

**RICHMOND, CALIFORNIA, February 4,
2014**

The Richmond City Council Evening Open Session was called to order at 6:08 p.m.

ROLL CALL

Present: Councilmembers Bates, Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Absent:** None.

PUBLIC COMMENT

The city clerk announced that the purpose of the Open Session was for the City Council to hear public comments on the following item to be discussed in Closed Session:

CITY COUNCIL

**CONFERENCE WITH LABOR
NEGOTIATORS (Government Code Section
54957.6):** Agency designated representatives: Bill Lindsay and Lisa Stephenson Employee organization: Unrepresented Management Employees

There were no public speakers.

The Open Session adjourned to Closed Session at 6:09 p.m. Closed Session adjourned at 6:32 p.m.

The Special Meeting of the Richmond City Council was called to order at 6:32 p.m. by Mayor McLaughlin. The Regular Meeting was called to order at 7:57 p.m.

ROLL CALL

Present: Councilmembers Bates, Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

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

AGENDA REVIEW

Removed Items G-3 and G-4 from the City Council Consent Calendar to be heard at the end of the agenda.

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

None.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor stated it's taking too long to reopen San Pablo Avenue between Robert H. Miller Drive and Hilltop Drive due to pipeline repairs.

Naomi Williams announced that the Black History event will be on Saturday, February 8, 2014, from 5:30 p.m. to 8:30 p.m. at the Richmond Auditorium. Tickets are \$15 and can be purchased at the Senior Center. Ms. Williams also stated that there wasn't anyone taking minutes at the most recent Personnel Board meeting.

Mark Wassberg gave comments regarding the Richmond Progressive Alliance (RPA) blaming Councilmember Rogers for putting Councilmember Myrick into office. Mr. Wassberg stated it was actually Mayor McLaughlin, Vice Mayor Beckles, and Councilmember Butt who voted him into office.

Marilyn Langlois, on behalf of the Richmond Progressive Alliance, invited everyone to view a movie titled "Long Distance Revolutionary" on Monday, February 17, 2014, at 7:00 p.m. in the Bobby Bowens Progressive Center at 1021 Macdonald Avenue.

Jackie Thompson asked that Martin Luther King's "I Have a Dream" and "Final Sermon" be duplicated for distribution to the public. (*Mayor McLaughlin stated she would make copies*). Ms. Thompson gave the following facts about Black History: in 1773, Phyllis Wheatley became America's first black poet; in 1791 Benjamin Banaker was the first black man to be appointed to the Civil Service Commission by a President of the United States; in 1966 Robert C. Weaver was the first black cabinet officer who was appointed as Secretary of the Housing & Urban Development Department (HUD); in 1837 the first black college in the United States, called Shaney State Training School opened and was located in Pennsylvania; and in 1838, the first black magazine was published called "The Mirror of Liberty.

Eleanor Thompson announced that the 3rd Annual Charles Reid Gospel Festival will take place on Saturday, February 15, 2014 at 4:00 p.m. and Sunday, February 16, 2014 at 4 p.m. at the Richmond Auditorium. Tickets can be purchased by calling (877) 295-5227 or (510) 843-7282.

Sims Thompson stated that there was a bad accident on Carlson Boulevard and Cutting Avenue and urged the city to consider safety when changes are made to the streets.

Myrtle Braxton stated that the El Cerrito NAACP invites everyone to attend a reception in honor of Black History Month on Tuesday, February 11, 2014, at 6:30 p.m. at the El Cerrito Community Center. Ms. Braxton also stated that the El Cerrito United Methodist Church will present the Oakland Black Cowboy Association and admission is free.

Texanita Bluit stated that she was the first black professor at the Samuel Merritt School of nursing in 1976. Ms. Bluit also stated that the Civic Center Plaza area is not accessible for those with disabilities.

Jovanka Beckles announced that Junie Tate, who worked at Neighborhood House of North Richmond, passed away. Donations are needed and can

be made at CHASE Bank to Routing #322271627 and Account #558930512. All cash donations go to Geneva (Georgeva) George, 1521 7th Street, Richmond, CA 94801 or by calling (510) 234-9371.

Wesley Ellis gave comments regarding the bullying and corruption that continues to take place in the city.

Sherry Lassiter, Director of the International Fab Lab out of the Massachusetts Institute of Technology and the Fab Foundation, gave comments regarding hands on learning and training for stem research taking place in partnership with the West Contra Costa Unified School District and Chevron Richmond to bring digital fabrication facilities to Richmond for stem education for middle and high school students, workforce development, and grassroots entrepreneurship.

Michael Parker stated that Black History Month reminds us of all the important contributions that African Americans have made to society.

Don Gosney stated that the agenda for the special meeting was not available in SIRE for the public.

(Councilmember Rogers stated that he hasn't heard of the comments made by Mr. Wassberg about Councilmember Myrick made by anybody else, but rather has heard many positive comments from the community about Councilmember Myrick. Councilmember Rogers stated that he would be happy to speak to anyone regarding clarification of the comments by calling him at (510) 867-5725.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Butt, seconded by Councilmember Myrick, all items under the Consent Calendar marked with an (*) were approved by the unanimous vote of the City Council.

*- Approved an agreement between the Richmond Public Library - Literacy for Every Adult

Program (LEAP) and the Richmond Community Foundation (RCF) for LEAP to provide literacy program services; authorize the Library & Cultural Services Director to accept the grant from RCF in the amount of \$10,000; and approve an amendment to the FY 2013-2014 operating budget to increase library fund revenue and expenditures in the amount of \$10,000.

* - Approved an agreement with the California State Library providing funds to the Literacy for Every Adult Program (LEAP) for the for the purpose of providing literacy services to City of Richmond residents; authorize the Library and Cultural Services Director to accept the state funds in the amount of \$49,126; and approve an amendment to the FY 2013-2014 operating budget to increase library fund revenue and expenditures in the amount of \$49,126.

CONTINUED to the February 18, 2014, City Council meeting, the matter to approve a three-year license agreement with Nematode Holdings, Inc. to use City-owned property at 2100 Western Drive at Point Molate from March 1, 2014 - February 28, 2017, for the storage of miscellaneous equipment primarily related to the ferry rider's publication "Bay Crossings", a periodical which covers ferry service and the working waterfront scene around the Bay was presented.

CONTINUED to the February 18, 2014, City Council meeting, the matter to adopt a resolution to apply for and accept \$249,600 in grant funds from the Bay Area Air Quality Management District (BAAQMD) for the continuation of an employment shuttle service within the City of Richmond was presented.

*- Approved the minutes of the regular January 14 and 21, 2014, City Council Meetings.

*- Accepted donations to the Literacy for Every Adult Program (LEAP) in the amount of \$7,000 from the May Family Trust and \$3,500 from the Raymond Family Foundation for scholarships to students successfully graduating from the Literacy for Every Adult Program (LEAP); and approve an amendment to

the FY 2013/14 operation budget, increasing Library Fund revenues and expenditures in the amount of \$10,500.

*- Received a report on Point Molate Activities.

*- Approved the following appointments:
Community Development Commission: Gopal Nair, new appointment, term expiring March 21, 2016;
Economic Development Commission: Laura Varga, new appointment, term expiring March 30, 2016.

PUBLIC HEARINGS

The matter to conduct the legally-required public hearing relating to the proposed issuance of multifamily housing revenue obligations by the California Statewide Communities Development Authority (CSCDA), associated with the refinancing of Liberty Village Apartments, in an amount not to exceed \$15,000,000, and adopt a resolution to approve the proposed financing by the CSCDA was presented by Susan Segovia, Finance Department.

The CSCDA is a Joint Powers Authority, organized and existing under the laws of the State of California and is sponsored by the League of California Cities and the California State Association of Counties. Levy Affiliated Holdings (the “Borrower”) has requested that the CSCDA serve as the issuer of multifamily housing revenue obligations in an aggregate principal amount not to exceed \$15 million (the “Obligations”). The proceeds of the Obligations will enable the Borrower to finance the acquisition and rehabilitation of 100 residential rental facilities, located at 298 W. Chanslor Avenue in Richmond, California (Liberty Village) (the “Project”). The Project will provide the City of Richmond with 100 units of affordable housing to families in the community. Mayor McLaughlin declared the public hearing open. Vinay Pimplé gave comments. A motion by Councilmember Beckles, seconded by Councilmember Myrick, closed the public hearing by the unanimous vote of the City Council. A motion by Councilmember Beckles, seconded by Councilmember Butt, adopted **Resolution No. 7-14**, by the unanimous vote of the City Council. Councilmember Bates

requested that an update be given, as the work commences, to assure that the property is being repaired properly and that areas of concern are addressed.

RESOLUTIONS

The matter to adopt a resolution in support of requesting state and federal legislative assistance to mitigate damage from train horns was presented by Councilmember Butt who stated that legislation is required at both the state and federal level to provide a rational and reasonable level of relief from excessive train horn noise, especially at night, and to resolve conflicts and inconsistencies between federal and state regulation of train horns. The City Council requests its Congressional delegation to sponsor legislation that would clarify that the states have authority to regulate the sounding of train horns within privately-owned yards for the purpose of signaling during switching operations; provide the states with authority to enforce train horn violations in Quiet Zones; and provide a funding source for local jurisdictions to implement grade crossing improvements required to establish Quiet Zones. The following individuals gave comments: Jackie Thompson, Sherry Padgett, and Paul Morris. A motion by Councilmember Butt, seconded by Vice Mayor Beckles, adopted **Resolution No. 8-14**, by the following vote: **Ayes:** Councilmembers Bates, Butt, Boozé, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstain:** None. **Absent:** Councilmember Myrick.

COUNCIL AS A WHOLE

The matter to receive a report from the Police Department and provide direction to staff regarding priorities and training needs of the Police Department, including potential grant funding to cover the cost was presented by Vice Mayor Beckles. Chief Magnus, and Deputy Chiefs Medina and Brown presented a PowerPoint. Officers need to meet POST (Peace Officer Standards & Training) and other legal requirements. The training provided includes firearms, emergency vehicle operations, response to resistance, problem-solving/community partnership building,

traffic enforcement/special events, crime prevention, investigations, youth-related, supervisory/management, new officer, special tactics, K-9, administrative/operations, and healthy workplace. Bea Roberson gave comments. Councilmember Boozé asked what the number of vehicle thefts and burglaries are and Chief Magnus responded that they are down. Councilmember Bates stated that cameras are a quick crime deterrent and the city should try to secure grants to purchase additional cameras and that businesses should be required to install cameras on their property. Councilmember Boozé also stated that there are consistently many panhandlers at McDonald's.

The matter to consider policies to increase the use of vehicles in Richmond which produce less carbon emissions and less air pollution was presented by Councilmember Rogers. The Easy Go green car sharing program would be financially self-supporting if it were not for the "down time" of cars during regular Monday through Friday 9:00am to 5:00pm working hours. Also, if the city invests in electric vehicles, it is absorbing significant costs due to having an unused fleet on evenings and weekends. A motion by Councilmember Rogers, seconded by Councilmember Myrick, directed the City Manager to report back with a plan to have the city and Easy Go share the use of EVs (Electric Vehicles) and also analyze the costs and environmental benefits of this proposal; and also proposing that the City Manager devise a program to let employees of major employers (e.g. Kaiser, WCCUSD, the City of Richmond) access the cars for personal use, as paying customers, passed by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstain:** None. **Absent:** None.

The matter to adopt safety improvements discussed at the January 15, 2014, Chemical Safety Board meeting, including adding a full time County chemical process safety inspection position at the Chevron Refinery (paid for by Chevron), and giving the County staff direct enforcement powers to implement safety improvements was presented by Councilmembers

Butt, Myrick, and Rogers. Mayor McLaughlin stated that the recommendation of Randy Sawyer, head of the County Health Department regulatory department which enforces the County ISO (Industrial Safety Ordinance), proposed that one full-time chemical process safety inspector be hired to do inspections at the Chevron refinery, and that the ISO be amended to require Chevron to pay for the new position. This person would work under Mr. Sawyer's supervision to increase the quantity and quality of chemical process safety inspections done at the Chevron Refinery. The ISO should be amended to clarify that the city believes that the county should have direct enforcement authority. Also, qualified workers should be able to shut the refinery down if necessary. Jeff Kilbreth gave comments. Discussion ensued. A motion by Councilmember Boozé, seconded by Councilmember Bates, to end debate, failed by the following vote: **Ayes:** Councilmembers Bates and Boozé. **Noes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Abstain:** None. **Absent:** None. A motion by Councilmember Rogers, seconded by Councilmember Butt, requested that Contra Costa County's joint committee return with a recommendation regarding adding a full-time county chemical processing safety inspector position and give them one month to analyze the recommendation and regardless of the outcome, place it on the City Council's agenda in one month; implement the county direct enforcement authority; provide language that the workers do have the authority to shut down the plant if they perceive dangerous conditions, passed by the following vote: **Ayes:** Councilmembers Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstain:** Councilmember Bates. **Absent:** None.

The matter to direct staff to explore with the community, including the business community, changing the name of a prominent street or community center in Richmond in honor of Nelson Mandela and to come back within 60 days to the City Council with a report, including the process and a cost analysis was presented by Mayor McLaughlin. (11:00 - A motion by Mayor McLaughlin, seconded by Councilmember Butt,

extended the meeting 30 minutes. Councilmembers Bates and Boozé, voted no). Councilmember Butt suggested that this matter be referred to the Parks and Recreation Commission for a recommendation. Naomi Williams gave comments. A motion by Mayor McLaughlin, seconded by Councilmember Rogers, directed staff to explore with the community, including the business community, the idea of changing the name of a prominent street or community center in Richmond in honor of Nelson Mandela and to bring to the Parks and Recreation Commission within 60 days a report including the process and a cost analysis with their recommendation to the City Council. A substitute motion by Councilmember Bates, seconded by Councilmember Boozé, to also consider naming a prominent area in Richmond in honor of Martin Luther King, failed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt. **Noes:** Councilmembers Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Abstain:** Councilmember Rogers. **Absent:** None. The original motion passed by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstain:** Councilmember Boozé. **Absent:** None.

The matter to direct staff to prepare a report to be brought back to the City Council on February 18, 2014, on the progress and challenges of the Richmond Housing Authority and approve a 3-person Ad Hoc City Council Committee (Mayor McLaughlin, Councilmember Boozé and Councilmember Myrick) to work with staff to create a public outreach plan to hear from public housing residents to better serve their needs was presented by Mayor McLaughlin. (11:30 p.m. - A motion by Mayor McLaughlin, seconded by Councilmember Myrick, to extend the meeting 10 minutes, failed by the following vote: **Ayes:** Councilmembers Myrick, Rogers, and Mayor McLaughlin. **Noes:** Councilmembers Bates, Boozé, Butt, and Vice Mayor Beckles. **Abstain:** None. **Absent:** None. CONTINUED to the February 18, 2014, City Council meeting.

CONTINUED to the February 18, 2014, City Council meeting, the matter to discuss and provide direction to staff regarding the amount of funding Holland and Knight obtained for the City of Richmond during the term of their contract was presented.

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 11:30 p.m., in memory of Ann Hinshaw, Junie Tate, and Arminda Ward, to meet again on Tuesday, February 18, 2014, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor