



**Community Services Building
440 Civic Center Plaza
Richmond, CA 94804**

**AGENDA
Tuesday, November 17, 2009**

Mayor
Gayle McLaughlin

Vice Mayor
Ludmyrna Lopez

Councilmembers
Nathaniel Bates
Thomas K. Butt
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**

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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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EVENING OPEN SESSION

5:00 p.m.

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

CLOSED SESSION

Shimada Room of the Community Services Building

A. CITY COUNCIL

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

City of Richmond vs. Buckeye Claims Administrators, Inc., RRPI Insurance Services, Inc., and Robert Rice

Citizens for Eastshore Parks vs. City of Richmond

- A-2.** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):

One case

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

Property: Point Molate (site of former Naval Shipyard Depot)

Agency Negotiators: Bill Lindsay and Janet Schneider

Negotiating Party: Upstream Point Molate LLC

Under Negotiation: Price and Terms of Payment

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RICHMOND CITY COUNCIL

6:30 p.m.

PLEDGE TO THE FLAG

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. OPEN FORUM FOR PUBLIC COMMENT

D. AGENDA REVIEW

E. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Proclamation of the City of Richmond honoring Haitian educators Euvonie Auguste and Rea Dol for their recent presentation at Richmond's Literacy for Every Adult Program and expressing solidarity with the people of Haiti in their efforts to secure social, economic, and educational rights for all - Mayor's Office (Mayor McLaughlin 620-6503).

E-2. Proclamation of the City of Richmond honoring the United Nations Declaration on the Rights of Indigenous People - Mayor's Office (Mayor McLaughlin 620-6503).

E-3. Proclamation commending Margarita Vargas for her act of humanity by reporting the sexual assault on the campus of Richmond High School - Mayor McLaughlin (620-6502) and Councilmember Rogers (620-6581).

F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION

G. CITY COUNCIL CONSENT CALENDAR

G-1. APPROVE a one-year agreement with Sympatric Solutions for address verification software associated with the Police Department's Computer Aided Dispatch (CAD) System in an amount not to exceed \$40,000 - Police Department (Chief Chris Magnus 621-1802).

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- G-2.** ADOPT an ordinance (second reading) setting the tax rate for the Pension Tax Override Fund for Fiscal Year 2009-2010 at 0.14% - Finance Department (James Goins 620-6740).
- G-3.** APPROVE a contract with BBJ Electric, Inc. for the lighting design and installation project at La Moine Park in an amount not to exceed \$66,819.27. The contract term will be from November 18, 2009, to June 30, 2010 - Public Works Department (Yader A. Bermudez 231-3009).
- G-4.** APPROVE a contract with James Burke, dba JDB Construction, for improvements at Shields-Reid Park including grading that will improve drainage, demolition of obsolete structures, and landscaping augmentation. The total amount of the contract will not to exceed \$40,404, and the contract term will be from November 18, 2009, to June 30, 2010 - Public Works Department (Yader A. Bermudez 231-3009).
- G-5.** APPROVE a second amendment to the contract with Shute, Mihaly & Weinberger, LLP for legal representation in the lawsuit United Trustees Association vs. City of Richmond, increasing the amount by \$15,000 for a total contract amount of \$25,000, and extending the term expiration to June 30, 2010 - City Attorney's Office (Randy Riddle 620-6509).
- G-6.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Communications Call Taker (Salary Range No. 14A: \$3,559 - \$4,327/month). This position will support the Dispatcher classification and will allow the Dispatchers to focus on handling radio transmissions - Human Resources Management (Leslie Knight 620-6600).
- G-7.** APPROVE a sole-source contract with the Downtown Association of Richmond to facilitate Mental Toughness Workshops for Richmond YouthBuild Program in the amount of \$14,500 for a term commencing November 18, 2009, and ending March 30, 2010 - Employment & Training (Sal Vaca 307-8006/Ron Shaw 412-2048).
- G-8.** APPROVE an amendment to extend the contract with Gwendolyn Anderson to provide electrical vocational training to RichmondBUILD participants through December 31, 2009, and increase the contract amount by \$3,700 in an amount not to exceed \$12,200 - Employment & Training (Sal Vaca 307-8006/Fred Lucero 307-8021).
- G-9.** ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (James Goins 620-6740).

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- G-10.** APPROVE a contract with Straight Talk on Prison (STOP) for YouthWORKS academic program oversight and coordination in an amount not to exceed \$30,000 for the period of November 23, 2009, to June 30, 2010 - Employment & Training (Sal Vaca 307-8006).
- G-11.** ADOPT a resolution amending the City's 457(b) Governmental Deferred Compensation Plan dated August 1, 2008, to bring it into compliance with legislative and regulatory changes to the Pension Protection Act of 2006, Heroes Earnings Assistance and Relief Tax Act of 2008, Emergency Economic Stabilization Act of 2008, and the Worker, Retiree, and Employer Recovery Act of 2008 - Finance Department (James Goins 620-6740).
- G-12.** APPROVE a contract with ProForce Inc. for the purchase of 20 Taser devices and 200 Taser cartridges in an amount not to exceed \$23,210.97 - Police Department (Chief Chris Magnus 621-1802).
- G-13.** ADOPT an ordinance (second reading) adding Chapter 9.17 (Food Ware) of the Richmond Municipal Code to prohibit the use of expanded polystyrene disposable food ware and requiring the use of biodegradable or compostable food ware by food providers and City facilities effective July 1, 2010 – City Manager's Office (Bill Lindsay 620-6512).
- G-14.** APPROVE a contract with the Contra Costa County Sheriff-Coroner to provide forensic firearms examination services from March 1, 2009, through February 29, 2010, in an amount not to exceed \$100,500 (this item was reviewed and recommended for approval by the Finance Committee at its October 2, 2009, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-15.** ADOPT an ordinance (second reading) adding Chapter 7.107 to the Richmond Municipal Code to prohibit the sale of tobacco in drug stores that contain pharmacies - Councilmember Ritterman (620-6581).
- G-16.** APPROVE the submittal of the City Manager's response to the Contra Costa County Grand Jury Report No. 0907 regarding retiree health benefits costs - City Manager's Office (Bill Lindsay 620-6512).
- G-17.** APPROVE a three-year contract with PlanetBids, Inc. to provide an on-line vendor registration/bid management system (BidsOnline) in an amount not to exceed \$73,200 for the three-year term - Finance Department (James Goins 620-6740).

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- G-18.** ADOPT a resolution committing to implementing the energy-saving opportunities identified through participation in California Energy Commission's (CEC) Energy Partnership Program, which provides no-cost technical assistance to audit and identify cost and energy-saving opportunities in City facilities - City Manager's Office (Bill Lindsay 620-6512).
- G-19.** ADOPT a resolution confirming the City of Richmond Investment Policy, as recommended by the City's auditors, Maze and Associates, and as recommended by the Association of Public Treasurers of the United States and Canada (the Finance Committee previously reviewed the Investment Policy at its June 12, 2009, meeting and recommended adoption of this policy for fiscal years 2008 to 2010; this resolution is confirming the current Investment Policy for public record) - Finance Department (James Goins 620-6740).
- G-20.** APPROVE an amendment to the contract with Armistead Investigative Services to conduct confidential investigations into employee misconduct, increasing the contract amount by \$15,000 for a total contract amount of \$25,000 - City Attorney's Office (Randy Riddle 620-6509).

H. COUNCIL AS A WHOLE

- H-1.** DISCUSS including movable bulkhead in the scope of work for the project to renovate the Richmond Natatorium (the Plunge) and provide direction to staff - City Manager's Office (Bill Lindsay 620-6512).
- H-2.** RECEIVE a report on the findings and suggestions by City staff and stakeholders related to the current Richmond Business Opportunity Ordinance enacted in 2006 and scheduled for expiration on January 29, 2010, and PROVIDE direction to staff regarding proposals for strengthening the ordinance and other related activities - Employment & Training (Sal Vaca 307-8006).
- H-3.** RECEIVE a report on the financial status of the Civic Center Revitalization Project from the Community & Economic Development Director and DIRECT staff regarding treatment of the remaining fund balance, as appropriate (this report was provided to the Finance Committee at its November 6, 2009, meeting) - Councilmember Viramontes and Vice Mayor Lopez (620-6581).

I. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)

J. ADJOURNMENT

This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website www.ci.richmond.ca.us. 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 450 Civic Center Plaza.