

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

## AGENDA Tuesday, October 4, 2005

**Mayor** Irma L. Anderson

Vice Mayor
Jim Rogers

#### **Councilmembers**

Nathaniel Bates
Thomas K. Butt
Richard Griffin
John E. Marquez
Gayle McLaughlin
Tony K. Thurmond
Maria T. Viramontes

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

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 THREE</u>

(3) MINUTES to address the City Council on 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 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.

**CONSENT CALENDAR:** 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 of 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 **prior to the City Council's consideration of Item D, 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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# MORNING OPEN SESSION 8:30 a.m.

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

## **CLOSED SESSIONS**

**Shimada Room of City Hall South** 

## **CITY COUNCIL**

## **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** (Government Code Section 54957.6)

Title: City Clerk

CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION (Government Code Section 54956.9)

Three Cases: Baykeeper vs. City of Richmond Rolfson vs. City of Richmond

Low vs. City of Richmond

## **REDEVELOPMENT AGENCY**

## **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Government Code Section 54956.8)

**Property: (Winters Building) 339 - 11<sup>th</sup> Street** 

**Negotiating Parties: Richmond Community Redevelopment Agency and the East Bay Center for the Performing Arts** 

**Under Negotiation: Price and Terms of Payment** 

**Property: (Former Goodwill Building) 1221 Macdonald Avenue** 

**Negotiating Parties: Richmond Community Redevelopment** 

**Agency and Simmons Realty** 

**Under Negotiation: Price and Terms of Payment** 

**Property: Terminal One** 

**Negotiating Parties: City of Richmond, Richmond Community** 

Redevelopment Agency, and Toll Brothers, Inc. Under Negotiation: Price and Terms of Payment

## **CITY COUNCIL**

**Property: Terminal One** 

**Negotiating Parties: City of Richmond, Richmond Community** 

Redevelopment Agency, and Toll Brothers, Inc. Under Negotiation: Price and Terms of Payment

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#### **OPEN SESSIONS**

### STUDY SESSION COUNCIL CHAMBER 5:00 p.m.

The purpose of the Study Session is for the City Council to hear presentations on the following:

- 1. San Pablo Peninsula Open Space Study City Manager Bill Lindsay.
- 2. Community Choice Energy Aggregation Project City Manager Bill Lindsay.

## REDEVELOPMENT AGENCY COUNCIL CHAMBER 6:45 p.m.

#### PLEDGE TO THE FLAG

- A. ROLL CALL
- B. <u>STATEMENT OF CONFLICT OF INTEREST</u>
- C. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING EXECUTIVE SESSION
- **D-1. RESOLUTION** 
  - **D-1.** <u>ADOPT</u> amending and restating Resolution 05-19 authorizing real property purchases for Macdonald Place Senior Housing Development (APNs 538-200-002, 538-200-03, 538-200-004, 538-210-001, 538-210,025, and 538-210-026) Community and Economic Development (Natalia Lawrence 307-8140).
- E. <u>OPEN FORUM</u>

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## CITY COUNCIL COUNCIL CHAMBER 7:00 p.m.

#### A. ROLL CALL

#### B. <u>COUNCILMEMBER'S CODE OF CONDUCT</u>

"I solemnly pledge to conduct all City matters fairly, responsibly and impartially; to carry out the business of the City in an orderly and efficient manner; to treat my colleagues, citizens, and City staff with dignity and respect; through debate, discussion, and dialogue instill public confidence and integrity in the process of City government; and to serve the citizens of Richmond to the best of my ability."

NOTE: MEMBERS OF THE AUDIENCE REQUESTING THAT AN ITEM OR ITEMS BE REMOVED FROM THE CONSENT CALENDAR MUST COMPLETE AND FILE A PINK SPEAKER'S CARD WITH THE CITY CLERK PRIOR TO AGENDA REVIEW.

- C. APPROVAL OF MINUTES
- D. <u>STATEMENT OF CONFLICT OF INTEREST</u>
- E. AGENDA REVIEW

Members of the audience requesting that an item or items be removed from the <u>CONSENT CALENDAR</u> must complete and file a pink speaker's card with the City Clerk prior to Agenda Review.

- F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING EXECUTIVE SESSION
- G. OPEN FORUM FOR PUBLIC COMMENT
- H. PRESENTATION, PROCLAMATIONS, AND COMMENDATIONS
  - **H-1.** Presentation of a proclamation from the City of San Pablo commemorating the 100<sup>th</sup> Anniversary of the City of Richmond Mayor Anderson (620-6503).
  - **H-2.** Presentation of a proclamation to STAND! Against Domestic Violence declaring October 2005 as "Domestic Violence Awareness Month" Mayor Anderson (620-6503).

- **H-3.** Presentation of funds raised by the Richmond Faith Community for the New Orleans victims of Hurricane Katrina Mayor Anderson (620-6503).
- **H-4.** Proclamation declaring October 9-15, 2005, as "Fire Prevention Week" in the City of Richmond. The 2005 theme for Fire Prevention Week is "Use Candles with Care When you go out, blow out!" Fire Department (Richard Kalayjian 307-8152).

#### I. CONSENT CALENDAR

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 Council.

- **I-1. PROCLAMATION** recognizing October 5, 2005, as "All Schools Shelter-in-Place Drill and Education Day" Mayor Anderson (620-6503).
- I-2. <u>APPROVE</u> a contract to lease a single-story house to provide the residential component of the Transitional Living Grant to provide housing for youth transitioning from the Foster Care System. Lease period is one year, October 15, 2005, through October 15, 2006. Total amount of the contract will not exceed \$20,700 Employment and Training (Sal Vaca 307-8006).
- I-3. <u>APPROVE</u> an agreement with the West Contra Costa School District (WCCUSD) to provide remedial education and GED preparation for out-of-school youth. Contract period is October 5, 2005, through June 30, 2006. Total amount of the contract will not exceed \$65,000 Employment and Training (Sal Vaca 307-8006).
- I-4. <u>APPROVE</u> an agreement with the Oakland Private Industry Council to process Individual Training Accounts (ITAs) to provide classroom and skills training for Richmond residents. Contract period is July 1, 2005, through September 30, 2006. Total amount of the contract will not exceed \$111,192 Employment and Training (Sal Vaca 307-8006).
- I-5. <u>AWARD</u> a Sole Source Contract to Vali Cooper and Associates to provide project/construction management services during the bidding and construction of the western segment (Phase II) of the Central Richmond Greenway Bicycle Trail. Total amount of the contract will not exceed \$200,000 Engineering Division (Rich Davidson 307-8105).

#### J. PUBLIC HEARINGS

- **J-1.** Public Hearing of the City Council to consider the following two items regarding Anchorage at Marina Bay, a proposed development at 1689 Regatta Boulevard (a portion of the DiCon Fiber Optics site):
  - a. Adopt a Mitigated Negative Declaration and approve a General Plan Amendment and Rezoning to Planned Area, PA, for an existing ± 11.42 acre vacant site located at 1689 Regatta Boulevard for development of 208 residential townhomes
  - b. Appeal by Pulte Homes Corporation of the Planning Commission's denial of the proposed Anchorage at Marina Bay Tentative Map, Conditional Use Permit, request for a Landscape Buffer Exception, and Design Review Application to develop 208 townhomes at 1689 Regatta Boulevard (a portion of the DiCon Fiber Optics site) Planning Department (Richard Mitchell 307-8159).
- **J-2.** Proposed amendments to the Consolidated Action Plans Fiscal Years 2004/2005 and 2005/2006 Budgets for the following:
  - a. Resolution authorizing an amendment to the 2004/2005 Consolidated Action Plan to assist in the development of affordable housing and street improvements.
  - Resolution authorizing an amendment to the 2005/2006
     Consolidated Action Plan to assist in the development of affordable housing and technical assistance to womenowned businesses.

#### K. AGREEMENTS

#### L. <u>RESOLUTIONS</u>

**L-1.** <u>ADOPT</u> – commending all employees for their willingness to assist the City of Richmond in its financial recovery and confirming that all employees are treated equally by extending to Unrepresented Management Employees the same benefits as those provided to Represented Employees – Human Resources (Leslie Knight 620-6849).

**L-2.** <u>ADOPT</u> – authorizing the Public Works Department to allocate to the Easter Hill HOPE VI Project \$866,909 of the 1999 Sewer Bond Funds to replace the sewer lines at the Easter Hill Public Housing site and allocate \$95,000 of Gas Tax Funds for repairing of portions of 29<sup>th</sup> and 30<sup>th</sup> Streets at the Project Site – Housing Authority (Timothy Jones 621-1310).

#### M. <u>ORDINANCES</u>

- M-1. <u>INTRODUCE (FIRST READING AND SECOND READING)</u> an urgency ordinance restricting ground-floor uses to certain retail uses in specified areas of Macdonald Avenue, 23<sup>rd</sup> Street, and the vicinity of Hilltop Mall Community and Economic Development (Steve Duran 307-8006).
- M-2. <u>INTRODUCE (FIRST READING)</u> an amendment to Chapter 2.50 of the Richmond Municipal Code, extending the Business Opportunity Ordinance from October 2005 to April 30, 2006 Employment and Training (Sal Vaca 307-8006).
- **M-3. INTRODUCE (FIRST READING)** an amendment to Chapter 2.56 of the Richmond Municipal Code, extending the Local Employment Ordinance from October 2005 through April 30, 2006 Employment and Training (Sal Vaca 307-8006).

#### N. COUNCIL AS A WHOLE

- **N-1.** Consider authorizing the City Manager to direct the Engineering staff to complete installation of stop signs, crosswalks, and speed undulations on Chanslor Avenue at 8<sup>th</sup> Street Councilmember Marquez (236-2604).
- **N-2.** Consider an amendment to the City Council's action on the Panattoni Parkway Commerce Project to include legal indemnification of the City of Richmond and the three conditions agreed upon between the developer and the two appellants Councilmember Bates (620-6581).
- **N-3.** Discussion and recommendation of proposed draft ordinance to require a Conditional Use Permit (CUP) on major project developments/superstores Councilmember Viramontes (236-5977).
- **N-4.** Summary of the review process for Chevron Maintenance and Modernization Projects Councilmember Viramontes/Richard Mitchell (620-6706).
- **N-5.** Discussion and approve a resolution for guidelines for staff response to public information requests and possible revisions of Richmond Municipal Code Section 2.40.070 Councilmember Viramontes (236-5977).

- **N-6.** Consider free access to community centers for neighborhood council meetings Councilmember Butt (236-7435).
- **N-7.** Consider appointments to Standing Committees Mayor Anderson (620-6503).

#### O. COMMUNICATIONS

## P. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS

COUNCIL AND STAFF ONLY unless waived by six votes of the Council.

- **P-1.** Reports of Chairpersons of:
  - a. Finance Standing Committee.
  - b. Public Safety Standing Committee.
  - c. Rules and Procedures Standing Committee
  - d. Report from the Mayor.
- **P-2.** General Reports from Councilmembers and staff.
- **P-3.** Referrals to staff from the City Council.
- Q. <u>ADJOURNMENT</u>

ITEMS FOR THE AGENDA MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY 12:00 NOON ON TUESDAY, ONE WEEK PRIOR, TO THE MEETING THE ITEM IS TO BE APPEAR ON THE AGENDA

This agenda may be previewed on KCRT – Channel 28, Richmond Television, and is also posted at the Civic Center Library and in the lobby of City Hall South

CCA genda 4October 2005. Agenda