

Community Services Building 440 Civic Center Plaza Richmond, CA 94804

AGENDA Tuesday, October 4, 2011

MayorGayle McLaughlin

Vice Mayor
Thomas K. Butt

Councilmembers

Nathaniel Bates Jovanka Beckles Courtland "Corky" Boozé Jeff Ritterman Jim Rogers

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 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.

<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 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. ADJOURN TO CLOSED SESSION

CLOSED SESSION

Shimada Room of the Community Services Building

A. <u>CITY COUNCIL</u>

A-1. LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9):

HUD OIG Proposed Housing Authority Repayment Agreement Review

A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

California Regional Water Quality Control Board, Matter No. R2-2007-0067 (Port of Richmond Terminal 4)

A-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One Case

A-4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

City Manager

SPECIAL MEETING OF THE RICHMOND HOUSING AUTHORITY

6:15 p.m.

- A. PLEDGE TO THE FLAG
- B. ROLL CALL
- C. STATEMENT OF CONFLICT OF INTEREST
- D. OPEN FORUM FOR PUBLIC COMMENT
- E. AGENDA REVIEW
- F. HOUSING AUTHORITY CONSENT CALENDAR
 - **F-1.** ADOPT a resolution authorizing the Housing Authority Executive Director to submit the 2011 Section 8 Management Assessment Program (SEMAP) Certification to the U.S. Department of Housing and Urban Development (HUD) Richmond Housing Authority (Tim Jones 620-1310).
 - **F-2.** ADOPT a resolution authorizing the Housing Authority Executive Director to submit the 2011 Public Housing Assessment System (PHAS) Certification to the U.S. Department of Housing and Urban Development Richmond Housing Authority (Tim Jones 621-1310).
- G. ADJOURNMENT

SPECIAL MEETING OF THE JOINT POWERS FINANCING AUTHORITY

6:25 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. OPEN FORUM
- D. <u>CONSENT CALENDAR</u>
 - **D-1.** ADOPT a resolution of the Richmond Joint Powers Financing Authority establishing a regular meeting schedule, in accordance with California Government Code Section 6592.1 Finance Department (James Goins 620-6740).
- E. ADJOURNMENT

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. ROLL CALL
- B. STATEMENT OF CONFLICT OF INTEREST
- C. OPEN FORUM FOR PUBLIC COMMENT
- D. <u>AGENDA REVIEW</u>
- E. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS
 - **E-1.** PROCLAMATION recognizing Fire Prevention Week which runs from October 9 through 15, 2011. The theme is "Protect Your Family From Fire" Fire Department (Chief Michael Banks 307-8041).

- **E-2.** PROCLAMATION declaring October as Violence Prevention Month and honoring the 2011 Richmond Youth Anti-Violence Summit on October 15 Mayor's Office (Mayor McLaughlin 620-6503).
- **E-3.** PRESENT a proclamation to former General Manager Mike Coyle, Chevron Richmond Refinery, for his contribution to the City of Richmond Mayor McLaughlin (620-6503) and Councilmember Bates (620-6861).

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 grant-funded contract with the Contra Costa County Employment and Human Services Department, Workforce Development Board to provide intensive case-managed services, academic support and career track, and technical training assistance to 50 non-Richmond youth in West County, with a contract term from October 5, 2011, through March 31, 2013, and in an amount not to exceed \$225,000 (This item was reviewed and recommended for approval by the Finance Committee at its September 16, 2011, meeting) Employment and Training Department (Sal Vaca/Jay Leonhardy 307-8019).
- G-2. APPROVE a one-year contract with Zoll Data Systems, Inc. to provide technical support, maintenance services, software upgrades and licenses for FireRMS (records management), CAD (computer-aided dispatch), and Telestaff interfaces in the amount of \$10,592 and for a term from October 1, 2011, to September 30, 2012 Fire Department (Chief Michael Banks 307-8041).
- G-3. APPROVE a contract with Ron Rakich & Associates for risk management consulting services to assist with the identification and contracting with a third-party administrator for the City of Richmond's worker's compensation program, in an amount not to exceed \$30,000 beginning in Fiscal Year 2011-2012 and ending in Fiscal Year 2012-2013 Human Resources Management Department (Leslie Knight 620-6600).
- **G-4.** ADOPT a resolution granting a designated period (October 5, 2011, to January 6, 2012) for the Two Years Additional Service Credit for early retirement for certain specified classifications Human Resources Management Department (Leslie Knight 620-6600).

- G-5. APPROVE a contract with Wesco Graphics Inc. to print the next six editions of the Recreation Department's Activities Guide over a three-year period. The total contract amount is not to exceed \$38,000 for the period beginning October 1, 2011, and ending April 30, 2014 Recreation Department (Keith Jabari 620-6791).
- G-6. APPROVE an amendment to the grant-funded contract with CALINC Training, LLC to provide three additional Hazardous Materials trainings for RichmondBUILD participants. The term of the contract will be unchanged from December 16, 2009, through January 16, 2012, and the contract amount will be increased by \$15,000 for an amount not to exceed \$165,000 Employment and Training Department (Sal Vaca/Nicholas Alexander 307-8009).
- G-7. ACCEPT the work completed by W. Bradley Electric, Inc. under the Street Light Circuit Replacement Park Plaza Neighborhood Project in Fiscal Years 2010/11 and 2011/12 for a final construction cost of \$794,189.64 Engineering Services Department (Edric Kwan/Joel Camacho 620-5482).
- G-8. APPROVE a contract with the East Bay Center for the Performing Arts, through which the city will provide matching funds for a grant from the National Endowment for the Arts, to implement a public art project initiated by the city in the amount of \$150,000 and for a term from October 1, 2011, through September 30, 2012 (This item was reviewed and recommended for approval by the Finance Committee at its September 16, 2011, meeting) Richmond Community Redevelopment Agency (Steve Duran/Thomas Mills 307-8140).
- G-9. AUTHORIZE the city manager to expend further funds on an existing loan agreement funded by a California Department of Boating and Waterways loan for the development of the Marina Bay Yacht Harbor; authorize the port director to approve reimbursement requests; dedicating gross revenues from the Marina Enterprise Fund to pay for costs not funded by the Department of Boating and Waterways loan; and dedicate revenues from the Marina Enterprise Fund as the dedicate source of revenue to repay said loan Port (Jim Matzorkis 215-4600).
- G-10. APPROVE the Port Executive Director's request for travel to China (two trips) at a total cost of approximately \$8,000 to continue the business development plan with the Port of Zhoushan, to explore the potential for China automobile manufacturing companies exporting to the United States market, and to develop economic development opportunities for the City of Richmond Port (Jim Matzorkis 215-4600).

- G-11. ADOPT a resolution authorizing the city manager or his designee to implement a Home Assessment and Energy Efficiency Rebate Program, funded by the United States Department of Energy Efficiency and Conservation Block Grant, and execute any required agreements to implement the City of Richmond's Energy Efficiency Rebate Program City Manager's Office (Bill Lindsay 620-6512).
- **G-12.** APPROVE the minutes of the September 20, 2011, City Council Meeting City Clerk's Office (Diane Holmes 620-6514).
- **G-13.** ADOPT a resolution to modify the Historic Structures Report prepared for the Civic Center Historic District to designate the interior main staircase and plaza brick steps as character-defining features Planning and Building Services Department (Richard Mitchell 620-6706).

H. AGREEMENTS

H-1. APPROVE a contract with TransMETRO, Inc., to implement the Greenprint Transportation Management Plan to embed transportation services and programs into existing and proposed land uses in the Richmond community, in the amount of \$1,770,531 and for a term from October 1, 2011, through June 30, 2013, funded by provisions of Section I (vi) of the May 2010 Tax Settlement Agreement with Chevron (This item was reviewed by the Finance Committee at its September 16, 2011, meeting and moved forward to the full City Council without a final recommendation) - City Manager's Office (Bill Lindsay 620-6512).

I. ORDINANCES

I-1. INTRODUCE an ordinance (first reading) of the City Council of the City of Richmond amending Richmond Municipal Code Chapter 7.102 (Medical Marijuana Collectives) to increase the number of permits available from three to four (this item was reviewed and recommended for approval by the Public Safety Committee at its September 21, 2011, meeting) - Councilmembers Bates and Boozé (620-6861).

J. COUNCIL AS A WHOLE

- J-1. DISCUSS and DIRECT staff to request a 60-day continuance of the San Francisco Regional Water Quality Control Board (Regional Water Board)'s consideration of the Tentative Order (TO) with Updated Site Cleanup Requirements for the former Point Molate Naval Fuel Depot to allow the City Council to receive a presentation regarding the Tentative Order and direct staff to schedule a full presentation to the Council regarding the Tentative Order Mayor McLaughlin (620-6503).
- **J-2.** RECEIVE a report from District Attorney Mark Peterson and Deputy Police Chief Allwyn Brown on programming related to the City of Richmond including homicides and the Early Release Program Councilmembers Boozé and Bates (620-6861).
- **J-3.** ADOPT a resolution in support of the Contra Costa Community College District adopting a Project Stabilization Agreement Councilmember Bates (620-6861).
- K. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)
- L. 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.