

**RICHMOND, CALIFORNIA,  
September 17, 2013**

The Richmond City Council Evening Open Session was called to order at 5:04 p.m.

**ROLL CALL**

**Present:** Councilmembers Bates, Butt, Rogers, and Vice Mayor Boozé. **Absent:** Councilmember Myrick and Mayor McLaughlin. Councilmember Myrick arrived after the City Council adjourned to Closed Session.

**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):**

A&D Towing vs. City of Richmond

Booker and Jenkins vs. City of Richmond

Chevron vs. Contra Costa County

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

Agency designated representatives: Bill Lindsay, Jack Hughes, Lisa Stephenson, and Bruce Soublet  
Employee organization: Service Employees International Union (Local 1021)

Agency designated representatives: Bill Lindsay, Jack Hughes, Lisa Stephenson, Bruce Soublet, and Chris Magnus  
Employee organization: Richmond Police Officers' Association (RPOA)

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

Title: City Clerk

Jackie Thompson and Naomi Williams encouraged the City Council to give City Clerk Diane Holmes a salary increase.

The Open Session adjourned to Closed Session at 5:13 p.m. Closed Session adjourned at 6:47 p.m.

The Regular Meeting of the Successor Agency

to the Richmond Community Redevelopment Agency and Richmond City Council was called to order at 6:51 p.m. by Vice Mayor Boozé who led the Pledge of Allegiance to the Flag.

### **ROLL CALL**

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

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

None.

### **AGENDA REVIEW**

Items H-14, H-15, H-19 was removed from the Consent Calendar and considered immediately following the approval of the Consent Calendar; removed Item H-5 from the Consent Calendar and considered at the end of the City Council Meeting; continued Item I-1 to October 15, 2013; and moved Item J-1 immediately following Item H-14.

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

City Attorney Bruce Reed Goodmiller reported that the City Council approved a settlement of the Chevron vs. Contra Costa County property tax litigation, and directed City Manager Bill Lindsay to sign.

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

Leonard Taylor gave comments regarding moving into a low income home and would like the assistance of Housing Authority Director Tim Jones.

Naomi Williams thanked everyone for attending National Night Out. Ms. Williams thanked KCRT for its services, specifically Senior Cable Television Production Assistant Richard Lee and Production Assistant Christian Wimmer.

Kathleen Sullivan read a statement submitted by Black Women Organized for Political Action (BWOPA) in opposition of homophobic statement made by residents against the Gay, Lesbian, Bisexual, Transgender, and Questioning (GLBTQ) Community.

Barbara Bechnel acknowledged the organizations that attended the Richmond Pride event on Monday September 16, 2013, at Salute E Vita Ristorante.

Lauren Merker announced that there will be a benefit concert for Los Cenzontles “Supporting Roots” Campaign to raise funds to expand and renovate its facility and expand its renowned cultural arts programming, Sunday, September 29, 2013, 7:00 p.m. at the Craneway Pavilion. The concern will feature Jackson Browne, David Hidalgo, and Los Cenzontles, and tickets may be purchased at [www.jacksonbrowne.com](http://www.jacksonbrowne.com). She encouraged the City of Richmond to become a sponsor. Citizens may contact Lauren Merker at (510) 233-8015 [Loscenzontles.com](http://Loscenzontles.com).

Mark Wassberg gave comments opposing BWOPA’s support of the GLBTQ Community.

Don Gosney gave comments opposing the City Council’s decision to combine multiple agenda items. Mr. Gosney stated that combining items limits the public’s opportunity to address the different items.

Jackie Thompson thanked city staff for addressing the street cleaning of Stege Avenue. Ms. Thompson also stated that combining agenda items limits the speaker’s opportunity to address the issue.

Wesley Ellis gave comments regarding the use of different media methods. He stated that there were always two sides to a story.

Madalyn Law gave comments regarding the Mira Flores Project, specifically the amount of time it was taking to complete. She encouraged the City Council to address the nuisance on the property and removal of the contaminated conditions.

Richard Lompa gave comments regarding the City’s decision to use eminent domain. He stated that the thought of eminent domain was destroying the image of the City of Richmond.

Margaret Jordan thanked BWOPA for its statement in support of the GLBTQ Community. She also stated that the Pride Celebration on September 16, 2013, at Salute E Vita Ristorante was successful.

Texanita Bluitt gave comments regarding city government. She stated that city government should stand for what the people believe in. Ms. Bluitt also stated that blighted areas in the City of Richmond need to be addressed.

Doris Collier and Gena Alexander encouraged the City Council to contact the Bay Area Rapid Transit (BART) Board of Directors in support of the BART workers.

Mike Parker gave comments regarding the eminent domain process.

Rosa Lara thanked everyone for making the Mexican Independence Day celebration a success. She stated that she obtained proper permits and stated that every organization does not follow the permit rules established by the City of Richmond, specifically the Richmond Progressive Alliance. She stated that everyone should be required to follow the rules and procedures.

Vice Mayor Boozé read his press release regarding his views and support of the LGBTQ Community.

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

On motion of Councilmember Bates, seconded by Councilmember Rogers all items with an (\*) were approved by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

\*-Adopted Joint **Resolution No. 13-11** of the Successor Agency to the Richmond Community Redevelopment Agency and the Richmond City Council approving and authorizing the execution of the Eighth Amendment to the Construction Agreement between the City of Richmond and C. Overaa and Company for the Transit Village Parking Structure, increasing the as-amended authorized expenditures amount by \$799,714 for a total of \$25,685,094.

**CITY COUNCIL CONSENT CALENDAR**

On motion of Councilmember Butt, seconded by Councilmember Myrick returned Item H-1 to the Consent Calendar by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin. On motion of Councilmember Myrick, seconded by Councilmember Rogers all items with an (\*) were approved by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

\*-Approved a grant-funded contract with Nelson\Nygaard to prepare the South Richmond Transportation Connectivity Plan, in an amount not to exceed \$272,500.

\*-Approved an amendment to the existing contract with A-N West, Inc. Consulting Engineers to provide on-call plan review support services in the

Department of Planning and Building, increasing the contract amount by \$250,000 for a total amount not to exceed \$595,000, and extending the term to December 30, 2015.

\*-Received a monthly report on the Richmond Municipal Sewer District for August 2013.

\*-Adopted **Resolution No. 91-13** authorizing the City of Richmond to accept grant funding from the Alameda County Sheriff's Office (ACSO) on behalf of the Bay Area Urban Area Security Initiative (UASI) for marine response training, and APPROVE a contract with the California Maritime Academy (Cal Maritime) on behalf of the Trustees of the California State University for the purchase of training services in an amount not to exceed \$83,100.

The matter to approve a contract with Godbe Research for public opinion survey research and polling services in an amount not to exceed \$50,000 was presented by Finance Supervisor Antonio Banuelos. Bea Roberson gave comments. A motion by Councilmember Butt, seconded by Councilmember Rogers approved the contract with Godbe Research for public opinion survey research and polling services by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

\*-Introduced an ordinance for first reading amending Section 9.20.110 of the Municipal Code of the City of Richmond to increase the administrative charge that the City may assess on delinquent solid waste accounts from \$30 per parcel to \$45 per parcel.

\*-Approved travel by the ONS Director and two Neighborhood Change Agents to Mexico City, Mexico to attend the Sixth Milestones of a Global Campaign for Violence Prevention Meeting being hosted by the World Health Organization on November 11-15, 2013, with all travel and meeting expenses paid for by the World Health Organization/The California Wellness Foundation and The California Endowment Peacemaker Fellowship Fund.

\*- Adopted Joint **Resolution No. 92-13** of the Richmond City Council and the Successor Agency to the Richmond Community Redevelopment Agency approving and authorizing the execution of the Eighth Amendment to the Construction Agreement between the City of Richmond and C. Overaa and Company for the Transit Village Parking Structure, increasing the as-amended authorized expenditures amount by \$799,714 for a total of \$25,685,094.

\*-Authorized the city manager to execute a Programmatic Agreement with the California State Historic Preservation Officer to satisfy the City of

Richmond's Section 106 responsibilities for all individual undertakings of the city's various rehabilitation programs.

\*-Appointed Dorothy Christiansen and Ray Perasso as representatives to the General Pension Board, terms expiring July 1, 2018.

\*-Adopted **Ordinance No. 17-13 N. S.** updating Chapter 12.22 of the Richmond Municipal Code that pertains to Stormwater Management and Discharge Control in order to comply with regulatory requirements.

\*-Approved the minute of the September 10, 2013, Regular Special Meeting.

\*-Adopted **Ordinance No. 18-13 N. S.** to establish wages, salaries, and compensation for the classifications represented by the Richmond Fire Management Association (RFMA) in the City's classified service, and repealing Ordinance No. 39-06 N.S.

The matter to receive the Grand Jury Report No. 1311, "Assessing Financial Risk," and review and approve the response to this report was presented by City Manager Bill Lindsay and Finance Director James Goins. Stacie Plummer, Wesley Ellis, and Michael Parker gave comments. A motion was made by Councilmember Beckles to refer the item to the Finance Committee or hold a study session with the full City Council to hear a full report in order to come up with a resolution. Councilmember Bates seconded the motion with a friendly amendment to hold a study session with the full City Council, and submit a letter to the Grand Jury indicating that the Richmond City Council would hold a study session on the issue, and inform the Grand Jury of the Council's actions. The amendment was accepted. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

The matter to reject all bids received for the Urban Runoff Treatment Retrofits at 1st Street and Cutting Boulevard, and re-advertise this project was presented by Industrial Waste Inspector Lynn Scarpa and Contract Administrator Chad Davisson. John Riley gave comments. On motion of Councilmember Bates, seconded by Councilmember Butt rejected all bids received for the Urban Runoff Treatment Retrofits at 1st Street and Cutting Boulevard, and re-advertise this project by the following vote: by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

\*-Approved a contract amendment with TPA Construction Inc. for completion of the Dornan Drive Tunnel Project, increasing the contract amount by \$330,000 for a total of \$1,405,328.

\*-Approved a contract with Networkfleet Global Positioning System(GPS) tracking and management in an amount not exceed \$95,000 for a two-year term, and with an option for two one-year extensions in an amount not to exceed \$47,500 per year.

\*-Approved a contract with AAA Fence Company, Inc. for chain link fence repair and replacement surrounding the sport courts at Belding-Garcia Park and Lucas Park in an amount not to exceed \$40,582.30 which includes a 10% city-controlled cost contingency. The contract term will be from September 11, 2013, to June 30, 2014.

The individual that pulled Item H-19 no longer wanted to speak on the item. In the matter to introduce an ordinance for first reading to ban alcohol billboards near schools, in order to reduce the number of minors who become at risk for alcohol abuse due to starting to drink before they can make an informed, adult choice, on motion of Councilmember Rogers, seconded by Councilmember Myrick said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

## **PUBLIC HEARINGS**

**Continued to October 15, 2013**, a hearing to rename Western Drive north of I-580 to "Stenmark Drive" in recognition of Captain J. O. Stenmark's colorful contribution to the early history of Richmond.

The matter to adopt a resolution approving the 2012-2013 Consolidated Annual Performance and Evaluation Report (CAPER) for submission to the U.S Department of Housing and Urban Development was presented by Housing and Community Development Director Patrick Lynch. Vice Mayor Boozé opened the public hearing. There were no speakers. On motion of Councilmember Bates, seconded by Councilmember Myrick closed the public hearing by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin. On motion of Councilmember Myrick, seconded by Councilmember Rogers adopted **Resolution No. 93-13** by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

## **RESOLUTIONS**

The matter to adopt a resolution authorizing the issuance and sale of Tax and Revenue Anticipation Notes and appointing Tamalpais Advisors Inc. as Financial Advisor and approve a contract in the amount of \$34,000 with Tamalpais Advisors to serve as Financial Advisor was presented by Finance Director James Goins. On motion of Councilmember Beckles, seconded by Councilmember Butt adopted **Resolution No. 94-13** authorizing the issuance and sale of Tax and Revenue Anticipation Notes and appointing Tamalpais Advisors Inc. as Financial Advisor and approved a contract in the amount of \$34,000 with Tamalpais Advisors to serve as Financial Advisor.

## **COUNCIL AS A WHOLE**

The matter to oppose appeals to modify or remove conditions of Alcohol Beverage Licenses for Val Mar Market located at 3630 Barrett Avenue, and Family Market located at 700 Pennsylvania Avenue was presented by Councilmembers Butt and Rogers. Naomi Williams, Bea Roberson, and Jackie Thompson gave comments. On motion of Councilmember Rogers, seconded by Councilmember Butt directed the city manager to send a letter opposing appeals to modify or remove conditions of Alcohol Beverage Licenses for Val Mar Market located at 3630 Barrett Avenue, and Family Market located at 700 Pennsylvania Avenue by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** None. **Abstentions:** None. **Absent:** Mayor McLaughlin.

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

None.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:14 p.m. in memory of Charles Holston, Dee Scott, and Patsy Hicks, to meet again on Tuesday, October 1, 2013, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor