

**RICHMOND, CALIFORNIA, May 20, 2014**

The Richmond City Council Evening Open Session was called to order at 5:10 p.m.

**ROLL CALL**

**Present:** Councilmembers Butt, Myrick, Rogers, and Mayor McLaughlin. **Absent:** Councilmembers Bates, Boozé, and Vice Mayor Beckles. Councilmembers Bates and Boozé arrived at 5:11 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**

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

Richardson vs. City of Richmond

Grimes vs. City of Richmond

Anguiano vs. City of Richmond

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8):

Property: Miraflores Housing Development, South 47th Street and Florida Avenue

Agency negotiators: Bill Lindsay and Patrick Lynch

Negotiating parties: Miraflores Community Devco.

LLC, and Ronald Batiste-EEC Development, LLC

Under negotiation: Price and Terms of Payment

Juanita Anguiano gave comments in regards to Item A-1 "Anguiano vs. City of Richmond." Ms. Anguiano stated that she would like the City Council to take her plea in consideration in discussion of her claim.

The Open Session adjourned to Closed Session at 5:14 p.m. Closed Session adjourned at 6:05 p.m.

The Regular Meeting of the Successor Agency to the Richmond Community Redevelopment Agency and the Richmond City Council was called to order at 6:52 p.m. by Mayor McLaughlin.

**ROLL CALL**

**Present:** Councilmembers Beckles, Butt, Myrick, Rogers, Vice Mayor Boozé, and Mayor McLaughlin. **Absent:** Councilmember Bates arrived at 6:54 p.m.

## **STATEMENT OF CONFLICT OF INTEREST**

None.

## **AGENDA REVIEW**

Removed Item G-1 from the Consent Calendar and placed at the end of the agenda; removed Item G-8 from the Consent Calendar and placed immediately following the approval of the Consent Calendar to be addressed separately; Continued Item H-6 to June 3, 2014.

## **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**

Leonard Taylor gave comments regarding the heat wave.

Irit Luria and Gershon Luria gave comments regarding tenants and home owner's rights.

Reverend Kenneth Davis gave comments regarding the lack of funding for Doctor's Hospital and the North Richmond community.

*(The City Council recessed at 7:01 p.m. and reconvened at 7:02 p.m. with all the City Councilmembers present)*

Mark Wassberg gave comments regarding morality.

*(The City Council recessed at 7:03 p.m. and reconvened at 7:04 p.m. with all the City Councilmembers present)*

Sims Thompson stated that the missing light on Cutting and Carlson Boulevard was safety issue.

Maria Sahagun requested that the City Council encourage Chevron to establish a community benefits agreement to help save Doctor's Hospital.

Stacey Wilborn, Gabriel Halaand, and Millie Cleveland, Ramses Teon-Nichols, Ty Hudson, gave comments in support of raising the minimum wage in the City of Richmond.

Margaret Hanlan-Gradie gave comments against raising the minimum wage in the City of Richmond.

Eleanor Thompson invited everyone to the North Richmond Scholarship Fund Raiser, May 31, 2014,

5:00 p.m. to 8:00 p.m. at the Richmond Recreation Complex.

Sharon Sanders expressed her appreciation to the National Association for the Advancement of Colored People for sponsoring a breakfast for the tenants of the Hacienda Housing Units. Ms. Sanders also expressed concern regarding missing street lights. She also stated that Vice Mayor Beckles' inappropriate language to Councilmember Boozé should have been addressed.

Ayore Riaunda gave comments regarding educating the public on the 1% property tax currently on their tax bill.

Kin Wong and Pam Bilbo invited everyone to a Memorial Day Event, Monday, May 26, 2014, 10:30 a.m. to 11:30 a.m. at the Veterans Resource Program, 934 Maine Avenue; barbeque at 4:00 p.m. Veterans are asked to wear military attire or red, white, and blue.

Texanita Bluit announced that the Richmond and Contra Costa Chapter of Black Women Organized for Political Action will host Angela Davis, Tuesday, May 27, 2014, La Revolucion Restaurant, 3190 Klaus Way, 5:30 p.m. to 7:30 p.m., Tickets are \$25. Ms. Bluit also encouraged the City Council to support Doctor's Hospital and invited every to attend a town hall meeting at Easter Hill Church, 6:30 p.m. on May 22, 2014.

Marilyn Langlois invited everyone to attend the Annual Bicycle Ride of Silence; 5:00 p.m. at the Civic Center Plaza, May 21, 2014. She also encouraged everyone to support a proposal to raise the minimum wage in the City of Richmond.

Jackie Thompson gave comments regarding social injustice.

Michael Parker gave comments regarding the closing of Doctor's Hospital and invited every to attend a town hall meeting at Easter Hill Church, 6:30 p.m. on May 22, 2014. He also encouraged the City Council to pass a minimum wage law within the City of Richmond without revisions.

Tarnel Abbott and Pete Albert encouraged the City Council to pass a minimum wage ordinance within the City of Richmond without revisions.

**SUCCESSOR AGENCY TO THE RICHMOND  
COMMUNITY REDEVELOPMENT AGENCY  
CONSENT CALENDAR**

On motion of Vice Mayor Beckles, seconded by Councilmember Myrick all items under the Successor Agency to the Richmond Community Redevelopment Agency Consent Calendar marked with an (\*) were approved by the unanimous vote of the City Council.

\*-Adopted **Resolution No. 14-6** approving and authorizing amendment of the 2013/2015 Biennial Budget line item Deed Restricted/Area T for the nine deed restricted areas, this is required for implementation of a Department of Toxic Substance Control approved environmental contamination management plan that will increase Fiscal Year 2013/2014 expenditures by \$185,000. These funds are authorized and approved in the Successor Agency ROPS 2013-14B as approved by the State Department of Finance.

### **CITY COUNCIL CONSENT CALENDAR**

On motion of Vice Mayor Beckles, seconded by Councilmember Butt all items under the City Council Consent Calendar marked with an (\*) were approved by the unanimous vote of the City Council.

The matter to receive a monthly report on the Richmond Municipal Sewer District for April 2014 was presented by Engineering Services Director Chad Davisson. Sims Thompson gave comments. On motion of Councilmember Rogers, seconded by Councilmember Myrick received a monthly report on the Richmond Municipal Sewer District for April 2014 by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Boozé.

\*-Approved the purchase of library materials for the Richmond Public Library from Midwest Tape in an amount not to exceed \$25,000 per year, and APPROVE the purchase of a subscription for catalog records for all library materials from Online Computer Learning Center, Inc. (OCLC) in an amount not to exceed \$25,000 per year for a three-year period covering Fiscal Years 2013/14, 2014/15, and 2015/16.

\*-Approved the purchase of three Motorola APX7000XE dual band mobile radios and accessories from Red Cloud, Inc. in the amount of \$18,870.78.

\*-Approved an amendment to the contract with Oakland Private Industry Council to provide contracting and vendor pay agent services for individual training accounts and on the job training activities for the Workforce Investment Act Program participants. The contract term will be amended to end September 30, 2014. The contract amount will be increased by \$202,735 for a total contract amount not to exceed \$301,735.

\*-Approved an amendment to the contract with R&S Erection to perform maintenance, repairs, and installations of commercial roll-up garage doors and automatic gate systems at various City-owned buildings, increasing the contract amount by \$25,000 for a total amount not to exceed \$109,000 and extending the contract through Fiscal Year 2014/15.

\*-Approved a fifth amendment to the existing contract with ENVIRON for preparation of a Revised Environmental Impact Report for the Modernization Project increasing the payment limit by \$3,000,000, for a total contract amount of \$11,000,000, with funding from Chevron for payment of the firm's invoices for this project.

\*-Approved a contract with NEMA Construction to provide and install 216 Christy Traffic Rated Boxes and to re-wire the entire Richmond Parkway corridor, including Castro Street, for the renovation of the Richmond Parkway lighting system in an amount not to exceed \$625,000. Funding for this work is provided through Measure J with no general fund impact.

***This item was removed from the Consent Calendar for a separate vote.*** The matter to adopt a resolution authorizing the issuance and sale of City of Richmond, California, 2014/2015 Tax and Revenue Anticipation Notes in an amount not to exceed \$35,000,000; approving the forms of and directing the distribution of a Note Purchase Agreement, an Official Statement and a Continuing Disclosure Certificate; delegating to officers of the City authorization to negotiate a sale of said notes; and authorizing taking of necessary actions and execution of necessary documents was presented by Finance Representative Tracey Lovely. On Motion of Councilmember Boozé, seconded by Councilmember Rogers adopted **Resolution No. 41-14** by the unanimous vote of the City Council.

\*-Received the City of Richmond's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013.

\*-Directed staff to write a letter to Contra Costa College President Dr. Denise Noldon and Contra Costa College Board President John Marquez, indicating Richmond City Council support for Measure E, the Contra Costa College District Bond Measure on the June 4, 2014, ballot.

\*-Approved the minutes of the April 22, 2014, Special City Council Meeting.

### **ITEMS CONTINUED FROM PREVIOUS MEETINGS**

#### **-COUNCIL AS A WHOLE**

**Continued to June 3, 2014**, the matter to 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.

**Continued to June 3, 2014**, the matter to receive an update regarding the coordination of a committee to address the concerns of Country Club Vista

Homeowners.

The matter to request the mayor to agendize an appointment or appointments to the Housing Authority Commission on the next City Council agenda was presented by Councilmember Boozé. Councilmember Boozé made a motion to overturn the Charter and appoint Wesley Ellis, representing the National Association for the Advancement of Colored People (NAACP), to the Housing Authority Commission. The motion was found to be inappropriate and against the Charter which specifically reserves unto the mayor the exclusive right to nominate individuals with approval of the majority vote of the City Council. Councilmember Boozé withdrew his motion. Texanita Bluit gave comments. There was no action by the City Council on this item.

The matter to discuss and make recommendations regarding the legal authority the City has to educate the community on the ½ cent sales tax ballot measure in the upcoming November 4, 2014, General Election to secure funding for street repairs and maintenance was presented by Councilmembers Bates, Rogers, and Boozé. Texanita Bluit gave comments. A motion was made by Councilmember Bates, seconded by Councilmember Boozé to have the City Council go on record in support of the ½ cent sales tax ballot measure in the up-coming November 4, 2014, election, and direct staff to prepare the necessary language for adoption at the June 17, 2014, City Council Meeting. Councilmember Bates called for the question and the motion passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Myrick, and Rogers. **Noes:** Vice Mayor Beckles. **Abstentions:** Mayor McLaughlin. **Absent:** None. Mayor McLaughlin suggested that the City Council discuss and agree or disagree with language when the item comes back on June 17, 2014, for final approval.

**Continued to June 3, 2014,** the matter to discuss and consider directing staff to prepare draft amendments to the Industrial Safety Ordinance to require that any increases in emissions due to increases in potentially more problematic feedstocks in Richmond refineries would need to be mitigated 100% by decreases elsewhere in the refinery operations so that there is no net increase in any dangerous emissions.

### **PUBLIC HEARINGS**

The city clerk announced that it was time in pursuant to public notice to hold a public hearing for comments relating to the proposed issuance of multifamily housing revenue obligations by the California Statewide Communities Development Authority (CSCDA) for the Harbour View Apartments in an amount not to exceed \$15,000,000, and adopt a resolution to approve the proposed financing by the CSCDA. Debt Analyst Susan Segovia gave an overview

of the item. Mayor McLaughlin opened the public hearing. There were no public speakers. On motion of Councilmember Myrick, seconded by Councilmember Rogers closed the public hearing by the unanimous vote of the City Council. Discussion began. A motion was made by Councilmember Rogers, seconded by Vice Mayor Beckles to adopt a resolution to approve the proposed financing by the CSCDA. Discussion continued. On motion of Councilmember Butt, seconded by Vice Mayor Beckles ended debate by the following vote: **Ayes:** Councilmembers Butt, Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé and Rogers. **Abstentions:** Councilmember Bates. **Absent:** None. The motion made by Councilmember Rogers, seconded by Vice Mayor Beckles passed and **Resolution No. 42-14** approving the proposed financing by the CSCDA was adopted by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstentions:** None. **Absent:** None.

## **RESOLUTIONS**

The matter to adopt a resolution to terminate the Advisory Service Agreement with Mortgage Resolution Partners, LLC, at the end of its first year term was presented by Councilmember Bates. The following individuals gave comments: Paul Larudee, Jeffrey Wright, Jerry Feagley, Eduardo Martinez, Dennis Dalton, Edith Pastrano, Melvin Willis, and Davis Sharples. A motion was made by Councilmember Bates, seconded by Councilmember Boozé to adopt a resolution to terminate the Advisory Service Agreement with Mortgage Resolution Partners, LLC. Councilmember Bates withdrew his original motion and submitted a new motion, seconded by Councilmember Rogers to continue the item for 30 days. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, and Rogers. **Noes:** Councilmember Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

## **ORDINANCES**

The matter to adopt an ordinance to repeal Chapter 2.39 Regulation of Campaign Contributions from parties and participants in entitlement proceedings and change the spending limit in Chapter 2.43 - Matching Public Funding of Richmond Elections because these well intentioned reforms have proven to be counterproductive because they have strengthened the power of large unregulated Independent Spending PACs was presented by Councilmember Rogers. Bea Roberson gave comments. A motion was made by Councilmember Rogers, seconded by Vice Mayor Beckles to adopt an ordinance to repeal Chapter 2.39 Regulation of Campaign Contributions from parties and participants in entitlement proceedings and change the spending limit in Chapter 2.43 - Matching Public

Funding of Richmond Elections. (*The City Council recessed at 9:51 p.m. and reconvened at 9:56 p.m. with Councilmember Myrick absent. Councilmember Myrick arrived at 9:57 p.m.*) A substitute motion by Councilmember Boozé to resend matching funds died for lack of a second. The original motion passed and **Ordinance No. 10-14 N.S.** was adopted by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstentions:** None. **Absent:** None.

### **COUNCIL AS A WHOLE**

The matter to consider holding a special City Council Meeting on June 18, 2014, at 6:30 p.m. to review the proposed budget adjustments for the 2014/2015 Fiscal Year was presented by Councilmember Boozé. Acting City Manager Police Chief Chris Magnus gave comments. A motion was made by Councilmember Booze, seconded by Councilmember Rogers to hold a meeting to look at the possibility of cuts in the City's budget, June 18, 2014, at 6:30 p.m. in the City Council Chambers with the understanding that the city manager may prefer a different date. A friendly amendment was offered by Rogers to also look at ways to increase revenues. The amendment was accepted. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** None.

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

City Clerk Diane Holmes reported that the filing period for candidates for the November 3, 2014, Election opened July 14, 2014, and closed August 8, 2014. She stated that if an incumbent did not file by the August 8, 2014, deadline, then the filing period would extend five days for non-incumbents only.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:30 p.m. Cesar Noddy and Johnny White to meet again on Tuesday, May 27, 2014, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor