

RICHMOND, CALIFORNIA, May 15, 2007

The regular meeting of the City Council was called to order at 5:38 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

Present: Councilmembers Butt, Marquez, Sandhu, Vice Mayor Bates, and Mayor McLaughlin. **Absent:** Councilmembers Thurmond, Rogers, Lopez, and Viramontes (Councilmember Thurmond arrived after adjourning to Closed Session).

PUBLIC COMMENT

The city clerk announced that this was the time for the City Council to hear comments from the audience from the following items to be discussed in Closed Session: **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9: One case, and **PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)** City Attorney. There were no speakers from the audience.

The Open Session adjourned to Closed Session at 5:39 p.m. The Closes Session adjourned 6:50 p.m.

The Open Session reconvened at 7:08 p.m. with Mayor Gayle McLaughlin, leading the Pledge of Allegiance to the Flag.

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

Items G-1 and G-6 continued to May 29, 2007, City Council Meeting.

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

Interim City Attorney, Randy Riddle, reported that the City Council convened to Closed Session to confer with legal counsel regarding anticipated litigation and also to consider public employee appointment. No reportable action was taken.

OPEN FORUM FOR PUBLIC COMMENT

Lucy Lawliss announced that in honor of May being National Historic Preservation Month, the National Parks Service is partnering with the Rosie the Riveter Trust, the Richmond Children's Foundation, and the City of Richmond's Historical Preservation Advisory Committee to host "Can You Find a Richmond Home Front Building." Flyers will be posted in the main library and distributed to elementary schools throughout Richmond, at PAL, Nevin and Martin Luther King (MLK) Community

Centers. Children should bring their drawings or pictures to the Nystrom Community Meeting, June 7, at the MLK Community Center at 5:30 p.m.

Jim Jenkins was pleased with the article written by John Geluardi in the West County Times, on Saturday, May 12, 2007, regarding the greening of Richmond.

B. James Bottoms reported results of the Point Richmond Neighborhood Council Meeting held May 14, 2007. He stated that members of the Point Richmond Neighborhood Council expressed overwhelming disapproval of the concept the City Council reviewed on May 1, 2007, regarding the relocation of the Westside Branch of the library and community center. He also reported that the members of the Point Richmond Neighborhood Council called for the City Council to expeditiously reopen the Westside Branch Library and community center located within the Point Richmond Town Center.

Kathy Robinson expressed her disappointment in the low number of community leaders in attendance at the Richmond Auditorium for the town hall meeting with Martin Luther King III, held on Thursday, May 3, 2007. She stated that flyers should have been sent out instead of e-mails.

Marilyn Langlois invited everyone to the opening ceremony of the Richmond Green Way at 1:00 p.m., Wednesday, May 16, 2007, at the corner of 16th and Chanslor. She also invited everyone to the Eco Village Farm for the Earth Day in Spring Festival to be held on Saturday, May 19, 2007, from 10 a.m. to 4:00 p.m., at 21 Laural Lane.

Robert Lane reported results of the Point Richmond Neighborhood Council Meeting held May 14, 2007, regarding the relocation of the Westside Branch of the library and community center.

Corky Booze stated he attended Stop the Violence in the City of Richmond on Saturday, May 12, 2007, and it was successful. He thanked the City Clerk, Diane Holmes, for her help in arranging transportation for the seniors to attend the City Council Meeting held on Tuesday, May 1, 2007. Mr. Booze also announced that Saturday, May 19, 2007, from 11:00 a.m. to 3:00 p.m. the rehabilitation plans for Fourth Street Park will be revealed. He encouraged everyone to attend.

Jovanka Beckles congratulated the organizers for the successful Cinco de Mayo Festival. She stated the upcoming Juneteenth Celebration will be an opportunity to build strong bridges across cultures.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Mayor McLaughlin read a proclamation recognizing May as Preservation Month in the City of Richmond. Councilmember Butt gave comments and presented the proclamation to Lucy Lawliss, National Parks Service. Lucy Lawliss thanked the City Council for the proclamation..

Mayor McLaughlin read a proclamation honoring Edgar T. Monk for a life of activism and community involvement in Richmond. She presented the proclamation to Edgar T. Monk, who is 90 years old.

Mayor McLaughlin read a proclamation Recognizing Senior Night Out and the 25th Annual Senior Information and Health Fair in Richmond. Vice Mayor Bates gave comments and presented the proclamation to Arnie Kasendorf, Chair of the Commission on Aging. Arnie Kasendorf gave comments on behalf of the Commission on Aging. Corky Booze gave comments.

Acceptance of the presentation of Citation of Merit Award and the Outstanding Commission Award for the Richmond Parks and Recreation Commission. Monique le Conge gave an overview of the item and introduced Tony Mendicino, Chair of the Recreation and Parks Commission. Mr. Mendicino thanked the City Council for the recognition of the achievement of the Recreation and Parks Commission. He introduced all past and present members for the Commission. Nancy Kaiser, former president of the Regional Organization, gave comments and presented Mayor McLaughlin with awards from the National Recreation of Parks Association and the California Association of Parks and Recreation Commission and Board Members. Mayor McLaughlin gave comments.

CONSENT CALENDAR

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

Continued to May 29, 2007, a proposal to award Point Molate Facility and Beach Park Maintenance Contract in the amount of \$257,600 to Forester & Kroeger.

*- Adopted Resolution No. 49-07 ordering preparation of an Engineer's Report for Fiscal Year 2007-2008 regarding improvements and costs for the Hilltop Landscape Maintenance Assessment District.

*- Approved the purchase of two (2) new eight-passenger vans for the YouthWORKS Program for a total cost of \$37,505.40.

*- Approved a Sole Source Contract with New Fields, Inc. for sediment testing work in the Port of Richmond in an amount not to exceed \$170,135.

*- Approved recommendations to reappoint Doris Jones to the Commission on Aging, term expiring 5/19/09.

Continued to May 29, 2007, a recommendation to approve to appoint the following to the Workforce Investment Board (WIB): (1) Wendy Therrian, (2) Kareen Morgan, and (3) Tom Quinn.

*- Approved the minutes of the Special Meeting held on April 24, 2007, and the minutes of the Morning Open Session held on May 1, 2007.

PUBLIC HEARINGS

The city clerk announced that this was the time set, pursuant to published notice, to conduct a public hearing on the proposed B Street Vacation and adopt Resolution of Vacation No. 897 ordering the vacation of a portion of B Street. Richard Mitchell, Planning and Building Regulations Director, gave an overview of the item. Mayor McLaughlin declared the public hearing open. Reverend Eurin Holland stated that the vacation of a portion of B Street will jeopardize the parking for the community and the churches in that area. Other speakers included: Reverend Guy Moore, James Owens, Corky Booze, Bobby Bowens, William Frank, Anthony Allen, and Arthur Alvarez. Ron Holthuysen, owner of the vacant parcels on B Street, stated he is willing to work out a solution with the neighboring churches. He stated he has the support of the Iron Triangle Neighborhood Council regarding his proposal to upgrade the area. Mr. Holthuysen presented a letter to the Council that he wrote to Pastor Holland which indicates his intention to make parking available to

the churches as needed. Other speakers were: Gary Jones, Patricia Clark, Thad M. Johnson, Sr., and Mike Ali. On motion of Vice Mayor Bates, seconded by Councilmember Marquez, the public hearing was closed by the unanimous vote of the Council. Following discussion, a motion was made by Vice Mayor Bates, seconded by Councilmember Marquez to end debate and refer comments to the staff. The motion failed by the following vote: **Ayes:** Councilmembers Marquez, Viramontes, and Vice Mayor Bates. **Noes:** Councilmembers Butt; Lopez, Sandhu, Rogers, Thurmond, and Mayor McLaughlin. On motion of Councilmember Marquez, seconded by Councilmember Thurmond, referred the matter to the city manager to conduct a thorough research and report back to the City Council, by the unanimous vote of the Council.

The city clerk announced that this was the time set, pursuant to published notice, to conduct a public hearing to adopt an ordinance amending the Redevelopment Plans for Project Areas No. 1-A (Eastshore Park), 1-B (Pilot), 1-C (Potrero), 3-A (Galvin), 6-A (Harbor Gate), 8-A (Hensley), 10-A (Downtown), 10-B (Nevin), 11-A (Harbour), and 12-A (North Richmond) (collectively the "Plans"), pursuant to Health and Safety Code Section 33333.6(e)(2) and amending related ordinances and adopt the attached Notice of Exemption for the Ordinance. Steve Duran, Redevelopment Director, gave an overview of the item. Mayor McLaughlin declared the public hearing open. Corky Booze spoke in support of adopting the ordinance. On motion of Vice Mayor Bates, seconded by Councilmember Marquez, the public hearing was closed by the unanimous vote of the Council. On motion of Councilmember Viramontes, seconded by Councilmember Rogers, said ordinance received first reading and was laid over two weeks for second reading, by the unanimous vote of the Council.

RESOLUTIONS

A proposed resolution authorizing submittal of Measure C 2004 and 2005 Growth Management Program Compliance Checklist to CCTA for allocation of FYs 2005-06 and 2006-07 Local Street Maintenance and Improvement Funds including a Letter of Compliance from HCD dated February 27, 2006, of the City of Richmond Housing Element was presented by Richard Mitchell, Planning and Building Regulations Director. On motion of Councilmember Marquez, seconded by Councilmember Viramontes, adopted Resolution No. 50-07 by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, Vice Mayor Bates, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Thurmond.

ORDINANCES

A proposed ordinance amending Richmond Municipal Code Chapter 6.06 to increase the Historic Preservation Advisory Committee's membership from seven to nine members was introduced for first reading. Ethel Dotson spoke in support of the item. A motion was made by Vice Mayor Bates, seconded by Councilmember Marquez, to give first reading to the ordinance. A substitute motion by Councilmember Rogers to increase the Historic Preservation Advisory Committee's membership from seven to eight, failed for lack of a second. The original motion passed and said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, Vice Mayor Bates, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Thurmond.

COUNCIL AS A WHOLE

In the matter to discuss and direct staff to incorporate an annual budget for four part-time City Council Administrative Student Interns to perform public policy functions beginning June 1, 2007 and through the Fiscal Year 2007-08. Councilmember Lopez gave an overview of the item. Corky Booze spoke on this item. Discussion ensued and it was recommended that the Council approve four positions and hire only two interns. A decision could be made at a later time to fill the remaining two positions. A motion by Councilmember Marquez, seconded by Councilmember Sandhu, to approve the proposal inclusive of the recommendation to hire only two interns now and defer a decision to fill the remaining two positions passed by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Thurmond, Butt, and Mayor McLaughlin. **Noes:** Vice Mayor Bates. **Abstentions:** None. **Absent:** None.

COMMUNICATIONS

None.

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

Councilmember Thurmond announced that the Beautification Committee will be meeting on May 23, 2007, at the Hall of Justice, at 5:00 p.m. The public is invited and the topic will be "How We Reduce Graffiti and Blight in the City."

Vice Mayor Bates announced that he and Councilmember Sandhu attended the Point Richmond Neighborhood Council Meeting on Monday, May 14, 2007, and the message was clear in terms of supporting the library. Vice Mayor Bates requested the city manager determine a date when the item will be revisited and approved. Vice Mayor Bates also announced that on behalf of the Mayor McLaughlin and the City Council, he attended the funeral of Doctor Hamilton Boswell. Doctor Boswell's family expressed their appreciation for the resolution from the City of Richmond.

Councilmember Marquez announced that there will be a special meeting of the Public Safety Committee on Thursday, May 24, 2007, at 9:00 a.m. He also announced that he will be in Sacramento on Wednesday, May 16, 2007, to attend the California Legislative Day. He thanked Mayor McLaughlin and the City Council for adjourning the meeting on Tuesday, May 8, 2007, in memory of his sister-in-law, Juanita Hernandez Reaves. He also thanked all City staff and committees that participated in making the Cinco de Mayo Festival successful.

Councilmember Sandhu announced that on behalf of the liaison to the Human Relation and Human Rights Committee, they participated in the Cinco de Mayo Festival and will participate in the upcoming Juneteenth Festival. He stated that the Public Safety Committee discussed the safety at the Richmond BART Station at their Thursday, May 3, 2007, meeting. The BART Police Chief will work with the Public Safety Committee and Richmond Police in reducing crime at the Richmond BART Station. The Library Commission would like to keep the current library as opposed to relocation. Councilmember Sandhu announced that the School District will have a re-designation of the children that are bilingual, on Tuesday, May 22, 2007, at De Jean Middle School at 6:00 p.m.

Councilmember Rogers announced that the Finance Committee will have a special meeting on June 14, 2007, or June 15, 2007. He reported that the two Finance Committee Budget Subcommittee meetings chaired by Councilmember Lopez (North and East and RNCC) went well. He also reported on attending two informative conferences in San Francisco, the Bay Planning Coalition and the Center for Creative Lane Reuse.

Councilmember Lopez thanked the staff and community for pulling together a wonderful Cinco de Mayo. She also thanked Councilmember Marquez and Viramontes for their efforts to coordinate the Cinco de Mayo event. Councilmember Lopez announced that the Budget Subcommittee had meetings with neighborhood councils and the next meeting is scheduled for May 24, 2007, with Fairmed, at Sojourner Truth Church located at 2621 Shane Drive at 7:00 p.m. She also announced that the budget will be presented to the City Council on June 5, 2007, with a projected adoption date of June 26, 2007.

Councilmember Viramontes announced she was appointed to the State Recommission for Tribal Affairs. The meeting was held in Ontario. The purpose of the meeting was to work with all tribes in the State of California in co-sponsoring legislation with California cities. The next meeting will be held in June 2007. She will represent another public body in Dallas for an evaluation of real estate investments with Investco. Councilmember Viramontes stated she was happy to see the success of the Cinco de Mayo event. She asked the Mayor's Office for assistance in having proclamations and certificates prepared for the committees involved in making the event successful. She thanked Councilmember Lopez for working on the budget for the event and Saint Peters of Lauders Committee for their prayer breakfast. She also announced that the City Council voted to begin reviewing federal legislation under Title 4E. A number of meetings have taken place. There are two strategies being looked at: (1) amending the State plan and (2) subcontracting under the County.

Mayor McLaughlin announced that on May 16 through May 17, 2007, she will be in Washington D.C. for a public hearing regarding the impact of the Immigration and Customs Enforcement (ICE) raids on children. She also thanked Saint Peters Church for holding the forum on anti-violence. She attended the Contra Costa First Five grand opening and also the Touchable Stories Exhibition. She announced that Wednesday, May 16, 2007, is the opening of the Greenway and Vice Mayor Bates will make remarks on behalf of the City Council. She congratulated the community and organizers for the successful Cinco de Mayo Festival.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:56 p.m. to meet again on May 29, 2007.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor