

RICHMOND, CALIFORNIA, July 22, 2008

The Regular Meeting of the Richmond City Council was called to order at 6:04 p.m., by Mayor Gayle McLaughlin.

ROLL CALL

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

**LIABILITY CLAIMS - PENDING LITIGATION
(Government Code Section 54956.9):**

Claimant: Penny Turner
Agency Claimed Against: City of Richmond

**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)

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, and Bruce Soublet
Counsel: Jack Hughes, Liebert Cassidy Whitmore
Employee Organization or unrepresented employee(s): Local 21
and Local 1021 Retiree Medical Negotiations

There were no public speakers.

The Open Session adjourned to Closed Session at 6:06 p.m. The Closed Session adjourned at 6:50 p.m. The Regular Meeting of the City Council was reconvened at 7:03 p.m. by Vice Mayor John Marquez.

ROLL CALL

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

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Withdrew Item D-1 from the Agenda, and will be rescheduled for July 29, 2008, agenda.

Removed Items F-1, F-4, and F-5 from the Consent Calendar.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Withdrew from the Agenda a proclamation recognizing the outstanding reporting style of the Richmond Globe Newspaper. This item was rescheduled for July 29, 2008.

Planning Director Richard Mitchell introduced Sandy Genser-Maack, member of the Historic Preservation Advisory Committee who presented the Art Deco Society's 2008 Art Deco Preservation Award to Mayor McLaughlin. Mayor McLaughlin accepted the award on behalf of the City Council.

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

City Attorney, Scott Dickey, reported no reportable action on the following:

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Counsel: Jack Hughes, Liebert Cassidy Whitmore
Employee Organization or unrepresented employee(s): Local 21 and Local 1021 Retiree Medical Negotiations.

CONSENT CALENDAR

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

A proposed contract to lease a pair of two bedroom apartments to fulfill the residential component of the

Transitional Housing Program (Plus) Grant to provide housing for youth transitioning from the Foster Care System was presented. The lease period is one year for both units, and the total lease amount for both apartments will not exceed \$35,000. On motion of Councilmember Bates, seconded by Councilmember Thurmond approved the contract by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

*-A proposed contract with Cypress Mandela Training Center, as required by the EDD Talent Transfer Grant, to provide short-term-intensive construction skills training for Dislocated Workers. Term of the contract will be July 22, 2008, through March 30, 2010, in an amount not to exceed \$225,000.

*-Adopted **Resolution No. 76-08** adjusting appropriations of the 2008-2009 Employment & Training Department Budget in the amount of \$500,000 to accept and document EDD Talent Transfer Grant revenue received after the approval of the 2008-2009 budget.

A proposed resolution authorizing the City of Richmond to levy special assessments against certain properties having unpaid accounts relating to Administrative Citations was presented. Police Chief Chris Magnus gave an overview of the item. He stated the following properties should be removed from the list: Sylvia Gill, 1714 Pennsylvania; 320 22nd Street; 636 35th Street; 450 South 20th Street; 612 20th Street; and Wendy Olivera. Simms Thompson spoke on this item. On motion of Vice Mayor Marquez, seconded by Councilmember Sandhu, adopted **Resolution No. 77-08** by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

A proposed resolution authorizing the City of Richmond to levy special assessments against properties having unpaid fines and assessments relating to cleanup notifications and inspections, lot cleanups and/or building board ups constituting a public nuisance under Richmond Municipal Code (RMC) Chapter 9.22 was presented. Police Chief Chris Magnus gave an overview of the item. He stated properties located at 5771 Fryer Court and 3811 Garvin Avenue should be removed from the list. On motion of Vice Mayor Marquez, seconded by Councilmember Sandhu, adopted **Resolution No. 78-08** by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

*-Adopted **Resolution No. 79-08** approving the levy and collection of assessment in the Hilltop Landscape Maintenance Assessment District for Fiscal Year 2008-2009.

