

**RICHMOND, CALIFORNIA,
February 5, 2013**

The Richmond City Council Evening Open Session was called to order at 5:41 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

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

PUBLIC COMMENT

None.

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):** William Cantrell, et al. vs. City of Richmond

**CONFERENCE WITH REAL PROPERTY
NEGOTIATOR (Government Code
Section 54956.8):** Property: Port of Richmond
Agency negotiators: Bill Lindsay and Jim Matzorkis
Negotiating parties: Auto Warehousing Company
Under negotiation: Price and terms of payment

The Evening Open Session adjourned to Closed Session at 5:42 p.m. The Closed Session adjourned at 6:12 p.m. The Regular Meeting of the Richmond City Council was called to order at 6:32 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

**REGULAR MEETING OF THE SUCCESSOR
AGENCY TO THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY AND RICHMOND
CITY COUNCIL**

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

Councilmember Butt stated conflict of interest on Item J-17.

AGENDA REVIEW

Items J-5, J-8, J-11, J-14, and J-17 were removed from the Consent Calendar.

**ADMINISTER THE OATH OF OFFICE TO
COUNCILMEMBER APPOINTEE**

City Clerk, Diane Holmes administered the Oath of Office to newly-appointed Councilmember Jael Myrick. The following individuals gave comments: Eleanor Thompson, Naomi Williams, Bea Roberson, Mary Spearman, and Assemblymember Nancy Skinner.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor gave comments regarding the loss of the 49ers in the Super Bowl.

Paul Rodgers complained about soccer congestion in the parks on Saturdays, especially at Booker T. Anderson Park.

Mark Wassberg stated that he has not seen Councilmember Myrick at any city events and asked that he protect Constitutional laws.

Rev. Kenneth Davis expressed empathy to Gary Bell and his family and congratulated newly appointed Councilmember Myrick.

Bea Roberson asked when a part-time Confidential Investigator will be hired, as well as when a new City Council liaison to the Police Commission will be appointed. Ms. Roberson also stated that the city needs to hire a public relations firm to inform the public about matters regarding Richmond.

Texanita Bluitt congratulated Jael Myrick for his appointment. Ms. Bluitt also thanked the Mayor for the Martin Luther King movie presented to the community.

Eleanor Thompson congratulated Councilmember Myrick on his appointment to the City Council. Ms. Thompson also stated that she would like the Councilmembers to support and participate with the North Richmond Main Street Initiative.

Jackie Thompson read the poem, "Still I Rise" by Maya Angelou.

Pam Bilbo congratulated Councilmember Myrick and asked that he let himself be led by God and to not let himself be used as a puppet.

Wesley Ellis congratulated Councilmember Myrick. Mr. Ellis also stated that he will continue to speak out against anyone who disrespects Councilmember Bates or Vice Mayor Boozé.

West Contra Costa Unified School District Board Member, Charles Ramsey, congratulated Councilmember Myrick and announced that there will be a facility subcommittee meeting to approve a budget for the Kennedy Swim Center. Mr. Ramsey also announced that expulsions are down 90% and there will be no teacher lay-offs this year.

Adrienne Harris congratulated Jael Myrick and asked for the Council's continued support of bicycle lanes in the city.

Marilyn Langlois announced that on Sunday, February 24, 2013, the play "Call Mr. Roberson" will be presented at the East Bay Center for the Performing

Arts in honor of Black History Month. For ticket information call 510-221-6353.

Courtney Cummings congratulated Jael Myrick and gave comments about the recent “Idle No More” peaceful protest in Richmond.

Bishop Andre Jackson said a prayer for the Councilmembers.

Mary Spearman congratulated Councilmember Myrick. Ms. Spearman requested that the portable toilets left from the MLK Day of Service on Ohio Avenue between South 15th and South 16th Streets be removed.

Mike Parker congratulated Councilmember Myrick. Mr. Parker also announced that on Saturday, February 9, 2013, at 6 p.m. a group called “Raw Talent” will be performing at El Cerrito High School.

Billy Alexander made comments regarding an article written by Monte Poole of the West County Times on February 1, 2013, regarding comments made by a 49er player who stated that gay persons are not welcome in their locker room.

(Councilmember Myrick thanked Mark Wassberg for welcoming him to the City Council by stating nonsensical comments about him).

AGENDA REVIEW

Items J-5, J-8, J-11, J-14, and J-17 were removed from the Consent Calendar.

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

City Attorney, Bruce Goodmiller, stated that there were no reportable actions taken during closed session.

**SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY
CONSENT CALENDAR**

A motion by Councilmember Butt, seconded by Councilmember Beckles, adopted **Resolution No. 5-13**, authorizing the city manager or his designee to execute the Public Highway Underpass Crossing Agreement among the City of Richmond, the Richmond Pacific Railroad Company and the Union Pacific Railroad Company, Bradley A. Moody Underpass, Marina Bay Parkway in an amount not to exceed \$50,050.

CITY COUNCIL CONSENT CALENDAR

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

*- Rejected the one construction bid received for the Marina Shoreline Pedestrian Lights Restoration Project, and authorize staff to call for new bids.

*- Approved an emergency contract with Automatic Door Systems, Inc. to replace the existing obsolete and non-ADA compliant doors at the Employment and Training offices in an amount not to exceed \$25,000.

*- Adopted **Resolution No. 6-13**, ordering the preparation of the Engineer's Report for Fiscal Year 2013-2014 regarding improvements and costs for the Hilltop Landscape Maintenance District

*- Adopted **Resolution No. 7-13**, ordering the preparation of the Engineer's Report for Fiscal Year 2013-2014 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District.

The matter to approve a contract amendment with U.S. Matrix Construction, Inc. to expand the scope of contract work and increase the contract amount by \$64,073, for a total contract amount of \$179,073, for the project to construct gender specific restroom

facilities, remodeling, and related improvements at Fire Station #61, located at 140 West Richmond Avenue was presented by Fire Chief, Michael Banks. Kenneth Davis and Wesley Ellis gave comments. A motion by Councilmember Rogers, seconded by Councilmember Beckles, approved the contract by the unanimous vote of the City Council.

*- Approved an amendment to the contract with Contra Costa Community College District to provide training materials for additional RichmondBUILD Academy participants. The contract term will be from July 1, 2012, through June 30, 2013, and the contact amount will be increased by \$4,831 to a total contract amount not to exceed amount of \$14,331.

*- Approved an agreement with Building Blocks for Kids (BBK) Collaborative, through their fiscal agent, YMCA East Bay, to implement an IMLS Digital Literacy Planning Grant in collaboration with the Richmond Public Library at a cost not to exceed \$50,000 for the period of December 1, 2012, through December 31, 2013.

The matter to approve an amendment to the existing contract with Environ for preparation of a Revised Environmental Impact Report for the Revised Chevron Hydrogen Renewal Project increasing the payment limit by \$3,000,000 (to be paid by Chevron, the project applicant) and extending the term of the contract to December 31, 2014 was presented. Kenneth Davis gave comments. A motion by Councilmember Bates, seconded by Vice Mayor Boozé, approved the contract amendment by the unanimous vote of the City Council.

*-Approved the minutes of the January 15, 2013, regular meeting and the January 24, 2013, special meeting.

*-Adopted **Ordinance No. 1-13**, amending Richmond Municipal Code Chapter 6.43 to improve industrial safety and update and clarify other sections of Chapter 6.43.

The matter to approve the Port Executive Director's request for travel to China, with a cost of

approximately \$5,000 per trip, for two trips to continue the business development plan and 2013 marketing plan with the Port of Zhoushan and Auto Warehousing Company, to continue to explore the potential for China auto manufacturing companies entering the U.S. market through the Port of Richmond's recently renovated facility, and to meet with representatives of the China automobile industry was presented by Port Director, Jim Matzorkis. Councilmember Bates suggested that a future study session be scheduled with Auto Warehousing Company to discuss matters relating to the port. A motion by Councilmember Rogers, seconded by Vice Mayor Boozé, approved the request for travel, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstain:** Mayor McLaughlin. **Absent:** None.

*- Adopted **Resolution No. 8-13**, authorizing the application for grant funds from the California Department of Housing and Community Development's (HCD's) Federal Emergency Solutions Grants (ESG) Program in the amount of \$230,000 and authorizing the execution of related documents to accept the grant and expend grant funds as may be approved by HCD.

*- Approved a contract with Lords Electric, Inc. for the installation of an emergency generator at the Main Library in an amount not to exceed \$50,000.

The matter to approve a contract with The Glen Price Group for the period January 15, 2013, to March 30, 2013, in an amount not to exceed \$17,600, to prepare a grant application for submittal under the Byrne Criminal Justice Innovation Program to focus on neighborhood revitalization and crime prevention in several Richmond neighborhoods was presented by Police Chief, Chris Magnus. Vice Mayor Boozé stated that more funding should be directed to the Southside areas of the city. Chief Magnus responded that the neighborhoods between the Richmond Bart Station and San Pablo Avenue have already been identified as those in greater need of funding to help reduce property crime, prostitution, and foreclosed properties. Discussion ensued. Councilmember Bates called for the question. A motion by Vice Mayor Boozé,

seconded by Councilmember Bates to end debate failed. A motion by Councilmember Rogers, seconded by Councilmember Myrick, approved the contract, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Noes:** None. **Abstain:** None. **Absent:** None. *Councilmember Butt did not vote.*

*- Approved the purchase of 20 new Chevrolet Caprice police cars from Winner Chevrolet of Elk Grove, California, for use by the Richmond Police Department as replacement for existing vehicles, in an amount not to exceed \$625,000.

*- Received a status report on the implementation of projects upgrading street lights using Light Emitting Diode (LED) technology, and evaluating the feasibility of solar LED technology along Richmond Parkway.

The matter to approve the First Amendment to the Lease Agreement between Auto Warehousing Company and the Port of Richmond for a portion of Terminal 3, extending the term for an additional five years through December 31, 2018, providing not less than \$42,000 in annual revenue during this term was presented by Port Director, Jim Matzorkis. Mayor McLaughlin supports only approving a one year contract. A motion by Vice Mayor Boozé, seconded by Councilmember Rogers, approved the amendment, by the following vote: **Ayes:** Councilmembers Bates, Beckles, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** Mayor McLaughlin. **Abstain:** None. **Absent:** None. (*Councilmember Butt recused himself*).

PUBLIC HEARINGS

CONTINUED to February 19, 2013, an appeal by William Randolph III, of the Planning Commission's denial of a project to subdivide the site, 5801 Knobcone Court, into four residential lots with one remainder parcel and render a decision.

RESOLUTIONS

WITHDREW the adoption of a resolution calling and giving notice of the holding of a Special Municipal Election to be held on Tuesday, June 4, 2013, for the election of one officer as required by the provisions of the Charter and requesting the Board of Supervisors of the County of Contra Costa to consolidate the Special Municipal Election with the election of any other local entities to be held on June 4, 2013, and adopt regulations for candidates for elective office pertaining to the Candidate's Statements submitted to the voters, cost for Candidate's Statements and other fees, word limit for Candidate's Statements, and action to be taken in case of a tie vote. (*An appointment was made by the City Council on February 4, 2013.*)

COUNCIL AS A WHOLE

The matter to establish a City ad hoc committee to join with the County in reviewing additional improvements to the Industrial Safety Ordinance (ISO) was presented. A motion by Mayor McLaughlin, seconded by Councilmember Rogers, approved the establishment of the ad hoc committee by the unanimous vote of the City Council.

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

Vice Mayor Boozé stated that he and Councilmember Bates attended a renewable energy conference in Indian Wells. Vice Mayor Boozé also reported that he has received complaints of water drainage issues at 41st and Ohio Avenue coming from the Richmond Greenway and asked staff to follow-up on the matter.

Councilmember Bates requested that the meeting be closed on memory of Al Parish. Councilmember Bates also congratulated all of the honorees at the recent NAACP awards dinner, including Vice Mayor Boozé.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:50 p.m. in memory of Al Parish, to meet again on Tuesday, February 19, 2013, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor