



City Hall
1401 Marina Way South
Richmond, CA 94804

AGENDA
Tuesday, February 28, 2006

Mayor
Irma L. Anderson

Vice Mayor
Maria T. Viramontes

Councilmembers

Nathaniel Bates
Thomas K. Butt
Richard Griffin
John E. Marquez
Gayle McLaughlin
Jim Rogers
Tony K. Thurmond

**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.

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

JOINT RICHMOND COMMUNITY REDEVELOPMENT
AGENCY/CITY COUNCIL

- CC-1. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION**
(Subdivision [a] of Government Code Section 54956.9)

One Case: Swinerton Builders vs. City of Richmond, Richmond Community Redevelopment Agency, Assembly Plant Partners, and Conversion Management Associates, Incorporated

RICHMOND COMMUNITY REDEVELOPMENT AGENCY

- CC-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
(Government Code Section 54956.8)

Property: Various Surplus Properties

Negotiating Parties: Steve Duran, Executive Director, Richmond Community Redevelopment Agency and Various Property Owners

Under Negotiation: Price and Terms

CITY COUNCIL

**CC-3. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9)**

**Four Cases: D. Morgan vs. City of Richmond
A. Harris vs. City of Richmond
W.McElwain vs. City of Richmond
Nieva/Casum vs. City of Richmond**

**CC-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: Point Molate

Negotiating Parties: Bill Lindsay, City Manager, Jim Levine of Upstream Point Molate, and John Knox, Orrick, Herrington and Sutcliffe

Under Negotiation: Amendments to Land Disposition Agreement

**CC-5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: Plunge Property (Point Richmond)

Negotiating Parties: Bill Lindsay, City Manager, and Josh Genser, Point Richmond LLC

Under Negotiation: Terms and Conditions

**CC-6. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957.6)**

Title: Confidential and Investigative Appeals Officer

CC-7. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION (Subdivision[a] of Government Code Section 549563.9)

One Case: Tanzel vs. City of Richmond

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**OPEN SESSIONS
COUNCIL CHAMBER**

**RICHMOND COMMUNITY REDEVELOPMENT AGENCY
6:30 p.m.**

PLEDGE TO THE FLAG

- A. ROLL CALL**
- B. STATEMENT OF CONFLICT OF INTEREST**
- C. CONSENT CALENDAR**

C-1. **APPROVE** – Minutes of the meeting held on February 7, 2006 – City Clerk (Diane Holmes 620-6513).

C-2. **APPROVE**– contract with DP Security, LLC for security services in Marina Bay in an amount not to exceed \$229,659. The contract term is March 1, 2006, through February 28, 2007.

D. OPEN FORUM FOR PUBLIC COMMENT

E. ADJOURN

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**CITY COUNCIL
7:00 p.m.**

- A. ROLL CALL**
- B. STATEMENT OF CONFLICT OF INTEREST**

C. **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.

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

E. **OPEN FORUM FOR PUBLIC COMMENT**

F. **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**

F-1. Proclamation recognizing the Richmond Police Department's Chaplain Program 10th Anniversary – Mayor Anderson (620-6503).

F-2. Proclamation recognizing February as Black History Month. The annual proclamation will be posted in the reception area of City Hall – Mayor Anderson (620-6503).

F-3. Resolution acknowledging contributors to the relocation of Whirley Crane CW3204 – Councilmember Butt (620-6581).

G. **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.

G-1. **AUTHORIZE** – issuance of a Request For Proposals (RFP) for the Richmond Public Library to contract with a consultant to conduct a Library Needs Assessment, Develop a Plan of Service for the Library, and Develop a Library Building Plan for construction of a new main library – Monique Le Conge (620-6555).

G-2. **AWARD**– a construction contract to Republic Electric, Incorporated, the lowest bidder, for the 23rd Street and Bissell Avenue Traffic Signal Modification. The amount of the contract is \$41,800 – Engineering (Rich Davidson 307-8105).

G-3. **AWARD** – a design contract to Marcy Wong & Donn Logan Architects, the lowest bidder, for the Martin Luther King, Jr. Park and Community Center. The amount of the contract shall not exceed \$277,000. Status report on Martin Luther King, Jr. Park and Community Center included. – Engineering (Rich Davidson 307-8105).

- G-4. AWARD** – a construction contract to Bay Cities Paving and Grading, Incorporated, the lowest bidder, for Phase I of the Central Richmond Greenway Bicycle/Pedestrian Trail. The amount of the contract is \$2,206,238.87 – Engineering (Rich Davidson 307-8105).
- G-5. APPROVE** – reappointments and appointments to the following Boards and Commissions: **(1) Recreation & Parks Commission: James Jenkins and E.J. Shalaby; (2) Housing Advisory Board: Don Ryder, Incumbent; and Toni Allison Roach; (3) Arts & Culture Commission: Dwane O. Parish; (4) Richmond Revolving Loan Fund: Billy G. Turner; (5) Youth Commission: Tina Westbrook; and (6) Police Commission: Glen Stephenson.**
- G-6. ADOPT A RESOLUTION** – approving the City’s Investment Policy and Debt Policy for Fiscal Year 2005-2006. **These policies were reviewed and approved by the Finance Standing Committee on February 14, 2006 - Finance (James Goins 620-6740).**
- G-7. ADOPT A RESOLUTION** – authorizing the filing of a grant application in the amount of \$100,000 with the State of California’s Department of Transportation for the allocation of FTA Section 5310 Vehicle Replacement funds for Paratransit Services for Fiscal Year 2006-07 – Public Works (Willie Haywood 231-3010).
- G-8. ADOPT A RESOLUTION** – supporting Ferry Service on the Ford Peninsula and directing staff to develop a strategy, a timeline and a budget to accomplish this goal – City Councilmembers (Butt, Marquez, Thurmond and Mayor Anderson 620-6581).
- G-9. ADOPT A RESOLUTION** – authorizing installation of a disabled parking space at 120 16th Street – Engineering (Rich Davidson 307-8105).
- G-10. ADOPT A RESOLUTION** – authorizing filing of a claim with the Contra Costa Transportation Authority for allocation of Measure C Funds for Paratransit Services for Fiscal Year 2006/07 in the amount of \$474,433 – Public Works (Willie Haywood 231-3010).
- G-11. ADOPT A RESOLUTION** – authorizing submittal of Measure C 2002 and 2003 Growth Management Program Compliance Checklist to the Contra Costa Transportation Authority for allocation of Fiscal Years 2003 and 2004 Local Street Maintenance and Improvement Funds, with requested information including a Letter of Compliance from the State Department of Housing and Community Development and an adopted Richmond Housing Element – Planning 2006 – City Clerk’s Office (Diane Holmes 620-6513).

- G-12. ADOPT AN ORDINANCE** – amending the Richmond Municipal Code (RMC) Sections 6.02.130 and 6.02.170 to limit the allowable time to complete a permitted building project and to provide for appeals therefrom. – City Council/Planning and Building (Councilmember Butt, Richard Mitchell, and Fred Clement).
- G-13. APPROVE** - Minutes of the Evening Session held on February 7, 2006 – City Clerk’s Office (Diane Holmes 620-6513).
- G-14. APPROVE** – a one-year contract with the Glen Price Group for providing grant seeking and proposal writing services in a new city-wide grant securing program at a minimum cost range of \$50,000 for grant locating and feasibility analysis to a maximum of \$110,000 depending on the number and type of grants the City decides to pursue – City Manager (Bill Lindsay 620-6512).

H. PUBLIC HEARINGS

I. ORDINANCES

- I-1. INTRODUCE AN ORDINANCE** - amending Section 7.04.320 of the Richmond Municipal Code to Authorize the Tax Collector to withhold Business Licenses for illegal activity – Finance (James Goins 620-6740).
- I-2. INTRODUCE AN ORDINANCE** - amending Chapter 12.46 of the Richmond Municipal Code, incorporating new standards of the State Mining and Geology Board - City Council (Councilmember Butt 620-6581).
- I-3. INTRODUCE AN ORDINANCE** - amending Section 15.04.980.060 of the Richmond Municipal Code to provide for greater certainty on Appeals from the Planning Commission and Design Review Board – City Attorney (John Eastman 620-6509).

J. COUNCIL AS A WHOLE

- J-1.** Presentation by Supervisor John Gioa on the County Access Defibrillator Program and by Interim Fire Chief Michael Banks on the Richmond Fire Department’s Defibrillator Program – Mayor (Irma L. Anderson 620-6503).
- J-2. APPROVE** – one of the following dates for the **Council Strategic Planning Session: (1) March 10, (2) March 17, (3) March 24, or (4) March 31, 2006** – City Council – (Councilmember Thurmond – 620-6581).

K. COMMUNICATIONS

- K-1.** Referrals to staff from the City Council.

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

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

- L-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.

L-2. General Reports from Councilmembers and staff.

Q. ADJOURNMENT

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