

City Hall 1401 Marina Way South Richmond, CA 94804

AGENDA Tuesday, March 18, 2008

MayorGayle McLaughlin

Vice Mayor
John E. Marquez

Councilmembers

Thomas K. Butt
Nathaniel Bates
Ludmyrna Lopez
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 <u>prior</u> 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.

<u>CONSENT CALENDAR</u>: 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 <u>prior</u> 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.

Evening Open Session

4:30 p.m.

- A. ROLL CALL
- **B. PUBLIC COMMENT**
- C. ADJOURN TO CLOSED SESSION

Closed Session

Shimada Room of City Hall

A. <u>CITY COUNCIL</u>

A-1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9:

One Case

A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

City Designated Representative(s): Bill Lindsay, Leslie Knight, Lisa Stephenson, Bruce Soublet, and Chris Magnus

Counsel: Jack Hughes, Liebert Cassidy Whitmore

Employee Organization or unrepresented employee(s): Richmond Police Officers' Association (RPOA), and Richmond Police Management Association (RPMA)

A-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9)

Azevedo vs. City of Richmond

Richmond Community Redevelopment Agency

6:30 p.m.

PLEDGE TO THE FLAG

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. OPEN FORUM FOR PUBLIC COMMENT
- D. CONSENT CALENDAR
 - **D-1.** ADOPT A RESOLUTION authorizing the Executive Director to expend previously committed funds up to \$1,982,057 in 2007B Bond funds to the Arbors Preservation, LP to assist in the acquisition and rehabilitation of the Arbors Apartments Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).
 - **D-2.** APPROVE the minutes of the Regular Meeting held on March 4, 2008 City Clerk's Office (Diane Holmes 620-6513).

E. ADJOURNMENT

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

6:35 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. CONSENT CALENDAR

- C-1. ADOPT RESOLUTIONS associated with the West Macdonald Avenue Street Improvements Project: (1) City Resolution making certain findings and authorizing a contract with Bay Cities Paving and Grading ("Bay Cities") for construction of the West Macdonald Avenue Street Improvements Harbor Way to 19th Street Project for a total contract amount not to exceed \$5,560,968; (2) Agency Resolution authorizing a contract with BKF Engineers, Inc. ("BKF") for a total amount not to exceed \$584,000 for construction management and related services; and (3) Agency Resolution approving the expenditure of \$5,560,968 for the funding of these public improvements. The Finance Standing Committee reviewed this item on February 19, 2008, and recommended approval Richmond Community Redevelopment Agency and Public Works (Steve Duran 307-8140/Rich Davidson 307-8105).
- C-2. ADOPT a joint City Council and Redevelopment Agency resolution authorizing staff to: (1) Amend the Redevelopment Agency budget to provide up to \$500,000 for work on the Auditorium; and (2) Proceed with additional actions, including: an additional scope of work in the Auditorium (\$500,000); Barrett Street Parking lot improvements to obtain LEED points (\$175,000); providing mitigation funding for the Richmond Art Center (\$130,000); and procuring all necessary furniture, fixtures and equipment (FF&E) and other ancillary services necessary for project completion Community and Economic Development (Steve Duran 307-8140).
- **C-3.** APPROVE the minutes of the Special Joint Meeting of the Richmond Redevelopment Agency/City Council held on February 19, 2008 City Clerk's Office (Diane Holmes 620-6514).

D. AGENCY/COUNCIL AS A WHOLE

D-1. Accept a report on the status of the scheduled Mortgage and Foreclosure Crisis Workshop on March 29, 2008, and the City's additional responses to the current subprime mortgage and foreclosure crisis- Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

E. 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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
- F. CONSENT CALENDAR
 - **F-1.** <u>APPROVE</u> a contract amendment with Insight Engineering and Construction, Inc., to increase the contract amount by \$53,000.00, for a total contract amount not to exceed \$201,000.00, for preparing the construction design documents of the 465-foot segment of Bay Trail along Canal Boulevard Port (Jim Matzorkis 215-4600).
 - **F-2. APPROVE** a contract with SymPro Inc., in the amount of \$127,720 to provide software, consultation and implementation of various Treasury Management solutions. This item was reviewed by the Finance Committee Finance Department (James Goins 620-6740).

- **F-3.** ADOPT the PARS Post-Retirement Health Care Plan Trust, including the PARS Post-Retirement Health Care Plan, as part of the City Retirement Program, effective April 1, 2008.
- **F-4.** <u>APPOINT</u> the Finance Director/Treasurer, or his/her successor or his/her designee as the City's Plan Administrator for the Program.
- **F-5. AUTHORIZE** the City's Plan Administrator to execute the PARS legal documents on behalf of the City and to take whatever additional actions are necessary to maintain the City's participation in the Program and to maintain compliance of any relevant regulation issued or as may be issued; therefore, authorizing him/her to take whatever additional actions are required to administer the City's PARS plan(s) Finance Department (James Goins 620-6740).
- **F-6.** ADOPT A RESOLUTION authorizing placement of liens on County Property Tax Records for unpaid garbage collection service fees Finance Department (James Goins 620-6740).
- **F-7. APPROVE** Amendment No.1 to the Joint Exercise of Powers Agreement (JEPA) with Contra Costa County (County) in the amount of \$22,253 for a total of \$91,253 for road surface improvements and curb ramp improvements on three sections of San Pablo Dam Road that are within the City's jurisdiction. Engineering (Rich Davidson 307-8105).
- **F-8.** <u>ACCEPT</u> the work completed by Bay Cities Paving and Grading, Inc. for the 2006 Pavement Rehabilitation Project for a final construction cost of \$6,190,429.11 Engineering (Rich Davidson 307-8105).
- **F-9.** ADOPT A RESOLUTION approving the installation of a two-hour parking zone at 15th Street (north of Macdonald Avenue), at Nevin Avenue (east of Marina Way), and the east curb line at Marina Way (between Macdonald Avenue and Barrett Avenue), between the hours of 8 a.m. and 6 p.m., except Sundays and Holidays. This item was presented to the Public Safety Committee on December 20, 2007, and was recommended to go before the full Council for approval Engineering (Rich Davidson 307-8105).
- **F-10.** <u>APPROVE</u> purchase of the pre-fabricated and set-in-place concrete restrooms from CXT Incorporated Precast Products in an amount not to exceed \$224,877 Public Works (Yader A. Bermudez 231-3009).

- **F-11.** <u>APPROVE</u> the purchase of the 27 new vehicles to replace existing aged and worn vehicles presently in Richmond's fleet, for a total amount of \$1,241,430.60 from the approved FY 2007- 08 Equipment Replacement Budget Public Works (Yader A. Bermudez 231-3008).
- **F-12.** <u>ACCEPT</u> the work of Ross Recreation Equipment Co., Inc. for the renovation of play equipment at Elm Street Playlot that was successfully completed on February 7, 2008, for a total cost of \$106,394.09 Public Works (Yader A. Bermudez 231-3009).
- **F-13.** <u>APPROVE</u> a contract amendment for Elite Backgrounds Incorporated to provide pre-employment background investigations services, increasing the payment limit by \$22,000 for a total contact amount of \$31,700 Police Department (Chief Chris Magnus 620-6655).
- **F-14.** APPROVE a three-year standard software maintenance agreement with New World Systems Corporation for the existing Computer Aided Dispatch (CAD) and Records Management System used by the City of Richmond Police and Fire Departments along with the West County Consortium Public Safety agencies, in an amount not to exceed \$590,250 Police Department (Chief Chris Magnus 620-6555).
- **F-15.** <u>APPROVE</u> an amendment to the agreement with DP Security, LLC for an amount not to exceed \$35,000, for a total contract amount of \$635,000 to provide uniformed, unarmed security services at Point Molate to increase patrols in areas where wire thefts have been occurring Police Department (Chief Magnus 620-6655).
- **F-16.** <u>APPROVE</u> an agreement with the Contra Costa County District Attorney's Office to provide services for the Police-Prosecutor Liaison Program at a cost of \$185,145.00 for the 2008 calendar year. This item was approved by the Public Safety Committee on February 21, 2008 Police Department (Chief Chris Magnus 620-6656).
- **F-17.** <u>APPROVE</u> a one-year contract with Mr. Sam Charles for \$40,000 to provide classroom instruction on basic home repairs, supervision for Richmond youth assigned to work on Project Helping Hand, and construction services for tenant improvements for the Richmond BUILD facility Employment and Training (Sal Vaca 307-8006).
- **F-18.** <u>APPROVE</u> a month-to-month lease contract for a house to provide the residential component of the Transitional Living Program for a period of up to one year at a cost not to exceed \$26,400 Employment & Training (Sal Vaca 307-8021).
- **F-19. ADOPT** a resolution approving an Amendment to the Predevelopment Loan

Agreement by and between the City of Richmond, Community Housing Corporation of North Richmond (CHDC) and Eden Housing to: (1) add \$91,000 to the existing loan for a total loan amount of \$940,000 for predevelopment activities related to the MiraFlores Housing Development; and (2) extend the term of the loan for 36 months, from September 22, 2008, to September 22, 2011 - Richmond Community Redevelopment Agency (Steve Duran / Patrick Lynch 307-8140).

- **F-20.** ADOPT AN ORDINANCE(second reading) amending the text of the Zoning Ordinance to define mini-storage warehouses and to add such use to the lists of uses requiring a Conditional Use Permit in all Industrial Districts Planning Department (Richard Mitchell 620-6706).
- **F-21.** <u>AUTHORIZE</u> the City Manager to execute a contract with Skillpath Seminars in the amount of \$42,000 for employee training for the period of January 1, 2008, through June 30, 2008 Human Resources (Leslie Knight 620-6600).
- **F-22.** <u>APPROVE</u> the following reappointments and appointments to the following: Commission on Aging: Betty Allen, term expiring 5/19/09; Economic Development Commission: Michelle Itagaki, reappointed incumbent, term expiring 3/30/09; Housing Advisory Commission: Texanita Bluitt, incumbent, term expiring 3/21/10; Oras Washington, incumbent, term expiring 2/1/10; Jackie Thompson, term expiring 2/28/10; Human Relations and Human Rights Commission: Rock Brown, incumbent, term expiring 3/30/11; Garland Harper, appointed incumbent, term expiring 3/30/11.
- **F-23.** <u>APPROVE</u> Contract Amendment No. 4 with Swinerton for \$168,405 for a total approved contract payment limit not to exceed \$1,093,489, to oversee the temporary Hall of Justice tenant improvements including the design, bidding, permitting, and installation of a new backup generator City Manager 's Office (Bill Lindsay 620-6512).
- **F-24.** <u>ADOPT</u> the resolution declaring the Canvass of Returns and Result of the Special Municipal Election held on February 5, 2008 City Clerk's Office (Diane Holmes 620-6513).
- **F-25.** <u>ACKNOWLEDGE</u> adoption, by the electorate of the City, of Ordinance No. 7-08 N.S. on February 5, 2008, decreasing the City of Richmond's Telecommunications Users' Tax from 10% to 9.5% and to reflect technological advances City Clerk's Office (Diane Holmes 620-6513).

- **F-26.** <u>APPROVE</u> the minutes of the Special Meeting held on February 26, 2008, and the Regular Meeting held on March 4, 2008 City Clerk's Office (Diane Holmes 620-6514).
- **F-27.** APPROVE a six month contract with MBN Services Inc. (DBA Bob Murray & Associates) in the amount of \$24,000 to develop and administer the Engineering Department's Capital Projects Manager recruitment process for the Human Resources Management Department-Human Resources (Leslie Knight 620-6600).

G. PUBLIC HEARINGS

- **G-1.** <u>ADOPT A RESOLUTION OF VACATION</u> ordering the vacation of the portion of B Street located between West Barrett Avenue and Garrard Boulevard, subject to conditions Planning Department (Richard Mitchell 620-6706).
- **G-2. INTRODUCE AN ORDINANCE** to amend the Density Bonus regulations of the Richmond Municipal Code (RMC, Chapter 15.04.810.050) to allow rounding the total number of units up to the next even number when the calculation results in an odd number of total units Planning Department (Richard Mitchell 620-6706).
- **G-3. ADOPT A RESOLUTION OF VACATION** ordering the vacation of a portion of Alvarado Street located between Buena Vista Avenue and Arizona Avenue, subject to conditions Planning Department (Richard Mitchell 620-6706).
- G-4. CONTINUE TO APRIL 1, 2008, to consider: (1)Upholding the Planning Commission's decision to approve the Tentative Parcel Map in Exhibit A, Mitigated Negative Declaration with Mitigation Monitoring Plan and Supplemental Information in Exhibit B, for 125 to127 Western Drive (APN: 558-020-007); or, (2)Uphold the Planning Commission's decision as described in Option 1 with modified conditions of approval in Attachment 3; or (3) Uphold the Appeal request, thereby reversing the Planning Commission's approval of the Tentative Parcel Map in Exhibit A, Mitigated Negative Declaration with Mitigation Monitoring Plan and Supplemental Information in Exhibit B, and deny the creation of three residential lots for 125 to127 Western Drive (APN: 558-020-007) Planning Department (Richard Mitchell 620-6706).

H. OPEN FORUM FOR PUBLIC COMMENT

- I. AGREEMENTS
- J. RESOLUTIONS

K. ORDINANCES

L. COUNCIL AS A WHOLE

- **L-1.** Authorize the Finance Team to prepare proceedings and return to the City Council with recommendations to restructure the Wastewater Revenue Bonds, Series 2006B, RCRA Subordinate Tax Allocation Bonds 2007 Series A and JPFA Lease Revenue Bonds Series 2007 (Civic Center) Finance Department (James Goins 620-6740).
- **L-2.** Direct staff to research funding measures and support services available to assist the operation and programming of the Richmond Chapter of Girls Inc. located in Richmond Councilmembers Thurmond & Bates (510-620-6581).
- **L-3.** Discuss and approve moving placement of Open Forum after the Consent Calendar and before Public Hearing Mayor McLaughlin and Councilmember Thurmond (620-6503/620-6581).

M. COMMUNICATIONS

- N. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)
- O. ADJOURNMENT

This agenda may be previewed on KCRT - Channel 28, Richmond Television, City website <u>ci.richmond.ca.us</u> and is also posted at the Civic Center Library and in the lobby of City Hall South