



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

**AGENDA
Tuesday, December 11, 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 11, 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. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)**

City Attorney

- A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9

One Case

B. REDEVELOPMENT AGENCY

- B-1. Real Property Negotiations (Government Code Section 54956.8)**
Property: 1221 Macdonald Avenue
Negotiating Parties: Steve Duran, Richmond Community Redevelopment Agency,
Gregory R. Hurwich and Barbara J. Hurwich
Under Negotiation: Price and Terms

Richmond Community Redevelopment Agency

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6:00 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. 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).

C-2. APPROVE - minutes of the Evening Open Session held on December 4, 2007 - City Clerk's Office (Diane Holmes 620-6513).

D. OPEN FORUM FOR PUBLIC COMMENT

E. ADJOURNMENT

**Joint Meeting of Housing Authority/Richmond Community
Redevelopment Agency/City Council**

6:10 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT - resolutions authorizing the Housing Authority Executive Director to execute a 2007 Amendment to the Master Development Agreement and all other evidentiaries including but not limited to a Phase II Mixed Finance Amendment, an Omnibus Amendment for Phase I and II, and an Amendment to the Easter Hill Revitalization Plan, all subject to final approval by HUD. Additionally, authorize the Executive Director to accept a lot reconveyance of land previously owned by the Authority and grant an easement to the Rental Housing Partnership for signage and landscaping subject to the terms of the Ground Lease executed for the project. - Housing Authority (Tim Jones 621-1310).

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D. OPEN FORUM FOR PUBLIC COMMENT

E. ADJOURNMENT

Special Joint Meeting of the Richmond Community Redevelopment Agency/City Council

6:15 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT A JOINT RESOLUTION - approving a Memorandum of Understanding ("MOU") between the City Attorney's Office and the Richmond Community Redevelopment Agency in the amount of \$75,000 to fund legal services for the purpose of prosecuting blight abatement cases for Fiscal Year 2007-2008 throughout all the redevelopment project areas - Richmond Community Redevelopment Agency/City Attorney's Office (Steve Duran 307-8140/Louise Renne 620-6509)

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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

- E-1.** Proclamation Congratulating Bertha Romo on her designation as the first annual Richmond High School Student Principal of the Year - Mayor McLaughlin and Councilmember Marquez (620-6503/620-6581).
- E-2.** Presentation of a Certificate of Recognition to Eddie Hart, Olympic Gold Medalist - Councilmember Marquez (620-6581).

F. OPEN FORUM FOR PUBLIC COMMENT

G. CONSENT CALENDAR

- G-1.** Direct Staff and Applicant to acquire all property and other rights necessary for Toll Brothers to comply with Condition 3 of the Point Richmond Shores Design Review Permit as soon as possible, and if such rights are not acquired by March 5, 2008 to return to the Council at the next regularly scheduled Council meeting for status update – Planning Department (Richard Mitchell 620-6706).
- G-2.** APPROVE - a sole source purchase of 800 MHz Public Safety radio equipment from Dailey-Wells, the original equipment manufacturer, in an amount not to exceed \$473,359.27. (The Finance Committee reviewed this item at its meeting of December 3rd, 2007 and recommends City Council approval.) - Police Department (Chief Chris Magnus 620-6655).
- G-3.** Approve a revision to the FY 2007-08 Investment Policy to change an incorrect reference to a State of California Government Code section, revising the code section reference from 53601(1) to 53601 (L). - Finance Department (James Goins 620-6946).
- G-4.** APPROVE - the Master Fee Schedule in accordance with Chapters 2.34.040 and 13.25.020 of the Richmond Municipal Code - Finance Department (James Goins 620-6946).
- G-5.** ADOPT A RESOLUTION - to accept an easement for sanitary sewer, storm drain, and bike path purposes over portions of the property owned by Target Corporation, located south of Macdonald Avenue between 41st Street and the I-80 freeway - Engineering (Rich Davidson 307-8105).
- G-6.** APPROVE - a contract with Psomas Dodson in an amount not to exceed \$300,000 to

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assist the City in implementing tasks related to the Stormwater Scope Study. -
Engineering (Rich Davidson 307-8105).

- G-7.** APPROVE - a contract between the City and outside counsel Shute Mihaly & Weinberger LLP, for the continued representation of the City of Richmond, City Council, and City Clerk in the matter entitled Barra vs. City of Richmond. This contract amount is \$250,000, and the term is from November 10, 2007, through June 30, 2008 - City Attorney's Office (Louise Renne 620-6509).
- G-8.** ADOPT 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 - City Attorney's Office (Louise Renne 620-6509).
- G-9.** ADOPT A RESOLUTION - increasing the City's current Living Wage effective January 1, 2008, from \$13.47 per hour to \$14.55 per hour for employees with medical benefits and from \$14.97 per hour to \$16.05 per hour for employees without medical benefits - Human Resources (Leslie Knight 620-6600).
- G-10.** INTRODUCE AN ORDINANCE (first reading) - revising the wages, salary, and compensation for the classification of Capital Projects Manager, (Salary Range 070D \$8,310-\$10,050/month) - Human Resources (Leslie T. Knight 620-6600).
- G-11.** INTRODUCE AN ORDINANCE (first reading) - establishing wages, salary, and compensations for the classification of Communication Shift Supervisor (Salary Range: \$5,580 - \$6,743/month) - Human Resources (Leslie Knight 620-6600).
- G-12.** APPROVE - an amendment to the Mayor's budget to: (1) Reclassify the position of Senior Assistant to the Mayor to Assistant to the Mayor as a part-time permanent position (65%), and (2) Add the position of Office Assistant I-Exempt, effective January 2, 2008, with no changes to total budgeted 2007-08 expenditures for the Office of the Mayor - Human Resources (Leslie Knight 620-6600).
- G-13.** APPROVE - (1) the Amended Interagency Agreement, (2) ADOPT a City Council Resolution accepting funds from the North Richmond Waste and Recovery Mitigation Fee Fund currently being held by Contra Costa County to be used to finance certain strategies as identified in the Amended Interagency Agreement for an amount not to exceed \$481,379.27, and (3) AUTHORIZE the City Manager or his designee to administer those funds in a manner consistent with the terms of the attached Agreement - City Manager's Office (Bill Lindsay 620-6512).
- G-14.** APPROVE - a contract amendment with the Community Housing Development Corporation of North Richmond to increase the payment limit by \$72,131 to an amount not to exceed \$218,276 for the 2008 calendar year - City Manager's Office

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(Bill Lindsay, 620-6512).

- G-15.** APPROVE - a contract with the law firm of Renne Sloan Holtzman & Sakai LLP for a period of two years to serve as City Attorney at a cost of \$38,500 per month for a total cost of \$924,000 - City Manager's Office (Bill Lindsay 620-6512).
- G-16.** APPROVE - a legal services agreement with Paul Hastings LLP for \$75,000, to help facilitate the early transfer of Point Molate by helping prepare and execute the necessary legal documents - City Manager's Office (Bill Lindsay 620-6512).
- G-17.** APPROVE - a contract amendment with Al da Silva for environmental remediation consultation at a cost not to exceed \$34,000, to facilitate the Navy's early transfer of Point Molate to the City of Richmond - City Manager's Office (Bill Lindsay 620-6512)
- G-18.** APPROVE - a contract amendment with Tetra Tech EMI for an additional \$32,000, for a total contract amount not to exceed \$42,000, for the preparation of several documents required for the City's compliance with the Baykeeper lawsuit settlement - City Manager's Office (Bill Lindsay 620-6512).

H. PUBLIC HEARINGS

- H-1.** Public hearing to consider the following options: (1) Uphold the Planning Commission decision to deny the Type 20 Alcohol Beverage License transfer from 564 Harbour Way to 544 Harbour Way (recommended by staff); 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 564 Harbour Way to 544 Harbour Way - Planning Department (Richard Mitchell 620-6706).
- H-2.** Public hearing to either (1) Uphold Planning Commission's decision to approve the Conditional Use Permit and Resolution 07-12 for the Canyon Oaks II project; or (2) Uphold the Appeal request, thereby reversing the Planning Commission approval of the Conditional Use Permit and Resolution for the Canyon Oaks II Project – Planning Department (Richard Mitchell 620-6706).
- H-3.** Public hearing to adopt Resolution of Vacation No. 900 Ordering the Vacation of Joy Avenue between Factory Street and Essex Avenue, subject to conditions – Planning Department (Richard Mitchell 620-6706).
- H-4.** Public hearing to adopt Resolution of Vacation No. 901 Ordering the Vacation of an alleyway off Hoffman Boulevard, behind the property at 618 South 8th Street – Planning Department (Richard Mitchell 620-6706).

I. RESOLUTIONS

J. ORDINANCES

K. COUNCIL AS A WHOLE

K-1. Direct staff to amend the Richmond Youth Baseball Advisory Board Ordinance, extending the terms of commissioners from two terms to a maximum of three terms - Mayor McLaughlin (620-6503).

K-2. Direct staff to research the feasibility of a workforce housing program for public safety employees and teachers working in and for the City of Richmond - Councilmember Thurmond (620-6581).

L. COMMUNICATIONS

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

N. ADJOURNMENT

O. AGREEMENTS

*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*