



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

**AGENDA
02/20/2007**

**Mayor
Gayle McLaughlin**

**Vice Mayor
Nathaniel Bates**

**Council Members
Thomas K. Butt
Ludmyrna Lopez
John E. Marquez
Jim Rogers
Harpreet S. Sandhu
Tony K. Thurmond
Maria T. Viramontes**

The Richmond City Council also serves as Board Members and Commission Members for the following:

**Community Redevelopment Agency
Housing Authority
Joint Powers Financing Authority
Surplus Property Authority
Local Reuse Authority**

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 TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING 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 or 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 C, 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

A. **CITY COUNCIL**

- A-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9)

Coalition of Concerned Citizens of Point Richmond vs. City of Richmond
Littlehale vs. City of Richmond
Quintero vs. City of Richmond
- A-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code
Section 54956.8)

Property: 1145 Harbour Way South
City's Negotiator: Jim Matzorkis
Cal Oils' Negotiator: Dan MacLean

Property: 2662 and 2566 Macdonald Avenue
City's Negotiator: Steve Duran
Counterparty: Judy Morgan, Richmond Chamber of Commerce
- A-3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government
Code Section 54957.6)

Title: City Manager

B. **REDEVELOPMENT AGENCY**

B-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9)

Billion Enterprises vs. Richmond Community Redevelopment Agency

Evening Open Session

Council Chambers

Study Session

5:00 p.m.

- 1. Review mid-year budget forecast and mid-year proposed budget FY 2006/07 adjustments - Finance Department (James Goins 620-6740).

Richmond Community Redevelopment Agency

6:30 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. CONSENT CALENDAR

D-1. ADOPT A RESOLUTION - adopting an Interest Rate Swap Policy, appointing an underwriter, bond and disclosure counsel, financial advisor, swap advisor and swap counterparty in connection with the issuance of bonds for the Agency's merged project areas, and directing staff to move forward with preparations to issue bonds - Richmond Community Redevelopment Agency (Steve Duran 307-8140).

D-2. APPROVE - minutes of Morning Open Session held on February 6, 2007 - City Clerk's Office (Diane Holmes 620-6513).

E. AGENCY AS A WHOLE

E-1. ADOPT THE FOLLOWING RESOLUTIONS:

- (a) Amending the Richmond Community Redevelopment Agency Fiscal Year 2006-2007 Capital Budget to provide \$500,000 as matching funds for a grant to rehabilitate the historic Maritime Center at 1014 Florida Avenue, and authorizing the distribution of said funds subject to certain requirements – Richmond Community Redevelopment Agency (Steve Duran 307-8140).
- (b) Consider appropriations from the FY 2007-2008 Redevelopment Agency Budget as follows: Option A, Declare the Council’s intent to spend up \$7,500,000, and direct the City Manager to bring back fleshed out proposals for (1) up to \$3,000,000 to pay part of the cost of new police patrols in the Redevelopment areas, for a limited time (2) up to \$1,000,000 to pay for the security camera program and the gunshot sensors; \$3,000,000 for repaving streets in the Redevelopment areas; and (4) up to \$500,000 to match \$3.5 million from the WCCUSD and CCHE for rehabilitation of the Maritime Child Care Center; or Option B, up to \$500,000 to match \$3.5 million from the WCCUSD and CCHE for rehabilitation of the Maritime Child Care Center – Councilmember Rogers a and Butt (867-5725).

F. OPEN FORUM FOR PUBLIC COMMENT

G. ADJOURNMENT

CITY COUNCIL

7:00 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. AGENDA REVIEW

D. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS

**MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING
CLOSED SESSION**

E. OPEN FORUM FOR PUBLIC COMMENT

F. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

F-1. Proclamation recognizing Don Russell, owner of W.R. Forde and Associates Engineering Construction - Mayor McLaughlin and Finance Director, James Goins (620-6503/620-6740).

F-2. Introduce the Fire Department's 12 new firefighters and recognize the Academy Staff for their work during this recruit academy - Fire Department (Chief Michael Banks 307-8041).

G. CONSENT CALENDAR

G-1. **AUTHORIZE** – the Port Director to enter into a Lease Agreement with Touchable Stories Inc. for the operation of a multi-media art facility open to the general public for an initial term until may 30, 2007 at a lease rate of \$1 per month – Port (Jim Matzorkis 215-4600).

G-2. **APPROVE** - a contract with Elation Systems to provide software and technical support for a web-based labor compliance and monitoring software and technical support system to track compliance with City of Richmond's ordinances for a two-year term at an annual cost of \$40,000 - Employment and Training (Sal Vaca 307-8006).

G-3. **ADOPT A RESOLUTION** - to amend Resolution No. 52-06 in order to adjust appropriations for the 2006-2007 Workforce Investment Act and grant programs in the amount of \$600,000 – Employment and Training (Sal Vaca 307-8006).

G-4. **ADOPT AN ORDINANCE** - rezoning to Planned Area (PA) Development the site known as "Terminal One" for the Pont Richmond Shores Residential Condominium Development Project - Planning Department (Richard Mitchell 620-6706).

G-5. **ADOPT A RESOLUTION** - upholding the appeal by Kevin Hampton and approving variances, for four undeveloped lots located on York Street, Cherry Street, and Duboce Avenue - Planning Department (Richard Mitchell 620-6706).

G-6. **APPROVE** - the proposed Joint Exercise of Powers Agreement between the City of Richmond and Contra Costa County for County construction of road surface improvements and curb ramp improvements on three sections of San Pablo Dam

Road that are within the City's jurisdiction for an amount not to exceed \$69,000 - Engineering (Rich Davidson 307-8105).

- G-7. ACCEPT** - the work of Cleary Bros. Landscape and authorize release of \$106,698.72 retention. The Southside Park Renovation Project was successfully completed on January 30, 2007 - Public Works (Willie Haywood 231-3008).
- G-8. APPROVE** - a contract amendment between Shute Mihaly & Weinberger LLP and the City in the amount of \$25,000 for the continued representation of the City of Richmond, City Council and City Clerk in the matter entitled Barra vs. City of Richmond - City Attorney's Office (John Eastman 620-6509).
- G-9. APPROVE** - a contract with the law firm Wright, Robinson, Osthimer & Tatum for the provision of legal services in defense of a lawsuit entitled Auto Warehousing Company vs. City of Richmond. The contract amount is \$25,000 and will run through disposition of the lawsuit - City Attorney's Office (John Eastman 620-6509).
- G-10. ADOPT AN ORDINANCE** - amending the Richmond Municipal Code Section 9.52.040 to include trains bells, sirens, horns, whistles, and similar audible warning devices as permissible exceptions to the Community Noise Ordinance (CNO) only to the extent that the use of such devices is permitted under state and federal law – City Attorney's Office (John Eastman 620-6509).
- G-11. ADOPT A RESOLUTION** - amending the City of Richmond classification plan to add the classification of **Financial Analyst** - Human Resources (Leslie Knight 620-6600).
- G-12. INTRODUCE AN ORDINANCE** - establishing wages, salary, and compensation for the new classification of **Financial Analyst (Salary Range: \$5,238 - \$6,441/month)** - Human Resources (Leslie Knight 620-6600).
- G-13. ADOPT AN ORDINANCE** - amending the Human Relations and Affirmative Action Commission (HRAAC) Ordinance, Chapter 3.58 of the Richmond Municipal Code - City Manager's Office (Bill Lindsay 620-6512).

G-14. APPROVE - the assignment of rights and obligations of Veolia North America Operating Systems, LLC, a limited liability company, to Veolia Water Constructors, Inc. for the purposes of holding a contractor's license with the State of California. Authorize the City Manager to accept certificate of Veolia Water, S.A regarding reaffirmation of the guarantee given by Vivendi Water, S.A. – City Manager’s Office (Bill Lindsay 620-6513).

G-15. THIS ITEM HAS BEEN REMOVED

G-16. APPROVE – appointments to the **Commission on Aging**: Myrtle Braxton– Ellington, term expiring May 19, 2008 (completing an unexpired term); and **Arts & Culture Commission**: Andres Cisneros-Galindo, term expiring January 31, 2008 (completing an unexpired term) – Mayor McLaughlin (620-6503).

G-17. APPROVE - minutes of Morning and Evening Open Sessions held on February 6, 2007 - City Clerk's Office (Diane Holmes 620-6513).

H. PUBLIC HEARINGS

I. RESOLUTIONS

J. ORDINANCES

K. COUNCIL AS A WHOLE

K-1. Discuss and direct staff to develop an ordinance outlining the procedures to interview and select candidates to fill vacancies on the City Council – Councilmember Marquez (620-6581).

K-2. Discuss and recommend amendments to ordinances regulating Planning and Design Review governing policy, staff administrative review process and authorize a stipend to commissioners - Councilmember Viramontes, Vice Mayor Bates and Councilmember Marquez (620-6581).

K-3. Discuss and approve development of Title IV Part E Claiming Process by establishing a commission to claim matching funds for local expenditure for at-risk children and families - Councilmembers Viramontes and Sandhu (620-6581).

K-4. Discuss and provide direction to staff regarding the retaining of a master developer for the Civic Center Project – Vice Mayor Bates (620-6581).

L. COMMUNICATIONS

**M. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS,
REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING
AB 1234 REPORTS)**

N. ADJOURNMENT

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Richmond Television, City website ci.richmond.ca.us
and is also posted at the Civic
Center Library and in the lobby of City Hall South*