



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

**AGENDA
Tuesday, September 12, 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:

**Community 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 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.

(Government Code Section 54957.6):

City Designated Representative(s): **Bill Lindsay, Leslie Knight, Rob Larson, Lisa Stephenson and Jeffrey Sloan**

Employee Organization or Unrepresented Employee: SEIU Local 790 Part-Time Employees

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

Property: **1401 Marina Way South**
Negotiating Party: **Richard Poe and Bill Lindsay**

Under Negotiation: **Price and terms of payment**

**CC-5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957.6)**

Title: **City Manager**
City Attorney

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**EVENING OPEN SESSIONS
COUNCIL CHAMBER**

**STUDY SESSION
6:00 p.m. – 6:30 p.m.**

The purpose of the Study Session is as follows:

1. Status Report by The Mentoring Center concerning the project to establish the Office of Violence Prevention – City Manager’s Office (Bill Lindsay 620-6512).

RICHMOND COMMUNITY REDEVELOPMENT AGENCY
6:30 p.m.

PLEDGE TO THE FLAG

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. AGENDA REVIEW

D. CONSENT CALENDAR

D-1. AUTHORIZE – the Executive Director to amend the contract with BKF relating to West Macdonald Street Improvement Project to provide design services, bid document preparation, and construction management for improvements to Nevin Park, as a component of the West Macdonald Streetscape Improvement Project for an additional \$100,000 for total a contract amount not to exceed \$678,301 – Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-2. ADOPT A RESOLUTION – authorizing the application, the acceptance, and the expenditure of loan funds under the California Housing Finance Agency Residential Development Loan Program in an amount not to exceed \$3,400,000 – Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-3. ADOPT A RESOLUTION – authorizing the execution of a second amendment to the Agreement to Negotiate Exclusively (ANE) with Richmond Civic Center Partners to extend the term of the Agreement from September 28, 2006 to November 14, 2006 – Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-4. APPROVE – minutes of the Evening Open Session held on July 11, 2006 – City Clerk's Office (Diane Holmes 620-6513).

E. OPEN FORUM FOR PUBLIC COMMENT

F. ADJOURNMENT

CITY COUNCIL
7:00 p.m.

PLEDGE TO THE FLAG

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. 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 designating September 2006 as National Preparedness Month in the City of Richmond – Mayor Anderson (620-6503).

F-2. Proclamation recognizing September as “National Save a Life” month – Mayor Anderson (620-6503).

F-3. Proclamation designating the City of Richmond as a Colon Cancer-Free Zone – Mayor Anderson and Councilmember Marquez (620-6503/620-6581).

F-4. Presentation and oath of office for City Prosecutor Thomas Min – City Attorney’s Office (John Eastman 620-6509).

G. CONSENT CALENDAR

G-1. REJECT – all bids received for the Cutting Boulevard Interconnect and Detector Loop Project - Engineering Department (Rich Davidson 307-8105).

G-2. AUTHORIZE – payment of Fiscal Year 2006-07 operation and maintenance cost(s) to Veolia in and amount not to exceed \$ 5,450,000 in accordance with the amended Agreement between the City of Richmond and Veolia Water North America – Engineering Department (Rich Davidson 307-8105).

G-3. AUTHORIZE – payment of administration cost for Contra Costa Clean Water Program per Resolution 105-03 in an amount not to exceed \$275,000 – Engineering Department (Rich Davidson 307-8105).

G-4. APPROVE – an amendment to the Joint Defense Agreement among the City of

Richmond, the West County Wastewater District, and Veolia to increase the City's share of payment under the agreement by \$250,000 to \$350,000 – Engineering Department (Rich Davidson 307-8105).

- G-5. AUTHORIZE** – payment of Richmond's share of the Fiscal Year 2006-07 West County Agency's expenditures in an amount not to exceed \$130,000 – Engineering Department (Rich Davidson 307-8105).
- G-6. AUTHORIZE** – the purchase of 11 Early Literacy Station computers for the Library and Recreation Community Centers through Califa in an amount not to exceed \$25,000 for Fiscal Year 2006-07, and authorize the Director of Library and Community Services to sign any related documents – Library and Community Services (Monique le Conge 620-6555).
- G-7. ACCEPT** – the Bill and Melinda Gates Foundation Public Access Computer Hardware Upgrade Grant (PAC HUG) from the California State Library Foundation in the amount of \$21,000, and authorize the Director of Library and Community Services to sign any documents related to the acceptance of these funds – Library and Community Services (Monique le Conge 620-6555).
- G-8. APPROVE** – purchase of specialized educational and art and crafts supplies from S&S Worldwide in the amount of \$14,732.10 for 11 community centers – Library and Community Services (Monique le Conge 620-6555).
- G-9. APPROVE** – contract amendment with Maze & Associates Accountancy Group to provide external auditing services for the fiscal year ending June 30, 2006, and other related services specified in the scope of services, in an amount not to exceed \$600,000, for a total contract amount of \$ 949,252 – Finance Department (James Goins 620-6740).
- G-10. APPROVE** – the purchase of materials from Nixon-Egli Equipment Company at a cost of \$16,719.92 for repair of the City's asphalt grinder – Public Works (Willie Haywood 321-3020).
- G-11. ADOPT A RESOLUTION** – rescinding City Council Resolution 176-00 and directing the Richmond Community Redevelopment Agency, as the Administrator of HUD funds for the City, to (1) select a new developer through a focused solicitation of bids by issuing a request for proposals for the development of those properties on South 7th Street and South 8th Street, known as APN Numbers 550-251-018-2 and 550-252-030-6 , and (2) give preference to proposals that include low-income restricted units – Richmond Community Redevelopment Agency (Steve Duran 307-8104).
- G-12. ADOPT A RESOLUTION** – authorizing an amendment to the Vali Cooper &

Associates construction management contract for the North Richmond Street Improvement Project (1) to increase the scope of work to be completed by Vali Cooper & Associates, adding \$120,400 to contract (including a \$30,000 contingency) and thus increasing the not to exceed contract amount from \$300,000 to \$420,400; and (2) to extend the term to March 31, 2007 – Richmond Community Redevelopment Agency (Steve Duran 307-8104).

- G-13. ADOPT A RESOLUTION** – authorizing execution of second amendment to the Agreement to Negotiate Exclusively (ANE) with Richmond Civic Center Partners to extend the term of the Agreement from September 28, 2006 to November 14, 2006 – Richmond Community Redevelopment Agency (Steve Duran 307-8140).
- G-14. ADOPT A RESOLUTION** – authorizing the City Manager to execute a Memorandum of Understanding between the City and SEIU Local 790 (Part-time Employees Bargaining unit) in accordance with the terms of the Tentative Agreement reached between the parties’ representatives. Budget financial impact for Fiscal Year 2006-07 is \$118,164 – Human Resources (Leslie Knight 620-6600).
- G-15. INTRODUCE AN ORDINANCE** – establishing wages, salary, and compensation for part-time classifications represented by SEIU Local 790. Budget Financial impact for Fiscal Year 2006-07 is \$118,164 – Human Resources (Leslie Knight 620-6600).
- G-16. INTRODUCE AN ORDINANCE** - establishing wages, salary, and compensation for the classification of **Communications Shift Supervisor (Salary Range: \$5,173 - \$6,251/month)** - Human Resources (Leslie Knight 620-6600).
- G-17. ADOPT A RESOLUTION** – approving an application for grant funds in the amount of \$445,000 pursuant to the Per Capita Program of the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 – Parks and Landscaping (Sharon West 231- 3004).
- G-18. APPROVE** – minutes of the Evening Open Session held on July 11, 2006 – City Clerk’s Office (Diane Holmes 620-6513).

H. PUBLIC HEARINGS

- H-1.** Conduct a public hearing to consider the appeal concerning the design review, conditional use permit and affordable housing findings as amended by the Planning Commission for DR/CU 11002841, at 300-338 and 400-412 Macdonald Avenue – Planning Department (Richard Mitchell 620-6706).
- H-2.** Conduct a public hearing to adopt a resolution approving the General Plan Amendment, GPA 1102866, amending the land use designation for 11.2 acres at

3185 Garrity Way from 930/Regional Office Shopping to 922/ General Commercial – Planning Department (Richard Mitchell 620-6706).

H-3. Conduct a public hearing to consider the Variance (V/DR 1102836) and Design Review Permit applications that were appealed by the owners of 335 and 343 Summit Place and reaffirm, modify or reverse the Planning Commission’s conditional approval of the proposed applications – Planning Department (Richard Mitchell 620-6706).

I. RESOLUTIONS

I-1. ADOPT A RESOLUTION – in support of the Tobacco Tax Act of 2006 – Councilmember John Marquez (620-6581).

J. ORDINANCES

K. COUNCIL AS A WHOLE

K-1. Receive report concerning the construction phasing strategy for the Civic Center Revitalization Project, and provide direction to staff – Richmond Community Redevelopment Agency (Steve Duran 307-8140).

K-2. Approve the estimated \$1.52 million 2006/2007 North Richmond Waste & Recovery Mitigation Fee Joint Expenditure Plan created to lessen the impact of the West Contra Costa Sanitary Landfill Bulk Materials Processing Center’s operation on the North Richmond community – City Manager’s Office (Bill Lindsay 620-6512).

K-3. Discuss development of a community e-mail list to improve distribution of information, and provide direction to staff – Councilmember Rogers (620-6581).

K-4. Discuss permit fees for installation of solar facilities and provide direction to staff – Councilmember McLaughlin (237-1256).

L. COMMUNICATIONS

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

N. ADJOURNMENT

9/12/06

*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*

CC12September2006.Agenda