

**RICHMOND, CALIFORNIA,
December 4, 2012**

The Regular Meeting of the Richmond City Council was called to order at 6:34 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Bates, Beckles, Boozé, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin. **Absent:** Councilmember Butt arrived after roll call.

READING OF THE CODE OF ETHICS

City Clerk Diane Holmes read the Code of Ethics.

STATEMENT OF CONFLICT OF INTEREST

Councilmember Butt recused himself on Item K-2.

AGENDA REVIEW

Removed Items I-1, I-4, I-5, and I-8 from the Consent Calendar; continued Item J-1 to December 18, 2012.

OPEN FORUM FOR PUBLIC COMMENT

Antwon Cloird stated that the City of Richmond should embrace the Chevron Refinery and reap the benefits of its economic success like other cities such as Benicia who is home to the Valero Refinery. (The refinery's taxes account for more than 20 percent of the City of Benicia's general fund revenues. Valero also spent hundreds of thousands of dollars to support solar power in Benicia, the creation of a "green academy" at the local high school, and the installation of bike racks throughout the city).

Sims Thompson requested that the City Council address the infrastructure issues of the City of Richmond.

Mark Wassberg expressed his non-support for gay marriage.

Andres Soto gave comments in support of adopting a housing element which includes rent control; increased fees for developers not providing affordable housing; establishing a community land trust; making evictions more difficult; and cracking down on banks that poorly maintain foreclosed properties.

Reginald Russell stated that a community was a group of people living in the same area abiding by the same laws. He stated that legislature should abide by

the same laws.

Pam Bilbo requested that the Richmond City Council work together and requested citizens to contact her at 1(800) 952-5665 to get involved with working together as a community.

Jackie Thompson expressed her concerns regarding individuals loitering in front of the Shields Reid Nursing Home at the corner of Cutting Boulevard and 21st Street.

Marilyn Langlois invited everyone to the Communities Corrections Partnership meeting on December 7, 2012, 651 Pine Street, Martinez, 8:00 a.m. to 11:00 a.m. to take part in the final vote on Assembly Bill 109 Realignment Budget. She announced that buses would leave Richmond from Saint Mark's Church on Harbor Way and Bissell Avenue, and New Hope Church on Alamo Street in North Richmond.

Courtney Cummings invited everyone to a free cooking class on Thursday, December 6, 2012, from 6:00 p.m. to 8:00 p.m. at the Native American Health Center at 260 23rd Street. The class will prepare Indian Fry Bread Tacos.

Kathleen Wimer and Jose Rivera also gave comments in support of the new housing policy.

Eleanor Thompson requested support from the City of Richmond and citizens for the North Richmond Christmas Program. She urged individuals to call (510) 837-0188 for more information.

Don Gosney gave comments regarding the importance of transparency and stated that the City of Richmond lacks transparency when it posts large agenda packets on its website without allowing the public sufficient time to review the documents prior to the scheduled City Council meeting.

Mary Williams stated that she would like to be a part of new safety projects and issues that arise in Richmond.

Christy Leffall, Teijae Taylor, Edith Pastrano, Silvia Ledezma, Melvin Willis, Doug Guilbert, and Martha Barrajas also gave comments in support of the new housing policy.

Juan Sandoval gave comments in support of the new housing policy and rent control.

Vivien Feyer invited everyone to participate in the Celebration of Human Rights Day, Monday, December 10, 2012, 6:00 p.m. to 7:00 p.m. in the Richmond City Council Chambers, 450 Civic Center Plaza.

Edna Campbell gave comments regarding

Christmas in Richmond. She asked the citizens and council for their support.

Texanita Bluitt urged city staff to repair the pot holes within the streets of Richmond, specifically 7th Street in the 100th block.

Maximo Rivera and Elisha Fofana also gave comments in support of the new housing policy.

Mike Parker stated that the Richmond City Council has an opportunity to make Richmond a better place by uniting with Alliance of Californians for Community Empowerment.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin and Councilmember Beckles presented a proclamation to Chair Vivian Feyer on behalf of the Human Rights and Human Relations Commission in recognition of declaring December 10, 2012, Human Rights Day in the City of Richmond. Other commissioners were present and Ms. Feyer thanked the City Council and city staff for supporting the commission. Mark Wassberg gave comments.

CITY COUNCIL CONSENT CALENDAR

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

*****Items I-1, I-4, and I-8 were removed from the Consent Calendar, however, the individuals who removed the items were no longer in the Chambers when the items were ready for City Council consideration. A motion by Councilmember Booze, seconded by Vice Mayor Rogers approved Items I-1, I-4, and I-8 by the unanimous vote of the City Council.***

********-In the matter to approve a three-year contract with Willdan Financial Services to provide professional services related to the administration of the Hilltop Landscape Maintenance District and the Marina Bay Landscape and Lighting Maintenance District, in an amount not to exceed \$43,500 and for a contract term from December 5, 2012, to December 31, 2015; on motion of Councilmember Booze, seconded by Vice Mayor Rogers approved a three-year contract with Willdan Financial Services by the unanimous vote of the City Council.

*******-Approved a Lease Agreement between the Port of Richmond and Oscar Niemeth Towing for a portion of Basin 3 for a one-year term effective December 15, 2012, with provision for four one-year extensions by mutual agreement, and providing annual revenues of \$54,000.

*-Approved an agreement with Institute of Museum and Library Services (IMLS) and authorized the Library and Cultural Services Director to accept a grant in the amount of \$50,000; and approved an amendment to the Fiscal Year 2012-2013 Operating Budget, increasing library fund revenue and expenditures in the amount of \$50,000.

** - In the matter to adopt a resolution to accept and appropriate a grant in the amount of \$596,226, received from the Department of Homeland Security/FEMA, to purchase a new police boat and docking system; on motion of Councilmember Booze, seconded by Vice Mayor Rogers adopted **Resolution No. 127-12** by the unanimous vote of the City Council.

In the matter to approve the city manager's response to the 2012-2013 Contra Costa Civil Grand Jury's request for financial information and documents included in a letter dated October 30, 2012, and submittal of a letter to the Grand Jury Foreperson on behalf of the Richmond City Council. Jackie Thompson gave comments and requested staff change "Is" to "If" on page 10, Section 10. On motion of Councilmember Beckles, seconded by Councilmember Ritterman approved the city manager's response to the 2012-2013 Contra Costa Civil Grand Jury's request for financial information and documents by the unanimous vote of the City Council.

*-Approved a tentative agreement between the City of Richmond and Richmond Police Management Association (RPMA) that shall be effective from July 1, 2012, through and including December 31, 2013.

*-Approved a contract with the firm of Morrison & Foerster, LLP to provide legal services to the Port of Richmond regarding the Zhoushan Port Project and related auto distribution facility matters at the Port of Richmond, in an amount not to exceed \$75,000, with a term expiring December 31, 2013.

** - In the matter to approve a three-year contract with Pacific Park Management (PPM) to provide parking management services at the 12th Street and Nevin Avenue garage and surface parking lot in Downtown Richmond in an amount not to exceed \$10,000 for a term of December 1, 2012, through December 31, 2015; on motion of Councilmember Booze, seconded by Vice Mayor Rogers approved a three-year contract with Pacific Park Management by the unanimous vote of the City Council.

*-Approved the following appointments and reappointments: Workforce Investment Board: James Fitzgibbon, new appointment, no fixed term; Haidee Foust, no fixed term; Community Development Commission: Maxine Henagan, incumbent, term expiring March 21, 2015; Point Molate Citizen Advisory Commission: Joe Puleo, new appointment,

term expiring December 4, 2014; Commission on Aging: Barbara Scott, incumbent, term expiring May 19, 2014; Planning Commission: Andres Soto, incumbent, term expiring June 30, 2014; Ben Choi, incumbent, term expiring June 30, 2014.

Councilmember Bates voted Noe on the appointment of Andres Soto to the Planning Commission.

*-Approved the minutes of the November 13, 20, and 27, 2012, meetings.

ORDINANCES

The matter to adopt an emergency ordinance amending Richmond Municipal Code (RMC) Chapter 6.02 Building Regulations Administrative Code Sections 6.02.130 (b) and (d) regulating Appeals Board appointments and adding an exception to time period for filing appeals ***was continued to December 18, 2012.***

The matter to introduce an ordinance for first reading amending Richmond Municipal Code Section 2.50 (Business Opportunity Ordinance), extending the expiration date to December 31, 2016, and making other technical amendments was presented by Contract Compliance Officer Gina Baker. On motion of Councilmember Ritterman, seconded by Councilmember Beckles said ordinance received first reading and was laid over two weeks for the second reading by the unanimous vote of the City Council.

The matter to introduce an ordinance for first reading amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to increase the solid waste collection rates to reflect a 3.19% change in the Consumer Price Index (CPI) was presented by Finance Supervisor Antonio Banuelos. Sims Thompson gave comments. On motion of Councilmember Booze, seconded by Vice Mayor Rogers said ordinance received first reading and was laid over two weeks for the second reading by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

The matter to receive a report from staff on the repairs at the Richmond Natatorium was presented by Councilmember Boozé, Alan Wolken, and Mark Chambers of Mark Chambers Construction. Jackie Thompson gave comments.

The matter to adopt a resolution directing city staff to create an ordinance allowing Point Richmond and any other C-1 district whose residents are in favor of such a policy to prohibit additional formula restaurants was presented by Councilmember Ritterman and Planning Director Richard Mitchell.

Councilmember Butt recused himself on this item.

The following individuals gave comments: Andres Soto, Joe Puleo, Kathleen Wimer, Don Gosney, Margaret Jordan, Linda Newton, Brian Cleary, Wesley

Ellis, Mid Dornan, and Jeff Lee. On motion of Councilmember Beckles, seconded by Councilmember Ritterman adopted **Resolution No. 128-12** by the following vote: **Ayes:** Councilmembers Beckles, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmembers Bates and Booze. **Absent:** Councilmember Butt.

The matter to consider adopting a process to increase public participation in the Chevron crude unit replacement permit was presented by Vice Mayor Rogers and Councilmember Butt. The following individuals gave comments: Wesley Ellis, Andres Soto, Greg Karras, Diane Bailey, Don Gosney, Joe Puleo, Christy Leffall, and Torm Nompraseurt. A motion was made by Councilmember Bates, seconded by Councilmember Booze to direct staff to hold the necessary meetings and come back to the City Council with a final report. Councilmember Bates withdrew his motion. On motion of Vice Mayor Rogers, seconded by Councilmember Bates directed the city manager to adopt a process to increase public participation in the Chevron crude unit replacement permit by the unanimous vote of the City Council.

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

Councilmember Bates reported that on behalf of Mayor McLaughlin, he attended Ms. Lena Pitre's 81st Birthday Celebration. He thanked Mayor McLaughlin for the proclamation and reminded the City Council and citizens that December 4th was designated as Ms. Petrie's Day.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:54 p.m. to meet again on Tuesday, December 18, 2012, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor