

**RICHMOND, CALIFORNIA, December 3,
2013**

The Richmond City Council Evening Open Session was called to order at 5:37 p.m.

ROLL CALL

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

PUBLIC COMMENT

The deputy city clerk announced that the purpose of the 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 REAL PROPERTY
NEGOTIATOR (Government Code Section
54956.8):**

Property: All Port of Richmond Properties
Agency Negotiators: Bill Lindsay and Jim Matzorkis
Negotiating Party: Richmond Marine Partners International,
LLC

Under Negotiation: Price and terms of payment

There were no public speakers.

The Open Session adjourned to Closed Session at 5:38 p.m. Closed Session adjourned at 6:34 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:44 p.m. by Mayor McLaughlin.

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 he would recuse himself on Item H-1 because he was a sub-consultant to M.A. Architect.

AGENDA REVIEW

Removed Item F-4, F-5, and F-9 from the Consent Calendar and placed at the end of the agenda. Mayor McLaughlin continued Item F-8 to December 17, 2013. A motion was made by Councilmember Bates, seconded by Vice Mayor Boozé to overrule Mayor McLaughlin's decision to continue Item F-8 to December 17, 2013, and continue Item F-8

to January 14, 2014. A motion made by Vice Mayor Boozé, seconded by Councilmember Bates to end discussion passed by the following vote: **Ayes:** Councilmembers Bates, Beckles, Butt, and Vice Mayor Boozé. **Noes:** Councilmembers Myrick, Rogers, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None. The motion by Councilmember Bates, seconded by Vice Mayor Boozé to overrule Mayor McLaughlin's decision to continue Item F-8 to December 17, 2013, and continue Item F-8 to January 14, 2014, passed by the following vote: **Ayes:** Councilmembers Bates, Myrick, Rogers, and Vice Mayor Boozé. **Noes:** Councilmembers Beckles, Butt, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

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

City Attorney Bruce Reed Goodmiller reported that there were no reportable actions during Closed Session.

OPEN FORUM FOR PUBLIC COMMENT

Mark Wassberg gave positive comments regarding West Contra Costa County Sewer District Manager Leonard Battaglia.

Jackie Thompson stated that the lane shifting between Cutting Boulevard and Ohio Avenue caused traffic congestion. She also stated that the City Council, not the public, was the cause of the City Council Meetings lasting to 11:30 p.m. Ms. Thompson also reported that City vehicles are driving dangerously and that she would make a report to the Department Manager. She also stated that she had a brand new hearing aid to donate to someone in need.

Eleanor Thompson requested monetary support for Social Progress, Inc. She also stated that the bike lanes throughout the City are taking up too much of the streets.

Mr. A. Jelani thanked Don Woodrow, Bea Roberson, and the Richmond Neighborhood Council Members for reaching out to the Beldingwood community. He also announced that Christmas on the Streets would be held on December 21, 2013, and for more information contact Beldingwood Neighborhood Council. Mr. Jelani also gave a special thanks to City Employee Rochell Monk and staff for the improvements at Garcia Park. He also encouraged everyone to visit <http://www.sealoftheafricanamerican.com>.

Debra Drooh stated that her son received a partial scholarship at Alvin Alley School and requested donations from the City Council to help her son

continue school.

Marilyn Langlois thanked Councilmember Beckles, Mayor McLaughlin, and others for voting November 10, 2013, to support the Foreclosure Prevention Program.

Texanita Bluitt stated that the automatic doors were not working at the Kennedy Swim Center and requested staff correct the issue immediately. Ms. Bluitt also stated that she was disappointed that Councilmember Rogers chose not to read the proclamation to Chevron-Richmond for launching the "Community Revitalization Initiative," a \$15.5 million program that will benefit Richmond communities at the November 26, 2013, City Council Meeting, and she thanked Councilmember Bates for having the resolution read. Ms. Bluitt also requested that the citizens of Richmond have a chance to decide how the money would be used.

Ray Landry thanked Chevron for a grant to open a Fresh Food Supermarket in the City of Richmond at 3rd Street and 5th in Macdonald Avenue, and the City of Richmond for assisting in the permit process. Mr. Landry also stated that there was a loitering issue in the area and requested help from the City of Richmond to control the area. Mr. Landry also expressed his concern with the City of Richmond's decision to allow the opening of a medical marijuana collective at 4800 Bissell Avenue near a church.

Sims Thompson reported that street lights were missing at Barrett Avenue, 42nd Street, Regatta Boulevard, and Erlandson Street.

Barry Dugar thanked Charles Arnold for donating a bed in support of the program he runs from his home to assist newly released inmates. He also thanked Myrtle Braxton and Texanita Bluitt for allowing youth to volunteer at the Drew Gooden Foundation.

Mike Parker gave comments regarding the negative effects of foreclosed homes on the community and also positive comments regarding the Foreclosure Prevention Program.

Eduardo Martinez gave comments regarding the Foreclosure Prevention Program.

Antwon Cloird stated that the community of Richmond needs jobs. He thanked Diane Holmes for feeding 100 families for the Thanksgiving holiday. Mr. Cloird also thanked all involved in helping the community and families during the holiday season.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Rogers all items with an (*) were

approved by the unanimous vote of the City Council.

*- Introduced an ordinance for first reading amending Chapter 2.62 of the Municipal Code of the City of Richmond giving authority to the Fire Department to issue administrative citations for fire code violations.

*- Introduced an ordinance first reading adjusting and setting the fees as proposed in the Fire Department fee schedule with an effective date of January 1, 2014.

*-Approved a grant-funded contract with the El Cerrito Police Department to conduct inspections and other compliance operations to ensure that alcohol license holders are maintaining compliance with city and state mandates for the period July 1, 2013 - June 31, 2014 for an amount not to exceed \$37,500.

In the matter to adopt a resolution approving a 3% annual cost of living increase, in addition to the 2% minimum cost of living increase, for the recipients of the General Pension Fund, for a total annual cost of living increase of 5% for these recipients Don Gosney gave comments. On motion of Councilmember Bates, seconded by Councilmember Myrick adopted **Resolution No. 112-13** by the following vote: **Ayes:** Councilmember Bates, Beckles, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

In the matter to approve payment to Automatic Door Systems, Inc. in an amount not to exceed \$19,000, for emergency work to install two ADA-compliant automatic door openers on the men's restrooms at 450 Civic Center Plaza, one on the first floor and a second on the third floor, to address medical situations and improve working conditions for City employees was presented by City Manager Bill Lindsay. A motion was made by Councilmember Myrick, seconded by Vice Mayor Boozé to approve payment to Automatic Door Systems, Inc. and hold a study session the talks about how to make the entire Civic Center Plaza more ADA accessible. The motion passed by the following vote: **Ayes:** Councilmember Bates, Myrick, Vice Mayor Boozé, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmembers Beckles and Rogers. **Absent:** Councilmember Butt.
(At 11:00 p.m. on motion of Councilmember Bates, seconded by Councilmember Rogers extended the meeting to complete Item F-9 with Councilmember Butt absent.)

*-Approved a contract amendment with Moose Boats for construction changes to the Fire Department's fireboat, increasing the payment limit by \$24,761 for a total contract amount not to exceed \$935,239, to be funded by the 2011 Port Security Grant Program.

*-Approved an amendment to the contract with Pacific Park Management (PPM) to provide parking management services at the 12th Street and Nevin Avenue garage and at the surface parking lot Downtown Richmond, increasing the contract amount by \$30,000 to a total amount of \$60,000.

Continued to January 14, 2014, the matter to approve a 20-year master lease agreement with Golden Solar Power Group (GSPG) for the General Warehouse located at the Point Potrero Marine Terminal, providing for approximately \$4,900,000 of lease revenue to the Port, with the Port retaining the value of the building rehabilitation and restoration which is anticipated to be a minimum of \$1,000,000.

In the matter to adopt a resolution authorizing the city manager to execute an Amendment No. 1 to the Stormwater Utility Area Agreement between the Contra Costa Flood Control and Water Conservation District and the City of Richmond Engineering Services Department Paul Miao gave comments. On motion of Councilmember Bates, seconded by Councilmember Rogers adopted **Resolution No. 113-13** by the following vote: **Ayes:** Councilmember Bates, Beckles, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

*-Adopted **Ordinance No. 24-13 N.S.** updating and amending Chapter 8.16 of the Richmond Municipal Code which establishes the Fire Prevention Code for the City of Richmond by adopting the 2013 California Fire Code and the 2012 International Fire Code.

*-Approved the minutes of the November 5, 2013, regular meeting.

ORDINANCES

The matter to introduce an ordinance for first reading to amend Richmond Municipal Code 9.56 to include electronic cigarettes in the smoking regulations was presented by Councilmembers Butt and Myrick. The following individuals gave comments: Phillip Gardener, Norval Hickman, Denice Dennis, Valerie Yerger, Jackie Thompson, and Julie Waters. On motion of Councilmember Butt, seconded by Councilmember Myrick said ordinance received first reading and was laid over two weeks for second reading by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

The matter to receive a presentation summarizing community outreach efforts and development design concept regarding the development of the 13.8 acre Terminal One property located at 1500 Dornan Drive; and authorize the city manager to execute an Exclusive Right to Negotiate (ERN) with

Terminal 1 LLC for the purchase and development of the 13.8 acre Terminal One property located at 1500 Dornan Drive was presented by City Manager Bill Lindsay, Planning and Building Services Director Richard Mitchell, and Suzhou Weibang Property Management, LLC and Laconina Development, LLC. (The granting of an Exclusive Right to Negotiate with Terminal 1 LLC does not constitute approval of a specific project.) The following individuals gave comments: Kevin Brown, Ray Landry, Jim Zahradka, Aram Hodess, Bea Roberson, Margaret Jordan, Beverly Galloway, Chris Curtis, Antwon Cloird, Rick Alegrez, and Dan Seifers. A motion was made by Councilmember Rogers, seconded by Councilmember Beckles to authorize the city manager to execute an Exclusive Right to Negotiate (ERN) with Terminal 1 LLC for the purchase and development of the 13.8 acre Terminal One property located at 1500 Dornan Drive with the understanding that the City Council was not endorsing a particular plan, but endorsing a team to get the City of Richmond to a plan. The motion passed by the following vote: **Ayes:** Councilmember Bates, Beckles, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

The matter to direct staff to develop a specific proposal to utilize a portion of the funding from the Terminal One sale to engage youth in a Participatory Budgeting process was presented by Mayor McLaughlin. A motion was made by Mayor McLaughlin, seconded by Councilmember Myrick to direct the city manager to come back to the City Council with a proposal for the entire \$10,000,000 that includes a portion for the youth. A substitute motion was made by Councilmember Bates, seconded by Vice Mayor Boozé to direct the city manager to look at the entire \$10,000,000 and come back to the City Council with a funding structure recommendation of the city. Following discussion, Councilmember Bates withdrew his motion. Discussion continued. A motion by Vice Mayor Boozé, seconded by Councilmember Bates to end debate failed by the following vote: **Ayes:** Councilmember Bates and Vice Mayor Boozé. **Noes:** Councilmembers Beckles, Myrick, Rogers, and Mayor McLaughlin. **Abstention:** None. **Absent:** Councilmember Butt. A substitute motion was made by Councilmember Rogers to continue the item and direct the city manager to solicit three proposals to possibly spend part of the \$10,000,000 died for lack of a second. The original motion failed by the following vote: **Ayes:** Councilmembers Beckles, Myrick, and Mayor McLaughlin **Noes:** Councilmembers Bates and Vice Mayor Boozé. **Abstentions:** Councilmember Rogers. **Absent:** Councilmember Butt.

**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 11:06 p.m. to meet again on Tuesday, December 17, 2013, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor