

**RICHMOND, CALIFORNIA, April 3, 2007**

The Regular City Council was called to order at 7:20 p.m. by Mayor Gayle McLaughlin.

**ROLL CALL**

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

**Absent:** None

**STATEMENT OF CONFLICT OF INTEREST**

Councilmember Butt stated a conflict of interest on Item G14 and he would abstain from voting.

**AGENDA REVIEW**

Removed Items G6, G8, G9, G10, G11, G12, G13, and G18 from the Consent Calendar.

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

City Council took action this morning to hire Louise Renny of Renne, Sloan, Holtzman & Sakai as the Interim City Attorney. She will be assisted by Randy Riddle of the same law firm. A contract will be submitted by April 18, 2007, to the City Council for approval. The City Manager thanked the City Attorney, John Eastman, for his service with the City.

**OPEN FORUM FOR PUBLIC COMMENT**

Reverend Shumake introduced Etta Harris, widow of Fred Harris. He also thanked the City for two proclamations presented to the Harris family.

Etta Harris thanked the Mayor and the City Council for all of their support during her time of bereavement in the loss of her husband.

Corky Booze thanked the City for the proclamation for Fred Harris.

Tanya Boyce reported that there was a successful neighborhood meeting in the Cortez area, and Richmond Village. She presented pictures of fencing concerns.

Mike Ali invited everyone to attend the 30-year anniversary of the longest walk (1978-2008). The second longest walk will be held February 11 – July 11, 2008. Planners and organizers for the event include Honorable Limon Brightman, founder of the United Native Americans, Honorable Dennis Banks, co-founder of the American Indian Movement. Visit the website at [www.sacredrun.org](http://www.sacredrun.org). Mike Ali also announced that this Saturday, April 10, 2007, at UC Berkeley's Polly Ballroom, the 23<sup>rd</sup> UC Berkeley Pow Wow will be held. This event is free.

James and Flora Campbell residents at 1531 Santa Clara St., asked for assistance in identifying lot 15, of block 19. Parcel# 508-242-005-9.

Corky Booze talked about his dissatisfaction with the City of Richmond's inability to crack down on non-licensed drivers.

James Cash stated his dissatisfaction with the City issuing citations to homeowners for weeds over 18 inches when the grass at a public park has the same violation. He also stated that the City is spending time cutting locks from the gates of property owner's to abate vehicles when the City streets need to be repaired. Police are also citing people for Christmas lights. He requested the City stop harassing the citizens.

Jackie Thompson reported people are being cited for overgrown lawns and inoperable cars parked on their property. She feels the City should reevaluate the blight ordinance.

Elmina Green, Chairperson for the Human Relations/Human Rights Commission, reported on a special meeting held on April 2, 2007. Rhonda Harrison, of Contract Alliance of Richmond, brought concerns to the commission regarding the City of Richmond's competitive bidding process and lack of compliance, relating to the recent award of a contract to Overra for the rehabilitation of five community centers and two branch libraries. City personnel attending the meeting included: City Manager, Bill Lindsay; Financial Director, Jim Goins; City Engineer, Rich Davidson; Senior Assistant City Attorney, Everett Jenkins; and Senior Buyer, Roger Helbig. Elmina Green reported that Bill Lindsay stated the process could have been handled better. Jim Goins informed the Commission that the Financial Department will utilize new tools to ensure that all local companies are aware of upcoming projects, i.e. complete business listings and city bids online. The Commission recommended that the Finance Department hold workshops for local businesses regarding the City's bidding process, cooperative efforts with the Employment and Training Department, create a local business listing, and provide status reports to the Commission as needed in the future.

Charles Evans reported that his children were removed from his home illegally in 2002 by Richmond Police Officers. He reported that the City Council has until 2014 to address his concern. He urged the City Council to read the article written by Contra Costa Times, January 16, 2006, regarding the death of Rayon Daniels who died tragically in the City of Richmond.

Carol Johnson announced that due to loosing several family members and friends to gun violence, she was motivated to start the West Contra Costa County Chapter of the Brady Campaign to Prevent Gun Violence. She announced that in the future she can work with the Richmond City Council and other groups to stop the violence.

#### **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Mayor McLaughlin read and presented a proclamation recognizing National Library Week, April 15-21, 2007 to Monique le Conge, Library and Community Services Director. Ms. le Conge thanked Mayor McLaughlin for the proclamation, and she introduced Luis Perez, Chair of the Library Commission. Mr. Perez gave an update of the many exciting things happening at the Library. The Library is currently in the middle of their needs assessment. The main library branch continues to be open six days a week. Staff is working very hard to get other branches open by this summer. He invited everyone to visit the Library Website to see additional changes. Following the reading of the proclamation, Mayor McLaughlin thanked all the Library workers and encouraged all citizens to make use of the Library. Luis Perez read the proclamation in Spanish.

Mayor McLaughlin read the proclamation in recognition of National Volunteer Week, and Councilmember Lopez gave comments. Councilmember Lopez thanked all volunteers in the City of Richmond on behalf of herself and the Richmond City Council for all of their hard work. Mayor McLaughlin gave comments and thanked the volunteers. Mike Ali gave comments.

### **CONSENT CALENDAR**

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

\*-Adopted Resolution No. 35-07 authorizing the Port Director to apply for a grant from the California State Coastal Conservancy and use the proceeds to prepare construction design documents for a Bay Trail segment along Canal Boulevard extending 465 feet north of Seacliff Drive.

\*-Adopted a Resolution No. 36-07 in support of accepting, if awarded, the 2007 Citizen Corps California Volunteers Grant of \$100,000, for developing a Fire Department program to service the needs of Richmond's vulnerable population before, during, and after a major disaster.

\*-Approved the purchase of Vermeer SC 802 Stump Cutter from Vermeer Pacific at a cost of \$12,876.00.

\*-Adopted Resolution No. 37-07 authorizing the City Engineer to submit a grant application for the Targeted Rubberized Asphalt Concrete Incentive Grant Program, in the amount of \$175,000.00.

\*-Adopted Resolution No. 38-07 approving the Final Map of Subdivision 9040 in the Belding Woods area of Richmond and directing the recording thereof.

A proposed contract with Best Roofing & Waterproofing Inc. for roof replacement and repair services at five community centers and two branch libraries in an amount not to exceed \$550,000.00 was presented. James Goins, Finance Director, gave an overview. The following individuals spoke on the item: Corky Booze. Following discussion, on motion by Councilmember Thurmond, seconded by Councilmember Sandhu, approved the contract, by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Thurmond, Mayor McLaughlin, and Vice Mayor Bates. **Noes:** Councilmember Butt. **Absent:** None.

\*-Adopted Resolution No. 39-07 authorizing liens to be placed on the County Property Tax Records for unpaid garbage collection service fees.

A proposed ordinance establishing wages, salary, and compensation for the new classification of **Employee Benefits Analyst (salary range: \$5,328 - \$6,438/month)** was presented. Leslie Knight, Assistant City manager/Human Resources Manager, gave an overview of the matter. The following individual spoke on this matter: Tonya Boyce. Following discussion, on motion of Councilmember Lopez, seconded by Councilmember Viramontes, adopted Ordinance No. 13-07 N.S. by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Vice Mayor Bates. **Absent:** Councilmember Thurmond.

A proposed ordinance establishing wages, salary, and compensation for the new classification of **Senior Employee Benefits Analyst (salary range: \$5,998 - \$7,254/month)** was presented. Leslie Knight, Assistant City manager/Human Resources Manager, gave an overview of the matter. The following individual spoke on this matter: Tonya Boyce. Following discussion, on motion of Councilmember Marquez, seconded by Councilmember Viramontes, adopted Ordinance No. 14-07 N.S., by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Vice Mayor Bates. **Absent:** Councilmember Thurmond.

A proposed ordinance establishing wages, salary, and compensation for the new classification of **Community Service Technician (salary range: \$3,323 - \$4,039/month)** was presented. Leslie Knight, Assistant City manager/Human Resources Manager, gave an overview of the matter. The following individual spoke on this matter: Tonya Boyce. Following discussion, a motion was made by Councilmember Marquez, seconded by Councilmember Viramontes to adopt the ordinance. Discussion ensued and Councilmember Viramontes withdrew her second. A motion by Councilmember Marquez to adopt the ordinance, failed for lack of a second. Vice Mayor Bates recommended that the item be moved to closed session for further discussion. Mayor McLaughlin ruled concurred with Vice Mayor Bates recommendation and referred the item to closed session.

A proposed ordinance establishing wages, salary, and compensation for the new classification of **Workforce Program Coordinator (salary range: \$4,471 - \$5,433/month)** was presented. Leslie Knight, Assistant City manager/Human Resources Manager, gave an overview of the matter. The following individual spoke on this matter: Tonya Boyce. Following discussion, on motion of Councilmember Viramontes, seconded by Councilmember Marquez, adopted Ordinance No. 15-07 N.S., by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, Vice Mayor Bates, and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Thurmond.

A proposed ordinance establishing wages, salary, and compensation for the new classification of **Port Administrator (salary range: \$7,293 - \$8,828/month)** was presented. Leslie Knight, Assistant City manager/Human Resources Manager, gave an overview of the matter. The following individual spoke on this matter: Tonya Boyce. Following discussion, on motion of Councilmember Marquez, seconded by Councilmember Viramontes, adopted Ordinance No. 16-07 N.S., by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, Vice Mayor Bates, and Mayor McLaughlin. **Noes:** None. **Absent:** Councilmember Thurmond.

A proposed ordinance establishing the salary plan for classifications in the Exempt and Confidential Management group was presented. Leslie Knight, Assistant City Manager/Human Resources Manager, gave an overview of the matter. The following individuals spoke on this matter: Tonya Boyce, Millie Cleveland, Juanita Taylor, and Theresa Wilkerson. Following discussion, a motion was made by Councilmember Lopez, seconded by Councilmember Rogers, to refer this item to the Finance/Administrative Services Economic Development Standing Committee. Discussion ensued. Councilmember Thurmond made a friendly amendment to the motion, to also include salary survey information for non-management positions as compared to non-management positions in other cities. Further discussion ensued. A substitute motion by Councilmember Butt, seconded by Councilmember Marquez, to approve this item, failed by the following vote: **Ayes:**

Councilmembers, Viramontes, Marquez, and Butt. **Noes:** Councilmembers Sandhu, Rogers, Lopez, Vice Mayor Bates, and Mayor McLaughlin. **Abstentions:** Councilmember Thurmond. Mayor McLaughlin referred the item to the Finance/Administrative Services Economic Development Standing Committee.

\*-Approved a contract amendment with Allen Matkins Leck Gamble Mallory & Natsis in the amount of \$60,000 for legal services with respect to the determination of the fair market rental value of the City's premises located at 1401 Marina Way South, the appeal of the arbitrator's decision, and any additional matter handled on the City's behalf (Councilmember Butt was recorded as abstaining on the vote to approve).

\*-Approved a contract with Shute, Mihaly & Weinberger LLP for legal services to advise the Planning Department on environmental review of the Chevron Energy and Hydrogen Renewal project. The total contract amount is \$95,000.00.

\*-Approved the amended 2006/07 North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Plan in order to continue implementing the Expenditure Plan in the most cost effective and efficient manner.

\*-Approved the absence of Councilmember Viramontes at the April 17 and May 1 City Council Meetings for the purpose of attending two out-of-state due diligence visits in her capacity as a Contra Costa Retirement Board Member.

In the matter to approve recommendations for the following reappointment and appointments: **Economic Development Commission:** Darlene Rios Drapkin, Incumbent, term expiring March 30, 2010; Che Soto-Vigil, term expiring March 30, 2010; **Commission on Aging:** John Melone, term expiring May 19, 2009; **Arts and Culture Commission:** Phillip Mehas, term expiring January 30, 2011. Mayor McLaughlin gave a brief overview. The following individuals spoke on this matter: William Acevedo stated his displeasure that Mayor McLaughlin has not taken action on the applications submitted by the incumbents on the Economic Development Commission for reappointment. Speakers continued with: Bob Dabney, Jim Bates, Katrinka Ruk, Juan Reardon, and Jovanka Beckles. Following discussion on motion of Councilmember Butt, seconded by Councilmember Rogers, approved the appointment of Darlene Rios Drapkin to the Economic Development Commission, by unanimous vote of the Council. A motion by Councilmember Marquez, seconded by Councilmember Viramontes, to approve the reappointment of Che Soto-Vigil to the Economic Development Commission, passed with the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Marquez, Butt, Thurmond, and Mayor McLaughlin. **Noes:** None. **Abstentions:** Vice Mayor Bates. A motion was made by Vice Mayor Bates, seconded by Councilmember Thurmond, to approve the appointments of the following commissioners: John Melone to the Commission of Aging and Phillip Mehas to the Arts and Culture Commission, with the understanding that at the next meeting the Council will present a resolution indicating that Board members who are not reappointed will continue to serve until reappointed or not appointed, passed by the unanimous vote of the Council.

\*- Approved minutes of the Morning and Evening Open Sessions held on March 20, 2007 and March 27, 2007. Councilmember Viramontes requested that her motion on page 3 of the March 27, 2007, minutes read as follows: To have staff go forward with the technical changes and not go forward with a complete review of the Charter and the Blue Ribbon Committee. On motion of Councilmember Viramontes, seconded by

Mayor McLaughlin, the minutes of the Morning and Evening Open Sessions held on March 20, 2007, and March 27, 2007, were approved with the requested correction, by the unanimous vote of the Council.

### **PUBLIC HEARINGS**

The City Clerk announced that this was the time set, pursuant to published notice, to conduct a public hearing to adopt a resolution designating particular structures associated with the Oishi and Sakai Nurseries as Richmond Historic Resources. Richard Mitchell, Planning and Building Regulations Director, and Lisa Hamburger, Deputy Director for Housing and Community Redevelopment, gave an overview of the item, Mayor McLaughlin declared the public hearing open. Mike Ali said the history of the Oishi and Sakai families should be acknowledged. James Oshima, Representative of the Contra Costa Japanese American Citizens League (CCJACL), provided the Council with a letter from the League against this proposal. Mr. Oshima stated that the Contra Costa Japanese American Citizens League does not support the proposal to retain the Sakai and Oishi family home, water tank or green house, as a tribute to the Richmond pioneers of Japanese ancestors. The CCJACL feels that the location is inaccessible to the majority of people and is less ideal for the purpose of honoring these people. The CCJACL is very concerned that the proposed intentions of the house, water tank, and green house could pose a danger to the local residents. Unoccupied houses attract undesirables, vandalism, and could be used for illicit activities. The CCJACL feels a better venue to honor the local Richmond pioneers of Japanese ancestry would be a full photo exhibit, in possibly the Rosie the Riveter Museum or the Rose Garden Tribute, showing the history and contributions of these early pioneers to Richmond. These areas would attract more visitors to learn the history of these early pioneers. Robert Sakai, spoke against the proposal and feels a museum exhibit would be the best venue to honor the Japanese ancestry. Larry Oishi spoke against the proposal and talked about the high costs for restoration of and insurance for the buildings. On motion of Vice Mayor Bates, seconded by Councilmember Marquez, the public hearing was closed by the unanimous vote of the Council. A motion was made by Vice Mayor Bates, seconded by Councilmember Marquez, to deny the request and provide staff direction to prepare findings and statements for denial. Discussion ensued. A substitute motion by Councilmember Butt, seconded by Mayor McLaughlin, to accept staff's report, failed by the following vote: **Ayes:** Councilmembers Butt, Sandhu, Thurmond, and Mayor McLaughlin. **Noes:** Marquez, Rogers, Viramontes, and Vice Mayor Bates. **Abstentions:** None. **Absent:** Lopez. The original motion passed by the following vote: **Ayes:** Councilmember Lopez, Marquez, Rogers, Viramontes, and Vice Mayor Bates. **Noes:** Thurmond. **Abstentions:** Councilmember Sandhu and Mayor McLaughlin. **Absent:** Butt.

The City Clerk announced that this was the time set, pursuant to published notice, to conduct a public hearing to adopt a resolution designating the Winters Building as a Richmond Historic Resource. Richard Mitchell, Planning and Building Regulations Director, gave an overview of this matter. Mayor McLaughlin declared the public hearing open. David Blackburn spoke in support of this matter. A motion by Councilmember Viramontes, seconded by Councilmember Marquez, to close the public hearing, passed by unanimous vote of the Council. A motion by Councilmember Viramontes, seconded by Vice Mayor Bates, to support staff's recommendation, passed and Resolution No. 40-07 was adopted by the following vote: **Ayes:** Councilmembers Sandhu, Lopez, Thurmond, Marquez, Rogers, Viramontes, Mayor McLaughlin, and Vice Mayor Bates. **Absent:** Butt.

### **RESOLUTIONS**

(This item was heard immediately after K2). A proposal to adopt a resolution urging Congress and the President of the United States to sign and pass the Employee Free Choice Act - recognizing working men and women's right to organize in the work place was presented. Councilmember Thurmond gave an overview. A motion was made by Vice Mayor Bates, seconded by Councilmember Viramontes and Resolution No. 41-07 was adopted by unanimous vote of the Council.

### **ORDINANCES**

An ordinance amending the wages, salary, and compensation for the City Council Members clarifying the payment of medical premiums for retired members of the City Council and allowing for the payment of said premiums for non-PERS medical plans was introduced for first reading. The following individual spoke against this matter: Tanya Boyce. A motion was made by Vice Mayor Bates, seconded by Councilmember Viramontes, to approve the first reading of the ordinance. The motion passed and said ordinance received first reading and was laid over two weeks for second reading by the following vote: **Ayes:** Councilmember Sandhu, Lopez, Viramontes, Marquez, Butt, Mayor McLaughlin, and Vice Mayor Bates. **Absent:** Councilmember Thurmond.

### **COUNCIL AS A WHOLE**

In the matter to discuss a proposed program to reduce the number of billboards in the City of Richmond. Councilmember Butt gave an overview. The following individuals spoke on this matter: Corky Booze. Following discussion, a motion was made by Vice Mayor Bates, seconded by Councilmember Rogers, to have staff work with the billboard company to implement the exchange of some billboards in some locations and report back to the Council for review. A substitute motion was made by Councilmember Butt, seconded by Councilmember Rogers to direct staff to provide answers and information about the exchange program to the Council, passed by the following vote: **Ayes:** Councilmembers Sandhu, Rogers, Lopez, Viramontes, Thurmond, Butt, and Mayor McLaughlin. **Noes:** Vice Mayor Bates. **Abstention:** Councilmember Marquez.

(This item was heard directly after the public hearings). In the matter to discuss development and implementation of a Richmond "Office of Neighborhood Safety" to assist in reducing violent crime in the City, and direct staff to begin the hiring process for a director for this office. Mayor McLaughlin, Councilmembers Sandhu and Thurmond gave an overview of the matter. Following discussion, the following individuals spoke on this matter: Reverend Andre Shumake, David Almeida, James Cash, Juanita Taylor, Linda Grant, Juan Reardon, Marilyn Langlois, Miriam Wong, Nora Vigil, Gloria Vasquez, Eduardo Martinez, Robert Ham, Tony Suskar, and Mike Ali. A motion was made by Councilmember Sandhu, seconded by Councilmember Lopez, to extend the meeting for half an hour, passed by the following vote: **Ayes:** Councilmembers Sandhu, Lopez, Marquez., Thurmond, Butt, Mayor McLaughlin, and Vice Mayor Bates. **Noes:** None. **Abstention:** Councilmember Viramontes. **Absent:** Councilmember Rogers. Speakers continued with the following individual: Kate Sibley, Michael Beer, Jackie Thompson, and Corky Booze. Following discussion, on motion of Mayor McLaughlin, seconded by Vice Mayor Bates, authorized the City Manager to begin the process of hiring a director, passed by the unanimous vote of the Council.

In the matter to receive an update from staff regarding the process to retain an economic consultant and an environmental consultant to study Port of Richmond business opportunities, and authorize staff to defer this

process until after completion of the current Council-authorized strategic plan, and until after the outcome of outstanding business proposals is known (approximately six weeks). Jim Matzorkis, Port Director, gave an overview on this matter. The following individuals spoke on this matter: David Aleida, Chris Snyder, and Andrew Lagosh. A motion was made by Vice Mayor Bates, seconded by Councilmember Viramontes, to accept the report from staff, passed by unanimous vote of the Council.

A motion by Vice Mayor Bates, seconded by Councilmember Lopez, to extend the meeting five minutes, passed by unanimous vote of the Council. **Ayes:** Councilmembers Sandhu, Rogers, Viramontes, Lopez, Marquez, Thurmond, Mayor McLaughlin, and Vice Mayor Bates. **Noes:** Councilmember Butt.

### **COMMUNICATIONS**

None

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

None

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:46 a.m. in memory of Ruth Powers, who passed away on March 30, 2007, at the age of 99. Ruth Powers worked in Richmond for 63 years, she was a Rosie the Riveter. Mrs. Powers worked at the Pullman Childcare Center, which was later renamed the Ruth Powers Child Development Center in her honor. Ruth Powers was the mother of former County Supervisor, Tom Powers, and Mother-In-Law to former Richmond City Councilmember Donna Powers.

Councilmember Marquez announced that the Public Safety Committee will meet this Thursday, April 6, 2007, at 10:30 a.m. There are 10 items on the agenda including the rehabilitation and temporary site fencing at Nevin Park.

Councilmember Rogers announced that the Finance Committee will meet on Monday, April 9, 2007, at 9:00 a.m.

---

Clerk of the City of Richmond

(SEAL)

Approved:

---

Mayor