



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

**AGENDA
Tuesday, December 4, 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, December 4, 2007

Study Session and Direction to Staff

2:00 p.m. - 4:30 p.m.

The purpose of the study sessions is as follows:

- A. **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. 2. RECEIVE A STATUS REPORT ON THE GENERAL PLAN UPDATE AND PROVIDE DIRECTION TO STAFF AND THE PLANNING CONSULTANT - PLANNING DEPARTMENT (RICHARD MITCHELL 620-6706).**

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. LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9)

Bounh Chansy vs. City of Richmond

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A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9)

Tanzel vs. City of Richmond

A-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Subdivision (b) of Government Code
Section 54956.9:

Two Cases

A-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8)

Property: Point Potrero Marine Terminal, 1311 Canal Blvd, Richmond, CA
City Negotiator: Jim Matzorkis
Negotiating parties: Auto Warehousing Company (Dennis Matteo)
Under negotiation: Price and terms of payment

A-5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9

One Case

Study Session

6:15 p.m.

The purpose of the Study Session is as follows:

**A. PRESENTATION BY THE DELEGATION TO SHIMADA, JAPAN AND
ZHOUZHAN, CHINA, THE CITY OF RICHMOND'S SISTER CITIES,
OF THE OCTOBER 2007 TOUR - VICE MAYOR BATES (620-6581).**

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Richmond Community Redevelopment Agency

6:45 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT A RESOLUTION - authorizing the execution of a contract with the Richmond Main Street Initiative (RMSI) for Program Management Services in an amount not to exceed \$112,500 for a term from January 1, 2008, through September 30, 2008 - Richmond Community Redevelopment Agency (Steve Duran/Thomas Mills 307-8140).

C-2. ADOPT A RESOLUTION - authorizing a contract with BKF to provide civil engineering and related street and landscape design services for improvements along Macdonald Avenue between 19th and 39th Streets from December 1, 2007, to December 31, 2009, in an amount not to exceed \$1,274,185 - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

D. OPEN FORUM FOR PUBLIC COMMENT

E. 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. ADOPT A RESOLUTION - to increase the Employment and Training Department, YouthWORKS Division, budget by \$208,000 for the 2007-2008 fiscal year using funds advanced by the City secured by future development fee revenues - Employment and Training (Sal Vaca 307-8006).

G-2. AWARD - a contract to State Tree Experts, in an amount not to exceed \$18,450, to remove trees at Fire Stations Nos. 62, 64, and 68; Tiller Park; and 709 Tewksbury Avenue - Public Works (Yader Bermudez 231-3009).

G-3. APPROVE - the Preliminary 2008/2009 North Richmond Waste & Recovery Mitigation Fee Expenditure Plan created to mitigate blight and illegal dumping in the incorporated and unincorporated North Richmond areas. (This plan was reviewed by members of the North Richmond Waste Recovery Fee Joint Expenditure Committee.) - City Manager's Office (Bill Lindsay 620-6512).

G-4. AWARD - a construction contract for Speed Control Undulations 2007-2008 to Malachi Construction for a price of \$80,448 with a contingency and reserve not to exceed \$8,000 - Engineering (Rich Davidson 307-8105).

G-5. ACCEPT - the work performed by Prism Engineering, Inc. for completion of the Cutting Boulevard Interconnect and Detector Loop Project from Harbour Way South to South 49th Street at a final construction cost of \$435,146.65 - Engineering (Rich Davidson 307-8105).

G-6. ADOPT AN ORDINANCE (second reading) - revising the wages, salary, and compensation for the classification of Environmental Manager (Salary Range 061E \$6487-7886/month) - Human Resources (Leslie T. Knight 620-6600).

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- G-7.** APPROVE - a contract with Attic Consulting for an amount not to exceed \$50,000 to provide technical writing services associated with preparing the operating budget, the capital improvement plan, the long-term financial plan, and other public financial documents on an as needed basis - Finance Department (James Goins 620-6946).
- G-8.** APPROVE - a contract with Trisha A. Aljoe in the amount of \$75,000, becoming effective December 1, 2007, through June 30, 2008, to provide legal services with respect to the Police Department in connection with Code Enforcement activities, general legal matters, and drug house abatement matters - City Attorney's Office (Louise Renne 620-6509).
- G-9.** APPROVE - the updated 2008-09 Mutual Agreement between Zhoushan, China and the City of Richmond - Vice Mayor Bates (620-6581).
- G-10.** APPROVE - appointment to the Housing Advisory Board: Dorothy Holmes - Mayor McLaughlin (620-6503).

H. PUBLIC HEARINGS

- H-1.** Public hearing to consider the designation of the Santa Fe Trainmaster's Office, located at 4 West Richmond Avenue, as a Historic Resource; and Adopt a resolution approving the designation of the Santa Fe Trainmaster's Office as a Historic Resource – Planning Department (Richard Mitchell 620-6706).
- H-2.** Public hearing to consider the appeal of a conditional use permit approval (CU11035202), Mitigated Negative Declaration, and Mitigation Monitoring Program granted by the Planning Commission to construct 64 live/work units on a vacant parcel located on the west side of the 900 block of Marina Way South between Wright Avenue and Regatta Boulevard (APN: 560-260-054) and reaffirm, modify or reverse the Planning Commission's decision to approve the Conditional Use Permit, Mitigated Negative Declaration, and Mitigation Monitoring Program Permit - Planning Department (Richard Mitchell 620-6706).
- H-3.** Public hearing to introduce an ordinance amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to increase the solid waste collection rates to reflect a 3.29% change in the Consumer Price Index (CPI) - City Attorney's Office (Louise Renne 620-6509).

I. RESOLUTIONS

J. ORDINANCES

K. AGREEMENTS

L. COUNCIL AS A WHOLE

- L-1.** Direct Staff to come back with recommendations on waste reduction and pursuing more compostable materials in restaurants as implemented in Oakland, Berkeley, San Francisco, and other cities - Mayor McLaughlin, Councilmember Butt, and Thurmond (620-6503/620-6581).
- L-2.** Discuss ending City of Richmond use of plastic water bottles, due to unnecessary energy/greenhouse gas in manufacture, and filling up landfills after use, and ask staff to bring back an appropriate enacting ordinance - Councilmember Rogers (867-5725).
- L-3.** Discuss over cross collateralization (properties in Richmond sitting vacant and economically useless for many years because they are pledged as collateral/security for large loans) and give direction to staff to develop plan to proactively intervene to prevent properties in Richmond from suffering this fate - Councilmember Rogers

M. COMMUNICATIONS

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

O. 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*