

**RICHMOND, CALIFORNIA, October 26,
2010**

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

ROLL CALL

Present: Councilmembers Bates, Butt,
Lopez, Vice Mayor Ritterman, and Mayor
McLaughlin. **Absent:** Councilmembers Rogers and
Viramontes.

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):** Seiberling vs.
City of Richmond

**CONFERENCE WITH LEGAL COUNSEL
- ANTICIPATED LITIGATION (Significant
exposure to litigation pursuant to Subdivision (b) of
Government Code Section 54956.9):** One case

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

There were no public speakers.

The Evening Open Session adjourned to Closed
Session at 6:09 p.m. The Closed Session adjourned at
6:42 p.m.

The Special Meeting of the Richmond City
Council was called to order at 6:44 p.m. by Mayor
McLaughlin who led the Pledge of Allegiance to the
Flag.

ROLL CALL

Present: Councilmembers Bates, Butt, Rogers,
Vice Mayor Ritterman, and Mayor McLaughlin.
Absent: Councilmembers Lopez and Viramontes
(Councilmembers Lopez and Viramontes arrived at
6:45 p.m.).

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor announced that on Friday, Saturday and Sunday, October 29, 30, and 31, 2010 at the Richmond Memorial Auditorium located at 403 Civic Center Plaza, the City of Richmond Recreation Department opens it's newest and greatest haunted house attraction.

Andres Soto encouraged individuals to vote accordingly if they oppose big corporations spending large amounts of money to support candidates that are running for office.

Margaret Judkins and Sims Thompson encouraged the City Council to look into reducing property taxes for senior citizens.

Eleanor Thompson stated that individuals running for Council should use their accomplishments to attract voters.

Amanda Elliott reported that Richmond Main Street provides Richmond youth with leadership, work readiness, and business ownership and entrepreneurship training through the Youth Entrepreneurship Program.

Cordell Rhoades expressed his appreciation for Councilmember Viramontes.

Jim Jenkins spoke regarding Measure U.

Tom Waller stated that individuals should consider candidates that have a leadership capacity.

Margaret Jordan spoke regarding jobs for Richmond, specifically green jobs.

Jovanka Beckles and Roberto Reyes congratulated the officers that were recently promoted in the Richmond Police Department.

Jackie Thompson stated that Councilmembers should lead by example.

Marcellis Ashley encouraged the City Council to look into regulating the use of bicycle lanes for the safety and protection of those that drive near them as well as the individuals that use them.

Corky Booze stated that Auto Warehousing does not have 200 jobs for Richmond residents.

Michael Beer expressed his disappointment regarding a report that Chevron Corporation has spent \$1 million this election season to support Richmond City Councilmembers.

Billy Alexander spoke in support of the Point Molate Project.

Bea Roberson announced that on Friday, October 22, 2010, the Coronado Neighborhood Council held a Roast of City Manager Bill Lindsay, Human Resources Manager Leslie Knight, and Naomi Williams. A total of \$12,000 in scholarship money was awarded to the youth that were present. Ms. Roberson also announced that on Saturday, October 23, 2010, Crime Prevention held a banquet honoring four police officers, two businesses, two neighborhoods, and two outstanding citizens. One of the outstanding citizens was Sims Thompson. Ms. Roberson also announced that the Richmond and El Cerrito Fire and Police Holiday Toy Program Fundraiser Breakfast would be held on Friday, November 5, 2010, at the Marriott in Richmond in an effort to assist more than 2000 families in Richmond that are in need of toys and food for the holidays.

AGENDA REVIEW

None.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin presented a proclamation to Melody Myers honoring the exemplary efforts of the grassroots neighborhood group Solano PLAY to initiate improvements to the Solano Playlot in Richmond, to make it more useable for children and families, and to galvanize the entire Richmond community to support the Solano Playlot, one of the finalists in an international competition for \$25,000 in new playground equipment. Vice Mayor Ritterman and Councilmember Lopez gave comments. Mrs. Myers thanked everyone for their support. She also encouraged everyone to visit www.solanoplay.org to learn more about the neighborhood group Solano PLAY. The following individuals gave comment: Leonard Taylor, Jim Jenkins, Corky Booze, Jovanka Beckles, and Eduardo Martinez.

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

City Attorney Scott Dickey reported the following on item A-1:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9): Seiberling vs. City of Richmond (*The City Council approved a Worker's Compensation settlement in the amount of \$15,000 by unanimous vote*)

CONSENT CALENDAR

On motion of Councilmember Viramontes, seconded by Vice Mayor Ritterman, adopted **Resolution No. 121-10** authorizing the City of

Richmond and its collaborating partner, the Richmond Community Foundation, to apply for \$626,900 in grant funds from the State of California Land and Water Conservation Fund for the completion of Phase II of the Martin Luther King Park Project by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

STUDY AND DIRECTION TO STAFF SESSION

In the matter to direct staff to propose a menu of options for creating a distinct governing body for the Richmond Municipal Sewer District Councilmember Viramontes gave an overview. Corky Booze gave comments. A motion was made by Councilmember Viramontes, seconded by Vice Mayor Ritterman to direct staff to come back with a menu of options for how the City of Richmond takes responsibility for the Richmond Municipal Sewer District and provide a government structure for it. The motion passed by the following vote: **Ayes:** Councilmembers Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

In the matter to receive a report from City staff regarding the operations of the wastewater treatment plant, and, in particular, recent odor problems associated with the plant, and provide direction to staff as appropriate, Wastewater Manager Chad Davisson gave an overview and confirmed that there was a release of hydrogen sulfide gas in the Point Richmond community. The objectives of Mr. Davissons report were as follows: (1) provide an update on the current situation; (2) describe the actions taken to date; (3) interpret the hydrogen sulfide data collected and the possible public heal risk; and (4) answer questions from the public and Council. Councilmember Butt requested that staff provide information on how much it would cost to make the wastewater treatment plant in Richmond odorless. The following individuals gave comments: Xina Lyons, Jason Claiborne, Xylaia Lyons, Tom Yong, Angelica Aleman, Xe'Mia Lyons, Dr. Laura Pawlowski, Sims Thompson, and Corky Booze. Veolia Program Manager Mark Grushayev, Director, Public Health of Contra Costa County Dr. Wendel Brunner, M.D., Bay Area Air Quality Manager Wayne Kino, and BioMax Environmental Vice President, Principal Michael Polkabla gave comments. Councilmember Butt directed staff to confirm that the vented manholes in the Point Richmond were not a violation of the Water Board regulations. The next appropriate steps include replacing the digester and allow the Air District to continue its investigation and report any findings to the City of Richmond staff. Individuals should contact Veolia, as the first level of response, at (510) 412-2001 to report odors. Veolia would respond in 30 minutes or less. Individuals should also contact the Air Board at 1(800) 334-6367.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:07 p.m. to meet again on Tuesday, November 16, 2010, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor