



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

**AGENDA  
Tuesday, October 2, 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**

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**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.*

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## **Evening Open Session**

5:30 p.m.

- 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**

Cory Calder vs. City of Richmond

##### **A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Subdivision (b) of Government Code 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

##### **A-6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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Initiation of litigation pursuant to subdivision (c) of Section 54956.9

One Case

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**Study Session**

6:15 p.m.

The purpose of the study session is as follows

- A. **PRESENTATION BY CONTRA COSTA TRANSPORTATION AUTHORITY PROJECT MANAGER ANDREA GLERUM UPDATING THE CITY COUNCIL ON THE STATUS OF THE INTERSTATE 80/CENTRAL AVENUE INTERCHANGE IMPROVEMENT PROJECT.**

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**Richmond Community Redevelopment Agency**

6:30 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **OPEN FORUM FOR PUBLIC COMMENT**
- D. **CONSENT CALENDAR**
  - D-1. ADOPT A RESOLUTION - to assemble and develop properties by a single developer in the Downtown 10-A (Downtown) Project Area at Macdonald Avenue and Harbour Way pursuant to the Agency's Tenant Preference and Owner Participation Guidelines - Richmond Community Redevelopment Agency (Steve Duran, Alan Wolken 307-8140).
  - D-2. ADOPT A RESOLUTION - to assemble and develop several parcels by a single master developer for the I-80 Shopping Center pursuant to the Agency's Business Tenant Preference and Owner Participation Guidelines - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

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D-3. APPROVE - minutes of the Special Meeting and the Special Joint Meetings held on September 18, 2007 - City Clerk's Office (Diane Holmes 620-6513).

**E. ADJOURNMENT**

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**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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

E-1. Presentation of a proclamation by the Fire Prevention Bureau declaring October 7-13, 2007, as Fire Prevention Week. The national theme for Fire Prevention Week is "Practice Your Escape Plan."

E-2. Proclamation recognizing October as Hispanic Heritage Month - Councilmember Lopez (776-8462).

**F. OPEN FORUM FOR PUBLIC COMMENT**

**G. CONSENT CALENDAR**

G-1. ADOPT A RESOLUTION - approving the boundaries of the proposed Targeted Employment Area and directing the submittal of an application to the California State Housing and Community Development Department for an updated Targeted Employment Area designation - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

G-2. APPROVE - a contract with Liebert Cassidy Whitmore for \$24,999 for employee

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training and legal consultation, from the period from July 1, 2007, to June 30, 2008 - Human Resources (Leslie Knight 620-6600).

- G-3.** APPROVE - the City Manager to execute a contract with Rockhurst University in the amount of \$24,999 for employee training, from the period from July 1, 2007, to June 30, 2008 - Human Resources (Leslie Knight 620-6600).
- G-4.** ADOPT AN ORDINANCE - (second reading) establishing the wages, salary, and compensation for the new classification of Administrative Services Analyst (Salary Range: \$5,541 - \$6,696) - Human Resources (Leslie Knight 620-6600).
- G-5.** ADOPT AN ORDINANCE - (second reading) revising the wages, salary, and compensation for the classification of Senior Civil Engineer (Salary Range 064C \$7510-\$9129/month) - Human Resources (Leslie Knight 620-6600).
- G-6.** APPROVE - a contract with the City Manager which will: (1) provide a three-year term with an option to renew in the fourth year, (2) provide a 5% increase per year with an effective date of February 14, 2008, and (3) update the deferred compensation contribution to the extent authorized by Internal Revenue Code Section 457 - Human Resources (Leslie Knight 620-6600).
- G-7.** ADOPT AN ORDINANCE - (second reading) revising the wages, salary, and compensation for the classification of Associate Civil Engineer, Salary Range 061E \$6487-\$7886/month - Human Resources (Leslie Knight 620-6600).
- G-8.** ADOPT AN ORDINANCE - (second reading) revising the wages, salary, and compensation for the classification of Assistant Engineer (Salary Range 53: \$5684-6908/month) - Human Resources (Leslie Knight 620-6600).
- G-9.** APPROVE - a contract in the amount of \$60,000 with the Richmond Art Center to support ongoing arts programs and collaborations with the City, as allocated in the FY 2007-08 Budget - Library & Cultural Services (Monique A. le Conge 620-6951).
- G-10.** APPROVE - a contract in the amount of \$60,000 with the East Bay Center for the Performing Arts to support ongoing arts programs and collaborations with the City, as allocated in the FY 2007-08 Budget - Library & Cultural Services (Monique A. le Conge 620-6951).
- G-11.** APPROVE - a contract in the amount of \$60,000 with the National Institute of Art & Disabilities (NIAD) to support ongoing arts programs and collaborations with the City, as allocated in the FY 2007-08 Budget - Library & Cultural Services (Monique A. le Conge 620-6951).
- G-12.** ADOPT AN ORDINANCE - adding Chapter 11.98 to the Richmond Municipal

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Code Entitled Banning of the Possession of Large-Capacity Magazines -  
Councilmember Rogers (867-5725).

- G-13.** ADOPT 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).
- G-14.** ADOPT 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).
- G-15.** ADOPT A RESOLUTION - authorizing the execution of a grant agreement with the California Cultural and Historical Endowment to allow for the receipt of \$2,081,800 in funding for the renovation of the Richmond Natatorium - Engineering Department (Rich Davidson 307-8105).
- G-16.** Endorse Green Chamber of Commerce event, "Greening Richmond: A community works to fight global warming," to take place on October 21, 2007, 1:00 p.m. to 5:00 p.m. at DeJean Middle School - Mayor McLaughlin (620-6503).
- G-17.** APPROVE - the purchase of a completed 27' Flexible production vehicle in the amount of \$121,250 plus tax, title and licenses from Media Concepts - Information Technology (Sue Hartman 620-6874).
- G-18.** APPROVE - the minutes of the Evening Open Session held on September 11, 2007, the Morning and Evening Open Sessions held on September 18, 2007, and the minutes of the Special Meeting held on September 25, 2007 - City Clerk's Office (Diane Holmes 620-6513).

## **H. PUBLIC HEARINGS**

- H-1.** DENY the applicant's request for approval of a General Plan Amendment, rezoning, and variance, for the property located at 327 South 4th Street. Provide direction to the 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 - Planning Department (Richard Mitchell, Lamont Thompson 620-6947).
- H-2.** Conduct a Public Hearing and adopt a Resolution: (a) finding that the public necessity, health, safety, or welfare requires the removal of poles, overhead wires and associated overhead structures, and underground installation services along West

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Macdonald Avenue between 6th Street and Garrard Boulevard; (b) establishing Underground Utility District No. 2007-1 on West Macdonald Avenue between 6th Street and Garrard Boulevard; (c) approving the use of the Rule 20-A funding by PG&E to pay for the costs associated with the underground of the electric distribution within the district. - Engineering Services (Rich Davidson 307-8105).

**I. AGREEMENTS**

**J. RESOLUTIONS**

**K. ORDINANCES**

**L. COUNCIL AS A WHOLE**

- L-1. Discuss City policy and direct staff relative to requiring that Union Pacific Railroad clean up graffiti on railroad property next to the I-580 entrance to Richmond - Councilmember Rogers (867-5725).
- L-2. Provide update and direction to staff regarding on-going and future efforts to reduce violence - Councilmember Thurmond (620-6581).
- L-3. Discuss and decide on consistent time(s) to hold closed session meetings of the City Council - Councilmember Butt (620-5681).

**M. COMMUNICATIONS**

**N. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)**

**O. ADJOURNMENT**

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Center Library and in the lobby of City Hall South*