



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

**AGENDA
03/20/2007**

**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. LIABILITY CLAIMS

Claimants:

- 1. Alma Candelario
- 2. Sylvia Britt
- 3. Dwight Haire

Agency Claimed Against: City of Richmond

A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9:

One Case

A-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6)

Title: City Attorney

Evening Open Session
Council Chambers

Study Session
5:00 p.m.

The purpose of the study session is as follows:

- A-1.** Review and discuss a proposal for the City of Richmond to participate in the East Bay Regional Communications System (EBRCS), and provide direction to staff as appropriate - Fire Department (Chief Michael Banks 620-8161). 30 minutes
- A-2.** Review and discuss the Richmond Violent Crime Analysis and provide direction to staff as appropriate - City Manager's Office (Bill Lindsay 620-6512). 45 minutes
- A-3.** Receive a presentation by JP Morgan concerning ways to optimize the Port of Richmond as a Community asset, and consider directing staff to negotiate a contract with JP Morgan and Moffatt & Nichol as a financial and strategic advisory team – Finance Department/Port (James Goins/Jim Matzorkis 620-6740/ 215-4600). 30 minutes

Special Joint Meeting
of the
Joint Powers Financing Authority/Richmond City Council
6:45 p.m.

- A. PLEDGE TO THE FLAG**
- B. ROLL CALL**
- C. STATEMENT OF CONFLICT OF INTEREST**
- D. AGENDA REVIEW**

E. CONSENT CALENDAR

E -1. APPROVE – minutes of the meeting held on December 19, 2006 – City Clerk’s Office Diane Holmes 620-651).

F. RESOLUTIONS

F-1. ADOPT the following:

1. City Council Resolution authorizing the execution and delivery of a Preliminary Official Statement in connection with the issuance by the Joint Powers Financing Authority of not to exceed \$14,000,000 of its Subordinate Multifamily Housing Revenue Bonds (Westridge at Hilltop Apartments), Series 2007 – Finance Department (James Goins 620-6740).
2. Joint Powers Financing Authority Resolution directing staff to prepare proceedings in connection with the issuance by the Joint Powers Financing Authority of not to exceed \$14,000,000 of its Subordinate Multifamily Housing Revenue Bonds (Westridge at Hilltop Apartments), Series 2007 and authorizing the execution and delivery of certain documents in connection therewith - Finance Department (James Goins 620-6740).

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.** Welcome and introduction of Fire Chief Gabriel Angel Pimentel Velasquez from Huatulco, Oaxaca, Mexico - Mayor McLaughlin (620-6503).
- F-2.** Proclamation in recognition of “Women’s History Month” – Mayor McLaughlin (620-6503).

G. CONSENT CALENDAR

- G-1.** **APPROVE** - an amendment to an agreement with Ms. Shannon Layer to provide polygraph examination services increasing the payment limit from \$8,750 to \$18,925 - Police Department (Chief Chris Magnus 620-6655).
- G-2.** **THIS ITEM HAS BEEN REMOVED**
- G-3.** **AUTHORIZE** - a sole source contract with Overaa Construction to provide specified general contract services for the rehabilitation of five community centers and two branch libraries, all work to be completed on or before June 15, 2007, for an amount not to exceed \$750,000 - Finance Department (James Goins 620-6740).
- G-4.** **ACKNOWLEDGE** – receipt of the City of Richmond’s comprehensive Annual Financial Report for the year ended June 30, 2006 (Recommended by the Finance Committee) – Finance Department (James Goins 620-6740).
- G-5.** **ADOPT A RESOLUTION** - approving a budget adjustment for the Library Literacy for Every Adult Program (LEAP), accepting the allocation of California Library Literacy Services (CLLS) funds from the California State Library in the amount of \$93,248 for Fiscal Year 2006-07 - Library and Community Services (Monique le Conge 620-6555).
- G-6.** **ADOPT A RESOLUTION** - approving a budget adjustment for the Library, accepting the allocation from the California Public Library Funds (PLF) in the amount of \$59,732 from the California State Library, for Fiscal Year 2006-07 - (Monique le Conge 620-6555).
- G-7.** **AWARD** - a contract for architectural design services for the Bayview and West Side branch libraries of the Richmond Public Library to Anderson Brule Architects for a price not to exceed \$30,000 - (Monique le Conge 620-6555).

- G-8. ADOPT A RESOLUTION** - to amend the Port of Richmond Tariff FMC No. 3 reflecting a 10% increase in tariff rates as approved by the Executive Committee of the California Association of Port Authorities (CAPA) - Port (Jim Matzorkis 215-4600).
- G-9. APPROVE** - a Purchase of Services contract with Remediation Risk Management, Inc. (RRM) for the development of an investigative work plan for removed underground storage tank sites located at 1301 Canal Boulevard and 1411 Harbour Way South, in an amount not to exceed \$18,000 - Port (Jim Matzorkis 215-4600).
- G-10. APPROVE** - a contract with Todd Jersey Architecture of Berkeley to provide the necessary services to rebid the renovation of the Richmond Natatorium to include Phase I and Phase II at a total cost not to exceed \$55,000 - Engineering (Rich Davidson 307-8105).
- G-11. APPROVE** - an agreement between the City of Richmond and Chevron USA to exchange an easement for street vacation associated with construction of the Richmond Parkway - Engineering (Rich Davidson 3007-8105).
- G-12. THIS ITEM HAS BEEN REMOVED**
- G-13. ADOPT A RESOLUTION** - amending the City of Richmond classification plan to add the classification of **Employee Benefits Analyst** - Human Resources (Leslie Knight 620-6600).
- G-14. INTRODUCE AN ORDINANCE** - establishing wages, salary, and compensation for the new classification of **Employee Benefits Analyst (salary range: \$5,328 - \$6,438/month)** - Human Resources (Leslie Knight 620-6600).
- G-15. ADOPT A RESOLUTION** - amending the City of Richmond classification plan to add the classification of **Community Services Technician** - Human Resources (Leslie Knight 620-6600).
- G-16. INTRODUCE AN ORDINANCE** - establishing wages, salary, and compensation for the new classification of **Community Services Technician (salary range: \$3,323 - \$4,039/month)** - Human Resources (Leslie Knight 620-6600).
- G-17. ADOPT A RESOLUTION** - amending the City of Richmond classification plan to add the classification of **Port Administrator** - Human Resources (Leslie Knight 620-6600).

- G-18. INTRODUCE AN ORDINANCE** - establishing wages, salary, and compensation for the new classification of **Port Administrator (salary range: \$7,645-\$8,828/month)** - Human Resources (Leslie Knight 620-6600).
- G-19. ADOPT A RESOLUTION** - amending the City of Richmond classification plan to add the classification of **Senior Employee Benefits Analyst** - Human Resources (Leslie Knight 620-6600).
- G-20. INTRODUCE AN ORDINANCE** - establishing wages, salary, and compensation for the new classification of **Senior Employee Benefits Analyst (salary range: \$5,998 - \$7,254/month)** - Human Resources (Leslie Knight 620-6600).
- G-21. ADOPT A RESOLUTION** - amending the City of Richmond classification plan to add the classification of **Workforce Program Coordinator** - Human Resources (Leslie Knight 620-6600).
- G-22. INTRODUCE AN ORDINANCE** - establishing wages, salary and compensation for the new classification of **Workforce Program Coordinator (salary range: \$4,471 - \$5,433/month)** - Human Resources (Leslie Knight 620-6600).
- G-23. APPROVE** - a contract amendment between Meyers Nave Riback Silver & Wilson and the City in the amount of \$15,000 to pay for legal work regarding the use of City Funds to pay for memberships in organizations which engage in lobbying activities and for legal services rendered on local campaign finance ordinance - City Attorney's Office (John Eastman 620-6509).
- G-24. APPROVE** - a contract with the law firm of Barg Coffin Lewis & Trapp for the provision of legal services in defense of the CEQA lawsuit entitled James Scott Littlehale vs. City of Richmond. The contract amount is \$25,000 and will run through the disposition of the lawsuit - City Attorney's Office (John Eastman 620-6509).
- G-25. DECLARE** - that the Richmond City Charter as submitted represents the correct current version of the Charter as adopted and subsequently amended by the voters - City Manager's Office (Bill Lindsay 620-6512).
- G-26. ADOPT AN ORDINANCE** - amending Chapter 2.16 of the Municipal Code of the City of Richmond to establish a procedure for filling vacancies on the City Council - Councilmember Marquez (620-6581).
- G-27. APPROVE** - recommendation for an appointment to the **Police Commission**: Nemy Bautista, term expiring November 1, 2010 - Mayor McLaughlin (620-6503).
- G-28. APPROVE** - minutes of the Morning Open Sessions held on February 20, 2007, and

the Evening Open Sessions held on March 6, 2007 - City Clerk's Office (Diane Holmes 620-6513).

H. PUBLIC HEARINGS

- H-1.** Conduct a public hearing to adopt a resolution approving the levy of special assessments for unpaid accounts relating to lot clean-ups, inspection, and building board-ups in the amount of \$39,132 - Police Department (Chief Chris Magnus 620-6655).
- H-2.** Conduct a public hearing to adopt a resolution approving the levy of special assessments for unpaid accounts relating to the administrative citations in the amount of \$43,927 -Police Department (Chief Chris Magnus 620-6655).
- H-3.** Consider an appeal of the Planning Commission's decision to limit the operator of Wingstop Restaurant to serve alcohol between the hours of 10:00 a.m. to 10:00 p.m. and direct staff to return with a resolution setting forth the City Council's findings and decision - Planning (Richard Mitchell 620-6706).

I. RESOLUTIONS

- I-1.** **ADOPT A RESOLUTION** - in support of the Bay Trail as mitigation for the Long Wharf lease renewal and direct staff as appropriate - Councilmembers Butt, Thurmond and Mayor McLaughlin (236-7435).

J. ORDINANCES

- J-1.** **INTRODUCE AN ORDINANCE** - amending Section 7.40 of the Municipal Code by adding Section 7.40.500 pertaining to prohibiting entities performing curb painting services without first obtaining permission from the property owner - City Attorney's Office (John Eastman 620-6509).

K. COUNCIL AS A WHOLE

- K-1.** Consider directing staff to draft an ordinance that provides the City of Richmond the maximum legal authority to regulate the transportation and storage of hazardous substances in railcars in and through the City of Richmond - Councilmembers Butt, Rogers, and Mayor McLaughlin (236-7435).
- K-2.** Approve the City of Richmond's co-sponsorship of the Richmond N.A.A.C.P. Youth Council Teen Summit to be held on March 31, 2007 - Councilmember Bates, Thurmond, and Mayor McLaughlin (620-6503).

- K-3.** Discuss the March 9, 2007, Permitting Process Community Forum and provide direction to staff - Vice Mayor Bates (620-6581).
- K-4.** Status Report and direction to staff relative to negotiating an agreement with the railroad property owner regarding abatement of blighted areas east of I-580 near the Central Avenue – Councilmember Rogers (867-5725).
- K-5.** Hear a progress report from the Project Sponsor (Toll Brothers) and provide direction to staff to work with Project Sponsor to revise the proposed Vesting Tentative Subdivision Map and Design Review Permit to reflect the conceptual suggestions that emerged from the design charrette and return to the City Council for action on April 17, 2007 – Planning Department (Richard Mitchell 620-6706).

L. COMMUNICATIONS

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

N. ADJOURNMENT

*This agenda may be previewed on KCRT – Channel 28,
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*