

RICHMOND, CALIFORNIA, May 1, 2012

The Richmond City Council Special Shimada Ambassador Presentations in honor of the 50th Anniversary of the Richmond-Shimada Sister City was called to order at 4:30 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

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

Officials from Shimada Japan lead a delegation of 54 officials and performers from Shimada to participate in the Golden Rose Festival to celebrate the 50th Anniversary between the City of Richmond and Shimada, Japan. Mayor McLaughlin welcomed everyone and introduced Trina Jackson, liaison to the Richmond City Council, who gave an overview of the events the ambassadors have attended during their visit to the City of Richmond. Ms. Jackson introduced Don Delcollo, Chairperson of the Richmond-Shimada Commission. Mr. Delcollo gave comments and introduced the delegation from Shimada Japan. Yoshinori Mori read a letter from his grandfather, former Mayor Masaya Mori. Mr. Mori also translated the letter for the Japanese Ambassadors. Members of the Richmond City Council and Officials from Shimada gave comments. President of the Shimada-Richmond Friendship Association (SRFA) Mutsumi Ochiai also translated. Other Officials from Shimada Japan were: Superintendent of Shimada Board of Education Hiroshi Matsuda; Chairman of Shimada City Council Kouji Nakano; Chairman of Shimada Chamber of Commerce Norio Kata; Member of the Committee of Inspection Takshi Ito; Vice Presidents of SRFA Kaoru Tominaga, Yoshinori Yagi, and Takeo Tanka; Reception Manager of SRFA Hiroko Otsuka; Shimada Board of Education Toshie Hagiwara, Sachio Takishita, and Noriyuki Yamamoto; Members of SRFA Minoru Ishida, Takashi Ushio, Yasuhiro Honma, and Chiyomi Honma; and 50th Anniversary Representative Member Yuriko Terakawa.

Following the presentations, a reception was held in the lobby of the Richmond Memorial Auditorium.

The Regular Meeting of the City of Richmond as Successor Agency for the Richmond Community Redevelopment Agency/Richmond City Council was called to order at 6:37 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

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

READING OF THE CODE OF ETHICS

Human Rights and Human Relations Commissioner Joyce Harris read the Code of Ethics.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Item J-5 from the Consent Calendar.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor invited everyone to the Cinco de Mayo Festival on Saturday, May 5, 2012.

Dennis Hicks encouraged the City Council to prohibit building a WalMart on San Pablo Avenue and Macdonald Avenue.

Antwon Cloird stated that the City of Richmond should have more co-ops to train its citizens how to own and operate a business.

Apostle Frederick Hamilton spoke in support of the Men and Women of Valor. He also stated that

projects in Richmond should be staffed by Richmond residents.

Margree Jones requested that the City of Richmond repair the potholes on 14th Street and Carlson and Cutting Boulevards. She also stated that the city should address the homeless situation by using the empty buildings throughout the City of Richmond.

Mother Estella Madrano stated that she observed whenever Councilmembers Bates or Boozé speak they are cut off by Mayor McLaughlin. She requested that they be treated fairly.

Reverend Wesley Ellis stated that Councilmembers Bates and Boozé deserve to have the right to speak without being cut off.

Maria Alegria thanked the City Council for supporting the adoption of the General Plan.

Texanita Bluit stated that the City Council should revisit the ordinance that reduced the number of City Councilmembers to seven. She also stated that the size of the presentations on the screen should be increased for better visibility.

Antonio Medrano thanked the City Council for passing the general plan and supporting the parcel tax. He also stated that the Ed Fund has increased its scholarship finalist from 20 in 2011 to 76 in 2012 with finalists from nine public schools in the West Contra Costa County Unified School District.

The following individuals spoke in support of jobs in the City of Richmond: Reginald Russell, Garland Harper, and Pam Saucer.

Andres Soto invited the community to a forum on May 11, 2012, at the Richmond Progressive Alliance Office, 1021 Macdonald Avenue, for an open discussion regarding the 2002 Cinco de Mayor Richmond Police Riots. Mr. Soto also invited everyone to attend the Seventh Annual Cinco de Mayo Parade, which begins at 24th Street and Barrett Avenue on

Saturday, May 5, 2012, from 10:00 a.m. to 12:00 noon. Mr. Soto also added that the organizers of the festival should look into adding a variety of music.

Marilyn Langlois invited everyone to participate in Bike to Work Day 2012 on Thursday, May 10, 2012. She also invited individuals to participate in the Ride of Silence on May 16, 2012, to honor people who have been injured or killed while riding a bicycle.

Naomi Williams stated that at a previous City Council Meeting Mayor McLaughlin allowed an individual to speak regarding the November election; however, when another individual announced that she was running for Caucus, she was immediately cut off. Ms. Williams also stated that a grocery store at San Pablo Avenue and Macdonald Avenue was not welcome if it planned to sell liquor. She stated that individuals may voice their opinions before the Planning Commission on Thursday, May 3, 2012.

Jackie Thompson stated that she was nominated for a George D. Carroll Community Service Award and thanked the individual that nominated her.

Michael Parker stated that the comments made by Mark Wassbergs at the April 24, 2012, City Council Meeting were inappropriate and Mayor McLaughlin had every right to address him. Mr. Parker stated that Councilmember Bates' comments to Mayor McLaughlin were inappropriate.

Councilmember Bates stated that Councilmembers may not appreciate or support an individual's position; however, the constitution gives citizens the right to make remarks as long as profanity was not used. Councilmember Bates suggested that in order to move forward with the agenda, Councilmembers should allow individuals to be seated after addressing the Council and should not intimidate individuals into confrontations.

Mayor McLaughlin stated that Mark Wassberg offended many in the audience and that she disagreed with the comments he made during the discussion of the

item to study and provide direction to staff on ways to improve City services for residents who do not speak English as their primary language, including giving public speakers at Council meetings who use a translator extra time.

Inocencia Dacamos did not wish to speak; however, she left a written message thanking the City Council for the Richmond Tales Festival.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin and Councilmember Beckles presented a proclamation honoring 5 De Mayor and the 150th anniversary of the Battle of Puebla to Jorge Lerma of the 23rd Street Merchants. Mr. Lerma gave comments. The following individuals also gave comments: Bea Roberson, Naomi Williams, Texanita Bluit, Reverend Wesley Ellis, and Jackie Thompson.

CITY OF RICHMOND AS SUCCESSOR AGENCY FOR THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

On motion of Councilmember Beckles seconded by Councilmember Ritterman all item marked with an (*) were approved by the unanimous vote of the Council.

*-Adopted **Resolution No. 53-12** authorizing the city manager to execute a contract with W.R. Forde Associates in an amount not to exceed \$950,000 to construct the Meade Street Bypass Road. The contract term will be May 1, 2012, through December 31, 2012.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Ritterman, seconded by Councilmember Beckles all item marked with an (*) were approved by the unanimous vote of the Council.

*-Adopted **Resolution No. 54-12** in support of the Farm Bill Principles developed by Green Cities California that support opportunities for local and regional food infrastructures, increasing access to healthy, sustainable foods, and call for the Federal Government to work toward a Farm Bill in 2012 that is consistent with these principles.

*-Approved a Side-Letter Agreement between the City and the Richmond Police Management Association (RPMA) that codifies the existing agreement between the City and RPMA regarding shift differential pay.

*-Adopted **Resolution No. 55-12** approving the Engineer's Report for FY 2012-2013 for the Hilltop Landscape Maintenance District ("HLMD"), declaring the Council's intention to increase the annual assessment in the HLMD, and announcing a public hearing on June 5, 2012, at 6:30 p.m., in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond.

*-Adopted **Resolution No. 56-12** approving the Engineer's Report for FY 2012-2013 for the Marina Bay Landscaping and Lighting Maintenance District, declaring the Council's intention to increase the annual assessment in the Marina Bay Landscaping and Lighting Maintenance District, and announcing a public hearing on June 5, 2012, at 6:30 p.m., in City Council Chambers at 440 Civic Center Plaza in the City of Richmond.

Continued to May 15, 2012, the matter to acknowledge receipt of the City of Richmond's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2011.

*-Adopted **Resolution No. 57-12** approving revisions to authorized signatures for transfer of funds to and from the Local Agency Investment Fund administered by the State of California Treasurer to delete old account signatories and designate current authorized signers in the Finance Department.

*-Approved an agreement between the International Federation of Professional and Technical Employees (IFPTE) Local 21 and the City of Richmond extending the existing Memorandum of Understanding (MOU) set to expire on June 30, 2012, from July 1, 2012, through June 30, 2013. The agreement also provides for the City to extend any cost of living increase negotiated with the Service Employees International Union (SEIU) Local 1021, between July 1, 2012, and June 30, 2013, to IFTPE Local 21.

*-Approved a tentative agreement between the City of Richmond and the International Association of Fire Fighters (IAFF) Local 188 that shall be effective from July 1, 2009, through December 31, 2013.

*-Adopted **Resolution No. 58-12** to adjust appropriations for the 2011-2012 Recreation Department budget to add \$650 for the Recreation Department's May Valley Community Center and recognize the donation received from the May Valley neighborhood parents.

*-Approved a contract amendment with Republic ITS for the Traffic Safety Improvements Project, to increase the contract value by \$34,000 for a total of \$265,363, providing \$19,000 in funds for the additional scope of work related to the Traffic Safety Project, and \$15,000 in funds for the grant-funded Cutting Boulevard Interconnect Project.

*-Accepted the work completed by Gallagher & Burk, Inc. for the Carlson Boulevard Improvements Project at a final construction cost of \$3,933,365.14.

*-Approved Amendment No. 2 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 \$534,000 for a total of \$1,899,000, and the term will be extended to June 30, 2014.

*-Approved an amendment to the Fiscal Year 2009/10 Pavement Rehabilitation Project contract with

Ghilotti Brothers, Inc. to pave South 23rd Street from Ohio Avenue to Cutting Boulevard. The contract value will increase by \$750,000 for a total of \$5,124,887 with a continued City-administered contingency and reserve not to exceed \$440,000.

*-Approved an amendment to the contract with ERA Construction, Inc. for the Miscellaneous Concrete Repairs Fiscal Year 2010/11 - 2011/12 Project, expanding the scope of work and increasing the contract value by \$200,000 for a total of \$656,190.

COUNCIL AS A WHOLE

In the matter to consider alternatives relating to development of an Operations and Security Center (OSC) at the Port of Richmond and direct staff to reject all bids received on February 23, 2012, to construct the OSC at 1411 Harbour Way South, and revise the design of the OSC at 1411 Harbour Way South consistent with the remaining grant funds and reissue for bid, Port Director Jim Matzorkis, Port Project Coordinator Michael Williams, and Sugiarto Loni of Liftech Consultants Inc. gave an overview and presentation on the alternatives. The following individuals gave comments: Bea Roberson, Reverend Wesley Ellis, Byron Miller, Reginal Russell, Bob Allen, Marvin Saucer, Pam Bilbo, Dwight Adams, Patsy Smith, Terri James, Katrinka Ruk, Wayne Captain, and Marena Brown. Alphonso McGill and Rose Jackson submitted written support for jobs. Following discussion, a motion was made by Councilmember Butt, seconded by Councilmember Ritterman to approve Alternative Two: direct staff to continue gathering information about both sites, Riggers Loft located in the Point Potrero Marine Terminal, reject all bids received on February 23, 2012, to construct the OSC at 1411 Harbour Way South, and verify with the grantor that relocating the OSC is acceptable and verifying the financial implications of this decision, and submit a report to the City Council to determine the best site for the OSC. A substitute motion was made by Councilmember Boozé to approve Alternative One: execute a construction contract with Alten to construct the OSC at 1411 Harbour Way South in an amount not to exceed \$3,976,921, with staff to collaborate with Alten to value engineer the project

issuing a deductive change order to maintain cost within the available budget. The substitute motion was seconded by Councilmember Bates with a friendly amendment to direct staff to negotiate so that the general fund was not needed to support the project. The friendly amendment was accepted. The substitute motion failed by the following vote: **Ayes:** Councilmembers Bates and Boozé. **Noes:** Councilmembers Beckles, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None. Vice Mayor Rogers offered a friendly amendment to the original motion to exclude directing staff to reject all bids. The friendly amendment was accepted. The original motion passed by the following vote: **Ayes:** Councilmembers Beckles, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin. **Noes:** Councilmembers Bates and Boozé. **Abstentions:** None. **Absent:** None.

The matter to authorize the city manager to negotiate and execute a contract with SF USA, LLC to implement the Richmond Municipal Identification/ Stored Value Card System subject to the system being no net cost to the City of Richmond, and with approval as to form by the city attorney was presented by Managing Analyst LaShonda Wilson-White joined by Dr. Paula Cruz Takash, Research Director of NAID Center, and Dr. Raul Hinojosa, Founder and Director of NAID Center and Chairman/CEO of SF USA, LLC (a company of SF Global Holdings). *(At 11:00 p.m. on motion of Vice Mayor Rogers, seconded by Councilmember Ritterman extended the meeting for one hour with Councilmember Bates voting Noe).* The following individuals gave comments: Maria Alegria, Antonio Medrano, Reverend Wesley Ellis, Marilyn Langlois, Andres Soto, Roberto Reyes, Yenny Velazquez, Amahra Hicks, Juan Reardon, Llavdia Jimenez, Eduardo Martinez, Migill Roblin, Ken Ryan, Michael Parker, and Inocencia Dacuocos submitted written support for the item. Following discussion, a motion was made by Councilmember Beckles, seconded by Mayor McLaughlin, to authorize the city manager to negotiate and execute a contract with SF USA, LLC to implement the Richmond Municipal Identification/Stored Value Card System subject to the system being no net cost to the City of Richmond, and

with approval as to form by the city attorney. A friendly amendment was offered by Councilmember Bates to direct staff to include an indemnification clause in the contract and also direct staff to submit a six-month progress report to the City Council. The friendly amendment was accepted. *(At 12:14 a.m. on motion of Councilmember Ritterman, seconded by Councilmember Beckles extended the meeting to hear the results of the original motion by unanimous vote).* The original motion with the friendly amendment passed by the following vote: **Ayes:** Councilmembers Bates Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** None.

At 12:15 a.m. a motion by Councilmember Butt, seconded by Vice Mayor Rogers to extend the meeting to hear Item K-3 failed by the following vote: Ayes: Councilmember Butt, Vice Mayor Rogers, and Mayor McLaughlin. Noes: Councilmembers Bates, Beckles, and Boozé. Abstentions: Councilmember Ritterman. Absent: None.

The matter to adopt a resolution requesting membership in the Marin Energy Authority and introduce an ordinance approving the Marin Energy Authority Joint Powers Agreement and Authorizing the Implementation of a Community Choice Aggregation Program *was continued to May 15, 2012.*

The matter to adopt the proposed resolution of the Richmond City Council endorsing Measure K to renew the West Contra Costa Unified School District Parcel Tax with adjustments to compensate for inflation and state take-aways *was continued to May 15, 2012.*

The matter to direct staff to prepare an amendment for Council consideration of Richmond Municipal Code Chapter 2.38 regarding acceptance and disclosure of certain contributions of more than \$250 to incorporate the requirements of California Government Code Section 84308 *was continued to May 15, 2012.*

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

Councilmember Bates requested that Mayor McLaughlin adjourn the meeting in memory of former Senator Dan Boatwright.

Vice Mayor Rogers reported that he attended the Association of Bay Area Governments (ABAG) General Assembly Meeting in Oakland on Thursday, April 19, 2012.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:16 a.m. in memory of former Senator Dan Boatwright and Aller Hunter, an original Rosie the Riveter, a helper, and worker in the shipyards during World War II (she was 109 years old when she passed); to meet again on Tuesday, May 15, 2012, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor