



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

**AGENDA  
Tuesday, September 11, 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**

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**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.*

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## **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)

Richmond Residents for Responsible Antenna Placement and Planning ("RAP"), et al  
v. City of Richmond

Booker vs. City of Richmond

Riley vs. City of Richmond

Barra vs. City of Richmond

Nishioka vs. City of Richmond

Terminal #4

##### **A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** Initiation of litigation pursuant to subdivision (c) of Section 54956.9

Two Cases

##### **A-3. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6)**

City Attorney

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**A-4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6)**

City Manager

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**Study Session**

5:30 p.m.

The purpose of the study session is as follows:

- A. DISCUSS AND DIRECT STAFF TO PREPARE ORDINANCES FOR COUNCIL ACTION THAT MODIFY RICHMOND LAWS TO REDUCE STREET SHOOTINGS: (1) REPORTING OF STOLEN GUNS AND (2) BANNING POSSESSION OF AMMUNITION FOR ASSAULT STYLE WEAPONS - COUNCILMEMBER ROGERS (867-5725).**

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**Special Joint Meeting of the Surplus Property Authority/City Council**

6:00 p.m.

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

**D. CONSENT CALENDAR**

**D-1.** ADOPT A RESOLUTION - appointing Bond and Disclosure Counsel and a Financial Advisor; authorize the Finance Director to seek proposals from investment banking and other financial firms to provide financing of certain Port Terminal and related improvements in connection with the proposed expansion of the Auto Warehousing Corporation operation to accommodate importation of Honda Automobiles; direct the Finance Director and Port Director to present the selected financing package to the City Council for review and approval at a future council meeting and authorize the Port's Executive Director to negotiate an amended Lease Agreement with Auto Warehousing Company to incorporate the increased vehicle volumes, capital improvements, and term extensions to accommodate American Honda's vehicle distribution; and direct the Port Director to present the amended Lease Agreement to the City Council for review and approval at a future council meeting - Finance (Jim Goins 620-6740)/Port (Jim Matzorkis (215-4600).

**E. ADJOURNMENT**

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**Special Meeting of the Joint Powers Financing Authority/Richmond  
Community Redevelopment Agency/City Council**

6:30 p.m.

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. CONSENT CALENDAR**

**C-1.** APPROVE - minutes of the Special Joint Meeting of the Joint Powers Financing Authority, Richmond Redevelopment Agency/City Council held on July 17, 2007 - City Clerk's Office (Diane Holmes 620-6513).

**D. RESOLUTIONS**

**D-1.** ADOPT - resolutions amending City Council Resolution 71-07 and JPFA Resolution

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3-07 approving Dexia Credit Local and a form of standby agreement in connection with the issuance by the Richmond Joint Powers Financing Authority of its Lease Revenue Bonds (Refunding and Civic Center Project) Series 2007 - Finance Department (James Goins 620-6946).

**E. ADJOURNMENT**

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**Special Meeting of Richmond Community Redevelopment Agency**

6:35 p.m.

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. CONSENT CALENDAR**

**C-1.** ADOPT A RESOLUTION - approving the Loan Agreement in the amount of \$1.2 million, and an Easement Agreement, by and between the Richmond Community Redevelopment Agency and the Richmond Police Activities League for the construction of gymnasium improvements and the provision of a public recreation easement for use of the gymnasium located at 234 - 22nd Street, Richmond, California. The Finance Standing Committee reviewed this item on September 11, 2007, and recommended approval. - Richmond Community Redevelopment Agency (Steve Duran 307-8140)

**C-2.** AUTHORIZE - release of Notice of Funding Availability for the Community Development Block Grant (CDBG) Program and Home Investment Partnerships (HOME) Program for the 2008 Program Year - Community and Economic Development (Steve Duran 307-8140).

**C-3.** APPROVE - minutes of the special meeting held on July 31, 2007 – City Clerk’s Office (Diane Holmes 620-6513).

**D. ADJOURNMENT**

**Special Joint Meeting of the Richmond Community Redevelopment Agency/City Council**

6:40 p.m.

**A. ROLL CALL**

**B. STATEMENT OF CONFLICT OF INTEREST**

**C. CONSENT CALENDAR**

**C-1.** AUTHORIZE - the Executive Director of the Redevelopment Agency to execute an amendment to the Exclusive Right to Negotiate (ERN) Agreement with Community Housing Development Corporation of North Richmond and Habitat for Humanity East Bay for the Vernon-Castro property (APN 561-144-002) in North Richmond extending the ERN for a period of 10 months until July 31, 2008 - Community and Economic Development (Steve Duran 307-8140).

**C-2.** APPROVE - minutes of the Special Joint Meeting of the Richmond Redevelopment Agency/City Council held on June 26, 2007.

**D. ADJOURNMENT**

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**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 honoring September 11 Families for Peaceful Tomorrows - Mayor

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McLaughlin (620-6503).

- F-2.** Proclamation declaring September 2007 as Preparedness Month in the City of Richmond - Mayor McLaughlin (620-6503).

**G. CONSENT CALENDAR**

- G-1.** AUTHORIZE - the Assistant City Manager/Human Resources Management Director to execute a contract with Hargis & Associates to develop and administer promotional testing processes for the Police Department - Human Resources (Leslie Knight 620-6600).
- G-2.** ADOPT AN ORDINANCE - to increase the mayor's salary by 25% from \$37,200 to \$46,500 - Human Resources (Leslie Knight) 620-6600).
- G-3.** INTRODUCE AN ORDINANCE (first reading) revising the wages, salary, and compensation for the classification of Executive Assistant to the City Manager to a Salary Range of: \$5,256 - \$6,392/month - Human Resources (Leslie Knight 620-6600).
- G-4.** ACCEPT - the work of G & G Builders, Inc. for the renovation of play equipment at Virginia Playlot and at Humphrey Playlot. Both projects were satisfactorily completed on February 7, 2007, for a total cost of \$180,144 - Public Works (Yader Bermudez 231-3008).
- G-5.** ACCEPT - the work of McNabb Construction, Inc. for the renovation of the playlot at Shields-Reid Park that was successfully completed on August 2, 2007, for a total cost of \$161,070 - Public Works (Yader A. Bermudez 231-3008).
- G-6.** ACCEPT - the work of Community Playgrounds, Inc. for the renovation of play equipment at Atchison Playground. The project was successfully completed on April 11, 2007, for a total cost of \$97,280 - Public Works (Yader A. Bermudez 231-3008).
- G-7.** ACCEPT - the work of Ross Recreation Equipment, Inc. for the renovation of play equipment at Stewart Playlot & Kern Playlot. Both were successfully completed on March 7, 2007, for a total cost of \$170,465.99 - Public Works (Yader A. Bermudez 231-3008).
- G-8.** APPROVE - award of contract to Ross Recreation Equipment Co., Inc. for the renovation of play equipment at Elm Street Playlot in the amount of \$97,882.17 with an added contingency of \$9,788.21 for a total cost of \$107,670.38 - Public Works (Yader A. Bermudez 231-3008).



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- G-9.** APPROVE - awarding of a contract to ekpass, Inc. for heavy equipment operator training. Total amount of the contract will not exceed \$93,010 - Public Works (Yader A. Bermudez 231-3008).
- G-10.** ADOPT A RESOLUTION - approving a quitclaim deed as requested by the University of California to remove a 10' wide sewer easement near the Stege Marsh area, and accepting a Grant of Easement from the University of California for a new 10' wide sanitary sewer easement - Engineering (Rich Davidson 307-8105).
- G-11.** ADOPT A RESOLUTION - declaring the week of September 17-23, 2007, as "Pollution Prevention Week" - Engineering (Rich Davidson 307-8105).
- G-12.** APPROVE - a contract amendment with Ki Research Institute for educational services, focusing on conflict resolution, health, literacy, and wellness at the Booker T. Anderson and Shields-Reid Community Centers in an amount not to exceed \$20,000 (Library & Community Services - Monique le Conge, 620-6951).
- G-13.** ADOPT A RESOLUTION - authorizing: (1) the annual appropriation of the \$25,000 paid annually by Veolia Environmental Services as a Hazardous Waste Facility License Fee ("License Fee") to be placed in a dedicated revenue account for the sole use of funding projects and/or programs within the Iron Triangle and North Richmond areas; (2) the carry-over and usage by the City Manager's Office of \$7,500 of unspent License Fees from FY 2006-2007 to FY 2007-2008; and (3) the carry-over and usage by the City Manager's Office of future unspent License Fee funds from one fiscal year to the next - City Manager's Office (Bill Lindsay, 620-6512).
- G-14.** ADOPT A RESOLUTION - to authorize: (1) the appropriation and expenditure of unencumbered Mitigation Fee funds by the City Manager's Office in the amount of \$152,615 from the FY 2006-07 for the purpose of funding specific Mitigation Fee strategies in FY 2007-08, and (2) annual encumbrance of any unexpended Mitigation Fee funds for use in future fiscal years by the City Manager's Office for the purpose of administering specific strategies in accordance with future Expenditure Plans and Interagency Agreements - City Manager's Office (Bill Lindsay 620-6512).
- G-15.** APPROVE - contract renewal with Keenology Corporation, dba CIP Planner Corp., for Capital Improvement Program (CIP) ACE planning Software in an amount not to exceed \$40,000 - Finance Department (James Goins 620-6946).
- G-16.** APPROVE - a contract amendment with the Government Finance Officers Association (GFOA) to assist the City with it's Enterprise Resource Planning system implementation in an amount not to exceed \$193,500, for a total contract amount of \$373,140 - Finance Department (James Goins 620-6946).

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- G-17. INTRODUCE AN ORDINANCE** - setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2007- 2008 - Finance Department (James Goins 620-6946).
- G-18. APPOINT** - Soheila Bana to the Contra Costa Mosquito and Vector Control District Board of Trustees - Mayor McLaughlin (620-6503).
- G-19. REAPPOINT** - Beverly Wallace, Doris Jones, Willie Gholar, and Dr. Shirley Gilbert to the Commission on Aging. Appoint Teresa Baker to the Housing Advisory Board, Jason Jong to the Arts and Culture Commission, and Wilhelmina Abraham to the Library Commission - Mayor McLaughlin (620-6503).
- G-20. APPROVE** - minutes of the Evening and Open Session held on July 31, 2007 – City Clerk’s Office (Diane Holmes 620-6513).

## **H. PUBLIC HEARINGS**

- H-1.** DENY the applicant's request for approval of General Plan amendment, rezoning, and variance, for the property located at 327 So. 4th Street. Provide direction to the General Plan Update staff to study the applicant's request for a General Plan amendment and rezoning to MFR-2 as part of the General Plan Update for a greater surrounding area and, direct staff to return with a draft Resolution reflecting the City Council's action - Planning Department (Richard Mitchell, Lamont Thompson 620-6947).
- H-2.** ADOPT a Resolution of Vacation ordering the vacation of a portion of 1st Street – Planning Department (Richard Mitchell, Jonelyn Whales 620-6785).
- H-3.** ADOPT a resolution approving the designation of a Civic Center Historic District - Planning Department (Richard Mitchell, Janet Harbin 620-6708).

## **I. RESOLUTIONS**

- I-1.** ADOPT A RESOLUTION - in support of making it a public policy objective to maximize economic benefit from underutilized real estate assets in the Port of Richmond - Councilmember Butt (236-7435).

## **J. ORDINANCES**

## **K. COUNCIL AS A WHOLE**

- K-1.** Approve Toll Brothers’ request to extend the time for the City and Toll Brothers to acquire all necessary property rights to allow for redesign of portions of the Point Richmond Shores Project in accordance with Condition 3 of the Design Review

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Permit approved by the Council on July 19, 2007, to November 21, 2007.– Planning Department (Richard Mitchell, Janet Harbin 620-6708).

- K-2.** Accept the Historic Preservation Advisory Committee Annual Report – Planning Department (Richard Mitchell, Lina Velasco 620-6841).
- K-3.** Discuss and direct staff to draft an ordinance to enact the first Tuesday in May as the deadline for submitting the proposed annual budget to the City Council every fiscal year and require that the City Council adopt the budget by June 30 - Councilmember Lopez (620-6581).
- K-4.** Discuss and direct staff to work with the West Contra Costa Unified School District to ensure that the City of Richmond and affected neighborhoods are included in discussions relative to alternate school sites for continuation students - Vice Mayor Bates (620-6581).
- K-5.** Discuss and direct staff to develop comprehensive city policy to creatively and aggressively lead by example in the fight to end global warming - Councilmember Rogers (867-5725).
- K-6.** Authorize the city clerk to title Study Sessions as Study and Action Sessions, when applicable - Councilmember Rogers (867-5725).

**L. ADJOURNMENT**

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*This agenda may be previewed on KCRT – Channel 28,  
Richmond Television, City website [ci.richmond.ca.us](http://ci.richmond.ca.us)  
and is also posted at the Civic  
Center Library and in the lobby of City Hall South*