



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

**AGENDA
Tuesday, February 19, 2008**

**Mayor
Gayle McLaughlin**

**Vice Mayor
John E. Marquez**

**Council Members
Thomas K. Butt
Nathaniel Bates
Ludmyrna Lopez
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.

Afternoon Open Session

3:30 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. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, Bruce Soublet, and Chris Magnus
Counsel: Jack Hughes, Liebert Cassidy Whitmore
Employee Organization or unrepresented employee: Richmond Police Officers' Association (RPOA), and Richmond Police Management Association (RPMA)

A-2. LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9)

Claimant: Matilde Garcia
Agency Claimed Against: City of Richmond

A-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8)

Property: 2709 - 2711 Macdonald Avenue Negotiating Parties: Steve Duran/James Goins, City of Richmond and Gene Smith
Negotiations: Terms and Price

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Special Meeting Richmond Community Redevelopment Agency

6:45 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 - approving the purchase of 41 trash receptacles from Quick Crete Products in the amount of \$39,391 for use throughout public areas in the Marina Bay community - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

D-2. ADOPT A RESOLUTION - authorizing a contract amendment with Bay Crossings Magazine in an amount not to exceed \$63,000.00 to continue publicizing and promoting Richmond business, residential and recreational assets, and opportunities within waterfront locations of Redevelopment Project Areas - Richmond Community Redevelopment Agency (Steve Duran/Thomas Mills 307-8140).

D-3. APPROVE - minutes of the Special meeting of the Richmond Community Redevelopment Agency held on January 29, 2008 - City Clerk's Office (Diane Holmes 620-6513).

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

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C-1. APPROVE - minutes of the Special meeting of the Richmond Community Redevelopment Agency/City Council held on January 29, 2008 - City Clerk's Office (Diane Holmes 620-6513).

D. RESOLUTIONS

D-1. ADOPT A JOINT RESOLUTION - approving a Memorandum of Understanding (MOU) by and among the Richmond Community Redevelopment Agency and the Public Works Department and the Employment & Training Department of the City of Richmond to implement a focused Graffiti Abatement Program in Redevelopment Project Areas in an amount not to exceed \$200,000 for a period of three (3) years from approval of the MOU - Richmond Community Redevelopment Agency/Public Works/Employment and Training (Steve Duran/Yader Bermudez/ Sal Vaca 307-8140).

E. ADJOURNMENT

CITY COUNCIL

7:00 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. AGENDA REVIEW

D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

D-1. Proclamation honoring February 2008 as Black History Month and recognizing and honoring the memory of the Gary family of Richmond and all who participated in some very significant victories against injustice, violence and racism in March 1952 - Mayor McLaughlin (620-6503).

E. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION

F. CONSENT CALENDAR

- F-1.** APPROVE - a contract with Moreland and Associates for an amount not to exceed \$200,000 to conduct a performance audit of wastewater services provided by contract with Veolia - Finance Department (James Goins 620-6740).
- F-2.** APPROVE - a contract with SymPro Inc., for the amount of \$127,720 to provide software, consultation and implementation of various Treasury Management solutions - Finance Department (James Goins 620-6740).
- F-3.** APPROVE - the purchase of a 32 foot, custom manufactured Fire and Safety Educational Trailer from Harcourt Custom Installations as the sole-source provider for an amount not to exceed \$77,925.38 - Fire Department (Chief Michael Banks 307-8161).
- F-4.** APPROVE - the purchase of 3,500 disaster preparedness kits from the ProPac Company in an amount not to exceed \$27,214.76, to be funded by the State of California, Office of the Governor, California Volunteers Program for Supplemental Citizens Preparedness Program - Fire Department (Chief Michael Banks - 307-8041).
- F-5.** INTRODUCE AN ORDINANCE - (first reading) amending Chapter 8.16 of the Richmond Municipal Code which establishes the Fire Prevention Code and adopts the 2007 California Fire Code - Fire Department (Chief Michael Banks -307-8041).
- F-6.** APPROVE - a reauthorization of \$10,000 in matching funds for the San Francisco Foundation grant (approved by Council, June 19, 2007) to support the Arts and Culture Division's Neighborhood Public Art Mini-Grant program - Library & Community Services (Monique A. le Conge 620-6951).
- F-7.** ADOPT A RESOLUTION - setting forth the City Council's decision on January 8, 2008, denying the appeal and affirming the Design Review Board's approval of a Design Review Permit DR 1103829, demonstrating that the 10879 San Pablo Avenue mixed-use project is in compliance with the City of Richmond's Zoning Ordinance. - Planning Department (Richard Mitchell 620-6706).
- F-8.** APPROVE - a contract amendment with ADT Security to increase the scope of work for the Port Security Camera Project, and add \$190,894.87 in grant funds to the contract amount for a total amount not to exceed \$2,583,699.87 - Port (Jim Matzorkis 215-4600).

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- F-9.** ADOPT A RESOLUTION - authorizing service contracts with 15 selected vendors for as-needed architectural and engineering Services for an amount not to exceed \$350,000 per vendor over a three-year period - Public Works (Yader Bermudez 231-3009).
- F-10.** ADOPT AN ORDINANCE - (second reading) establishing the wages, salary, and compensation for the new classification of Park Steward (Salary Range 879: \$12.21 - \$15.07/hr.) - Human Resources (Leslie Knight 620-6600).
- F-11.** ADOPT AN ORDINANCE - (second reading) establishing the wages, salary, and compensation for the revised classification of Custodial Maintenance Supervisor (Salary Range 052F: \$5,129 - \$6,209/month) - Human Resources (Leslie Knight 620-6600).
- F-12.** APPROVE - the reimbursement of funeral service expenses for Deputy Fire Marshall Ron Wiley to IAFF Local 188 in the amount of \$18,570.73. The Public Safety Committee reviewed this item on December 20, 2007, and referred to the City Council - Vice Mayor Marquez (620-6581).
- F-13.** AUTHORIZE - staff to provide support for the East Bay Green Corridor Partnership, and direct the City Manager to assign appropriate staff to work on activities related to the Partnership - City Manager's Office (Bill Lindsay 620-6512).
- F-14.** APPROVE - the following reappointments and appointments to the following: Commission on Aging: Mary Peace Head and Eli Williams, Incumbents, terms expiring May 19, 2010; Arts and Culture Commission: Wende Heath, Appointed Incumbent, term expiring January 31, 2012; Housing Advisory Commission: Helen Hall, Incumbent, term expiring November 1, 2010; Planning Commission: Charles Duncan, term expiring June 30, 2010; Youth Baseball Advisory Board: Tracy Reed, Appointed Incumbent, term expiring June 15, 2012, and Terence Fisher, term expiring June 15, 2012 - Mayor McLaughlin (620-6503).
- F-15.** APPROVE - minutes of the Special meeting of the Richmond City Council held on January 29, 2008, and the regular meeting of the City Council held on February 5, 2008 - City Clerk's Office (Diane Holmes 620-6513).

G. PUBLIC HEARINGS

- G-1.** Public Hearing to consider the following options: (1) Uphold Planning Commission's decision to approve the Tentative Parcel Map in Exhibit A, Mitigated Negative Declaration with Mitigation Monitoring Plan and Supplemental Information in Exhibit B, for 125 to 127 Western Drive (APN: 558-020-007); or (2) Uphold Planning Commission's decision as described in Option 1 with revised conditions of approval; or (3) Uphold the Appeal request, thereby reversing the Planning Commission approval of the Tentative Parcel Map in Exhibit A, Mitigated Negative Declaration with Mitigation Monitoring Plan and Supplemental Information in Exhibit B, and deny the creation of three residential lots for 125 to 127 Western Drive (APN: 558-020-007).— Planning Department (Richard Mitchell 620-6706).

- G-2.** Consider an appeal of the Planning Commission's approval of the Design Review Permit, Conditional Use Permit for Density Bonus, and Variance/Exception for the Easter Hill Senior Housing Project located at 3601 Cutting Boulevard - Planning Department (Richard Mitchell 620-6706).

H. OPEN FORUM FOR PUBLIC COMMENT

I. AGREEMENTS

J. RESOLUTIONS

K. ORDINANCES

L. COUNCIL AS A WHOLE

- L-1.** Review mid-year budget forecast and proposed FY2007-08 mid-year budget adjustments - Finance Department (James Goins 620-6740).

- L-2.** Review and discuss the temporary Hall of Justice building's tenant improvement costs and the list of Rubecon General Contracting's hired subcontractors - Councilmember Bates (620-6581).

- L-3.** Direct staff to investigate and identify alternative re-entry focused employment service delivery opportunities on behalf of the City's growing re-entry population, without authorizing an extension of the existing contract with the Richmond Improvement Association (RIA) at this time - Office of Neighborhood Safety (DeVone Boggan 621-1219).

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L-4. Discuss and determine the City Council's position in response to the West Contra Costa Unified School District's (WCCUSD) proposed potential cuts to Richmond schools from the bond program and communicate the City Council's position via a letter written and signed by the Mayor. - Councilmembers Lopez, Thurmond and Vice Mayor Marquez (620-6581).

L-5. Discuss and direct staff to hire an educational consultant, under \$10,000, and report back to the City Council in 60-90 days on the legal options for the City of Richmond to file for Charter School status for 10 elementary schools in Richmond from the WCCUSD - Vice Mayor Marquez, Councilmembers Sandhu and Viramontes (510-620-6581).

L-6. Discuss and authorize the removal of several hazardous eucalyptus trees on a City of Richmond public utility easement behind property located on Groom Drive - Vice Mayor Marquez and Councilmember Bates (620-6581).

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

N. ADJOURNMENT

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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*