

RICHMOND, CALIFORNIA, March 25, 2014

The Richmond City Council Evening Open Session was called to order at 5:06 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

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

PUBLIC COMMENT

None.

CITY COUNCIL

The deputy city clerk announced 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): Agency designated representatives: Bill Lindsay, Lisa Stephenson, and Bruce Soublet
Employee organization: SEIU (Local 1021) and IFPTE (Local 21)

CONFERENCE WITH REAL PROPERTY

NEGOTIATOR (Government Code Section

54956.8): Property: Terminal One
Agency negotiators: Bill Lindsay, Alan Wolken, Jim Matzorkis, and Richard Mitchell
Negotiating party: Terminal 1 Development LLC
Under negotiation: Price and terms of payment

There were no public speakers.

The Open Session adjourned to Closed Session at 5:07 p.m. Closed Session adjourned at 6:15 p.m.

The Special Meeting of the Richmond City Council was called to order at 6:31 p.m. by Mayor McLaughlin who led the Pledge of Allegiance to the Flag.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

Councilmember Butt reported a conflict of Interest with Item H-1 and recused himself during discussion.

AGENDA REVIEW

Withdrew the matter to recognize Mr. Joseph Lee and Mr. Joe Williams for their bravery and heroism during the recent attempted robbery of the AM/PM gas station and convenience store in Richmond from the agenda.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Councilmembers Bates and Boozé recognized Willie Rhodes' retirement from Veolia Water and Ms. Lanita McCauley Bates as Vice President of Veolia Water. Mr. Rhodes and Ms. McCauley Bates gave comments.

Withdrew from the agenda the matter to recognize Mr. Joseph Lee and Mr. Joe Williams for their bravery and heroism during the recent attempted robbery of the AM/PM gas station and convenience store in Richmond.

Mayor McLaughlin read a proclamation recognizing March 2014 as Red Cross Month. The proclamation will be mailed to the appropriate recipients.

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

City Attorney Bruce Reed Goodmiller reported that there were no reportable actions.

OPEN FORUM FOR PUBLIC COMMENT

Sharon Sanders stated that there were many issues within the City of Richmond that need to be address, such as: truancies, funding leaving the community, and the lack of youth activities.

Naomi Williams announced that the Commission on Aging will hold its Senior Night Out, May 16, 2014, at the Richmond Memorial Auditorium.

Gabriel Quinto gave comments regarding the University of California Berkeley/South Richmond Field Station. He encouraged the City Council to save the coastal prairie.

Don Gosney stated that the City Council should respect the public in order to gain the public's respect.

Sims Thompson and Richard Stollings gave comments regarding the changes that reduced the traffic lanes on Barrett Avenue. They requested that the City of Richmond conduct a study on the traffic flow as well as the effects of extending the green light on 37th Street and Barrett Avenue.

Jackie Thompson stated that the lack of attention and support from some City Councilmembers during the presentation recognizing Willie Rhodes' retirement from Veolia Water and Ms. Lanita McCauley Bates as Vice President of Veolia Water was embarrassing. She also expressed disappointment with the comment Councilmember Butt made regarding individuals who live in public housing requiring maid service. Ms. Thompson stated that the comment was insulting and offensive, and she expected an apology from Councilmember Butt or Mayor McLaughlin.

Texanita Bluitt gave comments regarding the closure of the Kennedy Swim Center for renovations. She requested that the City arrange Paratransit transportation from the Kennedy Swim Center to the Plunge.

Ray Landry expressed his disappointment with Mayor McLaughlin's decision to clear the City Council Chambers during the Tuesday, March 18, 2014, City Council Meeting. He stated that Councilmembers should not run for office if they do not want to hear from the public they represent. Mr. Landry stated that voters should pay attention and vote Mayor McLaughlin and Vice Mayor Beckles out of office.

Wesley Ellis gave comments on the Hacienda Housing Complex and if any Councilmembers had visited the Hacienda since the conditions of the building was revealed.

Antwon Cloird expressed his disappointment with Mayor McLaughlin's decision to clear the City Council Chambers during the Tuesday, March 18, 2014, City Council Meeting. He stated that the City needs an economical engine to keep it afloat.

Mike Parker gave comments regarding Chevron and its Environmental Impact Report (EIR) for the new project. He invited all residents to attend the following events: April 2, 2014, workshops in the Richmond Memorial Auditorium to explain components of the EIR; April 3, 2014, the Planning Commission will hold a Study Session regarding the EIR; April 12, 2014, environmental justice groups of Richmond will examine and discuss the EIR at Saint Luke's United Methodist Church, 32nd and Barrett Avenue; and April 17, 2014, the Planning Commission will hold a discussion of the EIR.

Andrés Soto invited residents to attend a community forum at Saint Luke's United Methodist Church, 32nd and Barrett Avenue, April 12, 2014, from 10:00 a.m. to 12:00 p.m. to educate the public regarding the Chevron EIR. Mr. Soto also announced that on March 26, 2014, at 6:00 p.m. the Governor's Task Force on Refineries will hold a Listening Session in the City Council Chambers. He also stated that when individuals are paid to agitate and disrupt the people's

business it was a disruption of democracy and what the progressive movement was against.

Vice Mayor Beckles stated that the decision to clear the Council Chambers was due to individuals continuously yelling comments from the audience after being asked to stop.

Councilmember Bates invited everyone to attend a meeting at the Richmond Swim Center on Friday, March 28, 2014, 9:00 a.m. regarding renovations.

STUDY AND ACTION SESSION

The matter to receive an update on the proposal from Terminal 1 Development, LLC (Suzhou Weibang Property Management, LLC and Laconia Development, LLC) regarding the development of the Terminal One site, including a development concept and approve the development Term Sheet (Approval of the development Term Sheet does not constitute approval of a specific project) was presented by Planning and Building Services Director Richard Mitchell, Laconia Development, LLC Paul Menzies, and Developer Mr. Wu. The update included a PowerPoint Presentation. The following individuals gave comments in support of the project: Raymond Landry, Antwon Cloird, Bea Roberson, Kathleen Sullivan, and Kevin Brown. On motion of Councilmember Boozé, seconded by Vice Mayor Beckles approved the development Term Sheet by the following vote: **Ayes:** Councilmembers Bates, Boozé, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

The matter to review the mid-year financial forecast; adopt a resolution approving the proposed Fiscal Year 2013-14 budget adjustments; and direct the City Manager staff to develop recommendations for further operating budget amendments that will allow the reserve balance previously established by City Council policy to be met during Fiscal Year 2014-15 was presented by City Manager Bill Lindsay and Finance Director James Goins and Finance Department Staff. Following discussion, on motion of Councilmember Rogers, seconded by Vice Mayor Beckles adopted **Resolution No. 25-14** approving the proposed Fiscal Year 2013-14 budget adjustments; and directed the City Manager staff to develop recommendations for further operating budget amendments that will allow the reserve balance previously established by City Council policy to be met during Fiscal Year 2014-15 by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstentions:** None. **Absent:** None.

The matter to receive a presentation by author and oil industry analyst Antonia Juhasz on the increased

transport of crude-by-rail and its hazardous impact on communities, including Richmond, and adopt a resolution to direct staff to write a letter to our congressional delegation to strongly state the need for swift congressional action to regulate this type of transport of crude was presented by Mayor McLaughlin. Mayor McLaughlin introduced Ms. Juhasz who gave a PowerPoint Presentation. Planning Director Richard Mitchell gave comments. The following individuals gave comments: Don Gosney, Jackie Thompson, Andrés Soto, Marilyn Langlois, Eduardo Martinez, Mike Parker, and Vivian Huang. A motion was made by Mayor McLaughlin, seconded by Vice Mayor Beckles to direct staff to write a letter to our congressional delegation to take steps to halt the movement of crude oil in the United States until this mode of transportation was fully regulated; and direct the City Manager to send copies of this resolution to the Director and Board Members of the Bay Area Air Quality Management District; Congressmen George Miller and Mike Thompson; Senators Barbara Boxer and Diane Feinstein; State Senators Mark DeSaulnier and Loni Hancock; Assembly Member Nancy Skinner; Contra Costa County Board of Supervisors; and Contra Costa County Chief Environmental Health and Hazardous Materials Officer Randy Sawyer; and to explore local legal solutions to regulate through local police powers. A friendly amendment was offered by Councilmember Butt to direct the city attorney to prepare a moratorium on the use of Richmond City streets for truck transport of crude-by-rail. The amendment was accepted and **Resolution No. 26-14** was adopted by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** None.

The matter to discuss and give direction to staff concerning changing our governing rules to reduce late night, lengthy meetings, which are routinely hurting the City's ability to take care of important business items was presented by Councilmember Rogers and Councilmember Myrick. Councilmember Rogers stated that along with his current suggestions, he would also like to incorporate the inclusion of an e-mail address of staff responsible for the item on the agenda. The following individuals gave comments: Vinay Pimple, Don Gosney, Jackie Thompson, Bea Roberson, Mike Parker, and Naomi Williams. Discussion began. *(At 11:00 p.m. a motion was made by Councilmember Rogers, seconded by Councilmember Myrick extended the meeting to 11:30 p.m. by the following vote: Ayes: Councilmember Bates, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. Noes: Councilmember Butt and Boozé).* Following discussion, Councilmember Rogers suggested voting on each proposed change individually. A motion was made by Councilmember Rogers, seconded by Councilmember Myrick to schedule all continued items from a previous meeting as the first regular item of business after approving the Consent Calendar and after

Presentations and Proclamations. A substitute motion was made by Councilmember Boozé, seconded by Councilmember Bates, on the process, to vote on all proposed changes at one time. The substitute motion failed by the following vote: **Ayes:** Councilmembers Bates and Boozé. **Noes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None. *(At 11:31 p.m. a motion was made by Councilmember Myrick, seconded by Councilmember Rogers to extend the meeting to complete the vote on the original motion of the current item. The motion failed by the following vote: Ayes: Councilmembers Myrick, Rogers, and Mayor McLaughlin. Noes: Councilmembers Bates, Boozé, Butt, and Vice Mayor Beckles. Abstentions: None. Absent: None.)*

Continued to April 1, 2014, the matter to direct staff to amend the Richmond Industrial Safety Ordinance to require a full-time Accidental Release Prevention Engineer at the Chevron Richmond Refinery, paid for by Chevron was presented by Councilmembers Rogers, Butt and Myrick.

STUDY SESSION

Continued to April 22, 2014, the matter to receive a report on pension and other post-employment benefits provided to retirees by the City of Richmond was presented by Finance Department Representation Susan Segovia.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:31 p.m. to meet again on Tuesday, April 1, 2014, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor