

City Hall 1401 Marina Way South Richmond, CA 94804

AGENDA Tuesday, July 1, 2008

MayorGayle McLaughlin

Vice Mayor
John E. Marquez

Councilmembers

Thomas K. Butt
Nathaniel Bates
Ludmyrna Lopez
Jim Rogers
Harpreet S. Sandhu
Tony K. Thurmond
Maria T. Viramontes

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:

PUBLIC COMMENT ON AGENDA ITEMS: 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 **prior** 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. **Each speaker will be allowed TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda.**

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 <u>prior</u> 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.

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 - PENDING LITIGATION (Government Code Section 54956.9):

Claimant: Jason Myers and Fred Usher

Agency Claimed Against: City of Richmond

Claimant: Kenneth Eric Dobinson

Agency Claimed Against: City of Richmond

A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Section 54956.9):

One Case

B. <u>REDEVELOPMENT AGENCY</u>

B-1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Real Property Negotiations (Government Code Section 54956.8)

Property: NWC Cutting Boulevard and South 13th Street APN: 544-240-009-8, 544-240-14-8, and 544-240-015-5

Negotiating Parties: Steve Duran/Patrick Lynch, City of Richmond

Negotiations: Terms and Price

Real Property Negotiations (Government Code Section 54956.8)

Property: West of San Pablo Avenue and South of Bissell Avenue, approximately

1.73 acres; APN: 513-034-046

Negotiating Parties: Steve Duran/Patrick Lynch, City of Richmond

Negotiations: Terms and Price

Special Meeting Richmond Housing Authority

6:30 p.m.

- A. PLEDGE TO THE FLAG
- B. ROLL CALL
- C. STATEMENT OF CONFLICT OF INTEREST
- D. OPEN FORUM FOR PUBLIC COMMENT
- E. CONSENT CALENDAR
 - **E-1.** ADOPT A RESOLUTON authorizing submission of a Lead Hazard Control grant application to the U.S. Department of Housing and Urban Development (HUD) and the execution of a Memorandum of Understanding (MOU) among local partnering entities Housing Authority (Tim Jones 621-1310).
 - **E-2.** ADOPT A RESOLUTION authorizing the Executive Director to revise the Section 8 and Public Housing Program Utility Allowances to reflect the new rates supported by a recently completed utility rate survey Housing Authority (Tim Jones 621-1310).
 - **E-3.** APPROVE the minutes of the Special Meeting of the Richmond Housing Authority held on June 17, 2008 City Clerk's Office (Diane Holmes 620-6513).

F. ADJOURNMENT

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. OPEN FORUM FOR PUBLIC COMMENT
- D. CONSENT CALENDAR
 - **D-1.** ADOPT A RESOLUTION authorizing the Executive Director to negotiate and execute an Exclusive Right to Negotiate Agreement (ERN) with Kingston LLC (Developer) for development of market rate and affordable housing on a portion of the Miraflores Housing Development site Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).
 - **D-2.** ADOPT A RESOLUTION authorizing the Executive Director to submit an application to the Bay Area Air Quality Management District (BAAQMD) Transportation Fund for Clean Air (TFCA) Regional Fund Program for grant funding of pedestrian improvements on Nevin Avenue from 19th Street eastward to 27th Street Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
 - **D-3.** APPROVE the minutes of the Richmond Community Redevelopment Agency Meeting held on on June 17, 2008 City Clerk's Office (Diane Holmes 620-6513).

E. ADJOURNMENT

CITY COUNCIL

7:00 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. AGENDA REVIEW
- D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
- E. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS

 MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING
 CLOSED SESSION

F. CONSENT CALENDAR

- **F-1.** APPROVE a contract amendment with Keyser Marston Associates, increasing the contract amount by \$10,000.00 for a total contract amount not to exceed \$19,500.00, to provide consulting services to assist the Port in recommending a developer for the rehabilitation and adaptive use of historic buildings in the Point Potrero Marine Terminal project Port (Jim Matzorkis 215-4600).
- **F-2.** APPROVE a contract amendment with Moore Iacofano Goltsman, Inc. (MIG) to increase the contract amount by \$50,000 (from \$1,855,508 to \$1,980,495), to support the cost of additional General Plan meetings and study sessions as directed by the City Council during its budget discussions. (The Finance Standing Committee reviewed this item June 20, 2008, and recommended approval by the City Council) Planning Department (Richard Mitchell 620-6706).
- **F-3.** APPROVE a sole source purchase of a two year standard maintenance agreement with MA/Com, the original equipment manufacturer for the City of Richmond 800 MHz Public Safety Radio System, in an amount not to exceed \$1,147,604.55. (The Finance Committee reviewed this item on June 20, 2008, and recommended approval by the City Council) Police Department (Chief Chris Magnus 620-6655).
- **F-4.** APPROVE the lease of seven new 2008 R1200 RT-P BMW motorcycles from Teeper Inc., dba Marin BMW Motorcycles, at a total cost of \$221,347.00, or \$73,782.33 per year over three fiscal years. (The Finance Committee reviewed this item on June 20, 2008, and recommended approval by the City Council) Police Department (Chief Chris Magnus 620-6656).
- **F-5.** APPROVE payment to County Asphalt in the amount of \$67,315.67 for emergency purchase of asphalt concrete used to complete the paving work on Hilltop Mall

- Road. Public Works (Yader A. Bermudez 231-3009).
- **F-6.** APPROVE a contract to rent a meeting room in the Harbor Master's Building for 80 days, at \$170/day, for a total contract amount not to exceed \$13,600 Finance Department (James Goins 620-6740).
- **F-7.** ADOPT A RESOLUTION authorizing the execution and delivery of a master lease with SunTrust Leasing Corporation for equipment schedules, escrow agreements and related instruments, and determining other matters in connection therewith Finance Department (James Goins 620-6740).
- **F-8.** INTRODUCE AN ORDINANCE (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2008-2009 Finance Department (James Goins 620-6740).
- **F-9.** INTRODUCE AN ORDINANCE (first reading) establishing a new Road Construction Impact Fee for developers of residential and commercial projects using vehicles carrying extra large loads on City streets, with such fee to be established by resolution of the City Council. (The Finance Committee reviewed this item on May 16, 2008, and recommended approval by the City Council) Finance Department (James Goins 620-6740).
- **F-10.** APPROVE a contract for transitional housing and school and street outreach services with Neighborhood House of North Richmond in the amount of \$194,000 for a term of two years, as a component of the California Gang Reduction & Intervention Program (CalGRIP) Grant. (The Finance Committee reviewed this item on June 20, 2008, and recommended approval by the City Council) Office of Neighborhood Safety (DeVone L. Boggan 621-1219).
- **F-11.** APPROVE a contract with Psomas to act as the "City Consultant" pursuant to the Agreement between the City of Richmond and Veolia Water North America (Veolia), in amount not to exceed \$850,000. (This item was reviewed and referred by the Finance Committee on June 18, 2008 Engineering (Rich Davidson 510-307-8105.
- **F-12.** APPROVE the installation of two speed control undulations on the 1500 block of Merced Street between South 56th Street and Tehama Avenue Engineering (Rich Davidson 307-8105).
- **F-13.** ADOPT A RESOLUTION approving a budget adjustment for the Richmond Public Library, accepting California Public Library Fund (PLF) in the amount of \$39,488 from the California State Library, for fiscal year 2007-2008 Library & Cultural

- Services (Monique A. le Conge 620-6951).
- **F-14.** ADOPT A RESOLUTION approving a budget adjustment for the Literacy for Every Adult Program (LEAP), accepting the allocation of California Library Literacy Services (CLLS) funds from the California State Library in the amount of \$75,493 for Fiscal Year 2007/2008 Library & Cultural Services (Monique A. le Conge 620-6951).
- **F-15.** APPROVE a contract with Trisha A. Aljoe to provide continued legal services with respect to the Police Department in connection with Code Enforcement activities, drug house abatement matters and general legal matters in the amount of \$150,000 for the term from July 1, 2008, through June 30, 2009 City Attorney's Office (Louise Renne 620-6509).
- **F-16.** ADOPT A RESOLUTION creating the Richmond-Zhoushan Sister City Commission for the purpose of initiating and conducting exchanges of activities with appropriate organizations, groups, and citizens of Zhoushan, with the approval of the City of Richmond City Attorney's Office (Louise Renne 620-6509).
- **F-17.** ADOPT A RESOLUTION approving a lease with The Watershed Nursery ("WN") (lessee) for City-owned property located on Canal Boulevard adjacent to the wastewater treatment plant, for a base rent of \$300 per month, plus an additional rent representing tenant's share of the allocable operating expenses, for three years plus two successive one-year option periods, and authorizing the City Manager to execute the lease for the City of Richmond City Manager's Office (Bill Lindsay 620-6512).
- **F-18.** APPROVE appointment of Ayesha Walker to the Arts and Culture Commission with a term expiring January 31, 2012 Mayor McLaughlin (620-6503).
- **F-19.** DIRECT staff to review the City's Conflict of Interest Code City Attorney's Office/City Clerk's Office (Louise Renne/Diane Holmes 620-6509/620-6513).
- **F-20.** APPROVE the minutes of the Regular Meeting of the Richmond City Council held on June 17, 2008 City Clerk's Office (Diane Holmes 620-6513).

G. PUBLIC HEARINGS

G-1. Conduct the Public Hearing and Accept the Engineer's Report for the Hilltop Landscape Maintenance Assessment District Fiscal Year 2008-2009 - Public Works

H. OPEN FORUM FOR PUBLIC COMMENT

I. AGREEMENTS

J. <u>RESOLUTIONS</u>

J-1. ADOPT A RESOLUTION - endorsing the East Bay Regional Park District's proposed November 2008 ballot measure that would extend the Regional Open Space, Wildlife, Shoreline Parks Bond - Councilmember Butt (236-7435).

K. ORDINANCES

L. COUNCIL AS A WHOLE

- **L-1.** Introduce an ordinance (first reading) amending sections of the Knox Freeway/Cutting Boulevard Corridor Specific Plan relative to the Industrial Buffer Zone Planning Department (Richard Mitchell 620-6705).
- **L-2.** Discussion and direction regarding appointments to the Planning Commission and the Design Review Board Councilmember Butt (236-7435).

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

N. ADJOURNMENT

This agenda may be previewed on KCRT – Channel 28, Richmond Television,
City website <u>ci.richmond.ca.us</u>. Any Documents produced by the City and distributed to a majority of the
City Council regarding any item on this agenda will be made available at the
Main Counter at City Hall located at 1401 Marina Way South.