



City Hall
1401 Marina Way South
Richmond, CA 94804

AGENDA
Tuesday, March 22, 2005

Mayor
Irma L. Anderson

Vice Mayor
Jim Rogers

Councilmembers
Nathaniel Bates
Thomas K. Butt
Richard Griffin
John E. Marquez
Gayle McLaughlin
Mindell L. Penn
Maria T. Viramontes

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

*** To comply with federal regulations, the Housing Authority is required to have two Tenant Commissioners. The Tenant Commissioners are:**

Antheia Y. Farr
Helen Hall

MEETING 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 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. **Each speaker will be limited to a maximum of Two (2) minutes. The maximum number of speakers will be limited to 15, and the total amount of time for Open Forum will be 30 minutes. SPEAKERS ADDRESSING THE CITY COUNCIL UNDER OPEN FORUM MUST SPEAK ON ITEMS THAT ARE NOT ON THE AGENDA.**

NOTE: If more than 15 speakers’ cards are filed with the City Clerk, 15 speakers will be selected by a random draw.

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.

MAYOR’S CONTINUANCE AUTHORITY: Pursuant to Article III-A, Section 1(e), “The Mayor shall have the authority to continue any item being considered by the City Council at a Council meeting for up to two weeks. The Council may override an action taken by the Mayor to continue an item by the affirmative vote of five members of the Council.

COUNCIL’S AUTHORITY TO TAKE ACTION: Pursuant to Chapter 4 of the Brown Act, The City Council is prohibited from taking action or discussing items not on the posted agenda except for the following three (3) specific circumstances:

1. Emergency (prompt action is need due to the actual or threatened disruption of public facilities, it is determined that a work stoppage, crippling disaster, or other activity severely impairs public health, safety or both).
2. There is a need for immediate action and the need to take action “came to the attention of the local agency after the agenda was posted.”
3. An item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

3/22/05

MORNING OPEN SESSION
Tuesday, March 22, 2005
8:30 a.m.

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

CLOSED SESSIONS
Shimada Room of City Hall South

CITY COUNCIL

PUBLIC EMPLOYMENT
(Government Code Section 54956.9)

Interview Candidates for the position of Police Investigative and Appeals Officer

Discussion: City Attorney
Council-Appointed Employees

CONFERENCE WITH LEGAL COUNSEL – LABOR NEGOTIATIONS
(Government Code Section 54957.6)

City Negotiators: Robert Larson and Bruce Soublet
Counsel: Jeffrey Sloan, Renne, Sloan, Holtzman, and Sakai, LLP
Employee Organization: SEIU – Local 790

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code Section 54956.9)

One Case: Quintero vs. City of Richmond

3/22/05

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.9)**

Property: City-owned surplus properties

Negotiating Parties: City of Richmond and various other entities

Under Negotiation: Recommendations on the sale of City-owned surplus properties

EVENING CLOSED SESSION

6:00 p.m.

Shimada Room of City Hall

CITY COUNCIL

PUBLIC EMPLOYMENT

(Government Code Section 54956.9)

Police Investigative and Appeals Officer

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EVENING

OPEN SESSIONS

Tuesday, March 22, 2005

COUNCIL CHAMBER

AGENDA

REDEVELOPMENT AGENCY

SPECIAL MEETING

6:55 p.m.

PLEDGE TO THE FLAG

A. ROLL CALL

B. APPROVAL OF MINUTES

B-1. Special Meeting of the Redevelopment Agency held on March 8, 2005.

C. STATEMENT OF CONFLICT OF INTEREST

D. RESOLUTION

D-1. ADOPT – authorizing transmittal of the Preliminary Report for the proposed amended and restated Nevin 10-B Plan to include West Parkway Area, Hilltop Mall Area, San Pablo Peninsula Area and the Central Area (The “Amended Project”) to all affected taxing agencies, the Planning Commission and various other interested persons and entities as required by law.

E. ADJOURNMENT

**AGENDA
RICHMOND CITY COUNCIL
Tuesday, March 22, 2005
7:00 P.M.**

A. ROLL CALL

B. COUNCILMEMBER’S CODE OF CONDUCT

“I solemnly pledge to conduct all City matters fairly, responsibly and impartially; to carry our the business of the City in an orderly and efficient manner; to treat my colleagues, citizens, and City staff with dignity and respect; through debate, discussion, and dialogue instill public confidence and integrity in the process of City government; and to serve the citizens of Richmond to the best of my ability.”

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. OPEN FORUM FOR PUBLIC COMMENT

F. PRESENTATION, PROCLAMATIONS, AND COMMENDATIONS

F-1. Status report on Richmond's Historic National Park – National Park Services (Rick Smith).

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

H. 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.

H-1. APPROVE – an agreement with the West Contra Costa Unified School District to provide GED Preparation, Life Skills Development, and Job Placement Services for out-of-school youth. total amount of agreement will not exceed \$20,000 – Employment and Training. **Staff Recommendation: Approve Contract** (Sal Vaca 307-8006).

H-2. APPROVE – the purchase of a brush chipper as replacement for an older model brush chipper. Total amount of purchase is \$27,275.81 – Public Services. **Staff Recommendation: Approve the purchase** (Roscoe Ward 231-3020).

H-3. APPROVE – the purchase of two trucks to replace two older-model trucks in Public Services. Total cost of the purchase is \$40,158.54 – Public Services. **Staff Recommendation: Approve the purchase** (Roscoe Ward 231-3020).

H-4. RESOLUTION – authorizing MBIA MuniServices Company to audit transactions (Sales) and use tax records to ensure that the City of Richmond is receiving the additional one-half of the one percent (1/2%) tax increase effective April 1, 2005 – Finance. **Staff Recommendation: Adopt resolution** (Lester Dunn 620-6734).

H-5. DENY – claims against the City of Richmond by: (1) Joseph Morris, (2) Mark Elms, (3) Hoat Nguyen, (4) Betty Dupre, and (5) LaVerne Rideau – Risk Management. **Staff Recommendation: Reject claims** (Steve Kochly 217-8811).

I. PUBLIC HEARINGS

- I-1.** Accept the Planning Commission's recommendation and submittal of the City of Richmond Draft Housing Element to the State Department of Housing and Community Development (HCD) – Planning. **Staff Recommendation: Accept Planning Commission recommendation and direct staff to submit Draft Housing Element** (Barry Cromartie 620-6706).

J. AGREEMENTS

K. RESOLUTIONS

L. ORDINANCES

- L-1. ADOPT** – amending Ordinance No. 13-05 N.S. pertaining to Conditional Use Permits for alcoholic beverage sales – **First Reading – Staff Recommendation: Adopt the ordinance** (Barry Cromartie 620-6706).

M. COUNCIL AS A WHOLE

- M-1.** Consider approving the Mayor's recommendation to reappoint and appoint the following to Boards and Commissions: (1) **Human Relations Commission: Elmina Green and Harpreet Sandhu, Incumbents, terms expiring March 30, 2007;** (2) **Economic Development Commission: John Lopez and Katrinka Ruk, Incumbents, terms expiring March 30, 2008;** and (3) **Arts and Culture Commission: Tony Caparelli, term expiring January 31, 2008** – Mayor Anderson (620-6503).
- M-2.** Consider a status report on unforeseen impacts from the operations of Auto Warehousing Company (AWC) at Point Potrero Terminal – Councilmember Butt (620-6512).
- M-3.** Consider requiring the developer of the proposed Civic Center Master Plan and Reuse Project to have a Project Labor Agreement as a requirement of a Development Agreement being approved by the City – Councilmember Marquez (620-6512).
- M-4.** Discussion to consider only allowing comments from speakers opposing items on the Consent Calendar – Vice Mayor Rogers (620-6512).

- N. COMMUNICATIONS
- O. APPROVAL OF MINUTES
- P. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS
- Q. ADJOURNMENT

ITEMS FOR THE AGENDA MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY 3:00 P.M. ON MONDAY, ONE WEEK PRIOR, TO THE MEETING THE ITEM IS TO BE APPEAR ON THE AGENDA

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