



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

**AGENDA
Tuesday, September 18, 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:

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 **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.

Tuesday, September 18, 2007

Morning Open Session

11:00 a.m.

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

Closed Session

Shimada Room of City Hall

A. CITY COUNCIL

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

Richmond Residents for Responsible Antenna Placement and Planning ("RAP"), et al vs. City of Richmond

- A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to subdivision (c) of 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: City Manager

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

City Manager

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

City Attorney

Tuesday, September 18, 2007

Study Session

6:00 p.m.

The purpose of the study session is as follows

- A. **DISCUSS AND DIRECT STAFF TO DEVELOP COMPREHENSIVE CITY POLICY TO CREATIVELY AND AGGRESSIVELY LEAD BY EXAMPLE IN THE FIGHT TO END GLOBAL WARMING.**
- B. **DISCUSS AND DIRECT STAFF TO WORK WITH THE GOLDMAN SCHOOL OF PUBLIC POLICY (GOLDMAN SCHOOL) TO CONDUCT A STUDY TO REVIEW EXISTING ORDINANCES AND POLICIES THAT ARE DESIGNED TO REDUCE THE CITY'S IMPACT ON THE ENVIRONMENT AND PROVIDE RECOMMENDATIONS FOR MAKING THE CITY'S OPERATIONS MORE SUSTAINABLE. THE STUDY WILL ALSO INCLUDE EDUCATION AND OUTREACH RECOMMENDATIONS ENCOURAGING RICHMOND RESIDENTS AND BUSINESSES TO ADOPT SUSTAINABLE PRACTICES.**

Special Meeting of Richmond Community Redevelopment Agency

6:35 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **CONSENT CALENDAR**

C-1. ADOPT A RESOLUTION - authorizing the Executive Director to execute a contract amendment with PES Environmental, Inc. in an amount not to exceed \$270,000, for a total contract amount of \$1,255,180, to complete remediation of Marina Bay "Area T." The Finance Standing Committee reviewed this item on September 11, 2007, and recommended approval - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

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C-2. ADOPT A RESOLUTION - amending the Fiscal Year 2007-2008 Budget for the Richmond Community Redevelopment Agency to include \$600,000 in grant revenues from the California Department of Housing and Community Development's (HCD) CalHome Program - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

C-3. APPROVE - minutes of the Special Meeting of the Richmond Redevelopment Agency held on September 11, 2007 - City Clerk's Office (Diane Holmes 620-6513).

D. ADJOURNMENT

Special Joint Meeting of the Richmond Community Redevelopment Agency/City Council
6:40 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. APPROVE - amending a contract with Maze & Associates Accountancy Group to provide external auditing services for the fiscal year ending June 30, 2007, and other related services specified in the Scope of Service, in an amount not to exceed \$456,470. This item was reviewed and recommended for approval by the Finance Committee at its meeting of September 11, 2007 - Finance Department (James Goins 620-6946).

C-2. APPROVE - minutes of the Special Joint Meeting of the Richmond Redevelopment Agency/City Council held on September 11, 2007 - 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. **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. INTRODUCE AN ORDINANCE (first reading) revising the wages, salary, and compensation for the classification of Senior Civil Engineer Salary Range 064C: \$7510-9129/month - Human Resources (Leslie T. Knight 620-6600).
 - G-2. INTRODUCE AN ORDINANCE (first reading) revising the wages, salary, and compensation for the classification of Associate Civil Engineer Salary Range 061E: \$6487-7886/month - Human Resources (Leslie T. Knight 620-6600).
 - G-3. INTRODUCE AN ORDINANCE (first reading) revising the wages, salary, and compensation for the classification of Assistant Engineer Salary Range 53: \$5684-6908/month - Human Resources (Leslie T. Knight 620-6600).
 - G-4. INTRODUCE AN ORDINANCE - (first reading) establishing wages, salary, and compensation for the new classification of Administrative Services Analyst (Salary Range: 055D \$5,541 - 6,698) - Human Resources (Leslie Knight 620-6600).
 - G-5. ADOPT A RESOLUTION - amending the City of Richmond Classification Plan to add the classification of Administrative Services Analyst - Human Resources (Leslie Knight 620-6600).
 - G-6. ADOPT AN ORDINANCE - (second reading) revising the wages, salary, and compensation for the classification of Executive Assistant to the City Manager

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(Salary Range: \$5,256 - \$6,392/month) - Human Resources (Leslie Knight 620-6600).

- G-7.** INTRODUCE AN ORDINANCE - 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 (Cecily McMahan 620-6759).
- G-8.** APPROVE - a contract amendment with Shute, Mihaly & Weinberger, LLP to provide legal services to complete the EIR process for the Chevron Hydrogen and Energy Renewal Project and authorize the addition of Shute, Mihaly & Weinberger to the Consultant List. Total amount of the contract amendment is \$97,000, for a total contract amount of \$192,000 - Planning Department (Richard Mitchell, Lamont Thompson 620-6947).
- G-9.** APPROVE - awarding a contract to CRW for \$524,500 to configure, install, and train City staff to use CRW's TRAKiT permitting, inspections, and business license software - Finance Department (James Goins 620-6946).
- G-10.** Acknowledge, for filing purposes, receipt of the City of Richmond's Memorandum on Internal Control Structure for the year ending June 30, 2006, and management's response to these comments - Finance Department. This item was reviewed by the Finance Committee at its meeting of September 11, 2007. (James Goins 620-6946).
- G-11.** APPROVE - staff recommendations to: (1) place Kevin W. Harper, CPA, Moreland and Associates, Inc. and blueCONSULTING, Inc on the panel for internal audits; and (2) approve a contract with Kevin W. Harper, CPA for an amount not to exceed \$150,000 to conduct an audit of the Public Works Department, which includes Parks & Landscaping, Streets, Facilities Maintenance, Equipment and Paratransit. This item was reviewed by the Finance Committee at its meeting of September 17, 2007 - Finance Department (James Goins 620-6946).
- G-12.** APPROVE - awarding a five-year contract to Tyler Technologies for software configuration, data hosting, and end-user training services. The annual payment for each of the five years of the contract will be \$644,200, for a total cost of \$3,221,000 - Finance Department (James Goins 620-6946).
- G-13.** AWARD - a construction contract for the 2007 Pavement Rehabilitation Area A to Top Grade Construction in the amount of \$5,397,778.00. This item was reviewed and recommended by the Finance Committee for Council approval at its meeting of

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September 11, 2007 - Engineer (Rich Davidson 307-8105).

- G-14.** AWARD - a construction contract for the 2007 Pavement Rehabilitation Area B to Bay Cities Paving and Grading, Inc. in the amount of \$1,911,793.40. This item was reviewed and recommended for approval by the Finance Committee at its meeting of September 11, 2007 - Engineering (Rich Davidson 307-8105).
- G-15.** APPROVE - a contract amendment with the Mejorando Group to continue working with employees city-wide to improve customer service throughout the organization in an amount not to exceed \$10,000, for a total contract amount of \$60,000 - City Manager Department (Bill Lindsay 620-6512).
- G-16.** AUTHORIZE - travel outside of the United States for specified City officials and staff to plan and organize a visit to Richmond's Sister Cities, Shimada, Japan and Zhoushan, China and to negotiate and implement and updated Mutual Agreement with Zhoushan - Port (Jim Matzorkis 215-4600).
- G-17.** ADOPT A RESOLUTION - to set October 2, 2007, as the public hearing date to consider the Establishment of an Underground Utility District on Macdonald Avenue between 6th Street and Garrard Boulevard - Engineering (Rich Davidson 307-8105).
- G-18.** ADOPT AN ORDINANCE - adding Chapter 6.45 to the City of Richmond Municipal Code establishing Green Building requirements for City building projects - Mayor McLaughlin, Councilmember Butt, and Richard Mitchell (620-6503/620-6581/620-6706).
- G-19.** APPROVE - the following reappointment and appointments to the Youth Commission: reappoint Robert Slaughter, term expiring July 25, 2008; appoint Taranda Jones, Fredericka Bryant, Lorenzo Macias, Wendy Gonzalez, and Elizabeth Gonzalez, terms expiring September 18, 2008 - Mayor McLaughlin (620-6503).

H. PUBLIC HEARINGS

- H-1.** DENY the applicant's request for approval of General Plan amendment, rezoning, and variance, for the property located at 327 So. 4th Street. Provide direction to the

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General Plan Update staff to study the applicant's request for a General Plan amendment and rezoning to MFR-2 as part of the General Plan Update for a greater surrounding area and, direct staff to return with a draft Resolution reflecting the City Council's action (This item was continued by the City Council to September 18, 2007, and staff is requesting the that hearing be continued to October 2, 2007) - Planning Department (Richard Mitchell, Lamont Thompson 620-6947).

I. AGREEMENTS

J. RESOLUTIONS

K. ORDINANCES

K-1. ADOPT - the Urgency Ordinance Establishing A Temporary Moratorium On The Acceptance, Processing and Approval Of Applications and Permits To Construct, Modify Or Place Wireless Communication Facilities within the City of Richmond - Planning Department (Richard Mitchell, Lina Velasco 620-6841).

K-2. INTRODUCE AN ORDINANCE - to enact the first Tuesday in May as the deadline for submitting the proposed annual budget to the City Council every fiscal year and require that the City Council adopt the budget by June 30 - Councilmember Lopez (620-6581).

K-3. INTRODUCE AN ORDINANCE - adding Chapter 11.98 to the Richmond Municipal Code Entitled Banning of the Possession of Large-Capacity Magazines - Councilmember Rogers (867-5725).

K-4. INTRODUCE AN ORDINANCE - adding Chapter 11.97 to the Municipal Code of the City of Richmond to require the reporting of lost or stolen firearms. -- Councilmember Rogers (510-867-5725).

L. COUNCIL AS A WHOLE

L-1. Receive a status report from staff on the installation of speed undulations on the 2200 block of Costa Ave - Councilmember Marquez (620-6581).

L-2. Discuss a proposed ballot measure for the November 2008 election to implement a tax on employers in the City of Richmond that don't meet a specified minimum of employees that reside in the City of Richmond - Councilmember Thurmond (620-6581).

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- L-3.** Discuss and approve using \$50,000 from the Capital Improvement Program (CIP) Budget to assist with the installation of sports lighting for the Gilman Street Sports Fields Project - Councilmember Thurmond (620-6581).
- L-4.** Report of the Richmond Police Department and direction from the City Council on the escalating violence in the city of Richmond.
- L-5.** Consider supporting legislative passage of ACA8 to reform the eminent domain reform laws of the State of California. ACA8 will protect homeowners, small business, and churches from eminent domain - Councilmember Viramontes (620-6581).

M. ADJOURNMENT

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