

**RICHMOND, CALIFORNIA, March 8,
2011**

The Special Meeting of the Richmond City Council was called to order at 5:06 p.m. by Mayor McLaughlin.

ROLL CALL

Present: Councilmembers Beckles, Ritterman, Rogers, and Vice Mayor Butt. **Absent:** Councilmembers Bates, Booze, and Mayor McLaughlin (Councilmember Booze and Mayor McLaughlin 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 - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision [b] of Government Code Section 54956.9): One Case

There were no public speakers.

The Evening Open Session adjourned to Closed Session at 5:07 p.m. The Closed Session adjourned at 6:20 p.m.

The Special Meeting of the Richmond City Council was called to order at 6:26 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Absent:** Councilmember Bates.

STATEMENT OF CONFLICT OF INTEREST

Vice Mayor Butt stated that he had a conflict of interest with item F-1 and would recuse himself; West Contra Costa Unified School District is one of his clients.

AGENDA REVIEW

None.

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 during Closed Session.

COUNCIL AS A WHOLE

In the matter to adopt a resolution calling for, giving notice of, and requesting consolidation of an advisory election for Tuesday, June 7, 2011, Councilmembers Rogers and Ritterman gave an overview of the item which included a PowerPoint presentation. The purpose of the advisory election will be to submit the following question to the qualified voters of the City of Richmond: "ADVISORY VOTE ONLY: Should the proceeds of tax imposed pursuant to the City of Richmond sales tax of 2011 (also on this ballot) be spent ½ on Richmond programs to restore services to the poor that have been cut due to State takeaways, and ½ on School District programs in Richmond to restore educational services and programs that have been eliminated due to State takeaways?" Vice Mayor Butt recused himself on this item. The following individuals gave comments: Jackie Thompson, Naomi Williams, Leonard Weldon, Linda Cohen, J G Larochette, Sylvia Greenwood, Antionette Henry Evans, Lisa Levi, Antwon Cloird, Michael Parker, Kenneth Davis, Joan Garrett, and Sims Thompson. Following discussions, on motion of Councilmember Rogers, seconded by Councilmember Ritterman adopted **Resolution No. 17-11** calling for, giving notice of, and requesting consolidation of an advisory election for Tuesday, June 7, 2011, regardless if the state-wide election is not called for that date, by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates and Vice Mayor Butt.

In the matter to introduce an ordinance enacting a ½ percent Transactions and Use Tax (sales tax) to be administered by the State Board of Equalization subject to approval by the city's voters at the June 7, 2011, special election, Mayor McLaughlin announced that a two third vote was required. The following individuals gave comments: Michael Parker, Kenneth Davis, Joseph Puleo, Nina Smith, Charles Smith, and John Marquez. Following discussion, on motion of Councilmember Ritterman, seconded by Councilmember Rogers, said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates.

In the matter to adopt a resolution declaring a state of fiscal emergency and calling and providing for the submission to the voters at the June 7, 2011, election of an ordinance imposing a ½ percent Transactions and Use Tax (sales tax) to be administered

by the State Board of Equalization, Mayor McLaughlin announced that a unanimous vote was required. The following individuals gave comments: Michael Parker, Kenneth David, Edwardo Martinez, and Rhonda Harris. Following discussion, on motion of Councilmember Rogers, seconded by Councilmember Beckles adopted **Resolution No. 18-11** declaring a fiscal emergency and calling and providing for the submission to the voters at the June 7, 2011, election of an ordinance consolidation of the state election unless there is no state election.

PUBLIC HEARINGS

City Clerk Diane Holmes announced that it was time pursuant to public notice to hold a public hearing to adopt a resolution certifying the Final Environmental Impact Report (FEIR) for the Point Molate Mixed-Use Tribal Destination Resort and Casino project. Senior Planner Lina Velasco joined by Chad Broussard and Bibiana Alvarez of Analytical Environmental Services gave an overview of the item which included a PowerPoint presentation. The following individuals gave comments: Myrtle Jones, Don Gosney, Raymon Landry, Antwon Cloird, Michael Parker, Norman LaForce, Robert Cheasty, Jeff Inglis, John Ladd, Ivory Mitchell, Donald Johnson, James Austin Jr., Delia Taylor, Charlice W. Danielsen, Sims Thompson, Bruce Beyaert, Richard Neidhardt, Joan Garrett, Mary Hein, Bill Pinkham, Joseph Puleo, Charles Smith, Nina Smith, Kathleen Wimer, Dorothy Gilbert, Cheryl Maier, Bob Dabney, Jessie West, Laura Baker, Larry Tong, Megan Keelahan, Jon Gordon, Edwardo Martinez, Tarnel Abbott, Lisa Simms, Fred Franklin, Jim Levine, Michael Derry, and Rita Barouch. Following discussion, on motion of Vice Mayor Butt, seconded by Councilmember Booze certified the FEIR with inclusion of Version A Errata Items 1,2,4,5,6,7, and 8 by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates. On motion of Vice Mayor Butt, seconded by Mayor McLaughlin included Errata Version B-3, Traffic Impacts, in the Errata to the FEIR by the following vote: **Ayes:** Councilmembers Beckles, Booze, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Councilmember Ritterman. **Absent:** Councilmember Bates. On motion of Vice Mayor Butt, seconded by Councilmember Ritterman included Errata Version B-9, Environmental Tobacco Smoke, into the Errata to the FEIR by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates. On motion of Vice Mayor Butt, seconded by Mayor McLaughlin included Errata Version B-10, Biological Resources, into the Errata to the FEIR by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates. On motion of

Councilmember Butt, seconded by Councilmember Ritterman included Errata Version A, Item 11, Wastewater Treatment, and included the words “fair share” in the Errata to the FEIR, which were excluded in error by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Bates. ***The City Council adjourned to Closed Session 10:41 p.m. and reconvened at 11:07 p.m. On motion of Councilmember Ritterman, seconded by Mayor McLaughlin extended the meeting until all items left on the agenda were completed with Vice Mayor Butt voting Noe.*** A motion was made by Vice Mayor Butt, seconded by Mayor McLaughlin to include Errata Version B-12, Bay Trail, in the Errata to the FEIR. A substitute motion was made by Councilmember Ritterman, seconded by Councilmember Beckles to use Version A-12, Bay Trail, in the Errata to the FEIR and include “fair share” language. The substitute motion passed by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, and Rogers. **Noes:** Vice Mayor Butt and Mayor McLaughlin. **Abstentions:** None. **Absent:** Councilmember Bates. ***Councilmember Butt left the meeting at 11:18 p.m.*** A motion was made by Councilmember Ritterman, seconded by Councilmember Booze to certify the FEIR with all Errata Version A Items 1 – 12, disregard any previous Version B approvals. Mayor McLaughlin offered a friendly amendment to include an outline of the socio/economic impacts of casinos studies in the Errata and in the resolution, and also include the “fair share” language to Item 11. The friendly amendment was accepted and **Resolution No. 19-11** was adopted by the following vote: **Ayes:** Councilmembers Beckles, Booze, Ritterman, and Rogers. **Noes:** Mayor McLaughlin. **Abstentions:** None. **Absent:** Councilmember Bates and Vice Mayor Butt.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:40 p.m. in memory of Eboni Webb, Akilah Kelly, Mario Hollister and Jonathan Fontenot, to meet again on Tuesday, March 15, 2011, at 6:30 p.m. Mayor McLaughlin announced that a memorial fund was established for Akilah Kelly; please call (510) 970-9885 for information.

City Clerk

(SEAL)

Approved:

Mayor