

**RICHMOND, CALIFORNIA, April 12,
2011**

The Richmond City Council Evening
Open Session was called to order at 5:54 p.m.

ROLL CALL

Present: Councilmembers, Boozé,
Rogers, Vice Mayor Butt, and Mayor
McLaughlin. **Absent:** Councilmembers Bates,
Beckles, and 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):** Jandali vs. City
of Richmond; Thomas, et al. vs. City of Richmond

**CONFERENCE WITH LEGAL COUNSEL
- ANTICIPATED LITIGATION (Significant
exposure to litigation pursuant to Subdivision (b) of
Government Code Section 54956.9):** One Case

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

There were no public speakers.

The Evening Open Session adjourned to
Closed Session at 5:55 p.m. The Closed Session
adjourned at 7:03 p.m.

The Special Meeting of the Richmond Housing Authority was called to order at 7:08 p.m. by Mayor McLaughlin. (*See HA 11Apr12*)

The Meeting of the City Council was called to order at 7:11 p.m. by Mayor McLaughlin.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Jackie Thompson complained about excessive train horn noise along Carlson Boulevard. Ms. Thompson also commented that neither the police department nor any other person she contacted knew why the City's emergency alert horns sounded this morning and stated there needs to be better communication with the community.

Antwon Cloird stated that there will continue to be more lack of jobs due to the City Council not approving the casino proposal at Point Molate.

Naomi Williams gave comments regarding a pipeline safety meeting hosted by the Richmond Neighborhood Coordinating Council on Thursday, April, 14, 2011 at 6:00 p.m. in the City Council Chambers.

Everett Jenkins gave comments regarding the upcoming one-year anniversary of the death of former Interim City Manager, Leveron Bryant and stated that there should be a memorial for him in the City honoring his service.

Simms Thompson gave comments regarding the continuing violence in Richmond.

Jan Schilling, Weigh of Life, stated that they are sponsoring a Screen Free Week. The kick-off will take place at the Nevin Community Center from 10 a.m.- 3:00 p.m. on Saturday, April 16, 2011.

Billy Alexander asked if the City of Richmond will participate in the parolee healthcare program.

Cordell White gave comments regarding violence in Richmond.

Johnny Holmes invited everyone to a talent show at the Richmond Memorial Auditorium on Friday, April 15, 2011 at 4:00 pm.

Saleem Bey gave comments regarding joblessness and crime in North Richmond.

Texanita Bluitt stated our youth need to be engaged in positive activities.

Rev. Kenneth Davis invited the City Council to the North Richmond Community Council will meet on April 16, 2011 at 6:00 p.m. at 1410 Kelsey Street.

James Walker stated that nobody knew about the emergency sirens. Mr. Walker also stated that investing in youth in high school can be very beneficial for them in the future.

AGENDA REVIEW

Removed Items F-1, F-3, F-4, F-5, and F-9, to be heard at the end of the agenda. Councilmember Rogers announced that Item J-1 is removed and continued to the April 19, 2011, City Council meeting.

**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 taken during Closed Session.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Beckles, seconded by Councilmember Boozé all items marked with an (-*) were approved by the unanimous vote of the City Council.

The matter to approve a three-year contract with the Richmond Kaiser Permanente Medical Facility in the amount of \$155,250 to provide annual physical examinations for up to 90 sworn personnel in the Fire Department as part of the department's health and wellness program was presented by Fire Chief, Michael Banks. (The Finance Standing Committee did not review this item due to the cancellation of its April 1, 2011, meeting). Rev. Kenneth Davis gave comments. Chief Banks was asked to return to a future meeting with clarification on what services or tests would be provided that the existing regular Kaiser plan would not cover.

*-Adopted **Ordinance No. 12-11** amending Richmond Municipal Code Section 15.04.890 (Wireless Communications Facilities) to address certain aspects of aesthetics and other aspects of the public safety and welfare that are not adequately protected in the revised Wireless Ordinance, and to address scrutiny applied in reviewing the installation and modification of such facilities.

The matter to approve a contract with Echo Landscape to provide landscape maintenance services at the Civic Center Plaza in an amount not to exceed \$17,400, which includes a bid alternate and a 10% cost contingency, and for a contract term from April 13, 2011, to June 30, 2012 was presented by Recreation and Parks Director, Yader Bermudez. Jackie

Thompson and Millie Cleveland gave comments. The matter was heldover to a future meeting so that a meeting to discuss this matter can take place with SEIU Local 1021.

The matter to approve a contract with Republic Intelligent, Inc. for construction of a perimeter lighting system at the Shields Reid Park located at 1410 Kelsey Street in an amount not to exceed \$210,000 (This item was not reviewed by the Finance Standing Committee due to the cancellation of its April 1, 2011, meeting was presented. The following individuals gave comments: Saleem Bey, Rev. Kenneth Davis, Eduardo Martinez, and Juan Reardon. A motion made by Councilmember Boozé, seconded by Councilmember Rogers, approved the contract by the unanimous vote of the City Council.

The matter to approve a three-year contract, with two single-year extension options, with Paramount Elevator Corporation for the service and maintenance of all City of Richmond owned elevators for a base amount of \$1,120 per month (\$40,320 over the term of the contract), plus estimated additional repair services in the amount of \$54,680, for a total amount not to exceed \$95,000 was presented. A motion made by Councilmember Boozé, seconded by Councilmember Rogers, approved the contract by the unanimous vote of the City Council.

*- Approved an amendment to the contract with Kappe + Du Architects for the design and construction support for the reconstruction and relocation of existing senior center restrooms to bring them into compliance with the Americans with Disabilities Act (ADA). The proposed amendment will increase the contract amount from \$18,400 to a total amount not to exceed \$32,665, and will extend the contract term to December 31, 2011.

*-Approved a second amendment to the contract with Rising Sun Energy Center to provide energy efficiency training for RichmondBuild participants as part of the Green Energy Training Services (GETS) Program, increasing the contract amount by \$22,500 for a total amount not to exceed \$179,410, and extending the contract term through June 30, 2011. Funding is

provided by an American Recovery and Reinvestment Act (ARRA) Clean Energy Grant.

*- Approved an amendment to the contract with Solar Richmond to provide Solar Technology training for RichmondBUILD grant participants, increasing the contract amount by \$22,500 for a total amount not to exceed \$157,500, and extending the term through June 30, 2011.

The matter to adopt a resolution authorizing the city manager or his designee to file and execute grant applications on behalf of the City of Richmond with Caltrans to aid in the financing of capital projects pursuant to Section 5310 of the Federal Transit Act (FTA C 9070.1F), and authorizing the city manager or his designee to execute and file all certifications of assurance, contracts, agreements or any other documents required by Caltrans for this grant was presented. A motion made by Councilmember Boozé, seconded by Councilmember Rogers, approved the contract by the unanimous vote of the City Council.

*- Approved the minutes for the February 15 and March 15, 2011, Regular Meetings and the February 22 and March 8, 2011, Special Meetings.

*-Approved a contract with Shute, Mihaly & Weinberger in an amount not to exceed \$15,000 for legal services in relation to the Chevron Richmond Refinery Tank Replacement Project.

*-Approved Amendment No. 2 to the Kronick, Moskovitz, Tiedemann & Girard, LLP contract for legal representation related to the city's intervention in the Chevron property tax appeal litigation, extending the term to June 30, 2012, and increasing the amount by \$65,000 for a total contract amount of \$90,000.

*-Approved the following appointments and re-appointments: Arts and Culture Commission: Amahra Hicks, term expiring January 31, 2015; Design Review Board: Andrew Butt, Incumbent, term expiring March 17, 2013; Eileen Whitty, Incumbent, term expiring March 17, 2013; Michael Woldemar, Incumbent, term expiring March 17, 2013; Human Rights and Human

Relations Commission: Vivien Feyer, Incumbent, term expiring March 30, 2014; Joyce Harris, Incumbent, term expiring March 30, 2014; Police and Firemen's Pension Board: James Mallory, term expiring April 12, 2016; Police Commission: Therese Barquet, filling unexpired term of Roberto Reyes who resigned, term expiring November 1, 2011; Richmond Shimada Friendship Commission: Michael Sasaki, term expiring April 12, 2014.

PUBLIC HEARINGS

The matter to consider adopting a resolution renaming Filbert Street, between Vernon Avenue and Chesley Avenue, to Fred Jackson Way was presented by Planning Director, Richard Mitchell. Mayor McLaughlin declared the public hearing opened. The following individuals gave comments: Texanita Bluit, Rev. Kenneth Davis, Jerome Smith, Eduardo Martinez, and Dr. Landry. A motion made by Vice Mayor Butt, seconded by Councilmember Beckles, closed the public hearing by the unanimous vote of the Council. A motion made by Mayor McLaughlin, seconded by Councilmember Beckles, adopted **Resolution No. 25-11**, by the unanimous vote of the Council.

RESOLUTIONS

The matter to adopt a resolution in support of retaining the San Francisco Bay Trail name and opposing the renaming or altering the name of this premier regional trail was presented by Councilmember Rogers. Bruce Brubaker, TRAC gave comments. The proposed name change is Bill Lockyer Trail. A motion by Councilmember Rogers, seconded by Councilmember Boozé, adopted **Resolution No. 26-11**, by the unanimous vote of the Council.

The matter to adopt a resolution supporting Senate Bill 810, the California Universal Health Care Act of 2011 was presented by Mayor McLaughlin. The following individuals gave comments: Cordell White, Nel Benningshof, Jerry Fillingim, Texanita Bluit, Millie Cleveland, Eduardo Martinez, and Greg Brockbank. A motion made by Mayor McLaughlin, seconded by Councilmember Boozé, adopted

Resolution No. 27-11, by the unanimous vote of the Council.

ORDINANCES

A proposed introduction of an ordinance amending Chapter 9.50 of the Richmond Municipal Code to provide a specific definition of what constitutes a "Managed Landscape or Garden Area," and to allow the city manager or his designee the authority to promulgate rules and regulations specifying the type of landscape management required for particular plant species was presented by Vice Mayor Butt. Katrinka Ruk gave comments. A motion by Vice Mayor Butt, seconded by Councilmember Boozé, said ordinance received first reading and was laid over for two weeks for the second reading by the unanimous vote of the Council.

COUNCIL AS A WHOLE

HELDOVER to the April 19, 2011, City Council meeting, directing staff to spend Southside anti-crime funds in accordance with Chief Magnus' recommendation, not on a planned Police Substation.

The matter to discuss and direct staff regarding appropriation requests for the FY 2011/2012 City Council budget was presented by Vice Mayor Butt. A motion made by Vice Mayor Butt, seconded by Councilmember Boozé, that the Sister City budget and Volunteer Appreciation Luncheon budget be removed from the City Council's budget and moved it to the City Manager's Office budget, and increase the Conference/Meeting budget from \$3,500 to \$5,500 per year, passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstain:** Councilmember Beckles. **Absent:** None. City Manager, Bill Lindsay, will include the changes to the City Manager's Office budget during the budget review process.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:52 p.m., in memory of North Richmond resident, Irving Cooley, to meet again on Tuesday, April 19, 2011, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor