

**RICHMOND, CALIFORNIA, February 15,
2011**

The Richmond City Council Evening
Open Session was called to order at 5:11 p.m.

ROLL CALL

Present: Councilmembers Bates, Beckles,
Boozé, Rogers, Vice Mayor Butt, and Mayor
McLaughlin. **Absent:** Councilmember Ritterman.

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):** Chevron USA
Inc. et al vs. City of Richmond

**CONFERENCE WITH LEGAL COUNSEL
- ANTICIPATED LITIGATION (Initiation of
litigation pursuant to Subdivision (c) of Government
Code Section 54956.9):** Two cases

**CONFERENCE WITH LABOR
NEGOTIATORS (Government Code Section
54957.6):** Employee organization or unrepresented
employee(s): International Association of Fire Fighters
(IAFF) Local 188; City designated representative(s):
Leslie Knight, Jack Hughes, Lisa Stephenson, and
Michael Banks

There were no public speakers.

The Evening Open Session adjourned to
Closed Session at 6:13 p.m. The Closed Session
adjourned at 6:28 p.m.

The Joint Meeting of the Richmond
Community Redevelopment Agency/Richmond City
Council was called to order at 6:54 p.m. by Mayor
McLaughlin (*See HA RCRA CC 11Feb15*).

ROLL CALL

Present: Councilmembers Bates, Beckles,
Boozé, Rogers, Vice Mayor Butt, and Mayor
McLaughlin. **Absent:** Councilmember Ritterman.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Amy Anderson stated that government combat weapons were being used on United States citizens and requested help from the City Council because she feels she is being stalked.

Judy Reis spoke in regards to high tech crime, organized stocking, and harassment.

Nancy Servis thanked Mayor McLaughlin and Redevelopment Director Steve Duran for attending the opening at the Richmond Art Center. She also thanked the City of Richmond for supporting the Richmond Arts Center and invited the community to attend Arts Alive! A Benefit Gala to be held at the Richmond Art Center on March 26, 2011, at 7:00 p.m.

Kenneth Davis requested support from the community for burn victim Deja James. Contact Kimmie James at (510) 776-6154, or 1547 7th Street, Richmond, CA.

Simms Thompson expressed concern for light poles that are being tagged with graffiti throughout the City of Richmond.

Jackie Thompson thanked everyone who supported and shared Valentine's Day with the seniors at Friendship Manor.

Havrinder Sing Kalsi was visiting from India seeking justice for his brothers that were murdered in December 2007. He requested a meeting with Mayor McLaughlin and provided a letter to her attention.

Eleanor Thompson requested information regarding how individuals may apply for training for the jobs that will be available at the Port. She also thanked Leslie Knight for the jewelry she provided to the girls in Social Progress Inc.

Antwon Cloird stated that Richmond residents need concrete information in order to become more aware of jobs available within the City of Richmond.

Texanita Bluit stated that the Latural Park Neighborhood Council was sponsoring a reception on February 26, 2011, at Easter Hill Methodists Church from 3:00 to 5:00 p.m. to allow the community an opportunity to get to know each other as well as an opportunity to meet City of Richmond Officials.

Darlene Ford encouraged the City Council to place checks and balances on hiring individuals for the retention and duration of the new project with Auto Warehousing Company.

Larry Lewis invited everyone to attend the Richmond Police Activities League's (PAL) Annual Luncheon on February 24, 2011, from 11:30 a.m. to 1:00 p.m. at 2200 Macdonald Avenue. He also stated that the San Francisco Giant's World Series Trophy would be displayed for public viewing in the lobby of the Richmond Auditorium on February 23, 2011, from 2:00 p.m. to 4:30 p.m. He also stated that PAL would be sponsoring a boxing tournament at the Richmond Auditorium on February 19, 2011, from 2:00 p.m. to 6:00 p.m.

John Marquez thanked Officer Larry Lewis for his work with the youth within the City of Richmond. He also expressed concern regarding an individual that comes before the City Council and spreads discriminating information regarding Latinos. Mr. Marquez requested that the Council do something to discourage this individual from spreading his anger and hatred.

AGENDA REVIEW

Removed ItemG-5 from the Consent Calendar, to be heard at the end of the agenda.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin read a proclamation honoring Richmond resident and social justice activist Fred Jackson. Mr. Jackson gave comments and introduced his family. The following individuals gave comments: Jorge Lerma and Terrance Cheung read a letter from Supervisor John Gioia proposing that Filbert Street in the City of Richmond and 3rd Street in Contra Costa County be rename Fred Jackson Way or Street in honor of Fred Jackson. Speakers continued with John Marquez, Jackie Thompson, Eleanor Thompson, Antwon Cloird, Roxanne Cerrillo, Janie Anker, Clarence Van Hook, Ellen Gailing, Amanda Elliott, and Latressa Alford who read remarks on behalf of Congressman George Miller in honor of Fred Jackson. Speakers continued with: Barbara Becnel, Patrick Foster, Councilmembers Beckles, Booze, Rogers, Bates, Butt, and Mayor McLaughlin.

