

City Hall 1401 Marina Way South Richmond, CA 94804

AGENDA Tuesday, January 20, 2009

MayorGayle McLaughlin

Vice Mayor

Councilmembers

Nathaniel Bates
Thomas K. Butt
Ludmyrna Lopez
Jeff Ritterman
Jim Rogers
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:

<u>PUBLIC COMMENT ON AGENDA ITEMS</u>: 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 <u>prior</u> 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. <u>Each speaker will be allowed TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda.</u>

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

5:00 p.m.

- A. ROLL CALL
- B. PUBLIC COMMENT
- C. <u>ADJOURN TO CLOSED SESSION</u>

CLOSED SESSION

Shimada Room of City Hall

A. <u>CITY COUNCIL</u>

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

Booker et al vs. City of Richmond

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

Three cases

A-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Point San Pablo Yacht Harbor

Acquiring West Contra Costa Unified School District (WCCUSD) properties.

Properties: School District Administrative Office on Bissell Avenue; School District Furniture Warehouse on Ohio Avenue; Gompers High School

CITY COUNCIL

7:00 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. ELECTION OF VICE MAYOR
 - **C-1.** Nominate and elect a vice mayor for a one-year term City Council.
- D. AGENDA REVIEW
- E. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
 - **E-1.** Presentation by Joseph Stewart, President and CEO of Doctors Medical Center (DMC), and John Gioia, Chair of the DMC Management Authority City Council (Mayor McLaughlin 620-6503).
- F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION
- G. CONSENT CALENDAR
 - G-1. DIRECT staff to finalize the application process with the California State Association of Counties Excess Insurance Authority (CSAC-EIA) for coverage effective July 1, 2009 (This item is referred to the City Council for action without review by the Finance Committee due to its time sensitivity and the cancellation of the December 19, 2008, Finance Committee meeting) Human Resources Management Department (Robyn Kain 620-6605).
 - G-2. ADOPT an ordinance (second reading) amending Richmond Municipal Code Subsection 9.42.070(A) to create a process for graffiti abatement from public and private property and a means of assessing fees on property owners when the City removes graffiti from private property Police Department (Chief Chris Magnus 620-6656).
 - **G-3.** APPROVE the purchase of 16 Scott Air-Pak Self-Contained Breathing Apparatus units from Allstar Fire Equipment, Inc. in the amount of \$54,810 Fire Department (Chief Michael Banks 307-8041).

- G-4. APPROVE a one-year contract with Malcolm Pirnie to complete the Storm Water Scope Study Tasks 3-5 as part of the City's obligation under the Baykeeper Settlement Agreement in an amount not to exceed \$250,000 (This item is referred to the City Council for action without review by the Finance Committee due to its time sensitivity and the cancellation of the January 16, 2009, Finance Committee meeting) City Manager's Office (Bill Lindsay 620-6512).
- G-5. (1) APPROVE the execution of a deed amendment for the Pt. Molate property already transferred from the Navy to the City of Richmond in September 2003. (2) APPROVE the execution of a new deed for the remainder Pt. Molate property to be transferred and not covered by the current deed. (3) APPROVE the execution of a new Covenant to Restrict the Use of Property (CRUP) for the entire Pt. Molate property replacing the current 2003 CRUP that only covered the property already transferred. (4) ALLOW the City Manager to make ministerial changes necessary to implement these actions, subject to approval as to form by the City Attorney, and execute the above-named documents after formal approval by other governmental agencies City Manager's Office (Bill Lindsay 620-6512).
- **G-6.** APPROVE the annual appointments of Councilmembers to City Council standing committees, regional committees and liaison positions to commissions, boards and committees Mayor McLaughlin (620-6503).
- **G-7.** APPROVE the minutes for the regular meeting held on January 6, 2009 City Clerk's Office (Diane Holmes 620-6513).

H. PUBLIC HEARINGS

H-1. Consider proposed amendments to the Richmond Municipal Code (RMC) relating to wireless communication facilities; adopt a resolution approving the Draft Negative Declaration prepared for the proposed RMC amendments; and introduce an ordinance amending Richmond Municipal Code Section 15.04.020 (Definitions), repealing Sections 15.04.820.030 through 15.04.820.035 (Wireless Communications Facilities), and adding Chapter 15.04.890 (Wireless Communications Facilities) - Planning and Building Services Department (Richard Mitchell 620-6706).

I. OPEN FORUM FOR PUBLIC COMMENT

J. <u>AGREEMENTS</u>

K. RESOLUTIONS

L. <u>ORDINANCES</u>

L-1. INTRODUCE an ordinance (first reading) amending Chapter 2.43 of the Richmond Municipal Code (RMC) to increase the level of public funding provided to candidates who wish to run for City office - Councilmember Rogers (867-5725).

M. COUNCIL AS A WHOLE

- **M-1.** DISCUSS and RECOMMEND actions to develop and implement a three-to-five year intervention model in support of keeping Richmond schools open; and authorize the City Manager to develop funding mechanisms, and to hire consultants as needed for legislation Councilmember Viramontes (620-6581).
- **M-2.** RECEIVE status report and DISCUSS "Greenprint Housing Development" in terms of policy and implementation (The Finance Committee reviewed this item at its June 6, 2008, meeting) Councilmember Rogers (867-5725).
- **M-3.** ADOPT a resolution providing policy direction for Design Review and Planning Commission functions Councilmembers Butt and Rogers (620-6581).
- M-4. DISCUSS and DIRECT staff to develop and implement a pilot rebate program to provide a local incentive for the installation of solar thermal equipment Mayor McLaughlin/Councilmembers Lopez and Ritterman (620-6503/620-6581).
- M-5. AMEND Resolution No. 48-07 regarding terms of City board members, commissioners, and committee members to provide for a limit of up to 90 additional days of service continuation after term expiration rather than the unspecified limit to the number of days that is inherent in the current resolution Mayor McLaughlin/Councilmembers Butt and Rogers (620-6503/620-6581).
- **M-6.** APPROVE the repositioning of "Open Forum for Public Comment" on the City Council Agenda to the position immediately after the Consent Calendar and before "Public Hearings" Mayor McLaughlin/Councilmember Ritterman (620-6503/620-6581).
- N. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS
 TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)

O. <u>ADJOURNMENT</u>

This agenda may be previewed on KCRT – Channel 28, Richmond Television,
City website <u>ci.richmond.ca.us.</u> Any documents produced by the City and distributed to a majority of the
City Council regarding any item on this agenda will be made available at the
Main Counter at City Hall located at 1401 Marina Way South.