*-Approved the purchase of an office trailer from Pacific Mobile Structures, Inc. to provide office space for

staff and provide facilities for training at the City Corporation Yard in an amount not to exceed \$87,417.

*-Adopted **Ordinance No. 12-08 N.S.** setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2008-2009.

*-Adopted **Resolution No. 80-08** amending the City of Richmond's Position Classification Plan to add the new classification of Housing Asset Manager.

*-Introduced an ordinance establishing wages, salary, and compensation for the new classification of Housing Asset Manager (Salary Range: 067D \$7,509 - \$9,099/month).

*-Adopted **Ordinance No. 13-08 N.S.** establishing wages, salary, and compensation for the new classification of Low Income Public Housing Asset Specialist (Salary Range: \$4,196 - \$4,952/month).

*-Adopted **Resolution No. 81-08** approving a lease with The Watershed Nursery ("WN") (lessee) for city-owned property located on Canal Boulevard adjacent to the wastewater treatment plant, for a base rent of \$300 per month, plus an additional rent representing tenant's share of the allocable operating expenses, for three years plus two successive one-year option periods, and authorizing the city manager to execute the lease for the City of Richmond.

*-Approved the following appointments: Youth Baseball Advisory Commission: Warren Spencer, Sr., term expires 7/22/11; Zhoushan Commission: Irma Anderson, James Bates, Rosemary Corbin, Karen Leong Fenton, Walter Fong, Jim McMillan, Judith Morgan, Katrinka Ruk, Lonnie Washington, Jr., and Lucy Zhou.

*-Adopted **Resolution No. 82-08** amending the City of Richmond Classification Plan to add the classification of Code Enforcement Supervisor.

*-Introduced an ordinance establishing the wages, salary, and compensation for the new classification of Code Enforcement Supervisor (Salary Range: 063A \$6,296 - \$7,653/month).

*-Approved the minutes of the Regular Meeting held on July 1, 2008, and the Special Meeting held on July 8, 2008.

PUBLIC HEARINGS

The city clerk announced that this was the time set, pursuant to published notice, to conduct a public hearing on the appeal by TV Group, and either affirm, modify, or reverse the Planning Commission's conditional approval to construct a single-family residence on a substandard lot located at the corner of Vine and Terrace Avenues. Planning Director Richard Mitchell gave an overview of the item. Planner Lena Valesco spoke on this item. Mayor McLaughlin declared the public hearing open. Meredith Benz spoke as the appellant and Ron Gamble spoke as the applicant. The appellant's primary concerns of the surrounding neighborhood are history, scale and density of

dwelling unit, views, and lack of parking. The applicant's response included: "Buildings and open spaces shall be in proportion and scale with existing structures and spaces in the surroundings area." The landscape plan was revised a few times after talking with the City Planning department and the Point Richmond Neighborhood Council. The final landscape plan leaves more open space than what is required; and the conditions of approval related to landscape will be incorporated in the final landscape plan. Speakers from the public were: Rod Satre, Steve Spencer, Ben Wright, and Calvert Barron. On motion of Councilmember Bates, seconded by Councilmember Sandhu closed the public hearing by the unanimous vote of the Council. Following discussion, a motion was made by Mayor McLaughlin, seconded by Councilmember Butt, to uphold the appeal and refer the item to the Design Review Board without prejudice. Councilmember Rogers suggested the parties meet to try and work out a resolution. A substitute motion was made by Councilmember Bates, seconded by Councilmember Rogers to keep the public hearing closed and refer the item to staff, the applicant, and the appellant to see if there is an opportunity to work out the differences and continue this item to September 2008. No vote was necessary; the item was referred to staff to work with the applicant and appellant and continued to September 2008.

OPEN FORUM FOR PUBLIC COMMENT

Corky Booze thanked the Richmond Police Department, specifically Officer Armando Moreno, for the outstanding work in slowing traffic. He also thanked Mayor McLaughlin for her participation in the childrens' march in Richmond. He also expressed his disappointment with the City Council for the approval of the Chevron Project and that the Bay Trail was overlooked.

Naomi Williams encouraged the City of Richmond and Pacific Gas and Electric to communicate regarding the repaving of the streets in Richmond.

Simms Thompson stated that the City of Richmond should stick to their adopted ordinances when developers come to Richmond proposing to make changes. He also stated that the City of Richmond should have a system fair and objective to the citizens of Richmond.

Jovanka Beckles stated that the citizens of Richmond now know where the City Council stands.

Janie Anker stated that she is ashamed that some councilmembers approved the Chevron Project. She stated that the City Council was elected to represent the citizens of Richmond not Chevron.

ORDINANCE

A proposed ordinance establishing a quorum of the Design Review Board as a majority of currently serving members, provided that a quorum shall be no fewer than three members and at least three affirmative votes shall be required for adoption of a motion was presented. Planning Director Richard Mitchell gave an overview of the item. Speakers

were: Naomi Williams and Simms Thompson. Following discussion, on motion of Councilmember Bates, seconded by Vice Mayor Marquez, adopted **Ordinance No. 14-08 N.S.** by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, and Vice Mayor Marquez. **Noes:** Mayor McLaughlin. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

COUNCIL AS A WHOLE

In the matter to review the proposed Fiscal Year 2008-2013 Five-Year Capital Improvement Plan (CIP) and 2008-2009 Capital Improvement Budget, and provide comments for proposed final approval on July 29, 2008. Finance Director Jim Goins gave an overview of the item. All projects submitted for inclusion in the City's Capital Improvement Program were reviewed on the basis of their relative need and cost. Program highlights of departments included in the plan were presented in a PowerPoint presentation by Police Chief Chris Magnus, Fire Chief Michael Banks, and Public Works Director Yader Bermudez. Councilmember Rogers requested that the Public Works Director submit an analysis report to the Finance Committee on the issue of feasibility of shifting some fleet vehicles to electric vehicles and the environmental benefits. The PowerPoint presentation continued with City Engineer Rich Davidson; Economic and Development Director Steve Duran; Employment and Training Director Sal Vaca; Port Director Jim Matzorkis; Jim Goins, who gave a report on Library and Cultural Services; Recreation Director Keith Jabari; Information Technology Director Sue Hartman; and KCRT Director Cecily McMahan. Mr. Goins thanked the City Council for receiving the report and staff that worked on the Capital Improvement Plan and Budget. Mayor McLaughlin thanked Mr. Goins and his staff as well as all the departments for their presentations.

In the matter to adopt a resolution exempting members of Sister City Commissions or Committees from the policy of not being able to simultaneously serve on more than one City of Richmond Board, Commission or Committee. Speakers were: Naomi Williams and Simms Thompson. On motion of Councilmember Bates, seconded by Vice Mayor Marquez adopted **Resolution No. 83-08** by the following vote: **Ayes:** Councilmembers Bates, Butt, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** None. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

In the matter to adopt a resolution approving the Design Guidelines for Heritage Home Additions. Principal Planner Janet Harbin and Planning Director Richard Mitchell gave an overview of the item. Following discussion, on motion of Councilmember Butt, seconded by Councilmember Sandhu adopted **Resolution No. 84-08** by the following vote: **Ayes:** Councilmembers Butt, Rogers, Sandhu, Thurmond, Vice Mayor Marquez, and Mayor McLaughlin. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** Councilmembers Lopez and Viramontes.

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

Councilmember Sandhu reported that the Police Commission will now be able to go into the communities to hold public meetings. He also announced that the Human Relations and Human Rights Commission will meet on Monday, July 28, 2008, at 6:30 p.m. in the City Council Chambers.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:00 p.m. in memory of Searcy Andrews, Joe Martinez, Rose Martinez, and John Wayne Fontenot, to meet again on Tuesday, July 29, 2008, at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor