

**RICHMOND, CALIFORNIA, June 4,  
2013**

The Richmond City Council Evening Open Session was called to order at 5:13 p.m. by Mayor Gayle McLaughlin.

**ROLL CALL**

**Present:** Councilmembers Butt, Myrick, Rogers, and Mayor McLaughlin. **Absent:** Councilmember Bates and Vice Mayor Boozé arrived at 5:17 p.m. Councilmember Beckles arrived at 5:18 p.m.

**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 LABOR NEGOTIATORS (Government Code Section 54957.6):** Agency designated representatives: Bill Lindsay, Jack Hughes, Bruce Soublet, and Lisa Stephenson  
Employee organization: International Federation of Professional and Technical Employees (IFPTE), Local 21

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):** Property: Port of Richmond General Warehouse  
Agency negotiator(s): Bill Lindsay and Jim Matzorkis  
Negotiating parties: Golden Solar Power Group and MSH Group  
Under negotiation: Price and terms of payment

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):** Title: City Clerk

The Evening Open Session adjourned to Closed Session at 5:15 p.m. The Closed Session adjourned at 7:45 p.m. The Regular Meeting of the Richmond City Council was called to order at 7:50 p.m., by Mayor Gayle 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.

### **STATEMENT OF CONFLICT OF INTEREST**

Councilmember Myrick recused himself from discussion on Item I-1.

### **AGENDA REVIEW**

Items G-1, G-3, G-6, G-8, G-9, G-11, G-15, and G-16 were removed from the Consent Calendar. Councilmember Rogers requested that an emergency item be placed on the agenda about a recent policy change regarding parking space fees at the Bella Vista Apartments. No motion to add this item to the agenda was made. A motion by Vice Mayor Boozé, seconded by Councilmember Boozé, to move Item K-5 up on the agenda, failed by the following vote: **Ayes:** Councilmember Bates and Vice Mayor Boozé. **Noes:** Councilmembers Beckles, Butt, Myrick, Rogers, and Mayor McLaughlin. **Absent:** None. **Abstain:** None. Item K-5 was withdrawn from the agenda by Councilmember Bates.

### **OPEN FORUM FOR PUBLIC COMMENT**

Naomi Williams stated that the employee who removes the graffiti is a wonderful asset to the city and deserves recognition for his work. Ms. Thompson also stated that 4 Richmond is having an event on Thursday, June 6, 2013, at 6 p.m. at LaVonya DeJean Middle School.

Mark Wassburg gave comments regarding the rape that occurred at Richmond High school.

Alpha Buie, Eleanor Thompson, Pam Saucer, Carletta Jackson-Lane, Mattie Scott, Gloria Wright, and Nykema Randall gave comments in support of the City of Richmond instituting gun control measures.

Johnny Holmes stated that no changes have been made to the playing field on Cutting Boulevard and Marina Way South to be able to conduct track meets. Mr. Holmes also requested assistance in organizing a crab feed in order to raise money to cover travel expenses for a national track meet in Eugene, Oregon.

Jackie Thompson thanked Councilmember Rogers and City Manager, Bill Lindsay, for responding to her e-mail.

Sims Thompson stated he is concerned about how and where his tax money is being spent.

Bea Roberson stated that every first Friday of the months of May, June, July, and August, the Main Street Program will have a farm stand in front of the Social Security Building.

Jan Mignone, President of the North & East Neighborhood Council, Melanie Myers, Nancy Lewis, Karin Romeo, Clark Shoemaker, and Amalia Pereira, stated that more pedestrian safety improvements need to be made at the Solano Playlot and requested that funding be allocated in the upcoming budget to improve the playlot.

Rosanne Ryken thanked the City Manager for handling the rodent problem in the library.

Marilyn Langlois spoke in support of instituting a public bank in Richmond.

Felix Hunziker requested that funding be allocated to perform traffic safety improvements at the Solano Playlot. Mr. Hunziker also invited the public to attend the monthly Police Commission meeting on Wednesday, June 5, 2013, at 7 p.m. at the Employment and Training Building on 330 25<sup>th</sup> St.

Ed Anderson stated he needs assistance to acquire sites to build a hydroelectric station on Point San Pablo.

Yolanda Jones stated that minority contractors in Richmond are not being hired.

Michael Parker stated that on Saturday, June 8, 2013, at St. Mark's Catholic Church, at 9 p.m., the public can participate in a discussion with Congressman George Miller regarding proposed immigration laws.

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

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

**CONSENT CALENDAR**

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

CONTINUED to the June 18, 2013, City Council meeting, the matter to approve amendment No. 6 to the Kronick Moskowitz legal services agreement for legal representation related to the City of Richmond's intervention in the Chevron property tax appeal litigation, increasing the amount by \$300,000 to a total amount of \$800,000 was presented by City Attorney, Bruce Goodmiller. **This item was continued from the May 21, 2013, meeting.**

\*-Approved a legal services agreement with Colantuono & Levin, P.C. for legal advice regarding options to increase revenues related to Proposition 218, and procedures required for implementation, in an amount not to exceed \$30,000, with a term expiration of June 30, 2014.

A motion by Councilmember Butt, seconded by Councilmember Beckles, approved a two-year contract with Hadronex, Inc. for the on-going operation and support of six hydrogen sulfide and four sewer system level monitors, in an amount not to exceed \$70,000.

\*-Approved a one-year contract with Recall Total Information Management, Inc. to provide legacy retention mapping and disposition of off-site document storage files and record retention schedule review and analysis in an amount not to exceed \$35,500; contract term June 5, 2013, to December 31, 2013.

\*-Adopted **Resolution No. 48-13a**, approving the 2012/13 - 2016/17 Five-Year Financial Plan.

A motion by Councilmember Beckles, seconded by Councilmember Butt, approved the purchase of carbine rifles from Professional Police Supply Inc., dba Adamson Police Supply, in an amount not to exceed \$50,000, by the unanimous vote of the City Council.

\*-Approved a one-year software maintenance agreement with Kronos, Inc. for the Telestaff System that assists in managing overtime in the Police Department in an amount not exceed \$17,273.74 for the term from July 1, 2013, to June 30, 2014.

A motion by Councilmember Bates, seconded by Councilmember Rogers, adopted **Ordinance No. 8-13 N.S.**, establishing the wages, salary, and compensation for the new classification of Community Services Technician II, by the unanimous vote of the City Council. The Personnel Board recommended the approval of the new classification at its April 25, 2013, meeting. The City Council approved the first reading of this item on May 21, 2013.

A motion by Councilmember Bates, seconded by Councilmember Rogers, adopted **Ordinance No. 7-13 N.S.**, establishing the wages, salary, and compensation for the new classification of CCTV and Wireless Systems Specialist (Salary Range No. 063: \$6,734 - \$8,185), by the unanimous vote of the City Council. The Personnel Board recommended the approval of this new classification at its April 25, 2013, meeting, and the City Council approved the first reading of this item on May 21, 2013.

\*-Adopted **Resolution No. 48-13**, amending the City of Richmond's Position Classification Plan to add the new classification of CCTV and Wireless Systems Specialist. This will eliminate the need for an outside contractor to do this work and save the City more than \$150,000. The new position was approved by the City Personnel Board at its April 25, 2013.

CONTINUED to the June 18, 2013, City Council meeting, a purchase with Omega Pacific Electric Supply, Inc. to provide 14 - 40ft galvanized street light poles for the Richmond Parkway in an amount not to exceed \$26,500.

\*-Approved the contract with Kevin W. Harper, CPA to conduct an internal audit of the Marina Lease Agreement in an amount not to exceed \$19,920.

\*-Approved the purchase of fitted AS-501 threat level IIIA ballistic helmets, to replace existing Police Department equipment, from Armor Source, LLC, in an amount not to exceed \$18,000.

\*-Approved the minutes of the March 26, 2013, Special Richmond City Council Meeting; March 26, 2013, Special Joint Richmond City Council and West Contra Costa Unified School District Meeting; April 16, and May 7, 2013, Regular Richmond City Council Meetings.

A motion by Mayor McLaughlin, seconded by Councilmember Rogers, approved the following appointments and re-appointments: Design Review Board: Brenda Munoz, incumbent, term expiring August 1, 2015; Point Molate Advisory Committee: Dorothy Gilbert, incumbent, term expiring May 30, 2015; Pam Stello, incumbent, term expiring May 30, 2015; Glenn Stephenson, new appointment, term expiring May 30, 2015; Police Commission: Yenny Velazquez, new appointment, term expiring November 1, 2016; Human Rights and Human Relations: Carole Johnson, new appointment, term expiring March 30, 2016.

The matter to approve an Amendment No. 6 to the Kronick Moskovitz legal services agreement for legal representation related to the City of Richmond's intervention in the Chevron property tax appeal litigation, increasing the amount by \$300,000 to a total amount of \$800,000 was presented by City Attorney, Bruce Goodmiller. Staff was directed to ask other agencies and jurisdictions to contribute to the cost of the contract. A motion by Councilmember Beckles, seconded by Mayor McLaughlin, approved the contract by the following vote: **Ayes:** Councilmember Beckles, Butt, Myrick, Rogers, and Mayor McLaughlin. **Noes:** None. **Absent:** Vice Mayor Boozé. **Abstain:** Councilmember Bates.

\*-Approved the following appointment and re-appointments: Point Molate Advisory Committee: Eileen Whitty, incumbent, term expiring May 30, 2015; Jeanne Kortz, incumbent, term expiring May 30, 2015; Economic Development Commission: Ann Roulac, new appointment, term expiring March 30, 2016.

### **PUBLIC HEARINGS**

The city clerk announced that it was time pursuant to public notice to hold a public hearing to adopt a resolution on the proposed increase, 2.45% based on Consumer Price Index inflation, in annual assessments for the Hilltop Landscape Maintenance District for the 2013-2014 Fiscal Year was presented by Parks Superintendent, Chris Chamberlain. Mayor McLaughlin declared the public hearing open. There

were no public speakers. A motion by Vice Mayor Boozé, seconded by Councilmember Butt closed the public hearing by the following vote: **Ayes:** Councilmember, Butt, Myrick, Rogers, Vice Mayor Boozé and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmembers Bates and Beckles. **Abstain:** None. A motion by Vice Mayor Boozé, seconded by Councilmember Rogers, adopted **Resolution No. 49-13a**, by the following vote: **Ayes:** Councilmember, Butt, Myrick, Rogers, Vice Mayor Boozé and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmembers Bates and Beckles. **Abstain:** None.

The city clerk announced that it was time pursuant to public notice to hold a public hearing to adopt a resolution on the proposed increase, 3% based on Consumer Price Index inflation, in annual assessments for the Marina Bay Landscaping and Lighting Maintenance District for the 2013-2014 Fiscal Year was presented by Parks Superintendent, Chris Chamberlain. Mayor McLaughlin declared the public hearing open. There were no public speakers. A motion by Vice Mayor Boozé, seconded by Councilmember Butt, closed the public hearing by the following vote: **Ayes:** Councilmember, Butt, Myrick, Rogers, Vice Mayor Boozé and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmembers Bates and Beckles. **Abstain:** None. A motion by Vice Mayor Boozé, seconded by Councilmember Myrick, adopted **Resolution No. 49-13b**, by the following vote: **Ayes:** Councilmember, Butt, Myrick, Rogers, Vice Mayor Boozé and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmembers Bates and Beckles. **Abstain:** None.

**CONTINUED to June 18, 2013**, City Council meeting, a public hearing to approve the transfer of Richmond Compassionate Care's permit from a C-3 zone to a C-2 zone to continue to operate as a medical marijuana collective at 425 South 2nd Street in substantial compliance with the application submitted on or about May 2, 2011, and again on April 16, 2013.

**CONTINUED to June 18, 2013**, City Council meeting, a public hearing to rename 15th Street between Nevin Plaza and Macdonald Avenue to Village Lane.

## **RESOLUTIONS**

The matter to adopt a resolution in support of the California Senate Life Act Bills, and authorize the city manager to send a letter urging support by the California Legislature and the governor was presented by Councilmember Butt. **This item was continued from the May 21, 2013, meeting.** Felix Hunziker, Wesley Ellis, Eleanor Thompson, and Pam Bilbo gave comments. Discussion ensued. *(The Council took a five minute recess)*. Mayor McLaughlin ruled to end debate. *(The Council took a five minute recess)*. A motion by Bates, seconded by Vice Mayor Booze, to overturn Mayor McLaughlin's ruling, failed by the following vote: **Ayes:** Councilmembers Bates, Rogers, and Vice Mayor Boozé. **Noes:** Councilmembers Beckles, Butt, and Mayor McLaughlin. **Absent:** Councilmember Myrick. **Abstain:** None. A motion by Mayor McLaughlin, seconded by Councilmember Butt, to send a letter of support to the legislature that the city desires a full vetting of each of the bills, failed by the following vote: **Ayes:** Councilmembers Beckles, Butt, and Mayor McLaughlin. **Noes:** Vice Mayor Boozé. **Absent:** Councilmember Myrick. **Abstain:** Councilmembers Bates and Rogers. None. A motion for reconsideration made by Councilmember Butt, seconded by Councilmember Rogers, passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Rogers, Vice Mayor Boozé and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Myrick. **Abstain:** None. Discussion ensued. *(The Council took a five minute recess)*. A motion by Councilmember Beckles, seconded by Councilmember Rogers, adopted **Resolution No. 49-13**, to send a support letter to the California legislature and the Governor to address the City's support for a full vetting of the Senate Life Act Bills, passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Rogers, Vice Mayor Boozé and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Myrick. **Abstain:** None.

## **ORDINANCES**

The matter to adopt an urgency ordinance declaring a 45-day moratorium on the acceptance, processing, and approval of applications for Second-Hand Dealers, including but not limited to "Cash for Gold" businesses in any zoning district within the City was presented by Planner, Lina Velasco. Bea Roberson and Mark Wassberg gave comments. Vice Mayor Boozé requested that this matter come to the public safety committee meeting for discussion also. A motion by Councilmember Rogers, seconded by Councilmember Beckles, adopted urgency **Ordinance No. 9-13**, by the unanimous vote of the City Council.

## **COUNCIL AS A WHOLE**

The matter to consider a ban on alcohol billboards near schools in Richmond was presented by Councilmember Rogers. The following individuals gave comments: Mark Wassberg, Ryan Brooks, Bea Roberson, Jackie Thompson, Wesley Ellis, and Eduardo Martinez. Discussion ensued. A motion by Councilmember Rogers, seconded by Councilmember Myrick, directed the City Attorney to return to the City Council with a draft ordinance modeled after the Oakland ordinance for City Council consideration, and extending the City of Richmond's current ban on alcohol billboards near schools from 500 to 1,000 feet, passed by the unanimous vote of the City Council.

The matter to discuss and provide direction to staff regarding items placed on the City Council Agenda was presented by Councilmember Bates and Vice Mayor Boozé. The following individuals gave comments: Jackie Thompson, Wesley Ellis, and Mike Parker. Discussion ensued. *(11:00 p.m. – A motion by Councilmember Rogers, seconded by Councilmember Myrick, extended the meeting 30 minutes, by the unanimous vote of the City Council).* A motion made by Vice Mayor Boozé, seconded by Councilmember Bates, that City Manager, Bill Lindsay, City Clerk, Diane Holmes, City Council Liaison, Trina Jackson, set the agenda along with Mayor McLaughlin, and that items requested to be placed on the agenda by Councilmembers be given "first come first serve"

placement on the agenda, and that the Council adhere to the Wednesday deadline to place items on the following week's agenda. CONTINUED to the June 18, 2013, City Council meeting.

*(11:30 p.m. - A motion by Councilmember Bates, seconded by Councilmember Rogers, suspended the rules and extended the meeting five minutes and approve Items G-3, G-8, and G-9. A substitute motion made by Mayor McLaughlin, seconded by Councilmember Butt, to extend the meeting five minutes and approve Items G-3, G-6, G-8, G-9, and G-15, by the unanimous vote of the City Council).*

CONTINUED to the June 18, 2013, City Council meeting, provide direction to staff regarding complaints from PG&E rate payers experiencing difficulty with opting out of the Marin Clean Energy Program.

CONTINUED to the June 18, 2013, City Council meeting, discussion and direction to the city manager to present a plan and a funding source to demolish the Petromark building.

CONTINUED to the June 18, 2013, City Council meeting, a presentation and provide direction to staff regarding the coordination of a retreat for the Richmond City Council.

CONTINUED to the June 18, 2013, City Council meeting, amending the City Council Meeting procedures to make Council meetings more accessible for the public and more efficient by: (1) instituting a three-month pilot program of having timed items; (2) moving advisory items to the third Tuesday meeting; and by (3) having a special period near the start of the meeting to discuss all items held over from the last meeting.

CONTINUED to the June 18, 2013, City Council meeting, support of the TRUST Act (AB 4-Ammiano), and direct the city clerk to send a letter of support from the City Council to Governor Brown.

CONTINUED to the June 18, 2013, City Council meeting, direct the city manager to present a plan which would phase in a drastic reduction, or elimination, of providing City cars to employees.

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

Vice Mayor Boozé stated that he met with the Environmental Protection Agency on his recent trip to Atlanta.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:44 p.m. in memory of Leolia Gibson, one of the original members of CISCO, to meet again on Tuesday, June 11, 2013, at 6:30 p.m.

\_\_\_\_\_  
City Clerk

(SEAL)

Approved:

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Mayor