

**RICHMOND, CALIFORNIA, July 1,
2014**

The Richmond City Council Evening
Open Session was called to order at 5:02 p.m. by
Mayor Gayle McLaughlin.

ROLL CALL

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

PUBLIC COMMENT

None.

CITY COUNCIL

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:

**LIABILITY CLAIMS - (Government Code
Section 54956.9):** Nicholas Jackalone vs. City of
Richmond

**CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of
Government Code Section
54956.9):** City of Richmond vs. Chevron

**CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION (Subdivision [a] of
Government Code Section 54956.9):**
Agency designated representatives: Bill Lindsay, Lisa
Stephenson, and Bruce Soublet
Employee organizations: Service Employees International
Union (SEIU, Local 1021); International Federation of
Professional and Technical Employees (Local 21); Richmond
Police Officers Association (RPOA); Richmond Police
Management Association (RPMA); Richmond International
Association of Firefighters (IAFF, Local 188); and Richmond
Fire Management Association (RFMA).

The Evening Open Session adjourned to Closed Session at 5:04 p.m. The Closed Session adjourned at 6:21 p.m. The Regular Meeting of the Richmond City Council was called to order at 6:30 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

**MEETING OF THE SUCCESSOR AGENCY TO
THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY
AND RICHMOND CITY COUNCIL**

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Item H-8 was withdrawn from the agenda and moved to the July 15, 2014, City Council meeting. Items H-9 and H-10 were removed from the Consent Calendar. Bates asked that Items H-9 and H-10

A motion by Councilmember Bates, seconded by Councilmember Boozé, that item K-1 be moved up after 7:30 p.m., passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, and Rogers. **Noes:** Councilmember Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Absent:** None. **Abstain:** None. A motion by Councilmember Boozé, seconded by Councilmember Bates, that Item I-4 be heard after Item K-1, passed by the following vote: **Ayes:** Councilmembers Bates, Boozé, Butt, Myrick, and Rogers. **Noes:** Vice Mayor Beckles and Mayor McLaughlin. **Absent:** None. **Abstain:** None. A motion was made by Vice Mayor Beckles, seconded by Mayor McLaughlin, to move Item I-3 before Items K-1 and I-4. A substitute motion by Councilmember Butt,

seconded by Councilmember Myrick, that Item I-3 be heard after Item I-4, passed by the unanimous vote of the City Council.

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

City Attorney, Bruce Goodmiller, reported that there were no reportable actions taken during closed session.

OPEN FORUM FOR PUBLIC COMMENT

Richard Stollings stated that garbage needs to be picked up more quickly when reported by the residents.

Wesley Ellis stated that it was a disgrace the way the One Richmond organization was disbanded.

Eleanor Thompson stated that councilmembers should not be permitted to serve on committees where they are allowed to vote against potential organizations that would receive funding.

Jackie Thompson introduced Brenda Davis and Charmaine Turner who are the newest resident council leaders for Richmond Village.

Sharon Sanders stated that the youth in Richmond need more jobs.

Naomi Williams apologized to people at the parade that she was not able to acknowledge everyone because she did not see them. Ms. Williams also encouraged everyone to visit the Richmond Visitor and Convention Bureau, which displays a lot of Richmond's history.

Rev. Ken Davis stated he has asked for an audit of the use of the North Richmond Mitigation funds.

Mark Wassberg stated that the rules of what can and cannot be said or displayed at City Council meetings should be put in writing and made available to the public.

Leonard Taylor announced that the city's fireworks celebration will be on Thursday, July 3rd at the Craneway Pavilion.

Dwight Adams, Pam Saucer-Bilbo, Luella Dudley, Montoya Crayton, Mike Ali, Ken Wong, Kevin McDonald, gave comments regarding the Men & Women of Valor not receiving funding from the North Richmond Mitigation funds.

Loch Sekona stated that the employees that are proposed to be layed-off are crucial to the blight and abatement efforts in the city.

Pedro Lespier stated that YouthBuild will close as of June 30, 2014, due to lack of funding.

James Walker stated that there are too many restrictions in the recently passed minimum wage ordinance.

Mike Parker stated that there is a developing health crisis in Richmond and Doctors Medical Center will close unless something is done to keep it open.

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

Adopted **Resolution No. 14-8**, authorizing submittal of an application for grant funds from the California Department of Housing and Community Development's (HCD) CalHome Program in an amount not to exceed \$1,000,000 to provide loans for manufactured housing to low income households and authorize the execution of related documents to accept the grant and expend grant funds as approved by HCD.

CITY COUNCIL CONSENT CALENDAR

On motion of Councilmember Myrick, seconded by Councilmember Beckles, all items marked with an asterisk (*-) were approved by the unanimous vote of the City Council.

*- Approved an amendment to the contract with Pacific Park Management (PPM) to provide parking management services at the 12th Street and Nevin Avenue garage and surface parking lot in Downtown Richmond, increasing the amount by \$12,000 for a total contract amount of \$72,000.

*- Approved a contract with Regina Almaguer Fine Arts, LLC for project management services for a public art sculpture, designed by Reed Madden Designs, to be installed at Point Sheridan over the period of April 1, 2014, to June 30, 2016, in an amount not to exceed \$20,460, funded by the Percent for Art Program with funding generated by Port of Richmond capital improvements.

*- Approved a Fourth and Final Amendment to the Construction Agreement for Alten Construction (Alten) to finalize the PG&E connections, provide for final data/telecommunications equipment and installation, and complete the generator tie-in for the Riggers Loft/Operations and Security Center (OSC) Project at Point Potrero Marine Terminal, increasing the amount by \$147,000 for a total contract amount of \$5,474,276.

*- Introduced an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2013-2014 at 0.14%.

*- Adopted **Resolution No. 59-14**, authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records

*- Approved an amendment to the existing contract with Holland & Knight LLP for legal representation in connection with the Revised

Environmental Impact Report for the Chevron Refinery Modernization Project, increasing the payment limit by \$2,500,000 for a new contract payment limit of \$7,250,000 (to be paid by Chevron, the project applicant).

*- **Adopted Ordinance No. 13-14**, amending specified sections of the Richmond Industrial Safety Ordinance (RMC Chapter 6.43) to incorporate safety recommendations made by the US Chemical Safety Board and to require refineries to fund the cost of hiring a full-time engineer to review, inspect, and audit the safety program at that refinery.

WITHDREW the matter to adopt a resolution authorizing the city manager to execute contracts for Fiscal Years 2014-2015, 2015-2016, and 2016-2017 with Contra Costa County and the State of California at an aggregate annual amount of \$551,000 for various services related to operations of the police department, including access to Department of Justice and County records, fingerprint identification, forensic lab analysis, booking fees, jail access and inmate extradition, with not to exceed limits for each contract specified in the resolution.

CONTINUED to the July 15, 2014, City Council meeting the matter to adopt a resolution allowing the City of Richmond to levy an assessment on properties subject to assessment under the Downtown Richmond Property and Business Improvement District (DRPBID) and place this levy on the annual 2014-2015 property tax rolls.

CONTINUED to the July 15, 2014, City Council meeting, the matter to approve the following appointments and re-appointments to the City of Richmond Boards and Commissions: Richmond Housing Advisory Commission: Dolores Johnson, new appointment, completing an unexpired term ending November 1, 2014; Alicia Carillo, new appointment, completing an unexpired term ending November 1, 2015; Public Art Advisory Committee: Kathryn Sibley, incumbent, term ending January 1, 2015; Planning Commission: Marilyn Langlois, incumbent, term

ending June 30, 2016; Economic Development Commission: Sandra Naylor, new appointment, term ending March 30, 2017; Richmond Arts and Culture Commission: Jenny Balisle, new appointment, term ending January 31, 2018 was presented.

Continued Consent Calendar Items

The matter to approve the 2014/2015 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan that specifies the activities and the revenue to support those activities from July 1, 2014, through June 30, 2015, as recommended by the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee was presented.

(11:30 p.m. - A motion by Councilmember Butt, seconded by Vice Mayor Beckles to suspend the rules end debate, and vote on the current item,

*(A substitute motion by Councilmember Rogers, seconded by Councilmember Bates to suspend the rules, allow Councilmembers to give comments and extend the meeting, failed by the following vote: **Ayes:** Councilmembers Myrick and Rogers. **Noes:** Councilmembers Bates, Boozé, Butt, Vice Mayor Beckles and Mayor McLaughlin. **Absent:** None. **Abstain:** None).*

This item was not concluded.

Continued Council as a Whole

CONTINUED to the July 15, 2014, the matter to direct the city manager to work with the city attorney and the police chief to draft a resolution to establish rules and procedures regarding disruptions during the City Council meetings. **This item was continued from the June 17, 2014, meeting.**

Continued Study and Action Items

The matter to review and approve the Fiscal Year 2014-15 Operating Budget and provide direction to staff was presented by City Manager, Bill Lindsay.

This item was continued from the June 24, 2014, meeting. The matter to review and approve the Fiscal Year 2014-15 Operating Budget and provide direction to staff was presented by City Manager, Bill Lindsay.

This item was continued from the June 24, 2014, meeting. The current deficit is \$5,957,780, with a 12,251,367 cash reserve. Salary deferrals must be negotiated if positions are restored and labor negotiations are currently taking place. Additional budget reductions were also made by staff, and an additional \$950,000 was reduced in the budget. The following individuals gave comments: Jackie

Thompson, Sharon Sanders, Henry Powell, Deacon Sekona, James Walker, and Millie Cleveland. A motion by Vice Mayor Beckles, seconded by Mayor McLaughlin, to preliminarily approve the budget, subject to formal meet and confer with the unions and with the inclusion of \$150,000 for the YouthWorks STOP Program, and also with the inclusion of not to exceed \$10,000 for a stop sign on 35th Street.

Councilmember Rogers made a friendly amendment to move the \$500,000 gas tax money out of the General Fund and allocate it where it can be used directly for street repair, and move \$1,150,000 from the Port to the income side of the ledger, which he later withdrew.

Councilmember Rogers made another friendly amendment that it's the city's intent that if the sales tax passes, the city will use the funds to restore essential services as follows: \$3.75M into the street repair budget, \$2.3M for the Police Department, \$500,000 each to the Fire Department, Parks and Recreation Department, and the Library. City Manager Bill

Lindsay clarified that if the tax measure passes, the city would receive \$1.5M for FY 2014-15 and \$7.5M for each year thereafter. A motion by Vice Mayor Beckles, seconded by Councilmember Myrick, to end debate, passed by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé.

Abstentions: None. **Absent:** None. The original motion, with amendments, passed by the following vote: **Ayes:** Councilmembers Bates, Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmember Boozé. **Abstentions:** None.

Absent: None.

PUBLIC HEARINGS

CONTINUED to the July 15, 2014, City Council meeting, the matter to adopt a resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid invoices related to administrative citations, nuisance abatement costs, and foreclosure ordinance fines pursuant to Richmond Municipal Code Chapters 9.22, 6.38, 9.50 and 2.63.

The matter to hear public comment relating to the proposed issuance of tax exempt revenue bonds by the California Municipal Finance Authority (CMFA) in an amount not to exceed \$57,000,000 related to the financing of improvements at Westridge at Hilltop by Menlo Westridge Affordable Partners, LP, and ADOPT a resolution to approve the proposed financing by the CMFA was presented. The public hearing was opened.

A motion made by Councilmember Myrick, seconded by Vice Mayor Beckles, closed the public hearing. Discussion ensued. A motion by Councilmember Butt, seconded by Vice Mayor Beckles, adopted **Resolution No. 60-14**, by the unanimous vote of the City Council. *(11:00 p.m. - A motion by Councilmember Bates, seconded by Councilmember Rogers to extend the meeting 30 minutes passed with Councilmember Boozé voting no).*

RESOLUTIONS

The matter to adopt resolution to terminate the Advisory Service Agreement with Mortgage Resolution Partners, LLC, at the end of its first year term was presented. The following individuals gave comments: Mark Wassberg, Mike Parker, Bea Roberson, Jose Vasquez, David Sharples, Melvin Willis, Edith Pastrano, Patty Castillo, and Jeffrey Wright. Discussion ensued. A motion by Councilmember Bates, seconded by Councilmember Rogers, to terminate the contract, failed by the following vote:

Ayes: Councilmembers Bates, Boozé, and Rogers.

Noes: Councilmembers Butt, Myrick, Vice Mayor Beckles, and Mayor McLaughlin. **Absent:** None.

Abstain: None.

(11:30 p.m. - A motion by Councilmember Rogers, seconded by Councilmember Bates to suspend the rules

*A motion by Councilmember Butt, seconded by Mayor McLaughlin to discuss Item I-2, passed by the following vote: **Ayes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Noes:** Councilmembers Bates, and Boozé. **Absent:** None. **Abstain:** None.*

*A substitute motion by Councilmember Bates, seconded by Councilmember Boozé, to end the meeting failed by the following vote: **Ayes:** Councilmembers Bates, and Boozé. **Noes:** Councilmembers Butt, Myrick, Rogers, Vice Mayor Beckles, and Mayor McLaughlin. **Absent:** None. **Abstain:** None.*

CONTINUED to the July 15, 2014, City Council meeting, the matter to adopt a resolution limiting the amount of time that Councilmembers have to ask questions.

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 11:35 p.m., to meet again on Tuesday, July 15, 2014, at 6:30 p.m.