

City Hall 1401 Marina Way South Richmond, CA 94804

**AGENDA** 02/06/2007

**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

.....

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.

**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 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 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.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

# **Morning Open Session**

# RICHMOND COMMUNITY REDEVELOPMENT AGENCY

8:30 a.m.

## **PLEDGE TO THE FLAG**

- A. ROLL CALL
- **B. STATEMENT OF CONFLICT OF INTEREST**
- C. AGENCY AS A WHOLE
  - C-1. Direct Agency staff to pursue waiver(s) from HUD and CalTrans necessary for the development of at least four low-income and up to three unrestricted ownership units, and to negotiate, within 60 days, a Disposition and Development Agreement with RNHS to transfer properties on South 7th and South 8th Streets, known as APNs 550-251-018-2 and 550-252-030-6, consistent with recommended terms for the development and the parameters for HUD and CalTrans Richmond Community Redevelopment Agency (Steve Duran 307-8140).

### D. CONSENT CALENDAR

- **D-1.** <u>APPROVE</u> the minutes of the Evening Open Session held on January 23, 2007 City Clerk's Office (Diane Holmes 6320-6513).
- E. OPEN FORUM FOR PUBLIC COMMENT
- F. ADJOURNMENT

\*

8:35 am

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

## **Closed Session**

Shimada Room of City Hall

### A. CITY COUNCIL

CC A-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9)

Tanzel v. City of Richmond Toll Bros. v. City of Richmond

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

One Case

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

City Designated Representatives: Bill Lindsay and Leslie Knight

Employee organization(s) or unrepresented management employees: Unrepresented Management employees

# **Morning Open Session**

**Council Chambers** 

## **Study Session**

10:15 a.m.

#### The purpose of the study session is as follows:

1. Review mid-year budget forecast and FY 2006/07 budget adjustments – Finance Department (James Goins 620-6740).

Total Time: 1 hour

\*

# AND RECEPTION 5:30 p.m.

1. "A Look at the Past...a Look to the Future: The African-American Experience in Richmond. A panel discussion on the contributions of African-Americans from Richmond and how to use the rich history of Richmond African-Americans to improve the conditions facing African-Americans in Richmond now and in the future – Mayor McLaughlin and Councilmember Thurmond (620-6503).

\*

## **CITY COUNCIL**

7:00 p.m.

- 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

### **G. CONSENT CALENDAR**

- **G-1.** <u>APPROVE</u> a Purchase of Services Contract with Insight Environmental Engineering & Construction, Inc. to prepare construction design documents for a segment of the Bay Trail located in the Point Potrero Marine Terminal in an amount not to exceed \$148,000 Port (Jim Matzorkis 215-4600).
- G-2. <u>ADOPT AN ORDINANCE</u> rezoning to Planned Area (PA) Development the site known as "Terminal One" for the Point Richmond Shores Residential Condominium Development Project Planning Department (Richard Mitchell 620-6706).
- **G-3.** <u>ADOPT A RESOLUTION</u> to transfer cash from the General Fund to eliminate negative cash balances in other funds Finance Department (James Goins 620-6740).
- **G-4.** <u>APPROVE</u> contract amendment for \$82,980 with Applied Analytix for the purchase of Xcelsius Dashboard Software and system design support Finance Department (James Goins 320-6740).
- **G-5. ADOPT A RESOLUTION** authorizing the acceptance of funds from Contra Costa County Health in support of the Hazardous Materials Program Fire Department (Chief Michael Banks 307-8041).
- **G-6.** ADOPT A RESOLUTION authorizing the acceptance of allocated funds from Contra Costa County Emergency Medical Services Division, under the Measure H Program Fire Department (Chief Michael Banks 307-8041).
- **G-7. ADOPT A RESOLUTION** authorizing the City Engineer to submit a grant application for the Rubberized Asphalt Concrete Use Grant Program Engineering (Rich Davidson 307-8105).
- **G-8.** <u>AUTHORIZE</u> the City Engineer to call for construction bids for the repair of miscellaneous concrete improvements in Fiscal Year 2007/08 and 2008/09 Engineering (Rich Davidson 307-8105).

- **G-9. APPROVE** a contract with the law firm of Walter & Pistole to serve as counsel to perform legal services previously handled by Victor Ochoa and such other matters as may be assigned by the city attorney. This contract is for \$50,000 and will begin February 1, 2007, and continue through June 30, 2007 City Attorney's Office (John Eastman 620-6509).
- **G-10. APPROVE** a contract with the law firm of Barg Coffin Lewis & Trapp for the provision of legal services in defense of the CEQA lawsuit entitled Coalition of Concerned Citizens of Point Richmond vs City of Richmond. The contract amount is \$50,000 and will run through the disposition of the lawsuit City Attorney's Office (John Eastman 620-6509).
- **G-11.** <u>APPROVE</u> contract with the law firm of Orrick Herrington & Sutcliffe, LLP, in the amount of \$20,000 for the provision of legal services on an as-needed basis at the request of the City Manger or City Attorney City Attorney's Office (620-6509).
- **G-12.** <u>APPROVE</u> minutes of the Morning and Evening Open Session held on January 23, 2007 City Clerk's Office (Diane Holmes 620-6513).

### H. PUBLIC HEARINGS

### I. RESOLUTIONS

**I-1.** <u>ADOPT A RESOLUTION</u> - reaffirming Richmond City Council's support for comprehensive immigration reform that is fair, just and humane – Mayor McLaughlin, Councilmembers Lopez, Bates, and Thurmond (620-6503).

### J. ORDINANCES

- **J-1. INTRODUCE AN ORDINANCE** amending the Human Relations and Affirmative Action Commission (HRAAC) Ordinance, Chapter 3.58 of the Richmond Municipal Code City Manager's Office (Bill Lindsay 620-6512).
- **J-2. INTRODUCE AN ORDINANCE** amending the Richmond Municipal Code Section 9.52.040 to include train bells, sirens, horns, whistles, and similar audible warning devices as permissible exceptions to the Community Noise Ordinance (CNO) only to the extent that use of such devices is permitted under state and federal law City Attorney's Office (John Eastman 620-6509).

### K. COUNCIL AS A WHOLE

- **K-1.** Discuss and provide direction to staff regarding the feasibility of increasing access to public restrooms in City parks and/or public buildings and the option to provide such access. Three possible options include: (1) adequate funding to rebuild, maintain, patrol and open/close restrooms; (2) demolish select restrooms and use portable toilets; (3) no facilities Public Works (Willie Haywood 231-3010).
- **K-2.** Consider approval of appointments to City Council Standing Committees, Regional Committees, and Liaison positions Mayor McLaughlin (620-6503).
- **K-3.** Adopt a resolution directing staff to solicit transportation grant funding and other funding associated with an underpass on Marina Bay Parkway directly South of Meeker Avenue Councilmember Rogers (620-6581).
- **K-4.** Direct staff to negotiate and execute an agreement with the Richmond Improvement Association (RIA) to implement neighborhood-based violence reduction programs for an amount not-to-exceed \$200,000, and for a term of one year. The final form of the agreement is subject to approval by the City Attorney– City Manager's Office (Bill Lindsay 620-6512).
- K-5. Approve reappointments to the Arts & Culture Commission: Kathryn Sibley; Parks & Recreation Commission: Lones Stern-Banks; Housing Advisory Commission: Anntheia Yvonne Harrison-Farr; and appointments to the Human Relations Commission: Marilyn Langlois and Jesse Montiel; Arts & Culture Commission: Fred Jackson; Planning Commission: James Jenkins and Michael Esposito; Park & Recreation Commission: Kathy Robinson and Diego Garcia; Personnel Board: Kim Stewart; Economic Development Commission: Michael McGeoy and Jovanka Beckles; Richmond Police Commission: Rob Ham and Nemy Bautista; Richmond Shimada Friendship Commission: Steven Pinto; and Richmond Youth Commission: Michael Chenwart Mayor McLaughlin (620-6503).

### L. **COMMUNICATIONS**

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

## N. ADJOURNMENT

\*

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