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 during Closed Session.

CONSENT CALENDAR

On motion of Councilmember Booze, seconded by Councilmember Beckles all item marked with (-*) were approved by the following vote: **Ayes:**

Councilmembers Bates, Beckles, Booze, Rogers, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Ritterman and Vice Mayor Butt.

*-Approved a contract with the Richmond Art Center to support ongoing arts programs and collaborations with the City of Richmond in the amount of \$60,000 as allocated in the FY 2010-11 operating budget.

*-Approved a contract with the East Bay Center for Performing Arts to support ongoing arts programs and collaborations with the City of Richmond in the amount of \$60,000 as allocated in the FY 2010-11 operating budget.

*-Approved a contract with the National Institute for Art and Disabilities to support ongoing arts programs and collaborations with the City of Richmond in the amount of \$60,000 as allocated in the FY 2010-11 operating budget.

*-Approved a contract with A-N West, Inc. Consulting Engineers to provide on-call plan review support services for the Planning and Building Services Department in an amount not to exceed \$95,000, with all costs passed through to project owners.

A proposal to approve a contract with LSA Associates, Inc. for \$24,785 in Transportation Development Act Article 3 grant funds to cover the cost of environmental review of the Bicycle Master Plan was presented by Planning and Building Services Department Director Richard Mitchell. This item was pulled from the Consent Calendar; however, the citizen that pulled the item was no longer at the meeting when the item was read for discussion. On motion of Councilmember Bates, seconded by Councilmember Rogers approved the contract with LSA Associates, Inc. by the unanimous vote of the following vote: **Ayes:** Councilmembers Bates, Beckles, Booze, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Ritterman.

*-Approved the following appointments and re-appointments: Commission on Aging: Mary Peace Head, Incumbent, term expiring May 19, 2011; Arts and Culture Commission: Janis Mara, term expiring January 31, 2015; Community Development Commission: Courtney Cummings, representing the Iron Triangle Neighborhood, term expiring March 21, 2014; Lisa Stevenson-Johnson, who is resigning as NAACP representative and being appointed as at-large representative, term expiring March 21, 2012; Eleanor Thompson, representing the North Richmond/Shields-Reid Neighborhood, term expiring March 21, 2014; Planning Commission: Roberto Reyes, filling the unexpired term of Jovanka Beckles, term expiring June 30, 2011.

*-Approved an amendment to the contract with Morrison & Foerster to provide remediation, litigation and development counsel for Point Molate to increase the amount of the contract by \$300,000, with funding from the Navy for remediation related legal services, from the developer for any California Environmental Quality Act (CEQA) or other project approval litigation as required by the Land Disposition Agreement (LDA) and from the developer and the city's Point Molate account for development related services, and to extend the term of the agreement for one additional year until June 2012.

ORDINANCES

A proposed ordinance amending Chapter 15.04.200 of the Richmond Municipal Code to correct typographical errors and expand the definition of small recycling centers to include clothing donation boxes for recycling textiles was introduced for first reading by Planning and Building Services Department Director Richard Mitchell. Following discussion, on motion of Councilmember Bates, seconded by Councilmember Booze said ordinance received first reading and was laid over for two weeks for the second reading by the following vote: **Ayes:** Councilmembers Bates, Beckles, Booze, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Ritterman.

A proposed urgency ordinance declaring a 45-day moratorium on the acceptance, processing and approval of applications to establish new outdoor vendors in any zoning district within the City of Richmond was presented by the Planning and Building Services Department Richard Mitchell and Associate Planner Hector Rojas. Simms Thompson and Jackie Thompson gave comments. Following discussion, on motion of Councilmember Booze, seconded by Councilmember Beckles adopted **Urgency Ordinance No. 7-11 N.S.** by the following vote: **Ayes:** Councilmembers Bates, Beckles, Booze, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Ritterman.

RICHMOND REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL AS A WHOLE

Items I-1(a) and (b) were heard together. In the matter to review the Mid-Year Budget Financial Forecast and adopt resolutions approving the proposed FY 2010-11 budget adjustments, City Manager Bill Lindsay introduced Finance Manager James Goins and staff who gave a presentation which included a PowerPoint Presentation. Mayor McLaughlin acknowledged Ellen Gailing for some of the pictures featured in the PowerPoint Presentation. Vice Mayor/Vice Chairperson Butt referenced page six of the Capital Improvement Program (CIP) regarding the Port Terminal Three improvements. He stated that the

budget shows a revised amount of \$3.7 million and that the city received a grant for the project in the amount of \$2.5 million. He stated that the latest cost estimate was approximately \$3.7 million and the budget was for almost 3.8 million. Vice Mayor Butt estimated that the Port had only spent approximately \$1 million in design fees. Mr. Lindsay stated that the budget and scope of work was being revised to match the grant received and staff would submit a report to reflect the revisions. Vice Mayor Butt also requested staff look into placing money aside for a police substation at Cutting and Carlson Boulevards. Staff expected to come back to the City Council with a specific site, plans, and a funding source. Councilmember/Boardmember Bates directed staff to form a committee to focus on costs of pensions, health care costs, a teeter program, and extending the retirement age. Staff expected to come back to the City Council with specific direction to address Councilmember Bates issues. Councilmember/Boardmember Booze directed staff to adjust the mid-year budget to install a refrigerator, boiler, elevator, and a sound system in the Richmond Auditorium. He also directed staff to prepare the parks within the City of Richmond for use in the summer, address lighting issues on Cutting Boulevard and at City Hall, and expand outreach areas for the Office of Neighborhood Safety within the City of Richmond. Councilmember/Boardmember Booze also directed staff to move money from the Downtown Metro Walk Project to the Southside. Mayor/Chairperson McLaughlin stated that the current agenda item was only a review of the current budget and that any additional items proposed could be considered for the 2011/2012 budget. Mr. Lindsay recommended not programming the small access funds the city currently has in order to have some operating contingency going forward between now and the end of the fiscal year. He stated that he would not recommend including the above requests in the new budget; however, they should be evaluated in the context of the overall CIP. He stated that staff could develop cost estimates for the additional items. Councilmember/Boardmember Bates requested that staff review the policy of staff-issued cell phones and city automobiles. Councilmember Rogers directed staff to prepare a presentation of options to address potholes. The City Council also directed staff to provide a report of how much money was available in the Redevelopment area in downtown Richmond. On motion of Councilmember/Boardmember Booze, seconded by Councilmember/Boardmember Rogers adopted **City of Richmond Resolution No. 11-11** approving the proposed FY 2010-11 budget adjustments with additional information on the Port and the Southside Police Substation and **Redevelopment Agency Resolution No. 11-5** approving and adopting the mid year adjustments to the Five-Year 2010-2015 Capital Project and Program Budget for the Agency in the amount of \$90,997,000 by the following vote: **Ayes:** Councilmembers/Boardmembers Bates, Beckles, Booze, Rogers, Vice Mayor/Vice Chairperson Butt, and Mayor/Chairperson McLaughlin. **Noes:** None.

Abstentions: None. **Absent:** Councilmember/
Boardmember Ritterman.

In the matter to direct staff to draft documents as required to modify the organizational structure of the West County Agency and provide further direction to staff Vice Mayor Butt gave an overview. A motion was made by Vice Mayor Butt, seconded by Councilmember Booze to direct staff to modify the organization structure of the West County Agency. Rosemary Corbin gave comments. A friendly amendment was offered by Councilmember Rogers to direct the city manager to research any pending consequences. The amendment was accepted. City Attorney Everett Jenkins gave comments on the history of the Joint Powers Authority. The motion passed by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmember Bates. **Absent:** Councilmember Ritterman.

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

Councilmember Rogers announced that former City Councilmember David MacDiarmid passed away on February 15, 2011, and asked that the meeting be adjourned in his memory.

Councilmember Booze offered his condolences to Mrs. MacDiarmid and requested that Mayor McLaughlin adjourn the meeting in memory of Sherman Workman. He stated that the Black History Program at the Heritage Senior Center and North Richmond Senior Center was great. Mr. Booze also stated that the Valentine's Day Dinner/Christmas Party at Friendship Manor was also great. Councilmember Booze reported that he attended the 10th Annual New Partners for Smart Growth Conference in Charlotte, North Carolina from February 3 through 5, 2011.

Vice Mayor Butt reported that he also attended the 10th Annual New Partners for Smart Growth Conference in Charlotte, North Carolina from February 3 through 5, 2011.

Councilmember Bates announced that long-time Richmond resident Betty Riley passed away and asked that the meeting be adjourned in her memory.

Mayor McLaughlin announced that the Art of Living Black Exhibit was on display at the Richmond Art Center. She also announced that the Richmond Art Center's Arts Alive! 75 Anniversary Benefit Gala would be held on March 26, 2011. She also invited everyone to the Fourth Annual International Women's Day event on March 12, 2011, at the Richmond Auditorium.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:29 p.m. in memory of David MacDiarmid, Sherman Workman, and Betty Riley to meet again on Tuesday, February 22, 2011, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor