

**RICHMOND, CALIFORNIA, January 19,
2010**

The Richmond City Council Evening Open Session was called to order at 5:05 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Bates, Butt, Ritterman, and Mayor McLaughlin. **Absent:** Councilmembers Rogers, Viramontes, and Vice Mayor Lopez (Councilmembers Rogers, Viramontes, and Vice Mayor Lopez arrived after adjourning 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): Chevron vs. City of Richmond; Citizens of East Shore Parks vs. City of Richmond; Communities for a Better Environment vs. City of Richmond

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9): One case

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8): Property: Ford Point Oil House
Agency Negotiators: Steve Duran and Alan Wolken
Negotiating Party: FPOC, LLC
Under Negotiation: Price and Terms; Property: Point Molate (site of former Naval Shipyard Depot)
Agency Negotiators: Bill Lindsay and Janet Schneider
Negotiating Party: Upstream Point Molate LLC
Under Negotiation: Price and Terms of Payment

There were no public speakers.

The Evening Open Session adjourned to Closed Session at 5:08 p.m. The Closed Session adjourned at 6:41 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:43 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes, and Mayor McLaughlin.

Absent: Vice Mayor Lopez

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Simms Thompson expressed his disappointment with the bus stops in the City of Richmond not having proper covers and seating.

Corky Booze stated he is in support of jobs in Richmond. He also stated people should question when the actual hiring for jobs potentially created by the Point Molate Resort would take place.

Antown Clويد expressed his disappointment with the leadership in Richmond and the Office of Neighborhood Safety. He stated focus should be on the violence taking place in Richmond.

Paul Rogers thanked the City Council and City Departments and staff for improvements to park grounds and establishing policies to restore fair use of parks in the City of Richmond, specifically Booker T. Anderson Park.

Wayne Ellis expressed his disappointment with Councilmember Butt for his demeaning actions towards staff and his decision to not support a 60 days extension to identify financial backing for the Point Molate Project.

Tom Waller expressed the importance of encouraging private sector to thrive within the City of Richmond. He stated Mayor McLaughlin has not demonstrated the seriousness of having economic growth for the City of Richmond and she continued to fight Chevron.

Arnie Kasendorf stated that he is a proud member of the Main Street Initiative. He encouraged the Council to continue to support the rebirth of downtown Richmond in 2010. He also distributed flyers that were used in a 2009 holiday festival to the Council.

Michael Parker expressed his disappointment with Tom Waller for defending Chevron.

Jovanka Beckles spoke in support of Chevron paying its fair amount in utility tax.

Juan Reardon thanked everyone that attended the kick off event of the "End Chevron Utility Users Tax" perk campaign on Wednesday, January 13, 2010.

AGENDA REVIEW

Items I-2, I-3, I-8, and M-1 were withdrawn from the agenda. Items I-4 and I-10 were removed from the Consent Calendar.

STATE OF THE CITY ADDRESS

“State of the City Address 2010

(Presented by Mayor McLaughlin at 1/19/10 City Council meeting)

Good evening. I am honored tonight to share with you the 2010 State of the City address here in our city of Richmond California.

As we enter this new decade, the 2nd decade of the 21st Century, we have much to reflect upon.

Much hard work was done throughout 2009, and I thank all who have worked hard and put forward incredible efforts, City Councilmembers, City staff, and members of our wonderful community.

A major accomplishment in this very busy year is certainly the completion of our Civic Center revitalization project. Our Gold LEED certified buildings and plaza, laced with Richmond's incredible public art, has brought us well-deserved attention, being recognized in architecture magazines and news reports regionally and nationally. We are now able to experience the benefits of being home here in the center of the city, with easier access by our residents to visit and do business at our city hall.

It's important we analyze the state of our city in terms of our successes and, of course, in terms of our ongoing challenges. It is also important that we analyze our city challenges in the context of the overall challenges faced by the state, the nation and the global community.

First let's look at what continues to be our first and highest priority -- that of crime and violence prevention.

Crime and violence prevention

In the year 2009 overall violent crime has slightly decreased, but our city continues to be assailed by homicide. 47 lives were lost on Richmond streets last year. Additionally, extremely cruel assaults involving young persons have pained our residents and further hurt our city's reputation.

This is disheartening given that homicides in 2008 had been cut almost in half. A lot of good efforts went into that dramatic reduction.

The correlation between economic hardship and violent crime has long been established and is inarguable. The higher the unemployment rates in California and

Richmond, the higher the number of violent crimes and homicides.

The current unemployment rates are the highest since the Great Depression. This is compounded by the thousands of home foreclosures taking place in Richmond, and the crisis in our schools.

When unemployment rates doubled as they did in 2009 it is not surprising that violent crime and homicide also skyrocketed. In 2009 the number of homicides in our city rose again to what they were in 2007.

Let us always remember that these statistics represent real human lives and people loved, and mourned, by many.

And let's also be clear that the nationwide economic collapse is not currently resolved nor will it be in the near future. Furthermore, help from the federal and state government, which was promised and to which we are entitled, is slow to arrive.

Unfortunately, the money we need for jobs and education is going to foreign wars for oil and to Wall Street bankers. It costs \$1 million a year to keep each soldier in Afghanistan or Iraq. We could also solve many of our problems just with the bonuses being paid with public money to Wall Street CEOs.

As priorities at the national level continue to neglect our communities, the responsibility for preventing violent crime in Richmond rests more and more on our shoulders. We need to continue the efforts that gave us the significant advances of 2008, and to become more creative and more determined to take them further, to use all the resources we have, and to garner all the resources needed, to offer help, hope and employment to our young Richmond residents.

Clearly, we must double our efforts once again. And that is precisely what we are doing. I am meeting with our Police Chief, our Office of Neighborhood Safety director, and others to examine and review some new initiatives for reducing homicides. We are both examining new initiatives and keeping up the effort with projects and programs that are currently in place. For example:

Our police dept. is currently hiring 8 new police officers, thanks to Cal Grip funding. I was at the swearing-in ceremony welcoming 5 of these new officers to Richmond last week. More dispatchers have been hired, more code enforcement officers have been hired, and more cadets and explorers have come on board to help the RPD provide law enforcement services for our neighborhoods.

In 2009 Our Office of Neighborhood Safety focused on re-entry services for parolees. Given the massive numbers of parolees that enter our streets monthly, this is essential work that must continue. My office, along with community groups and other city staff participated in the Office of Neighborhood Safety Advisory Committee until it was disbanded this year. We hope to see a new community

process whereby residents can continue to give input to our ONS.

A trauma center opened in Richmond. The Family Institute of Richmond temporarily located on 37th St. provides valuable services for our residents. We also are in the beginning stages of establishing a Family Justice Center in Richmond, based on a collaborative of many community groups, our city and the county.

We continue to provide the much needed healing that our community needs through the Healing Circles of Hope project my office supports. Outreach increased this past year. More support groups were formed with trained facilitators. My office also continues to participate in Frontline Richmond's Wreath laying vigils for homicide victims. Healing is part of the human process, without which anger and pain only continue to fester.

A critical aspect of anti-violence work is the work to end rape and hostility against women. We know that violence against women continues in Richmond, as it does everywhere. Every nine seconds in our country, a woman is sexually violated. We are part of a society that needs to work harder at bringing forward the kind of gender equality that elevates respect for women, and teaches our children and youth to build healthy personal relationships. We also must build the kind of society that encourages our youth and all our residents to speak out when injustice occurs, whether that injustice occurs at a local high school or in the greater society that has yet to bring about an end to war, racism, sexism, and massive income inequality.

Economic equality

And speaking of income inequality, we must continue our efforts to build an equitable and sustainable local economy in Richmond with healthy jobs for all. Toward that end, here are some things we have done in 2009:

The many programs of our Employment and Training Department continue to be successful.

--This has been a year for deepening green job partnerships. Our Richmond Build program is working in partnership not only with Solar Richmond, but also with Rising Sun, Grid Alternatives, and Solar Living Institute to train our young people for the new green economy. We expect to be putting our Richmond Build graduates to work this year using green practices to renovate many city-purchased foreclosed homes. Side by side with RichmondBuild we are working specifically with young people in a new program called YouthBuild, educating and preparing them with both life skills and work training.

-- E & T is working closely with Lawrence Berkeley Lab to train young people through a green academy, teaching them scientific principles of new green technology.

---We are also beginning to implement a Richmond Youth Job Corps. This is an initiative that is based on a project I proposed, and we are working with E & T to employ 20-25

young people in departments of the city for 6 month periods throughout the year, focusing them on the green efforts of our city departments with an educational component and a work ready certificate upon completion.

-- We saw another successful Summer Youth Job Program, employing hundreds of young people in 2009 and work has already begun on next summer's program.

In terms of funding for projects, we have been awarded considerable stimulus funding which will enhance our employment efforts, including a 1 million dollar energy block grant for energy efficiency projects. 3.3 million dollars were awarded in neighborhood stabilization funding for affordable housing projects and homeless services. We are working with community groups, like REDI, and community non-profits, to seek out the best use of these funds to provide more equity in our city. Housing is a human right, and too many of our residents lack sufficient protection against the outside elements due their inability to afford and maintain a decent home.

I want to thank our staff for bringing in nearly 20 million dollars from federal stimulus recovery act funding thus far. In the past week and a half, the Dept. of Labor has authorized 250 million dollars for green job training. I encourage our staff to continue to seek out as much available green federal project money as possible to stimulate our local economy and bring about equity for our residents.

Other projects include updating the Local Business Ordinance and the Local Employment Program Ordinance. My office is working with E & T and stakeholders and we will be bringing forward to the City Council a new improved ordinance which requires higher percentages of Richmond residents and businesses to be utilized in construction and capital improvement projects.

We continue to be an active partner of the East Bay Green Corridor, which hired a new executive director in 2009, allowing us to advance further in our regional efforts and move forward our goal of making the east bay the economic engine of the green economy. The Green Corridor has also brought in increased regional job funding, some of which will be channeled into our Richmond green job programs.

And this brings me to the many innovative sustainability policies and achievements of our city this past year.

Environment/green initiatives

In addition to having acquired Gold LEED certification on our Civic Center Project, we finished our extensive Green House Gas Inventory; we started our Clear Air Action Plan at the PORT; we are in the beginning stages of creating a Climate Action Plan and have taken a leadership role by including a Climate Change Element in our General Plan; we passed a food ware ordinance which includes a ban on polystyrene; we passed a preferential purchasing policy for city purchases; we approved a

commuter benefits ordinance requiring businesses to offer commuter benefits to their employees; we implemented a city hall employee shuttle from Richmond BART; and we passed the first reading of a Green Building Ordinance for private buildings.

This was a particularly big year for solar in Richmond. We received two state solar awards for being among the top California cities for wattage of solar installed and number of solar rooftops with solar installations. We have reached our goal set in 2005 by Solar Richmond and in fact went beyond that in installing more than 5 megawatts of solar in the City of Richmond.

With a new solar thermal system installed utilizing RichmondBuild graduates, Fire Station 64 became more sustainable and is saving money on their utility bill.

We want to thank the RPD for organizing a great National Night Out. Our first Green National Night Out featured block parties competing for who could be the most green in the areas of recycling, use of compostable goods, and sustainable practices in these neighborhood events.

Health, Education and Well-being

In conjunction with our green efforts, we are improving our community health, education, and overall well-being.

Our Health and Wellness Element of our General Plan (soon to be approved) will focus on improving key neighborhoods in the city which are needing immediate improvements such as our historic Iron Triangle;

Groundwork Richmond is a new organization to promote and work on various environmental health and urban renewal projects, such as creek cleanups, urban forests, community gardens, and blight removal.

We passed 3 Tobacco Control ordinances and shifted our grade from F to A, winning state recognition from the American Lung Assn of California.

We helped and continue to help our schools. The City committed to give 3 million dollars over two years to WCCUSD starting in Sept. 2010; we also adopted a resolution to maintain ESL at WCCUD; and we passed a resolution of our Human Rights and Human Relations Commission supporting our teachers and our schools; my office also welcomed 2 Haitian educators to Richmond and assisted them in their presentation to our LEAP program. This summer, I had the honor of participating in the Rosie's Girls summer education program helping middle school girls reach their potential in a holistic way.

All this leads to what is essential in moving our city forward, and that is community empowerment.

Community Empowerment

Whether it's being out there at the Greenway planting trees and edible plants; whether its participating in one of

our many city commissions and boards that were infused this past year with new energy and diversity to add to the ongoing energies of reappointed members; whether its participating in neighborhood councils, or whether its engaging in planning some of our great city events, the community of Richmond is more engaged than ever.

Many special events and honoring occurred this past year. We honored local African American leaders for Black History Month, including former Black Panther Party leader Bobby Seals; we held our 2nd International Women's Day event with special speaker Elaine Brown, who also was a former Black Panther Party leader; we also held an extravaganza of a Civic Center grand re-opening. We also held, as always, our successful Cinco De Mayo, Juneteenth, and Homefront festivals. This year the City of Richmond showed its support for the North Richmond Shoreline Festival by making a 10,000 dollar contribution to this great event, which proved even more successful than expected, with countless participants enjoying a beautiful day along our spectacular north shoreline at Pt Pinole Park. Later in the year we held a successful and well-attended Senior Ball and Youth Snow Ball event.

In 2009 the city co-sponsored with the Richmond Chamber of Commerce the Green Expo, which was an extraordinary event with many vendors coming together to share information on their green products and services. This event also included community groups dedicated to moving forward green and sustainable practices. My office and other departments of the city were pleased to join forces with the Chamber of Commerce in making this event happen. We are looking forward to another Green Expo this year!

In 2009 we became a Human Rights City, declaring our support for the UN Declaration on Human Rights. This year, on International Human Rights Day in December, I joined our Human Rights Commission in serving breakfast to our day laborers as they stood in the cold waiting for work, thanking them for their participation in our community.

We made some other great gains this past year for our immigrant community, in passing a resolution that put driver's license checkpoints as a low priority for our police department. We need our police department to keep its 1st priority on violent crime in the city.

Other community empowerment activities included some very informative study sessions presented by community groups: REDI provided a discussion and presentation of its proposals for overcoming the foreclosure crisis and moving in the direction of social and economic equity; the Zeneca Community Advisory Group provided us with a study session with technical advisors informing us of the need for comprehensive cleanup at the toxic Zeneca and UC Field Station sites.

Other successes advocated by community are evidenced by completed projects such as the Nicholl Park Skate Park,

thanks to city staff, Parks and Recreation Commission, and community groups.

All this is the result of a community that organizes itself and becomes empowered by that organizing effort.

I have saved till last some very special community empowering efforts. I refer here to the community empowerment of our youth.

One of the greatest activities of the year occurred in October of 2009. My office had the privilege of co-sponsoring the annual Youth Stopping Violence Summit. This summit was organized by our many and diverse youth groups, with SEAYL (Southeast Asian Youth Leaders) taking the lead. Our youth are leading in Richmond. We saw how students from Richmond high and our other high schools stood strong in the face of national media coverage attempting to characterize all our youth and our entire community in light of the horrific rape at Richmond High. Our youth refused to be stereotyped and organized press conferences and vigils saying loud and clear: We are the youth of Richmond and this is our community. I'm looking forward to some of these young leaders coming on board our new youth commission in 2010 to help us identify new youth projects for the city. We, as adults, stand for and with our youth as a community that knows our value and our worth.

Together, we have clearly come a long way this past year, in spite of economic difficulties. We are seeing our 2nd phase Greenway project going forward; the Richmond Plunge is nearing completion; Macdonald Ave from Harbor Way to Richmond BART is laced with a beautiful streetscape renovation; Carlson Ave. reconstruction is underway; and work has begun on the historic Winters Bldg for our renowned East Bay Center for the Performing Arts.

We reinfused our global connections this year with our ongoing sister city relationships with Zhoushan, China, Shimada, Japan and Regla, Cuba. My office worked tirelessly in conjunction with our Richmond/Regla Sister City Committee in planning a trip to Regla Cuba. Unfortunately, the US Dept. of Treasury denied our application for a license to travel to Cuba. We hope that US travel restrictions to Cuba will be lifted soon so that we can visit our brothers and sisters in Regla, who continue to welcome us with open arms. We marked our 10 yr anniversary of our sister city relationship with Regla in December with an educational and celebratory event.

So, to sum up, we have taken great strides in 2009. Yet we must commit to work harder than ever, as we double our energies in 2010. We have efforts underway that will make our burdens lighter. We have the opportunity to pass the End Chevron's Perk ballot measure, supported by every member of this city council. Imagine what 10-15 million extra dollars in the general fund will do for us. Imagine a city-funded year-round employment program broadening horizons and helping to ensure a future for 1,000 youth. When we remove perks for large

corporations and require them to pay their fair share of taxes, that's exactly what can happen.

Let's remember the words of Martin Luther King Jr. when he said: No one can ride your back unless it's bent. A community is like a person. Just as a person must stand strong against injustice, so too a community and also a city must stand strong against unfairness and injustice. Richmond will not bend its back; we have the courage, the strength, the talent, and the wisdom. And we have the community willpower. I want to thank you all (City staff, City Council and members of the Richmond community) for your attention. I look forward to a great year ahead. Thank you again."

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin presented 2010 Martin Luther King Jr. Richmond Community Leadership and Service Awards to the following individuals: Daniel Hooper, Loren Ramos, Norma Bautista, Abel Pineda, Tania Pulido, Timothy Yommalat, Darlene Saechao, James Johnson, Lucy Nguyen, Tuensy Villaykham, and Inez Hudson. The following individuals thanked the Mayor and Council for the presentations: Daniel Hooper, Abel Pineda, Norma Bautista, Tania Pulido, Timothy Yommalat, and Tuensy Villaykham. Rhonda Harris and Jovanka Beckles gave comments.

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

City Attorney Randy Riddle reported that there were no reportable actions taken during closed session.

Dr. Henry Clark gave comments.

The City Council adjourned to Closed Session at 7:55 p.m. The City Council reconvened at 7:56 p.m.

City Attorney Randy Riddle reported that in the matter of Communities for a Better Environment vs. City of Richmond the City Council directed the city attorney and outside counsel to draft a letter to all parties in the litigation urging them to come back to the table for the purposes of continuing attempts to settle the litigation.

ELECTION OF VICE MAYOR

City Clerk Diane Holmes read the following statement from outgoing Vice Mayor Lopez: "I am unable to attend this evening's meeting due to the recent birth of my second baby. So I am home tending to him and recovering from surgery. I want to thank the City Council for their confidence in serving as vice mayor in 2009. It has been a privilege and true honor to serve the people of Richmond. I wish the next vice mayor the wisdom and clarity to lead the Council in

2010.” Councilmember Bates nominated Councilmember Ritterman as the new vice mayor. Councilmember Ritterman declined. Councilmember Rogers asked Councilmember Ritterman to reconsider. Councilmember Ritterman agreed. On motion of Councilmember Rogers, seconded by Councilmember Bates the City Council elected Councilmember Ritterman as the new Vice Mayor by unanimous vote. Councilmember Lopez was absent. Councilmembers Bates, Rogers, Viramontes, and Mayor McLaughlin thanked Councilmember Lopez for her service as Vice Mayor in 2009.

CONSENT CALENDAR

On motion of Councilmember Bates, seconded by Councilmember Rogers all items marked with an asterisk (*-) were approved by the following vote:
Ayes: Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, and Mayor McLaughlin. **Noes:** None.
Abstentions: None. **Absent:** Vice Mayor Lopez.

*- Approved a third amendment to the existing construction management services contract with Harris & Associates, Inc. to provide additional construction management services and to continue improving and updating Engineering Services’ inspection policies and procedures, increase payment limit by \$250,000 to a new total limit of \$2,160,000, and extend the term of the contract to December 31, 2010, from the original March 21, 2006, inception date.

WITHDREW from the agenda an ordinance establishing the wages, salary, and compensation for the new classification of Industrial Waste Inspector I (Salary Range No. 047D: \$5,302 - \$6,367/month), compensation for the new classification of Industrial Waste Inspector II (Salary Range No. 054B: \$5,758 - \$6,965/month) and compensation for the new classification of Industrial Waste Inspector III (Salary Range No. 059B: \$6,241 - \$7,662/month). This item is a re-titling of two existing classifications (Industrial Waste Inspector I/II) and the creation of a lead position.

WITHDREW from the agenda the revised and re-titled classification of Industrial Waste Inspector to Industrial Waste Inspector I/II/III in the Engineering Department. This item is a re-titling of two existing classifications (Industrial Waste Inspector I/II) and the creation of a lead position (Industrial Waste Inspector III).

A proposal to approve a contract with The Williams Group to provide computer and entrepreneurship training services for the Office of Neighborhood Safety California Gang Reduction and Intervention Program Grant in an amount not to exceed \$65,110 was presented. The contract term is from January 1, 2010, through March 31, 2011. Office of Neighborhood Safety Manager Devone Boggan gave an overview of the item. Vernon Williams, Corky Booze, Eleanor Williams, and Rhonda Harris gave comments

on this item. On motion of Councilmember Ritterman, seconded by Councilmember Viramontes approved the contract by the following vote: **Ayes:** Councilmembers Bates, Butt, Ritterman, Rogers, Virmontes, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

*- Adopted **Ordinance No. 3-10 N.S.** repealing Richmond Municipal Code Chapter 11.98, which bans the possession of large capacity magazines for guns, consistent with prior Council direction to staff to explore alternative legislative approaches to addressing public safety threats posed by large capacity magazines in guns.

*- Adopted **Resolution No. 2-10** providing authorization to publish a notice of public hearing concerning proposed increases in Wastewater User Rates and other related fees, and authorizing certain other actions in connection therewith.

*- Adopted **Resolution No. 3-10** 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.

WITHDREW from the agenda a ground lease agreement between the City of Richmond and the West County Wastewater District for sludge dewatering. The initial term is from January 1, 2010, through December 31, 2012, with possible extensions through December 31, 2017. The initial lease cost is \$153,000 in years 2010 through 2012, with minimum rent increases of 3% annually from 2013 through 2017, if extended beyond 2012.

*- Adopted **Resolution No. 4-10** clarifying City of Richmond policy that spouses and dependents of police and fire safety employees killed in the line of duty can receive city-paid dental and vision insurance benefits, in addition to medical health insurance benefits.

A proposed resolution accepting \$100,000 in Transportation Development Act Article 3 funding from the Metropolitan Transportation Commission for the purpose of preparing a comprehensive Bicycle Master Plan, and approve a contract with Fehr & Peers Transportation Consultants to prepare said Bicycle Master Plan in an amount not to exceed \$75,290 was presented. Richard Mitchell, Planning Director, gave an overview of the matter. Adrienne Harris gave comments. On motion of Councilmember Ritterman, seconded by Councilmember Butt adopted **Resolution No. 8-10** by the unanimous vote of the Council.

*- Approved City Council 2010 Standing Committee, Regional, and Liaison position appointments.

*- Approved a contract with the East Bay Center for the Performing Arts (EBCPA) to support ongoing arts programs and collaborations with the city, in the amount of \$60,000 as allocated in the FY 2009-10 General Fund budget.

*- Approved a contract with the National Institute of Art & Disabilities (NIAD) to support ongoing arts programs and collaborations with the city, in the amount of \$60,000 as allocated in the FY 2009-10 General Fund budget.

*- A proposed contract with the Richmond Art Center to support ongoing arts programs and collaborations with the city, in the amount of \$60,000 as allocated in the FY 2009-10 General Fund Budget was presented.

*- Approved the following appointments: North Richmond Mitigation Fee Joint Committee: Johnny O. White, City of Richmond resident in North Richmond.

*- Approved a contract with CALINC, LLC for a series of Hazardous Materials trainings for 150 students from December 16, 2009, through January 16, 2012, for an amount not to exceed \$150,000, funded by the Environmental Protection Agency's Brownfields grant.

*- Approved a contract with the West Contra Costa Unified School District's (WCCUSD) School to College & Career Program in support of the Career Technology Education Academy. The term of the contract will be November 18, 2009, through June 30, 2010, for an amount not to exceed \$300,000, and is funded by the January 2009 Chevron Community Benefits Agreement payment.

*- Approved the minutes for the meetings held on October 20 and 27; and November 17, 2009.

PUBLIC HEARINGS

The city clerk announced that it was time set pursuant to public notice to hold a public hearing to adopt two resolutions to enable the City of Richmond to participate in the California FIRST Financing District: (1) authorize the City of Richmond to participate in the California FIRST Program to provide AB 811 financing services to property owners; and (2) request that Contra Costa County provide county-level leadership and commitment to create a municipal financing district with California FIRST and take any steps necessary to fulfill the county participation requirements so that Contra Costa cities can participate. Sustainability Coordinator Adam Lenz gave an overview of the item. Mayor McLaughlin declared the public hearing open. There were no public speakers. On motion of Councilmember Viramontes, seconded by Councilmember Rogers closed the public hearing by the unanimous vote of the Council. On motion by

Councilmember Viramontes, seconded by Councilmember Rogers adopted **Resolution No. 5-10** to authorize the City of Richmond to participate in the California FIRST Program to provide AB 811 financing services to property owners; and **Resolution No. 6-10** to request that Contra Costa County provide county-level leadership and commitment to create a municipal financing district with California FIRST and take any steps necessary to fulfill the county participation requirements so that Contra Costa cities can participate by the unanimous vote of the Council.

RESOLUTIONS

A proposed resolution in opposition of the proposed closure of the Station A Post Office on Broadway Avenue in Richmond, California was presented. Councilmember Rogers and Mayor McLaughlin gave comments. Post Master, Al Martinez gave an overview of the matter. The following individuals gave comments: Simms Thompson, Corky Booze, Kate Sibley, Jovanka Beckles, Ellen Gailing, Antwon Cloird, Rhonda Harris, Nancy Burke, and Paul Kilkenny. Councilmember Bates suggested that the resolution should emphasize the proximity of the new civic center and the fact that it generates a tremendous amount of traffic for the post office. Following discussion, a motion was made by Councilmember Rogers, seconded by Mayor McLaughlin to approve the item and direct staff to include language Councilmember Bates emphasized about the new civic center. The motion passed and **Resolution No. 7-10** was adopted by the unanimous vote of the Council. Mayor McLaughlin requested staff send the resolution to Post Master, Al Martinez, Congressman Miller, Senators Feinstein, and Boxer.

ORDINANCES

A proposed ordinance amending Chapter 9.17 of the Municipal Code regarding the use of food ware by Richmond food providers to reflect the following technical revisions: (a) require that cutlery be compostable; (b) eliminate reference to the term "biodegradable;" and (c) exempt products for which there is no suitable alternative; AND, as a policy option, consider whether to include as part of the ordinance an exemption for vendors that prove that compliance with the food ware ordinance creates an economic hardship was presented. Environmental Manager Jenny Oorbeck and Sustainability Intern Jennifer Lee gave an overview of the matter which included a PowerPoint presentation. Jovanka Beckles commented on the item. On motion by Councilmember Butt, seconded by Councilmember Rogers said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Butt, Ritterman, Rogers, Viramontes, and Mayor McLaughlin. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

A proposed urgency ordinance under Government Code Section 65858 establishing a new 45-day moratorium on the acceptance, processing and approval of applications to establish medical marijuana dispensaries and cooperatives in the City was presented. Planning Director Richard Mitchell gave an overview on the item. Simms Thompson, Corky Booze, Lisa Hirshorn, and Ken Estee gave comments. Following discussion on motion of Councilmember Rogers, seconded by Councilmember Viramontes adopted **Ordinance No. 4-10 N.S.** by the following vote: **Ayes:** Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

A proposed urgency ordinance establishing a 45-day moratorium on the acceptance, processing, and approval of applications and permits for tobacco-oriented retail establishments ("smokeshops") was presented. Councilmember Ritterman gave an overview of the item. Corky Booze and Simms Thompson gave comments on the item. On motion of Councilmember, seconded by Councilmember Viramontes adopted **Ordinance No. 5-10 N.S.** by the following vote: **Ayes:** Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

Proposed ordinances amending: (1) Richmond Municipal Code 12.20.050 to include establishing a stormwater permitting program (separate from wastewater); and (2) Richmond Municipal Code 2.34.04 to incorporate the current Master Fee Schedule stormwater charges into the stormwater permitting program fee schedule were introduced for first reading. Stormwater Manager Lynn Scarpa gave an overview of the item. Following discussion, on motion of Councilmember Butt, seconded by Councilmember Ritterman said ordinances received first reading and was laid over two weeks for seconded reading by the following vote: **Ayes:** Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

A proposed ordinance establishing fees for inspections of businesses that sell alcohol and/or tobacco was presented for first reading. City Attorney, Randy Riddle gave an overview of the matter. The following individuals gave comments: Corky Booze, Lucky Lachman, Hamid Amini, and Julie Waters commended on the item. Following discussion, a motion was made by Councilmember Butt, seconded by Councilmember Rogers to support a full inspection every two years and direct staff to give an annual report; if the inspections are effective in substantially reducing violations, the Council would look at modifying the ordinance for everyone or only for businesses that have a record of compliance. The motion passed and said ordinance received first ready

and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Butt, Ritterman, Rogers, and Mayor McLaughlin. **Noes:** Councilmember Bates and Viramontes. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

COUNCIL AS AWHOLE

REMOVED from the agenda to direct staff, with the help of any needed experts, to draft proposed amendments to the 2008 Measure T ballot measure to address the recent court ruling regarding Measure T (Chevron v. City of Richmond) for the purpose of submitting a measure to the voters for approval.

In the matter to explore any possibilities for sending emergency relief support to the people of Haiti following the devastating earthquake there. Mayor McLaughlin gave an overview of the item. Marilyn Langlois, member of Haiti Emergency Relief Fund, gave comments. The following individuals gave comments: Corky Booze and Jovanka Beckles. Councilmember Bates acknowledged that Vieola Waters transported water to Haiti. Councilmember Viramontes suggested contacting John Maxwell of Saint John Baptist Church on San Pablo as a vehicle to transport and receive goods in Haiti. A motion by Mayor McLaughlin, seconded by Councilmember Ritterman to use available channels to send goods to Haiti as well as sending a letter on behalf of the Richmond City Council to President Obama and congressional representatives encouraging utilizing helicopters for a rapid response. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Butt, Ritterman, Rogers, Viramontes, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Vice Mayor Lopez.

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

City Clerk Diane Holmes announced that Semi-Annual Reports 460s were due and the deadline was January 31, 2010.

Councilmember Viramontes stated that she and Councilmember Bates attended the State Water Reclamation Sanitary District's Meeting in Palm Springs and will give a written report to the Council.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:52 p.m. in memory of Harley Searcy and the homicides victims and families in Richmond to meet again on Tuesday, January 26, 2010, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor