

## City Hall 1401 Marina Way South Richmond, CA 94804

# AGENDA Tuesday, October 16, 2007

**Mayor**Gayle McLaughlin

Vice Mayor Nathaniel Bates

#### **Council Members**

Thomas K. Butt
Ludmyrna Lopez
John E. Marquez
Jim Rogers
Harpreet S. Sandhu
Tony K. Thurmond
Maria T. Viramontes

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The Richmond City Council also serves as Board Members and Commission Members for the following:

Community Redevelopment Agency
Housing Authority
Joint Powers Financing Authority
Surplus Property Authority
Local Reuse Authority

## MEETING PROCEDURES

The City of Richmond encourages community participation at its City Council meetings and has established procedures that are intended to accommodate public input in a timely and time-sensitive way. As a courtesy to all members of the public who wish to participate in City Council meetings, please observe the following procedures:

<u>PUBLIC COMMENT ON AGENDA ITEMS</u>: Anyone who desires to address the City Council on items appearing on the agenda must complete and file a pink speaker's card with the City Clerk <u>prior</u> to the City Council's consideration of the item. Once the City Clerk has announced the item and discussion has commenced, no person shall be permitted to speak on the item other than those persons who have submitted their names to the City Clerk. Your name will be called when the item is announced for discussion. <u>Each speaker will be allowed TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda.</u>

OPEN FORUM FOR PUBLIC COMMENT: Individuals who would like to address the City Council on matters not listed on the agenda or on Presentations, Proclamations and Commendations, Report from the City Attorney, or Reports of Officers may do so under Open Forum. All speakers must complete and file a pink speaker's card with the City Clerk prior to the commencement of Open Forum. The amount of time allotted to individual speakers shall be determined based on the number of persons requesting to speak during this item. The time allocation for each speaker will be as follows: 15 or fewer speakers, a maximum of 2 minutes; 16 to 24 speakers, a maximum of 1 and one-half minutes; and 25 or more speakers, a maximum of 1 minute.

SPEAKERS ARE REQUESTED TO OCCUPY THE RESERVED SEATS IN THE FRONT ROW BEHIND THE SPEAKER'S PODIUM AS THEIR NAME IS ANNOUNCED BY THE CITY CLERK.

<u>CONSENT CALENDAR</u>: Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the audience or the City Council. A member of the audience requesting to remove an item from the Consent Calendar must complete and file a speaker's card with the City Clerk <u>prior</u> to the City Council's consideration of Item C, Agenda Review. An item removed from the Consent Calendar may be placed anywhere on the agenda following the City Council's agenda review.

The City Council's adopted Rules of Procedure recognize that debate on policy is healthy; debate on personalities is not. The Chairperson has the right and obligation to cut off discussion that is too personal, too loud, or too crude.

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## **Evening Open Session**

5:00 p.m.

- A. ROLL CALL
- **B. PUBLIC COMMENT**
- C. ADJOURN TO CLOSED SESSION

## **Closed Session**

Shimada Room of City Hall

## A. CITY COUNCIL

#### A-1. LIABILITY CLAIMS

Mark Hildebrand vs. City of Richmond

Frank Davis vs. City of Richmond

Kim Krumm vs. City of Richmond

Keith Griffin vs. City of Richmond

**A-2.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9:

One Case

**A-3.** CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency Designated Representative(s): Leslie Knight, City of Richmond Unrepresented Employee(s): Richmond Police Officers Association (RPOA)

**A-4.** PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6)

City Clerk

**A-5.** PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)

City Attorney

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# Special Joint Meeting of the Richmond Community Redevelopment Agency/City Council

6:40 p.m.

#### PLEDGE TO THE FLAG

- A. ROLL CALL
- **B. STATEMENT OF CONFLICT OF INTEREST**
- **C. CONSENT CALENDAR** 
  - C-1. ADOPT (1) A RESOLUTION OF THE CITY RICHMOND AND (2) A RESOLUTION OF THE RICHMOND REDEVELOPMENT AGENCY authorizing the execution of an Operation and Maintenance Agreement by and between the State Department of Toxix Substances Control (DTSC), the Richmond Community Redevelopment Agency, and the City of Richmond regarding the maintenance and preservation of certain deed-restricted public areas of Marina Bay Richmond Community Redevelopment Agency (Steve Duran 307-8140)
- D. ADJOURNMENT

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#### A. ROLL CALL

## B. STATEMENT OF CONFLICT OF INTEREST

- C. AGENDA REVIEW
- D. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS
  MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING
  CLOSED SESSION
- E. OPEN FORUM FOR PUBLIC COMMENT

#### F. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

- **F-1.** Proclamation Honoring African-American Heroes of Harper's Ferry, October 16th, 1859 Mayor McLaughlin (620-6503).
- **F-2.** Proclamation on Domestic Violence Awareness Month Mayor McLaughiln (620-6503).

#### G. CONSENT CALENDAR

- **G-1.** ADOPT A RESOLUTION to adjust appropriations to the 2007-2008 Employment and Training budget for service reimbursement of up to \$129,600 for former foster care youth, age 18-24, from the Contra Costa Office of Children & Family Services Employment & Training (Sal Vaca 307-8006).
- **G-2.** APPROVE a Memorandum of Understanding (MOU) Between Urban ReLeaf and the City of Richmond to establish a partnership to plant up to 600 trees per year within City-owned landscapes and rights of way Public Works (Yader Bermudez 231-3010).
- **G-3.** APPROVE the purchase of three ZAP Xebra PK electric trucks at a cost of \$16,500 from budgeted FY 2007/08 Equipment Replacement Funds Public Works (Yadar Bermudez 231-3009).

- **G-4.** APPROVE a contract between Barg Coffin Lewis & Trapp, LLC, and the City of the Richmond in the amount of \$25,000 for the provision of legal services to defend the City in the lawsuit entitled "Coalition of Concerned Citizens of Point Richmond vs. City of Richmond" City Attorney's Office (Louise Renne 620-6509).
- **G-5.** ADOPT A RESOLUTION approving the acceptance of a \$95,000 Project Safe Neighborhood Grant from the Governor's Office of Emergency Services and appropriating the grant funds for equipment costs and other operating expenses necessary for the City's drive to reduce gang-related violence in the City Police Department (Chief Chris Magnus 620-6655).
- **G-6.** ADOPT A RESOLUTION approving the acceptance of a \$199,652 Supplemental Law Enforcement Services Fund (SLESF) Grant from the State of California and the appropriation of the grant for Police sworn overtime costs under Fund 2330 and Cost Center 11191 Police Department (Chief Chris Magnus 620-6655).
- **G-7.** ADOPT AN ORDINANCE (second reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2007-2008 at 0.14%, which is unchanged from the prior year Finance Department (James Goins 620-6946).
- **G-8.** AWARD a contract with Bouchard McElroy Communications Group Inc. in an amount not to exceed \$25,000 to conduct necessary actions to explore the need for and placement of ballot measures before the voters Finance Department (James Goins 620-6946).
- G-9. ADOPT AN ORDINANCE (second reading) adding Chapter 2.35 to the Richmond Municipal Code to establish a fee in the amount of 5% of a State video franchise holder's gross revenues, a fee in the amount of 1% of video service provider gross revenues to support public, educational and governmental (PEG) access programming, and a schedule of penalties for breach of customer service standards. This item was reviewed by the Finance Committee at its meeting of September 11, 2007 Information Technology (Sue Hartman/Cecily McMahan 620-6759).
- **G-10.** APPROVE an amendment to the existing contract between the City of Richmond and the Government Finance Officers Association (GFOA) for CCTV project implementation advisory services, expanding the scope of work to include project management services and increasing the cost by \$80,000 to an amount not to exceed \$89,999 -- City Manager/Information Technology (Sue Hartman 620-6874).
- **G-11.** APPROVE minutes of the Evening Open Session held on October 2, 2007 City Clerk's Office (Diane Holmes 620-6514).

## H. PUBLIC HEARINGS

- **H-1.** Approve the Master Fee Schedule in accordance with Chapters 2.34.040 and 13.45.020 of the Richmond Municipal Code, with the exception of the Comprehensive Planning Fee and the Road Hauling Impact Fee which are being reviewed Finance Department (James Goins 620-6946).
- **H-2.** A public hearing to adopt Resolution of Vacation No. 898 Ordering the Vacation of A Portion of 42nd Street, 44th Street, Macdonald Avenue, and Bissell Avenue Planning Department (Richard Mitchell/Lina Velasco 620-6841).
- H-3. A public hearing on an appeal from the Planning Commission's approval of a Tentative Parcel Map, Mitigated Negative Declaration and Mitigation Monitoring Program for three standard-size lots on property located at 125 to 127 Western Drive (APN: 558-020-007) Planning Department (Richard Mitchell/Janet Harbin 620-6708).

#### I. AGREEMENTS

## J. RESOLUTIONS

**J-1.** ADOPT A RESOLUTION - in support of Senate Bill 840 (Kuehl), the California Universal Health Care Act of 2007 - Councilmember Thurmond and Mayor McLaughlin (620-6581/620-6503).

## **K. ORDINANCES**

## L. COUNCIL AS A WHOLE

- **L-1.** Provide direction to staff concerning placing an initiative on the February 2008 ballot to authorize a continuation of the utility users tax as it applies to telecommunication companies Councilmember Rogers (867-5725)
- **L-2.** Consider approving an amendment to the existing contract between the City of Richmond and the Richmond Improvement Association, increasing the maximum payment amount from \$200,000 to \$300,000 and extending the term to January 31, 2008 City Manager's Office (Bill Lindsay 620-6512).
- **L-3.** Discuss and set schedule for the City Council meetings for the months of November, December, and January 2008 Councilmember Thurmond (620-6581).
- **L-4.** Discuss and consider direction to staff on proposed self-storage facilities Councilmember Rogers (867-5725).

- **L-5.** Authorize staff to create and install signs, around willing schools, to notify the public of the existence of a gun-free school zone Councilmember Marquez (620-6581).
- **L-6.** Direct staff to prepare an ordinance, for subsequent City Council adoption, to clarify that all taxpayers are subject to penalties for tax evasion, not just property tax payers Councilmember Rogers (867-5725)
- **L-7.** Direct staff to investigate allegations of Union Pacific Railroad violating City of Richmond Blight Abatement Laws Councilmember Rogers (867-5725).
- **L-8.** Discuss status report from staff relative to Union Pacific Railroad cleaning up graffiti on railroad property next to the I-580 entrance to Richmond Councilmember Rogers (867-5725).
- **L-9.** Provide update and direction to staff regarding on-going and future efforts to reduce violence.

#### M. COMMUNICATIONS

- N. <u>REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS,</u> <u>REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING</u> <u>AB 1234 REPORTS)</u>
- O. ADJOURNMENT

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This agenda may be previewed on KCRT - Channel 28, Richmond Television, City website <u>ci.richmond.ca.us</u> and is also posted at the Civic Center Library and in the lobby of City Hall South