

City Hall 1401 Marina Way South Richmond, CA 94804

AGENDA Tuesday, May 2, 2006

Mayor Irma L. Anderson

Vice MayorMaria T. Viramontes

Councilmembers

Nathaniel Bates
Thomas K. Butt
Richard Griffin
John E. Marquez
Gayle McLaughlin
Jim Rogers
Tony K. Thurmond

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

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 D, 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.

8:30 a.m.

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

CLOSED SESSIONS

Shimada Room of City Hall

REDEVELOPMENT AGENCY

RRA-1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government code Section 54956.8)

Property: Miraflores Project – (Bounded by the

Interstate 80 Freeway on the East, South 45th Street and South 47th Street on the

West, Wall Avenue on the South and BART

Rails on the North)

Negotiating Party: Steve Duran, Richmond Community

Redevelopment Agency; Linda Mandolini, Eden Housing; Don Gilmore, Community

Housing Development Corporation

Under Negotiation: Price and Terms of Payment

CITY COUNCIL

CC1. CONFERENCE WITH LEGAL COUNSEL: EXISTING

Litigation

(Subdivision (a) of Government Code Section 54956.9)

Two Cases: Kubota v. City of Richmond

Quintero v. City of Richmond

CC2. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION

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

One Case: Westshore Marina

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EVENING OPEN SESSIONS COUNCIL CHAMBER

RICHMOND COMMUNITY REDEVELOPMENT AGENCY 6:30 p.m.

PLEDGE TO THE FLAG

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. CONSENT CALENDAR
 - C-1. <u>ADOPT</u> Resolution of the Richmond Community Redevelopment Agency authorizing the Executive Director to execute agreements with the Brookside Community Health Clinic, Inc. for financial assistance in an amount not to exceed six hundred thousand dollars (\$600,000) for costs associated with the acquisition and development of 100 and 106 Macdonald Avenue as the Richmond Medical Center Richmond Community Redevelopment Agency (Steve Duran 307-8140).
 - **C-2.** <u>APPROVAL OF MINUTES</u> regular meeting held on April 4, 2006 City Clerk (Diane Holmes 620-6513)
- D. OPEN FORUM FOR PUBLIC COMMENT
- E. <u>ADJOURNMENT</u>

JOINT MEETING RICHMOND COMMUNITY REDEVELOPMENT AGENCY/ CITY COUNCIL 6:50 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. <u>RESOLUTION</u>
 - **C-1.** <u>ADOPT</u> Resolutions approving the Disposition and Development Agreement for the development at 12th Street and Macdonald Avenue:

Resolution of the Members of the Richmond Community Redevelopment Agency accepting the Summary Report Pursuant to Section 33433 and approving the Disposition and Development Agreement between the Richmond Community Redevelopment Agency and 12th and Macdonald, LLC – Community and Economic Development (Steve Duran 307-8140).

Resolution of the City Council of the City of Richmond accepting the Summary Report pursuant to Section 33433 and approving the Disposition and Development Agreement between the Richmond Community Redevelopment Agency and 12th and Macdonald, LLC - Community and Economic Development (Steve Duran 3078140).

- D. OPEN FORUM FOR PUBLIC COMMENT
- E. ADJOURNMENT

7:00 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. AGENDA REVIEW

Members of the audience requesting that an item or items be removed from the <u>CONSENT CALENDAR</u> must complete and file a pink speaker's card with the City Clerk prior to Agenda Review.

- D. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING EXECUTIVE SESSION
- E. OPEN FORUM FOR PUBLIC COMMENT
- F. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
 - **F-1.** Presentation from the Shimada Friendship Commission to Welcome Delegation from Shimada, Japan Mayor's Office (620-6503).
 - **F-2.** Presentation recognizing the month of May as "Older Americans Month" Mayor Anderson (620-6503).
- G. 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 Council.

- **G-1.** <u>APPROVE</u> Emergency Justification for payment to Channel Lumber for purchase made in the amount of \$10,679.88 for landslide repair on Castro Ranch Road Engineering (Rich Davidson 607-8105)
- **G-2.** <u>ADOPT A RESOLUTION</u> conditionally approving DR 1100433 Master Sign Program and Design Modifications to Pad C Buildings, landscaping a parking field at the Macdonald 80 Shopping Center at 4500 Macdonald Avenue Planning (Richard Mitchell 620-6706).
- G-3. ADOPT A RESOLUTION adding the position of Public Works Operations

- **Administrator** to the City's Classification Plan including a reclassification of the incumbent, on January 26, 2006. This item will implement that recommendation Human Resources (Leslie Knight 620-6600).
- **G-4.** <u>INTRODUCE AN ORDINANCE</u> establishing wages, salary, and compensation for the new classification of **Public Works Operations Administrator** Human Resources (Leslie Knight 620-6600).
- **G-5.** <u>APPROVE</u> attendance by the Finance Director and Assistant Finance Director at the annual Conference of the Finance Officers Association in Montreal, Quebec, Canada from May 4 through May 10, 2006. Finance (Jim Goins 620-6740).
- **G-6.** ADOPT Resolution of Intention No. 895 to vacate and abandon for public purposes a ± 6600 Square Foot (SF) portion of South 13th Street, located south of Wright Avenue between parcels APN 560-371-002 and APN 560-372-001 Planning (Richard Mitchell 307-8159).
- **G-7. APPROVE** a one year contract with DP Security for private security service at Pt. Molate at a cost not to exceed \$225,000 City Manager (Bill Lindsay 620-6512).
- **G-8.** <u>APPROVE</u> minutes of the Regular Meeting held on April 4, 2006 City Clerk (Diane Holmes 620-6513).

H. PUBLIC HEARINGS

H-1. Appeal of the Planning Commission's decision to certify the Final Environmental Impact Report and conditionally approve the Tentative Map and Final Development Plan for the Westshore Marina Residential Condominium Development Project proposed for a 5.94-acre site located at the southern terminus of Marine Way South (A public hearing on the appeal was held on March 7, 2006). Recommendation: Hear staff's presentation; consider and make a determination upholding the action of the Planning Commission; and provide direction to staff regarding findings—Planning (Richard Mitchell 620-6706).

I. <u>RESOLUTIONS</u>

J. <u>ORDINANCES</u>

K. COUNCIL AS A WHOLE

- **K-1.** Approve the "Agreement to Negotiate" Between the Scotts Valley Band of Pomo Indians and the City of Richmond City Manager (Bill Lindsay 620-6512).
- **K-2.** Receive status report and direct Planning Staff to take next steps relative to

authorization to issue a Request for Proposals for development of Design Standards per the unanimous vote of the City Council at the June 7, 2005 City Council meeting -- City Council/Planning (Vice-Mayor Viramontes and Richard Mitchell 307-8159).

K-3. Direct the Rules and Procedures Committee to interview Greg Stepanichich of Richards, Watson, and Gershon and Jayne Williams of Meyers Nave, et al. in order to select one to conduct a charter review – City Manager (Bill Lindsay 620-6512).

L. <u>COMMUNICATIONS</u>

L-1. Referrals to staff from the City Council.

M. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS

COUNCIL AND STAFF ONLY unless waived by six votes of the Council.

- **M-1.** Reports of Chairpersons of:
 - a. Finance Standing Committee.
 - b. Public Safety Standing Committee.
 - c. Rules and Procedures Standing Committee
 - d. Report from the Mayor.
- M-2. General Reports from Councilmembers and staff.

N. 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

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