

City Hall 1401 Marina Way South Richmond, CA 94804

AGENDA Tuesday, May 6, 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:

<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.

5:30 p.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):

Cove Investments, LLC vs. City of Richmond

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

One Case

Richmond Community Redevelopment Agency

6:00 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 a contract amendment with Overland, Pacific, and Cutler, Inc. ("OPC") in an amount not to exceed \$80,000 for a total contract amount not to exceed \$185,000 for acquisition and relocation services for redevelopment projects along Macdonald Avenue. (The Finance Standing Committee reviewed this item on May 2, 2008, and recommended approval) Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
 - **D-2.** ADOPT A RESOLUTION authorizing a contract with David L. Gates & Associates in an amount not to exceed \$245,000 to provide comprehensive planning and design services for the Transit Village Westside Bike and Pedestrian Linkages Project for a term beginning June 1, 2008, and ending December 31, 2009. (The Finance Standing Committee reviewed this item on May 2, 2008, and recommended approval.) Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

E. ADJOURNMENT

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

6:30 p.m.

- A. ROLL CALL
- **B. STATEMENT OF CONFLICT OF INTEREST**
- C. CONSENT CALENDAR
 - C-1. ADOPT: (1) a Resolution of the City Council approving the conversion of the Richmond Community Redevelopment Agency (RCRA) Subordinate Tax Allocation Bonds (Merged Project Area) 2007 Series A to an index interest rate mode, and approving the taking of all actions in connection therewith; and (2) a Resolution of the Redevelopment Agency authorizing the conversion of its Subordinate Tax Allocation Bonds (Merged Project Area) 2007 Series A to an index interest rate mode, and approving the taking of all actions in connection therewith Finance Department (James Goins 620-6740).
- D. ADJOURNMENT

Joint Meeting of the Joint Powers Financing Authority/City Council

6:45 p.m.

- A. ROLL CALL
- **B. STATEMENT OF CONFLICT OF INTEREST**

C. CONSENT CALENDAR

C-1. ADOPT: (1) a resolution of the City Council authorizing the conversion of the Joint Powers Financing Authority (JPFA) Lease Revenue Bonds Series 2007 to a fixed-interest rate mode, and approving a remarketing memorandum and authorizing the taking of all necessary actions in connection therewith; and (2) a resolution of the JPFA Board authorizing the conversion of its Lease Revenue Bonds Series 2007 to a fixed-interest rate mode, and approving a remarketing memorandum and authorizing the taking of all necessary actions in connection therewith - Finance Department (James Goins 620-6740).

D. ADJOURNMENT

CITY COUNCIL

7:00 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. AGENDA REVIEW
- D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
 - **D-1.** Receive the final Goldman School of Public Policy Environmental Policy Analysis Report and hear a presentation by public policy intern Sara Minor-Massy concerning this report City Manager's Office (Bill Lindsay 620-6512).
- E. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS
 MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING
 CLOSED SESSION

F. CONSENT CALENDAR

- **F-1.** <u>ACKNOWLEDGE</u> receipt of proposed fiscal year 2008-09 Annual Operating Budget pursuant to Section 2.61.010 of Ordinance 42-07 N.S. Finance Department (James Goins 620-6740).
- **F-2.** <u>APPROVE</u> a two-year contract with Opportunity West in the amount of \$155,000 for family-based case-management services, consistent with the California Gang Reduction & Intervention Program (CalGRIP) grant. (This item was reviewed by the Finance Committee on May 2, 2008, and recommended for approval.) Employment & Training (Sal Vaca 307-8006).
- **F-3. ADOPT A RESOLUTION** accepting the FY07 California Port and Maritime Security Grant Program grant award in the amount of \$3,404,507, and authorizing the Port Director or his designee to take all actions necessary to obtain port security grant funding in accordance with such program Port (Jim Matzorkis 215-4600).
- **F-4. APPROVE** a second contract amendment with the Contra Costa County Building Inspection Department to provide building and permitting management services for an additional amount not to exceed \$200,000, and extending the contract term through November 30, 2009. (This item was reviewed and referred to the City Council by the Finance Committee on April 18, 2008) Planning Department (Richard Mitchell 620-6706).
- **F-5.** ADOPT A RESOLUTION: (1) accepting \$74,987 in grant funds from the Bay Area Air Quality Management District, and (2) amending a contract with Moore Iacofano Goltsman, Inc. for an additional amount not to exceed \$74,987 of grant funds to prepare an Energy and Climate Change Element for the City of Richmond General Plan Planning Department (Richard Mitchell 620-6706).
- **F-6.** <u>AUTHORIZE</u> payment to Aquatic Environments, Inc. for emergency repairs of the fountain in Hilltop Lake in an amount not to exceed \$70,000 Engineering (Rich Davidson 307-8105).
- **F-7. APPROVE** a construction contract for Phase I of the renovation of the Richmond Natatorium (The Plunge) to West Bay Builders, Inc. in an amount of \$3,991,000.00, and authorize a contingency and reserve not to exceed \$400,000.00. (This item was reviewed and referred to the City Council by the Finance Committee on April 18, 2008) Engineering (Rich Davidson 307-8105).

- **F-8.** APPROVE second amendment to a contract with Todd Jersey Architecture of Berkeley to provide the necessary architectural services to complete Phase II of the renovation of the Richmond Natatorium, and to provide construction administration for Phase I for a cost not to exceed \$220,000.00. The total cost of the contract as amended is \$355,000. (This item was reviewed and referred to the City Council by the Finance Committee on April 18, 2008) Engineering (Rich Davidson 307-8105).
- **F-9.** ADOPT A RESOLUTION authorizing the Mayor to execute a Cooperative Agreement with the State of California Department of Transportation providing for a cost-sharing plan for the installation of new traffic signals at the Carlson Boulevard and I-80 freeway ramps with the City's cost share not to exceed \$350,000. (This item was reviewed and referred to the City Council by the Finance Committee on April 18, 2008) Engineering (Rich Davidson (307-8105).
- **F-10.** <u>APPROVE</u> contract with ACCO Engineered Systems in the amount of \$17,877 to install and replace two HVAC units at the Martin Luther Community Center that were vandalized, and authorize a contract contingency of \$3,750 Public Works (Yader Bermudez 231-3009).
- **F-11. APPROVE** the expenditure of budgeted FY 07/08 Equipment Replacement Funds to purchase 32 Ford trucks and vans in an amount not to exceed \$1,000,000.00. (This item was reviewed and referred to the City Council by the Finance Standing Committee on April 18, 2008) Public Works (Yader Bermudez 231-3009).
- **F-12.** <u>APPROVE</u> a contract in the amount of \$28,920 with MICK Enterprises for the demolition of restrooms at Booker T. Anderson, J. F. Kennedy, and Lucas Parks, and for the removal of wooden poles from the field at Martin Luther King Park, and authorize a 20% contract contingency of \$5,784 Public Works (Yader Bermudez 231-3009).
- **F-13.** APPROVE a contract between Air Industrial Consultant and the Public Works Department, in an amount not to exceed \$40,000, to install and replace a dust collector in the Carpenter's Shop in order to meet Occupational Safety and Health Administration (OSHA) requirements Public Works (Yader Bermudez 231-3009).
- **F-14.** <u>APPROVE</u> the purchase of equipment for four new Fire Engines and one new Aerial Ladder Truck from L.N. Curtis & Sons in an amount not to exceed \$178,859.76. (This item was approved by the Finance Standing Committee on April 18, 2008) Fire Department (Chief Michael Banks 307-8041).

- **F-15.** <u>APPROVE</u> the purchase of Self-Contained Breathing Apparatus (SCBA) cylinders and other related equipment for new fire apparatus from Allstar Fire Equipment, Inc. in the amount of \$107,549, plus shipping and tax. (This item was approved by the Finance Standing Committee on April 18, 2008.) Fire Department (Chief Michael Banks 307-8041).
- **F-16.** <u>APPROVE</u> the purchase of 16 wildland hose packs and five thermal imaging cameras for new fire apparatus from Allstar Fire Equipment, Inc. in the amount of \$60,860.00 Fire Department (Chief Michael Banks 307-8041).
- **F-17.** <u>APPROVE</u> the purchase of five FireCom 3020R Intercom Systems and accessories for new fire apparatus from RadioMate Corporation in the amount of \$13,939.64 Fire Department (Michael Banks 307-8041).
- **F-18.** <u>APPROVE</u> a contract with Gordon Rees, LLP in an amount not to exceed \$125,000, for an evaluation and legal review of waste water operations City Attorney's Office (Louise Renne 620-6509).
- **F-19.** <u>APPROVE</u> a contract amendment with Shute, Mihaly & Weinberger, LLP to increase the payment limit by \$40,000, for a total contract amount of \$50,000, for the defense of the City of Richmond in California Environmental Quality Act (CEQA) litigation, Cove Investments, LLC vs. City of Richmond City Attorney's Office (Louise Renne 620-6509).
- **F-20. APPROVE** a two-year contract amendment with Comcate for its eFeedbackManager (eFM) software in the amount of \$43,107 for subscription fees and professional services related to the transfer of data to the City's new code enforcement module, CodeTrak City Manager's Office (Bill Lindsay 620-6512).
- **F-21.** <u>APPROVE</u> a contract amendment with Ranajit Sahu, an independent environmental and energy consultant, in an amount of \$50,000 for a total amount of \$60,000 for technical assistance in crafting conditions of approval for Chevron's energy and hydrogen renewal project City Manager's Office (Bill Lindsay 620-6512).
- **F-22.** <u>APPROVE</u> the minutes of the Regular Meeting held on April 15, 2008, and the Special Meeting held on April 22, 2008 City Clerk's Office (Diane Holmes 620-6513).

G. PUBLIC HEARINGS

G-1. Consider designating the Cannery located at 1200 Harbour Way South and 1275 Hall Avenue as a Historic Resource; and ADOPT a resolution approving the designation of the Cannery as a Richmond Historic Resource - Planning Department (Richard Mitchell 620-6706).

H. OPEN FORUM FOR PUBLIC COMMENT

I. AGREEMENTS

J. <u>RESOLUTIONS</u>

J-1. <u>ADOPT A RESOLUTION</u> - requesting the Regents of University of California non-certification of the two Final Environmental Impact Reports for the Lawrence Berkeley National Laboratory (LBNL) project and consider the Richmond Field Station as an alternate site - Vice Mayor Marquez, Councilmembers Bates and Viramontes (620-6581).

K. ORDINANCES

L. COUNCIL AS A WHOLE

L-1. Receive a report on the deployment of the California Highway Patrol (CHP) in the City of Richmond - Vice Mayor Marquez (620-6581).

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

N. ADJOURNMENT

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.