

RICHMOND, CALIFORNIA, January 31, 2006

The Morning Open Session of the Richmond City Council was called to order at 8:43 a.m. by Mayor Irma L. Anderson.

ROLL CALL

Present: Councilmembers Butt, Thurmond, Bates, Griffin, McLaughlin, and Mayor Anderson. **Absent:** Councilmembers Marquez, Rogers, and Viramontes (Vice Mayor Rogers arrived later as indicated in these minutes).

PUBLIC COMMENT

The City Clerk announced that the purpose of the Morning Open Session was to hear public comment on the following items to be discussed in Closed Session: **CITY COUNCIL**: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION Subdivision (a) of Government Code Section 54956.9, One Case: Wilson vs. City of Richmond; **REDEVELOPMENT AGENCY**: CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8) Property: 1121 Macdonald Avenue, Negotiating Parties: Steve Duran, Richmond Community Redevelopment Agency, and Otis Hubbard dba Sadie's Soul Food Café, Under Negotiation: Price and Terms; **CITY COUNCIL**: CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION Subdivision (a) of Government Code Section 54956.9, One Case: Baykeeper vs. City of Richmond et al., **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957.6) Title: City Attorney, CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6): City Designated Representatives: Bill Lindsay, Leslie Knight, Rob Larson, and Lisa Stephenson, Counsel: Jeffrey Sloan, Renne, Sloan, Holtzman, and Sakai, LLP, Employee Organization or Unrepresented Employee: IAFF Local 188 (Firefighters).

There were no comments from the audience. (Vice Mayor Rogers arrived at 8:44 a.m.) The Morning Open Session adjourned to Closed Session at 8:44 a.m. The Closed Session adjourned at 12:07 p.m., and the Morning Open Session adjourned at 12:07 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor

RICHMOND, CALIFORNIA, January 31, 2006

The Regular Meeting of the Richmond City Council was called to order at 7:13 p.m., by Mayor Irma L. Anderson, who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Butt, Thurmond, Griffin, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Absent:** Councilmembers Bates and Marquez (Councilmember Bates arrived later as indicated in these minutes).

AFFIRMATION OF THE CITY OF RICHMOND CODE OF ETHICS

The City Council affirmed the Code of Ethics.

STATE OF THE CITY ADDRESS

“Richmond’s Second Century”

31 January, 2006

Mayor Irma L. Anderson

State of the City Address

Good evening Council, Community and Staff.

Here we are in January 2006 in the one hundred and first year of the existence of the City of Richmond, California. Last year, in partnership with the Chamber of Commerce, we spent the year recognizing and celebrating our centennial. The year was filled with celebrations and events that acknowledged our 100 years of history.

This year we turn the corner into a new century for our City. Although we don’t know all that may lie ahead of us in the days to come, our spirit and our past resilience more than assures me that we will face and overcome all challenges ahead.

There is a sense of optimism and investment in Richmond today. Amidst the backdrop of hardships, a spirit of promise is in the air. My purpose, or better still, OUR purpose as elected leaders is to give our community HOPE.

Amidst this new optimism, there’s a serious challenge before us. We must reduce the crime rate. I thank my colleagues for unanimously voting to adopt a comprehensive approach to violence that is encompassed in the public health model.

What is the public health model? It is prevention, intervention, and short term crime suppression. If youth need after school opportunities, we provide them. To keep kids from becoming career inmates, we partner with County Probation and Social Services.

We use data to identify hot spots and target resources. Problems don't go away overnight, but they CAN improve. That is reason to have optimism.

The October "Richmond Rising Above Violence" conference brought the City and community together to agree on a common definition of chronic violence. Groups like the Black on Black Crime Summit, South Asian Youth & Family Alliance, and the RNCC are ready to work with the City on this initiative.

This Council made it clear that they want a strategic plan, not a tactical plan. We want programs that will provide the outcomes we seek. Having said that, as Councilwoman Viramontes said, we need a plan, NOW.

I want to thank this Council for unanimously voting to adopt a comprehensive approach and agreeing to commit up to \$250,000 to coordinate this approach. I want to make it clear that this is my first priority. We need to do this as soon as possible.

I have chosen to delay the Richmond Rises Above violence follow-up conference so that we may more fully integrate the Violence Prevention Coordinator, the new Police Chief and the priorities of the City's budget with that of the youth and the community.

Nobody benefits if we create a plan to help youth without the youth. In the past year we've witnessed a great revival of youth advocacy in our violence prevention efforts. I challenge our city to formalize that process. I am submitting a grant to fund the creation of a youth leadership academy to assist in the development of our plan. I welcome ANY assistance that the Council, community, or staff might like to provide in organizing this event.

As we rebuild our communities, it will not be easy. There will be many needs, but most importantly we'll need the heart of Richmond, a City with deeply-rooted dedication and community spirit. My challenge to you, and to myself, is to never give up, no matter how hard it gets.

This City is not an island. Working together isn't just a good practice, it's a good policy. When we work together, we all have ownership of the outcome.

Under the City's Kids First! Initiative, spearheaded by my office, the City has been in partnership with the West Contra Costa Unified School District. We have provided over 3 million dollars in after school programming at DeJean Middle School, Kennedy and Richmond High, Lincoln and King Elementary School. That means fewer kids on the street, and more kids engaged in positive activities. With the recent release of State Prop. 49, "After School For All" Funds, we have even greater opportunity.

At the regional level I have convened a group that consists of the West County Mayors, City Managers and Police Chiefs, the County Supervisor, Sheriff, DA, School Superintendent, and Chief Probation Officer to address truancy. We know that truants

are more likely be perpetrators or victims of crime. Together I believe we can keep kids in school and off the street.

I want to thank Congressman George Miller, in particular his district director Barbara Johnson, as well as our state representatives, for supporting the *Richmond Rising Above Violence* Initiative and assisting us to procure any federal and state funds.

My administration is, and will continue to be focused on solutions. When the Council learned two years ago of our fiscal crisis, I knew that the easy thing to do would be to assign blame. I also knew that our energies would be better spent on moving quickly towards implementing thoughtful solutions.

During that time the Council did a lot of listening. I want to thank Councilmembers Bates, Griffin, Rogers, Viramontes, and Butt for hanging tough through the months of listening to anger, fear and frustration of this community.

We realigned and restructured based on five basic financial principles. We stuck to those principles for the last year and a half.

Together, we made the hard choices and many sacrifices. I want to thank our staff, our community, and our Council for the sacrifices that each of you made.

As a result, I am happy to report that the State of our City is strong and growing stronger. Richmond, once again, will be one of the few cities in the State that will not face cuts dictated by a structural deficit.

This time last year, almost all of the heads of our departments and our divisions were either interim, or in the process of retiring. In the last 11 months we appointed 11 new managers. On Valentines Day, one year ago, we hired our new City Manager, Bill Lindsay. To date we have been impressed by his leadership and his commitment to methodical, balanced decision making.

Leslie Knight our HR Director and Assistant City Manager comes to us with superb skills and much experience in labor negotiations.

Our new Finance Director, Jim Goins has expertise in bond and structural financing.

We've consolidated our libraries, our parks and our recreation programs under the direction of Monique LeConge. Last year we re-opened community centers and expanded our library hours. This year we must work to adjust the hours of operation and enhance services to meet the specific needs of the communities they serve and provide quality activities that will keep our children safe.

Our most recent hire is Police Chief Chris Magnus. He has made a clear commitment to hiring local talent to fill available positions in his department. He **understands** the

importance of the public health approach to violence prevention, **believes** in data driven efforts, and wants to **strengthen** community policing. He is committed to strengthening the relationship between our police department and neighborhoods.

We have consolidated planning and building under the direction of Richard Mitchell. His number one priority this year is to implement the General Plan update process.

The General Plan is our blue print for the upcoming century that will dictate the regulations for land use and development. It is a valuable tool that we can use to attract modern industry to our City, protect existing industry, and determine where new homes, parks and open space will be.

As with many Bay Area cities, the tension between rooftops and manufacturing exists. The general plan provides an excellent opportunity to address this dynamic.

Mr. Mitchell is working diligently to lead this effort to include all levels of the community in this process.

Tim Jones, our director of the Richmond Housing Agency, is taking on the challenge of becoming the largest single landlord in the City. He is fast tracking the section eight inspections, identifying substandard rentals and terminating the leases that are not up to standards.

Rich Davidson, our newly appointed City Engineer is working beyond the call to preserve and enhance our infrastructure. It is good to know that Mr. Davidson is a man for whom sewers, street repaving and structural integrity ARE sexy issues.

Then, we have the man who believes that the word “can’t” shouldn’t be in a department’s vocabulary-- the head of Public Works, Operations and Maintenance Division, Willie Haywood. One of Mr. Haywood’s newest priorities will be to decrease our reliance on the state energy grid.

Public Works has reduced the energy costs to the library by 30 – 40% with the implementation of solar energy technology and we will be working together to identify and implement similar emerging technologies throughout our city structures.

Under the apt direction of Steve Duran, the Community and Economic Development Agency has been indispensable to the financial recovery of our City. The Agency is working to bring new businesses and homes to Richmond. Not counting the 200 plus homes being built at Easter Hill, there are over 1,200 NEW residential living units being constructed in our City, and more in the pipeline.

Our Employment and Training Department has revitalized the Workforce Investment Board and made youth investment a priority. From training foster youth in transitional housing, to securing On the Job training opportunities for residents at Easter Hill, Employment and Training works so that Richmond Works!

Last year I revived the Mayor's Summer Youth Employment program with a goal of employing 200 young people. We achieved that goal. This year my goal is to employ 250 youth.

Last year, I also told you that we wanted to move towards a year round youth training program. Just last week Employment & Training secured a \$400,000 grant to train and employ 30 youth to build four homes in our city – a SECOND step towards a youth oriented, year round employment and training program. Step by step, we are moving towards our youth investment goals.

THIS is the kind of dedication and commitment to youth that we must emulate throughout the city. I want to say thank you Sal, your staff, and the business partners that make up the Workforce Investment Board. I'd also like to thank Tony Thurmond, who worked on this before he was a councilmember.

This year, locally and nationally it was all about Jobs, Jobs, Jobs. Indeed, the role of the City is to create an environment that promotes economic development and job opportunities. We cannot, however, prepare our workforce, especially our young people for new opportunities without education and training.

Employers tell us all the time that education and training mean the difference between "You're Hired" and "Next".

Recently the West Contra Costa Unified School District has experienced renewed energy around school to career pathways, especially in the fields of construction and health care. It is the perfect time to establish career prep academies in the district. For this reason, I have requested a joint Board of Education/Richmond City Council meeting, so that we may discuss this and other opportunities.

Our success as a City is rooted in a foundation of partnership. The City of Richmond has been selected as a pilot site for a Greenwave Economic Development Roundtable, by our State Treasurer, Phil Angelides. I would like to announce that on February 24th the City will co-sponsor an investor's roundtable discussion on investment policies and programs that will foster sustainable development. A subject I know that both Councilmembers McLaughlin and Butt have demonstrated a keen interest.

The Treasurer's office has recently launched the statewide Green Wave environmental investment initiative. The California Employee Retirement System and California State Teachers Retirement System have committed \$950 million to investment in environmentally responsible companies.

This roundtable is an excellent opportunity to showcase Richmond to venture capitalists. It is also an opportunity for current businesses to make contact with those willing and able to provide funds to modernize and improve industry practices.

In May, we will partner with the State Board of Equalization to host a training for women that wish to start, or have started, their own businesses and in April we will partner with the Contra Costa Times to co-sponsor their first ever West County job fair.

Never before has a City Manager had an opportunity to hire so deeply into the city structure in the first year. While this might sound like a lot of new staff, in fact it represents fewer staff than in previous years and a flattening of the management structure into a lean team of accomplished leaders.

Further staff changes under the Council's supervision include our new City Attorney, John Eastman, a land use expert and well versed in the requirements of the Brown Act.

We also welcome back to our City staff, in the position of Investigative Officer for the Police Commission, Don Casimere. Mr. Casimere has a proven track record in Sacramento as well as in our own community.

The number one concern I hear in my community rounds is to keep our streets clean. Our ability to address this issue suffered greatly as we worked to weather our financial crisis. Mr. Eastman's task in this next few weeks will be to create, amend and bring before us some 25 ordinances that will serve to increase our ability to **abate** blight, **improve** abandoned properties and **punish** those that engage in illegal dumping and community pollution. It is a priority that **WILL** be addressed.

There is understandable concern amongst our citizens about extreme abatement cases where property may be taken into receivership. I, and this council, believe that the ordinance must be designed in such a way to allow us to go after those abandoned and burnt out buildings in our neighborhoods that have become a haven for crime and drugs. At the same time, it **MUST** provide protection for the elderly, poor or those that simply need assistance to maintain and improve their home and property.

Finally, one of my stated priorities has been to increase transparency and efficiency in government. I want to thank City Clerk Diane Holmes for her proposal to get our reports for every council agenda item onto the web site well before the meeting. This will increase transparency in our decision making by allowing the community easy and timely access to the information that frame our decisions.

What a renewal of leadership for our City! **THIS** is the team that will help us into our second century. Please give them a round of applause.

What have accomplished together?

I stand before you today, at the turn of our new century, with great humility and profound hope to report that we **have** cash reserves, our revenues are up, our cash balances are up and our expenses are down.

We restructured our debt to reduce capital costs. We are poised to once again, before the end of this fiscal year, to move our debt structure out of the private markets and back into the public markets.

As you will hear later tonight, we stand at the mid-point of our fiscal year with more money coming in than going out, a savings account that is ready to be fully funded and debt that is consolidated and payable.

We have downsized to the right size. We have downsized to the right size to meet our fiscal resources and we are rebuilding this City one dollar at a time.

We **MUST** dispel the belief that our City is in shaky financial shape. Under new leadership, we have spent the last year RE-building, RE-structuring and RE-solving. NOW is the time to RE-invest in our services and deliver them to our residents.

We have turned a corner into the new century. The New Richmond is before us. The only way we can move forward from here is together, with a common purpose and a common set of eyes. My hope is that walking step by step, hand in hand; we will turn the corner and behold the jewel of the East Bay – the GREAT City of Richmond.

COUNCIL REORGANIZATION

Elect A Vice Mayor

On motion of Councilmember Griffin, seconded by Vice Mayor Rogers, the Council voted unanimously to elect Councilmember Maria Viramontes as Vice Mayor for 2006.

Presentation to former Vice Mayor Rogers

Mayor Anderson presented a plaque to outgoing Vice Mayor Jim Rogers and thanked him for his support during the year.

Comments from former Vice Mayor Rogers

Councilmember Rogers thanked the City Council for the opportunity to serve as Vice Mayor during the past year. He said that it is a profound honor to serve as Vice Mayor. He said the City Council should take advantage of its zoning power as a City and see it as a resource in attempts to stop the violence in the streets. He said that if developers will be taking commercially zoned lands and developing them for residential, the developers should contribute to the well-being of the citizens, especially for those citizens living in high-crime areas. He gave comments regarding the choice of Christopher Magnus as Police Chief. Vice Mayor Viramontes and Councilmember Griffin complimented Councilmember Rogers on his year as vice mayor.

Appointments to City Council Standing Committees and Regional Committees

Standing Committees:

Finance, Administrative Services and Economic Development;

Committee Members: Councilmembers Griffin, Butt, Rogers and Thurmond

Public Safety & Services;

Committee Members: Councilmembers Marquez, Bates, Rogers and McLaughlin

Rules & Procedures;

Committee Members: Councilmembers Butt, McLaughlin, Viramontes and Thurmond

Regional Committees:

West County Integrated Waste Management;

Members: Councilmembers Viramontes, Bates and Griffin

Alternate: Councilmember Rogers

West Contra Costa Transportation Advisory Committee (WCCTAC);

Members: Councilmembers Butt, Viramontes and Mayor

Alternate: Councilmember Marquez

West County Agency;

Members: Councilmembers Bates and Griffin

Alternate: Councilmember Viramontes

East Bay Regional Parks; Councilmember Butt and Mayor Anderson

Alternate: Councilmember McLaughlin

Boards, Commissions and Committee Liaisons:

Arts & Culture; Councilmember McLaughlin

Commission on Aging; Councilmember Griffin

Crime Prevention; Councilmember Marquez

West Contra Costa Unified School District; Councilmember Griffin and Thurmond

Economic Development Commission; Councilmember Viramontes

Housing Advisory Board; Councilmember Bates

Human Relations Commission; Councilmember Rogers

Library Commission; Councilmember McLaughlin

Police Commission; Councilmembers Griffin and Viramontes

Workforce Investment Board; Councilmember Thurmond

Design Review Board; Councilmember Butt

Recreation & Parks Commission; Councilmember Marquez and McLaughlin

Sister City Relations Commission (Regla, Cuba – Shimada, Japan – Zhoushan, China); Councilmember Bates

Youth Commission; Councilmember Thurmond and Griffin

Revolving Loan Fund; Councilmember Bates

Richmond Main Street Initiative; Councilmembers Marquez and Viramontes

Mayor Anderson clarified that being a liaison means the Councilmember will be available to the Board or Commission should there be a need for Council input. The Councilmember does not need to attend each meeting. On motion of Councilmember Bates, seconded by Vice Mayor Viramontes, approved the Mayor's appointments by the unanimous consent of the Council.

STATEMENT OF CONFLICT OF INTEREST

None.

AGENDA REVIEW

Items J-4, J-5, and J-8 were removed from the Consent Calendar.

Continued to February 7, 2006, Item J-2, a Purchase of Services Contract with Moore Iacofano Goltsman, Incorporated (MIG).

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

John Eastman, City Attorney made the following report:

CC1. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION

One Case: Wilson vs. City of Richmond: Settled in the amount of \$25,000 by the following vote: **Ayes:** Councilmembers Thurmond, Bates, Griffin, Rogers, McLaughlin, and Mayor Anderson. **Noes:** Councilmember Butt. **Absent:** Councilmembers Marquez and Viramontes.

RRA1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 1121 Macdonald Avenue: Staff was given confidential negotiation direction.

CC2. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION:

One Case: Baykeeper vs. City of Richmond et al.: Council was provided with a confidential briefing.

CC3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney: The Council conducted a confidential performance review.

CC4. CONFERENCE WITH LABOR NEGOTIATORS

Employee organization or unrepresented employee: IAFF Local 188 (Firefighters): The Council was provided with a confidential briefing.

OPEN FORUM FOR PUBLIC COMMENT

Naomi Williams, Richmond Neighborhood Coordinating Council Information Officer, invited the residents of Richmond to a reception welcoming Police Chief Christopher Magnus, on Thursday, February 2, 2006, 5:00 p.m., to 7:00 p.m., in the Richmond Convention Center Auditorium. On behalf of Greater Richmond Interfaith Program (GRIP) a fundraiser will be held for the new shelter on February 11, 2006, 5:30 p.m., to 9:00 p.m., at the Unitarian Universalist Church.

Mike Ali gave religious comments.

Renate Siman reminded everyone that participation in sports helps to prevent preschoolers, elementary kids, and teenage boys from becoming involved with drugs, gangs, and violence. She also said that the elderly residents and our pets need to be cared for. She encouraged everyone to always think what he or she can do to make Richmond a better place.

Ed Paasch commended Mayor Anderson for advocating for the youth. He advocated for more intramural activities starting in grammar school.

Corky Booze stated that comments made in the past were not directed to the Mayor. He commented on the absence of Councilmembers at the Richmond Steelers event held at the Richmond Convention Center. He asked the Mayor to join forces with Reverend Andre Shumake to stop the violence.

Jim Jenkins attended the Solar Richmond kick-off meeting held at the Madeline F. Whittlesey Room. He asked the City Council to support the idea.

Chris Hammond commended Mark Howe, Richmond Police Officer, for his efforts and actions regarding an illegal dumping on Mr. Hammond's property. He encouraged and challenged other Richmond residents to report illegal dumping and the City of Richmond to enforce the illegal dumping laws.

Lee Jones, Keep North Richmond Beautiful Vice Chairperson, commended Chris Hammond for helping to keep North Richmond beautiful.

Lola Ejiwunmi, Keep North Richmond Beautiful Program Coordinator, thanked Chris Hammond for his help. She said that Mr. Hammond removes tons of garbage from North Richmond at no cost. She reminded the residents of Richmond that the cost of garbage is very expensive for the taxpayers. She said that the only licensed trash hauler is Richmond Sanitary Services.

Zachary Harris requested that the cyclone fence serving as a barrier between Cutting Boulevard and the Cutting Boulevard sound wall be repaired and cleaned up.

Arnie Kasendorf, Richmond Commission on Aging Chairperson and West County Senior Coalition member, gave comments regarding his concern about Richmond Senior citizens. He said that the West County Senior Coalition is concerned with the welfare and well-being of the City's senior citizens. He said that the City's senior citizens are being underserved and an Office of Seniors liaison should be considered.

JoAnn Tillmon challenged each resident of Richmond to volunteer in the community to ensure that the youth have something to do.

Kevin Hampton stated that accountability is necessary to ensure individuals are trained and ready to work when jobs are available in the City of Richmond. He said that he is a member of the Richmond Steeler organization and clarified for the public that the Richmond Steelers' Board requested that no Richmond City Councilmembers be present at the banquet held at the Richmond Auditorium.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

City Clerk read a proclamation designating February 2006 as American Heart Month and declaring February 3, 2006, as Wear Red for Women Day in the City of Richmond. Mayor Anderson presented the proclamation to Nicole Patterson, who thanked the Council for the proclamation. Ms. Patterson also gave Red Dress lapel pins to the Mayor for distribution.

City Clerk read a proclamation acknowledging Duane Chapman for serving as Chairperson of the Human Relations Commission from 1996 to 2006. Mayor Anderson presented the plaque to Mr. Chapman and thanked him for helping those in need. Mr. Chapman thanked the City Council for the presentation. He said to receive the recognition on the day of Coretta Scott King's death is very meaningful to him. He said that he would give the award to his mother who encouraged him to help those less fortunate.

CONSENT CALENDAR

City Clerk announced that the speaker cards for Items J-5 and J-8 were withdrawn, placing the items back on the Consent Calendar. On motion of Vice Mayor Viramontes, seconded by Councilmember Griffin, all items marked with an asterisk (-*) were approved by the unanimous vote of the Council.

*-Approved the minutes of the Morning and Evening sessions held on January 10 and 17, 2006.

Continued to February 7, 2006, a proposed Purchase of Services Contract with Moore IacofanoGoltsman, Incorporated (MIG) to update the City of Richmond's General Plan. The total amount of the contract will not exceed \$1,600,000, and the contract period is December 6, 2005, through June 11, 2007.

*-Approved an amendment to a contract with Victor R. Ochoa to provide services as special legal counsel and extend the term of the contract through June 30, 2006. The total amount of the contract amendment is \$20,000 for a total contract amount of \$54,999.99.

A proposed contract with Ross Recreation to provide additional playground equipment and rubberized surfacing at La Moine Park was presented. The total amount of the contract is \$111,375.63. The contract period is January 1, 2006, through June 30, 2006. Sharon West, Assistant to the Parks Superintendent, gave an overview of the matter. The following individual spoke on the matter: Corky Booze. Following discussion, on motion of Councilmember Griffin, seconded by Vice Mayor Viramontes, approved the contract by the unanimous vote of the Council.

*-Approved an agreement with the Regional Center of the East Bay to vendorize the Disabled People's Recreation Center's afternoon program.

*-Adopted **Resolution No. 10-06** denying in part and granting in part the appeal of Rod Satre and Bonnie Satre-Daley of the Planning Commission's conditional approval for variances to construct a single-family dwelling and garage at 301 Pacific Avenue.

*-Adopted **Resolution No. 11-06** endorsing and supporting the California Reading and Literacy Improvement and Public Library Construction and renovation Bond Act of 2006.

*-Adopted **Resolution No. 12-06** accepting \$338,998 in the Department of Homeland Security – Assistance to Firefighter Assistance (AFGP) Funds, and approving a spending plan for the grant funds that will include the purchase of new fire station emergency generators, diesel exhaust recovery systems, and costs of installation.

*-Adopted **Resolution of Intention No. 893** to vacate a portion of Embarcadero within Bio-Rad facilities at 3110 Regatta Boulevard and set a public hearing for March 7, 2006.

*-Adopted **Resolution of Intention No. 894** to vacate a portion of Harbour along the southern border of the Bio-Rad facilities at 3110 Regatta Boulevard and set a public hearing for March 7, 2006.

*-Adopted **Ordinance No. 9-05 N.S.**, amending Richmond Municipal Code Chapter 12.18 pertaining to Discharges to the Wastewater Treatment System, to include a Fats, Oils, and Grease (FOG) Program.

PUBLIC HEARINGS

City Clerk announced this was the time set pursuant to mailed notice to conduct a public hearing for levy of special assessments on certain properties for recovery costs for Lot Cleanup Notifications, inspections, re-inspections, cleanups, and/or boarding of buildings performed by the City of Richmond.

City Clerk announced this was the time set to pursuant to mailed notice to levy special assessments on certain properties for administrative citations issued by the City of Richmond.

Both items were considered together by the Council. Sgt. Darren Monahan, Richmond Police Department, gave an overview of the matter. He said that each of the properties have exceeded the 30-day time limit to pay the fines for the property and each property owner has been offered, in writing, the opportunity to appeal the fine to either were denied or did not use the process. He said supporting documentation is on file with the Police Department. Mayor Anderson declared the public hearing open. The following individuals signed up to speak on the matter: Corky Booze, De Wanda Joseph, Ernestine

Martin, George Shers, Daphne Primes, and Virginia Burleigh. Discussion ensued. Ron Berry, Richmond Police Lieutenant, clarified that until recently the process allowed those property owners protesting the fine to have their names removed from the list. John Eastman, City Attorney, recommended that any liens that the City Council wish to be removed can be directed back to staff in an attempt to resolve the issue. Following discussion, on motion of Councilmember Bates, seconded by Vice Mayor Viramontes, to refer the following individuals present at the meeting be referred to the staff for resolution: De Wanda Joseph, Ernestine Martin, George Shers, Daphne Primes, and Virginia Burleigh, and adopted **Resolution No. 13-06** for **Lot Cleanup Notifications**, and **Resolution No. 14-06** for **Administrative Citations** respectively, by the unanimous vote of the Council.

AGREEMENTS

None.

RESOLUTIONS

None.

ORDINANCES

A proposed ordinance amending the Richmond Municipal Code Section 6.02.170(d) to limit allowable time to complete a permitted project was presented. Richard Mitchell, Planning and Building Director gave an overview of the matter. He said that the purpose is to reduce the allowable time to complete work under a building permit from 730 days to 365 days, as specified in California State Building Code and reduce the number of allowable extensions from two to one. There were no questions from the audience. Discussion ensued. Councilmember Bates stated that he does not support the insensitivity to economic and environmental situations. He suggested the matter should be appealed to the City Council. Following discussion, a motion by Councilmember Butt, seconded by Councilmember Bates, to include language that states the revocation of a building permit for projects with square footage of 100,000 and over shall be appealed to the City Council at the end of 365 days passed and said ordinance received first reading and was laid over one week for second reading, by the unanimous vote of the Council (Councilmember Griffin left the meeting).

COUNCIL AS A WHOLE

In the matter of the Mid-Year Review of the 2005/06 Budget. Jim Goins, Finance Director, presented the overview. He gave updates on the (1) Status of the Financial Recovery Plan, (2) Fiscal Year 2003-04 Audit, (3) Multi-Year General Fund Budget—Actuals and Projections, (4) Finance Director's Priorities, (5) Next Steps, (6) Mid-Year Budget Review, and (7) 2006-07 Budget Process. He highlighted key budget items as being the City's achievement of structurally balanced budgets for FY 2003-04 and FY 2004-05. Structurally balanced budgets are projected for FY 2005-06 through FY 2007-

08 as well. A Reserve Policy of 10% or \$10 million dollars has been established. Mr. Goins thanked and introduced his key staff for their hard work. Corky Booze gave comments on the matter. Discussion ensued. Vice Mayor Viramontes requested that the 30 Special Funds be included when voting on the final budget. She also requested that each Councilmember receive a copy of the PERS letter that approved the reimbursement to the General Fund of costs. The City Council commended Mr. Goins and the Finance Department staff. Following discussion, the Council accepted the report.

In the matter to consider holding a strategic planning session to identify Council priorities for 2006. Councilmember Thurmond gave an overview of the matter. Discussion ensued. Councilmember Butt said that he believes a Community Survey to determine what the community's priorities are. He said that it is an essential step in determining what the community wants. He urged the City Council to budget a survey then take the results and convene a strategic planning session. Councilmember McLaughlin concurred with Councilmember Butt regarding a community survey. Corky Booze gave comments on the matter. Mayor Anderson appointed a committee that includes Vice Mayor Viramontes, Councilmembers Bates, and Thurmond. Any suggestions are to be given to any Committee member, Trina Jackson, Office of the Mayor, or Office of the City Manager.

In the matter to discuss the following recommendations from the Rules and Procedures Committee: (a) Restructure meetings for the City Council and (b) allow a one to two minute rebuttal option for appellants and applicants during public hearings. Bill Lindsay, City Manager, gave an overview of the matter. Under Restructure meetings of the City Council, Councilmember Bates added item number 14 that states that Councilmembers should not dominate the discussion on an item and the Mayor should have the latitude of determining when a Councilmember is dominating the discussion on an item. A motion was made by Councilmember Bates, seconded by Councilmember Thurmond, to direct staff to make the changes to the following items: Item 2: add the statement *when necessary*. Item 6: There should be flexibility based on time sensitivity. Item 7: add the statement *no later than Tuesday at 5:30 p.m.* Item 11: Mayor Anderson requests the Code of Ethics be placed on the wall of the Council Chamber. Item 13: The City Manager will make the determination regarding time limit for staff reports. Item b: A motion by Vice Mayor Viramontes, seconded by Councilmember Bates, approved to follow the Planning Commission format: an eight minute presentation for the appellant and the applicant, two minutes for all others, hear all proponents at the same time and all of the opponents at the same time, passed by the unanimous vote of the City Council. John Eastman, City Attorney, will draft and submit a resolution for the Council to adopt, including the Rosenberg Rules of Order.

COMMUNICATIONS

Referrals to staff from the City Council.

Councilmember Bates referred the matter regarding public hearing items that the Council cannot come to consensus for the Design Review Board or the Planning

Commission decision to prevail. John Eastman, City Attorney, will bring the matter back for Council review.

Councilmember Griffin referred the matter regarding a code of ethics for the citizens to the City Attorney.

Vice Mayor Viramontes referred the matter of acknowledgement of the Police Commission retirees to staff.

Vice Mayor Viramontes referred the matter of the back payments on local streets and maintenance from the Contra Costa Transportation Authority to the City Manager.

Vice Mayor Viramontes referred the matter of a separate vote on accepting the Housing Element State Letter to the City Manager.

Councilmember Rogers referred the matter of conducting a study session regarding the Marina Bay Overpass issue to be placed on the February 7, 2006, agenda.

Councilmember Rogers referred to the City Attorney the matter of how to legally give direction to staff. City Attorney Eastman, clarified that the study sessions are meetings.

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

Reports of Chairpersons of:

Finance Standing Committee: Councilmember Butt will convene a Committee meeting. The next meeting will be held on February 14, 2006, at 3:00 p.m., in the Council Chambers.

Public Safety Standing Committee: No report.

Rules and Procedures Standing Committee: Councilmember McLaughlin, Chairperson, reported that the next meeting will be held on February 22, 2006, at 8:30 a.m.

Councilmember McLaughlin thanked the community for attending the Solar Richmond kick-off meeting.

Councilmember Griffin

Will meet with the Commission on Aging on Friday, February 3, 2006.

Requested the City flags be flown at half-mast in memory of Coretta Scott King.

Thanked the City Council for the plant he received in honor of the passing of his brother who was 92 years old, Marion Griffin, who lived in Chicago, Illinois all of his life. Councilmember Griffin also thanked Mayor Anderson and the City Council for the plaque presented to his brother during their family reunion.

Vice Mayor Viramontes

Thanked the City Council for electing her Vice Mayor.

Mayor Anderson

Attended the Conference of Mayors conference held recently.

The Deputy Secretary of Housing Urban Development (HUD) commended Lisa Hamburger, Richmond Redevelopment Agency for the tour she led during his visit.

ADJOURNMENT

There being no further business, adjourned at 11:42 p.m., in memory of Betty Van Asten, former city employee; Angela Owens, who was Mayor Anderson and Councilmember Griffin's neighbor; Marion Griffin, brother of Councilmember Griffin; Fay H. Hawkins, Jr., Richmond Police Lieutenant, retired; and Coretta Scott King, to meet again in one week on February 7, 2006, at 7:00 p.m.

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor