



**Community Services Building
440 Civic Center Plaza
Richmond, CA 94804**

**AGENDA
Tuesday, September 8, 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 the Community Services Building

- A. **CITY COUNCIL**
 - A-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):
 - Citizens for Eastshore Park vs. City of Richmond
 - Communities for a Better Environment (CBE) vs. City of Richmond
 - Booker vs. City of Richmond
 - Jenkins vs. City of Richmond
 - Chevron vs. City of Richmond
 - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Section 54956.9):
 - One Case

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**JOINT MEETING REDEVELOPMENT AGENCY/RICHMOND
CITY COUNCIL**

6:30 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **OPEN FORUM FOR PUBLIC COMMENT**
- D. **AGENDA REVIEW**
- E. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND
NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- F. **REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR**
- G. **CITY COUNCIL CONSENT CALENDAR**
 - G-1. APPROVE minutes for the Special Meetings held on May 26, 2009; June 23, 2009; July 24, 2009; and August 11, 2009; and the Regular Meetings held on June 16, July 7, 21, and 28, 2009 - City Clerk's Office (Diane Holmes 620-6513).
 - G-2. ADOPT a resolution authorizing the port director to accept the Fiscal Year 2008 California Port and Maritime Security Grant Program Grant in the amount of \$3,787,889 and to take any and all actions necessary to implement the resolution in accordance with such program - Port (Jim Matzorkis 215-4600).
 - G-3. INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Community Services Administrative Manager (Salary Range No. 060D: \$6,747 - \$8,160/month) - Human Resources Management (Leslie Knight 620-6600).
 - G-4. ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Community Services Administrative Manager and delete the classification of Library & Community Services Administrative Manager - Human Resources Management (Leslie Knight 620-6600).

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- G-5.** ADOPT a resolution accepting a grant of non-exclusive public access easement for recreational trail purposes adjacent to the Bio-Rad Laboratory facilities at 3110 Regatta Boulevard for use as a portion of the Bay Trail - Engineering Services (Rich Davidson 307-8105).
- G-6.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Engineer I/II and delete the classifications of Junior Engineer and Assistant Engineer - Human Resources Management (Leslie Knight 620-6600).
- G-7.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Engineer I (Salary Range No. 49E: \$4,844 - \$5,877/month) and compensation for the new classification of Engineer II (Salary Range No. 53: \$5,591 - \$6,793/month) - Human Resources Management (Leslie Knight 620-6600).
- G-8.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Engineering Infrastructure Administrator (Salary Range No. 066: \$6,926 - \$8,419/month) - Human Resources Management (Leslie Knight 620-6600).
- G-9.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Engineering Infrastructure Administrator - Human Resources Management (Leslie Knight 620-6600).
- G-10.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Source Control Superintendent (Salary Range No. 064D: \$7,277 - \$8,829/month) - Human Resources Management (Leslie Knight 620-6600).
- G-11.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Source Control Superintendent - Human Resources Management (Leslie Knight 620-6600).
- G-12.** AUTHORIZE the Library & Cultural Services Director to accept a federal Library Services and Technology Act (LSTA) Grant funded through the California State Library's Public Library Staff Education Program (PLSEP); and APPROVE an amendment to the Fiscal Year 2009-2010 Operating Budget increasing library revenue and expenditures in the amount of \$8,267 - Library & Cultural Services Department (Monique A. le Conge 620-6555).

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- G-13.** APPROVE an emergency contract with Manson Construction Company to construct a temporary breasting dolphin and walkway at Terminal 2 in an amount not to exceed \$228,000 - Port (Jim Matzorkis 215-4600).
- G-14.** ADOPT a resolution accepting certain streets and public improvements completed by the Cortez Hope VI developers; Easter Hill Development Associates, LLC; and the Richmond Housing Authority, as specified in the Improvement Agreement approved by City Council on July 27, 2004 - Engineering Services Department (Rich Davidson 307-8105/Edric Kwan 821-1825).
- G-15.** ADOPT a resolution accepting certain streets and public improvements completed by Easter Hill Development Associates, LLC and the Richmond Housing Authority, as the developers of Subdivisions 8705 and 8761 ("Easter Hill Hope VI"), as specified in the Improvement Agreement approved by the City Council on February 17, 2004 - Engineering Services Department (Rich Davidson 307-8105/Edric Kwan 621-1825).
- G-16.** APPROVE a contract with TPA Construction, Inc. for completion of roof repairs at the Booker T. Anderson Community Center in an amount not to exceed \$61,950 - Public Works Department (Yader A. Bermudez 231-3009).
- G-17.** APPROVE a contract amendment with Shute, Mihaly & Weinberger for legal representation in connection with legislation to regulate evictions from foreclosed buildings, increasing the contract amount by \$19,000 for a total of \$25,000, and extending the term expiration to June 30, 2010 - City Attorney's Office (Randy Riddle 620-6509).
- G-18.** THIS ITEM WAS REMOVED FROM THE AGENDA.
- G-19.** APPROVE a third amendment to the legal services agreement with Gordon Hart of Paul, Hastings, Janofsky, and Walker (Paul Hastings) to facilitate the Navy's early transfer of Point Molate by assisting in the preparation of required documents, increasing the contract amount by \$95,000 for a total contract amount of \$470,000 and extending the term until June 30, 2010 - City Manager's Office (Bill Lindsay 620-6512).

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- G-20.** APPROVE the following appointments and reappointment: Community Development Commission: Maxine Henagan, Incumbent representing Parchester Village, term expiring March 21, 2012; Lisa Stevenson-Johnson, representing NAACP, term expiring March 21, 2012; Historic Preservation Advisory Committee: Patricia Pearson, term expiring July 31, 2011; Library Commission: Kavaragu Mtambuzi, term expiring July 1, 2012; Youth Baseball Advisory Commission: Gary Daniel, term expiring June 15, 2012 (completing unexpired term of Terence Fisher) - Mayor's Office (Mayor McLaughlin 620-6503).
- G-21.** APPOINT Mayor McLaughlin as alternate to West Contra Costa Transportation Advisory Committee (WCCTAC) - Mayor's Office (Mayor McLaughlin 620-6503).
- G-22.** ADOPT a resolution to adjust revenues and expenditures for the 2009-2010 Recreation Department Budget adding \$3,650 for summer camp programs to account for grant funding from the Northern California Grantmakers - Recreation Department (Keith Jabari 620-6791).

H. RESOLUTIONS

- H-1.** ADOPT a resolution opposing the expansion of Pardee Reservoir proposed in the East Bay Municipal Utility District Water Supply Management Program 2040 - Mayor McLaughlin (620-6503)/Councilmembers Butt and Rogers (620-6581).

I. REDEVELOPMENT AGENCY/COUNCIL AS A WHOLE

- I-1.** ADOPT a resolution approving and adopting the First Amendment to the Fiscal Year 2009-2010 Operating Budget for the Richmond Community Redevelopment Agency (Agency) in the amount of \$25,310,280 and approving and adopting First Amendment to the Five Year 2009/10-2013/14 Capital Project and Program Budget for the Agency in the amount of \$121,897,000 - Richmond Community Redevelopment Agency (Steve Duran/Nickie Mastay 307-8140).
- I-2.** ADOPT a resolution to adjust the Fiscal Year 2009-10 Operating Budget to align expenditures with revised revenue projections - Finance Department (James Goins 620-6740).

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I-3. AUTHORIZE the release of city attorney opinion and disclosure of the facts and circumstances regarding unauthorized third person hearing one councilmember's telephone comments during the July 24, 2009, Closed Session Litigation Item CBE vs. the City of Richmond - Councilmember Viramontes (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 450 Civic Center Plaza.