

RICHMOND, CALIFORNIA, April 1, 2008

The Regular Meeting of the City Council was called to order at 4:35 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

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

PUBLIC COMMENT

The city clerk announced that the purpose of the Open Session was for the City Council to hear public comments on the following items to be discussed in Closed Session:

CITY COUNCIL

**CONFERENCE WITH LABOR
NEGOTIATORS** (Government Code Section 54957.6):

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, Bruce Soublet, and Chris Magnus Counsel: Jack Hughes, Liebert Cassidy Whitmore Employee Organization or unrepresented employee(s): Richmond Police Officers' Association (RPOA), and Richmond Police Management Association (RPMA).

There were no public speakers.

The Open Session adjourned to Closed Session at 4:36 p.m. The Closed Session adjourned at 6:29 p.m. The Regular Meeting of the City Council reconvened at 7:02 p.m. by Mayor Gayle McLaughlin.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Removed Items F-1, F-2, F-3, F-4, F-9, F-10, F-11, and F-13 from the Consent Calendar.

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

Interim City Attorney, Scott Dickey, reported the following:

**CONFERENCE WITH LABOR
NEGOTIATORS** (Government Code Section 54957.6):

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, Bruce Soublet, and Chris Magnus
Counsel: Jack Hughes, Liebert Cassidy Whitmore
Employee Organization or unrepresented employee(s):
Richmond Police Officers' Association (RPOA), and
Richmond Police Management Association (RPMA).

No reportable action.

**PRESENTATIONS, PROCLAMATIONS, AND
COMMENDATIONS**

None.

CONSENT CALENDAR

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

This item was heard concurrent with Item F-13. A proposed resolution amending Resolution 69-07 and adjusting the Employment & Training Department budget to accept additional grant revenue in the amount of \$400,000 from the Governor's Gang Reduction, Intervention and Prevention Initiative (CalGRIP) and provide for the expenditure of those funds for family-based case-management services to youth aged 16 to 21 that have had contact with the Juvenile Justice System was presented. Jay Leonhardy, Employment and Training, gave an overview of the item. Speakers were: Simms Thompson, Jr. and Corky Booze. Following discussion, on motion of Councilmember Viramontes, seconded by Councilmember Sandhu, adopted **Resolution No. 34-08**, by the unanimous vote of the Council.

A proposed ordinance amending the Density Bonus regulations of the Richmond Municipal Code (RMC, Chapter 15.04.810.050) to allow rounding the total number of units up to the next even number when the calculation results in an odd number of total units with approval of a conditional use permit was presented. Planning Director, Richard Mitchell, gave an overview of the item. Simms Thompson, Jr. spoke on this item. Following discussion, on motion of Vice Mayor Marquez, seconded by Councilmember Rogers, adopted **Ordinance No. 9-08 N.S.** by the following vote: **Ayes:** Councilmembers Bates, Lopez, Rogers, Sandhu, Thurmond, Viramontes, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Butt.

A proposed resolution authorizing the city manager to enter into an agreement with the California Public Utilities Commission (CPUC) that will allow the City to receive compensation in an amount not to exceed \$105,462 for work performed at the BNSF grade crossing on Brookside Drive (PUC #002-1187.20) was presented. City Engineer, Rich Davidson, gave an overview of the item. Corky Booze spoke on this item. Following discussion, on motion of Councilmember Viramontes, seconded by Vice Mayor Marquez, adopted **Resolution No. 35-08**, by the unanimous vote of the Council.

A proposed resolution designating and appointing Standby Officers for Members of the City Council and the 2008 Emergency Operations Plan (EOP) was presented. Corky Booze removed the item from the Consent Calendar, but chose not to speak. On motion of Vice Mayor Marquez, seconded by Councilmember Sandhu, adopted **Resolution No. 36-08**, by the unanimous vote of the Council.

*-Approved the purchase of 40 Self-Contained Breathing Apparatus (SCBA) cylinders and other related equipment and accessories from Allstar Fire Equipment in an amount not to exceed \$92,463.38.

*-Approved the purchase of nine Bendix King 50 watt mobile high-band radios and related accessories from Silverado Avionics, Inc., in an amount not to exceed \$16,843.40.

*-Approved the purchase of eighty-four (84) lengths of fire hose from L.N. Curtis & Sons in an amount not to exceed \$25,133.49.

*-Approved the purchase of auto-extrication equipment from L.N. Curtis & Sons in an amount not to exceed \$29,506.24.

Items F-9, F-10, and F-11 were heard concurrently. A proposed resolution amending the City of Richmond Classification Plan to revise and re-title the classification of Revenue Manager was presented. Human Resources Director, Leslie Knight, gave an overview of the item. Following discussion, a motion was made by Councilmember Viramontes, seconded by Councilmember Bates, to suspend all spending on new positions until the budget is completed. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Lopez, Rogers, Sandhu, Thurmond, Viramontes, and Vice Mayor Marquez. **Noes:** Councilmember Butt and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

Items F-9, F-10, and F-11 were heard concurrently. A proposed ordinance establishing the wages, salary, and compensation for the revised and re-titled classification of Revenue Manager (Salary Range 060D: \$6,238 - \$7,544/month) was presented for first reading. Human Resources Director, Leslie Knight, gave an overview of the item. Following discussion, a motion was made by Councilmember Viramontes, seconded by Councilmember Bates, to suspend all spending on new positions until the budget is completed. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Lopez, Rogers, Sandhu, Thurmond, Viramontes, and Vice Mayor

Marquez. **Noes:** Councilmember Butt and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

Items F-9, F-10, and F-11 were heard concurrently. A proposed contract amendment with MBN Services Inc., dba Bob Murray and Associates, to develop and administer recruitment processes for three additional engineering classifications (four total) was presented. The cost of the amendment is \$54,000, and the total approved contract payment shall not exceed \$78,000. Human Resources Director, Leslie Knight, gave an overview of the item. Following discussion, a motion was made by Councilmember Viramontes, seconded by Councilmember Bates, to suspend all spending for new positions until the budget is completed. The motion passed by the following vote: **Ayes:** Councilmembers Bates, Lopez, Rogers, Sandhu, Thurmond, Viramontes, and Vice Mayor Marquez. **Noes:** Councilmember Butt and Mayor McLaughlin. **Abstentions:** None. **Absent:** None.

*-Approved a five-month contract with Ralph Andersen & Associates in the amount of \$26,000.00 to develop and administer the Risk Manager recruitment process for the Human Resources Management Department.

This item was heard concurrent with Item F-1. A proposal to approve appropriations to the 2007-2008 Office of Neighborhood Safety ("ONS") Budget for an additional \$400,000 in CALGRIP grant funds from the Governor's Office of Emergency Services. Office of Neighborhood Safety Director, Devone Boggan, gave an overview of the item. Speakers were: Simms Thompson, Jr., Corky Booze, Ben Deniston, and Hadiye Rafi. Following discussion, on motion of Councilmember Viramontes, seconded by Councilmember Sandhu, approved this item by the unanimous vote of the Council.

*-Approved the following: (1) amendment to the Memorandum of Understanding between the City of Richmond and Contra Costa County regarding Transfer Station Mitigation Fees to permit the City and the County to appoint alternates to serve on the North Richmond Waste and Recovery Mitigation Fee Joint Expenditure Planning Committee ("Mitigation Fee Committee"); (2) proposed Bylaws for the Mitigation Fee Committee; and (3) the 2008/2009 Amended North Richmond Waste and Recovery Mitigation Fee Expenditure Plan.

*-Approved the following appointments to the Human Relations and Human Rights Commission: Darrell Goodbeer, term expiring March 30, 2011; Sally Vilaysack, term expiring March 30, 2011.

*-Approved the minutes of the Regular Meeting held on March 18, 2008, with a correction to page 9 of 10 changing the name Maria Sanchez to Loretta Sanchez.

PUBLIC HEARINGS

Continued to April 15, 2008:(1) Uphold Planning Commission's decision to approve the Tentative Parcel Map in Exhibit A, Mitigated Negative Declaration with Mitigation Monitoring Plan and Supplemental Information in Exhibit B,

for 125 to 127 Western Drive (APN: 558-020-007) with revised modified conditions of approval in Attachment 3 (as revised April 1, 2008); or (2) Uphold the Planning Commission's decision as described in Option 1 with revised modified conditions of approval in Attachment 3 (as revised April 1, 2008), except that "Condition d" shall read as suggested by Appellant in Attachment 4 (The public hearing closed on March 4, 2008).

OPEN FORUM FOR PUBLIC COMMENT

Millie Cleveland spoke about the desire to stay healthy after retirement. She stated the retirement medical has not been updated for over 15 years.

Kaye McKleray presented a petition, signed by Carriage Hills residents, requesting their streets be placed on the list of streets to be paved in 2008.

David Hollingshead spoke about the degrading asphalt of the streets in the Carriage Hills development.

Sharon Collins spoke of the concerns regarding street maintenance in the Carriage Hills area.

Theresa Wilkerson encouraged the City to support restrictions on increased medical costs.

James walker spoke about retirement medical.

Tarnel Abbott spoke about retirement medical.

Juanita Taylor requested that the City support restrictions on increased medical costs.

Simms Thompson stated the City Council should go on a tour of the city to see the condition of the City. There are still problems with streets, street lights, flooding, etc.

Corky Booze stated that he was very disappointed that Vice Mayor Marquez publicly stated that the Richmond Police Department was not doing their job.

Jerome Smith spoke about the recent homeless homicide victim, Jimmy Carter.

Steve Schaefer spoke about the Culinary Arts Program at Contra Costa College and invited everyone to visit the Three Seasons Restaurant on campus, which is open on Tuesday, Wednesday, and Thursday mid-day. He also invited everyone to the Food and Wine Fest, to be held at Contra Costa College on Sunday, April 27, 2008, from 11:00 a.m. to 3:00 p.m. He stated that the students in the Culinary Arts Program will assist restaurant owners in the preparation of the food.

Jackie Thompson invited everyone, including other peace-keeping groups, to the Tent City Peace Movement's community gatherings on Thursday, April 3, 2008, from 6:30 p.m. to 9:00 p.m. at the Booker T. Anderson Community Center at 960 South 47th Street.

Roberto Reyes gave comments regarding where homelessness and violence intercept.

AGREEMENTS

None.

RESOLUTIONS

A proposed resolution to oppose the California Department of Food and Agriculture Aerial Spray Program to Eradicate the Light Brown Apple Moth was presented. Mayor McLaughlin, Councilmembers Thurmond, Butt, and Viramontes gave an overview of the item. Speakers were: Simms Thompson, Jr., Corky Booze, Jerome Smith, Maxine Tatmon-Gilkerson, Eleanor Loynd, David Turner, Lynn Elliot-Harding, Dorothy Graham, Lisa Tracy, Tracey Bigelow, Frank Egger, and Javonka Beckles. Following discussion, on motion of Councilmember Thurmond, seconded by Councilmember Viramontes, adopted **Resolution No. 37-08**, by the unanimous vote of the Council.

ORDINANCES

None.

COUNCIL AS A WHOLE

In the matter to consider the following: (1) Vote to suspend rules to reconsider vote to appoint Charles Duncan to the Planning Commission, (2) Vote to reconsider appointment of Charles Duncan to the Planning Commission, and (3) Vote to approve Mayor McLaughlin's recommendation to appoint Charles Duncan to the Planning Commission, term expiring June 30, 2010. Councilmember Viramontes gave an overview of the item. On motion of Councilmember Viramontes, seconded by Councilmember Rogers, suspended the rules to reconsider vote to appoint Charles Duncan to the Planning Commission by the unanimous vote of the Council. On motion of Councilmember Viramontes, seconded by Councilmember Rogers, reconsidered appointment of Charles Duncan to the Planning Commission by the unanimous vote of the Council. On motion of Councilmember Viramontes, seconded by Councilmember Sandhu, approved Mayor McLaughlin's recommendation to appoint Charles Duncan to the Planning Commission, term expiring June 30, 2010, by the unanimous vote of the Council.

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

Councilmember Lopez announced that there was a Foreclosure Information Day held on Saturday, March 29, 2008. Other cities that participated in the event were: El Cerrito, San Pablo, and Pinole. Some of the non-profits participating were: Community Housing Development Corporation, Agency on Aging, Housing and Economic Rights Advocates, West County Senior Coalition, Bay Area Legal Aid, Richmond Community Redevelopment Agency, The Lau Family, West Contra Costa School District, Contra Costa Homeless Program, GRIP, and Contra Costa County Home Equity Preservation Alliances. Present was Assembly

member Lonnie Hancock, Mark DeSaulnier, and Supervisor John Gioia. There were over 200 people in attendance and over 100 families served. Councilmember Lopez stated that there were good reviews of the workshop. She thanked Trina Jackson, City Manager's Office; Helen Nichols, Redevelopment and Economics, and Maria Benjamin, Community Housing Development Group, for their assistance in making the workshop successful. She also announced that if there was someone still in need of assistance to call the Hope Line at 1(888) 995-4673.

Councilmember Viramontes gave the following AB1234 Reports: (1) she attended a meeting in New Orleans and has a written report she will distribute to Councilmembers; (2) attended the Institutional Investor's Meeting in San Francisco regarding financial investment issues and the impact of Real Estate investments in California. She also announced that there will be a Finance Committee Meeting on Friday, April 4, 2008, at 9:00 a.m. and another meeting scheduled for Friday, April 18, 2008, at 9:00 a.m. She also stated that Councilmembers should contact Ursula Deloa, Deputy City Clerk, prior to April 18, 2008, to submit in any additional projects they want placed on the priority list for the EBRPD.

Councilmember Thurmond thanked the staff and non-profits for putting together the Foreclosure Workshop. He thanked the Council for their leadership, especially Councilmember Lopez. He asked staff to prepare a final report that shows the impact of the workshop.

Councilmember Bates announced that the Public Safety Meeting was changed to April 14, 2008, at 10:00 a.m. to accommodate the Shimada Council Members from our sister city in Shimada, Japan. He also announced that Sheryl Granzella expressed her appreciation to the City of Richmond, especially the Richmond Police Department, and Vice Mayor John Marquez for the proclamation in honor of her late father, Richard Granzella.

Vice Mayor Marquez complemented the Councilmembers responsible for organizing the Foreclosure Workshop. He also announced that he will be going to Ontario on Thursday, April 3, 2008, to attend the League of California Cities Public Safety Committee Meeting. He also requested that staff place on the next agenda an item regarding setting a policy for Councilmembers to be authorized to respond if their name is mentioned in Open Forum.

Mayor McLaughlin attended the Not-Today Banquet on March 15, 2008. She thanked them for their commitment to non violence in the City of Richmond. She also stated that the Foreclosure Workshop was successful and thanked everyone for their work. She also stated that the Richmond Little League opening day parade and ceremony, where she threw the first ball, was successful. She thanked Larry Lewis and everyone for all their hard work. She also thanked the Richmond Sol Soccer team for their support. Mayor McLaughlin also announced that on Saturday, April 5, 2008, she attended a performance by the East Bay Center for Performing Arts where there was a great display of talent. She also invited everyone to a community event to be held at

Atchison Village Auditorium on Saturday, April 5, 2008,
between 11:00 a.m. to 1:30 p.m. There will be discussion on
breast cancer and the environment.

ADJOURNMENT

There being no further business, the meeting
adjourned at 9:21 p.m. in memory of Mann S. Sandhu, the
cousin of Councilmember Sandhu, and homicide victim,
Jimmy Carter, to meet again on Tuesday, April 15, 2008,
at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor