 2010 election. She also thanked everyone for their donations to Social Process Inc.

Jerome Smith read a poem entitled "The Friend Who Just Stands By" by B. Y. Williams.

Jessica Tovar distributed copies of an article featuring Senior Scientist Greg Karras that was published in American Chemical Society Environmental Science and Technology Journal, regarding combustion emissions from refining lower quality crude; what is the global warming potential?

AGENDA REVIEW

Removed Redevelopment Agency Item F-1 and City Council Items G-4, G-6, G-9, G-12, and G-15 from the Consent Calendars; Continue Item G-4 to January 18, 2011; and Withdrew Item I-3 from the Agenda.

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

City Attorney Randy Riddle reported that there were no reportable actions.

CONSENT CALENDAR

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

A proposed contract with West Bay Builders, Inc. for an amount not to exceed \$355,560 for the completion of the renovation of the Richmond Natatorium, bringing the total payment under construction contracts to \$7,654,455 and authorizing acceptance of the work as complete was presented by for Project Manager Rich Davidson on behalf of Interim City Attorney Edric Kwan. The following individuals gave comments: Corky Booze, Bea Roberson, and Jackie Thompson. Councilmember Lopez requested that the operations of the plunge be reviewed in terms of equity and accessibility. Mayor McLaughlin directed the Recreation Department to submit a report to the Parks and Recreation Commission and to the City Council regarding maintaining the proper temperature of the pool, pricing concerns, and disinfecting of the pool. On motion of Councilmember Viramontes, seconded by Vice Mayor Ritterman approved the contract by the unanimous vote of the Council.

*-Approved a contract amendment with Kronick, Moskovitz, Tiedemann & Girard, Professional Corporation, to provide legal services pertaining to the city's intervention in the Chevron property tax appeal litigation, increasing the contract limit by \$15,000, bringing the total amount of the contract to \$25,000.

*-Authorized the city manager to enroll in the National Research Center's National Citizen Survey Program in order to conduct a 2011 survey of City of Richmond residents at a cost not to exceed \$30,000.

Continued to January 18, 2011, the matter to approved the 2010-2012 tow service contracts with: (1) Freeman's Tow Service; (2) A&D Towing; (3) Oliver's Tow #A; (4) Certified Towing; (5) Civic Center Auto Care; (6) Pick N Pull; and (7) S&S Trucking & Towing and Storage for the term November 1, 2010, through

October 31, 2012, and adopt a resolution raising the maximum tow fees from the levels approved in 2005 to rates consistent with other area jurisdictions.

*-Approved a contract with State Tree Experts for the removal of trees at various sites in the City of Richmond in an amount not to exceed \$10,650. The contract term will be from January 5, 2011, to June 30, 2011.

A proposed Contract Amendment No. 1 with Willdan Financial Services to provide professional services related to the administration of the Hilltop Landscape Maintenance District and the Marina Bay Landscape and Lighting Maintenance District in an amount not to exceed \$14,500 was presented by Public Works Director Yader Bermudez. The proposed contract term is from July 1, 2011, to June 30, 2012. Sims Thompson gave comments. On motion of Councilmember Bates, seconded by Councilmember Viramontes approved the contract by the unanimous vote of the Council.

*-Adopted **Resolution No. 2-11** ordering the preparation of the Engineer's Report for Fiscal Year 2011-2012 regarding improvements and costs for the Hilltop Landscape Maintenance District.

*-Adopted **Resolution No. 3-11** ordering the preparation of the Engineer's Report for Fiscal Year 2011-2012 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District.

A proposed ordinance amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to increase the solid waste collection rates to reflect a 1.01% change in the Consumer Price Index (CPI). Revenue Manager Antonio Banuelos gave an overview. On motion of Councilmember Butt, seconded by Vice Mayor Ritterman adopted **Ordinance No. 01-11 N.S.**, by the unanimous vote of the Council.

*-Approved an amendment to the agreement with George Hills Company, Inc. for liability claims adjusting services to establish the compensation for the second and third years of the agreement at an amount not to exceed \$150,000 and \$160,000, respectively, for a total not to exceed \$310,000, for the contract period of November 1, 2010, through October 31, 2012.

*-Adopted **Ordinance No. 02-11 N.S.**, amending the wages, salary, and compensation for the classification of Code Enforcement Manager (Salary Range No. 69E: \$8,556 -\$10,400/month).

Proposed contracts not to exceed \$500,000 each over a three-year period with: (1) BKF Engineers; (2) Harris and Associates, Inc.; (3) Nichols Consulting Engineers; (4) Pakpour Consulting Group, Inc.; (5) Psomas Engineering; and (6) URS Engineering for on-call design services, and authorize the city engineer to

approve and issue work authorizations directing each firm to work on specific projects based on the firm's specialties and qualifications was presented. Engineer Joel Camacho gave an overview of the item. On motion of Vice Mayor Ritterman seconded by Councilmember Butt approved the contracts by the unanimous vote of the Council.

*-Approved a contract with Sandra H. Smith, Ph.D, to continue providing pre-employment psychological evaluations of police department employment candidates at a cost not to exceed \$40,000 from January 1, 2011, to December 31, 2012 (\$20,000 per year for a two-year term).

*-Approved the purchase of Mobile Field Force police safety equipment from Galls Police Supply in the amount of \$31,192, and the expenditure of JAG Grant Funds for this purchase.

A proposal to authorized the Port Director's travel to China at a cost not to exceed \$6,000 to continue the business development plan with the Port of Zhoushan, and to explore the potential for China auto manufacturing entering the U.S. market through the Port of Richmond's recently renovated automobile facility was presented by Port Director Jim Matzorkis. Margaret Jordan gave comments. Mayor McLaughlin requested trip reports for Mr. Matzorkis' past two international trips, upcoming, and future trips. On motion of Councilmember Viramontes, seconded by Councilmember Lopez authorized the trip by the unanimous vote of the Council.

*-Approved the following re-appointments: Housing Advisory Commission: Helen Hall, Incumbent, term expiring November 1, 2012; Police Commission: Nemy Bautista, Incumbent, term expiring November 1, 2013; Richmond-Zhoushan Friendship Commission: Katrinka Ruk, Incumbent, term expiring July 22, 2012.

*-Adopted **Resolution No. 4-11**, revising and re-titling the classification of Industrial Waste Inspector to Source Control Inspector I; revising and re-titling the classification of Senior Industrial Waste Inspector to Source Control Inspector II; and establishing the new classification of Source Control Inspector III in the Engineering Department. This item is a re-titling of two existing classifications and the creation of a lead position, as legally required by the Regional Water Quality Control Board.

*-Introduced an ordinance for first reading establishing the wages, salary, and compensation for: (1) the new classification of Source Control Inspector I (Salary Range No. 047D: \$5,302 - \$6,367/month); (2) the new classification of Source Control Inspector II (Salary Range No. 054B: \$5,758 - \$6,965/month); and (3) the new classification of Source Control Inspector III (Salary Range No. 059B: \$6,241 - \$7,662/month). This item is a re-titling of two existing classifications

and the creation of a lead position, as legally required by the Regional Water Quality Control Board.

*-Adopted **Resolution No. 5-11**, amending the City of Richmond Position Classification Plan to add the new classification of Richmond Housing Authority Contract Administrator.

*-Introduced an ordinance for first reading establishing the wages, salary, and compensation for the new classification of Richmond Housing Authority Contract Administrator (Salary Range No. 055D: \$5,993 - \$7,242/month)

*-Approved the minutes for the December 7, 2010, meeting.

RESOLUTIONS

In the matter to adopt a resolution in support of the West Contra Costa Unified School District's application to the Board of Education of the State of California for a waiver request from Education Code Sections 15106 and 15270 (a) regarding statutory bonding capacity Mayor McLaughlin gave an overview. School Board Superintendent Dr. Harder and Richmond resident John Marquez gave comments. On motion of Councilmember Rogers, seconded by Councilmember Lopez adopted **Resolution No. 6-11** by the following vote: **Ayes:** Councilmembers Bates, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

COUNCIL AS A WHOLE

In the matter to consider an increase in funding for major festivals in 2011 and provide direction to staff Councilmember Lopez gave an overview. The following individuals gave comments: Corky Booze, Bea Roberson, Rafael Madrigal, John Marquez, and Jerome Smith. Vice Mayor Ritterman and Mayor McLaughlin stated that they could not support the increase due to the uncertainty of the budget. Mayor McLaughlin also stated that the festivals should show accountability for their spending. Following discussion, a motion was made by Councilmember Lopez, seconded by Councilmember Viramontes to increase funding with an amendment to include that checks will be distributed when all receipts are received. City Manager Bill Lindsay stated that the issue should be discussed at the mid-year review of revenues. He also stated that the planners of the festivals should provide a contingency of what the additional funds would provide. The motion failed by the following vote: **Ayes:** Councilmembers Bates, Lopez, and Viramontes. **Noes:** Councilmembers Butt, Rogers, Vice Mayor Ritterman, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

In the matter to receive a report regarding the options that may be available to modify the existing governing structure of the Richmond Municipal Sewer District and provide direction to staff a representative of Colantuono and Levin gave a report. Corky Booze and Eduardo Martinez gave comments. Councilmember Viramontes suggested options: Three, adopt an ordinance to form a board or commission to advise the City Council in its role as the District's governing body); or four, form a Council subcommittee to advise the Council in its role as the District's governing body. A motion was made by Vice Mayor Ritterman, seconded by Mayor McLaughlin to accept the report. A substitute motion was made by Councilmember Rogers, seconded by Councilmember Lopez to direct the city manager to consult with Engineer Chad Davisson and come back to the City Council with recommendations to help legislate more effectively in the area structuring of the Richmond Municipal Sewer District. The substitute motion did not include option two, to propose a charter amendment to the voters of the City to create a Board of Public Works to govern the District, and was approved by the unanimous vote of the Council.

Withdrew from the agenda the matter to approve a Fire Management classification increase not to exceed 7% effective January 1, 2010 - This classification adjustment affects five individuals, for a total estimated cost not to exceed \$55,000.

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

Vice Mayor Ritterman reported that he completed Ethics Training.

Councilmember Lopez thanked the City of Richmond, the community, and staff for the opportunity to serve on the Richmond City Council.

Mayor McLaughlin invited everyone to attend the Swearing-In Ceremony for the reelected and newly-elected City of Richmond officials, Tuesday, January 11, 2011, at 6:30 p.m. at the Richmond Memorial Convention Center, 403 Civic Center Plaza.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:05 p.m., in memory of Helen Aims, aunt of City Employee Richard Lee, and Geraldine Doyle, to meet again on Tuesday, January 18, 2011, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor