

**RICHMOND, CALIFORNIA,
September 24, 2013**

The Richmond City Council Evening Open Session was called to order at 5:12 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Beckles, Butt, Rogers, Vice Mayor Boozé, and Mayor McLaughlin.
Absent: Councilmember Myrick. Councilmember Bates arrived at 5:47 p.m.

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 54956.95): Claimant: Martinie Martin
Agency: City of Richmond
Claimant: Chris Hernandez
Agency: City of Richmond

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):
Angell vs. City of Richmond

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

The Evening Open Session adjourned to Closed Session at 5:13 p.m. The Closed Session adjourned at 6:10 p.m. The Special Meeting of the Successor Agency to the Richmond Community Redevelopment Agency was called to order at 6:33 p.m. by Mayor Gayle McLaughlin who led the Pledge of Allegiance to the Flag.

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

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin presented the East Bay Bicycle Coalition Company Bike Challenge Victory Certificate to the City of Richmond to Najari Smith, Rich City Rides, and Patrick Phelan, Staff Liason to the Bicycle and Pedestrian Advisory Committee.

Mayor McLaughlin and Councilmember Beckles presented a proclamation recognizing September 15, 2013, through October 15, 2013, as Latino Heritage Month to Gilbert Rodriguez from the publication La Voz de Richmond, Gloria Alvarez of the Latina Center, and Sergio Rios from Bob's Cleaners. Leonard Taylor and Mark Wassburg gave comments.

Mayor McLaughlin presented a proclamation recognizing Fall Prevention Awareness Week September 22-28, 2013 to Joe Bettencourt from Fall Prevention Services of Contra Costa County. Jackie Thompson gave comments.

Mayor McLaughlin presented a proclamation recognizing September 2013 as Ovarian Cancer Awareness Month to Pam Wimberly.

Mayor McLaughlin presented a proclamation recognizing Fire Prevention Week, October 6 - 12, 2013, in the City of Richmond to Chief Michael Banks, Fire Marshal Terry Harris, and Deputy Fire Marshal Robin Poindexter. Leonard Taylor and Jackie Thompson gave comments.

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

City Attorney, Bruce Goodmiller, stated that the City Council voted 6-0, with Councilmember Bates absent, to authorize payment in the amount of \$120,000 and for the City to seek reimbursement from Veolia, in the matter of Angell vs City of Richmond.

OPEN FORUM FOR PUBLIC COMMENT

Leonard Taylor gave comments regarding debit credit card fees at gas stations.

Alpha Buie, Concerned Black Women of Richmond, stated that the civil rights of African Americans have been violated during City Council meetings, and is asking for the Attorney General to launch an investigation.

Pam Bilbo stated that the City of Richmond should be investigated and audited.

Sims Thompson stated that he hasn't noticed many improvements in the appearance of the City.

Jackie Thompson stated that she observed students from LaVonya De Jean involved in sexual acts outside of the school. Ms. Thompson stated that the City is divided in many ways and there is tension among many individuals that should be resolved.

Bea Roberson announced that the annual Health & Safety Fair will be held on Saturday, October 5, 2013, from 10 a.m. to 2 p.m. at the San Pablo Towne Center Parking Lot, 300 San Pablo Towne Center, San Pablo.

Wesley Ellis complimented Vice Mayor Boozé on the way he conducted last week's City Council meeting. Mr. Ellis also stated that the Richmond Progressive Alliance is a socialist group.

Vinay Pimplé stated that Vice Mayor Boozé conducted the City Council meeting well last week and Councilmembers were allowed to question staff without interruption. Mr. Pimplé also stated that meetings should be conducted harmoniously and that Councilmember Bates should not be offended by caucasion persons making comments regarding Martin Luther King because Mr. King has been inspirational to many regardless of race.

Don Gosney gave comments regarding Moody's Investors Service who stated that Moody's view of the potential effects of Richmond's housing market reflects the mortgage industry's view. The West Contra Unified School District is concerned whether they will be able to sell bonds at advantageous rates due to the City of Richmond's eminent domain proposal.

Mark Wassburg stated that government cannot take private property away to use for private use and that the proposed eminent domain proposal is a scam.

David Gesinger gave comments regarding a program to install solar panels that would pay for itself. Mr. Gesinger also stated that funds collected on behalf of a municipal bond could be used for the purpose of installing solar energy on every building in the city at no cost to the citizens or the City.

Margaret Jordan urged residents to patronize the Magic Lantern Movie Theater located in Point Richmond. For more information about the theater visit www.themajiklantern.com

Texanita Bluitt stated the City of Richmond has been lacking in pride and purpose.

Michael Parker gave comments regarding unity and the City of Richmond trying to fight against economic forces.

Councilmember Nat Bates presented a letter and portrait from President Obama and First Lady Michelle Obama to Naomi Williams in recognition of her 80th Birthday.

SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

The matter to adopt a resolution approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule for the period January 2014 to June 2014 (ROPS 13-14b) pursuant to AB 1X26 and AB 1484 was presented. Patrick Lynch and Chad Smalley provided an overview of the matter. A Recognized Obligation Payment Schedule (“ROPS”) must be prepared every six months and list all of the enforceable obligations of the former agency. The ROPS is subject to approval by the oversight board and the Department of Finance (“DOF”). “Enforceable obligations” include: bonds; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government, preexisting obligations to the state or

obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; and contracts or agreements necessary for the continued administration or operation of the successor agency, including agreements to purchase or rent office space, equipment and supplies. Councilmember Bates asked for an explanation of the unallowable administrative excess costs. Chad Smalley replied that the \$905,000 administrative overage costs was what the DOF claimed in the first ROPS review, in which they classified all employee costs as administrative costs even if the costs were associated with a specific enforceable obligation or not. A motion by Councilmember Beckles, seconded by Councilmember Butt, adopted **Resolution No. 13-12**, by the unanimous vote of the City Council.

STUDY SESSION

The matter to receive a report from staff regarding the findings of the feasibility study to divert wastewater to the East Bay Municipal Utility District (EBMUD) system for treatment and authorize staff to continue evaluating the least costly and most environmentally responsible wastewater treatment alternatives was presented by Chad Davisson, Wastewater Manager, Ben Hornstein, EBMUD, Vivien Housen, and E.J. Halaby, General Manager of the West County Wastewater District (WCWD). The City Council previously directed staff to begin the development of a project implementation plan with the goal of utilizing EBMUD to provide wastewater treatment infrastructure and management. This plan included further detailed evaluation of the potential regulatory challenges, necessary facility design and construction costs, project financing options, impacts on current plant operations. Conclusions from staff are that the City's wastewater plant located at Canal Boulevard must remain open and any efforts to decommission the facility would be cost prohibitive; sending flows to EBMUD would require significant capital costs which would be cost prohibitive; sending flows to West County Wastewater District would also

require significant capital costs which would be cost prohibitive. Staff concludes that the lowest cost feasible alternative is investment in improving the City's wastewater treatment facility. Discussion ensued. A motion by Councilmember Rogers, seconded by Mayor McLaughlin received the report and authorized staff to continue to study the various treatment alternatives which include the annexation by EMBUD, the liquids flow to EMBUD and the solids to WCWD, and the partial flow to WCWD, with a focus on Baykeeper issues, and reduction of odors. Councilmember Butt made a friendly amendment that future reports from staff evaluate the effect on odors, regulatory and litigation requirements, and an estimate of the impact to the sewer fee structure. The motion passed by the unanimous vote of the City Council.

STUDY AND DIRECTION TO STAFF SESSION

A presentation and report from the National Research Center on the City of Richmond's 2013 Community Survey results, and provide direction to staff as appropriate was presented by LaShonda White, Management Analyst, City Manager's Office. **This item was continued from the July 23, 2013 meeting.** The results from the 2007, 2009, 2011 and 2013 surveys can be found on the City's website at <http://www.ci.richmond.ca.us/index.aspx?NID=1871> A total of 408 completed surveys were obtained, providing an overall response rate of 14% with a margin error of plus or minus five percentage points. Typically, response rates obtained on citizen surveys range from 20% to 40%. This is compared to a 21% response rate in 2007, a 20% response rate in 2009, and a 17% response rate in 2011, and is the lowest response rate received thus far. The 2013 survey results are broken out into 8 focus areas, many of which align with the City's General Plan elements and 5-year Strategic Business Plan areas: Community Quality, Community Design, Public Safety, Environmental Sustainability, Recreation and Wellness, Community Inclusiveness, Civic Engagement, and Public Trust. The survey results allow the City of Richmond to establish city service benchmarks and help identify resident priorities

and concerns with the goal of increasing the overall reputation of Richmond and overall quality of life for Richmond residents. Councilmember Butt stated that he would like the survey results discussed at the City Council's upcoming retreat. Vice Mayor Boozé requested that the next survey include a question asking the community if they want Chevron out of Richmond and if Chevron left Richmond, where would the large portion of revenue to the City of Richmond from Chevron be replaced with.

The matter to conduct a study session and provide direction to staff concerning seeking grant funding to take our award-winning Easy Go Green Transportation Program to the next level was presented by Councilmember Rogers who gave an overview of the matter. The Easy Go Green Transportation program has provided increased mobility for Richmond residents while decreasing the carbon emissions, by providing a greener menu of transportation options with Neighborhood Electric Vehicles, replacing multiple single occupancy vehicle trips with vans, hybrids, etc. The first phase of Easy Go has focused on setting up a complicated logistical system and publicizing it. Usage of the system, which has varied, has been increasing over time. Transmetro was chosen to administer this program and has used its expertise to get the program working, assisted by Men and Women of Valor who have spearheaded the outreach component. Phase 2 of Easy Go, is a very complicated program with a lot of moving parts, and will be very expensive to figure out the details of a new untested program. Vinay Pimple and Sam Casas gave comments. Further clarification is needed regarding the possible merging of the city's Paratransit program with the Easy Go program. A motion by Councilmember Rogers, seconded by Vice Mayor Boozé, support the Easy Go Program and directed the City Manager to seek grants for the program, passed by the unanimous vote of the City Council.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:01p.m. to meet again on Tuesday, October 1, 2013, at 6:30 p.m.

City Clerk

(SEAL)

Approved:

Mayor

City Clerk

(SEAL)

Approved:

Mayor

