

**RICHMOND, CALIFORNIA, July 26,
2011**

The Richmond City Council Evening
Open Session was called to order at 5:34 p.m. by
Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Beckles, Boozé,
Ritterman, and Mayor McLaughlin. **Absent:**
Councilmembers Bates, Rogers, and Vice Mayor Butt
arrived after adjourning to Closed Session.

PUBLIC COMMENT

None.

ADJOURN TO CLOSED SESSION

The City Council adjourned to Closed Session
at 5:35 p.m.

CITY COUNCIL

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:

**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**

The Evening Open Session adjourned to Closed Session at 5:35 p.m. The Closed Session adjourned at 6:44 p.m. The Special Meeting of the Richmond Housing Authority was called to order at 6:50 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

The Special Meeting of the Richmond Housing Authority was called to order at 6:49 p.m., by Chairperson Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Commissioners Bates, Beckles, Boozé, Ritterman, Rogers, Vice Chairperson Butt, and Chairperson McLaughlin; Housing Authority Tenant Commissioners Hall and Thompson. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM

None.

HOUSING AUTHORITY CONSENT CALENDAR

On motion of Commissioner Ritterman, seconded by Commissioner Thompson, approved items marked with an (*) by the unanimous vote of the Commissioners.

*-Adopted **Resolution No. 1954** authorizing the executive director to submit an Inventory Removal Application to the U.S. Department of Housing and Urban Development for the Hacienda Public Housing site in conjunction with the Nystrom Village Neighborhood Revitalization Project.

*-Adopted **Resolution No. 1955** authorizing the executive director to execute a Lease Option

Agreement with Mercy Housing Inc. to complete financing and rehabilitation efforts of the Hacienda Public Housing site in conjunction with the Nystrom Village Neighborhood Revitalization Project.

*-Approved the minutes for the June 21, 2011, meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:50 p.m.

The Joint Meeting of the Richmond Redevelopment Agency/Richmond City Council was called to order at 6:52 p.m.

JOINT MEETING OF THE RICHMOND REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL

ROLL CALL

Present: Councilmembers Bates, Beckles, Boozé, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Myrtle Braxton-Ellington stated that National Night Out will be held on August 2, 2011. There will be 20 block parties.

Cordell Hindler gave comments regarding the recent homicides in the City of Richmond.

Leonard Taylor asked that the community come out and participate in National Night Out.

Jackie Thompson thanked the City for cleaning the lot on 37th & Stege. Thanked those who participated in the North Richmond meeting.

Billie Alexander stated that the circular shuttle does not include the seniors in the Hilltop area. Mr. Alexander also stated that Vice Mayor Butt tried to use his position to influence the matter of the tow issue in Point Richmond.

Sims Thompson stated that the Council should take a bus tour in Richmond in order to know what is in need of repair or replacement in the city.

Mark Wassberg gave comments regarding the federal government being asked not to enforce the law regarding immigration raids in the city.

Eleanor Thompson asked that the shootings in the city stop immediately.

Roxanne Alexander stated that she would like to help the children of the community to get homework help.

Gloria Jennings stated that there is no alternative outlet for young people to turn to in the city.

Tiffany Scott, Roosevelt Lee, Christopher Bowman, Chysandra Nair, Linell Lacanlale, Roosevelt Lee, Yvonne Nair, of Saffron Strands, and Eduardo Martinez, invited everyone to a fundraising picnic event on August 13, 2011 at Miller Knox Regional Park. www.saffronstrand.org

Calvin King spoke against the immigration and customs enforcements team coming to his place of employment looking for undocumented workers.

AGENDA REVIEW

Items I-2, I-3, I-5, and I-17 were removed from the City Council Consent Calendar. Item M-2 was withdrawn from the agenda. Item F-4 was moved to be heard as the first presentation.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

City Manager, Bill Lindsay, made the presentation of the Manager and the Employee of the Year Awards. Mario Vaz, Public Works Department, won Employee of the Year. Lina Velasco, Planning Department, won Manager of the Year award. Cordell Hindler and Leonard Taylor gave comments.

Received a presentation from David Gray, City Council Public Policy Intern that recognizes the 50th Anniversary of the Freedom Rides Movement and honors the selfless actions, courage, and commitment to human rights exemplified by all participants of the Freedom Rides, particularly those from the Richmond community. Elizabeth Hirschfeld spoke. Cordell Hindler gave comments.

Mayor McLaughlin presented a Certificate of Appreciation to Richmond Confidential Journalist, Robert Rogers for consistently writing articles that inform the public about positive occurrences in the City of Richmond. Leonard Taylor, Eduardo Martinez, and Jackie Thompson gave comments.

Mayor McLaughlin and Councilmember Beckles presented a proclamation in honor of Ethel Dotson and the historical International Hotel to Ethel's son. The following individuals gave comments: Cordell Hindler, Naomi Williams, Billy Alexander, Sims Thompson, and Myrtle Braxton-Ellington.

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

City Attorney, Randy Riddle, stated there was no reportable action taken during closed session.

REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR

On motion of Vice Mayor Butt, seconded by Councilmember Beckles, approved the minutes for the June 21, 2011, and July 5, 2011, meetings.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Ritterman, seconded by Councilmember Beckles, the items marked with an asterisk (*-) were approved by the unanimous vote of the City Council:

*-Approved an agreement to reimburse Auto Warehousing Company (AWC) one-third of the cost of a China Automobile Market Study, with a total cost to the Port of Richmond not to exceed \$24,000, to allow for AWC, the Port of Zhoushan, China and the Port of Richmond to develop a marketing plan for future automobile exports from China to the United States.

The matter to approve contract Amendment No. 2 with Bay Cities Paving and Grading, Inc. to increase the contract value by \$132,065.64 for a total of \$1,782,897.13 and accept work for the Via Verdi Temporary Channel Improvements Contract was presented. (This item was reviewed and recommended for approval by the Finance Committee at its July 8, 2011, meeting). Councilmember Bates requested a report indicating who the subcontractors were and how many Richmond residents worked on this project. Councilmember Boozé requested an explanation on the second change order for the project. A motion by Vice Mayor Butt, seconded by Councilmember Beckles, approved the contract by the following vote: **Ayes:** Councilmembers Bates, Beckles, Boozé, Rogers, Vice Mayor Butt and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Ritterman. **Abstain:** None.

The matter to approved a contract with Ghilotti Brothers, Inc., the lowest responsive bidder, to perform the 2010/2011 Pavement Rehabilitation project in an amount not to exceed \$2,137,966.97 with an additional construction contingency not to exceed 10%, or \$213,796.70 was presented. (This item relates to the rebid of a project that was previously reviewed by the Finance Committee on May 6, 2011, and by the City Council on June 7, 2011). Councilmember Bates requested a report detailing the subcontractors and number of Richmond residents on the job. Kate Eckhous, Ghilotti Brothers, Inc. representative gave comments. A motion made by Councilmember Bates,

seconded by Councilmember Rogers, approved the contract, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Rogers, Vice Mayor Butt and Mayor McLaughlin. **Noes:** Councilmember Boozé. Absent: Councilmember Ritterman. Abstain: None.

*-Introduced an ordinance (first reading) setting the tax rate for the Pension Tax Override for Fiscal Year 2011-2012 at 0.14% and re-establishing procedures in the Municipal Code to levy Pension Tax Override on the Contra Costa County Property Tax Roll.

The matter to adopt a resolution adjusting the Fiscal Year 2011-2012 Employment and Training Department Budget, increasing both grant revenues and program expenditures in the amount of \$1,194,000 to account for grant funds awarded to the YouthWORKS Career Technical Assistance Program, the NEG Multi-Sector Workforce Partnership, and the EPA Environmental Workforce Development and Job Training Program subsequent to the approval of the budget in June, 2011 was presented. Councilmember Boozé stated that the city should be proud because the only grant funds that the EPA awarded went to Richmond. A motion by Councilmember Boozé, seconded by Councilmember Rogers, adopted Resolution No. 74-11, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Boozé, Rogers, Vice Mayor Butt and Mayor McLaughlin. **Noes:** None. Absent: Councilmember Ritterman. Abstain: None.

*-Approved a contract with ShotSpotter Inc. to continue providing maintenance and support for both phases of the ShotSpotter System at a cost not to exceed \$406,000 from July 1, 2011, to June 30, 2013 (\$203,000 per year, for a two-year term).

*-Approved a contract to participate in the State of California Rental Vehicle Program with Enterprise Holdings Incorporated in an amount not to exceed \$300,000 from July 1, 2011, to June 30, 2013, (\$150,000 per year, for a two-year term).

*-Approved a contract with HALO Group Inc. to provide a firearms range facility for use by the Police Department for the period July 1, 2011 to June 30, 2012, in an amount not to exceed \$25,000.

*-Approved the 3rd Amended North Richmond Mitigation Finance Committee (NRMFC) 2010-2011 Expenditure Plan.

*-Adopted **Resolution No. 75-11**, granting another designated period (July 27, 2011, to October 31, 2011) for the two years additional service credit for early retirement for certain specified classifications.

*-Approved a fourth amendment to the contract with the law firm of Meyers, Nave, Riback, Silver and Wilson to continue to represent the City in the lawsuits entitled Booker vs. City of Richmond, et al., and Jenkins vs. City of Richmond, et al. in the amount of \$250,000.

*-Approved the minutes for the June 7, 2011, and July 5, 2011, meetings.

*-Approved the following appointments and reappointments: Planning Commission: Sheryl Lane, Incumbent, term expiring June 30, 2013; Carol Teltschick-Fall, term expiring June 30, 2013; Workforce Investment Board: Roberto Reyes, representing GRIP.

*-Approved a contract with Terry Ross Baird to coordinate the establishment of worker-owned cooperatives in Richmond in an amount not to exceed \$50,000 (This item is included in the Mayor's Office budget for Fiscal Year 2011-2012). (*Councilmember Bates voted "no"*).

*-Authorized the city manager to select and enter into a contract with an executive search firm in an amount not to exceed \$30,000 to conduct a recruitment to fill the City Attorney position. (*Councilmember Bates voted "no"*).

*-Adopted **Ordinance No. 18-11**, amending Chapter 12.18, "Discharges to the Wastewater

Treatment System" regarding the "Specific Pollutant Limitations (i.e. "Local Limits") as they pertain to the Source Control Program's Industrial Discharger's permits.

The matter to adopt a resolution supporting a partnership between the City of Richmond and CyberTran International Inc., an ultra light rail transit system manufacturer was presented. A motion by Vice Mayor Butt, seconded by Councilmember Ritterman, adopted **Resolution No. 76-11**, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Boozé, Rogers, Ritterman, Vice Mayor Butt and Mayor McLaughlin. **Noes:** None. **Absent:** None. **Abstain:** None.

(Councilmember Ritterman, seconded by Mayor McLaughlin, extended the meeting 15 minutes –The motion failed - Councilmembers Bates, Boozé, Rogers and Vice Mayor Butt voted “no”). (A motion by Vice Mayor Butt, seconded by Councilmember Beckles, extended the meeting 30 minutes with only two minutes allocated per remaining agenda items. The motion passed with Councilmembers Boozé, Bates and Rogers voting “no”).

PUBLIC HEARINGS

City Clerk Diane Holmes announced that it was time, pursuant to public notice, to hold a public hearing to adopt a resolution allowing the sanitary and storm sewer fees to be collected on the annual 2011-2012 tax rolls and was presented by Chad Davisson, Wastewater Department. There were no public speakers. City Clerk, Diane Holmes, stated that the Atchison Village Mutual Homes Corporation submitted a letter to City Manager Bill Lindsay, requesting that their sewer fees be recalculated. Mr. Davisson stated that staff agrees with the reduction of fees for Atchison Village based on flow calculations taken rather than on the number of units. A motion made by Councilmember Ritterman, seconded by Vice Mayor Butt, and adopted **Resolution 77-11**, by the unanimous vote of the City Council.

STUDY SESSION

The City Council received the 2010 Annual Performance Review and Evaluation Report on the Industrial Safety Ordinance (ISO) from the Contra Costa County Health Services Department by Chief Michael Banks. Randy Sawyer, Chief Environmental Health & Hazardous Materials Officer, Contra Costa County, and Cho Nai Cheung Accidental Release Prevention Engineer Supervisor, presented the report. Heather Kulp, Chevron Public Affairs Representative, invited the community to Chevron's Second Annual Tour Day on Saturday, September 10, 2011 from 9 a.m. to 2 p.m.

The City Council received a presentation of the public art for the Richmond Transit Village BART Parking Structure Project was presented. Mildred Howard is the lead artist with poet Ishmael Reed. Ms. Howard's proposal included two wall mounted sculptures using poetry text and mixed media materials. The sculptures will be installed on the parking structure's east and west building elevations at the predetermined areas for public art. Kate Sibley gave comments.

The City Council accepted the Annual Report from the Richmond Convention and Visitors Bureau (RCVB). Key forces driving RCVB revenue and growth are number of hotel stays, occupancy percentage, and number of members. RCVB Executive Director Michelle Itagaki made a brief PowerPoint presentation to the City Council and handed out supplemental material as the RCVB report to the Council. The RCVB website is www.visitrichmond.ca.com. The RCVB has a Facebook page, sends out the "What Happens in Richmond" newsletter and is an official sponsor of TripAdvisor.

STUDY AND DIRECTION TO STAFF SESSION

The matter to receive a presentation on the City's Pavement Management Program was moved to the September 27, 2011, City Council meeting.

The matter to receive a report from the City's Wastewater/Stormwater Manager on modifications to the administration of the West County Agency "Joint Exercise of Powers Agreement" (JPA) which are recommended to improve business efficiency and reduce costs to the ratepayers of the Richmond Municipal Sewer District was moved to a future City Council meeting.

RESOLUTIONS

The matter to adopt a resolution authorizing the issuance and sale of not to exceed \$15,000,000 City of Richmond, California, 2011-12 Tax and Revenue Anticipation Notes; approving the forms of and directing the distribution of a Note Purchase Agreement, an Official Statement, and a Continuing Disclosure Certificate; delegating to officers of the city, authorization to negotiate a sale of said notes; and authorizing taking of necessary actions and execution of necessary documents was presented by Finance Director, James Goins. A motion by Councilmember Bates, seconded by Councilmember Rogers, adopted **Resolution No. 78-11**, by the unanimous vote of the City Council.

The matter to adopt a resolution urging the U.S. Department of Homeland Security to terminate the immigration audit at the Pacific Steel Foundry, the Sealy Mattress Factory, and other work places was withdrawn from the agenda.

COUNCIL AS A WHOLE

The matter to discuss and consider approving funds for the Richmond Half Steppers track team to assist with traveling expenses associated with the AAU Jr. Olympic National Championships in New Orleans, Louisiana from July 29 through August 7, 2011. September allocate funds for programs. Johnny Holmes and Coach Avery gave an overview of the teams' budget and funds needed in order to assist the team. There are 18 children, four coaches, and six chaperones that plan to attend the event. Finance Director, Jim Goins, stated that there are no funds budgeted for this request. The request is for \$17,000

for 28 people. The following individuals gave comments: Cordell Hindler, Eduardo Martinez, and Bea Roberson. A motion by Vice Mayor Butt, seconded by Councilmember Bates that funds are taken from various items on tonight's agenda to cover the cost for the track team trip. City Manager, Bill Lindsay, recommended that rather than take money from the agenda items, that the Council delegate staff to identify a funding source. A substitute motion by Mayor McLaughlin, seconded by Councilmember Boozé to direct staff to locate a funding source for the group's \$17,000 airfare. A second substitute motion by Councilmember Bates, seconded by Councilmember Boozé, directing city staff to find the necessary funds to cover the cost of the groups air fare. City Manager, Bill Lindsay, stated that this matter would return to the City Council in the form of a resolution for a budget amendment. The second substitute motion failed by the following vote: **Ayes:** Councilmembers Bates and Boozé. **Noes:** Mayor McLaughlin, Vice Mayor Butt, Councilmembers Rogers and Beckles. **Abstain:** Councilmember Ritterman. **Absent:** None. The substitute motion passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Boozé, Ritterman, and Mayor McLaughlin. **Noes:** Vice Mayor Butt. **Abstain:** Councilmember Rogers. **Absent:** None.

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

Mayor McLaughlin asked the City Council to please adhere to the council rules of order and conduct themselves in a more orderly, respectful, and efficient manner.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:40 p.m. in memory of Ardella Johnson and Mary Lee Dotson to meet again on Tuesday, September 13, 2011.

City Clerk

(SEAL)

Approved:

Mayor