

RICHMOND, CALIFORNIA, September 26, 2006

The Special Evening Open Session of the Richmond City Council was called to order at 5:46 p.m., by Mayor Irma L. Anderson.

ROLL CALL

Present: Councilmembers Butt, Thurmond, Bates, Marquez, Griffin, McLaughlin, and Mayor Anderson. **Absent:** Councilmembers Rogers and Vice Mayor Viramontes (Councilmember Rogers and Vice Mayor Viramontes arrived during Closed Session).

PUBLIC COMMENT

City Clerk announced that this was the time for the City Council to hear public comment on the following item to be discussed in Closed Session for the Redevelopment Agency: **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8): Property: Agency-owned parking lot at terminus of Harbour Way South, Negotiating Parties: Steve Duran and Alan Wolken, Richmond Community Redevelopment Agency and Ford Point LLC, Under Negotiation: Price and Terms of Payment.**

There were no comments from the audience. The Open Session adjourned to Closed Session at 5:47 p.m. The Closed Session adjourned at 6:33 p.m., and the Open Session reconvened at 6:39 p.m. by Mayor Irma Anderson who led the Pledge to the Flag.

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

City Clerk requested the following correction to the July 25, 2006, minutes: Add the presentation of the Manager and Employee of the Year Awards.

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

John Eastman, City Attorney, reported that during the Redevelopment Agency's Closed Session Conference with Real Property Negotiator, confidential information was given to the City Negotiator.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Dan Boatwright, Sacramento Advocates, gave a presentation on his firm's activities in Sacramento during the past legislative session on behalf of the City of Richmond. Mr. Boatwright informed the Council that AB 485, Enterprise Zone, passed all of the hearings except the Senate Appropriations Committee. Approval was given to place the Enterprise Zone language in AB 1550 which was on the Senate Floor and, as a back-up measure, the language was also placed in SB 686 which was on the Assembly Floor. AB 1550 passed the Senate and was sent to the Governor's Office. Mr. Boatwright expressed his displeasure with the lack of support of cities that have enterprise zones within their jurisdictions. Enterprise zones with pending applications will continue. Mr. Boatwright commended Thomas Mills, City of Richmond Economic Development Administrator, for his assistance. He stated that his priority is to have the enterprise zone for Richmond approved, and Mr. Boatwright commended the City of Richmond for its work on its enterprise zone (A copy of Dan Boatwright's written report is on file in the City Clerk's Office).

Mayor Anderson presented Certificates of Recognition to the recipients of the 2006 California Gold Medal Winners. Larry Lewis, PAL, gave an overview of the activities and the obstacles the winners were involved in and overcame to become the state champions. Reverend George Brown acknowledged the presence of the parents and the organizations that supported the team. Reverend Brown stated the importance of parent participation to support and encourage the team. The Mayor concurred with Reverend Brown with the necessity of parent participation. Certificates were presented to Antoine Henderson, De Andre Russell, and Elijah Holman. Mayor Anderson read the names of the recipients and coaches, who were not present. Elijah Holman was also named Athlete of The Year at the event.

The City Clerk read a proclamation recognizing October as "National Arts and Humanities Month." Mayor Anderson and Councilmember McLaughlin presented the proclamation to Kathryn Sibley, Chairperson of the Arts and Cultural Commission. Ms. Sibley thanked the Mayor and Council for the proclamation. Ms. Sibley also invited everyone to the Arts and Humanities Month celebration on October 5 from 5:30 to 7:30 p.m. in the Convention Center as well as a video showing of several arts and cultural programs at 6:00 p.m. on October 19. The video showing will take place in the Whittlsey Room of the Richmond Main Library. Councilmember McLaughlin thanked the Commission for its work in the community. Terri Hinte, Arts and Culture Commissioner, also gave comments regarding the Arts and Humanities Month and the activities of the Commission.

The City Clerk read a proclamation declaring October 2006 as "Domestic Violence Awareness Month" in the City of Richmond. Mayor Anderson presented the proclamation to Gloria Sandoval, STAND! Against Domestic Violence. Mayor expressed her appreciation for Ms. Sandoval's contributions and dedication to end domestic violence. Ms. Sandoval thanked the Mayor and the City Council for the proclamation. Ms. Sandoval stated that much of the violence does begin in the home, and domestic violence is a learned behavior. Ms. Sandoval thanked the City Council for the proclamation.

Mayor presented a proclamation declaring October 4, 2006, as CAERS 5th “All Schools Drill and Education Day” in the City of Richmond to Tony Semenzan, Executive Director of CAERS. Mr. Semenzan informed the Council and the audience that CAERS has been in existence since 997 and more than 300 participants are expected to take place in the drill. Mr. Semenzan thanked the City for its support.

STUDY SESSION

Sue Hartman, Information Technology Director, gave an overview of the new City website. Ms. Hartman stated that the new website is a shift from a centralized approach to a decentralized approach. Wendy Schwartz demonstrated the navigation feature of the new website. LaShonda Wilson, City Manager’s Office, demonstrated the quick links feature; Patrick Seals, City Clerk’s Office, demonstrated the archives, Enews sign up, and jobs; Sgt Buhlis, Police Department, presented features of the Police Department’s webpage; and Rochelle Monk, City Manager’s Office, presented COR Connect. Bill Lindsay, City Manager, commended staff, known as the Web Patrol, for their contributions and efforts to make the new website a success. Mr. Lindsay stated that the quality of the site reflects the quality of the City of Richmond. He also commended CivicPlus for providing the site as pro bono. Councilmember McLaughlin thanked staff for their work, and she asked if there is a Web Master to contact if there is a problem. She stated the need to know who the contact person is. The Council was informed that COR Connect can be used as a contact media for problems and the problem will be routed to the Information Technology Department. Vice Mayor Viramontes and Mayor Anderson thanked staff for their work on the website.

In the matter of discussing staff recommendations regarding City Charter update, and provide direction regarding the City Council’s desired goals, approach, and timetable for Charter revision. Janet Schneider, Administrative Chief, gave an overview of the Charter review to update the City Charter. Greg Stepanicich, outside counsel for the Charter review, gave a power point presentation on the 10 articles of the City's Charter. Mr. Stepanicich stated the following: (1) Local Control, do not need to list all of the powers. Listing powers actually sets limitations. (2) Article 3 could state that compensation for the City Council is established by ordinance. (3) Contracting powers could be deleted. Could state that contracting powers are determined by ordinance of the City Council. (4) One-year residency before running for Council is no longer enforceable. (5) Article 3a - Role of Mayor. Article 4 follows standard provisions. (6) City residency for City Manager is not enforceable. (7) Remove the historical provisions and add as annotations. (8) Elections, use the Elections Code as guide. (9) Correct clerical errors. Ethel Dotson stated that the Charter should remain as it is. She stated that a number of mandates are not being done. She stated there should be a Blue Ribbon Committee. Councilmember McLaughlin asked for the timeline to complete and place the changes on a ballot. Mr. Stepanicich stated that the changes could possibly go to ballot in June or November of 2007 or the City could have a special election. Mayor Anderson stated that enough time should be allowed to consider the recommendations and any other changes, go to ballot in 2008, and address the legal issues first. Mayor Anderson stated that she wants the community to

have input and dialogue. Vice Mayor Viramontes supported the Mayor's recommendation to move forward with approving the legal issues. Vice Mayor Viramontes stated that the mayor's position should be full time. The current part-time position of the Mayor is a deterrent to any one wanting to run for mayor. Should include language for Councilmembers to either be full-time or part-time. A motion was made by Vice Mayor Viramontes, seconded by Councilmember Marquez to accept the legal changes. Councilmember Butt stated that the changes looked good, but they should be considered again at another meeting. He stated that each item should be reviewed and discussed, and a residents' blue ribbon committee would be good. A substitute motion was made by Councilmember Butt, seconded by Councilmember Rogers to discuss changes in Article I, Section 2 and changes on pages 10, 11, 12, 15, 17, 21, 24, and 26. Following discussion, Councilmember Butt withdrew his substitute motion. A motion was made by Vice Mayor Viramontes and seconded by Councilmember Marquez to have the outside counsel draft the legal changes, with the exception of the city manager's authority to purchase, and present the draft legal changes at a later date passed, by the unanimous vote of the Council.

In the matter of a discussion and action on policies related to development of a closed-circuit television cameras (CCTV) program to reduce crime and prevent illegal dumping, and authorize the issuance of a Request for Proposal (RFP) for a CCTV system based on these policies, and provide direction to staff. Janet Schneider, Administrative Chief, introduced the item. Ms. Schneider stated that the purpose was to review policy and procedural issues. The boundaries are Garrard to the east, Regatta, and unincorporated North Richmond. Revenue sources are: West County Integrated Authority, the Target Corporation, North Richmond Waste and Mitigation Authority, neighborhoods providing funds for installation of cameras in their areas, and Homeland Security Grants. Chris Magnus, Police Chief, stated that cameras are a tool to deter crime, and the goal is to deter illegal activity. He also stated that information recorded by cameras would supplement witness information and aid in response to crime. Cameras would also help to determine if there are problems in an area. Chief Magnus stated that cameras give strong evidence, can help to get a number of cases to court, they are critical in preventing crime, and he would recommend that notices be posted in areas with cameras. Some locations will be done covertly and taping will be in the public domain, not in private domains. He also informed the Council that a comprehensive program is needed to establish baseline data (include type and number of crimes. impact on response times, track rate of prosecution). The system would be used to improve officer safety, pinpoint dumping sites, areas with repeated graffiti, and identify a greater number of illegal haulers. Chief Magnus acknowledged the concern with protecting Fourth Amendment Rights (illegal search and seizure). He stated that CCTV used properly is legal (Supreme Court ruling). The expectation is for the public to be safe in public places. The public's input for the program is welcomed and highly desired. Staff training will be very important and records must be maintained. CCTV will be restricted to areas open to the public, and evidence will be subject to police procedures. Placement will be determined by current hot spots. The following staff recommendations were presented: (1) Decide what service goals are to be achieved, (2) Consider how to measure CCTV Program

effectiveness, (3) Decide best method to solicit public input for the program, (4) Determine whether viewing locations will be covert or overt, (5) Consider a policy that torn up streets include conduit installation, (6) Require Richmond Police Department to develop policies and procedures prior to the CCTV installation, (7) Decide if the CCTV planning committee can provide program oversight including choosing where cameras are installed, (8) Determine if the Police Commission is the appropriate venue for reviewing: (a) Police Department policies and procedures in order to make recommendations to the City Council and/or (b) complaints regarding camera use. The Council was asked if they had any objections to staff's recommendations. Councilmember Rogers expressed his concern regarding the expectation for funding, and he stated that there should be decoy cameras posted in different areas of the City. Councilmember Thurmond asked for the cost of installing the system. Chief Magnus said the cost has yet to be determined, it can vary. The following individuals gave comments: Corky Booze, Jim Jenkins, Ethel Dotson, Odessa Green, Jim Hausken, Phil Mehas, Al Guggemos, and Chris Talerico. Councilmember Thurmond commended staff for their work on the CCTV project. Councilmember Butt urged the use of red light cameras at intersections. Councilmember Bates stated that the cameras should be portable, and Chief Magnus stated that he was in support of portable cameras. He said he would like a combination of wire and wireless which will be included in the RFP, and Councilmember Bates stated that lights will fuller illumination should also be included in the RFP. Councilmember Bates stated that Tom Carson should be contacted regarding installation of the cameras. He also stated that staff should move rapidly and come back with a recommendation to implement within 30 days. Janet Schneider informed the Council that staff could issue a RFP within 30 days. Councilmember McLaughlin stated that in some areas cameras are helpful. She expressed her concern with cameras videoing the public. She further stated that each neighborhood should decide if they want cameras in their area, and she said she would abstain because the Council is moving too rapidly on the matter. A motion was made by Councilmember Marquez, seconded by Councilmember Thurmond to move as quickly as possible and issue a RFP, within 30 days. The motion passed by the following vote: **Ayes:** Councilmembers Tom Butt, Thurmond, Bates, Marquez, Griffin, Rogers, Viramontes, and Mayor Anderson. **Noes:** Councilmember McLaughlin. **Abstentions:** None. **Absent:** None.

CONSENT CALENDAR

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

* - Approved a one-year contract with two (2) one-year extensions with Sacramento Advocates for legislative, governmental relations, and lobbyist services at a cost not to exceed \$60,000 a year for a total contract amount, if extended, of \$180,000.

* - Adopted **Resolution No. 103-06** endorsing support of State Ballot Proposition 87, the California Clean Energy Initiative.

The minutes of the Evening Open Sessions held on July 18, 2006, and July 25, 2006, was presented. Councilmember Butt complained about the lapse in time to present the minutes for approval. He said that the minutes were not complete because they did not include the action taken by the City Council during the Study Session. He said he would not support approving the minutes. On motion of Councilmember Griffin, seconded by Vice Mayor Viramontes, approved the minutes of the Evening Open Sessions held on July 18, 2006, and July 25, 2006, by the following vote: **Ayes:** Councilmembers Thurmond, Bates, Marquez, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** None.

There being no further business, the meeting adjourned at 9:56 p.m. in memory of Covetter Denise Wiley, wife of Deputy Fire Marshall Ron Wiley; Lee Jackson, grandfather of Trina Jackson, Staff Assistant to the City Council; and former State Senator John Nejedly, to meet again in one week on Tuesday, October 3, 2006, at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor

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