



City Hall  
1401 Marina Way South  
Richmond, CA 94804

**AGENDA**  
**Tuesday, September 19, 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

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**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.*

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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**

- CC-1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
**(Subdivision [a] of Government Code Section 54956.9)**  
  
Two Cases:                      **Poindexter vs. City of Richmond**  
   **East Bay Regional Park District vs.**  
   **Upstream Point Molate, LLC**
  
- CC-2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
**Initiation of Litigation pursuant to Subdivision (c) of Section 54956.9:**  
  
One Case

**CC-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Government Code Section 54956.8)**

**Property: 1400-1401 Marina Way South, 1689 Regatta Blvd., 3023 – 3035 Research Drive, 1200 Harbour Way South, 860 Harbour Way South**

**Negotiating Party: Steve Duran**

**Under Negotiation: Price and Terms of Payment**

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

**Property: Surplus Properties: APN 550-120-007-4, 550-120-008-2, 550-120-010-8, 550-120-011-6 located on South 2<sup>nd</sup> Street and 534-222-024-0 located on 1<sup>st</sup> Street**

**Negotiating Parties: Steve Duran and United Heritage Industry, Inc., and Ed Camacho**

**Under Negotiation: Price and Terms of Payment**

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

**Title: City Attorney**

**EVENING OPEN SESSIONS  
COUNCIL CHAMBER**

**STUDY SESSION  
6:00 p.m. – 6:45 p.m.**

**The purpose of the Study Session is as follows:**

1. Discuss proposed financing plan for the Civic Center Project and provide direction to staff – City Manager’s Office/Finance Department (Bill Lindsay/James Goins 620-6512/620-6740).

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**RICHMOND COMMUNITY REDEVELOPMENT AGENCY  
6:45 p.m.**

**PLEDGE TO THE FLAG**

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. AGENDA REVIEW**

**D. CONSENT CALENDAR**

**D-1. APPROVE** – a contract amendment with McDonough, Holland & Allen in an amount not to exceed \$200,000, for a total contract amount of \$320,000 for outside legal services specializing in real estate, redevelopment law and contracts to support ongoing project activities for the Agency through June 30, 2007 – Richmond Community Redevelopment Agency (Steve Duran 307-8140).

**D-2. APPROVE** – minutes of the Evening Open Session held on September 12, 2006 – City Clerk’s Office (Diane Holmes 620-6513).

**E. OPEN FORUM**

**F. ADJOURNMENT**

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

- 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 Alcohol and Drug Addiction Recovery Month – Mayor Anderson (620-6503).
- G. **CONSENT CALENDAR**
  - G-1. **APPROVE** – amendment to contract between the City of Richmond and the City Manager executed December 7, 2004, as follows: (1) Section 5 (Deferred Compensation) to change to the current deferred compensation provider, (2) Section 8 (Annual Performance Evaluation and Pay Adjustment) to provide the City Manager a salary increase, bonus, or Cost of Living Adjustment (COLA) or any combination thereof based on successful performance, and (3) Section 8 (Annual Performance Evaluation and Pay Adjustment) to change the notification of intent to retain clause to a notification to terminate clause prior to the commencement of the third (3<sup>rd</sup>) year – Human Resources (Leslie Knight 620-6600).
  - G-2. **ADOPT AN ORDINANCE** – establishing wages, salary, and compensation for part-time classifications represented by **SEIU Local 790 (Budgeted Financial Impact for Fiscal Year 2006-07 is \$118,164)** – Human Resources (Leslie Knight 620-6600).
  - G-3. **ADOPT 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-4. APPROVE** – the proposed Joint Exercise of Powers Agreement between the City of Richmond and Contra Costa County for constructing road surface improvements and striping on three sections of San Pablo Dam Road that are within the City’s jurisdiction in an amount not to exceed \$30,000 – Engineering Department (Rich Davidson 307-8105).
- G-5. ADOPT A RESOLUTION** – approving Final Map 8934, known as the Anchorage at Marina Bay, for 208 townhomes located in the Marina Bay area of Richmond behind the Bayfront Development on Regatta Boulevard – Engineering (Rich Davidson 307-8105).
- G-6. APPROVE** – amendment to the contract with Clorox Company for incumbent employee training pursuant to a federal Department of Labor grant, to increase the contract amount by \$200,000, for a total contract amount not to exceed \$720,000, to serve an additional 75 participants and extend the term to June 30, 2007 – Employment and Training (Sal Vaca 307-8006).
- G-7. ADOPT A RESOLUTION** – urging the Governor of the State of California to support full funding of the Public Library Foundation (PLF) – Library and Community Services (Monique le Conge 620-6555).
- G-8. AUTHORIZE** - the acceptance of bids on four surplus city-owned properties (55-121-025; 556122001; 534-242-022 and state parcel numbers 40454; 40455; 40459) and the rebidding of new surplus properties (534-102-103; 534-1020140 – Richmond Redevelopment Agency (Steve Duran 307-8140).
- G-9. APPROVE** – minutes of the Evening Open Sessions held on September 12, 2006 – City Clerk’s Office (Diane Holmes 620-6513)

**H. PUBLIC HEARINGS**

**I. RESOLUTIONS**

**J. ORDINANCES**

- J-1. INTRODUCE AND ADOPT AN ORDINANCE** – imposing a moratorium on new crematoriums – City Attorney’s Office (John Eastman 620-6512).

**K. COUNCIL AS A WHOLE**

- K-1.** Approve the final draft of the Council Rules of Procedure and Order and direct staff to prepare a resolution for the October 3, 2006, City Council Meeting to adopt said Rules – Councilmember Gayle McLaughlin (237-1256).

- K-2.** Direct staff to obtain an approved site characterization study from the Regional Water Quality Control Board relative to hazmat conditions at Terminal 4, comply with the clean-up order, and pursue cost recovery measures – Councilmember Tom Butt (620-6581).
- K-3.** Review status report on the Rental Inspection Program and provide direction to staff – Vice Mayor Maria Viramontes (620-6581).
- K-4.** Review and discuss convening a “Blue Ribbon Task Force” of stakeholders, consisting of environmental, business and community interest, to make recommendations concerning the shoreline area between the Chevron refinery and the West County landfill project and provide direction to staff. Pending completion of this report city staff would not take any action concerning this area and would not proceed with the feasibility study – Councilmember Jim Rogers (620-6518).
- K-5.** Discuss Police Activities League funding – City Manager’s Office (Bill Lindsay 620-6512).

**L. COMMUNICATIONS**

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

**N. ADJOURNMENT**

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