



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

**AGENDA
Tuesday, April 21, 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):
 - Chevron USA vs. City of Richmond
 - Communities for a Better Environment (CBE) vs. City of Richmond
 - West County Wastewater District vs. City of Richmond
 - City of Richmond vs. Church of Deliverance
 - Citizens of the East Shore State Parks vs. City of Richmond
 - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):
 - One Case

Tuesday, April 21, 2009

SPECIAL MEETING RICHMOND HOUSING AUTHORITY

6:15 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. AUTHORIZE the executive director to initiate negotiations for implementation of the Nystrom Village Revitalization Project with the development team of Related of California, Mercy Housing, and the Community Housing Development Corporation (CHDC) of North Richmond - Housing Authority (Tim Jones 621-1310).

F. COMMISSION AS A WHOLE

F-1. CONSIDER adopting a resolution to approve submission of the U.S. Department of Housing and Urban Development required 2009 One-Year and Five-Year Agency Plans - Housing Authority (Tim Jones 621-1310).

G. ADJOURNMENT

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**SPECIAL JOINT MEETING OF THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY/CITY COUNCIL**

6:55 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT a joint resolution authorizing the city manager and the agency executive director to execute the First Amendment to the Promissory Note and Commercial and Residential Development Commitment Agreement with Signature at Anchor Cove, LLC. to extend the term of the agreements for two years - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

C-2. APPROVE the minutes for the Regular Meeting held on April 7, 2009 - 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

D-1. Presentation of Richmond High School Student Sompong Viengvilai and his three minute video "Polluted Nightmare", for which he was one of seven finalists in the statewide California Climate Champion competition - Mayor's Office (Mayor McLaughlin 620-6503)

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- D-2. Proclamation honoring April 22nd as Earth Day 2009 and celebrating Richmond's Growing Community Gardens - Mayor's Office (Mayor McLaughlin 620-6503).
- D-3. Proclamation recognizing April 2009 as National Sexual Assault Awareness Month - 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 W. Bradley Electric (WBE) to install Opticon emergency vehicle pre-emption equipment at four signalized intersections: Hilltop Drive and Richmond Parkway, Carlson Boulevard and Cutting Boulevard, Cutting Boulevard and 37th Street, 37th Street and Barrett Avenue in an amount not to exceed \$46,250 - Public Works (Yader A. Bermudez 231-3009).
- F-2. APPROVE a contract with Kaiser Permanente to perform physical examinations for 88 sworn fire personnel and pre-employment examinations for up to 10 firefighter trainees in an amount not to exceed \$54,684 - Fire Department (Chief Michael Banks 307-8041).
- F-3. APPROVE a contract with First Service Production, Inc. to resurface the existing outdoor basketball courts at Nevin and Atchison Parks in an amount not to exceed \$18,370 - Public Works (Yader A. Bermudez 231-3009).
- F-4. APPROVE an agreement with the Contra Costa District Attorney's Office to provide services for the Police-Prosecutor Liaison Program at a cost of \$200,000 for calendar year 2009 (this item was reviewed and recommended for approval by the Finance Committee at its March 20, 2009, meeting) - Police Department (Chief Magnus 620-6656).
- F-5. ADOPT a resolution increasing the City's current Living Wage, effective January 1, 2009, from \$14.55 per hour to \$15.19 per hour for employees with medical benefits; and from \$16.05 per hour to \$16.69 per hour for employees without medical benefits - Human Resources (Leslie Knight 620-6600).

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- F-6.** APPROVE the reimbursement to Auto Warehousing Company (AWC) for the additional Pre-Development expenses incurred in an amount not to exceed to \$1,055,000 (this item was reviewed and recommended for approval by the Finance Committee at its April 17, 2009, meeting) - Port (Jim Matzorkis 215-4600).
- F-7.** APPROVE payment in an amount not to exceed \$16,500 to Select Electrics for completion of repairs to the KCRT production vehicle - Information Technology Department (Sue Hartman 620-2551).
- F-8.** ADOPT a resolution of the Council of the City of Richmond, California authorizing a standing order procurement process with Innovative Interfaces, Inc. of Emeryville, California for annual hardware and software maintenance, consulting, training, and software application modules in an amount not to exceed \$150,000 for each of three fiscal years: 2008-2009, 2009-2010, and 2010-2011 (this item was reviewed and recommended for approval by the Finance Committee at its April 17, 2009, meeting) - Library & Cultural Services (Monique A. le Conge 620-6554).
- F-9.** APPROVE a contract amendment with Gordon & Rees, LLP to evaluate, legally review, and advise the City on wastewater operations, and prepare for mediation and initial preparation for arbitration. The contract amendment shall be for \$175,000, for a total contract amount of \$500,000 with a term extending to December 31, 2009 (this item was reviewed and recommended for approval by the Finance Committee at its meeting of April 17, 2009) - City Attorney's Office (Randy Riddle 620-6509).
- F-10.** 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-11.** ADOPT a resolution (1) authorizing the issuance by the City of Richmond of tax and revenue anticipation notes (TRANS) in an amount not to exceed \$30,000,000; (2) authorizing various financing documentation, including a purchase agreement and a trust agreement; (3) authorizing the finance director/treasurer to sign financing documentation in connection with the issuance of the TRANS; and (4) appointing the law firm of Orrick, Herrington & Sutcliffe as bond counsel to the City of Richmond - Finance Department (James Goins 620-6740).

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- F-12.** APPROVE a 2009 Tow Service Contract and ADOPT a resolution for the term January 1, 2009, through December 31, 2009, which retains the current maximum tow fees approved in 2005 - Police Department (Chief Magnus 620-6656).
- F-13.** APPROVE service contracts with three selected vendors: Fehr & Peers Associates, Walnut Creek; Kimley-Horn and Associates, Inc., Oakland; and PHA Transportation Consultants, Berkeley for as-needed traffic consultant services on capital improvement projects, development projects, and other City projects, in an amount not to exceed \$200,000 per vendor over a three-year period (this item was reviewed and recommended for approval by the Finance Committee at its April 17, 2009, meeting) - Engineering Department (Rich Davidson 307-8105).
- F-14.** APPROVE the following appointments: Design Review Board: Otheree Christian, term expiring 4/21/11; Raymond Welter, term expiring 4/21/11; Recreation & Parks Commission: Courtland Corky Booze, term expiring 10/26/2010; Community Development Commission: Kimberly Ellis, term expiring 4/21/2012; Economic Development Commission: Cynthia Burke, term expiring 4/21/2012; Larry Fleming, term expiring 4/21/2012; Eric Gavidia, term expiring 3/30/2012; Kevin Hampton, term expiring 3/30/2012; Qiana Riley, term expiring 3/30/2010; Dorothy Williams-Fox, term expiring 3/30/2010; William Acevedo (incumbent), term expiring 3/30/2010; William R. Dabney (incumbent), term expiring 3/30/2010; Michelle Itagaki (incumbent), term expiring 3/30/2012; Ben Parsons (incumbent), term expiring 3/30/2010; Katrinka Ruk (incumbent), term expiring 3/30/2011; Hermann E. Welm (incumbent), term expiring 3/30/2011 – Mayor’s Office (Mayor McLaughlin 620-6503).
- F-15.** ADOPT a resolution authorizing service contracts with an approved list of qualified consultants for as-needed CEQA related services in an amount not to exceed \$400,000 per vendor, per project over a three-year period (August 2007 through July 2010) when such consultant services are reimbursed by a developer as part of a land use application - Planning and Building Services Department (Richard Mitchell 620-6706).
- F-16.** APPROVE the minutes of the Study Session and Special Meeting held on March 24, 2009, and the Regular Meeting held on April 7, 2009 - City Clerk's Office (Diane Holmes 620-6513).

G. OPEN FORUM FOR PUBLIC COMMENT

H. ORDINANCES

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H-1. INTRODUCE an ordinance (first reading) amending the Business Opportunity Ordinance to extend the sunset date from April 30, 2009, to January 29, 2010, in order to provide additional time for discussions, planning, and recommendations to the City Council for policy considerations - Employment & Training Department (Sal Vaca 307-8006).

I. COUNCIL AS A WHOLE

I-1. CONSIDER a request from Social Progress, Inc., a Richmond based-non-profit, for \$10,000 from the non-profit emergency grant fund - City Manager's Office (Bill Lindsay 620-6512).

I-2. DISCUSS and RECOMMEND funding for the Cinco de Mayo, Juneteenth and Homefront Festivals - Councilmember Bates (620-6581).

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

K. 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.