

**RICHMOND, CALIFORNIA, February 7, 2006**

The Regular Meeting of the Richmond City Council was called to order at 7:25 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**

Withdrew from the agenda a proclamation recognizing former Interim Police Chief Terry Hudson's 30 years of service to the Richmond Police Department.

Items G-3, G-5, G-6, and G-8 were removed from the Consent Calendar.

**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:

**MORNING CLOSED SESSION**

**Richmond Community Redevelopment Agency**

**RRA1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Property: Vernon Avenue at Castro Street:**  
Confidential negotiation direction given to staff.

**City Council**

**CC1. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION**

**World of Life Church vs. City of Richmond:** Council voted to settle for \$40,000. The vote was as follows: **Ayes:** Thurmond, Bates, Marquez, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** None.

**Turner vs. City of Richmond:** Council voted to settle for \$130,000. **Ayes:** Councilmembers Thurmond, Bates, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** Councilmembers Butt and Marquez. **Abstentions:** None. **Absent:** None.

**Sanchez vs. City of Richmond:** Council voted to settle for \$25,000. **Ayes:** Thurmond, Bates, Marquez, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** Councilmember Butt. **Abstentions:** None. **Absent:** None.

**CC2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Property: Point Molate:** Council provided Confidential Negotiation direction to staff.

**CC3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Property: 1401 Marina Way South:** Council provided Confidential Negotiation direction to staff.

**CC4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Property: Five Vacant Surplus Properties located on South 2<sup>nd</sup> Street:** Council provided Confidential Negotiation direction to staff.

**EVENING CLOSED SESSION**

**CC1. CONFERENCE WITH LABOR NEGOTIATORS**

**Employee organization or unrepresented employee: IAFF Local 188:** Confidential briefing was provided to the City Council.

**OPEN FORUM**

Mike Ali gave comments regarding a mailer received from an elected official.

Antwain Cloird stated that he met with several of his local union officials regarding job training. He said that a mobile unit is in the process of being established for the purpose of training future employees for future jobs coming to Richmond.

Georgia Lynn Stevenson gave comments regarding Richmond baseball. She said that for the past several years participation has declined. She requested the City's support to have access to the fields for the players.

Corky Booze thanked several members of the community for helping to rid the City of PPG Police Services at the Barrett Street Apartments. He thanked Reverend Andre Shumake for his cable program airing on cable Channel 26. He gave comments regarding a 15-year old Hispanic male who was killed recently. He requested that a Councilmember be present at the funeral services of Jerrell Lee Moore at St. Peters Church at 11:00 a.m. on Friday, February 10.

Karen Jones, mother of the Jerrell Lee Moore, gave comments regarding the murder of her son. She said that she has not received any information from the police and requested that someone speak with her about the ongoing investigation.

Donnell Rickey Jones gave comments regarding the murder of Jerrell Lee Moore.

Cochise Potts gave comments regarding the fence ordinance. He asked why the ordinance is not being enforced.

**PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Withdrew a proclamation recognizing former Interim Police Chief Terry Hudson for his 30 years of service to the Richmond Police Department.

Beatrice Lee, Executive Director of Asian Pacific Psychological Services, and Sean Kirkpatrick, Coordinator of the Southeast Asian Youth & Family Alliance Prevention Director, presented a study regarding The State of Youth in Richmond, California (Councilmember Thurmond left the meeting). The Council was invited to attend a Policy Dialogue on the full report on March 10, 2006. Several Councilmembers requested a copy of the entire study. Mayor Anderson and the City Council thanked the presenters for the information (Councilmember Thurmond returned to the meeting). Mike Ali and Corky Booze gave comments on the matter.

**CONSENT CALENDAR**

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

\*-Approved the minutes of the Morning and Evening Open Sessions held on January 31, 2006.

\*-Approved the purchase of ballistic vests for the Police Department. The total amount of the purchase is \$86,913.02.

A proposed Purchase of Services Contract and associated Scope of Work with Moore Iacofano Goltsman, Incorporated (MIG), to update the City's General Plan for a total cost of \$1,558,393.00 was presented. Richard Mitchell, Planning and Building Director, gave an overview of the matter. He said that a brief survey was taken of several cities to compare costs paid for General Plan Update. Vice Mayor Viramontes suggested that a subset of the contract that deals with the General Plan Update of the cost of work in each subject area of the contract be provided to the General Plan Steering Committee so that they will know what the City Council approved as the Scope of Work. Councilmember McLaughlin asked if the scope of work is alterable. Mr. Mitchell said that the consultant is aware that there are several unanticipated activities that will need to be included or modified. Debbi Landshoff gave comments on the matter. Following discussion, a motion was made by Councilmember Griffin, seconded by Vice Mayor Viramontes to approve the item as presented. Councilmember Bates made a friendly amendment to include the requirement of a 2/3 Council vote to approve additional funds. The friendly amendment was not accepted. The original to approve a Purchase of Services contract with MIG passed, by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Marquez, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** Councilmember Bates. **Abstentions:** None. **Absent:** None.

\*-Approved a contract with the Richmond Art Center to fund the Neighborhood Public Art Mini-Grant Project in the

amount of \$75,000 and authorize the Director of Library & Community Services to sign all necessary documents.

A proposed resolution in support of the Green Wave Economic Development Roundtable that will be held on February 24, 2006 was presented. Anabel Ibanez, Associate Director of Urban Habitat gave an overview of the matter. She asked the Council to support the resolution supporting the California Treasurer's Office Greenwave Economic Development Roundtable. Corky Booze gave comments on the matter. Several Councilmembers requested that staff work with Clean Edge, Incorporated, JP Morgan, and Bay Area Equity Fund on the project. Following discussion, on of Vice Mayor Viramontes, seconded by Councilmember Marquez, adopted **Resolution No. 11-06**, by the unanimous vote of the Council.

A proposed contract amendment with Mary A. Renfro for the provision of special counsel legal services was presented. This contract amendment will increase the contract amount by \$50,000 for a total of \$109,999.00. The contract expiration date remains June 30, 2006. John Eastman, City Attorney, gave an overview of the matter. Corky Booze gave comments on the matter. Following discussion, on motion of Councilmember Griffin, seconded by Councilmember Marquez, approved the contract amendment, by the unanimous vote of the Council.

\*-Approved the following reappointments to the following Boards and Commissions: **(1) Police Commission: Emile de Vera, term expiring November 1, 2009; (2) Housing Advisory Board: Helen Louise Hall and Oras Washington, Sr., terms expiring February 1, 2008; and (3) Arts and Culture Commission: Suzanne Kimiko Onodera and Thomas Pope, terms expiring January 31, 2010.** Councilmember McLaughlin abstained on the Police Commission appointment.

Introduced a proposed ordinance for first reading amending the Richmond Municipal Code Section 6.02.170(d) to limit allowable time to complete a permitted project. Richard Mitchell, Planning and Building Director, gave an overview of the matter. He reintroduced the ordinance that included additional language requested by the Council. Corky Booze gave comments on the matter. Following discussion on motion of Councilmember Bates, seconded by Vice Mayor Viramontes, said ordinance received first reading and was laid over three weeks for second reading, by the unanimous vote of the Council.

## **PUBLIC HEARINGS**

City Clerk announced this was the time set, pursuant to published notice, to introduce a Zoning Ordinance Text Change (ZTC 05-2) amending Section 15.04.910.080 of the Richmond Municipal Code to require medical marijuana dispensaries to obtain a Conditional Use Permit and to establish regulations and criteria for medical marijuana dispensaries, amending Section 15.04.230.040 by adding medical marijuana dispensaries as a Conditional Use in the C-3, Regional Commercial District. Richard Mitchell, Planning and Building Director presented an overview of the matter. Mayor Anderson declared the public hearing open. Corky Booze gave comments on the matter. Discussion ensued. On motion of Councilmember Bates, seconded by Councilmember Marquez, closed the public hearing, by the unanimous vote of the Council. Following discussion, on

motion of Councilmember Bates, seconded by Councilmember Marquez to refer the matter to the Public Safety Public Services Standing Committee to have input from the Police Department and to review and finalize the recommendations from the Planning Commission. On motion of Councilmember Bates, seconded by Councilmember Marquez, referred the matter to Public Safety Public Services Standing Committee, by the following vote: **Ayes:** Councilmembers Butt, Bates, Marquez, Griffin, Rogers, Viramontes, and Mayor Anderson. **Noes:** Councilmember McLaughlin. **Abstentions:** Councilmember Thurmond. **Absent:** None.

City Clerk announced this was the time set, pursuant to published notice, to hear testimony regarding the adoption of a resolution approving the City of Richmond Housing Element and Initial Study/Negative Declaration. Richard Mitchell, Planning and Building Director, gave an overview of the matter. Mayor Anderson declared the public hearing open. There were no comments from the audience. Councilmember McLaughlin gave comments regarding her suggestion on language changes to Program 5. Following discussion, on motion by Councilmember Bates, seconded by Councilmember Marquez, closed the public hearing, by the unanimous vote of the Council. On motion of Councilmember Bates, seconded by Councilmember Marquez, adopted **Resolution No. 12-06**, approving the City of Richmond Housing Element and Initial Study/Negative Declaration by the following vote: **Ayes:** Councilmembers Butt, Bates, Marquez, Griffin, Rogers, Viramontes, and Mayor Anderson. **Noes:** Councilmember McLaughlin. **Abstentions:** Councilmember Thurmond. **Absent:** None.

#### **AGREEMENTS**

None.

#### **RESOLUTIONS**

A proposed adoption of a resolution supporting an increase for financial support from AC Transit for Equitable Transportation Funding and Benefit of Passengers in the Metropolitan Transportation Commission Area was presented. Vice Mayor Viramontes gave an overview of the matter. The following individuals spoke on the matter: Randy Rentschler, representing the Metropolitan Transportation Commission gave a presentation; Virginia Martinez; Keonnis Taylor; Guillermo Mayer; and Reverend Andre Shumake (Councilmember Rogers left the meeting). Discussion ensued (Councilmember Rogers returned to the meeting). Following discussion, on motion of Vice Mayor Viramontes, seconded by Councilmember Marquez, adopted **Resolution No. 13-06**, by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Bates, Marquez, Griffin, Rogers, McLaughlin, and Viramontes. **Noes:** None. **Abstentions:** Mayor Anderson. **Absent:** None.

#### **ORDINANCES**

None.

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

In the matter to update the City Council on the City of Richmond's ability to receive Measure C Local Streets and

Maintenance Improvement Funds. Vice Mayor Viramontes gave an overview of the matter (Councilmember Marquez and Councilmember Thurmond left the meeting). Richard Mitchell, Planning and Building Director, presented additional information. Corky Booze gave comments on the matter. Following discussion, the Council received the update.

In the matter of a discussion on the Grade Separation Study. City Clerk informed the Council that a set of 12 protest letters had been received and placed at the dais. Councilmember Rogers gave an overview of the matter. The following individuals spoke on the matter: Naomi Williams, Irwin Friedman, Marti Anderson, Lee Sheldon, Diane Hedler, Terrance Cheung, and Catherine Caldwell. Councilmember Rogers clarified that the matter is not an action item, but the beginning of the process of discussion and receiving full community input. He said that it involves both general public input, City Council input, and meeting with various neighborhood groups, business groups, and other stakeholders. Councilmember Bates gave comments on the matter. Steve Duran, Richmond Community and Economic Development Director, said that the study is incomplete. Once the study is complete, staff will go back to the community for their input.

## **COMMUNICATIONS**

### **Referrals to staff from the City Council**

#### **Councilmember Thurmond**

Requested an update from staff regarding the renovations to the Martin Luther King Community Center.

Requested an update on the reopening of community centers during the evening hours.

#### **Councilmember Griffin**

Referred to the Rules and Procedures Standing Committee an item regarding a Citizens Code of Ethics.

## **REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS**

### **Reports of Chairpersons of:**

**Finance Standing Committee:** Councilmember Butt announced that the next meeting will be on February 14, 2006, at 3:00 p.m.

**Public Safety Public Services Standing Committee:** Councilmember Marquez, Chairperson, announced the next meeting will be held on Wednesday, February 23, 2006, at 10:30 a.m., in the Council Chamber.

**Rules and Procedures Standing:** Councilmember McLaughlin, Chairperson, announced that next meeting is on Wednesday, February 22, 2006, at 8:30 a.m., in the Council Chamber.

**Report from the Mayor:** Mayor Anderson announced that a proclamation for Black History will be updated. She said that a staff member has done a video on Black History and will be showing it soon.

**General Reports from Councilmembers and staff**

**ADJOURNMENT**

There being no further business, the meeting adjourned at 11:12 p.m., in memory of Reverend C. W. Newsome, Sr., longtime pastor of the North Richmond Missionary Baptist Church, and Bennie Griffin, brother of Councilmember Richard Griffin, and Coretta Scott King, to meet again in three weeks on February 28, 2006, at 7:00 p.m.

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Clerk of the City of Richmond

(SEAL)

Approved:

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Mayor