

**RICHMOND, CALIFORNIA, April 5, 2011**

The Richmond City Council Evening Open Session was called to order at 5:39 p.m.

**ROLL CALL**

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

**PUBLIC COMMENT**

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:

**CITY COUNCIL**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9): One Case**

**There were no public speakers.**

The Evening Open Session adjourned to Closed Session at 5:40 p.m. The Closed Session adjourned at 5:41 p.m.

The Regular Meeting of the Richmond City Council was called to order at 6:30 p.m. by Mayor McLaughlin, who led the Pledge to the Flag.

**ROLL CALL**

**Present:** Councilmembers, Beckles, Bates, Butt, Rogers, Vice Mayor Butt, and Mayor McLaughlin. **Absent:** Councilmembers Boozé arrived at 6:55 p.m.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**OPEN FORUM FOR PUBLIC COMMENT**

Leonard Taylor announced that the drought is over.

Naomi Williams gave comments regarding the possible establishment of a Southside police substation and asked Richmond residents to attend an upcoming meeting in show of support.

Myrtle Braxton-Ellington stated that she attended a Miraflores input meeting and several men in the audience expressed concern that there are not many African Americans that are able to work on Redevelopment projects in the City.

Bea Roberson announced that the Richmond Neighborhood Coordinating Council will host a Richmond Underground Pipeline Safety Meeting on Thursday, April 14, 2011 at 6:00 p.m.

Maxine Henagan stated that the streets in Parchester Village are in dire need of repair and the Giant Highway exit off of the Richmond Parkway is a traffic safety hazard due to the lack of proper lighting.

Rosa Pedroza gave comments regarding the need for more community awareness on fighting childhood obesity.

Jimmie Nickleberry stressed the importance of everyone having health insurance and urged the City Council to take into consideration the program currently used in San Francisco called "Healthy San Francisco".

Texanita Bluitt thanked the City Council for agreeing to enter into an agreement with CESC, a construction technician company. Ms. Bluitt also stated that they came and inspected her home and found some potential hazards that need to be addressed.

Bishop Andre Jackson invited everyone to attend the free 4<sup>th</sup> Annual Financial Freedom and Life Conference on Saturday, April 16, 2011.

Billie Alexander stressed the need for jobs in Richmond.

Simms Thompson gave comments regarding the need for repairing and replacing streets lights throughout the City.

Raymond Landry expressed concern over the swimming pool hours at the Richmond Plunge that are available when the children are in school. Mr. Landry also thanked Councilmember Boozé for doing a great job regarding the Miraflores Project.

Eleanor Thompson gave comments regarding the violence taking place in Richmond and urged the City Council to look into the job training taking place in the Employment and Training Department.

Tom Waller stated that the unemployment rate in Richmond is currently 18% and the only solution is the wealthy creation of the private sector via economic growth.

Jerome Smith read a poem from Wyndell Berry and stated that the City Council must trust in their hearts to make the right decisions.

Tyana Wisker expressed concern for the quality of life of our youth and those coming out of jail.

Jim Jenkins stated that the new City Council has not presented any new ideas regarding economic growth within the City and that the Council must bring new businesses into the City to increase revenue.

Rev. Ken Davis gave comments regarding person who come into his community and take but give nothing in return.

Mike Ali stated that it is time for Richmond residents to take back what has been taken from them.

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

City Attorney, Randy Riddle, stated no reportable actions.

**COUNCIL AS A WHOLE**

The matter to determine, consistent with the terms of the Settlement Agreement in Citizens for the East Shore State Park vs. City of Richmond (2006), and the Land Disposition Agreement between the City and Upstream Point Molate LLC, whether or not a casino use will continue to be considered at Point Molate. If the determination is made to discontinue consideration of the casino use at Point Molate, authorize city staff to commence good-faith negotiations with Upstream with respect to an alternative non-gaming development proposal consistent with Section 2.8 of the Land Disposition Agreement. If the determination is made to continue consideration of the casino use at Point Molate, direct city staff to take necessary actions to implement this determination. City Manager, Bill Lindsay, and project developer, Jim Levine gave an overview of the matter. The following speakers gave comments: Mayor Paul Morris, City of San Pablo, Fred Franklin, Cheryl Maier, Myrtle Braxton-Ellington, Stanley Sanders, Andres Soto, Noah Chandler, Jim Hanson, Dennis Dalton, Paul Carman, Kathleen Wimer, Kate Rivers, Joe Puleo, Tom Waller, Erica Milsom, Karen Franklin, Dr. Alfred Hicks, Avery Bean, Juanita Valdez, Tarnell Abbott, John Ladd, Sharon Taylor, David Helvarg, Carol Teltschick-Fall, Bill Pinkham, Judy Herrmann, Jerome Smith, Joan Garrett, Debbie Rheuark, Jeff Shoji, Lisa Simms, Steven Grettenberg, Jeanne Kortz, Jim Jenkins, Pam Stello, Dorothy Gilbert, Mack Casterman, Robert Cheasty, Jeff Inglis, Norman La Force, Margaret Jordan, Laura Baker, Rev. Andre Shumake, Nina Smith, Charles Smith, James Austin, Michael Beer, Rev. Kenneth Davis, Doris Mason, Tim Laidman, Ross Provance, Jose Rivera, Roberto Reyes, Donald Johnson, Linda Newton, Mary Oshima, Jean Stewart Paul Doolittle, Wende Heath, George McRae, Rafael Madrigal, Juan Reardon, Eduardo Martinez,

Mike Parker, Norma Wallace, Deb Self, Scott Barker, Denise Scholz, Billy Alexander, Garland Ellis, Simms Thompson, Paul Kilkenny, Raymond Landry, Eleanor Thompson, Kevin Van Buskirk, Rosemary Corbin, Suzanne Shukuru Sanders, Pastor Ulis Redic, Janis Irvin, and Mike Ali. Discussion ensued. Mayor McLaughlin stated the following reasons why the City must discontinue the consideration of a casino use at Point Molate: **1)** The tribe has failed to obtain the required Federal approvals; **2)** A large Class 3 casino use at Point Molate will greatly impact traffic; **3)** A large scale casino use is incompatible with the Winehaven National Register District; **4)** A casino use does not provide overriding benefits justifying the significant unavoidable impacts; **5)** A large urban casino use is not a compatible land use for Point Molate; **6)** 58.3% of Richmond voters opposed a casino use at Point Molate; **7)** Studies have linked casinos to increased crime; **8)** If the casino relies on the local market, a casino use could result in an overall economic loss to the Bay Area; **9)** Casinos result in increased problem gambling in the local community; **10)** A casino use will result in increased public health and social services costs some of which may not be covered by the services to be provided under the services agreement; **11)** Former Governor Schwarzenegger's position was that urban casinos violate the intent of Proposition 1A, which never intended to result in Indian gaming in local urban areas; **12)** A tribal casino would most likely permit smoking, which is prohibited by City and State law and has health impacts. A motion made by Mayor McLaughlin, seconded by Councilmember Beckles, that based on the 12 points and consistent with the terms of the 2006 settlement agreement in the Citizens for the Eastshore State Park vs. City of Richmond and the Land Disposition Agreement between the City of Richmond and Upstream Point Molate, LLC, that the consideration of a casino use at Point Molate be discontinued and determine that a casino use is not legally permitted at Point Molate thus triggering Section 2.8 of the LDA with respect to an alternative to a non-gaming development proposal which Upstream shall have a period not to exceed 120 days to negotiate exclusively. *(The City Council recessed at 11:02 p.m. in order to include the points made and complete the*

*resolution for consideration tonight*). The City Council reconvened at 12:34 a.m. and passed **Resolution No. 23-11**, by the following vote: **Ayes:** Councilmembers Beckles, Boozé, Ritterman, Butt, and Mayor McLaughlin. **Noes:** Councilmembers Rogers. **Absent:** Councilmember Bates.

**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 12:40 a.m., in memory of Erlene Hammonds, grandmother of Finance Department employee, Sharon Hammonds; Essie Casimere, mother Investigative and Appeals Officer, Don Casimere; and Marin County Supervisor, Charles McLashen, to meet again on Tuesday, April 12, 2011, at 6:30 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor