

RICHMOND, CALIFORNIA, June 26, 2007

The special meeting of the City Council was called to order at 6:18 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Rogers, Lopez, Sandhu, Viramontes, and Mayor McLaughlin. **Absent:** Councilmembers Butt, Marquez, Thurmond, and Vice Mayor Bates.

PUBLIC COMMENT

The city clerk announced that this was the time for the City Council to hear comments from the audience for the following items to be discussed in Closed Session: **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Subdivision (a) of Government Code Section 54956.9: Vaughn vs. City of Antioch, et al. City Attorney.** There were no speakers from the audience.

The Open Session adjourned to Closed Session at 6:19 p.m. The Closed Session adjourned 6:52 p.m.

The special meeting of the City Council reconvened at 7:39 p.m.

ROLL CALL

Present: Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, Thurmond, Vice Mayor Bates, and Mayor McLaughlin. **Absent:** None.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

None.

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

Interim City Attorney Louise Renne reported no final decisions were made for the existing litigation cases discussed in Closed Session.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Monique le Conge, Library and Community Services Director, introduced Angela Cox, Young Adult Librarian at the Richmond Library. Ms. Cox gave a brief history of the S.A.T. Scholarship, sponsored by Ivy West Educational Services, Inc., the Friends of the Richmond Public Library, and the Richmond Public Library. Ms. Cox presented the S.A.T. Scholarship to Robin Lopez, a graduate of DeAnza High School. Mr. Lopez gave comments.

Mayor McLaughlin stated that the City of Richmond assisted the East Bay Center for the Performing Arts in obtaining a \$1 million dollar grant to assist in the renovation of the Winters Building. Councilmember Viramontes gave an overview of the item and introduced Jordan Simmons, Artistic Director of the East Bay Center for the Performing Arts. Mr.

Simmons thanked the City Council and the City of Richmond staff for their support. Staff, students, and family of the East Bay Center for the Performing Arts gave comments and thanked the City of Richmond and the City Council for their continued support.

This item was added to the agenda. A proclamation inaugurating the City of Richmond's Community Peace, Sports and Recreation Jamboree from the United Nations Educational Scientific and Cultural Organization. Reverend Shumake thanked the City of Richmond for their support in getting the community centers opened for the residents of Richmond. Reverend Shumake introduced Doug Harris, who read the proclamation and presented the proclamation to Mayor McLaughlin. Mr. Harris announced that the Community Peace and Sports Jamboree will be held at the Booker T. Anderson Community Center, on Saturday, June 30, 2007, 960 South 47th Street, from 12:00 p.m. to 5:00 p.m. Mayor McLaughlin, Councilmember Sandhu, and Vice Mayor Bates gave comments.

CONSENT CALENDAR

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

*- Adopted Resolution No. 65-07 approving funding from the Urban Forestry Grant Program entitled "Green Trees for the Golden State," as provided through Proposition 12.

*- Adopted Resolution No. 66-07 establishing Capital Improvement Projects Administrative Procedures.

*- Introduced an ordinance amending Richmond Municipal Code Chapter 7.68 to authorize the Chief of Police to regulate the operation of taxicabs within the City of Richmond and to establish the maximum number of taxicabs permitted to operate within the City.

*- Adopted Ordinance No. 21-07 N.S. amending Section 7.40 of the Municipal Code by adding Section 7.40.500 pertaining to prohibiting entities performing curb painting services without first obtaining permission from the property owner. The ordinance received first reading at the March 20, 2007, City Council meeting.

*-Approved the minutes of the Morning and Evening Open Sessions held on June 19, 2007.

PUBLIC HEARINGS

None.

RESOLUTIONS

A proposed resolution approving the Fiscal Year 2007-2012 Five-Year Capital Improvement Plan (CIP) and the 2007-2008 Capital Improvement Budget was presented. Naomi Williams spoke on this item. On motion of Councilmember Viramontes, seconded by Councilmember Marquez, adopted Resolution No. 67-07 to include a separated list of items that are funded and non-funded, by the unanimous vote of the Council.

A proposed resolution approving the 2007-2008 Annual Appropriations Limit was presented. On motion of Councilmember

Viramontes, seconded by Councilmember Thurmond, adopted Resolution No. 68-07 by the unanimous vote of the Council.

A proposed resolution approving the Fiscal Year 2007-08 Annual Operating Budget pursuant to Section 1(b) of Article IV of the Richmond City Charter was presented. Jim Goins, Financial Director, gave an overview of the item. Juanita Taylor, chapter President of Local 1021, stated that the City is not using current employees for open positions. Craig Rosales stated that funds in the Parks Department are not being used properly. Mr. Rosales stated that there are employees in higher paid positions performing lower level work. Following discussion, a motion was made by Councilmember Rogers to approve the budget along with the nine items on the checklist. Vice Mayor Bates suggested approving the checklist separate from the budget. Discussion ensued and Councilmember Rogers withdrew his motion. On motion of Councilmember Viramontes, seconded by Councilmember Marquez, approved checklist Item One by the following vote: **Ayes:** Councilmembers Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Vice Mayor Bates. **Noes:** None. **Abstentions:** Mayor McLaughlin. **Absent:** None. A motion was made by Councilmember Thurmond, seconded by Councilmember Viramontes, to approve checklist Item Two. Following discussion, Vice Mayor Bates suggested the \$50,000 in checklist Item Four be reallocated to the City Council's budget. Councilmember Lopez requested checklist Item Six be specified as teen programs and the recreation center work with the Youth Commission to design the programs. Councilmember Butt requested an additional checklist item be added to the budget to award \$50,000 to anyone leading to the conviction of a person vandalizing City property. On motion of Councilmember Bates, seconded by Councilmember Rogers, approved all remaining checklist items by the unanimous vote of the Council. Discussion continued and a motion was made by Vice Mayor Bates, seconded by Councilmember Thurmond, to approve the budget as presented. Councilmember Viramontes stated that the \$5 million for the Office of Neighborhood Safety (ONS) was not approved by the full Council. A substitute motion was made by Vice Mayor Bates to approve the budget as presented excluding the new Office of Neighborhood Safety. Councilmember Rogers requested an amendment to the motion to fund the outreach program and all future income would be spent on police recruiting. Vice Mayor Bates did not accept the amendment. A second substitute motion was made by Mayor McLaughlin, seconded by Councilmember Viramontes, to approve the positions of Director and Administrative Assistance with the caveat that the entire Office of Neighborhood Safety Program be presented to the full Council. The city manager suggested that the City Council adopt the entire program or take the entire program out of the budget. A third substitute motion was made by Councilmember Butt, seconded by Councilmember Thurmond, to approve the budget as presented. Discussion continued and Councilmember Thurmond withdrew his second and Mayor McLaughlin seconded the motion. The third substitute motion failed by the following vote: **Ayes:** Councilmembers Butt, Thurmond, and Mayor McLaughlin. **Noes:** Councilmembers Sandhu and Rogers. **Abstentions:** Councilmembers Lopez, Marquez, Viramontes, and Vice Mayor Bates. **Absent:** None. A fourth substitute motion was made by Vice Mayor Bates, seconded by Councilmember Thurmond, to approve the budget excluding the Office of Neighborhood Safety and consider ONS separately by the full Council, before the July 31, 2007, meeting. The motion failed by the following vote: **Ayes:** Councilmembers Marquez, Viramontes, Thurmond, and Vice Mayor Bates. **Noes:** Councilmembers Butt, Rogers and Mayor McLaughlin. **Abstentions:** Councilmembers Lopez and Sandhu. **Absent:** None. A fifth substitute motion was made by Councilmember Viramontes, seconded by Councilmember Lopez, to reconsider adopting the budget including the director of the Office of

Neighborhood Safety and the clerical staff and exclude all other program elements until the full Council has reviewed the program in July 2007. Councilmember Rogers offered a friendly amendment to include money for the police officers' salary. The amendment was not accepted. After further discussion, the fifth substitute motion was approved and Resolution No. 69-07 was adopted by the following vote: **Ayes:** Councilmembers Butt, Lopez, Marquez, Sandhu, Thurmond, Viramontes, Vice Mayor Bates, and Mayor McLaughlin. **Noes:** Councilmember Rogers. **Abstentions:** None. **Absent:** None. Vice Mayor Bates suggested that the City of Richmond send out a newsletter to the public that summaries what the budget represents. The city manager stated that his department would create a community news letter to talk about the financial state of the City.

A proposed resolution authorizing the city manager to sign a Letter of Intent to support the formation of the East Bay Regional Communications System (EBRCS) governed by a Joint Powers Authority (JPA) for Contra Costa and Alameda Counties was presented. (This item was reviewed by the Public Safety Committee at its May 3, 2007, meeting and the Committee recommended City Council approval). Fire Chief Michael Banks gave an overview. Following discussion, a motion was made by Councilmember Viramontes, seconded by Councilmember Sandhu, to adopt the resolution. Discussion continued and Councilmember Thurmond offered a friendly amendment to the motion that the City of Richmond's Letter of Intent state that the City supports the JPA but will withhold final decision until all participating cities are known and what equipment is needed. The amendment was not accepted. After further discussion, Resolution No. 70-07 was adopted by the following vote: **Ayes:** Councilmembers Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Viramontes, and Mayor McLaughlin. **Noes:** Vice Mayor Bates. **Abstentions:** None. **Absent:** None.

ORDINANCES

None.

COUNCIL AS A WHOLE

This item was heard before the Consent Calendar. In the matter to receive and give comments on a presentation concerning the state of Doctors' Medical Center (DMC) finances and business plan options for the hospital. District One Supervisor, John Gioia, gave an overview of the item and introduced Tim Wise, who gave a PowerPoint presentation of plan options for the hospital.

In the matter to consider designating priority development areas in the City of Richmond for the purpose of applying for funds through Proposition 1c Bonds. Councilmember Thurmond gave an overview of the item. Steve Duran, Community Economic Development Director, stated that there are four applications in progress for designated areas. Following discussion, a motion was made by Councilmember Thurmond, seconded by Councilmember Rogers, to move forward with the work the staff has done to designate priority development areas and direct staff to prepare a formal resolution to accompany the application to the Association of Bay Area Governments (ABAG). The motion was approved by the unanimous vote of the Council.

In the matter to direct staff to organize a City Council sponsored town hall meeting to hear public concerns about blight and graffiti and to identify strategies to reduce blight and graffiti in the City of Richmond. Councilmember Thurmond gave an overview of the item. Corky Booze stated the City should lead by example and clean its property. Following

discussion, a motion was made by Councilmember Thurmond, seconded by Councilmember Rogers, to move forward with the item. Discussion continued and a substitute motion was made by Vice Mayor Bates, seconded by Councilmember Marquez, to have staff come back with a comprehensive program to deal with blight in the City and the costs associated. Discussion ensued and a second substitute motion was made by Councilmember Thurmond, seconded by Councilmember Butt, to have staff come back with a comprehensive program to deal with blight in the City, the costs associated, and to set up a town hall meeting. The second substitute motion passed by the unanimous vote of the Council.

ADJOURNMENT

There being no further business, the meeting adjourned in memory of Jeff Dodge, a union member with Contra Costa County Central Labor Council, at 11:40 p.m. to meet again on Tuesday, July 10, 2007, at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor