

**RICHMOND, CALIFORNIA, March 5,  
2013**

The Richmond City Council Evening Open Session was called to order at 5:07 p.m.

**ROLL CALL**

**Present:** Councilmembers Bates, Beckles, Butt, Rogers, and Mayor McLaughlin. **Absent:** Councilmember Myrick and Vice Mayor Boozé (Councilmember Myrick arrived after the City Council adjourned to Closed Session and Vice Mayor Boozé arrived at 5:08 p.m.).

**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):**

The Guidiville Rancheria of California, and  
Upstream Point Molate LLC, vs. The United  
States of America and The City of Richmond, et  
al

Jenkins vs. City of Richmond

Booker vs. City of Richmond

**CONFERENCE WITH LABOR  
NEGOTIATOR (Government Code Section  
54957.6):**

Agency designated representatives: Bill Lindsay,  
Bruce Soublet, Jack Hughes  
Employee organization: SEIU Local 1021

**There were no public speakers.**

The Evening Open Session adjourned to Closed Session at 5:08 p.m. The Closed Session adjourned at 6:43 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:54 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag.

**ROLL CALL**

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

## **READING OF THE CODE OF ETHICS**

City Clerk Diane Holmes read the Code of Ethics.

## **STATEMENT OF CONFLICT OF INTEREST**

Councilmember Butt stated a conflict of interest with Item J-4.

## **AGENDA REVIEW**

Withdrew Item J-3 from the agenda.

## **OPEN FORUM FOR PUBLIC COMMENT**

Sims Thompson stated that large trucks driving through the City of Richmond are destroying the streets.

Courtney Cummings expressed condolences to the family of Lincoln Plair. Ms. Cummings thanked the Office of Neighborhood Safety and the Richmond Police Officers for controlling the scene.

Mark Wassberg gave comments regarding new American citizens and illegal immigrants.

Jackie Thompson expressed her disappointment with Mayor McLaughlin for not attending the National Association for the Advancement of Color People's (NAACP) Award Banquet held last month because they were honoring Vice Mayor Boozé. Ms. Thompson stated that Vice Mayor Boozé was not the only individual being honored.

Larry Lewis thanked Parks Superintendent Chris Chamberlin and the Parks Department for preparing Nichols Park for Little League Baseball to begin. Mr. Lewis announced that Opening day was March 16, 2013, at 9:00 a.m. with a parade starting at 24<sup>th</sup> Street and Barrett Avenue to Nichols Park. Mr. Lewis also stated that the baseball fields are in the best shape ever. On behalf of the Police Activities League (PAL) Board of Directors, he thanked everyone for attending the PAL Annual Luncheon. The fundraiser raised \$73,000 in pledges to fund programs.

Roberto Reyes expressed disappointment that the investigative office for the Police Commission has not been filled.

Nadia Hussain invited the City Council and the community to a Community Forum on Thursday, March 7, 2013, from 5:00 p.m. to 7:00 p.m. at 1014 Florida Street. Topics for discussion include under-age drinking and drug use.

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

City Attorney Bruce Reed Goodmiller stated that there were no reportable actions.

**CITY COUNCIL CONSENT CALENDAR**

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

\*-Approved a contract with Community Violence Solutions (CVS) in an amount not to exceed \$90,123 for the continuation of services for on-site advocates to assist victims of domestic violence and sexual assault for the period January 1, 2013, to December 31, 2013.

\*-Approved the grant-funded purchase of two Scott self-contained breathing cylinders and accessories from Industrial Safety Supply Corporation in the amount of \$11,886.45, using State Homeland Security grant funds, to be used as part of the Urban Search and Rescue training equipment inventory.

\*-Adopted **Resolution No. 17-13** amending the City of Richmond's Position Classification Plan to add the new classification of Source Control Superintendent.

\*-Introduced an ordinance for first reading establishing the wages, salary, and compensation for the new classification of Source Control Superintendent (Salary Range No. 064D: \$7,277 - \$8,829/month).  
**Councilmember Bates Abstained on this item.**

\*-Introduced an ordinance for first reading amending the wages, salary, and compensation for the classification of Risk Manager (Salary Range No. 071A: \$9,240 - \$11,232/month) (increase of 3.3%).

\*-Adopted **Resolution No. 18-13** authorizing submittal of an application for grant funds from the California Department of Housing and Community Development's (HCD) CalHome Program in an amount not to exceed \$1,000,000; and authorized the execution of related documents to accept the grant and expend grant funds as approved by HCD.

\*-Approved a contract with Stephens Construction, Inc. (SCI) for the installation of additional boilers at the City Auditorium in an amount not to exceed \$240,000.

\*-Adopted **Resolution No. 19-13** authorizing the city manager to execute all required contracts and agreements to accept \$5 million in Proposition 84 grant

funds for the development of a linear park along the Richmond Greenway, to enter into a grant agreement with the Office of Grants and Local Services, and to facilitate the acquisition of 1605 Ohio Avenue as a component of the project.

### **RESOLUTIONS**

The matter to adopt a resolution sending a welcome to the Whole Foods Distribution Center, a new warehouse facility in Point Pinole Business Park in Richmond under construction and nearing completion, and directing staff to expedite any remaining permits and paperwork so as to present opportunities for approximately 200 jobs as soon as possible was presented by Mayor McLaughlin, Councilmembers Beckles and Butt. On motion of Mayor McLaughlin, seconded by Councilmember Beckles adopted **Resolution No. 20-13** by the unanimous vote of the City Council.

### **COUNCIL AS A WHOLE**

The matter to receive a report from staff and provide direction on the identified work plan to reopen Point Molate Beach Park was presented by Parks and Recreation Supervisor Chris Chamberlin. Mr. Chamberlin's report included a PowerPoint Presentation. Sims Thompson, Marilyn Langlois, and Eduardo Martinez gave comments. On motion by Councilmember Rogers, seconded by Councilmember Beckles received the report and accepted the work plan to reopen Point Molate Beach Park by the unanimous vote of the City Council.

The matter to approve: (1) an amendment to the professional services agreement with Wiss, Janney, Elstner Associates (WJE) to complete additional design services, construction inspection, and materials testing services for the Operations and Security Center (OSC) Project at the Point Potrero Marine Terminal ("Riggers Loft") as required to satisfy the requirements of the California Ports and Maritime Security Grant Program (CPMSGP) in an amount not to exceed \$50,460; and (2) an amendment to the construction agreement with Alten Construction, Inc. to complete the tenant improvements for the Operations and Security Center (OSC) Project at the Point Potrero Marine Terminal ("Riggers Loft") as required to satisfy the requirements of the CPMSGP in an amount not to exceed \$793,387.23 was presented by Port Executive Director Jim Matzorkis. Jackie Thompson gave comments. On motion of Councilmember Rogers, seconded by Councilmember Butt amended the professional services agreement with Wiss, Janney, Elstner Associates (WJE) to complete additional design services, construction inspection, and materials testing services for the Operations and Security Center (OSC) Project at the Point Potrero Marine Terminal ("Riggers Loft") as required to satisfy the requirements of the California Ports and Maritime Security Grant Program (CPMSGP)

in an amount not to exceed \$50,460 and amended the construction agreement with Alten Construction, Inc. to complete the tenant improvements for the Operations and Security Center (OSC) Project at the Point Potrero Marine Terminal ("Riggers Loft") as required to satisfy the requirements of the CPMSGP in an amount not to exceed \$793,387.23 by the unanimous vote of the City Council.

**Withdrew from the agenda** the matter to direct the city manager to confirm with Chevron funding for a branding and marketing study and implementation strategy for the City of Richmond, and solicit proposals from potential providers.

The matter to discuss and give direction to staff concerning efforts to bring the State of California Health Exchange Call Center and its 200 jobs to Richmond was presented by Councilmembers Rogers, Myrick, and Bates. **Councilmember Butt recused himself on this item.** Kathleen Sullivan, Antwon Cloird, and Eduardo Martinez gave comments. On motion of Councilmember Rogers, seconded by Councilmember Beckles directed the city manager to: (1) negotiate a loan, for subsequent Richmond City Council approval, with Richard Poe in an amount not to exceed \$1,012,545, to be repaid with interest, over a period not to exceed 25 years, in return for Richard Poe reducing his bid by \$1,012,545; (2) write to appropriate State representatives on behalf of the Richmond City Council and request them to confirm in writing that they will not pick up the cost if the Contra Costa County Board of Supervisors chooses a more expensive site for the Call Center; and (3) take appropriate steps to communicate that the City of Richmond has roughly \$100,000 in training funds and was willing to commit those funds in order to reduce Contra Costa County's cost and increase the City of Richmond's chances of winning the Call Center by the following vote: **Ayes:** Councilmember Bates, Beckles, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

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

Vice Mayor Boozé reported that he attended the 12th Annual New Partners for Smart Growth: Building Safe, Healthy, Livable, and Equitable Communities Conference on February 7 through 9, 2013, at the Kansas City Convention Center in downtown Kansas City, Missouri. He also attended the California Association of Sanitation Agencies (CASA) Conference, held in Indian Wells, California, from January 16 through 18, 2013.

Councilmember Butt reported that he also attended the 12th Annual New Partners for Smart

Growth: Building Safe, Healthy, Livable, and Equitable Communities Conference on February 7 through 9, 2013, at the Kansas City Convention Center in downtown Kansas City, Missouri. He also attended the Health in All Policies Conference in Monterey, California, on March 1, 2013.

Mayor McLaughlin invited everyone to attend the 6<sup>th</sup> Annual International Women's Day Celebration: Sisters in Solidarity on Saturday, March 9, 2013, from 10:00 a.m. to 3:00 p.m. at Lovonya DeJean Middle School, 3400 Macdonald Avenue. For more information call Nicole Valentino at (510) 620-6527.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:40 p.m. in memory of homicide victim Lincoln Plair, to meet again on Tuesday, March 19, 2013, at 6:30 p.m..

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City Clerk

(SEAL)

Approved:

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Mayor