



City Hall
1401 Marina Way South
Richmond, CA 94804

AGENDA
Tuesday, April 19, 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

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

Antheia Y. Farr
Helen Hall

PROCEDURES FOR PARTICIPATING IN CITY COUNCIL MEETING

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 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 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 of 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 D, 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 South

CITY COUNCIL

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

Four Cases: **Hanson Aggregates vs. City of Richmond**
 Frank’s Watch Repair vs. City of Richmond
 Robert White vs. City of Richmond
 Jeffrey Kruger vs. City of Richmond

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54965.8)

Property: **City-Owned Surplus Properties**
Negotiating Party: **City of Richmond and various other entities**
Under Negotiation: **Six-rebidded surplus properties:**
 Parcels 534-102-104 (682 – 2nd Street);
 550-120-007 (South 2nd Street);
 550-120-008 (South 2nd Street); 550-120-009
 (South 2nd Street); 550-120-010 (South 2nd
 Street); and 550-120-011 (South 2nd Street)

Property: 445 – 8th Street
Negotiating Parties: City of Richmond and Greater Richmond
Social Services Corporation (GRSSC)
Under Negotiation: Terms of Lease Agreement

**EVENING
OPEN SESSIONS
COUNCIL CHAMBER**

**STUDY SESSION
Council Chamber
6:00 p.m.**

The purpose of the study session is for the City Council to give direction to City staff regarding the following:

1. Presentation of the Six-Quarter Rolling Forecast (Community and Economic Development Group).

Total Time: 50 minutes

**AGENDA
SPECIAL JOINT MEETING
RICHMOND REDEVELOPMENT AGENCY/CITY COUNCIL
April 19, 2005
6:50 p.m.**

PLEDGE TO THE FLAG

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **APPROVAL OF MINUTES**
 - C-1. Special Joint Meetings held on March 29, 2005, and April 5, 2005.

D. RESOLUTIONS

D-1. ADOPT – authorizing the Community and Economic Development Director to initiate a Request for Proposals (RFP) for the 12th and Macdonald Mixed-Use Project. **Staff Recommendation:**
Authorize staff to initiate (RFP) - Alan Wolken/Kinshasa Towns
307-8140.

E. ADJOURNMENT

**AGENDA
RICHMOND CITY COUNCIL
April 19, 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 out 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

Members of the audience requesting that an item or items be removed from the CONSENT CALENDAR must complete and file a pink speaker’s card with the City Clerk prior to Agenda Review.

E. OPEN FORUM FOR PUBLIC COMMENT

F. PRESENTATION, PROCLAMATIONS, AND COMMENDATIONS

F-1. Presentation of Certificates of Achievement to five Richmond youth in recognition of them being top spellers in the 29th Annual Spelling Bee sponsored by the Contra Costa Times – Mayor Anderson/Councilmember Bates (620-6503/620-6512).

- F-2. Presentation of Certificates of Recognition to the Richmond High Soccer team for their outstanding display of sportsmanship – Mayor Anderson/ Councilmember Marquez (620-6503/620-6512).
- F-3. Proclamation declaring “April is Fair Housing Month” in the City of Richmond – Mayor Anderson (620-6503).
- F-4. Presentation honoring the contribution of the late Robert T. Reed to the Youth Baseball Advisory Board – Mayor Anderson (620-6503).

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. **RESOLUTION** – authorizing execution of an Encroachment Agreement with Markku K. and Ann M. Ratilainen to encroach upon the open space behind their property, located at 4946 Thunderhead Court, to construct a six-foot-high fence on an open space and create and maintain a defensive fire barrier. **Staff Recommendation: Adopt the Resolution** – Building Department (Fred Clement 620-6825).
- H-2. **ORDINANCE** – establishing wages, salaries, and compensation for the classification of **Workforce Development Support Specialist (Salary Range is \$3,897 to \$4,739/month)** and amending Full-Time General Employees Ordinance No. 33-01 N.S. – **Second Reading** – Human Resources. **Staff Recommendation: Adopt Ordinance** (Juan Phelps 620-6607).
- H-3. **ORDINANCE** – establishing wages, salaries, and compensation for the classification of **Confidential Investigative and Appeals Officer (Salary Range #04.1, \$6,137 to \$11,396/month)** and repealing Executive Employees Ordinance No. 2-05 N.S. – **Second Reading** – Human Resources. **Staff Recommendation: Adopt Ordinance** (Leslie Knight 620-6602).

- H-4. ORDINANCE** – extending the viability of the Richmond Business Opportunity Ordinance for an additional six months, from April 30, 2005, through October 31, 2005 – **Second Reading** - City Attorney. **Staff Recommendation: Adopt Ordinance** (Everett Jenkins 620-6509).
- H-5. AWARD** – a contract to Pagni Construction, Inc., low bidder, to provide services to repair Castro Ranch Road. Total amount of the contract will be \$291,630. **There is no fiscal impact to the City’s General Fund. The contract will be fully funded by a \$25 million Lease Bond** – Engineering Division. **Staff Recommendation: Award contract to Pagni Construction** (Rich Davidson/Andy Yeung 307-8091).
- H-6. AWARD** – a contract to W.R. Forde to construct the Richmond Bay Trail Gap Closure. Total amount of the contract will not exceed \$499,897. **There is no fiscal impact to the City’s General Fund. Funding for the project will be provided by Bay Area Quality TFCA Grant, State Parks Trails Program, Measure C, ABAG Bay Trail Grant, and Supplemental Environmental Program. Staff Recommendation: Award the contract to W.R. Forde – Referred to the City Council by the Finance Standing Committee.** - Engineering Division (Rich Davidson 307-8091)
- H-7. AWARD** - a contract to Ghilotti Brothers, Inc. for construction of the Ferry Point Tunnel Project that will complete one of the gaps in the 4.75 mile Ferry Point Loop of the Bay Trail. Total amount of the contract will not exceed \$386,902.60. **There is no fiscal impact to the City’s General Fund. Funding for the project will be provided by ABAG Bay Trail Project Grant and Measure C. Staff Recommendation: Award the contract to Ghilotti Brothers – Referred to the City Council by the Finance Standing Committee** – Engineering Division (Rich Davidson 307-8091).
- H-8. APPROVE** – a contract with the State of California CMAS Program to purchase four Ford vans as replacements for four older model vans that are scheduled for replacement. Total purchase price is \$76,008, and the cost of the purchase will be funded from the Fiscal Year 2004/05 Equipment Replacement Fund. **Staff Recommendation: Approve the purchase** – Public Services (Roscoe Ward 231-3020).

I. PUBLIC HEARINGS

I-1. CONTINUE TO MAY 17, 2005, Appeals by Margaret Judkins, Jay Fenton, Cochise Potts, and Ethel Dotson to the Planning Commission's approval of the Parkway Commerce Center Project EID/TM 02-07: Parkway Commerce Center TIC at John Street and Collins Avenue (This public hearing was continued from the March 29, 2005, City Council meeting at the request of the four appellants and with the concurrence of the applicant) – Barry Cromartie (620-6706).

I-2. 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 (This hearing was continued from the City Council meetings of March 22, 2005, and April 5, 2005). Staff Recommendation: Accept the Planning Commission's recommendation and direct staff to submit the Draft Housing Element (Barry Cromartie 620-6706).

J. AGREEMENTS

J-1. AUTHORIZE – a contract amendment with Trisha A. Aljoe to increase her contract by \$30,000, for a total of \$80,000, to provide special counsel legal services in the City Attorney's Office – City Attorney (Everett Jenkins 620-6509).

J-2. AWARD – a Purchase of Services Contract to KPA Group to provide structural engineering design services for the Seismic Safety Upgrades Program. Total amount of contract will not exceed \$675,000. Staff Recommendation: Award the contract to KPA Group – Public Services (Rich McCoy 620-6512).

J-3. AUTHORIZE – lease assignments from Greater Richmond Social Services Corporation to the YMCA of the East Bay for properties located at 445 – 8th Street, 1350 Kelsey Street, 1410 Kelsey Street, and 360 Harbor Way South. Staff Recommendation: Authorize assignments of leases to YMCA – City Attorney (Everett Jenkins 620-6509).

K. RESOLUTIONS

- K-1. ADOPT** – authorizing execution of a contract with A&B Construction, Inc., the low bidder, for construction of underground improvements under the North Richmond Street Improvement Program in an amount not to exceed \$496,816. **Staff Recommendation: Award contract** – Community and Economic Development (Lisa Hamburger 307-8140).

L. ORDINANCES

- L-1. INTRODUCE AND CONSIDER** - extending the viability of the Local Employment Ordinance for an additional six months, from April 30, 2005, through October 31, 2005, **and give First and Second Reading to adopt said ordinance. Staff Recommendation: Adopt Ordinance** – Councilmember Griffin (620-6512).

M. COUNCIL AS A WHOLE

- M-1.** Consider approving the Mayor’s recommendation for the following appointments and reappointments to Boards and Commissions: **Human Relations Commission: Margaret Hanlon-Gradie, term expiring March 30, 2008; Police Commission: Dolores Hembree, term expiring November 1, 2008; and Commission on Aging: Willie Gholar; Doris Jones; D’Emanuel Grosse, Sr.; Dorothy Hurd; and Mary Peace Head, Incumbents, terms expiring May 19, 2007.**
- M-2.** Consider recommendations to resolve and prevent future operational deficit in the Recreation and Parks Budget relative to the Richmond Memorial Convention Center (**Continued from the April 5, 2005, City Council meeting**) – Finance Standing Committee (620-6512).
- M-3.** Consider a status report on unforeseen impacts from the operations of Auto Warehousing Company (AWC) at Point Potrero Terminal (**Continued from the March 22, 2005, City Council meeting**) – Councilmember Butt (620-6512).
- M-4.** Consider a special Library Tax on the November 2005 ballot – Councilmember Bates (620-6512).
- M-5.** Consider placing a ½ cent sales tax on the November 2005 ballot – Councilmember Bates (620-6512).

- M-6.** Discussion to consider adopting a Library Impact Fee – Library (Monique LeConge 620-6554).
- M-7.** Consider providing policy direction concerning the petition to form the Point Richmond Neighborhood Improvement and Community Enhancement (N.I.C.E.) District. **Staff Recommendation: Provide direction to the City Manager regarding how to vote on the proposed NICE District petition** – City Manager (Bill Lindsay 620-6512).
- M-8.** Discussion to consider revising the City Council Meeting Procedures to provide that members of the public wishing to address the Council regarding a continued agenda item should do so under “Open Forum for Public Comment” – Vice Mayor Rogers (620-6512).

N. COMMUNICATIONS

O. APPROVAL OF MINUTES

- O-2.** Morning Open Session held on March 29, 2005, and Evening Open Sessions held on March 29, 2005, and April 5, 2005.

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

COUNCIL AND STAFF ONLY unless waived by six votes of the Council.

- P-1.** Reports of Chairpersons of:
 - a. Finance Standing Committee.
 - b. Public Safety Standing Committee
 - c. Rules and Procedures Standing Committee.
 - d. Report from the Mayor.
- P-2.** General reports from Councilmembers.
- P-3.** Referrals to staff from the City Council.

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

CC19April2005.agenda