

City Hall 1401 Marina Way South Richmond, CA 94804

AGENDA Tuesday, December 2, 2008

MayorGayle McLaughlin

Vice MayorJohn 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:

<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 <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.

5:00 p.m.

- A. ROLL CALL
- B. PUBLIC COMMENT
- C. <u>ADJOURN TO CLOSED SESSION</u>

CLOSED SESSION

Shimada Room of City Hall

- A. <u>CITY COUNCIL</u>
 - **A-1.** LIABILITY CLAIMS PENDING LITIGATION (Government Code Section 54956.9):

David Williamson vs. City of Richmond

Jimmy Russey vs. City of Richmond

A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Booker et al vs. City of Richmond

Communities for a Better Environment (CBE) vs. City of Richmond

A-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):

One Case

CITY COUNCIL RECESS

Reception Honoring Outgoing Councilmember TONY K. THURMOND

6:30 p.m.

CITY COUNCIL RECONVENE

SPECIAL JOINT MEETING OF THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY/CITY COUNCIL

6:55 p.m.

PLEDGE TO THE FLAG

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. CONSENT CALENDAR
 - **C-1.** APPROVE minutes of the Special Joint Meeting held on October 28, 2008 City Clerk's Office (Diane Holmes 620-6513).
- D. ADJOURNMENT

CITY COUNCIL

7:00 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. AGENDA REVIEW
- D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
 - **D-1.** Acknowledge and extend appreciation to the State of California Department of Justice and the Richmond Police Department for their recent efforts to reduce gang violence in the City of Richmond through "Operation Trident." Councilmember Bates and Vice Mayor Marquez (620-6581).
 - **D-2.** Presentation from Chief Executive Officer, Joseph Stewart, about the activities at

Doctor's Medical Center - City Manager's Office (Bill Lindsay 620-6512).

D-3. Presentation honoring outgoing Councilmember, Tony K. Thurmond, for his dedication, commitment, and service to the City of Richmond - Mayor McLaughlin (620-6503).

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

F. <u>CONSENT CALENDAR</u>

- **F-1.** APPROVE a contract amendment with Delta Grinding, Inc., dba Diablo Grinding, for rental and operation of street grinding equipment, increasing the contract amount from \$175,000 to \$400,000. This item was reviewed by the Finance Committee at their meeting of November 21, 2008 Public Works (Yader A. Bermudez 231-3009).
- **F-2.** APPROVE a contract with Holmes Construction for demolition and construction services at Nicholl Park for removal of vandalized and outdated structures, and in the Laurel Park neighborhood area for various parking, safety and aesthetic improvements, in an amount not to exceed \$49,825.00 Public Works (Yader A. Bermudez 231-3009).
- **F-3.** APPROVE the Second Amended 2008/2009 North Richmond Waste & Recovery Mitigation Fee Expenditure Plan created to mitigate blight and illegal dumping in the incorporated and unincorporated North Richmond areas City Manager's Office (Bill Lindsay 620-6512).
- **F-4.** APPROVE the installation of six speed-control undulations on Hartnett Avenue and two on Chanslor Avenue near Fifth Street, using the existing City Council approved contract with Malachi Construction with no increase in contract funds Engineering Services (Rich Davidson 307-8105).
- F-5. APPROVE a contract with the law firm of Shute, Mihaly and Weinberger LLP for representation of the City of Richmond in the action entitled Communities for a Better Environment vs. City of Richmond City Attorney's Office (Randy Riddle 620-6509).
- **F-6.** APPROVE the following appointments: Youth Baseball Advisory Commission: Benny Gill, term expires 12/2/11; Community Development Commission:

Jayma Brown, term expires 12/2/2011; Historic Preservation Committee: Donald Bastin, term expires 12/2/2010 - Mayor's Office (Mayor McLaughlin 620-6503).

G. PUBLIC HEARINGS

- G-1. HOLD a public hearing to hear testimony regarding the Master Fee Schedule and adopt a resolution approving the Master Fee Schedule in accordance with Chapters 2.34.040 and 13.45.020 of the Richmond Municipal Code Finance (James Goins 620-6740).
- G-2. INTRODUCE an ordinance amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to increase the solid waste collection rates to reflect a change in the Consumer Price Index City Attorney's Office (Randy Riddle 620-6509).

H. OPEN FORUM FOR PUBLIC COMMENT

- I. <u>AGREEMENTS</u>
- J. RESOLUTIONS
- K. ORDINANCES
 - **K-1.** INTRODUCE an ordinance (first reading) regulating the use of common City Seals and other official City insignia City Attorney's Office (Randy Riddle 620-6509).

L. COUNCIL AS A WHOLE

- **L-1.** HEAR a report from the Richmond Police Department regarding an incident at the Richmond BART Station with students from Richmond High School Councilmember Bates (620-6581).
- M. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)
- 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

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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.