

**RICHMOND, CALIFORNIA, January 29, 2008**

The Special Meeting of the City Council was called to order at 5:08 p.m. by Mayor Gayle McLaughlin.

**ROLL CALL**

**Present:** Councilmembers Bates, Butt, Lopez, Rogers, Sandhu, Viramontes, Vice Mayor Marquez, and Mayor McLaughlin. **Absent:** Councilmembers Thurmond (Councilmember Thurmond arrived after the Council adjourned to Closed Session).

**PUBLIC COMMENT**

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

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

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, and Chris Magnus  
Counsel: Jack Hughes, Liebert Cassidy Whitmore  
Employee Organization or unrepresented employee:  
Richmond Police Officers' Association (RPOA), and  
Richmond Police Management Association (RPMA)

City Designated Representative(s): Bill Lindsay, Leslie Knight, and Lisa Stephenson  
Counsel:  
Employee Organizations or unrepresented employees: Local 1021 and Local 21 Retiree Medical Negotiations

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

City Clerk

There were no public speakers.

The Open Session adjourned to Closed Session at 5:09 p.m. The Closed Session adjourned at 6:18 p.m. The Regular Meeting of the City Council reconvened at 6:24 p.m. for a Study and Action Session.

The purpose of the Study and Action Session was as follows:

To provide direction to staff on proposed funding partnerships to increase services for high-risk youth in the City of Richmond. Councilmember Viramontes gave an overview of the item. Supervisor John Gioia gave a brief presentation. Joe Valentine, Contra Costa County Employment and Human Services Department, gave a PowerPoint presentation. Mr. Valentine stated high-risk youths include: (1) victims of child abuse and neglect; (2) youth who have been removed from their own home; (3) truants; (4) youth who have been suspended or expelled from school; (5) youth offenders; and (6) youth in poverty. Probation Officer, Lionel Chapman, gave a presentation on

increasing probation case management services. Joe Valentine followed with information on increasing mental health services. Cheryl Maier spoke in support of this item. Following discussion, a motion was made by Councilmember Viramontes, seconded by Vice Mayor Marquez, to have the city manager direct a staff work group to work out the details of how we would start with the County and maybe recommend something for the mid-year review, or for the July 1, 2008-2009 budget, that would incorporate the Office of Neighborhood Safety and all the programs that are part of the City's violence prevention efforts with youth and probation. Following discussion, the motion passed by the unanimous vote of the Council.

The Study and Action Session adjourned at 7:00 p.m. and the Special Meeting of the City Council reconvened at 7:31 p.m.

### **ROLL CALL**

**Present:** Councilmembers Bates, Butt, Lopez, Rogers, Sandhu, Thurmond, Viramontes, Vice Mayor Marquez, and Mayor McLaughlin. **Absent:** None.

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

None.

### **AGENDA REVIEW**

Removed Items G-1, G-3, and G-4 from the Consent Calendar. Continued Item E-1 to February 5, 2008.

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

Interim City Attorney, Scott Dickey, stated there was no reportable action on the following items:

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

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, and Chris Magnus  
Counsel: Jack Hughes, Liebert Cassidy Whitmore  
Employee Organization or unrepresented employee: Richmond Police Officers' Association (RPOA), and Richmond Police Management Association (RPMA)

City Designated Representative(s): Bill Lindsay, Leslie Knight, and Lisa Stephenson  
Counsel:  
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#### **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957.6)

City Clerk

## **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Continued a presentation of a proclamation recognizing the installation of Joe L. Fisher as the President of the West Contra Costa Association of Realtors to February 5, 2005.

Police Chief, Chris Magnus, introduced 22 newly hired police officers hired from July 1, 2007, to January 29, 2008. He acknowledged and thanked Sergeant Darrel Jones and Officer Tracy Mollenbernd for their work in recruiting and placing the officers in academies. He stated the Police Department will hire another 20 officers by the end of spring. Chief Magnus introduced Allwyn Brown who was recently promoted to Captain and will be responsible for the Central District of the City. Captain Brown was sworn into his new position by the City Clerk, Diane Holmes. Captain Allwyn Brown thanked the Chief for the promotion and he stated he looks forward to the challenges. Vice Mayor Marquez congratulated Captain Brown and asked him to clean up the 100 block of First Street. Chris Tallerico, Police Commissioner, spoke on this item. Mayor McLaughlin thanked all the new police officers and congratulated Captian Brown.

Mayor McLaughlin and Vice Mayor Marquez presented a Certificate of Appreciation to Lynne Scarpa for her participation in the Contra Costa County Bioassessment Survey Program. Lynne Scarpa thanked the Council for the recognition and acknowledged others that have also helped in the program.

## **OPEN FORUM FOR PUBLIC COMMENT**

Doctor Jeff Ritterman spoke against the Chevron Expansion Project.

Ruth Gilmore spoke against the Chevron Expansion Project.

Diana Hume spoke against the Chevron Expansion Project.

Phylicia Mandel spoke against the Chevron Expansion Project.

Bridgid Acuna spoke against the Chevron Expansion Project. She requested the Council allow an additional 45 days to fully review Chevron's substantial proposal.

Jessie Montiel requested the Council allow more time for the citizens to review the entire EIR for potential hazards and she requested the EIR be translated in Spanish.

Corky Booze stated he supports all previous speakers in reference to Chevron. He also stated he wanted to clarify what Councilmember Marquez stated last week in reference to him being an angry person and he would not stoop to his level regarding the 47 homicides in 2007. Mr. Booze stated that he just wants his elected body to do

something about the problems in the City of Richmond.

Eleanor Thompson stated she is angry about the homicides of African American citizens. She stated that if there are no programs then there will be violence. She requested the city manager find money to fund children programs.

Sylvia Hopkins spoke against the Chevron Expansion Project. She is very concerned about the future of her life as well as her neighbors. She requested time for citizens to review the entire EIR for potential hazards.

Michael Beer spoke against the Chevron Expansion Project.

Barbara Stauss stated her concern that the West Branch Library is still closed. She also requested more time for citizens to review the EIR for the Chevron Expansion Project.

Marleen Quint spoke against the Chevron Expansion Project. She requested the City Council appeal Chevron's application for reformulation and demand recirculation of the Environment Impact Report (EIR) in the name of public review and input.

Rose Marie Castro spoke against the Chevron Expansion Project.

Jerome Smith spoke against the Chevron Expansion Project.

Simms Thompson, Jr. requested the City clean up the raw sewage coming from the manholes on 23<sup>rd</sup> Street and Cutting Boulevard.

Jessica Tovar spoke against the Chevron Expansion Project.

Vice Mayor Marquez stated his concern for being continuously singled out, from the other Councilmembers by Corky Booze, regarding the homicides of African Americans in the City of Richmond. He stated he was elected to represent all citizens of Richmond and he will continue to do so.

### **CONSENT CALENDAR**

On motion of Councilmember Viramontes, seconded by Vice Mayor Marquez, all items marked with an asterisk (\*-) were approved by the unanimous vote of the Council.

A proposal to adopt a resolution authorizing standing order library purchase of materials and services from various vendors in an amount not to exceed a limit set forth per library material/service description and not to exceed an aggregate total of \$433,400 each fiscal year 2007-2008, 2008-2009, and 2009-2010 was presented. Monique A. le Conge, Library Director, gave an overview of the item. She stated the Bay View Branch and the Westside Branch in Point Richmond will be opened in the next two weeks for

business. A grand opening of the branches will be held during National Libraries Week in April 2008. Councilmember Bates stated staff should place signs in the windows of the libraries with information regarding the status of the libraries. He also requested a written report from the city manager regarding the status of the recreation director. Corky Booze spoke on this item. On motion of Councilmember Bates, seconded by Councilmember Viramontes, adopted **Resolution No. 14-08**, by the unanimous vote of the Council.

-\*Approved the expenditure from the budgeted FY 2007/08 Equipment Replacement fund to purchase a wheel loader at a cost of \$113,891.75.

A proposal to approve a contract for a two-year agreement with MCK Services, Inc., and the Public Works Department for street paving services in an amount not to exceed \$175,000 was presented. Public Works Director, Yader A. Bermudez, gave an overview of the item. Mr. Yaker stated that the contract is for equipment rentals and City staff will provide the labor. On motion of Councilmember Bates, seconded by Vice Mayor Marquez, approved the contract by the unanimous vote of the Council.

A proposal to approve a contract for a two-year agreement with Delta Grinding Inc. dba Diablo Grinding Inc., and the Public Works Department for street paving services in an amount not to exceed \$175,000. Public Works Director, Yader A. Bermudez, gave an overview of the item. Corky Booze spoke on this item. On motion of Councilmember Viramontes, seconded by Councilmember Lopez, approved the contract by the unanimous vote of the Council.

### **PUBLIC HEARINGS**

None.

### **AGREEMENTS**

None.

### **RESOLUTIONS**

A proposed resolution calling on subprime mortgage lenders and servicers for properties in Richmond to voluntarily agree to a six-month moratorium on foreclosures was presented. Mayor McLaughlin gave an overview of the item. Councilmember Viramontes noted a typo on the resolution to change three months to six months. Speakers were: Vernell Crittendon, Corky Booze, and Sean Ramos. On motion of Councilmember Bates, seconded by Councilmember Viramontes, adopted **Resolution No. 15-08**, by the unanimous vote of the Council.

### **ORDINANCES**

None.

### **COUNCIL AS A WHOLE**

In the matter to direct the City's West County Agency representatives to propose to the West County Agency Joint Powers Authority Board (JPA) that the JPA contract with Synagro for either:

1. A West County Agency dewatering facility that serves only the Richmond Municipal Sewer District service area to be located at Republic's Inc. landfill built and funded solely by the City of Richmond; or

2. A West County Agency dewatering facility that serves both the Richmond Municipal Sewer and West County Wastewater Districts' service area to be located at Republic's Inc. landfill jointly funded by both districts.

If the West County Agency agrees to contract for the construction and operations of the dewatering facility, staff further recommends exploring the possibility of the West County Wastewater District personnel providing the design and construction management services for this project. Janet Schneider, Administrative Chief, gave an overview of the item. Representative, Charles Egigian-Nichols, Tetra Tech, gave a PowerPoint presentation. (Mayor McLaughlin passed the gavel to Vice Mayor Marquez and left the meeting at 8:50 p.m. She returned at 8:53 p.m. She left again at 8:55 p.m. and returned at 9:05 p.m.) During discussion, Councilmember Lopez requested further information to fully evaluate option one or two. John Pugliaresi of Synagro and Mark Grushayev of Veolia were available for questions from the Council. Discussion continued and a motion was made by Councilmember Viramontes, seconded by Councilmember Bates, to move forward with serious conversation with Synagro as the option and to move forward to get the West County Agency off the dime to work regionally on possibly doing this together. Discussion continued (Mayor McLaughlin passed the gavel to Vice Mayor Marquez and left the meeting at 9:43 p.m. She returned at 9:49 p.m.). Councilmember Bates suggested Veolia prepare capital improvement project costs for the next several years that would be compatible or supplemental to what Synagro is offering. Discussion continued. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Lopez, Rogers, Sandhu, Thurmond, Viramontes, and Vice Mayor Marquez. **Noes:** Councilmember Butt. **Abstentions:** Mayor McLaughlin. **Absent:** None.

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

Councilmember Bates stated there are no minority contractors from the City of Richmond working on the Hall of Justice project and requested a presentation and discussion for the public to understand the escalation of costs for the project.

Vice Mayor Marquez reminded contractors that the work they perform depends on the type of specialty license they hold and a contractor should be able to present that information to the Council.

Councilmember Viramontes reported she attended a meeting on behalf of the West County Joint Powers Agency in Indian Wells, California, and will distribute copies of documentation from the meeting to all Councilmembers. She also reported that she attended a workshop where the City of Riverside instituted a program that removed yellow and brown grease from restaurants and made it into an energy project to assist in stopping the overflow of sewers and storm drain difficulties. Councilmember Viramontes will forward that information to the Councilmembers also.

Mayor McLaughlin thanked all Councilmembers and public for their input into this meeting.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 10:19 p.m. to meet again on Tuesday, February 5, 2008, at 7:00 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor