



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

**AGENDA
12/19/2006**

Mayor
Irma L. Anderson

Vice Mayor
Maria T. Viramontes

Council Members
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.

Morning Open Session

8:30 a.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT**
- C. **ADJOURN TO CLOSED SESSION**

Closed Session

Shimada Room of City Hall

A. **CITY COUNCIL**

CC A-1. LIABILITY CLAIMS

Claimant: Frine Railsback	Agency Claimed Against: City of Richmond
Claimant: Johnny Thompson	Agency Claimed Against: City of Richmond
Claimant: James Chew	Agency Claimed Against: City of Richmond
Claimant: Lazaris Fuller	Agency Claimed Against: City of Richmond

CC A-2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6)

Titles: City Attorney, City Clerk, and City Manager

CC A-3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:

One Case

6:30 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. CONSENT CALENDAR

D-1. ADOPT A RESOLUTION - authorizing the Executive Director to execute a contract amendment with PES Environmental, Inc. in an amount not to exceed \$395,750, for a total contract amount not to exceed \$985,180, for the remediation of "Area T," Marina Bay and authorizing a budget adjustment in the amount of \$390,000 to fund the amendment - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-2. ADOPT A RESOLUTION - authorizing the Executive Director to execute the Amended and Restated Agreement between EAH and the Agency pertaining to the payment of ad valorem property taxes for the Crescent Park Apartments - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-3. AUTHORIZE - the Executive Director to negotiate and execute a contract with Moore Iacofano Goltsman (MIG) for facilitation of a design charrette process for the Point Richmond Shores Project, in an amount not to exceed \$64,186 in accordance with the scope of work of work set forth in the attached proposal dated November 28, 2006, from MIG, subject to final approval of contract language by the Agency Attorney - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-4. AUTHORIZE - the Executive Director to execute a lease between the Richmond Community Redevelopment Agency and Ford Point, LLC for tenant parking associated with the Ford Assembly Building and Port of Richmond use-parking at the Ford Assembly Building - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-5. APPROVE – minutes of the meeting held on December 12, 2006 - City Clerk's Office (Diane Holmes 620-6513).

E. OPEN FORUM FOR PUBLIC COMMENT

F. ADJOURNMENT

Special Joint Meeting of Joint Powers Financing Authority/City Council
6:40 p.m.

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

C-1. **APPROVE** - minutes of the meetings held on January 17 and November 21, 2006 - City Clerk's Office (Diane Holmes 620-6513).

D. ADJOURNMENT

Special Joint Meeting Richmond Redevelopment Agency/Richmond Housing Authority/City Council
6:43 p.m.

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

C-1. **APPROVE** - minutes of the meeting held on December 12, 2006 - City Clerk's Office (Diane Holmes 620-6513).

D. ADJOURNMENT

Joint Meeting Richmond Community Redevelopment Agency/City Council

6:45 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

C-1. ADOPT - the following resolutions regarding the proposed Public Improvements Development Agreement with Ford Point LLC:

(a) **City Council Resolution:** (1) authorizing a Public Improvement Development Agreement with Ford Point LLC in an amount not to exceed \$800,000 for improvements to Harbour Way South, and (2) waiving the public contracting procedures for this project; and

(b) **Redevelopment Agency Resolution:** (1) authorizing a Public Improvement Development Agreement with the Ford Point LLC in an amount not to exceed \$800,000 for improvements to Harbour Way South; and (2) waiving the public contracting procedures for this project - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

C-2. APPROVE – minutes of the meeting held on December 12, 2006 – City Clerk’s Office (Diane Holmes 620-6513).

D. OPEN FORUM FOR PUBLIC COMMENT

E. 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 CLOSED SESSION

E. OPEN FORUM FOR PUBLIC COMMENT

F. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

- F-1.** Presentation of \$600,000 in clean-up grant funds from the Environmental Protection Agency to the Redevelopment Agency and its non-profit partners for the clean-up of the site to be used for the Miraflores Housing Development - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

G. CONSENT CALENDAR

- G-1. ADOPT A RESOLUTION** - (1) authorizing the administration and expenditure of the Hazardous Waste Facility License Fee paid by Veolia Environmental Services and (2) authorizing the City Manager's Office to negotiate and execute contracts with the selected nonprofit organizations in an amount not to exceed \$92,500 - City Manager's Office (Bill Lindsay 620-6512).
- G-2. APPROVE** - (1) the new one-year contract for the 2007 calendar year between the City of Richmond and the Community Housing Development Corporation of North Richmond ("CHDC") for an amount not exceed \$146,145; and (2) adopt a City Council Resolution accepting funds from the 2006-07 North Richmond Waste and Recovery Mitigation Fee Fund currently being held by Contra Costa county to be used to finance the proposed contract with the CHDC - City Manager's Office (Bill Lindsay 620-6512).
- G-3. APPROVE** - addendum to State of California Purchase Card Program Master Services Agreement (DGS MSA 5-06-99-01) authorizing continued participation in this program. The City has participated in this program since October 2002 - Finance Department (James Goins 620-6740).

- G-4. ADOPT A RESOLUTION** - adopting the Capital Improvement Project budgets for fiscal years 2003-04 and 2004-05 - Finance Department (James Goins 620-6740).
- G-5. ADOPT AN ORDINANCE** - amending Richmond Municipal Code Section 9.20.150 and 9.20.155 to increase the solid waste collection rates to reflect a 2.48% change in the Consumer Price Index (CPI) - City Attorney's Office (John Eastman 620-6509).
- G-6. APPROVE** - the agreement with Sideman & Bancroft for legal services related to Utility Users Tax issues at the rate of \$350 per hour - City Attorney's Office (John Eastman 620-6509).
- G-7. ACCEPT** - the work performed by Bay Cities Paving and Grading, Inc. for the completion of the Carlson Boulevard Improvement Project, for a final construction cost of \$688,938.90 - Engineering (Rich Davidson 307-8105).
- G-8. AUTHORIZE** - the City Manager to execute a contract with DuAll Safety to administer the City's Safety and Loss Prevention Program at a cost of \$120,000 a year and for a term from January 1, 2007, through June 30, 2010 - Human Resources (Leslie Knight 620-6600).
- G-9. APPROVE** - appointment and re-appointment to the following board and commission: Personnel Board: Emile de Vera, term expiring December 31, 2011; Housing Advisory Commission: Mary Williams, Incumbent, term expiring November 1, 2008 - Mayor Anderson (620-6503).
- G-10. APPROVE** - the retainer agreement with a law firm to investigate allegations of discrimination made against the Police Department - City Manager's Office (Bill Lindsay 620-6512).
- G-11. APPROVE** - a sole source procurement and authorized the City Manager to execute a contract with Single Source Consulting for workers' compensation consulting service at a cost of \$22,000 and for a term from November 1, 2006, through June 30, 2007 - Human Resources (Leslie Knight 620-6600).
- G-12. APPROVE** - a contract with Robert Half International DBA Account Temps in the amount of \$25,000 to provide temporary accounting personnel to assist in the preparation of schedules for the Fiscal Year 2006 Financial Audit - (Finance Department) James Goins 620-6740.
- G-13. APPROVE** - minutes of the meeting held on December 12, 2006 - City Clerk's Office (Diane Holmes 620-6513).

H. PUBLIC HEARINGS

I. RESOLUTIONS

- I-1. ADOPT A RESOLUTION** - declaring The Canvass of Returns and Results of the General Municipal Election held on November 7, 2006 - City Clerk's Office (Diane Holmes 620-6513).

J. ORDINANCES

K. COUNCIL AS A WHOLE

- K-1.** Approve the “Scenario B” phasing option for the Civic Center Project, which would complete the renovation of the City Hall and the old Hall of Justice (HOJ), the Civic Plaza, and certain improvements to the Auditorium meeting rooms and foyer areas, including a new City Council Chamber in the Bermuda Room and direct staff to implement the approved phasing option. The recommended option includes:

(a) **ADOPT** a resolution finding that the Civic Center Project is a Master Development Project, recognizing Richmond Civic Center Partners as the Developer chosen for the Project and recognizing Swinerton Builders as the contractor chosen for relocation of the Police Department - Richmond Community Redevelopment Agency (Steve Duran 307-8140); and

(b) **ADOPT** a resolution authorizing the city manager to execute an agreement with Richmond Civic Center Partners, LLC for Phase 1A of the Civic Center Revitalization Project in an amount not to exceed \$10.4 million - Richmond Community Redevelopment Agency (Steve Duran 307-8140); and

(c) **ADOPT** a resolution approving a lease with DiCon Fiberoptics, Inc. for a temporary police station consisting of approximately 52,000 square feet at 1689 Regatta Way for a term of three years with five (5) consecutive one-year renewal options and authorizing the city manager to implement City Council direction and expend funds - Richmond Community Redevelopment Agency (Steve Duran 307-8140); and

(d) **ADOPT** a resolution authorizing the execution of certain documents in connection with a Forward Interest Rate Swap Agreement for the proposed Civic Center Financing Plan – Finance Department (James Goins 620-6740).

- K-2.** Consider issues related to parcels 556-121-017, 556-121-024, and 556-121-025; direct staff not to sell APN 556-121-025 and to negotiate the repurchase of APN 556-121-017 and APN 556-121-024, generally south of Point Richmond Tech Center 2, southwest of Canal and Cutting Boulevards.- Richmond Community Redevelopment Agency (Steve Duran 307-8140).
- K-3.** Approve an allocation of \$125,000 toward a \$575,000 contract with Moore Iacofano Goltsman (MIG) Inc., to develop a Specific Plan for the San Pablo Avenue corridor between the intersection of Macdonald Avenue and the Contra Costa Alameda County line. Remaining contract in the amount of \$450,000 are from the City of El Cerrito (\$270,000) and the West Contra Costa Transportation Advisory Committee (WCCTAC) (\$180,000) - Planning Department (Richard Mitchell 620-6706)
- K-4.** Authorize staff to prepare modifications to the current design review process, including modification to underlying ordinance, and return to Council with the modifications and or options for approval by March 30, 2007 - Planning Department (Richard Mitchell 307-8159).
- K-5.** Approve the Community Based Prosecution Program Agreement with the Contra Costa County District Attorneys' Office which would assign a Deputy District Attorney to the Police Department at a net annual cost to the City of \$139,000 - City Attorney's Office (John Eastman 620-6509).
- K-6.** Approve a meeting of regionally elected officials to occur in late January or early February 2007, to discuss violence reduction strategies and fund-raising efforts - Councilmember Thurmond (620-6581).
- K-7.** Discuss and direct staff regarding consideration of partnering with Rosie the Riveter Trust to Preserve the Sheet Metal Shop - Councilmember Butt, Bates, and Marquez (236-7435/620-6581).

L. COMMUNICATIONS

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

N. ADJOURNMENT

12/19/2006

*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*