



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

**AGENDA
Tuesday, April 7, 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**

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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):

Andre Mogannam vs. City of Richmond-Claims Settlement Authorization

Riley vs. City of Richmond

City of Richmond vs. Church of Deliverance

Barra vs. City of Richmond

Martin vs. City of Richmond

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

Three cases

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

City Designated Representative(s): Bill Lindsay, Leslie Knight, Jack Hughes,
Lisa Stephenson, and Bruce Soublet

Employee Organization or unrepresented employee(s): Locals IFPTE 21 and
SEIU 1021: Alternative Work Schedules

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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

E. CONSENT CALENDAR

E-1. ADOPT a resolution approving a contract with AN West, Inc. for the design and engineering of Class II bicycle lanes along Barrett Avenue from Garrard Boulevard east to San Pablo Avenue in an amount not to exceed \$80,988 - Richmond Community Redevelopment Agency (Steve Duran/ Alan Wolken 307-8140).

E-2. ADOPT a resolution authorizing the transfer of \$180,000 in Agency funds to the Planning Department for costs related to the development of a pilot form-based code for commercial corridors focusing on portions of 23rd Street associated with the 23rd Street Streetscape Improvement Project (this item was reviewed at the March 20, 2009, Finance Committee Meeting and recommended for approval) - Richmond Community Redevelopment Agency. **This is a companion item to Item F-14 on the City Council Agenda.** (Steve Duran/Alan Wolken 307-8140).

E-3. APPROVE the minutes for the Regular Meeting held on March 17, 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 recognizing National Library Week, April 12-18, 2009 - Mayor McLaughlin (620-6503).

D-2. Proclamation declaring the week of April 20 - 26, 2009, as TV Turnoff Week - 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 a contract with Bellecci & Associates, Inc. for professional engineering and design services for the Citywide Parks Master Plan in an amount not to exceed \$152,978.00 (this item was reviewed at the March 20, 2009, Finance Committee Meeting and recommended for approval) - Public Works Department (Yader A. Bermudez 231-3009).

F-2. APPROVE a contract with Urban Creeks Council to gather community and stakeholder feedback, design, and manage revegetation of the Baxter Creek site at Booker T. Anderson Jr. Community Park. Total amount of the contract will not exceed \$88,240 - Public Works Department (Yader A. Bermudez 231-3009).

F-3. AUTHORIZE the port director to execute the Memorandum of Agreement between the City of Richmond, the Bay Area Air Quality Management District, the Bay Planning Coalition, the Port of San Francisco, the Port of Oakland, the Port of Redwood City, and the Port of Benicia for the development of the Bay Area Seaports Air Emissions Inventory. The City/Port of Richmond's portion of the cost to develop the inventory will not exceed \$60,000 – Port (Jim Matzorkis 215-4600).

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- F-4.** APPROVE a contract with Opportunity West in an amount not to exceed \$27,500 for a term ending December 31, 2009, to provide technical and organizational support for the newly-formed Richmond Groundwork Trust Steering Committee - Public Works Department (Yader A. Bermudez 231-3009).
- F-5.** APPROVE an amendment to the contract with Merriwether & Williams Insurance Services, increasing the contract amount from \$49,000 to \$99,000 and extending the term by one year to June 30, 2010, for Phase II of the contracting and bonding assistance program for Richmond businesses - Employment & Training (Sal Vaca 307-8006).
- F-6.** APPROVE a contract in an amount not to exceed \$215,000 and for a term from February 1, 2008 to January 31, 2014 with Elation Systems to provide software and technical support services for web-based labor compliance and monitoring software for the purpose of efficiently processing certified payroll records and generating compliance and demographic reports for contracts covered by the City of Richmond's Local Employment Ordinance and Business Opportunity Ordinance (this item did not go before the Finance Committee due the time sensitivity of the contract approval) - Employment & Training (Sal Vaca 307-8006).
- F-7.** APPROVE a contract with Alten Construction, Inc. to reinforce the existing Richmond Swim Center roof in an amount not to exceed \$40,888 - Public Works Department (Yader A. Bermudez 231-3009).
- F-8.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the revised classification of Risk Manager (Salary Range 070D: \$8,642 - \$10,452/month) - Human Resources (Leslie Knight 620-6600).
- F-9.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Sustainability Coordinator (Salary Range 043D: \$4,689 - \$5,608/month) - Human Resources (Leslie Knight 620-6600).
- F-10.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the classification of Principal Personnel Analyst (Salary Range 069D: \$7,889 - \$9,548/month) - Human Resources (Leslie Knight 620-6600).

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- F-11.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Section 15.04.910.080 to require findings of public convenience or necessity before approving a conditional use permit for retail sales of alcoholic beverages in areas where there is an undue concentration of establishments selling alcoholic beverages - Planning and Building Services Department (Richard Mitchell 620-6706).
- F-12.** ACKNOWLEDGE receipt of the City of Richmond's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2008 (this item was reviewed at the March 6, 2009, Finance Committee Meeting and recommended for approval) - Finance Department (James Goins 620-6740).
- F-13.** APPROVE Contract Amendment No. 3 with Todd Jersey Architecture in an amount not to exceed \$116,000 to provide the necessary architectural services and construction administration to complete Phase II of the renovation of the Richmond Natatorium, bringing the total contract amount to \$451,000 (this item was reviewed at the March 20, 2009, Finance Committee Meeting and recommended for approval) - Engineering Department (Edric Kwan 621-1825).
- F-14.** ADOPT a resolution to award a consulting contract to Opticos Design, Inc. for the visioning and preparation of a form-based code for the 23rd Street Corridor. (This item was reviewed by the Finance Committee on March 20, 2009, and is recommended for approval by the City Council) - Planning and Building Services Department. **This is a companion item to Item E-3 on the Redevelopment Agency Agenda.** (Richard Mitchell 620-6706).
- F-15.** APPROVE a contract with WESCO Graphics, Inc. to print the next four editions of the Recreation Department's Activities Guide in an amount not to exceed \$46,580 - Recreation Department (Keith Jabari 620-6791).
- F-16.** APPROVE the appointment of Mayor McLaughlin as an alternate member of the North Richmond Mitigation Fee Joint Committee - Mayor's Office (Mayor McLaughlin 620-6503).
- F-17.** APPROVE contract with Networkfleet to provide 150 units of the Advance GPS Fleet Management System for the tracking and management of City vehicles, and to manage these units for two years, for an amount not to exceed \$150,000.00. (This item was reviewed and recommended for City Council approval by the Finance Committee at its March 20, 2009 meeting. - Public Works Department (Yader A. Bermudez 231-3009).

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- F-18.** APPROVE the following appointments: Arts and Culture Commission: Mauricio Duarte, term expiring January 31, 2013; Housing Advisory Commission: Anntheia Yvonne Harrison-Farr (incumbent), term expiring February 1, 2011; Library Commission: Ron Shoop, term expiring July 1, 2012 - Mayor's Office (Mayor McLaughlin 620-6503).
- F-19.** APPROVE the minutes for the Regular Meeting held on March 17, 2009 - City Clerk's Office (Diane Holmes 620-6513).

G. OPEN FORUM FOR PUBLIC COMMENT

H. PUBLIC HEARINGS

- H-1.** Public hearing to determine whether there are any private, nonprofit agencies available to provide demand-response and fixed-route transportation services for senior and persons with disabilities residing in the greater Richmond area for a minimum of 20 hours per week. If there are no readily available providers, adopt resolution and authorize staff to complete and submit application for a Federal Transit Administration (FTA) 5310 Grant to allow for the purchase of seven paratransit vehicles at a total cost of \$371,171, with the City's share of the cost at \$42,573 - Recreation Department (Keith Jabari - 620-6791).

I. RESOLUTIONS

- I-1.** ADOPT a resolution supporting Senate Bill 810, the California Universal Health Care Act of 2009 - Mayor's Office (Mayor McLaughlin 620-6503).
- I-2.** ADOPT a resolution in support of the Cuban Five, their rights to fair trial and visitation rights for their families - Mayor's Office (Mayor McLaughlin 620-6503 and Councilmember Viramontes 620-6581).
- I-3.** ADOPT a resolution approving the Rosie the Riveter/World War II Home Front National Historical Park General Management Plan/Environmental Assessment and concurring with the selection of Alternative B of the Plan as the Preferred Alternative - Planning and Building Services Department (Richard Mitchell 620-6706).

J. ORDINANCES

- J-1.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Section 9.46 to strengthen restrictions on alcoholic beverage advertising - Councilmember Rogers (867-5725).

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J-2. INTRODUCE an ordinance (first reading) adding Chapter 6.46 to the City of Richmond Municipal Code establishing green building standards for the construction and/or renovation of commercial and residential buildings - Planning and Building Services Department (Richard Mitchell 620-6706).

K. COUNCIL AS A WHOLE

K-1. ACKNOWLEDGE receipt of staff report on the continuation of foreclosure prevention and management activities and on the implementation of additional efforts possible through new funding - Councilmember Viramontes and Vice Mayor Lopez (620-6581).

K-2. DIRECT staff to seek options for the City of Richmond to help the East Bay Center for the Performing Arts secure additional funding for the Winters Building restoration by May 22, 2009. Some options to consider include: 1) recommend obtaining a \$1.5 million dollar replacement loan from the State Local Investment Fund, 2) consider submitting an application under the Federal Stimulus package for 50% of the project's funding, 3) any other options the staff can recommend to meet the deadline - Councilmember Viramontes (620-6581).

L. ADJOURNMENT

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.