

**RICHMOND, CALIFORNIA, March 18,
2014**

The Richmond City Council Evening Open Session was called to order at 5:37 p.m.

ROLL CALL

Present: Councilmembers Butt, Boozé, Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Absent:** Councilmembers Bates and Rogers arrived at 5:38 p.m.

PUBLIC COMMENT

The city clerk announced that the purpose of the 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 LABOR
NEGOTIATORS (Government Code Section
54957.6):**

Agency designated representatives: Lisa Stephenson, Jack Hughes, Chris Magnus and Bill Lindsay
Employee organization: Richmond Police Management Association

There were no public speakers.

The Open Session adjourned to Closed Session at 5:38 p.m. Closed Session adjourned at 5:50 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:33 p.m. by Mayor McLaughlin.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Items G-1 and G-9 from the City Council Consent Calendar to be heard at the end of the agenda. Councilmember Boozé requested that Item J-6 be moved up to be heard after Item J-1. Mayor McLaughlin did not concur. A motion by Councilmember Boozé, seconded by Councilmember Bates, to overturn the Mayor's decision not to hear Item J-6 after Item J-1, 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.

**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 taken.

OPEN FORUM FOR PUBLIC COMMENT

Antwon Cloird spoke in support of the Chevron renewal project due to the creation of many jobs. Mr. Cloird also suggested that the city's local hiring policy require hiring of 40% Richmond residents.

Leonard Taylor stated that there will be a carnival at Hilltop Mall this weekend.

Naomi Williams stated that Councilmember Butt was very disrespectful when he stood up at the last City Council meeting and pointed his finger at Mayor McLaughlin.

Wesley Ellis stated that Richmond residents need the jobs that the Chevron refinery project will provide.

Marcus Mitchell stated that the Chevron Hydrogen Renewal Project will modernize the refinery and therefore greatly improve the health and safety of the workers.

(Councilmember Butt requested a point of order and requested that the Mayor direct the audience to refrain from clapping after each public speaker. Mayor McLaughlin replied that it would make the meeting go more quickly if the audience holds their applause until the end when all of the public speakers have given their comments).

Margaret Hanlon-Gradie stated that she is looking forward to the city reviewing the Environmental Impact Report for the Chevron renewal project the City Council to review regarding the EIR for modernization project.

Greg Feere stated that alot of workers lost their jobs after Chevron's previous modernization project was stopped and does not want to see this happen again with the current proposed modernization project.

(Vice Mayor Beckles asked for a point of order and stated that Mayor McLaughlin previously made a request to the audience to hold their applause until the end of the public speakers, which the audience is not complying with. A motion by Mayor McLaughlin,

seconded by Vice Mayor Beckles, that the audience be required to hold off on their applause. Mayor McLaughlin decided not to move the motion and asked the audience again to not applaud until the public speakers conclude their comments.

6:58 p.m. - Mayor McLaughlin called a recess and the Council Chambers was cleared.

7:30 p.m. – Meeting reconvened

7:31 p.m. – Recess

7:36 p.m. – Meeting reconvened

*A motion by Councilmember Bates, seconded by Councilmember Boozé, to overturn the Mayor’s ruling and allow the audience to reenter the chambers, failed by the following vote: **Ayes:** Councilmembers Bates, Boozé, and Myrick. **Noes:** Councilmembers Butt, Rogers, Vice Mayor Beckles and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.*

Councilmember Rogers made a motion that the audience members be allowed to reenter and instruct the audience that they will be warned to not call out and applaud, and if they don’t comply, they will be removed from the meeting, failed for lack of a second.

*A motion by Councilmember Boozé, seconded by Councilmember Bates to allow the public to return to the chambers and only clap until the person finishes their comments, passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Myrick, and Rogers. **Noes:** Councilmembers Butt, Vice Mayor Beckles and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.*

7:47 p.m. – Recess

7:55 p.m. – Meeting reconvened

Bob Lilley stated that he is looking forward to the Chevron Richmond refinery project, Mike Mahoney, Dan Tydinco, Jeff Hartwig, Jason Lindsey

Mark Wassberg stated that Mayor McLaughlin and Vice Mayor Beckles are responsible for people being out of work due to the last Chevron renewal project being stopped.

Mike Ali gave comments in opposition to the proposed bond and tax measures on the ballot.

Don Gosney stated that more time needs to be given to allow for review of the Chevron modernization project EIR.

Texanita Bluitt spoke in support of keeping Doctor’s Hospital open because area residents need the acute care facilities.

Courtney Cummings announced that National Native HIV AIDS Awareness Day will be held on Thursday, March 20, 2014, at the Richmond Native American Health Center.

Peggy Walker stated that she needs a place to live in public housing and cannot get any assistance.

Jackie Thompson stated she was appalled by the Council's actions who felt that the audience members were being disruptive tonight and Councilmember Butt's actions towards the Mayor.

Rosemary Corbin announced that the East Bay Heritage Quilters will present Voices in Cloth 2014 on March 22 and 23, 2014, from 10am to 5pm at the Craneway Pavilion.

Rebecca Ross stated that the 6th Annual "Expanding Your Horizons" conference is possible by a partnership formed to allow 200 7th and 8th grade female students from the West Contra Costs Unified School District to have hands-on Science, Technology, Engineering, and Math activities.

James Austin announced that UA Local 342 will be accepting applications for Plumber, Steamfitter, and Welder Apprentices from April 21-April 25, 2014, from 8am to 12pm. Applications must be made in person at UA Local 342 Training Center, 935 Detroit Avenue, Concord, CA.

Mike Parker stated the courts cancelled the last Chevron modernization project, not the City Council.

Eleanor Thompson spoke against the audience being removed from the chambers and for the disrespectful way Councilmember Butt spoke the Mayor McLaughlin.

Ray Landry spoke against the removal of the audience members at tonight's meeting.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Rogers, all items under the City Council Consent Calendar marked with an (*) were approved by the unanimous vote of the City Council.

The matter to adopt a resolution ordering the preparation of the Engineer's Report for Fiscal Year 2014-2015 regarding improvements and costs for the Hilltop Landscape Maintenance District was presented. A motion by Vice Mayor Beckles, seconded by Councilmember Rogers, adopted **Resolution No. 20-14**, by the unanimous vote of the City Council.

*- Adopted **Resolution No. 21-14**, ordering the preparation of the Engineer's Report for Fiscal Year

2014-2015 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District.

*- Approved a contract with Applied Landscape Materials, Inc. to install blown-in engineered wood fiber safety surfacing that is compliant with applicable ASTM standards and Consumer Product Safety Commission at various city park playgrounds in an amount not to exceed \$19,786.63. The contract term will be from March 19, 2014, to December 30, 2014.

*- Accepted grant funds from Cities of Services in the amount of \$100,000 to support the City's impact volunteering program's education initiatives, and APPROVE contracts with: (1) Community Alliance for Learning (\$67,900 - \$60,000 from grant fund; \$7,900 from volunteer program funds); (2) Read Aloud Volunteer Program (\$27,000); and (3) Bring Me a Book Foundation (\$13,000).

*- Approved a legal services agreement with Morrison & Foerster, LLP for assistance related to the proposed Richmond Bay Campus, including assisting with comments regarding the Draft Environmental Impact Report and Final Environmental Impact Report, and negotiations related to terms, agreements, and infrastructure improvement costs. The term of this agreement shall be from March 18, 2014, through June 30, 2015, and have a payment limit not to exceed \$50,000.

*- Adopted **Ordinance No. 03-14 N.S.**, regulating the operation of Second Hand Dealers, including but not limited to "Cash for Gold" businesses and restricting their location to C-2, General Commercial and C-3, Regional Commercial, zoning districts within the City.

*- Approved a contract amendment with Lords Electric Inc. for the installation of a screening wall around the Main Library Emergency Generator currently under construction in an amount not to exceed \$40,000 for a total contract amount of \$90,000.

*- Reviewed the budget amendment to the Marina Bay Landscape & Lighting Maintenance District budget and adopted **Resolution No. 22-14**, approving the proposed budget amendment.

The matter to approve Amendment No. 2 to Fiscal Year 2009/10 Pavement Rehabilitation Project contract with Ghilotti Brothers, Inc. to perform additional infrastructure repairs while paving South 23rd Street from Ohio Avenue to Cutting Boulevard. The contract value will increase by \$90,000 for a total of \$5,214,887 with a continued City-administered contingency and reserve not to exceed \$440,000 was presented. A motion by Vice Mayor Beckles, seconded by Councilmember Rogers approved the item by the

unanimous vote of the City Council.

*- Received a monthly report on the Richmond Municipal Sewer District for February 2014.

*- Adopted **Resolution No. 23-14**, authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records.

*- Approved to accept and appropriate the 2014 California Governor's Office of Emergency Services (CalOES) grant funds in the amount of \$193,268; and to continue the contract with STAND! For Families Free of Violence, funded by the CALOES Grant, for on-site advocates to assist victims of domestic violence for the period January 1, 2014, to December 31, 2014, in an amount not to exceed \$97,076.

*- Approved a construction agreement with Showtime Construction (SC) in an amount not to exceed \$128,177 to complete extensive renovation of a single family home located at 390 South 34th Street using Neighborhood Stabilization Program III (NSP3) funds, and to provide construction-related training and work experience to Richmond BUILD participants.

*- Approved a grant-funded construction contract with Malachi Paving and Grading to construct the Urban Runoff Treatment Retrofits at 1st Street and Cutting Boulevard in an amount not to exceed \$294,213.

