



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

**AGENDA
Tuesday, November 6, 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, November 6, 2007

Evening Open Session

5:00 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. 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
Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9:

Three Cases

A-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9

One Case

A-4. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)

City Attorney

Richmond Housing Authority

6:15 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. CONSENT CALENDAR

D-1. ADOPT A RESOLUTION - authorizing the Executive Director of the Housing Authority to execute a contract with the security firm OSS International, Inc. to provide security services for Nevin Plaza and Hacienda, which are Richmond Housing Authority Public Housing senior residential properties, from November 1, 2007, through October 31, 2008, with a City option to extend the term for an additional year, at a cost of \$295,300 annually - Housing Authority (Tim Jones 621-1310).

E. OPEN FORUM FOR PUBLIC COMMENT

F. ADJOURNMENT

Richmond Community Redevelopment Agency

6:45 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. PUBLIC HEARINGS

C-1. HOLD a public hearing on the Mid-term Report on the Five Year Richmond Community Redevelopment Agency Implementation Plan and direct staff to file the Report with the State - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8104).

D. OPEN FORUM FOR PUBLIC COMMENT

E. ADJOURNMENT

Special Joint Meeting of the Richmond Community Redevelopment Agency/City Council
6:50 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT A RESOLUTION - approving an Amended and Restated Memorandum of Understanding by and between the City of Richmond Employment & Training Department and the Richmond Community Redevelopment Agency that will expand blight abatement efforts provided by "Operation Clean-Up", through fiscal years 2007/2008 and 2008/2009, and will add a section of 23rd Street to the section of Macdonald Avenue that the program has been serving - Richmond Community Redevelopment Agency (Steve Duran/Sal Vaca - 307-8140).

C-2. APPROVE - an Amendment to a Loan Agreement by and between the City of Richmond, the Richmond Community Redevelopment Agency and Wood Development Corporation to add funds to complete 14 single family homes within the Scattered Sites Infill Project in the amount of \$500,000 for a total loan amount of \$1,653,000 to the Wood Development Corporation - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

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**

- F-1. Presentation of Certificates of Completion to the second graduating class of the Richmond BUILD Pre-Apprenticeship Construction Skills Training program - Employment and Training (Sal Vaca 307-8006).

G. **CONSENT CALENDAR**

- G-1. APPROVE - a contract with the Oakland Private Industry Council to procure goods and services on behalf of RichmondWORKS and in support of the East Bay Works One Stop Career Center System for a term beginning November 6, 2007, and ending October 30, 2008, in an amount not to exceed \$31,359 - Employment & Training (Sal Vaca 307-8006).
- G-2. APPROVE - the responses given by the Fire Chief to findings and recommendations made in the Contra Costa County Grand Jury Report #0707, "The West County Fire Protection Montage" - Fire Department (Chief Michael Banks 307-8041).
- G-3. APPROVE - a contract between H&H Builders, Inc. and the City of Richmond in the amount of \$24,000, for removal and replacement of the roof at the Fire Department Training Center - Fire Department (Chief Michael Banks 307-8041).
- G-4. ADOPT A RESOLUTION appointing the City's Risk Manager to the Board of Directors of the Contra Costa County Municipal Risk Management Insurance Authority and appointing the City's Human Resources Management Director as the City's alternate member (Leslie Knight 620-6600)
- G-5. APPROVE - a contract amendment with Liebert Cassidy Whitmore, raising the

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contract limit from \$24,999 to \$74,999, for contract negotiations, additional employee training, and additional legal consultation for the period of July 1, 2007, through June 30, 2008. - Human Resources (Leslie Knight 620-6600).

- G-6.** APPROVE - a contract amendment with Armistead Investigative Services, raising the contract limit from \$10,000 to \$30,000, for additional expenses associated with an on-going investigation - Human Resources (Leslie Knight 620-6600).
- G-7.** AUTHORIZE - the Finance Director and Employment & Training Director to execute a loan agreement between the General Fund and Employment & Training Department to advance the amount of \$416,000 to Employment & Training for use in their ongoing Youth Development programs, with this advance repaid from funds generated by a development condition of approval for the Pulte Homes project - Finance Department (James Goins 620-6946).
- G-8.** ADOPT A RESOLUTION - revising the authorization list on the Local Agency Investment Fund accounts to reflect the current staff assignments in the Finance Department - Finance Department (James Goins 620-6946).
- G-9.** ADOPT A RESOLUTION - approving the execution and delivery of an ISDA Master Agreement and schedule to effect an Interest Rate Swap Transaction with Bear Stearns Capital Markets in connection with the City's Pension Obligation Bonds, Series 2005 - Finance Department (James Goins 620-6946).
- G-10.** APPROVE - the purchase of 20 police cars through the State of California's CMAS contract from budgeted FY 2007/08 Equipment Replacement funds for a total cost of \$545,190 - Public Works (Yader Bermudez 231-3009).
- G-11.** APPROVE - the purchase of 10 Ford Escape Hybrids from budgeted FY 2007/08 Equipment Replacement funds for a total cost of \$254,588.40 - Public Works (Yader Bermudez 231-3009).
- G-12.** APPROVE - the purchase of one Type IV Modified Mini Van and one Paratransit Type V Modified Raised Top Handicapped Van through the State of California CMAS contract for a total cost of \$88,833.68 from budgeted FY 2007/08 Equipment Replacement Funds - Public Works (Yader Bermudez 231-3009).
- G-13.** APPROVE - a one year contract, with two one year options, with Valley Oil Company, the lowest bidder, to provide fuel to the City of Richmond for a total cost of \$500,000 per year - Public Works (Yader Bermudez 231-3009).
- G-14.** APPROVE - a contract with Hanson Aggregate Mid-Pacific, Inc. for \$200,000 to provide asphalt and related materials to the City of Richmond for pavement maintenance and repairs - Public Works (Yader Bermudez 231-3009).

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- G-15.** ADOPT A RESOLUTION - for the application of grant funds for the Environmental Enhancement and Mitigation Grant Program under the Section 164.56 of the Streets and Highways Code - Public Works (Yader Bermudez 231-3009).
- G-16.** APPROVE - a contract amendment with the law firm of Renne, Sloan, Holtzman & Sakai for services of Interim City Attorney. This amendment will increase the amount of the contract by \$65,000, and extend the contract period for an additional 60 days from November 9, 2007, through January 8, 2008 - Human Resources (Leslie Knight 620-6600).
- G-17.** APPROVE - confidentiality agreement with Chevron to facilitate an audit of payments of Utility User Tax by Chevron - City Attorney Office (Louise Renne 620-6509).
- G-18.** APPROVE - the Land Use Agreement between the City of Richmond and the Richmond Certified Farmers Market Association for the lease of the northern section of the parking lot located on Barrett Avenue between 24th Street and 25th Street weekly on Fridays - City Manager's Office (Bill Lindsay 620-6512).
- G-19.** APPROVE - a contract amendment with Orrick, Herrington, and Sutcliffe for legal representation in the lawsuit captioned Parchester Village Neighborhood Council vs. City of Richmond, increasing the payment amount by \$75,000, for a total of \$85,000, and extending the term expiration from December 2007, until December 2008 - City Manager's Office (Bill Lindsay 620-6512).
- G-20.** APPROVE - a contract amendment with the Mejorando Group to work with employees City-wide to improve service delivery throughout the organization, increasing the payment amount by \$15,000 for a total amount not to exceed \$65,000 - City Manager's Office (Bill Lindsay 620-6512).
- G-21.** APPROVE - appointments to the Community Development Commission: Rhonda Harris (Southside) and Alyssa Newman (Annex); Richmond Youth Baseball Advisory Board: Yvette Woods and Antoinette H. Lawrence; Commission on Aging: Ella M. Sewell; re-appointments to the Richmond Youth Baseball Advisory Board: Frank Hancock Jr.; and Commission on Aging: D'Emanuel Grosse Sr. - Mayor McLaughlin (620-6503).

H. PUBLIC HEARINGS

- H-1.** HOLD a public hearing to adopt Resolution of Vacation No. 899 Ordering the Vacation of an Alleyway off Wright Avenue between South 13th Street and Marina

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Way South – Planning Department (Richard Mitchell 620-6700).

- H-2.** HOLD a public hearing and consider the following options: (1) uphold the Planning Commission decision to deny the Type 20 Alcohol Beverage License transfer from 546 Harbour Way to 544 Harbour Way; or (2) uphold the appeal request, thereby reversing the Planning Commission denial of the application and approve the Type 20 Alcohol Beverage License transfer from 546 Harbour Way to 544 Harbour Way – Planning Department (Richard Mitchell 620-6700).

- H-3.** HOLD a public hearing on the subject appeal located at 10879 San Pablo Avenue and take one of the following actions: (1) Affirm the Design Review Board’s approval by denying the appeal, and reaffirming the Board’s findings and statements identified in the August 22, 2007 staff report and grant the Design Review Permit; or (2) Modify the Design Review Board’s approval and provide staff direction to prepare findings and statements for approving the project subject to any proposed modifications and grant the Design Review Permit; or (3) REVERSE the Design Review Board’s approval by upholding the appeal and providing staff with direction to prepare findings and statements for project denial – Planning Department (Richard Mitchell 620-6700).

I. RESOLUTIONS

- I-1.** ADOPT - the following resolutions to hold a Special Municipal Election to make revisions to the City of Richmond Telecommunications and Video Users’ Tax: (a) Resolution declaring the existence of an emergency necessitating the submission to the voters of the City of Richmond an ordinance adding chapter 13.54 to the City of Richmond Municipal Code, (b) Resolution calling and giving notice of the holding of a special municipal election to submit to the voters of the City of Richmond an ordinance adding chapter 13.54, and (c) Resolution requesting the Board of Supervisors of Contra Costa County consolidate a special municipal election to be held on February 5, 2008, with the Statewide Presidential Primary Election to be held on the same date - Finance Department (James Goins 620-6946).

- I-2.** ADOPT A RESOLUTION - of the City of Richmond opposing U.S. military involvement in Iraq and Iran - Mayor McLaughlin, Councilmembers Thurmond and Viramontes (620-6503/620-6581).

J. AGREEMENTS

K. ORDINANCES

L. COUNCIL AS A WHOLE

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- L-1. Review the Land Use alternatives and 'change areas' that have been developed through the community process for the update of the General Plan and give staff additional direction and receive a status report on the General Plan update and provide direction to staff and the Planning Consultant – Planning Department (Richard Mitchell 620-6700).
- L-2. Consider directing the Planning Commission to conduct a hearing in accordance with Richmond Municipal Code Section 15.04.990 to consider revocation of a permit to install a cellular antenna at 260 Water Street - Mayor McLaughlin (620-6503).
- L-3. Direct staff to initiate negotiations with Contra Costa County and other third parties as necessary to locate a new community health center at a site within the City of Richmond if the selected site contains property owned by the City. - City Manager's Office (Bill Lindsay 620-6512)
- L-4. Provide update and direction to staff regarding on-going and future efforts to reduce violence and receive a status report from the Office of Neighborhood Safety - Councilmember Thurmond (620-6581).
- L-5. Nominate and approve a voting delegate and an alternate to cast the City of Richmond's votes during the business meeting of the National League of Cities Annual Meeting - Councilmember Marquez (620-6581)/City Clerk's Office (Diane Holmes 620-6513).
- L-6. 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 (Staff Update) - Councilmember Rogers (867-5725).
- L-7. Direct staff to investigate allegations of Union Pacific Railroad violating City of Richmond Blight Abatement Laws (Staff Update) - Councilmember Rogers (867-5725).

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