



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

**AGENDA  
Tuesday, March 3, 2009**

**Mayor  
Gayle McLaughlin**

**Vice Mayor  
Ludmyrna Lopez**

**Councilmembers  
Nathaniel Bates  
Thomas K. Butt  
Jeff Ritterman  
Jim Rogers  
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.*

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

Chevron USA vs. City of Richmond

Toll Brothers vs. City of Richmond

City of Richmond vs. Buckeye

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**RICHMOND COMMUNITY REDEVELOPMENT AGENCY**

6:55 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **OPEN FORUM FOR PUBLIC COMMENT**

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**E. CONSENT CALENDAR**

- E-1.** ADOPT a resolution approving mid-year budget adjustments for the Richmond Community Redevelopment Agency for Fiscal Year 2008/09 - Richmond Community Redevelopment Agency (Steve Duran 307-8140).
- E-2.** ADOPT a resolution authorizing an amendment to a Legal Services Agreement with Shute, Mihaly & Weinberger, LLP for legal services related to the Terminal One (Point Richmond Shores) Project, increasing the contract amount by \$75,000 for a total amount not to exceed \$124,999 - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
- E-3.** APPROVE the minutes for the Regular Meetings held on January 6 and February 3, 2009 - City Clerk's Office (Diane Holmes 620-6513).

**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**

- D-1.** Proclamation declaring March 2009 as International Women's Month in Richmond - Mayor's Office (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 an amendment to the contract with Christy Jacobson for visual and learning assessments for the Literacy for Every Adult Project (L.E.A.P.) students, increasing the contract amount from \$9,950 to an amount not to exceed \$14,000 for Fiscal Year 2008/09 - Library & Cultural Services (Monique A. le Conge 620-6555).
- F-2.** ADOPT a resolution ordering the preparation of an Engineer's Report for Fiscal Year 2009/10 Regarding Improvements and Costs for the Hilltop Landscape Maintenance Assessment District - Public Works (Yader A. Bermudez 231-3009).
- F-3.** ADOPT a resolution authorizing applications for local grant funds from the East Bay Regional Park District under the Measure WW Park Bond Extension - Public Works (Yader A. Bermudez 231-3009).
- F-4.** ADOPT a resolution amending the City of Richmond's Classification Plan to add the classifications of Management Analyst I/II and Senior Management Analyst - Human Resources (Leslie Knight 620-6600).
- F-5.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the revised classification of Management Analyst I/II (Salary Range: 043D \$4,689 - \$5,608/month; 055D \$5,763 - \$6,964/month) and the new classification of Senior Management Analyst (Salary Range: 060D \$6,488 - \$7,846/month) - Human Resources (Leslie Knight 620-6600).
- F-6.** APPROVE a contract with Bickmore Risk Services in an amount not to exceed \$12,000 to perform the annual actuarial studies for the City's general liability and workers' compensation self-insurance funds – Human Resources (Leslie Knight 620-6600)
- F-7.** ADOPT a resolution authorizing the acceptance and appropriation of funds allocated by the Contra Costa Homeland Security Working Group (G10) to the Fire Department on behalf of the Richmond Youth Academy in the amount of \$20,000 to be used for the purchase of a 15-person passenger van - Fire Department (Chief Michael Banks 307-8041).
- F-8.** APPROVE the purchase of 90 pairs of Cutter II wildland boots from Drews, Inc. in the amount of \$22,085 - Fire Department (Chief Michael Banks 307-8041).

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- F-9.** APPROVE a nine-month contract with Creative Education Consulting to create a professional development program consisting of scheduled trainings, peer support groups, and one-on-one technical assistance for Richmond-based and Richmond-serving non-governmental organizations for an amount not to exceed \$19,000 - City Manager's Office (Bill Lindsay 620-6512).
- F-10.** APPROVE a three-year contract with Bay Marine Boatworks for police boat maintenance services in the amount \$16,018 per year, for a total contract amount not to exceed \$48,054 - Police Department (Chief Magnus 620-6655).
- F-11.** APPROVE the following appointments: Historic Preservation Advisory Committee: Samaneh Nili, term expiring July 31, 2009; Planning Commission: Jovanka Beckles, term expiring June 30, 2011; Virginia Finlay, term expiring June 30, 2010; Sheryl Lane, term expiring June 30, 2011; Jeff Lee, term expiring June 30, 2010; Nagaraga Rao, term expiring June 30, 2010; Carol Teltschick-Fall, term expiring June 30, 2011 - Mayor's Office (Mayor McLaughlin 620-6503).
- F-12.** APPROVE the first amendment to the contract between the City and ADT Security Services, Inc. in the amount of \$49,800 for the installation of cameras as part of the Nevin Park Reconstruction Plan and ADOPT a resolution of the City Council accepting the transfer of funds from the Redevelopment Agency to fund this contract amendment - Police Department (Chief Chris Magnus 620-6655).
- F-13.** APPOINT Vice Mayor Lopez as an alternate to the West County Agency Board and Councilmember Bates as a representative to the Gilman Street Regional Sports Complex Joint Powers Authority - Mayor's Office (Mayor McLaughlin 620-6503).
- F-14.** APPROVE a contract with Colantuono & Levin, Professional Corporation, for \$175,000 for legal representation in the lawsuit Chevron vs. City of Richmond (Legal challenge to Measure T). The term of the contract shall be March 4, 2009, through June 30, 2011 - City Attorney's Office (Randy Riddle 620-6509).
- F-15.** ADOPT a resolution authorizing the city engineer to submit an application for federal American Recovery and Reinvestment Act of 2009 (ARRA) funding in the amount of \$1,550,000 for the Carlson Boulevard Improvements Project, and stating City assurance to complete the project - Engineering (Rich Davidson 307-8105).

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**F-16.** APPROVE a second extension to the Urgency Ordinance providing for a temporary moratorium on the acceptance, processing, and approval of applications and permits to construct, modify or place wireless telecommunication facilities within the City of Richmond through and including September 12, 2009 - Planning and Building Services Department (Richard Mitchell 620-6706).

**F-17.** APPROVE the minutes for the Regular Meeting held on February 17, 2009 - City Clerk's Office (Diane Holmes 620-6513).

**G. OPEN FORUM FOR PUBLIC COMMENT**

**H. PUBLIC HEARINGS**

**I. AGREEMENTS**

**J. RESOLUTIONS**

**J-1.** ADOPT a resolution endorsing the Employee Free Choice Act - Mayor's Office (Mayor McLaughlin 620-6503).

**K. ORDINANCES**

**K-1.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Section 3.20.030 and Section 15.04.930.070.E limiting to 90 days the period of time that members of the Planning Commission and Design Review Board whose terms have expired may remain in office, or until April 21, 2009, for members whose terms have expired or will expire before the effective date of the ordinance - City Attorney's Office (Randy Riddle 620-6500).

**L. COUNCIL AS A WHOLE**

**L-1.** CONSIDER directing City staff to prepare a ballot measure removing the cap from the Utility Users Tax, and adding clarifying language to the ordinance to specify the types and use of natural gas that are part of the base that is subject to tax - Councilmember Ritterman (620-6581).

**L-2.** REVIEW and ACCEPT the City of Richmond's 2005 Greenhouse Gas Emissions Inventory as the City's baseline greenhouse gas emissions (GHG) inventory and provide comments and direction to staff - City Manager's Office (Bill Lindsay 620-6512).

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- L-3. UPDATE on a request made at the July 29, 2008, Council meeting directing staff to work with representatives from each bargaining unit and research alternative work schedules for employees including 4/10 and 9/80 options and telecommuting - Councilmember Bates (620-6581).
- L-4. DIRECT staff to identify funding to construct a bus shelter for the seniors at Heritage Park Senior Apartments - Councilmember Rogers (867-5725).
- L-5. CONSIDER changes to City rules as to the status of board members and commissioners whose terms have expired - Councilmember Rogers (867-5725).
- L-6. DIRECT staff to develop a plan to let nonprofit agencies apply for the Chevron Community Benefits funds at the same time that they apply to the City of Richmond for Community Development Block Grant (CDBG) funding - Councilmember Rogers (867-5725).
- L-7. DIRECT City Attorney to draft language to place an initiative on the November 2010 ballot to get rid of the loophole that caps large taxpayers' Utility Users' Tax payments - Councilmember Rogers (867-5725).
- L-8. DIRECT staff to draft a resolution in support of co-sponsoring the 2009 Contra Costa County Homeless Connect Summit - Councilmember Viramontes (236-5977).

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](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.*