

**RICHMOND, CALIFORNIA, June 20, 2006**

The Morning Open Session was called to order at 8:59 a.m. by Mayor Irma L. Anderson.

**ROLL CALL**

**Present:** Councilmembers Butt, Griffin, Rogers, Viramontes, and Mayor Anderson. **Absent:** Councilmembers Thurmond, Bates, Marquez, and McLaughlin.

**PUBLIC COMMENT**

The City Clerk announced that the purpose of the Morning Session was to receive public comment on the following items to be discussed in Closed Session: **LIABILITY CLAIMS: Claimant:** Dorothy Nash, Agency Claimed Against: City of Richmond; **CONFERENCE WITH LABOR NEGOTIATORS: (Government Code Section 54957.6): City Designated Representatives:** Bill Lindsay, Leslie Knight, Rob Larson, Lisa Stephenson, and Jeffrey Sloan (Renne, Sloan, Holtzman & Sakai, LLP), **Employee Organization or Unrepresented Employee:** IAFF Local 188 (Firefighters); SEIU Local 790, Local 21, Richmond Fire Management Association (RFMA); **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: (Subdivision [a] of Government Code Section 54956.9): One Case: Baykeeper vs. City of Richmond; PUBLIC EMPLOYEE PERFORMANCE EVALUATION: (Government Code Section 54957.6): Titles:** City Clerk and City Manager. John Eastman, City Attorney, requested that an emergency item regarding the MiraFlores Project be added to the Closed Session. Mr. Eastman explained to the City Council that they would have to determine that the item was time sensitive and it came to the attention of staff after the agenda was prepared. Lisa Hamburger, Deputy Director of the Redevelopment Agency Housing Division, stated that staff has been in negotiations with Eden Housing and the Community Housing Development Corporation (CHDC). Ms. Hamburger stated that one of the issues during negotiations was to receive approval from the Department of Toxic Soils Control (DTSC) on the remedial plan. She informed the Council that a remedial plan cannot be approved by the June 30 deadline. On motion of Vice Mayor Viramontes, seconded by Councilmember Butt, added the MiraFlores Project to the Closed Session, by the following vote: **Ayes:** Councilmembers Butt, Griffin, Rogers, Viramontes, and Mayor Anderson. **Noes:** None. **Absent:** Councilmembers Thurmond, Bates, Marquez, and McLaughlin. There were no comments from the public.

The Open Session adjourned to Closed Session at 9:04 a.m. The Closed Session recessed at 10:20 a.m. The Closed Session reconvened at 3:00 p.m. and adjourned 5:25 p.m. The Open Session adjourned at 5:25 p.m.

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Clerk of the City of Richmond

(SEAL)

Approved:

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Mayor

**RICHMOND, CALIFORNIA, June 20, 2006**

The Regular Meeting of the Richmond City Council was called to order at 7:49 p.m., by Mayor Irma L. Anderson.

**ROLL CALL**

**Present:** Councilmembers Butt, Thurmond, Bates, Marquez, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Absent:** None.

**STATEMENT OF CONFLICT OF INTEREST**

None.

**AGENDA REVIEW**

Removed items G-7 and G-9 from the Consent Calendar.  
Moved Item K-6 to be heard before the Public Hearing Items.  
Moved Item K-2 to be heard following item K-6.

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

John Eastman, City Attorney, made the following report:

**CC-1. Liability Claims**

**Claimant: Dorothy Nash:** Claim withdrawn.

**CC-2. Conference with Labor Negotiators**

**Employee Organization or Unrepresented Employee: IAFF Local 188 (Firefighters); SEIU Local 790; Local 21; Richmond Fire Management Association (RFMA):** Item withdrawn.

**CC-3. Conference with Legal Counsel – Existing Litigation**

**One Case: Baykeeper vs. City of Richmond:** Confidential Settlement Direction was given to legal counsel.

**CC-4. Public Employee Performance Evaluation**

**Title: City Clerk:** A confidential performance evaluation was conducted.

**City Manager:** Withdrawn

**Added to the Agenda: Exclusive Right to Negotiate Agreement with Community Housing Development corporation of North Richmond and Eden Housing for the multi-family rental portion of the Miraflores Housing Development Project:** A confidential briefing was given to the City Council.

**OPEN FORUM FOR PUBLIC COMMENT**

Naomi Williams gave comments regarding Juneteenth. She said that a wonderful time was had by all.

Ken Travillion gave comments regarding the amount of time it took the dispatch personnel to respond to his call regarding his wife several months ago. Mr. Travillion stated that his wife expired, but she may have survived if the response could have been shortened.

Corky Booze gave comments regarding a threat by Ahmad Anderson, Mayor Anderson's son, regarding Mr. Booze speaking out about community issues.

A.J. Jelani, Belding Woods Neighborhood Council Acting President, gave comments regarding issues and concerns of the Belding Woods Neighborhood Council. He gave a list of their concerns to the City Clerk for distribution to the Council.

Herk Schusteff related the natural wonders of the Richmond and El Sobrante hillsides bordering Wildcat Canyon Regional Park an under noticed resource with vast healing possibilities for densely populated adjacent communities.

Myrtle Braxton-Ellington gave comments regarding the City's parks. She reported that Nevin Park is cleaned every morning at the cost of sacrificing cleaning of the other parks. She said that Richmond has 54 parks and it is difficult with limited staff to show any favoritism.

#### **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

A presentation to Council and Community of Kennedy High School's Summer Bridge Program was presented. John F. Kennedy High School's Assistant Principal, Latoya Williams, announced a Summer Bridge Program that will help improve the academic strength and retention of 9<sup>th</sup> grade students.

Mayor Anderson presented \$18,431.30 to the Assistant Principal of Kennedy High School, Latoya Williams, from the Mayor's 19<sup>th</sup> Annual Golf Tournament to the Construction and Architecture Academy of Kennedy High School, formerly known as the Pre0Apprenticeship Academy. Mayor Anderson also thanked the businesses for their support.

Diane Harrison Allums introduced Jerrold Hatchett, representing the National Brotherhood Alliance and Elmina green who presented the scholarship awards to the 2005 Snow Ball Queen and her Court. The second runner up, Diane Fong, El Cerrito High School received \$700; first runner up, Alyssa Avestro of Middle College High School received \$1,000;

City Clerk read a proclamation proclaiming June 30, 2005, as Greater Richmond Interfaith Program (GRIP) Day in the City of Richmond. Mayor Anderson presented the proclamation to Reverend Phil Lawson, GRIP Boardmember. Lisa Hamburger, Richmond Community Redevelopment Agency, Deputy Director, announced that the grand opening of 161 22<sup>nd</sup> Street traditional housing program for vocational and community eating.

## CONSENT CALENDAR

On motion of Vice Mayor Viramontes, seconded by Councilmember Marquez all items marked with an asterisk (\*-) were approved by the following vote: **Ayes:** Councilmembers Butt, Marquez, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Thurmond and Bates.

\*-Approved a contract amendment and extension with Maze & Associates Accountancy Corporation to add \$61,317 for related costs to complete final items associated with the 2005 Audit.

\*-Approved a contract with Gregory Stepanicich of Richards, Watson, and Gershon in the amount of \$50,000 to serve as outside counsel to conduct a charter review for the City of Richmond.

\*-Approved the lease addendum with SunTrust Leasing Corporation to finance certain information technology equipment purchase.

\*-Approved a contract amendment agreement for \$25,000 between victor R. Ochoa and the City for the provision of legal services in the City Attorney's Office through June 30, 2006.

\*-Approved a contract amendment for \$13,500 between Mary J. Renfro and the City for the provision of legal services in the City Attorney's Office through June 30, 2006.

\*-Approved the purchase of 24 new police cars as replacement vehicles for the Police Department at a total cost of \$620,685.30.

A proposal authorizing the Mayor to execute an Implementing Agreement for management and operation of the Gilman Street Sports Facility pursuant to the Joint Powers Agreement between the Cities of Albany, Berkeley, El Cerrito, Emeryville, and Richmond was presented (Councilmember Griffin left the meeting). Corky Booze asked the cost to the City of Richmond. Sharon West, Assistant to the Parks Superintendent, stated that the cost to the City of Richmond will be \$15,000 and is currently in next fiscal year's budget. She said that the process has been going on since 2004(Councilmember Griffin returned to the meeting). Associated Sports Field Users Board will be managing the field; with City programs for the five cities will get first priority. Following discussion, a motion was made by Vice Mayor Viramontes, seconded by Councilmember Thurmond, authorized execution of the agreement by the unanimous vote of the Council.

\*-Adopted **Resolution No. 47-06** amending the City of Richmond's Position Classification Plan to add the classification of Property Maintenance and Housing Inspector.

A proposed resolution reflecting the Council's May 2, 2006 action, certifying the Final Environmental Impact Report (EIR) and approving the Mitigation Monitoring and Reporting Program (MMRP), and Conditionally Approving the Tentative Map and Final Development Plan for the Westshore Marina Residential Condominium Development Project was presented.

Ethel Dotson gave comments on the matter. She said that on May 2, 2006, she was not given the opportunity to speak. She said the matter should have gone before the Citizens Advisory Group (CAG) and the EIR should be re-circulated.

Councilmember Butt stated that the EIR failed to address the issues regarding railroad grade crossings and long trains that have traffic and public safety implications and the information in the document regarding the City's sewer capacity is untrue. He said that he will not support the matter. Councilmember McLaughlin stated that the proper study, proper public comment, and proper examination have not occurred with regard to the EIR.

Following discussion, on motion of Vice Mayor Viramontes, seconded by Councilmember Marquez, adopted **Resolution No. 48-06** by the following vote: **Ayes:** Councilmembers Thurmond, Bates, Marquez, Griffin, Rogers, Viramontes, and Mayor Anderson. **Noes:** Councilmembers Butt and McLaughlin. **Abstentions:** None. **Absent:** None.

\*-Adopted **Resolution of Intention No. 895** to vacate and abandon for public purpose a portion of South 13<sup>th</sup> Street, located South of Wright Avenue and schedule a public hearing for July 11, 2006.

\*-Adopted **Ordinance No. 21-06, NS** amending the wages, salary, and compensation for City Councilmembers to include (1) the current cost of monthly medical insurance and (2) the extension of registered domestic partner coverage to City Councilmembers.

\*-Adopted **Ordinance No. 22-06, NS** amending Section 7.04.320 of the Richmond Municipal Code to authorize the Tax Collector/Finance Director to withhold business licenses for illegal activity.

\*-Approved the following appointments and reappointments to Boards and Commissions. **Planning Commission:** Virginia Finlay, Nagaraja Rao and Ludmyrna Lopez, Incumbents, terms expiring June 30, 2006; **Police Commission:** Cochise Potts, term expiring November 1, 2009; **Commission on Aging:** Gloria Battiste, term expiring May 19, 2008.

\*-Approved the minutes of the Regular Meeting held on June 6, 2006 and the Special Joint City Council/West Contra Costa Unified School District Meeting held on May 23, 2006.

## **PUBLIC HEARINGS**

City Clerk announced this was the time set pursuant to a published notice to conduct a public hearing to consider adoption of a Resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid accounts relating to Administrative Citations, constituting a public nuisance under Richmond Municipal Code Chapters 6.38. Special Assessments total: \$29,340. Darren Monahan, Richmond Police Department Sergeant and Code Enforcement Supervisor presented an overview of the matter. He said that each property owner listed on Exhibit A have exceeded the 30 day time limit to pay the fines. In addition, he said that each property owner was sent a letter offering them opportunity to appeal the fees and or fines. Mayor Anderson declared the Public Hearing open. Corky Booze gave comments on the matter. The

motion passed by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin. Staff will prepare the appropriate resolution and bring back to council for adoption at the next regular Council meeting.

City Clerk announced this was the time set pursuant to a published notice to conduct a public hearing to consider adoption of a Resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid accounts relating to Cleanup Notifications and Inspections, Lot Cleanups and/or Building Board-Ups, constituting a public nuisance under Richmond Municipal code Chapter 9.22. The Special Assessments total is \$14,032. Darren Monahan, Richmond Police Department Sergeant and Code Enforcement Supervisor presented an overview of the matter. He said that each property owner listed on Exhibit A have exceeded the 30 day time limit to pay the fines. In addition, he said that each property owner was sent a letter offering them opportunity to appeal the fees and or fines. Mayor Anderson declared the Public Hearing open. Corky Booze and Rick Perry gave comments on the matter. Mr. Perry, whose property is located at 1924 Dana Avenue asked for additional time to bring his property up to Code. Sergeant Monahan stated that Mr. Perry was mailed a letter informing him of the violation and information regarding filing an appeal on September 23, 2005. Mr. Perry did not take advantage of the appeal process. Additionally, Mr. Perry declined the Registered Letter from the City of Richmond on October 15, 2005, October 21, 2005, and November 1, 2005. Following discussion, a motion was made by Councilmember Butt, seconded by Councilmember Thurmond to close the public hearing. A motion was made by Councilmember Butt, seconded by Councilmember McLaughlin, to approve all of the Assessments, with the exception of the property located at 1924 Dana Avenue and offer Rick Perry one final opportunity to appeal the assessment placed associated with his property. Christopher Magnus, Police Chief stated that frequently the Police and Code Enforcement are contacted by the residents adjacent to the properties requiring abatement, who are frustrated with the time delays and lack of action which undermines the Code Enforcement staff. Further discussion ensued. John Eastman, City Attorney, recommended that the City Council direct staff to attempt to work out an informal agreement with Mr. Rick Perry. Councilmember Butt changed his motion to reflect the recommendation by the City Attorney. Councilmember McLaughlin accepted the amendment. The motion passed by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin. Staff will prepare the appropriate resolution and bring back to council for adoption at the next regular Council meeting.

## **RESOLUTIONS**

None.

## **ORDINANCES**

The introduction of a proposed ordinance repealing Ordinance No. 10-04, NS and 21-06, NS setting forth City Council compensations regarding cellular phone and facsimile monthly allowances to achieve compliance with AB 1234 was presented. There were no questions from the audience. On motion of Vice Mayor Viramontes, seconded by Councilmember Rogers, said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Butt, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** Councilmember Thurmond. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin.

The introduction of a proposed ordinance amending Section 11.96.030 under Richmond Municipal Code, pertaining to the citation of homeless persons for “camping” in public when public shelter is unavailable was presented. There were no questions from the audience. On motion of Councilmember Butt, seconded by Councilmember McLaughlin, said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin.

The introduction of a proposed ordinance establishing wages, salary, and compensation for the new classification of Property Maintenance and Housing Inspector was presented. There were no questions from the audience. On motion of Vice Mayor Viramontes, seconded by Councilmember Thurmond, to apply this new classification to the Code Enforcement Department said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin.

Adoption of a proposed ordinance for a proposed 8% increase in wastewater fees for Richmond Municipal Sewer District No. 1 was presented. Corky Booze gave comments on the matter. Following discussion, a motion was made by Councilmember Butt, seconded by Vice Mayor Viramontes to adopt **Ordinance No. 23-06, NS** by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, Viramontes, and Mayor Anderson. **Noes:** Councilmember McLaughlin. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin.

## **ADOPT ORDINANCES AND A RESOLUTION**

Introduction and adoption of a proposed ordinance amending Chapter 15.12 updating the West Contra Costa Sub-Regional Transportation Mitigation Program (STMP) and providing for the immediate interim authorization for STMP fees was presented. On motion of Councilmember Butt, seconded by Vice Mayor Viramontes, said ordinance received first and second reading and **Ordinance No. 24-06, NS** was adopted by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:**

None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez, and Griffin.

Introduction and adoption of a proposed ordinance updating the West Contra Costa Sub-Regional Transportation Mitigation Program (STMP) and providing for the immediate interim authorization for STMP fees was presented. Following discussion, on motion of Councilmember Butt, seconded by Vice Mayor Viramontes, said ordinance received first and second reading and **Ordinance No. 25-06, NS** was adopted by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez and Griffin.

A proposed resolution authorizing the City Manager to execute a Master Cooperative Agreement for the 2006 Sub-Regional Transportation Mitigation Fee Program was presented. Following discussion, on motion of Councilmember Butt, seconded by Vice Mayor Viramontes, adopted **Resolution No. 49-06** by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Bates, Marquez and Griffin.

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

In the matter of introduction of proposed revisions to City Council Expenditure policy to achieve compliance with AB 1234 was presented. Janet Schneider, Administrative Chief presented the overview. She said that the Council reviewed the proposed revisions in March which at that time there were many comments and recommendations by the Council at that time and was referred to the Finance Standing Committee. The policy delineates what is different for the Mayor and the other City Councilmembers as it applies to expenses and expenditures. Councilmember Butt stated that the term “officials” should be defined. In discussion, the Council concurred where applicable, the document should state “Mayor and City Councilmembers,” and remove the word “official(s)”. Additionally, Victor Ochoa, City Attorney’s Office, recommended that under Reports to City Council read “The Mayor and City Councilmembers **shall** report...” Vice Mayor Viramontes also recommended the following language change, “...may provide an oral report or written report for the agenda.” Following discussion, a motion was made by Vice Mayor Viramontes, seconded by Councilmember Thurmond, approved the revisions by the following vote: **Ayes:** Councilmembers Butt, Griffin, Rogers, McLaughlin, and Mayor Anderson. **Noes:** Councilmembers Thurmond, Bates, Marquez, and Vice Mayor Viramontes. **Abstentions:** None.

In the matter to approve the development of a Senior Sewer Rebate Program that would link a total \$100 sewer rebate to primary senior homeowners designated to pay the District One sewer fee increase approved June 6, 2006, by the City Council. Vice Mayor Viramontes gave an overview of the matter. She said that the rebate will be subsidized by the General Fund. Corky Booze gave comments on the matter. Mayor Anderson stated that the item is currently not in the 2006 Fiscal Year Budget. She asked the City Manager how the process will be conducted to determine if the program can be implemented. Bill

Lindsay, City Manager, said that if the Council approves then staff would determine how it would be paid for. He added that from a process point of view the sewer rate ordinance may be amended and include a section that provides for the rebate with an automatic sunset. A motion was made by Councilmember Griffin, seconded by Councilmember Thurmond to approve the Councilmember Butt stated that it would be unfair to the residents of the two well-run sewer districts to subsidize the sewer district that is not well-run by the City of Richmond. A substitute motion was made by Councilmember Butt, seconded by Councilmember McLaughlin, made a substitute motion to also include any low income homeowners that can demonstrate the need. Councilmember Rogers offered a friendly amendment to pass the idea in concept then direct staff to come back to Council with a specific plan. Councilmember Butt accepted the amendment. The substitute motion passed by the following vote: **Ayes:** Councilmembers Butt, Griffin, Rogers, McLaughlin, and Mayor Anderson. **Noes:** Councilmembers Thurmond, Bates, Marquez, and Vice Mayor Viramontes. **Abstentions:** None. **Absent:** None.

In the matter to approve participation in the West Contra Costa Transportation Advisory Committee's (WCCTAC) effort to promote taxi safety, approve start up of a pilot program for 30 licensed Richmond taxi cabs to acquire safety shields and cameras. Vice Mayor Viramontes gave an overview of the matter. She said the issue of taxi safety following the homicide of a taxi driver. WCCTAC has contributed \$10,000 to conduct a regional study for safety. She requested an allocation of \$37,350 to initiate the installation of Safety Bullet Shield and a Security Camera in one-half of the taxicabs that serve Richmond. She said that Richmond has a Scrip Program that encourages senior and disabled residents to use the scrip. However, in many cases the taxis will not serve certain geographic areas of the City because of personal safety issues. Lisa Hammond, WCCTAC Executive Director, stated that a fund survey will be started to get more information regarding how the taxi drivers feel about safety issues. She said that they are also collaborating with the Contra Costa County Sheriff and the San Pablo Police on a Countywide Taxi ordinance. Efforts to establish a public-private partnership are underway. Mayor Anderson said that she agrees with the safety of the taxi drivers but she wants assurance that the residents of the entire City of Richmond will be served by the taxicabs. Vice Mayor Viramontes recommended an amendment that states any taxi driver receiving the safety equipment shall sign a statement declaring to serve all geographic areas of the City of Richmond. Councilmember Rogers suggested that Chris Magnus, Police Chief, submit his opinion on the matter as it relates to public safety. Corky Booze gave comments on the matter. Following discussion, the Council agreed that the matter should be part of the budget process and placed on the Checklist.

In the matter to direct the City Manager and Finance Director to identify up to \$10,000 in unspent funds from a specific General Fund line item(s) to be carried over to Fiscal Year 2006/2007 to be used for the 2006 Summer Youth Employment Program. There were no questions from the audience. Councilmember Butt gave comments on the matter. He said that the program has been very successful but is leery with the notion of the City subsidizing the program, because he believes it removes the incentive for those private sector businesses to continue supporting the program. He suggested

that those businesses that have not contributed should be pursued harder to do their share. Bill Lindsay, City Manager, explained that the proposed 2006/2007 budget has \$200,000 allocated for the Summer Youth Employment Program. He said that in the past the City was funding the program but may not have known it because it was buried throughout the budget. In the 2006/2007 budget it is a line item so that it can be a policy decision. He said that it is intended to be offset by private money, but as indicated by Councilmember Thurmond the program is oversubscribed with the amount of money in the proposed 2006/2007 budget and the amount that has been raised privately, Employment and Training can offer jobs for more than 300 youth. Councilmember Rogers stated that he is not in favor of investing extra money in the program as opposed to creating functional recreation programs. On motion of Councilmember Thurmond, seconded by Vice Mayor Viramontes directed the City Manager and Finance director to identify up to \$10,000 in unspent funds from a specific General Fund line item(s) to be carried over to Fiscal Year 2006/2007 to be used for the 2006 Summer Youth Employment Program. Councilmember Butt offered a friendly amendment to include designation of interns for City Councilmembers as may be requested. Councilmember Thurmond accepted the friendly amendment. In further discussions, John Eastman, City Attorney, stated that the amendment would be in violation of the Brown Act since the public may want to address the City Council on the matter. Following discussion, the matter was continued for one week and should be included on the Budget Checklist.

In the matter to authorize immediate resumption of Automatic Aid between the Richmond Fire Department and the Contra Costa County Consolidated Fire District. Bill Lindsay, City Manager presented an overview of the report. He said that discussions have been underway for approximately one year regarding issues associated with automatic aid to improve response times in areas where shifting the First Responder would provide a beneficial service impact. He said an agreement in principle was met which involves cost-sharing and any compensation ultimately negotiated would be retroactive to the date the agreement becomes operational. Contra Costa County Supervisor John Gioia and Keith Richter, Contra Costa County Fire Chief support the agreement. Chief Richter requested the Council to also include the City of Pinole in the agreement. The following individuals spoke on the matter: Naomi Williams, Tom Owens, Corky Booze, Richard Stollings, Barbara Pendergrass, Eleanor Loynd, and Don Delcollo. Naomi Williams, Richmond Neighborhood Coordinating Council Public Information Officer read the following letter into the record:

*“Dear Mayor Anderson and City Councilmembers, City Manager Bill Lindsay, and Fire Chief Michael Banks,*

*The Richmond Neighborhood Coordinating Council respectfully urges the City Council to reinstate the Automatic Aid Agreement. It is our understanding that the written agreement is not finalized. We ask that you put the tentative agreement in place now with the understanding that by July 1<sup>st</sup>, the final wording will be presented to you. With*

*the fire season upon us similar situations are possible on both sides of the line. In the El Sobrante valley area there are County homes across the street from the Richmond Fire Station. There are homes in Richmond within a mile of the County fire station, but three plus miles from the Richmond fire station. There are homes in San Pablo closer to the Richmond fire station. We understand that the reason for the break up of the Automatic Aid agreement, but we don't understand why both Richmond and the County have let this massive break in service last for years. City and County residents deserve better. Again, we ask that you instate the Automatic Aid agreement between Richmond Fire and County Fire immediately. We would expect the County Board of Supervisors to support the reinstatement of the Automatic Aid agreement at its next meeting.*

*Sincerely,*

*Sandi Genser-Maack  
President"*

Councilmember Marquez made the following substitute motion: Richmond assumes all responsibility for fire protection, including staffing, for San Pablo and unincorporated West Contra Costa County, including El Sobrante, North Richmond, Montalvin Manor, East Richmond Heights and Rollingwood. Contra Costa passes through all tax revenue for fire service currently provided to West contra Costa Consolidated fire district and all future taxes generated through that tax base. Richmond maintains equal level of service which is two Paramedic Engine Companies. Provide first opportunity to any West Contra Costa Consolidated Fire District employees, currently assigned to Stations 69 and 70, should they wish to work for Richmond fire. Form a fire Advisory Committee comprised of five citizens, 3 appointed by District 1 Supervisor and two appointed by Mayor of San Pablo. Advisory Committee will provide oversight of fire protection in consolidated area and report periodically to Cities of Richmond, San Pablo and Contra Costa County. A Council Committee comprised of Tom Butt, Nat Bates, and John Marquez is appointed by the City Council to negotiate with the County for the City of Richmond to provide fire protection for West Contra Costa Consolidated District. The Committee may hire expert(s) during negotiations. The City of Richmond should adopt the Contra Costa fire district's dispatch system as presently used by Stations 69 and 70 and the City of Pinole. The motion was seconded by Vice Mayor Viramontes. Further discussion ensued. A substitute motion was made by Vice Mayor Viramontes, seconded by Councilmember Thurmond to enter into the Automatic Aid Agreement immediately, sunset the agreement in one year and place on the next agenda, July 11, 2006, the recommendations made by Councilmember Marquez on the next conceivable agenda of the City Council for discussion and consideration of a permanent solution passed by the following vote: **Ayes:** Councilmembers Thurmond, Bates, Marquez, Griffin, and Viramontes. **Noes:** Councilmembers Butt, Rogers,

McLaughlin, and Mayor Anderson. **Abstentions:** None.  
**Absent:** None.

In the matter to approve the Memorandum of Understanding (MOU) with the Richmond Museum Association concerning the future relocation of the Richmond Museum of History. Monique le Conge, Library and Community Services Director gave an overview of the matter. Corky Booze gave comments on the matter. Following discussion, on motion of Councilmember Marquez, seconded by Vice Mayor Viramontes to approve the Memorandum of Understanding and include it as part of the Phase II Civic Center planning passed by the following vote: **Ayes:** Councilmembers Thurmond, Bates, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

In the matter to adopt a proposed resolution affirming the “Buffer Zone” identified in the Knox Freeway/Cutting Boulevard Corridor Specific Plan, and directing staff to prepare amendments to the zoning ordinance. Corky Booze gave comments on the matter. A motion was made by Vice Mayor Viramontes, seconded by Councilmember Thurmond to adopt the resolution. Further discussion ensued. Councilmember Butt gave comments on the matter. He said that the matter is not an emergency and should be continued in order to give each stakeholder an opportunity during the General Plan process. Vice Mayor Viramontes withdrew her motion. Bill Lindsay, City Manager, clarified that the resolution initiates a process and does not set a policy, but directs staff to initiate a process to deal with ambiguities in the zoning ordinance in the buffer zone area. He stated for the record that the Westshore Marina Project is outside the buffer zone. Following discussion, the matter was continued for two weeks until July 11, 2006.

#### **COMMUNICATIONS**

None.

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

None.

**ADJOURNMENT**

There being no further business, adjourned the meeting at 11:49 p.m., to meet again in three weeks on Tuesday, July 1, 2006, at 7:00 p.m.

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City Clerk

(SEAL)

Approved:

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Mayor