

**RICHMOND, CALIFORNIA, April 19,
2011**

The Joint Meeting of the Richmond Community Redevelopment Agency/Richmond City Council was called to order at 6:39 p.m. by Mayor McLaughlin who led the Pledge to the Flag.

ROLL CALL

Present: Councilmembers Beckles, Boozé, Rogers (arrived at 6:50 p.m.), Ritterman, Vice Mayor Butt, and Mayor McLaughlin.
Absent: Councilmember Bates.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor stated concern that the Safeway grocery store on San Pablo and Macdonald Avenues will be closing in 2012.

Mark Wassberg stated that the proposed tax rate increase is a scam and people should vote no.

Cordell White complained about panhandlers consistently located at 7-Eleven.

Don Gosney stated that the City Council needs to take a close look at how they can conduct themselves at meetings more efficiently.

Simms Thompson gave comments regarding many areas in the City that need improvement.

Rev. Kenneth Davis stated that Richmond should be considered one Richmond and not divided into various areas.

Kevin Lewis gave comments regarding the death of his nephew and feels Richmond can be a better place.

Juan Reardon thanked the Mayor and Chief Magnus for listening to the concerns of the day laborers on 23rd Street.

Eleanor Thompson requested an update regarding a youth fund the Mayor proposed in the past.

Jackie Thompson gave comments regarding the parking of delivery trucks in front of businesses that block the path for persons to access the sidewalks.

AGENDA REVIEW

Items H-3, H-4, and H-9 were continued to the May 3, 2011, City Council meeting. Items G-1, H-7, H-11, H-12, and H-14 were removed from the Consent Calendar.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin read a proclamation honoring outgoing Housing Advisory Commission Chairperson Anntheia Farr. Ms. Farr thanked the Mayor and Council for the recognition. Cordell White and Jackie Thompson gave comments.

Mayor McLaughlin read a proclamation recognizing April as Sexual Assault Awareness Month and presented it to Florence Davis, representative from Community Violence Solutions. Cordell White and Jackie Thompson gave comments.

REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR

On motion of Boardmember/Councilmember Ritterman, seconded by Boardmember/Councilmember Boozé adopted **Resolution No. 11-7**, authorizing the execution of a 10-year Master Agreement and Program Supplements with the California Department of Transportation providing for access to transit funding from several funding sources, including the Traffic Congestion Relief Program ("TCRP") and the State Transportation Improvement Program ("STIP"), for funding of Redevelopment Agency sponsored transit projects by unanimous vote.

CITY COUNCIL CONSENT CALENDAR

*-Approved a contract with the Richmond Police Activities League (RPAL) to provide client services to address the issue of gang violence in Richmond in an amount not to exceed \$174,000 and for a term from April 1, 2011, through March 30, 2012 (This item was not reviewed by the Finance Standing Committee due to cancellation of its April 1, 2011, meeting).

*-Approved an amendment to the contract with Burke, Williams, & Sorensen, LLP for legal representation in the lawsuit Jandali vs. City of Richmond, increasing the contract amount by \$15,000 for a total of \$25,000.

CONTINUED TO MAY 3, 2011, to approve a contract with West Yost & Associates to conduct a flow study concerning how to eliminate the use of the overflow structures during storm events for sanitary sewer overflows at Harbour Way South and Wright Avenue, and to determine areas of high inflow and infiltration during dry weather at high tide in an amount not to exceed \$50,000.

*-**CONTINUED TO MAY 3, 2011**, to adopt a joint resolution of the City Council and the Surplus Property Authority of the City of Richmond approving a lease with the General Services Administration, for the National Park Service (NPS), for the storage of the vessel Wapama at Graving Dock No. 3. The term is for five years at a lease rate of \$7,500 per month with a 5% increase after the first two years.

*-Adopted **Resolution No. 28-11**, amending the City of Richmond's Position Classification Plan to add the new classification of Wastewater/Stormwater Manager. This position will replace the existing three-year term position of Wastewater Contract Administrator.

*-Introduced an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Wastewater/Stormwater Manager (Salary Range No. 071A: \$9,240 - \$11,232/month). This position will replace the existing three-year term position of Wastewater Contract Administrator.

The matter to approve a contract with Brookside Health Community Health Center, Inc. to provide health screening services for RichmondBUILD Green Careers Academy participants. The contract amount will not exceed \$36,627 and the contract term will be April 19, 2011, through December 31, 2011 was presented. A motion by Councilmember Ritterman, seconded by Councilmember Beckles, approved the contract by the unanimous vote of the City Council.

*-Accepted the project funding from East Bay Municipal Utility District (EBMUD) in the approximate amount of \$235,000, to reimburse the City for the cost of work completed on EBMUD's facilities related to the Carlson Boulevard Project, and appropriated these funds to the project construction budget.

CONTINUED TO MAY 3, 2011, to approve a contract with DP Security Services, LLC to provide unarmed security services related to rentals at various recreation facilities for a period of three years in an amount not to exceed \$50,000 beginning November 18, 2010, and ending June 30, 2013, and authorize payment for prior services rendered between June 3, 2010, to November 17, 2010.

*-Adopted the Via Verdi Restoration Project budget of \$12,000,000 for FY 2009/2010 through FY 2012/2013 (This item was not reviewed by the Finance Standing Committee due to cancellation of its April 1, 2011, meeting).

The matter to approve Contract Amendment No. 1 with Bay Cities Paving and Grading, Inc., to construct temporary channel improvements related to the Via Verde sinkhole repair increasing the contract value by \$676,067.19 for a total amount not to exceed \$1,650,831.49 was presented. (This item was not reviewed by the Finance Standing Committee due to cancellation of its April 1, 2011, meeting). Councilmember Booze stated that Bay Cities routinely do not hire City of Richmond residents. This work has already been done on an emergency basis and all work is complete and have hired 11% of Richmond residents. Councilmember Rogers requested a review of the City's emergency contract procedures. A motion made by Councilmember Ritterman, seconded by Councilmember Boozé, approved the contract amendment by the unanimous vote of the City Council.

The matter to approve an amendment to the contract with Nichols Consulting Engineers, Chtd. of Richmond for additional engineering consulting work for the final phase of the Via Verdi Restoration Project. The contract value will increase by \$865,000 for a total of \$1,365,000, and will set an expiration date of June 30, 2014 was presented. (This item was not reviewed by the Finance Standing Committee due to cancellation of its April 1, 2011, meeting). Councilmember Boozé stated that this item should have been presented to the Finance Committee first. City Engineer, Edric Kwan replied that this matter is time sensitive and the Finance Committee meeting was cancelled. A motion made by Councilmember Boozé, seconded by Councilmember Ritterman, approved the contract by the unanimous vote of the City Council.

*-Approved a contract with Alpha Corp, dba SIRE Technologies, to upgrade the SIRE System, adding a new voting system for the City Council, Minutes Plus, Committee Manager, an Action Summary to post online the results of the Council's actions for each meeting, and import and provide online access to all City resolutions, ordinances, and minutes. The total contract amount will not exceed \$92,645 for a contract period of May 1, 2011, through May 31, 2012.

The matter to approve a two-year contract with Just Fencing, Inc. for as-needed fencing services to expedite the securing of vacant properties related to code enforcement activity in an amount not to exceed \$30,000 per year was presented. A motion made by Councilmember Boozé, seconded by Councilmember Ritterman, approved the contract by the unanimous vote of the City Council.

*-Approved the minutes for the March 1, 2011, meeting.

PUBLIC HEARINGS

City Clerk, Diane Holmes announced that it was time pursuant to public notice to hold a public hearing in the matter to adopt Order of Vacation No. 907, vacating the cul-de-sac portion of South 4th Street, north of Cutting Boulevard and south of Interstate 580. City Engineer, Edric Kwan, gave an overview of the matter. Mayor McLaughlin declared the public hearing open. There were no public speakers. A motion by Councilmember Ritterman, seconded by Councilmember Beckles, closed the public hearing by the unanimous vote of the City Council. A motion by Councilmember Ritterman, seconded by Vice Mayor Butt, adopted **Order of Vacation No. 907**, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Ritterman, Rogers, Vice Mayor Butt and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstentions:** None. **Absent:** None.

City Clerk, Diane Holmes announced that it was time pursuant to public notice to hold a public hearing to (1) CONDUCT a joint City Council and Redevelopment Agency Board public hearing to receive testimony regarding the proposed 2011-2012 Annual Consolidated Action Plan for the Community Development Block Grant Program (CDGB) and Home Investment Partnership Program (HOME), which are funded by the U.S. Department of Housing & Urban Development (HUD); (2) ADOPT a City Council resolution approving the Annual Consolidated Action Plan and authorizing the submittal of the 2011-2012 Annual consolidated Plan to the U.S. Department of Housing and Urban Development (HUD) and recognizing that the funding allocations listed in this report are estimates that will be finalized and adjusted once HUD releases its official funding to the City of Richmond; (3) ADOPT a Richmond Community Redevelopment Agency Board resolution for the administration of the CDBG and HOME Programs that also authorizes the executive director to negotiate and execute all contracts with vendors and professional services consultants as detailed in the Agenda Report, and to make any adjustments to the recommendations to ensure HUD funds are allocated in their entirety was presented by Patrick Lynch, Housing and Community Development Director. Mayor McLaughlin declared the public hearing open. There were no public speakers. A motion by Councilmember Boozé, seconded by Councilmember Beckles, closed the public hearing by the unanimous vote of the City Council. A motion by Councilmember Boozé, seconded by Councilmember Ritterman, adopted Redevelopment Agency **Resolution No. 11-8** and City Council **Resolution No. 29-11**, by the unanimous vote of the City Council.

City Clerk, Diane Holmes announced that it was time pursuant to public notice to hold a public hearing to (1) CONDUCT a joint City Council and Redevelopment Agency Board public hearing to receive testimony regarding two proposed amendments to the

2010-2011 Annual Consolidated Plan for the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME) and the Neighborhood Stabilization Program (NSP), which are funded by the U.S. Department of Housing & Urban Development; (2) ADOPT a City Council resolution approving the Citizen Participation Plan and the NSP-3 Substantial Amendment as two official amendments to the 2010-2011 Annual Plan; and (3) ADOPT a Redevelopment Agency resolution approving the Citizen Participation Plan and the NSP-3 Substantial Amendment as two official amendments to the 2010-2011 Annual Plan and Home Investment Partnership, (CDBG) (HOME), Annual Consolidated Plan was presented by Patrick Lynch, Housing and Community Development Director. Mayor McLaughlin declared the public hearing open. There were no speakers from the public. A motion by Councilmember Boozé, seconded by Councilmember Ritterman, closed the public hearing by the unanimous vote of the City Council. A motion by Councilmember Ritterman, seconded by Councilmember Beckles, adopted **Redevelopment Agency Resolution No. 11-9** and **City Council Resolution No. 30-11**, by the unanimous vote of the City Council.

RESOLUTIONS

The matter to adopt a resolution expanding the South Richmond Planned Development Area (PDA) to support a grant application submitted to the Metropolitan Transportation Commission (MTC) for station area planning around the El Cerrito Del Norte BART and Cutting Boulevard was presented by Lori-Reese Brown. A motion by Councilmember Boozé, seconded by Councilmember Ritterman, adopted **Resolution No. 31-11**, by the unanimous vote of the City Council.

The matter to adopt a resolution in opposition of a policy of retreat from existing urban areas in the face of predicted rising sea levels posed by climate change was presented. The following individuals gave comments: Don Gosney, Maria Alegria, Henry Washington, and Rick Alcaraz. A motion by Councilmember Boozé, seconded by Councilmember Beckles, adopted **Resolution No. 32-11**, by the unanimous vote of the City Council.

ORDINANCES

The matter to introduce an ordinance amending Chapter 9.24 of the Richmond Municipal Code to eliminate the requirement to obtain a permit from the health department before keeping bees or maintaining an apiary within the City of Richmond was presented by Vice Mayor Butt. Bea Roberson and Eduardo Martinez gave comments. A motion by Vice Mayor Butt, seconded by Councilmember Rogers, said ordinance received first reading and was laid over for two weeks for the second reading by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

The matter to discuss and provide an update regarding the City of Richmond's current enforcement approach and action plan regarding graffiti on Union Pacific Railroad property east of I-580 and on the sound wall along Carlson Boulevard was presented by Tim Higaes, Code Enforcement Manager who stated that sound wall along Carlson Boulevard has been a persistent challenge to the City for many years. The majority of the graffiti along the 580 corridor is on private property and, in most cases, is only accessible by trespassing onto Union Pacific property. The graffiti on the sound wall along Carlson is the responsibility of CalTrans; however, abatement is only possible by accessing Union Pacific property. Accessing any railroad right-of-way without a flagman is not only illegal, but extremely dangerous, as these are live and active rails that continually facilitate trains running at speeds of up to 70 miles per hour. Union Pacific has pledged to partner with the City to develop a plan that will successfully curtail the graffiti and blight that plagues these locations. In the short term, Union Pacific has agreed to a monthly abatement access agreement. There is now a direct contact person who can schedule access for graffiti removal on a monthly basis. Additionally, Union Pacific has agreed to address the overgrown vegetation and dumping that has occurred on their right of way. Finally, Union Pacific Police will be working with Richmond Police to set up "Trespasser Blitz" operations to catch graffiti artists and illegal dumpers in the act of vandalism. Some of the long-term plans for the 580 corridor that staff will be discussing and bringing back to the City Council for consideration are: Graffiti proof fencing; Increased vegetation along fences to deter graffiti; Graffiti sensor and camera installations; Affected business and homeowner inclusion in the City of Richmond Graffiti program. Councilmember Rogers requested an update be given to the City Council in one month.

The matter to discuss and direct staff to observe a moratorium on painting over any existing murals on private property that have been painted with permission of the property owner until such time as a policy for community-based public art on private property has been adopted by the city, and apply this moratorium to the previously existing mural at 8th Street and the Richmond Greenway, with the understanding that the city will provide up to \$1,000 for the cost of paint so that the Gompers students can re-paint it was presented by Mayor McLaughlin who gave a PowerPoint presentation. A member from the RYSE Center also presented a PowerPoint. The following individuals gave comments: Bea Roberson, Cordell White, Phillip Mehas, Rev. Kenneth Davis, Tarnel Abbott, Liz Watts, Eduardo Martinez, Roberto Reyes, Juana Anker, Charles Smith, Margaret Browne, and Alejandra Perez. A motion made by Mayor McLaughlin, seconded by Councilmember Ritterman, approved the item, by the unanimous vote of the City Council.

The matter to direct staff to spend Southside anti-crime funds in accordance with Chief Magnus' recommendation, not on a planned Police Substation was presented by Councilmember Rogers. *(Councilmember Boozé recused himself from discussion on this matter)*. Councilmember Rogers stated that at the March 22, 2011 City Council meeting, the Council considered two proposals to create a Southside Police Substation. The Northern and Central policing districts of the city have substations and there is interest in improving the presence of the police on the Southside of the community and Councilmember Rogers read that he wants to clarify the confusion/controversy about what Chief Magnus' opinion was on this matter with the following: "Richmond Police Chief Chris Magnus indicated to the City Council that in his professional opinion, a substation is not the best way to use taxpayer dollars to reduce crime on the Southside. The Southside needed a substation like the other districts already have, but that it wasn't the best use of funding for the purpose of specifically reducing crime. He indicated the best crime-fighting efforts were dependent on having adequate personnel as well as the right kind of programs and services." The following individuals have comments: Cordell White, Eduardo Martinez, Jackie Thompson, Rev. Kenneth Davis, and Juan Reardon. Discussion ensued. Councilmember Rogers stated that he would not make a motion on the item due to confusion regarding what Chief Magnus' opinion is on how the funds should be used, and the lack of support by the City Council. A motion by Mayor McLaughlin, seconded by Councilmember Beckles that staff disregard a planned police substation and spend Southside funds in another anti-crime manner, passed by the following vote: **Ayes:** Councilmembers Beckles, Ritterman, and Butt. **Noes:** Councilmember Rogers. **Absent:** Councilmember Bates and Councilmember Boozé recused.

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

Councilmember Rogers stated that he and Councilmember Butt attended the Annual ABAG meeting.

Councilmember Boozé stated that he attended baseball games with the youth over the weekend and thanked Chris Chamberlain, Parks & Landscaping, for fixing the baseball diamonds.

Mayor McLaughlin stated that the Spring Egg Hunt at City Hall and at the Solano Play Lot were wonderful events. Mayor McLaughlin also announced that at 10 a.m. on Saturday, April 23, 2011, the North Richmond Little League Baseball/Softball Team will have its opening day parade starting on Vernon Avenue and Filbert Street.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 p.m. to meet again on Tuesday, April 26, 2011, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor