



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

**AGENDA  
Tuesday, March 29, 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

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**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**

**\* Federal Regulations mandates that the Housing Authority must have two Tenant Commissioners. 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.

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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**

**PUBLIC EMPLOYMENT APPOINTMENT**

(Government Code Section 54957.6)

**Title: Police Investigative and Appeals Officer**

**Discussion regarding appointment of an Investigative and Appeals Officer**

**PUBLIC EMPLOYEE EVALUATION**

(Government Code Section 54957.6)

**City Attorney's Office**

**Council-appointed Employees**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

(Government Code Section 54956.9)

**Three Cases: Quintero vs. City of Richmond**

**East Bay Regional Park District vs. City of Richmond**

**Citizens for Eastshore State Park vs. City of Richmond**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

(Government Code Section 54956.8)

**Property: Approximately 17.6 acres at Port of Richmond Terminal 3**

**Negotiating Party: City Manager, City Attorney, Port Director**

**Under Negotiation: Exclusive Right to Negotiate with Auto Warehousing Company**

**EVENING**

# **OPEN SESSIONS**

**Tuesday, March 29, 2005**

**AGENDA  
SPECIAL JOINT MEETING  
REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL  
COUNCIL CHAMBER  
6:00 p.m.**

## **PLEDGE TO THE FLAG**

### **A. ROLL CALL**

### **B. STATEMENT OF CONFLICT OF INTEREST**

### **C. APPROVAL OF MINUTES**

**C-1.** Special Joint Meeting of the Richmond Redevelopment Agency and the Richmond City Council held on March 8, 2005.

### **D. RESOLUTIONS**

**D-1. ADOPT – a resolution of the Richmond Redevelopment Agency** approving recommended budget adjustments to (1) recognize \$1.478 million in income from an assessment on the sale of an apartment complex in Marina Bay, noting that this income can only be spent in Marina Bay and (2) authorizing the reallocation of other funds previously allocated for projects in Marina Bay to other Redevelopment Agency projects to be determined in the budget process. (Steve Duran 307-8140) **Staff Recommendation: Adopt resolution. (Res. No. 05-06)**

**D-2. ADOPT – a resolution of the Richmond Redevelopment Agency** approving changes to Community & Economic Development personnel allocations: eliminating one Senior Accountant and one Office Assistant, and replacing them with one CED Finance Manager and one CED Operations Specialist. (Steve Duran 307-8140). **Staff Recommendation: Adopt resolution. (Res. No. 05-07)**

### **E. COUNCIL/AGENCY AS A WHOLE**

**E-1.** Consider approving the Community and Economic Development Strategic Plan Update (Steve Duran 307-8140).

**E-2.** Accept the Community & Economic Development Department's mid-year budget materials and first draft projected budget for Fiscal Years 2005-2006 and 2006-2007, which will be refined over the next two months before presentation for City Council and Redevelopment Agency Board consideration and final approval. (Steve Duran 307-8140).

- E-3. Consider approving the first draft budget for Fiscal Year 2005-2006 and 2006-2007.

**ADJOURNMENT**

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**AGENDA  
RICHMOND CITY COUNCIL  
Tuesday, March 29, 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.** Resolution designating the week of March 28, 2005, through April 3, 2005, as “National Community Development Week Celebration” and March 29, 2005, as “Community Development Day.”
- F-2.** Recognition of the Police Officer and Firefighter of the Year – Mayor Anderson.
- F-3.** Acceptance of donations for the Mayor’s summer Youth Program – Mayor Anderson.

**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 BIO-Key International, Inc. for purchase of software and support maintenance of the FireRMS System. Total amount of agreement will not exceed \$14,266.27 – Fire Department. **Staff Recommendation: Approve the agreement-** (James Fajardo 307-8039).
- H-2. APPROVE** – an agreement with Just Fencing, Inc. for the installation of a safety fence at the Solano Play Lot. Total amount of agreement will not exceed \$10,430 - Recreation and Parks. **Staff Recommendation: Approve the agreement -** (Sharon West 307-3076).
- H-3. APPROVE** – the purchase of three vans as replacement for three older model vans. Total amount of purchase is \$50,933.90 – Public Services. **Staff Recommendation: Approve the purchase -** (Roscoe Ward 231-3020).
- H-4. APPROVE** – the purchase of three trucks as replacement for three older model trucks. Total amount of purchase is \$53,587.42 – Public Services. **Staff Recommendation: Approve the purchase –** (Roscoe Ward 231-3020)
- H-5. APPROVE** – a lease agreement with Opportunity West to lease space at the Nevin Community Center to provide programs and services to youth and young adults, ages five to 22 – Recreation and Parks (Diane Harrison-Allums 620-6798).  
**Staff Recommendation: Approve lease agreement.**
- H-6. RESOLUTION** – establishing the new classification specifications of **Senior Buyer and Senior Buyer II** – Human Resources. **Staff Recommendation Adopt the resolution** (Andrew Russo 620-6608).
- H-7. RESOLUTION** – approving the final map of Subdivision 8821, Anchor Cove, and directing the filing thereof (Location: Marina Bay Area, Developer: Signature Properties) – Public Services. **Staff Recommendation: Adopt the resolution** (Rich Davidson 307-8091).
- H-8. APPROVE** – recommendations for the sale of City-owned surplus properties – Community and Economic Development (Gary Hembree/Jim Branch 307-8140).
- H-9.** Consider Mayor’s recommendation to reappoint **Herman Welm to the Economic Development Commission**, term expiring March 30, 2008 – Mayor Anderson (620-6503).

**I. PUBLIC HEARINGS**

**I-1. REQUEST TO CONTINUE TO APRIL 19, 2005**, Planning Commission's approval of the Parkway Commerce Center Project EID/TM 02-07: Parkway Commerce Center TIC at John Street and Collins Avenue and to consider the merits of four appeals to the Parkway Commerce Center Project – Planning. **(Requests have been filed by all four appellants to continue the hearing to April 19, 2005. The applicant concurs with the request). Staff Recommendation: Continue the matter to April 19, 2005.** (Barry Cromartie 620-6706).

**J. AGREEMENTS**

**J-1. APPROVE** – an Exclusive Right to Negotiate (ERN) with Auto Warehousing Company (AWC) for Port of Richmond's Terminal 3 – Port. **Staff Recommendation: Approve the Exclusive Right to Negotiate (ERN)** (Jim Matzorkis 215-4600).

**K. RESOLUTIONS**

**K-1. ADOPT** – authorizing the filing of a validation action for the Potential Pension Obligation Bond Issue and approving the form of a debenture for the issue as well as other related documents – Finance. **Staff Recommendation: Approve the resolution** (Pat Samsell 620-6946).

**K-2. ADOPT** – requesting the Superior Court of the County of Contra Costa to transfer venue to Solano County of the pending consolidated actions entitled East Bay Regional Park District vs. City of Richmond, Contra Costa Superior Case No. N04-1698; Citizens for the Eastshore State Park vs. City of Richmond, Contra Costa Superior Court Case No. N04-1657. **Staff Recommendation: Adopt resolution** – City Manager (Bill Lindsay 620-6512).

**L. ORDINANCES**

**L-1. ADOPT**- establishing wages, salaries, and compensation for the classification of **Senior Buyer (Salary Range is \$5,613 - \$6,788/month) and Senior Buyer I/II (Salary Range for Buyer I is \$4,035 - \$4,816/month and Salary Range for Buyer II is \$4,845 - \$5,865/month)** and amending Management Employees Ordinance No. 40-01 N.S. – Human Resources. **Staff Recommendation Adopt the ordinance** (Andrew Russo 620-6608).

**M. COUNCIL AS A WHOLE**

**M-1.** Consider a recommendation for a Rental Housing Inspection Program, including cost recovery, and budget consideration for 2005-2006. Councilmember Viramontes/Fred Clement (620-6581).

**M-2.** Status report and recommendations regarding Employment and Training finances

and fund balance – Employment and Training (Sal Vaca 307-8006).

**M-3.** Discussion of the following from the Rules and Procedures Standing Committee:

- a. consider determining seating assignments by lottery and whether seating assignments should be made each year, except for the Mayor’s seat – Rules Committee
- b. Discussion to consider approving revised language and time limits for Open Forum – Rules Committee.

**N. COMMUNICATIONS**

**O. APPROVAL OF MINUTES**

**O-1.** The Morning Open Session held at 8:30 a.m. on March 22, 2005, and the Regular Evening Open Session held on March 22, 2005.

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

**P-1.** Consider requesting that the Mayor appoint a task force to study the proposed Housing Mediation Board Ordinance and the Rent Stabilization and Good Cause for Eviction Ordinance – Councilmember Marquez (620-6512).

**Q. ADJOURNMENT**

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**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*