

RICHMOND, CALIFORNIA, June 27, 2006

The Special Meeting of the Richmond City Council was called to order at 4:10 p.m., by Mayor Irma L. Anderson, who led the Pledge of Allegiance to the Flag.

ROLL CALL

Present: Councilmembers Butt, Thurmond, Marquez, Griffin, McLaughlin, Viramontes, and Mayor Anderson.

Absent: Councilmembers Bates and Rogers (Councilmember Rogers arrived at 4:22 p.m.)

STATEMENT OF CONFLICT OF INTEREST

None.

RESOLUTION

A proposed resolution adopting the Fiscal Year 2006/2007 Annual Operating Budget pursuant to Section 1(b) of Article IV of the Richmond City Charter was presented. A motion was made by Vice Mayor Viramontes, seconded by Councilmember Griffin, to accept the 2006/2007 budget amended to include the \$840 for Police Commission brochures in English and Spanish and \$130,000 requested by the City Council to augment the Planning staff to complete the Demolition Ordinance in a timely manner, \$10,000 for the taxi safety equipment, and the remaining Checklist items will be debated during the mid-year budget review. Discussion ensued. Councilmember Butt stated that he did not understand why it is necessary to set aside \$130,000 for the writing of a demolition ordinance. Bill Lindsay, City Manager, explained that the \$130,000 is for additional staff in the Planning Department. Councilmember Butt asked for clarification regarding the Quiet Zones. Rich Davidson, Engineer, stated that there are two items in the Capital Improvement Project Budget, one is Traffic Safety Improvements and the other is Miscellaneous Repairs. He said both items can be used for safety related projects. Councilmember Butt asked for clarification regarding funding the completion of the Bay Trail along Harbour Way pursuant to Year 2000 Council resolution. Steve Duran, Community and Economic Development Executive Director, stated that there is \$453,000 planning money in the budget, but there is no construction money this year. Councilmember McLaughlin said that she would vote to support the budget because she believes it represents a step in the right direction toward the City's financial recovery. She said that it is unfortunate that the new budget comes in the wake of almost two years of dramatically reduced services, layoffs of city employees, and the sale of public property. She said that she appreciates the roles of the new city manager and finance director have played in helping to guide the City from the debacle of recent years. She said that she hopes that the City Council has heard loud and clear from the State Audit that mismanagement and hiding of the truth got the City into the \$35 million dollar hole and that measures are taken that it never happens again. Mayor Anderson thanked the City Manager, Finance Director, and staff that worked diligently on the budget. Following discussion, the motion passed and **Resolution No. 50-06** was adopted, by the unanimous vote of the Council.

A proposed resolution adopting the 2006/2007 appropriation Limit pursuant to Title XIII B, as amended, of the Constitution of the State of California was presented. There were no questions from the audience. On motion of Vice Mayor Viramontes, seconded by Councilmember Rogers, adopted **Resolution No. 51-06**, by the unanimous vote of the Council.

RECESS

The City Council recessed at 4:34 p.m. to reconvene again at 7:35 p.m.

City Clerk

(SEAL)

Approved:

Mayor

RICHMOND, CALIFORNIA, June 27, 2006

The Special Meeting of the Richmond City Council was called to order at 7:35 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

Removed Agenda Item F-1 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.

CC-1. Conference With Labor Negotiators

A confidential briefing and direction was provided to the City Council.

CC-2. Public Employee Performance Evaluation

Title: City Manager

A confidential performance evaluation of the City Manager was conducted.

Attorney Eastman noted that Councilmembers Bates and Marquez were absent during the Closed Session.

PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

Angela Cox, Richmond Public Library Young Adult Librarian, presented scholarships made possible by the Friends of the Richmond Public Library; Ivy West Educational Services, Incorporated; the Richmond Public Library; and a group of Parents from Salesian High School. Ms. Cox presented a \$1,000 scholarship to Maryam Muhammad, a graduate of Middle College High School, and a \$500 scholarship to Joseph Genser, a graduate of El Cerrito High School. The City Council congratulated the recipients, their parents, and the organizations sponsoring the scholarships. Naomi Williams gave comments on the matter.

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.

A proposed contract for \$57,000 with Contra Costa County that will fund the City's participation in pedestrian safety enhancing activities was presented. Corky Booze gave comments on the matter. He requested that the Council to consider several locations for the pedestrian safety enhancing activities: Iron Triangle, 23rd Street near Hands Liquor Store, Carlson Boulevard, and Ohio Avenue. Following discussion, a motion was made by Vice Mayor Viramontes, seconded by Councilmember Marquez, to approve a contract for \$57,000 with Contra Costa county by the following vote: **Ayes:** Councilmembers Butt, Thurmond, Bates, Marquez, Rogers, McLaughlin, Viramontes, and Mayor Anderson. **Noes:** None. **Abstentions:** None. **Absent:** Councilmember Griffin.

*-Adopted **Resolution No. 50-06** approving the Final Map and Improvement Plans of Subdivision 8882, Spinnakergate at Marina Bay, and direct the recording thereof.

*-Adopted **Resolution No. 51-06** approving the Final map of Subdivision 9061, an eight-unit condominium complex located in the Iron Triangle area of Richmond, and direct the recording thereof.

*-Adopted **Resolution No. 52-06** approving budget adjustments for the Library, accepting California Public Library Fund (PLF) funds in the amount of 440,453, and electronic subsidy funds in the amount of \$550, from the California State Library, for Fiscal Year 2005-2006.

*-Adopted **Resolution No. 53-06** approving budget adjustments for the Library, accepting the California State Library Local History Digital Resources Programs Grant in the amount of \$6,000, and authorizing the Director of Library and Community Services to sign all required documents related to this action.

*-Adopted **Resolution of Intention No. 896** calling for a Public Hearing on July 18, 2006, to consider the levy of an assessment for the Hilltop Landscape Maintenance District.

*-Adopted **Ordinance No. 26-06 N.S.** repealing Ordinance 10-04 N.S. and 21-06 N.S. and setting forth City Council compensations regarding cellular phone and facsimile monthly allowances to achieve compliance with AB 1234.

*-Adopted **Ordinance No. 27-06 N.S.** amending Section 11.96.030 under Richmond Municipal Code, pertaining to the citation of homeless person for "camping" in public when public shelter is unavailable.

*-Adopted **Resolution No. 54-06** to allow the City of Richmond to enter into a standard agreement (C0525270) with the Franchise Tax Board for the purpose of the City's participation in the FTB's City Business Tax Data Program.

COUNCIL AS A WHOLE

In the matter to adopt a resolution affirming the "Buffer Zone" in the Knox Freeway/Cutting Boulevard Corridor Specific Plan, and directing staff to prepare amendments to the zoning ordinance. Richard Mitchell, Planning and Building Director, gave an overview of the matter. He said this a follow up and a

companion resolution to the Westshore resolution and directs staff to look at the language in the Knox/Cutting Specific Plan and identify and remove ambiguities that have created confusion regarding allowed and conditional, and not allowed uses in a specific area referred to as the buffer zone which is bordered by Harbour Way on the west and Marina on the east, I-580 and Hall Avenue. He said by passing the resolution the Council would direct staff to undertake a review of the land uses and come back with recommendations. Councilmember Butt asked why it is necessary to proceed with this matter outside of the general plan update and zoning process currently underway. Mr. Mitchell stated that this will not impact any existing applications for uses in the buffer zone. However, he said that given the amount of activity that is occurring in the district and timing of the general plan it made sense to move forward with this activity. The following individuals spoke on the matter: Ethel Dotson, Corky Booze, and David Spatz. Following discussion, a motion was made by Vice Mayor Viramontes, seconded by Councilmember Marquez, and **Resolution No. 55-06** was adopted, by the following vote: **Ayes:** Councilmembers Thurmond, Bates, Marquez, Griffin, Rogers, Viramontes, and Mayor Anderson. **Noes:** Councilmembers Butt and McLaughlin. **Abstentions:** None. **Absent:** None.

In the matter to consider adopting a resolution endorsing Senate Bill 148 which gives authority to local governments to establish a reasonable period of time for a nuisance liquor store to conform to changing zoning requirements. Councilmember Butt gave an overview of the matter. The following individuals spoke on the matter: Ethel Dotson and Corky Booze. Following discussion, a motion was made by Councilmember Butt, seconded by Vice Mayor Viramontes, to adopt **Resolution No. 56-06** endorsing Senate Bill 148, by the unanimous vote of the Council.

In the matter to direct the City Manager to direct the Fire Chief to enter into discussions with the County Fire Chief and other local fire chiefs to work towards effective and efficient fire services in West County cities. Mayor Anderson gave an overview of the matter. Councilmember Marquez requested the matter be continued for two weeks for discussions. Mayor Anderson declined the request. She said that the motions that will be discussed have nothing to do with the City of Richmond not willing to provide quality, efficient and effective services. Discussion ensued. A motion by Councilmember Rogers to direct the City Manager to direct the Fire Chief to enter into discussions with the County Fire Chief and other local Fire Chiefs to work towards effective, and efficient fire services in West County Cities, and specifically, that the City Manager direct the Fire Chief to take action to attempt to enter into an agreement with the County of Contra Costa that Richmond would take over the two County fire stations in West County, failed for lack of a second. A motion by Councilmember Marquez to continue the matter for two weeks until July 18, 2006, failed for lack of a second. Corky Booze gave comments on the matter.

ADJOURNMENT

There being no further business, adjourned the meeting at 8:32 p.m., in memory of Herman Osborne, Sr., a longtime resident of Richmond, to meet again in two weeks on Tuesday, July 11, 2006, at 7:00 p.m.

City Clerk

(SEAL)

Approved:

Mayor