*- Approved the minutes of the regular and special February 4, 2014, City Council Meetings.

*- Approved an amendment to the purchase order with Waxie Sanitary Supply for procurement of green seal cleaning and paper products, increasing the amount by \$35,000 for a total of \$70,000 during the fiscal year 2013-14, and including the option to extend this purchase order at \$70,000 per year for an additional two years.

*- Approved a contract with Community Violence Solutions (CVS) for the continuation of on-site advocacy services to assist victims of domestic violence and sexual assault, in an amount not to exceed \$81,110 and for the period from January 1, 2014, to December 31, 2014.

RESOLUTIONS

The matter to adopt a resolution authorizing boardmembers and commissioners to continue serving until a replacement appointment is approved was presented by Councilmember Bates. Jackie Thompson gave comments. Booze requested an agenda item regarding filling the vacancy on the Housing Authority Board be placed on the next agenda. Councilmember Boozé requested that an item be placed on the next

agenda to fill the vacancy on the Housing Authority Commission. This matter may come back at a later date to possibly extend the time of some of the boards and commissions termed-out members beyond what is in existence currently and evaluate the meaningfulness of their existence. A motion by Councilmember Bates, seconded by Councilmember Booze, adopted **Resolution No. 24-14**, by the following vote: **Ayes:** Councilmembers Bates, Booze, Rogers, and Vice Mayor Beckles. **Noes:** Councilmembers Butt and Myrick. **Abstentions:** Mayor McLaughlin. None. **Absent:** None.

ORDINANCES

The matter to review three ordinances for an increase in the minimum wage in the City of Richmond, introduce the first reading of the selected ordinance, and rescind direction to staff to prepare ballot measures was presented by Mayor McLaughlin, with a PowerPoint presentation given by Jeff Shoji, Mayor's Office. Councilmember Butt stated this is not the item the council approved and this matter was supposed to be presented as ballot measures. The following individuals gave comments: Leonard Taylor, Don Gosney, Marilyn Langlois, Mike Parker, Raymond Landry, Joe Puleo, Kathleen Wimmer, Paul Larudee, Gabriel Holland, Robert McCauley, Gary Jimenez, Millie Cleveland, Michael Davenport, Eduardo Martinez, Mey Saechao, Melvin Willis, Rachel Ganetz, David Sharples, Toulou Siacotos, Pamela Davis, Elsa Stevens, Rita Barouch, Chris Finn, Steve Gilbert, and Paul Levitan. A motion by Councilmember Bates, seconded by Councilmember Booze, to end debate, failed by the following vote: **Ayes:** Councilmembers Bates and Booze. **Noes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None. Summer Youth Program exemption will be dealt with. A motion by Mayor McLaughlin, seconded by Councilmember Booze, introduced first reading of the ordinance, phasing-in the increase of the minimum wage to \$12.30, with an exemption for the Summer Youth Program, passed by the following vote: **Ayes:** Councilmembers Bates, Booze, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** None.

(11:00 – A motion by Vice Mayor Beckles, seconded by Councilmember Myrick, extended the meeting 15 minutes, by the unanimous vote of the City Council).

The matter to introduce an ordinance (first reading) establishing Health in All Policies as a strategy for improving health and health equity for the City was presented by Kinshasa Curl, Administrative Chief. The following individuals gave comments: Melvin Willis, Bea Roberson, and Raymond Landry. A motion by

Vice Mayor Beckles, seconded by Councilmember Myrick, introduced first reading of the ordinance, by the unanimous vote of the City Council.

COUNCIL AS A WHOLE

The following items were continued to the April 1, 2014, meeting:

DISCUSS and provide direction to staff regarding the amount of funding Holland and Knight obtained for the City of Richmond during the term of their contract. **This item was continued from the February 4 and 18, 2014, and March 4, 2014, meetings.**

APPROVE a budget for a City of Richmond Youth Council in the amount of \$250,000 over five years beginning in Fiscal Year 2014-15 to provide for meaningful resources for a viable way for Richmond's youth to participate formally in regard to issues and concerns of the City of Richmond. **This item was continued from the March 4, 2014, meeting.**

CONSIDER 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. **This item was continued from the March 4, 2014, meeting.**

ESTABLISH a hiring freeze of new and vacant positions until a balanced budget is approved.

DISCUSS and provide direction to staff regarding approving a policy to determine the order in which items are placed on the City Council Meeting agendas.

RECEIVE an update regarding the coordination of a committee to address the concerns of Country Club Vista Homeowners.

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

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:18 p.m., in memory of Leanna Taylor, John Oliver, Tammy White's daughter, Marsha Pekaski, and Judge Henry Ramsey, to meet again on Tuesday, March 25, 2014, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor