



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

**AGENDA  
Tuesday, October 28, 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**

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**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.*

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## EVENING OPEN SESSION

Tuesday, October 28, 2008

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 REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: 1320 Canal Boulevard, Richmond, CA 94804  
Agency Negotiator: Jim Matzorkis  
Negotiating Parties: City of Richmond and Auto Warehousing Co.  
Negotiations: Price and Terms of Payment

### B. **REDEVELOPMENT AGENCY**

- B-1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Section 54956.9):

One Case

**RICHMOND COMMUNITY REDEVELOPMENT AGENCY**

6:00 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 an amendment to the contract with Richmond Main Street Initiative, Inc. (RMSI) for program management services, increasing the contract amount by \$96,500, from \$112,500 to \$209,000, and extending the term to June 30, 2009 (The Finance Committee reviewed this item at its October 17, 2008, meeting and forwarded it to the Agency Board as there was no quorum present.) - Richmond Community Redevelopment Agency (Steve Duran / Thomas Mills 307-8140).

**D-2.** APPROVE minutes of the Regular Meeting held on October 7, 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**

6:05 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **PUBLIC HEARING**

**C-1.** HOLD a Joint Richmond City Council and Richmond Community Redevelopment Agency Board public hearing per 42.U.S.C.5304(a)(2) to receive testimony regarding a Neighborhood Stabilization Program application substantially amending the 2008-2009 Annual Consolidated Action Plan; and ADOPT the following:

1. A City Council Resolution approving the Substantial Amendment to the Annual 2008-2009 Consolidated Action Plan in an amount not to exceed

Tuesday, October 28, 2008

\$3,346,105 in Title III of Division B Funds from the Housing and Economic Recovery Act of 2008, and authorizing the submittal of the Neighborhood Stabilization Program application per CFR 5255-N-01.

2. A Community Redevelopment Agency Board Resolution for the administration of the Neighborhood Stabilization Program, authorizing the Executive Director to negotiate and execute all related documents to accept and expend NSP Funds as approved by HUD - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

**D. CONSENT CALENDAR**

**D-1.** APPROVE minutes of the Special Meetings held on September 16 and October 7, 2008 - City Clerk's Office (Diane Holmes - 620-6513).

**E. AGENCY/COUNCIL AS A WHOLE**

**E-1.** ADOPT a joint City/Agency resolution as follows: (1) supporting the use of Measure J Transportation Sales Tax Funds programmed for the Richmond Parkway and West County ferry service to assist with the design and construction of the Marina Bay Parkway Grade Separation, and (2) authorizing the execution of a three-party agreement among the City of Richmond, the Richmond Community Redevelopment Agency, and the City of Hercules - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

**F. ADJOURNMENT**

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**CITY COUNCIL**

7:00 p.m.

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. AGENDA REVIEW**

**D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

Tuesday, October 28, 2008

- D-1.** Present Certificates of Appreciation to the Latino Peace Officers Association, the Latino Firefighters Association, and St. Vincent de Paul for their contribution to the community - Mayor McLaughlin and Vice Mayor Marquez (620-6581).
  - D-2.** Presentation by East Bay Municipal Utility District (EBMUD) Board President Lesa McIntosh concerning the current water shortage - Councilmembers Viramontes and Lopez (620-6581).
  - D-3.** Present proclamation honoring American Red Cross Bay Area's Act of Courage Heroes award recipients Michael Harrison, Dante Lee, Fredrick Madden, Espenosa Matthews, and Ricardo Mendoza, for risking their lives to rescue members of the Zaragoza family from a house fire in December 2007 - 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.** ADOPT a resolution authorizing placement of liens on property tax rolls for unpaid garbage collection service fees - Finance Department (James Goins 620-6740).
  - F-2.** ADOPT a resolution approving modification of the stop controls at Garrard Boulevard, Canal Boulevard, and the Burlington Northern Santa Fe (BNSF) Railway yard driveway, changing the existing four-way stop to a two-way stop - Engineering Department (Rich Davidson 307-8105).
  - F-3.** ADOPT a resolution approving the removal of the existing stop control on Regatta Boulevard at Marina Bay Parkway and replacement of this stop control with a right-of-way yield sign for southbound Marina Bay Parkway traffic turning onto Regatta Boulevard - Engineering Department (Rich Davidson 307-8105).
  - F-4.** ACCEPT the work completed by Top Grade Construction, Inc. for the 2007 Pavement Rehabilitation Area A Project at a final construction cost of \$5,240,082.42 - Engineering (Rich Davidson 307-8105).
  - F-5.** ACCEPT the work completed by Bay Cities Paving and Grading, Inc. for the 2007 Pavement Rehabilitation Area B Project at a final construction cost of

Tuesday, October 28, 2008

\$1,842,100.39 - Engineering (Rich Davidson).

- F-6.** APPROVE a contract with Muller & Caulfield Architects (M&C) to provide architectural, engineering and construction support services for the retrofit at 2705 Macdonald Avenue to house the Employment & Training Department in an amount not to exceed \$281,893 with a term from November 1, 2008, through June 30, 2010 (The Finance Committee reviewed this item at its October 17, 2008 meeting, but a quorum was not present to make a recommendation to the City Council.) - Redevelopment Agency / Employment & Training (Steve Duran/Sal Vaca 307-8140).
- F-7.** APPROVE - a contract with Bellecci & Associates Inc. to provide professional design services to assess the structural integrity and develop repair strategies for the roofs at Fire Stations 61, 62, and 64 in an amount not to exceed \$45,000.00 - Public Works (Yader A. Bermudez 231-3008).
- F-8.** APPROVE a contract with Mark Albertson, AIA to provide professional design and engineering services for replacement of a damaged roof beam at Booker T. Anderson Center in an amount not to exceed \$13,800.00 - Public Works Department (Yader Bermudez 231-3010).
- F-9.** APPROVE amendment of contract with Mark Albertson, AIA Architect to provide professional design and engineering services to remodel Fire Station 68 in an amount not to exceed \$22,930.00 for a total contract amount of \$88,245.00 - Public Works Department (Yader Bermudez 231-3010).
- F-10.** APPROVE a contract with Mark Albertson, AIA Architect to design and provide construction support for the installation of two new above-ground fuel stations at Richmond Fire Stations 63 and 68 in an amount not to exceed \$36,050.00 - Public Works Department (Yader Bermudez 231-3010).
- F-11.** APPROVE a contract with ProForce Marketing for the purchase of 20 X26E Tasers, at a total cost of \$17,801.23 - Police Department (Chief Magnus, 620-6655).
- F-12.** ACKNOWLEDGE: (1) the City's receipt of an oversight cost reimbursement account letter that allows the California Regional Water Quality Control Board (CRWQB) to be reimbursed \$135 an hour annually for overseeing the cleanup

Tuesday, October 28, 2008

and abatement efforts at the former Point Molate Naval Fuel Depot, and (2) AUTHORIZE the city manager to approve payment of the annual invoices for documented costs from the CRWQB - City Manager's Office (Bill Lindsay 620-6512).

**F-13.** APPROVE the appointment of Janell Hurd to the Commission on Aging, for a term expiring May 19, 2010 - Mayor McLaughlin (620-6503).

**G. PUBLIC HEARINGS**

**H. OPEN FORUM FOR PUBLIC COMMENT**

**I. AGREEMENTS**

**J. RESOLUTIONS**

**K. ORDINANCES**

**L. COUNCIL AS A WHOLE**

**L-1.** DISCUSS and DIRECT staff to report on the feasibility of implementing the recommendations of the Latino Community Coalition to improve the quality of service to the Latino and Spanish speaking community of Richmond - Mayor McLaughlin (620-6503).

**L-2.** DISCUSS AND ESTABLISH a policy to allow Councilmembers to respond to personal attacks from the audience - Councilmember Bates (620-6581).

**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](http://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.*