



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

**AGENDA
Tuesday, May 20, 2008**

**Mayor
Gayle McLaughlin**

**Vice Mayor
John E. Marquez**

**Councilmembers
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.

Evening Open Session

4:00 p.m. to 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):

Claimant: Michael and Joanna Lyons
Agency Claimed Against: City of Richmond

A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, and Bruce Soublet
Employee Organization or unrepresented employee(s): Local 21 and Local 1021 Retiree Medical Negotiations

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(s): Richmond Police Officers' Association (RPOA), and Richmond Police Management Association (RPMA)

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

One Case

City Council Open Session

5:00 p.m. to 6:30 p.m.

A. ROLL CALL

B. FISCAL YEAR 2008/09 BUDGET

B-1. Financial Overview of Fiscal Year 2008/09 Budget - Finance Department /City Manager's Office (James Goins 620-6740/Bill Lindsay 620-6512).

C. ADJOURNMENT

Richmond Community Redevelopment Agency

6:45 p.m.

PLEDGE TO THE FLAG

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. OPEN FORUM FOR PUBLIC COMMENT

D. CONSENT CALENDAR

D-1. ADOPT A RESOLUTION - authorizing the transfer of Agency funds to the Planning Department in an amount not to exceed \$410,000 for costs associated with the preparation of the Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for the Miraflores Project, in compliance with California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) requirements (The Finance Standing Committee reviewed this item on May 16, 2008, and recommended approval by the City Council) - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

D-2. APPROVE - minutes of the Regular Meeting held on May 6, 2008 - City Clerk's Office (Diane Holmes 620-6513).

E. ADJOURNMENT

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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. APPROVE - minutes of the Special Meetings held on April 15, 2008, and April 22, 2008, and the Regular Meeting held on May 6, 2008 - City Clerk's Office (Diane Holmes 620-6513).

D. ADJOURNMENT

Joint Meeting of the Joint Powers Financing Authority/City Council

6:55 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. APPROVE - minutes of the meeting held on May 6, 2008 - City Clerk's Office (Diane Holmes 620-6513).

D. ADJOURNMENT

CITY COUNCIL

7:00 p.m.

- A. ROLL CALL**
- B. STATEMENT OF CONFLICT OF INTEREST**
- C. AGENDA REVIEW**
- D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
- E. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- F. CONSENT CALENDAR**
 - F-1.** ACCEPT - the Arts & Culture Commission's final recommendation to select John Wehrle as the artist for the wall mural at the entrance of the Civic Center City Hall Council Chambers - Library & Cultural Services (Monique A. le Conge 620-6951).
 - F-2.** APPROVE - a legal services contract with the law firm of Rogers, Joseph & O'Donnell for an amount not to exceed \$20,000 to provide on-going legal services related to compliance with the Regional Water Quality Control Board (RWQCB) Tentative Order for Terminal 4 Site Clean-Up - Port (Jim Matzorkis 215-4600).
 - F-3.** APPROVE - a contract amendment with Quality Polygraph Services to provide pre-employment polygraph examination services, increasing the amount by \$8,750 for a total of \$18,450 - Police Department (Chief Chris Magnus 620-6655).
 - F-4.** ADOPT A RESOLUTION - authorizing the City to levy special assessments against certain properties where accumulations of abandoned, wrecked or dismantled vehicles are a public nuisance under the Richmond Municipal Code (RMC), Chapter 11.76 - Police Department (Chief Chris Magnus 620-6656).
 - F-5.** ADOPT A RESOLUTION - allowing the City of Richmond to enter into a Standard Agreement (CO700127) with the State Franchise Tax Board (FTB) providing for the City's participation in the FTB's City Business Tax Data Program - Finance Department (James Goins 620-6740).
 - F-6.** APPROVE - a contract with Solar Richmond in the amount of \$50,000 to provide

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technical assistance and to coordinate the solar installation component for the RichmondBUILD training program. The contract term will be May 20, 2008, through June 30, 2009, in an amount not to exceed \$50,000 - Employment & Training (Sal Vaca 307-8006).

- F-7.** APPROVE - a contract amendment with Jane Lofgren, dba Central Cleaning, to provide cleaning services for the restroom facilities at the Jay and Barbara Vincent, Shimada, and Lecretia Edwards Parks. This amendment will increase the payment amount by \$9,720 for a total contract amount of \$19,440, and will extend the term of the contract from June 30, 2008, to June 30, 2009 - Public Works (Yader Bermudez 231-3009).
- F-8.** APPROVE - the expenditure of budgeted FY 07/08 Equipment Replacement Funds to purchase two mowers in an amount not to exceed \$23,000 - Public Works (Yader Bermudez 231-3009).
- F-9.** APPROVE - a contract amendment with MBN Services Inc. (DBA: Bob Murray & Associates) for \$54,000, for a total approved contract payment limit not to exceed \$78,000, to develop and administer recruitment processes for three additional engineering classifications (The Finance Committee reviewed this item on April 18, 2008, and recommended approval by the City Council) - Human Resources (Leslie Knight 620-6600).
- F-10.** ADOPT AN ORDINANCE (second reading) - establishing the wages, salary, and compensation for the revised and retitled classification of Revenue Manager (Salary Range 060D: \$6,238 - \$7,544/month) (The Finance Committee reviewed this item on April 18, 2008, and recommended approval by the City Council) - Human Resources (Leslie Knight 620-6600).
- F-11.** APPROVE - a contract with Ralph Andersen and Associates in the amount of \$11,355.57, for miscellaneous recruitment services (The Finance Committee reviewed this item on April 18, 2008, and recommended approval by the City Council) - Human Resources (Leslie Knight 620-6600).
- F-12.** APPROVE - a contract amendment with Patricia Elliot increasing the total amount from \$10,000 to \$25,000 for confidential investigative services – Human Resources (Leslie Knight 620-6600).

- F-13.** APPROVE - the following reappointments and appointments: Commission on Aging: Barbara Scott, incumbent, term expiring May 19, 2010; Richmond

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Workforce Investment Board: Alan Baer; Richmond-Shimada Friendship
Commission: Marilyn Chan Alford, term expiring December 31, 2010 - Mayor
McLaughlin (620-6503).

F-14. APPROVE - the minutes of the Regular Meeting held on May 6, 2008 - City Clerk's
Office (Diane Holmes 620-6513).

G. PUBLIC HEARINGS

H. OPEN FORUM FOR PUBLIC COMMENT

I. AGREEMENTS

J. RESOLUTIONS

K. ORDINANCES

K-1. INTRODUCE AN ORDINANCE (first reading) - establishing a temporary
moratorium on the acceptance, processing and approval of applications and permits
to construct, modify or place biofuel facilities within the City of Richmond -
Planning Department (Richard Mitchell 620-6706).

L. COUNCIL AS A WHOLE

L-1. Approve a motion to oppose Initiative 1326, the Runner Initiative, which would
increase funding for criminal justice programs by half a billion dollars annually;
facilitate the prosecution of more youth as adults; increase penalties for drug
offenses and offenses alleged to be "gang" related; create mandatory criminal
background checks for housing; subsidy recipients; and prohibit bail for
undocumented immigrants charged with "gang related" felonies - Mayor
McLaughlin and Councilmember Thurmond (620-6503/620-6581).

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

N. ADJOURNMENT

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*This agenda may be previewed on KCRT – Channel 28, Richmond Television,
City website ci.richmond.ca.us. Any Documents produced by the City and distributed to a majority of the
City Council regarding any item on this agenda will be made available at the
Main Counter at City Hall located at 1401 Marina Way South.*