



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

**AGENDA  
Tuesday, January 10, 2006**

**Mayor**  
Irma L. Anderson

**Vice Mayor**  
Jim Rogers

**Councilmembers**  
Nathaniel Bates  
Thomas K. Butt  
Richard Griffin  
John E. Marquez  
Gayle McLaughlin  
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:**

**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 THREE (3) MINUTES to address the City Council on 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 D, 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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**MORNING OPEN SESSION**

**8:30 a.m.**

**A. ROLL CALL**

**B. PUBLIC COMMENT**

**C. ADJOURN TO CLOSED SESSION**

**CLOSED SESSIONS**

Shimada Room of City Hall

**CITY COUNCIL**

**CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9:

**Parkway Commerce/City of San Pablo**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**  
(Government Code Section 54956.8)

**Property:** Point Molate  
**Negotiating Parties:** City Manager Bill Lindsay, Jim Levine of Upstream Point Molate, and John Knox, Orrick, Herrington and Sutcliffe  
**Under Negotiation:** Terms of Payment

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
(Government Code Section 54957.6)

**Title:** City Clerk

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**OPEN SESSIONS  
COUNCIL CHAMBER  
7:00 p.m.**

**PLEDGE TO THE FLAG**

**A. ROLL CALL**

**B. AFFIRMATION OF THE CITY OF RICHMOND CODE OF ETHICS**

**Affirm the following statements:**

**We shall be professional, courteous, and respectful.**

**We shall serve with honesty and with integrity.**

**We shall be good stewards of the public's resources by providing quality services in the most responsive and cost-effective manner.**

**We shall recognize and honor the diversity of our community and our workplace.**

**We shall be adaptable, accountable, and capable of embracing change.**

**We shall be fair, objective, and responsive in our interactions with the public, residents, employees, board members, commissioners, and Councilmembers.**

**We shall maintain positive relationships cultivating an environment of collegiality and trust.**

**NOTE: MEMBERS OF THE AUDIENCE REQUESTING THAT AN ITEM OR ITEMS BE REMOVED FROM THE CONSENT CALENDAR MUST COMPLETE AND FILE A PINK SPEAKER'S CARD WITH THE CITY CLERK PRIOR TO AGENDA REVIEW.**

**C. APPROVAL OF MINUTES**

**C-1. The Morning Open Session and the Evening Open Session held on December 20, 2005.**

**D. STATEMENT OF CONFLICT OF INTEREST**

**E. AGENDA REVIEW**

**Members of the audience requesting that an item or items be removed from the CONSENT CALENDAR must complete and file a pink speaker's card with the City Clerk prior to Agenda Review.**

**F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING EXECUTIVE SESSION**

**G. OPEN FORUM FOR PUBLIC COMMENT**

**H. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

**H-1.** Proclamation recognizing the many victories of the Richmond Steelers Football Teams in the Annual Las Vegas Pigskin Tournament – Mayor Anderson (620-6503).

**I. 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 Council.**

**I-1.** **APPROVE** – an agreement with AlphaCorp to provide a document imaging and an automated agenda preparation system for the City Clerk's Office. Total amount of the contract will not exceed \$150,000 – City Clerk's Office (Diane Holmes 620-6513).

**I-2** **APPROVE** – an amendment to an agreement with Patrick Seals to provide support services in the City Clerk's Office. Total amount of the contract amendment will not exceed \$11,500. Contract period is January 18, 2006, through April 28, 2006 – City Clerk's Office (Diane Holmes 620-6513).

**I-3.** **APPROVE** – an agreement with Dell Marketing L.P. for update of leased desktop computer technology (550 desktop computers) in amount not to exceed \$600,000 – Information Technology (Sue Hartman 620-6874).

**I-4.** **AWARD** – a sole-source contract for professional services to Harris & Associates, Inc., to provide design services for the 2006 Pavement Rehabilitation Project. Total amount of the contract will not \$350,000 – Engineering Division (Rich Davidson 307-8091).

**I-5.** **ACCEPT** – the work of Bay Cities Paving and Grading, Inc., for completion of the Bus Route Improvements. The project was completed on October 31, 2005, for a total cost of \$865,095.99 – Engineering Division (Rich Davidson 307-8091).

- I-6. **ACCEPT** – the work of Pagni Construction, Inc. for completion of the Castro Ranch Road Repairs. The project was completed on November 10, 2005, for a total cost of \$318,500.26 – Engineering Division (Rich Davidson 307-8091)
- I-7. **COMMENDATION** – to Mother Fannie Evans who celebrated her 102<sup>nd</sup> birthday on December 25, 2005. Mother Evans was born in Texas in 1903 – Mayor Anderson (620-6503).
- I-8. **ADOPT** – a resolution amending the City of Richmond’s Classification Plan to add the classification of **Modernization Programs Specialist** – City Manager’s Office (Bill Lindsay 620-6512).
- I-9. **ADOPT** – a resolution amending the City of Richmond’s Classification Plan to retitle and revise the **Workforce Relations Officer Classification Specification to Labor Relations Manager** – City Manager’s Office (Bill Lindsay 620-6512).
- I-10. **ADOPT** – a resolution authorizing the City of Richmond to participate with other cities and counties in formation of the Association of Refinery Cities and Counties – Councilmember Butt (236-7435).
- I-11. **ADOPT** – an ordinance amending Article IX of Chapter 9.55 of the Richmond Municipal Code pertaining to the reduction of air pollution by regulating the installation of wood-burning appliances – Planning Department (Richard Mitchell 620-6662).
- I-12. **ADOPT** – an ordinance amending Chapter 13.57 (Richmond Tourism Business Improvement District) of the Municipal Code of the City of Richmond. This ordinance adds the Richmond Convention and Visitors Bureau and provides a mechanism for the full implementation of the ordinance and the handling of funds collected pursuant to the ordinance – City Attorney (John Eastman 620-6509).
- I-13. **ADOPT** – an ordinance amending Sections 9.20.150 and 9.20.155 of the Municipal Code of the City of Richmond establishing rates for the collection of solid wastes within the City of Richmond for 2006 – City Attorney (John Eastman 620-6509).

**J. PUBLIC HEARINGS**

- J-1. Adopt an Order of Vacation of a ± 1500 SF unnamed public right-of-way, located between 200 Bishop Avenue and 180 Bishop Alley – Planning Department (Richard Mitchell 620-6662).

**J-2.** Appeal by Rod Satre and Bonnie Satre Daley of the Planning Commission's conditional approval of a variance in the 10 foot side-yard setback requirement, variances to the regulations regarding decks on a sloping parcel, a variance to the three and one-half foot (3 ½') maximum retaining wall height and Design Review approval to allow the construction of a ± 3,000 SF single-family residence with a ± 484 SF garage at 301 Pacific Avenue – Planning Department (Richard Mitchell 620-6662).

**K. AGREEMENTS**

**L. RESOLUTIONS**

**M. ORDINANCES**

**M-1. INTRODUCE** – amending Chapter 7.104 of the Richmond Municipal Code to impose an annual license requirement on retail sellers of tobacco – City Attorney's Office (John Eastman 620-6509).

**M-2. INTRODUCE** – amending Ordinance No. 40-01 N.S. establishing wages, salaries, and compensation for the classification of **Labor Relations Manager (Salary Range is \$6,497 to \$7,872 per month)** – City Manager's Office (Bill Lindsay 620-6512).

**M-3. INTRODUCE** – amending Ordinance No. 33-01 N.S. establishing wages, salaries, and compensation for the classification of **Modernization Programs Specialist (Salary Range is \$3,848 to \$4,602 per month)** – City Manager's Office (Bill Lindsay 620-6512).

**N. COUNCIL AS A WHOLE**

**N-1.** Approval of a Settlement Agreement by and Among the City of Richmond, Upstream Point Molate, LLC, Harrah's Operating Company, Inc., the Attorney General of the State of California, the East Bay Regional Park District, and Citizens for Eastshore State Park regarding Point Molate – City Manager (Bill Lindsay 620-6512).

**N-2.** Review of procedure for permitting and expediting improvements at the Chevron Refinery and adopt the ordinance amending Sections 6.02.020 and 6.02.150 to eliminate the exemption for Process Equipment, and repealing Section 6.02.200 to eliminate the Certified Inspection Program - City Council/Planning Department (Richard Mitchell, Fred Clement, and John Eastman 620-6662/620-6825620-6509).

**N-3.** Review of a Comprehensive Code Enforcement Program – City Manager/City Attorney (Bill Lindsay and John Eastman 620-6512/620-6509).

- N-4. Discussion of Internal Audit Program for the City of Richmond – City Manager (Bill Lindsay 620-6512).
- N-5. Discussion of a proposal for training and employing at-risk Richmond residents in the construction industry – Employment and Training (Sal Vaca 307-8006).
- N-6. Consider requesting the Redevelopment Agency to increase funding for paving streets in redevelopment areas from \$1 million to \$1.5 million – Vice Mayor Rogers (867-5725).
- N-7. Discussion of establishing an Anti-Violence Program Coordinator position in the City Manager’s Office – City Manager (Bill Lindsay 620-6512).
- N-8. Consider approval of an amendment to the Land Disposition Agreement between the City of Richmond and Upstream Point Molate, LLC – City Manager (Bill Lindsay 620-6512).

**O. COMMUNICATIONS**

- O-1. Referrals to staff from the City Council.

**P. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS**

**COUNCIL AND STAFF ONLY unless waived by six votes of the Council.**

- P-1. Reports of Chairpersons of:
  - a. Finance Standing Committee.
  - b. Public Safety Standing Committee.
  - c. Rules and Procedures Standing Committee
  - d. Report from the Mayor.

- P-2. General Reports from Councilmembers and staff.

**Q. ADJOURNMENT**

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*This agenda may be previewed on KCRT – Channel 28, Richmond Television, and is also posted at the Civic Center Library and in the lobby of City Hall South*