



City Hall
1401 Marina Way South
Richmond, CA 94804

**AGENDA
SPECIAL MEETING
Tuesday, July 12, 2005**

Mayor
Irma L. Anderson

Vice Mayor
Jim Rogers

Councilmembers

Nathaniel Bates
Thomas K. Butt
Richard Griffin
John E. Marquez
Gayle McLaughlin

Vacancy

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.

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

CITY COUNCIL

CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION
(Government Code Section 54956.9)

One Case: Richmond Swim Center

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

Four Cases: Robert Preston vs. City of Richmond
Milton Johnson vs. City of Richmond
Ricardo Reyes vs. City of Richmond
Phyllis Stuckey vs. City of Richmond

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957.6)

Title: City Clerk

EVENING OPEN SESSIONS
5:15 p.m.

A. ROLL CALL

B. PUBLIC COMMENT

NOTE: The City Council will hear comments from the audience for the item to be discussed during the Evening Closed Session.

C. ADJOURN TO CLOSED SESSION

CLOSED SESSION
Shimada Room of City Hall

CITY COUNCIL

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

City Negotiators: Bill Lindsay, Leslie Knight, Robert Larson, Pat Samsell, and Everett Jenkins

Counsel: Jeffrey Sloan, Renne, Sloan, Holtzman, and Sakai, LLP

Employee Organizations: SEIU – Local 790; IAFF Local 188 (Firefighters); Richmond Police Officers’ Association (RPOA); Richmond Management Employee Association; Richmond Police Management Employee Association; Richmond Police Management Association; and Richmond Fire Management Association

*

**STUDY SESSION
COUNCIL CHAMBER
6:20 p.m.**

The purpose of the Study Session is for the City Council to hear a presentation on the following:

1. Presentation by students from Richmond High School on their findings from a mapping project that identifies existing youth programs and services available in the City – 20 minutes.

Total Time: 20 minutes

**SPECIAL JOINT MEETING
RICHMOND REDEVELOPMENT AGENCY/CITY COUNCIL
COUNCIL CHAMBER
6:40 p.m.**

PLEDGE TO THE FLAG

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. RESOLUTIONS

C-1. ADOPT – the following resolutions to award a contract and authorize funding for construction of the Intermodal Station Building Richmond Transit Village:

- a. **Resolution of the City of Richmond** authorizing the award of a contract to C. Overaa & Co. for construction of the Transit Village Intermodal Station Building. Total amount of the contract will not exceed \$5,764,000.
Staff Recommendation: Adopt the resolution – Community and Economic Development (Steve Duran 307-8140).

- b. **Resolution of the Redevelopment Agency** authorizing the expenditure for construction of the Transit Village Intermodal Station Building in an amount not to exceed \$5,764,000. **Staff Recommendation: Adopt the resolution** – Community and Economic Development (Steve Duran 307-8140).

D. ADJOURNMENT

**REDEVELOPMENT AGENCY
COUNCIL CHAMBER
6:45 p.m.**

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. RESOLUTIONS

C-1. ADOPT – approving an Implementation Plan for the 2005 10-B Nevin added areas. **Staff Recommendation: Adopt the resolution (Res. No. 05-24).**

C-2. ADOPT – authorizing the Executive Director to execute a contract with BKF Engineers to prepare a grade separation analysis for the Marina Bay and Parchester Village areas. Total amount of contract not to exceed \$150,000. **Staff Recommendation: Adopt the resolution (Res. No. 05-25).**

C-3. ADOPT – amending and restating the Bylaws of said Agency and changing the name of the agency to the Richmond Community Redevelopment Agency. **Recommended for approval by the Finance Committee.**

D. ADJOURNMENT

**SPECIAL MEETING
CITY COUNCIL
COUNCIL CHAMBER
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.”

NOTE: 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.

C. APPROVAL OF MINUTES

D. STATEMENT OF CONFLICT OF INTEREST

E. 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. Introduction of the Richmond Neighborhood Coordinating Council's 2005 Executive Board: **Sandi Genser-Maack**, President; **Rhonda Harris**, Vice President; **Tony Mendicino**, Treasurer; **Donald Woodrow**, Corresponding Secretary; **Eleanor Loynd**, Recording Secretary; **George Schmidt**, Sergeant-at-Arms; **Naomi Williams**, Public Information Officer; **Paul Conner**, Director-at-Large; **Jerry Yoshida**, Director-at-Large; and **Janie Holland**, Director-

at-Large – (Bill Lindsay 620-6512).

H-2. 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. RESOLUTION – authorizing placement of property liens for Richmond Sanitary Service garbage collection fees and City Administrative fees. **Staff Recommendation: Adopt the resolution** - Finance Department (Lester Dun 620-6734).

I-2. RESOLUTION – requesting termination of the U.S. Department of Commerce, Economic Development Administration Federal Assistance Award Agreement Number 07-01-05187. **Staff Recommendation: Adopt the resolution** – Community and Economic Development (Steve Duran 307-8140).

I-3. RESOLUTION – adopt a resolution for the following: (1) authorizing the City Manager to accept the donation of the Whirley Crane No. 2 from Levin-Richmond Terminal Corporation upon its delivery to its new foundation to be constructed in the southeast corner of the easternmost former dry dock of Point Potrero Marine Terminal pursuant to the attached Site Plan, (2) approving the relocation of Whirley Crane No. 2 to Point Potrero Marine Terminal for use as an interpretive exhibit in the Rosie the Riveter World War II Home Front National Historical Park, and (3) directing the City Manager to facilitate an agreement between the City, National Park Service, and the Richmond Museum Association regarding the creation of a comprehensive safety program prior to permitting the general public to visit the area in Point Potrero Marine Terminal where the Whirley Crane is to be located and where the Red Oak Victory Ship is currently located. **Staff Recommendation: Adopt the resolution** – Councilmember Butt (236-7435).

I-4. RESOLUTION OF INTENTION NO. 891 – to vacate a 40’ x 103’ unimproved portion of Fall Avenue east of South 52nd Street. **Staff Recommendation: Adopt the Resolution of Intention** – Planning Department (Richard Mitchell 620-6706).

I-5. RESOLUTION OF INTENTION – calling for a public hearing on August 2, 2005, for the Engineer’s Report and levying of the Annual Benefit Assessment for Fiscal Year 2005/2006 for the Hilltop Landscape Maintenance District. **Staff Recommendation: Authorize the call for a public hearing and**

Staff

- I-6. **ORDINANCE (SECOND READING)** – 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. **Staff Recommendation: Adopt the ordinance** – Community and Economic Development (Craig Murray/Alan Wolken 621-1262).
- I-7. **ORDINANCE (SECOND READING)** – 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 will impact the General Fund as the former Assistant City Manager’s position was budgeted from the non-General Fund.** **Staff Recommendation: Adopt the ordinance** – Human Resources (Andy Russo 620-6608).
- I-8. **ORDINANCE (SECOND READING)** - 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.** **Staff Recommendation: Adopt the ordinance** – Human Resources (Andy Russo 620-6608).

J. **PUBLIC HEARINGS**

K. **AGREEMENTS**

L. **RESOLUTIONS**

M. **ORDINANCES**

- M-1. **ADOPT** – an urgent ordinance approving a moratorium on the issuance of all development-related entitlements, including building permits, for marijuana dispensaries within the City of Richmond. **Staff Recommendation: Adopt the ordinance approving the moratorium** – Planning Department (Richard Mitchell 620-6706).

N. **COUNCIL AS A WHOLE**

- N-1. Consider approving reappointments to the following Board and Commission:
Design Review Board: Ted Smith, Incumbent, term expiring June 19, 2007; Michael Woldemar, Incumbent, term expiring August 1, 2007; Eileen Whitty, Incumbent, term expiring August 1, 2007; Donald Woodrow, Incumbent

(completing an unexpired term), term expiring June 1, 2007; and **Planning Commission:** Vicki Winston and Stephen Williams, Incumbents, terms expiring June 30, 2007 – (Mayor Anderson 620-6503).

- N-2.** Process to fill the open Council seat vacated by Mindell Lewis Penn on July 1, 2005:

In previous years, the Council has appointed new members through a nomination and selection process. The City Council will use the same process used to appoint the Vice Mayor to appoint a new Councilmember. This same process was also used to fill the last Council vacancy:

1. A Councilmember nominates a candidate;
2. All Councilmembers vote on the candidate; and
3. The first candidate that receives a majority vote becomes the new City Councilmember.

- N-3.** Consider using a refund from the State of California of the Vehicle License Fees for a one-time employee bonus for all City employees – Vice Mayor Rogers 620-6512.

- N-4.** Consider adopting a resolution requesting the Governor of the State of California to re-visit the “Three Strikes” Law and to commute the sentence of Santos Reyes to time already served and release him immediately from prison –

Councilmember

McLaughlin (620-6512).

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

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

CCSpecialMeeting12July2005.agenda