

**RICHMOND, CALIFORNIA, May 22,  
2012**

The Richmond City Council Evening  
Open Session was called to order at 5:08 p.m. by  
Mayor Gayle McLaughlin.

**ROLL CALL**

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

**PUBLIC COMMENT**

None.

**ADJOURN TO CLOSED SESSION**

**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  
- EXISTING LITIGATION**

**(Subdivision [a] of Government Code Section  
54956.9):** Guidiville Rancheria of California et al vs.  
United States of America et al  
City of Richmond vs. Upstream Point Molate LLC

**CONFERENCE WITH LABOR  
NEGOTIATORS (Government Code Section  
54957.6):** City designated representative(s): Jack  
Hughes and Lisa Stephenson  
Employee organization or unrepresented employee(s):  
SEIU Local 1021; IFPTE Local 21; Richmond Police  
Officers Association (RPOA); Richmond Police  
Management Association (RPMA); International  
Association of Fire Fighters Local 188 (IAFF); and  
Richmond Fire Management Association (RFMA).

**MEETING OF THE CITY OF RICHMOND AS  
SUCCESSOR AGENCY FOR THE RICHMOND  
COMMUNITY REDEVELOPMENT  
AGENCY/RICHMOND CITY COUNCIL**

The Evening Open Session adjourned to Closed Session at 5:09 p.m. The Closed Session adjourned at 6:35 p.m. 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 6:46 p.m. by Mayor Gayle 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.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

Items J-1, J-2, and J-3 were moved to be heard after Item M-1.

**OPEN FORUM FOR PUBLIC COMMENT**

Leonard Taylor stated that in the month of June, the Juneteenth celebration and Pride Month conflict.

Rev. Ken Davis announced that the funeral services for North Richmond murder victim, Orlando Yancey, will be on Friday, May 25, 2012, at 11 a.m., at Hilltop Community Church.

Antwon Cloird thanked the City Council for attending the open house and barbecue given by the Men and Women of Purpose. Mr. Cloird also stated that the city needs to prepare for inmates that will be released to Richmond this summer.

Cordell Hindler stated that the Main Richmond Library needs renovation.

Mark Wassberg stated that the proposed City of Richmond sugar tax is a scam.

Wesley Ellis announced that persons interested in being a part of the Richmond Chapter of the NAACP will be able to register on Thursday, May 24, 2012, at the Booker T. Anderson Center from 5:30 p.m. to 7:30 p.m.

Mike Ali stated that the City Council's war on violence is an embarrassment.

Tom Waller stated that in order for economic growth in Richmond to be successful there needs to be many stable employers in the city who can provide jobs.

Pam Saucer-Bilbo thanked Councilmember Boozé for securing jobs for members of the Men and Women of Valor. Ms. Saucer-Bilbo also asked why a Whole Foods distribution center is coming to Richmond, but a store is not, and why will Richmond residents not be hired at the distribution center?

Carlton Lax invited the City Council to a homeless vigil that will be hosted by Saffron Strands.

Beulah Agbabilia spoke in favor of the soda tax because it will provide many recreational activities and educational opportunities for the community.

Lardell Oliver spoke against the proposed City of Richmond soda tax.

Stan Byais, Brothers of International Faith, announced that his organization has set up a food distribution center at Zion Miracle Temple Church of Christ and asked for support to distribute food at Booker T. Anderson Park.

Eleanor Thompson stated that those persons who have a title before their name that represent God, should not act disrespectfully towards others. Ms.

Thompson also announced that Social Progress Incorporated will host a 4<sup>th</sup> of July Parade & Festival on Chesley Avenue and Fred Jackson Way on July 4, 2012, from 10 a.m. to 2:00 p.m. Donations can be mailed to P.O. Box 1906 Richmond, CA 94802. For more information call 510-837-0188.

Juan Reardon thanked the City Council for approving the placement of the proposed City of Richmond soda tax on the ballot.

Jackie Thompson gave comments regarding negative e-mails that have been sent to members of the City Council and some community members regarding the proposed City of Richmond soda tax.

Phillip Woods, Saffron Stands, announced that a homeless vigil will be held on May 26 and 27, 2012.

Reginald Russell stated that Richmond desperately needs jobs.

Marilyn Langlois invited everyone to visit the Richmond Spokes Bike Shop on Harbour Way near Macdonald Avenue.

Michelle Seville, Interim Executive Director of the Richmond Art Center, invited everyone to the televised telethon on Saturday, June 2, 2012, from 11 a.m. to 11 p.m. at the Richmond Art Center.

Texanita Bluit asked if within the General Plan there is a mechanism that could recover expenses and hold the owners liable for costs incurred by the City regarding the recent marijuana warehouse fire on 6<sup>th</sup> and Ohio Avenues.

Loch Sekona, Vice President, SEIU Union Local 1021, stated that the Personnel Board has not had a meeting since October 2011 and there is no chairperson.

Cochise Potts prayed for the City Council.

Patsy Smith thanked Councilmember Boozé and Bates for securing jobs for the members of the Men and Women of Valor.

Dwight Adams thanked Councilmembers Bates and Boozé for assisting members of the Men and Women of Valor in obtaining jobs and challenged Councilmember Beckles to also help Richmond residents get jobs.

Michael Parker spoke in favor of the proposed sugar sweetened beverage tax.

### **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Chief Banks, Robin Poindexter, and Mayor McLaughlin presented certificates to the first place winners of the 2012 Junior Fire Chief Program. The following recipients received certificates: Cesar Chavez Elementary: 1<sup>st</sup> place: Kennaiyan Nealy  
2<sup>nd</sup> place: Jose Navarro; Coronado Elementary  
1<sup>st</sup> place: Amanda P. Rojas, 2<sup>nd</sup> place: Usean J. Redic;  
Ford Elementary: 1<sup>st</sup> place: Vanessa Gomez  
2<sup>nd</sup> place: Kevin Batres; Grant Elementary  
1<sup>st</sup> place: Santiago Madrigal, 2<sup>nd</sup> place: Adilene Gallegos; King Elementary: 1<sup>st</sup> place: Adamaris Cabrera, 2<sup>nd</sup> place: Cynthia Alcala; Lincoln Elementary  
1<sup>st</sup> place: Erick Rios, 2<sup>nd</sup> place: Cinthia Magana;  
Murphy Elementary (Ms. Cowen's class-Room 16)  
1<sup>st</sup> place: Alyssa Delley, 2<sup>nd</sup> place: Carlos Cruz;  
Nystrom Elementary: 1<sup>st</sup> place: Alexis Bolanos  
2<sup>nd</sup> place: Angelina Rodriguez Salazar; Nystrom Elementary: 1<sup>st</sup> place: Wegdan Alammari  
2<sup>nd</sup> place: Alma Reyes; Olinda Elementary  
1<sup>st</sup> place: Jazmin Valencia, 2<sup>nd</sup> place: Luca Argast; St. Cornelius Elementary: 1<sup>st</sup> place: Rebecca Gonzales  
2<sup>nd</sup> place: Sebastian Franco; St. David Elementary  
1<sup>st</sup> place: Valeria Panameno, 2<sup>nd</sup> place: Andrea Juarbe;  
Sheldon Elementary: 1<sup>st</sup> place: Mylani Sonico  
2<sup>nd</sup> place: Hailey Collins; Sheldon Elementary  
1<sup>st</sup> place: Verenice Ortiz, 2<sup>nd</sup> place: Ella Winchester;  
Valley View Elementary: 1<sup>st</sup> place: Sofia Raiss El Fenni  
2<sup>nd</sup> place: Avy Bains; Valley View Elementary: 1<sup>st</sup> place: Connor Rixen, 2<sup>nd</sup> place: Masina Mayo;  
Washington Elementary: 1<sup>st</sup> place: Jeanette Martinez

2<sup>nd</sup> place: Zarrie Allen; Washington Elementary: 1<sup>st</sup> place: Maya Turano, and 2<sup>nd</sup> place: Karla Rodriguez.

Mayor McLaughlin presented a proclamation recognizing the Richmond Bicycle/Pedestrian Advisory Committee and declaring May 2012 as National Bike Month in Richmond to Adrian Harris and Nancy Baer. The following individuals gave comments: Leonard Taylor, Margree Jones, Wesley Ellis, and Mike Ali.

Mayor McLaughlin presented a proclamation recognizing the contributions and the ongoing struggles of the Lesbian, Gay, Bisexual, and Transgender (LGBT) community and declaring the month of June as pride month in the City of Richmond to various members of the RYSE Center. The following individuals gave comments: Rev. Ken Davis, Cordell Hindler, Mark Wassberg, Wesley Ellis, Margree Jones, Texanita Bluit, and Eduardo Martinez.

*(8:19 p.m. - Mayor McLaughlin called a five minute recess). The City Council reconvened at 8:21 p.m.)*

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

City Attorney, Bruce Goodmiller, stated there were no reportable actions.

*(A motion by Councilmember Boozé to hear Item I-1 before all of the other items, failed for lack of a second).*

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

The matter to adopt a resolution directing staff to reject the sole bid received April 24, 2012, for the Officer Bradley A. Moody Memorial Underpass Project and request new bids for this project was presented by Chad Smalley, Project Manager for Successor Agency

for the Richmond Community Redevelopment Agency. The following individuals gave comments: Wesley Ellis, Pam Saucer-Bilbo, Mike Ghilloti, Patsy Smith, Dwight Adams, Bea Roberson, and Eleanor Thompson. Discussion ensued. A motion made by Councilmember Butt, seconded by Mayor McLaughlin, to reject the sole bid. A substitute motion made by Councilmember Boozé, seconded by Councilmember Bates, to direct staff to meet with Ghilotti Brothers Construction within two weeks, in order to get their last, better, and final offer, with the same scope of work, and staff will communicate the outcome with CALTRANS. A friendly amendment made by Vice Mayor Rogers to agendaize this item as one of the first three items on the June 5, 2012, City Council meeting. The amendment was accepted by Councilmember Boozé. The substitute motion passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** Councilmember Butt. **Absent:** Councilmember Beckles. **Abstain:** None.

### **CITY COUNCIL CONSENT CALENDAR**

The matter to approve a contract with U.S. Matrix Construction, Inc. (Pittsburg, CA) to construct gender specific restroom improvements at Station 61, located at 140 West Richmond Avenue, in an amount not to exceed \$115,000 was presented. (This contract was reviewed and recommended for approval by the Finance Standing Committee at its May 4, 2012, meeting). ***This item was continued from the May 15, 2012, meeting.*** Eleanor Thompson gave comments. A motion by Councilmember Boozé, seconded by Vice Mayor Rogers, approved the contract by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Beckles. **Abstain:** None.

CONTINUED to the June 5, 2012, City Council meeting the matter to approve a sixth 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 \$400,000, extending the term expiration to June 30, 2013. *This item was continued from the May 15, 2012, meeting.*

The matter to approve the expenditure plan associated with the 2011 CalGRIP Grant Award to include the authorization to negotiate and enter into contracts with Be a Mentor (\$49,000), Richmond PAL (\$72,000), Boys and Girls Club of El Sobrante (\$27,000), The RYSE Center (\$27,000), and Richmond Employment and Training Department (\$50,000) and to execute all budgetary amendments approved by CALEMA was presented. *This item was continued from the May 15, 2012, meeting.* Wesley Ellis and Eleanor Thompson gave comments. A motion by Councilmember Ritterman, seconded by Mayor McLaughlin, approved the expenditure plan, by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Beckles. **Abstain:** None.

### **PUBLIC HEARINGS**

The matter to adopt a resolution approving a reversion to acreage proposed by the applicant to recombine a three-lot subdivision into one parcel located at 125-127 Western Drive in the Point Richmond neighborhood was presented by Richard Mitchell, Planning Director. *This item was continued from the May 15, 2012, meeting.* Mayor McLaughlin declared the public hearing open. There were no public speakers. A motion by Councilmember Butt, seconded by Councilmember Beckles, closed the public hearing by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None. A motion by Councilmember Butt, seconded by Councilmember Beckles, adopted **Resolution No. 68-12**, by the following vote: **Ayes:** Councilmembers Beckles, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** Councilmember Boozé.

The matter to authorize amendments to the 2011-2012 Annual Plan, including increasing funding

to the Home Improvement Loan Program (HILP) by \$189,297, Richmond Ownership Dream (ROD) by \$200,000, Neighborhood Stabilization Program (NSP) by \$200,000 and Section 108 Repayment by \$19,085 was presented by Housing Director, Patrick Lynch. Mayor McLaughlin declared the public hearing open. ***This item was continued from the May 15, 2012, meeting.*** A motion by Councilmember Ritterman, seconded by Councilmember Beckles, closed the public hearing by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None. There were no public speakers. Councilmember Butt requested an update report regarding the Neighborhood Stabilization Program. A motion by Councilmember Ritterman, seconded by Councilmember Boozé, authorized the amendments, by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.

The matter to receive testimony regarding the proposed 2010-2011 Consolidated Annual Performance and Evaluation Report (CAPER), and adopt a resolution approving this report was presented by Housing Director, Patrick Lynch. ***This item was continued from the May 15, 2012, meeting.*** 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 following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None. A motion by Councilmember Boozé, seconded by Councilmember Ritterman, adopted **Resolution No. 69-12**, by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.

The matter to adopt a resolution approving the Annual Consolidated Action Plan, which outlines priorities and uses of Community Development Block Grant (CDBG), CDBG Program Income, Home

Investment Partnership Program (HOME) funding and HOME Program Income, and authorizing the submittal of the 2012-2013 Annual Consolidated Action Plan to the U.S Department of Housing and Urban Development (HUD) was presented by Housing Director, Patrick Lynch. ***This item was continued from the May 15, 2012, meeting.*** 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 following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None. A motion by Councilmember Ritterman, seconded by Councilmember Butt, adopted **Resolution No. 70-12**, by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Bates. **Abstain:** None.

### **STUDY SESSION**

***This item will not be heard prior to 7:30 p.m.***

The matter to receive a presentation by Brendon Levitt of KLMR Environmental Design, who is not affiliated with any potential developer, purchaser or project, regarding the envisioning of possible future uses at Point Molate, was presented via a PowerPoint presentation. Councilmember Butt expressed displeasure with the proposed vision that would eliminate most of the existing historic structures on the site. Don Gosney and Eduardo Martinez gave comments.

### **STUDY AND DIRECTION TO STAFF SESSION**

The matter to receive a report regarding options related to the wastewater treatment system infrastructure within the Richmond Municipal Sewer District, and provide direction to staff regarding development of a project implementation plan for a preferred alternative, including a further detailed evaluation of the necessary facility design and construction costs, project financing options, regulatory approach, the most beneficial institutional arrangement,

and impacts on current plant operations. An overview was given by Chad Davisson who presented the various options. Finance Director, Jim Goins provided bond information. Butt asked what effect the options will have to rate payers. Carollo Engineering's analysis considered four different alternatives, and included a comparison of the capital and operational costs (adjusted to reflect total life cycle costs) as well as an analysis of non-economic factors such as environmental impacts, safety, odors, public acceptance, ease of operation, regulatory compliance and constructability. The four alternatives are: 1) Send raw sewage to East Bay Municipal Utility District (EBMUD); 2) Continue to use the city's Water Pollution Control Plant (WPCP); 3) Solids Treatment at the West County Wastewater District (WCWD); 4) Send raw sewage to WCWD. Options 3 and 4 are not being recommended by staff. The following individuals gave comments: Laura Pawlowski, Charles Smith, Bea Roberson, Eduardo Martinez, Maureen Decombe, Wesley Ellis, and Tony Sustak. Discussion ensued. *(11:08 p.m. - A motion by Vice Mayor Rogers, seconded by Councilmember Ritterman, extending the meeting 1 hour, passed with Councilmembers Boozé and Butt voting "no").* A motion by Mayor McLaughlin, seconded by Councilmember Beckles, directed staff to develop a plan for Alternative 1, approved by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Ritterman, Vice Mayor Rogers and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Beckles. **Abstain:** None.

CONTINUED to the June 5, 2012, meeting 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. ***This item was continued from the May 1 and 15, 2012, meetings.***

CONTINUED to the June 5, 2012, the matter to discuss and consider amendments to the Code of Conduct for the City Council. ***This item was continued from the May 15, 2012, meeting.***

CONTINUED to the June 5, 2012, the matter to consider instructing staff to apply to NRG for free electric vehicle charging stations.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 1:40 a.m. in memory of Gayle Uilkema, Alfred Daniels, Pat Marra, and Henry Treadway to meet again on Tuesday, May 29, 2012, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor