

**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL
Tuesday, November 22, 2011**

The Richmond City Council Evening Open Session was called to order at 5:04 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Ritterman, Rogers Vice Mayor Butt, and Mayor McLaughlin. **Absent:** Councilmembers Bates, Beckles, and Boozé arrived after the City Council adjourned to Closed Session.

PUBLIC COMMENT

The deputy 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:

CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION (Subdivision [a] of
Government Code Section 54956.9):

Uriah Dach vs. City of Richmond

Chevron USA vs. County of Contra Costa

City of Brentwood vs. Robert Campbell

Turner vs. City of Richmond

HOUSING AUTHORITY

LIABILITY CLAIMS - PENDING
LITIGATION (Government Code Section 54956.9):

HUD OIG Proposed Housing Authority
Repayment Agreement Review

There were no speakers.

The Evening Open Session adjourned to Closed Session at 5:05 p.m. The Closed Session adjourned at 6:40 p.m.

The Special Meeting of the Richmond City Council was called to order at 6:45 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

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

Mayor McLaughlin read a statement to address how the process for public comment would be conducted throughout the meeting.

STATEMENT OF CONFLICT OF INTEREST

None.

OPEN FORUM FOR PUBLIC COMMENT

Naomi Williams stated that the bike lanes on South 37th and Wall Street were unsafe.

Saleem Bey stated that he was the president of the Shields-Reid Neighborhood Council and that the Community Housing Development Corporation (CHDC) formed an illegal neighborhood council to undermine the original Shields-Reid Neighborhood Council. He stated that the Shields-Reid Neighborhood Council filed suite against CHDC.

Kenneth Davis stated that the community of North Richmond was targeted by corrupt political efforts to eliminate the indigenous population through gentrification.

Leonard Taylor encouraged citizens to support the Richmond Rockets Basketball Team, and he also encouraged everyone to come to the Bay Area Rescue Mission on December 23, 2011, for Christmas dinner.

Lanesa Whitfield stated that the Ghilotti Bros were leaving work equipment on Ohio and South 33rd Street.

Antwon Cloird stated that the rules the mayor read at the beginning should be available for the public to view.

Don Gosney announced that the Plummer's Steamfitters Local 342 was looking for individuals to apply for its Apprentice Program. He encouraged citizens to call (925) 686-0730 for more information. Citizens may register for testing on November 28 through December 2, 2011, from 7:00 a.m. to 11:00 a.m., 935 Detroit Avenue, Concord.

Carlos, Jason, and Piler Clairborne, and Marie Decombe encouraged the City Council to clean the Veolia Wastewater Treatment Plant.

Laura Pawlowski encouraged the City Council to discontinue contracting with Veolia.

Eleanor Thompson encouraged the City Council to improve its behavior. She also thanked Mayor McLaughlin for attending special events over the weekend.

Juana Anker stated that she was ashamed of the City Council for its behavior.

Jerome Smith read a poem and urged the individual Councilmembers to not lose site of the love they have for each other.

Texanita Bluitt reported that a tree, that was planted by the City of Richmond, in front of her home has caused a health and safety concern. The root of the tree raised the sidewalk to an unsafe level and she urged the City Council to direct staff to look into this matter.

Jackie Thompson stated that the rules for the City Council change for different Councilmembers.

Sims Thompson encouraged the City Council to improve its behavior.

Tarnell Abbott announced that the Richmond Progressive Alliance would host its holiday celebration on Saturday, December 17, 2011, at 1021 Macdonald Avenue. She also stated that the time limits were frustrating; however, they were necessary to help control the meetings.

Michael Parker stated that it was reasonable to have the rules enforced. He also stated that during Thanksgiving it was appropriate to remember the homeless as well as the citizens that have unstable job situations.

Charles Smith spoke in support of freedom of speech.

Eduardo Martinez stated that organization was necessary to obtain an anarchy government.

Edna Campbell Purry, Burganey Spears, and Aaliyah Washington encouraged the City Council to support the Christmas in Richmond Program.

AGENDA REVIEW

An individual from the public requested to remove Items H-1, H-2, H-3, and H-4 from the Consent Calendar. A motion was made by Vice Mayor Butt, seconded by Mayor McLaughlin to add an emergency item to discuss odor issues at the Veolia Wastewater Plant to the agenda. The vote was unanimous. On motion of Councilmember Bates, seconded by Councilmember Boozé moved the emergency item to be heard directly after Item I-1 with Mayor McLaughlin and Councilmember Beckles voting Noe. A motion was made by Councilmember Beckles, seconded by Mayor McLaughlin to move items I-2 and I-3 before Item I-1 failed with Councilmembers Beckles, Ritterman, and Mayor McLaughlin voting Ayes. *The individual that requested to remove items from the Consent Calendar was no longer in the Chambers; therefore, Items H-1, H-2, H-3, and H-4 were placed back on the Consent Calendar.*

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin presented Courtney Cummings with a proclamation honoring National Native American Indian Heritage Month in November 2011. Ms. Cummings gave comments. The following individuals also gave comments: John Cummings, Jerome Smith, Isabella Zizi, Tarnell Abbott, Jackie Thompson, Juan Reardon, Eduardo Martinez, John Marquez, Councilmembers Beckles, Boozé, and Ritterman.

Mayor McLaughlin joined by Councilmembers Bates and Boozé presented a Certificate of Recognition to Omega Pacific Electric Supply, Inc. Councilmembers Bates and Boozé gave comments. Ivy Louis, mother of the owner of Omega Pacific Electric Supply, Inc. Todd Louis, received the certificate on his behalf and gave comments. Jackie Thompson also gave comments.

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

City Attorney Scott Dickey reported that in the matter of **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):** Uriah Dach vs. City of Richmond the City Council unanimously approved a settlement in the amount of \$1.5 Million with the City of Richmond's payment limited to its \$250,000 deductible; Turner vs. City of Richmond the City Council approved a settlement in the amount of \$25,000 with Councilmember Beckles abstaining.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Ritterman and seconded by Councilmember Beckles all items with an (*) were approved by the unanimous vote of the Council.

*- Adopted **Resolution No. 107-11** approving the lease/purchase of new public safety radio equipment that is necessary to meet minimum federal requirements for interoperable communications (i.e., P-25 compliance), and that will meet operating standards for the East Bay Radio Communications System (EBRCS). The proposed lease/purchase is from the Motorola Corporation at an annual cost of \$715,887 for four years, with a total cost of the equipment not to exceed \$2,863,548.

*- Adopted **Ordinance No. 25-11** of the City Council of the City of Richmond amending Richmond Municipal Code Chapter 7.102 (Medical Marijuana Collectives) to increase the number of permits available

from three to four. **Councilmembers Beckles, Vice Mayor Butt, and Mayor McLaughlin voted Noe.**

*- Adopted **Resolution No. 108-11** authorizing the City Manager to apply for a 2012 EPA Brownfield Assessment Grant (EPA-OSWER-OBLR-11-05) in the amount of \$400,000 to fund the investigation of environmental conditions along the Richmond Greenway/ former rail line, AC Transit Bus Yard, and nearby properties.

*- Adopted **Resolution No. 109-11** authorizing the City Manager to apply for a 2012 EPA Brownfield Revolving Loan Fund Grant (EPA-OSWER-OBLR-11-06) in the amount of \$1 million to provide funding to capitalize a revolving fund to be administered by the city to make loans and provide sub-grants to carry out cleanup activities at Brownfield sites.

STUDY AND DIRECTION TO STAFF SESSION

The City Council received a presentation regarding the wastewater collection system master plan and proposed improvement projects and a proposal to adopt a resolution accepting the master plan. Wastewater Manager Chad Davis gave a presentation. Maureen Decombe and Charles Smith gave comments. A motion was made by Councilmember Ritterman, seconded by Mayor McLaughlin to adopt a resolution accepting the master plan. After further discussion, Councilmember Ritterman withdrew his motion. The item was continued to December 6, 2011, for further review and would be placed on the Consent Calendar.

The matter to discuss odor issues at the Veolia Wastewater Plant was presented by Vice Mayor Butt and Wastewater Manager Chad Davisson gave an overview of the item. The following individuals gave comments: Eduardo Martinez, Charles Smith, Laura Powloski, Maureen Decombe, Saleem Bey, and Laneisha Whitfield.

The City Council and the public received a full explanation from staff regarding the proposed revision to the City of Richmond's Employment Application to delete Question 14: "HAVE YOU EVER BEEN CONVICTED OF A CRIME?" Councilmember Bates gave an overview of the item and the explanation was presented by the Human Resources Director Leslie Knight. The following individuals gave comments: Naomi Williams, Jeff Rutland, Tanisha Walker, LaVern Vaughn, Bea Roberson, and Michael Parker.

The matter to adopt a resolution in support of "banning the box" and calling for the elimination of questions regarding past convictions from the initial public employment application was presented by Councilmember Beckles. Members of the Reentry Program gave a presentation. The following individuals gave comments: Laneisha Whitfield, Don Gosney, Eleanor Thompson, Juana Anker, Texanita

Bluitt (at 11:30 p.m. on motion of Councilmember Ritterman, seconded by Councilmember Rogers extend the meeting for 15 minutes with Councilmember Bates and Vice Mayor Butt voting Noe) speakers continued with Jerome Smith, Jackie Thompson, Marcy Rein, Kathleen Wimer, Charles Newsome, Kathleen Sullivan, and Michael Parker. (At 11:45 p.m. on motion of Councilmember Ritterman, seconded by Councilmember Beckles extended the meeting for 10 minutes with by Councilmember Bates and Vice Mayor Butt voting Noe); (City Council recessed at 11:47 p.m. and reconvened at 11:49 p.m.); discussion continued (at 11:55 p.m. on motion of Councilmember Ritterman, seconded by Councilmember Rogers extend the meeting for 15 minutes with Vice Mayor Butt voting Noe). (Mayor McLaughlin left the meeting for a short time and Vice Mayor Butt chaired the meeting until she returned). On motion of Councilmember Beckles, seconded by Councilmember Ritterman adopted **Resolution No. 110-11** by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Ritterman, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Noe:** Councilmember Bates. **Abstentions:** None. **Absent:** None.

Continued to December 6, 2011, the matter to adopt a resolution directing the Chief of Police to carefully evaluate all requests for Mutual Aid that involve responding to civil unrest and empowering the Chief to decline to respond to Mutual Aid requests under certain circumstances.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:20 a.m. to meet again on Tuesday, December 6, 2011, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor