



City Hall
1401 Marina Way South
Richmond, CA 94804

AGENDA
Tuesday, June 21, 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

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 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.

AGENDA
MORNING OPEN SESSION
8:30 a.m.

A. ROLL CALL

B. AGENCY/COUNCIL AS A WHOLE

B-1. Consider giving staff direction regarding the First Source Agreement Requirement for the Macdonald 80 Shopping Center. **Staff Recommendation: Give staff direction for negotiations regarding the First Source Agreement Requirement** – Community and Economic Development (Steve Duran 307-8140).

C. PUBLIC COMMENT

The Agency Boardmembers/City Councilmembers will hear comments from the public regarding items to be discussed in Closed Session.

D. ADJOURN TO CLOSED SESSION

CLOSED SESSIONS

Shimada Room of City Hall

REDEVELOPMENT AGENCY

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code Section 54956.9)

Property: Macdonald Avenue 80 Shopping Center

Negotiating Parties: Target/SPI Holdings, LLC and the City of Richmond

Under Negotiation: First Source Agreement Requirement

CITY COUNCIL

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

One Case: Tyner vs. City of Richmond

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**OPEN SESSIONS
COUNCIL CHAMBER**

**STUDY SESSION
COUNCIL CHAMBER
6:00 p.m.**

The purpose of the study session is for the City Council to hear presentations on the following:

1. Presentation by Empowerment Through Action youth group regarding signage and tobacco retail licensing in the City of Richmond – **30 minutes**
2. Presentation by the Water Transit Authority (WTA) on land use study and terminal site for future ferry service to the City of Richmond – **30 minutes**

Total Time: 1 hour

**AGENDA
SPECIAL JOINT MEETING
OF THE
REDEVELOPMENT AGENCY/CITY COUNCIL
7:00 p.m.**

PLEDGE TO THE FLAG

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. PUBLIC HEARING

C-1. Consider adopting resolutions and giving first reading to an ordinance for the proposed Amended and Restated Redevelopment plan for Project Area No. 10-B (Nevin Center) (The “Amended Plan”) and submission of the proposed amended plan and the accompanying report to the City Council and Final Environmental Impact Report to the City of Richmond Planning Commission and the City Council of the City of Richmond as follows:

- a. **Resolution of the Redevelopment Agency** making findings required by the California Environmental Quality Act (CEQA), and making a statement of overriding considerations in the approval and adoption of the Amended and Restated Redevelopment Plan for Project Area No. 10-B (Nevin),
- b. **Resolution of the City of Richmond** certifying review and consideration of the Final Environmental Impact Report, making findings required by the California Environmental Quality Act (CEQA), and making a statement of overriding considerations in the approval and adoption of the amended and restated Redevelopment Plan for Project Area No. 10-B (Nevin), and
- c. **Introduce an ordinance of the City of Richmond** adopting the Amended and Restated Redevelopment Plan for Project Area No. 10-B (Nevin) pursuant to the Community Redevelopment Law of the State of California – **First Reading.**

D. AGENCY/COUNCIL AS A WHOLE

D-1. Consider selecting a development team for the Civic Center Revitalization Project and authorize staff to negotiate and execute an Exclusive Right to Negotiate Agreement (ERN). **Staff Recommendation: Select a development team for an ERN Agreement** - Community and Economic Development (Steve Duran 307-8140).

E. ADJOURNMENT

**AGENDA
SPECIAL MEETING
OF THE
RICHMOND REDEVELOPMENT AGENCY
7:30 p.m.**

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. RESOLUTIONS

C-1. ADOPT – approving the Redevelopment Agency’s proposed budgets for Fiscal Years 2005/2006 and 2006/2007. **Staff Recommendation: Adopt the resolutions approving the budgets** – Community and Economic Development (Steve Duran 307-8140) – **Res. No. 05.**

C-2. ADOPT – authorizing the Agency’s Executive Director to execute a Professional Services Contract with Richard Kochan for federal grant facilitation services. Total amount of the contract will not exceed \$45,200. Contract period is July 1, 2005, through June 30, 2006. **Staff Recommendation: Approve the contract** – Community and Economic Development (Steve Duran 307-8140) – **Res. No 05.**

D. AGENCY AS A WHOLE

D-1. Consider authorizing the Executive Director to execute a contract amendment with Richmond Main Street Initiative, Inc., to extend the term of the agreement to June 30, 2006. Total amount of the contract amendment is \$135,000, and the five-year total contract amount will not exceed \$525,000. **Staff Recommendation: Approve the contract amendment** – Community and Economic Development (Steve Duran 307-8140).

E. ADJOURNMENT

**AGENDA
CITY COUNCIL
7:45 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. APPROVAL OF MINUTES

C-1. Morning Open Session held on June 7, 2005.

D. STATEMENT OF CONFLICT OF INTEREST

E. 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.

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

G. OPEN FORUM FOR PUBLIC COMMENT

H. PRESENTATION, PROCLAMATIONS, AND COMMENDATIONS

H-1. Acceptance of contributions to the Summer Youth Program – Mayor Anderson (620-6503).

I. 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.

- I-1. **AUTHORIZE** – the acquisition of 10 Bendix King (BK) High Band Radios and accessories from 49er Communications in the amount of \$13,904.54. **Staff Recommendation: Approve the acquisition** – Fire Department (Interim Fire Chief Michael Banks 307-8041).
- I-2. **APPROVE** – the purchase of three new mowers as replacements for three older model mowers and three accompanying trailers. Total cost of the purchase is \$84,592.41. Purchase will be funded from the Equipment Replacement Fund for Fiscal Year 2004/05. **Staff Recommendation: Approve the purchase** – Public Services (Roscoe Ward 231-3020).
- I-3. **APPROVE** – the purchase of a truck tire changer. Total cost of the purchase is \$12,329.67. Purchase will be funded from the Equipment Services Maintenance Fund for Fiscal Year 2004/05. **Staff Recommendation: Approve the purchase** – Public Services (Roscoe Ward 231-3020).
- I-4. **APPROVE** – an agreement with Managed Health Network to administer the Employee Assistance Program. Term of the contract is July 1, 2005, through June 30, 2007. Total amount of the contract is \$79,920 (\$39,690 per fiscal year). **Staff Recommendation: Approve the agreement** – Human Resources (Andy Russo 620-6608).
- I-5. **APPROVE** – an amendment to an agreement with Cleary Brothers Landscape, Inc., to install drainage improvements for Southside Community Park. **Staff Recommendation: Approve the amendment** – Parks and Landscaping (Sharon West 231-3076).
- I-6. **APPROVE** – an amendment to an agreement with Weiss Associates to increase the scope of work for project oversight for the Inlet and Drainage Project. Total amount of the contract amendment is \$118,420. **Recommended for approval by the Finance Committee** – Port (Norman Chan 215-4600).
- I-7. **APPROVE** – an amendment to an agreement with Robert Half Legal Services to increase the amount of the contract to continue services for a part-time legal assistant in the City Attorney’s Office. Total amount of the amendment is \$10,500 for a total contract amount of \$60,450. The contract will expire June 30, 2005. **Staff Recommendation: Approve the amendment** – City Attorney’s Office (Everett Jenkins 620-6509).

- I-8. **AWARD** – a contract to Dutra Construction Company, Inc., for the Inlet Dredging and Pavement Project. Total amount of the contract is \$1,535,360. **Recommended for approval by the Finance Committee** – (Norman Chan 215-4600).

- I-9. **RESOLUTION** – authorizing an election of a Statutory Pass-Through pursuant to Health and Safety Code Sections 33607.5 (B) and 33607.7 (B) for the Amended and Restated Redevelopment Plan for Project Area No. 10-B (Nevin). **Staff Recommendation: Adopt the resolution** – Community and Economic Development (Alan Wolken 307-8140).

- I-10. **RESOLUTION** – approving the Final Map of Subdivision 8786, Summer Lane, and directing the filing thereof (Location: Hilltop area; Developer: D.R. Horton). **Staff Recommendation: Accept the Final Map** – Engineering Division (Rich Davidson 307-8091).

- I-11. **RESOLUTION** – approving the Final Map of Subdivision 8878, Garrard Commercial Center, and directing the filing thereof. **Staff Recommendation: Accept the Final Map** – Engineering Division (Rich Davidson 307-8091).

- I-12. **RESOLUTION** – approving the Final Map of Subdivision 8895, Factory Place Condominiums, and directing the filing thereof. **Staff Recommendation: Accept the Final Map** - Engineering Division (Rich Davidson 307-8091).

- I-13. **RESOLUTION** – approving the Final Map of Subdivision 8798, Filbert Street Subdivision, and directing the filing thereof. **Staff Recommendation: Approve and accept the Final Map** – Engineering Division (Rich Davidson 307-8091).

- I-14. **RESOLUTION** – authorizing the filing of a claim with the Contra Costa Transportation Authority for allocation of Measure C Funds for Paratransit Services in the amount of \$474,433 for Fiscal Year 2005/06. **Staff Recommendation: Adopt the resolution** – Paratransit Division (Willie Haywood 231-3009).

- I-15. **RESOLUTION** – amending the Classification Plan to add the classification of **Administrative Chief** (Salary Range is \$5,568 to \$10,340 per month). **This added classification will result in one less Assistant City Manager’s position, and it will impact the General Fund as the former Assistant City Manager’s position was budgeted from the non-General Fund. Staff Recommendation: Adopt the resolution** – Human Resources (Leslie Knight 620-6602).

- I-16. RESOLUTION** – amending the Classification Plan to add the classifications of **Senior Business Analyst** (Salary Range is \$6,358 to \$7,728 per month) and **Business Analyst I/II** (Salary Ranges are \$4,936 to \$6,000 and \$5,602 to \$6,809 per month, respectively) and amending Management Employees Ordinance No. 40-01 N.S. **This resolution will create three new classifications. However, only the Senior Business Analyst position will be filled at this time, and there will be a fiscal impact of \$88,332 to the General Fund to fill the Senior Business Analyst position. Staff Recommendation: Adopt the resolution to create the three new classifications and to fund the Senior Business Analyst position –** Human Resources (Andy Russo 620-6608).
- I-17. RESOLUTION** – amending the Classification Plan to add the classification of **Stationary Engineer Supervisor** (Salary Range is \$5,355 to \$6,468 per month). **This added classification will be funded from budgeted vacancies. Staff Recommendation: Adopt the resolution –** Human Resources (Andy Russo 620-6608).
- I-18. RESOLUTION** – authorizing the filing of an application for Land and Water Conservation Funds for Elm Park Playlot Project. **Staff Recommendation: Authorize filing of the application –** Parks and Landscaping (Sharon West 231-3076).
- I-19. RESOLUTION** – approving the 2004/2005 Insurance and Premiums Paid Report. **Recommended for approval by the Finance Committee –** (Shari Deutsch 620-6605).
- I-20. ORDINANCE (SECOND READING)** – adding automobile service stations to lists of MFR-1 and MFR-2 Conditional Uses. **Staff Recommendation: Adopt the ordinance –** Planning Department (Richard Mitchell 620-6706).
- I-21. DENY** claims against the City of Richmond by: (1) Jesus Tirado, (2) James Waters, (3) Diana Griffin, and (4) Noah Chandler. **Staff Recommendation: Deny the claims -** Risk Management (Shari Deutsch 620-6605).

J. PUBLIC HEARINGS

J-1. 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, April 19, 2005, and the May 17, 2005, City Council meetings at the request of the four appellants and with the concurrence of the applicant) – Planning Department (Judith Battle 620-6706).

K. AGREEMENTS

L. RESOLUTIONS

L-1. ADOPT – declaring a state of emergency in high violent-crime census tracts in Richmond, consider and approve the Firearm Violence Action Plan, and approve an operational budget in the amount of \$1,998,600 – Councilmember Viramontes (620-6581).

M. ORDINANCES

M-1. INTRODUCE (FIRST READING) – amendments to the proposed Rental Inspection Ordinance – Councilmember Viramontes (620-6581).

M-2. INTRODUCE AND GIVE FIRST READING to the following:

- a. establishing wages, salaries and compensation for the classification of **Administrative Chief** (Salary Range is \$5,568 to \$10,340 per month). **This added classification will result in one less Assistant City Manager's position, and it impact the General Fund as the former Assistant City Manager's position was budgeted from the non-General Fund. Staff Recommendation: Give first reading to the ordinance,**
- b. establishing wages, salaries, and compensation for the classifications of **Senior Business Analyst and Business Analyst I/II** (Salary Ranges are \$6,358 to \$7,728 and \$4,936 to \$6,000 per month, respectively) and amending Management Employees Ordinance No. 40-01 N.S. **There will be a fiscal impact to the General Fund in the amount of \$88,332 to fill the Senior Business Analyst position. Business Analyst I/II will not be filled at this time, and**

- c. establishing wages, salaries, and compensation for the classification of **Stationary Engineer Supervisor** (Salary Range is \$5,355 to \$6,468 per month) and amending Management Employees Ordinance No. 40-01 N.S. **There will be no impact on the General Fund – Human Resources.**

N. COUNCIL AS A WHOLE

- N-1.** Summary of the Budget for Fiscal Year 2005/2006 and requests for Measure Q Funds – City Manager Bill Lindsay (620-6512).
- N-2.** Discussion of information from the State Board of Equalization on collection of sales tax and payments.
- N-3.** Discussion to allow leniency in certain circumstances for liens on properties with outstanding balances for false alarm charges – Councilmember McLaughlin (237-1256).
- N-4.** Consider directing the City Manager to draft two measures for the November Special Election: (1) a gross-receipts tax on residential rental income and (2) a per-unit tax on residential rental income – Councilmembers Butt and Marquez.

O. COMMUNICATIONS

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 and staff.
- P-3.** Referrals to staff from the City Council.

Q. ADJOURNMENT

NOTE: THE CITY COUNCIL WILL MEET AS SHOWN BELOW:

SPECIAL MEETING - JUNE 28, 2005

SPECIAL MEETING - JULY 12, 2005

REGULAR MEETING - JULY 19, 2005

SPECIAL MEETING - AUGUST 2, 2005

COUNCIL RECESS - AUGUST 3, 2005, THROUGH SEPTEMBER 2, 2005

ITEMS FOR THE AGENDA MUST BE SUBMITTED TO THE CITY CLERK'S OFFICE BY 12:00 NOON ON TUESDAY, 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

CC21June2005.Agenda