



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

**AGENDA  
Tuesday, February 21, 2012**

**Mayor  
Gayle McLaughlin**

**Vice Mayor  
Jim Rogers**

**Councilmembers  
Nathaniel Bates  
Jovanka Beckles  
Courtland "Corky" Boozé  
Jeff Ritterman  
Thomas K. Butt**

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

**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.**

**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 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):  
  
Richmond/In re Municipal Derivative Antitrust Litigation  
  
Securities and Exchange Commission vs. GE Funding Capital Market Services,  
Inc.
  - A-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code  
Section 54956.8):  
  
Property: 1322 Canal Boulevard, Richmond, CA (General Warehouse) and  
Rigger's Loft  
City Negotiators: Jim Matzorkis and Bill Lindsay  
Other Negotiating Parties: General Services Administration (on behalf of the  
National Park Service)  
Under Negotiation: Price and terms of payment
  - A-3. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):  
  
City Attorney

Tuesday, February 21, 2012

**REGULAR MEETING OF THE CITY OF RICHMOND AS  
SUCCESSOR AGENCY FOR THE RICHMOND COMMUNITY  
REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL**

6:30 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **READING OF THE CODE OF ETHICS**
- D. **STATEMENT OF CONFLICT OF INTEREST**
- E. **OPEN FORUM FOR PUBLIC COMMENT**
- F. **AGENDA REVIEW**
- G. **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
  - G-1. PROCLAMATION honoring Black History Month February 2012 - Mayor McLaughlin (620-6503) and Councilmember Beckles (620-6581).
  - G-2. PRESENTATION of a \$1 million check from the Rosie the Riveter Trust to the City of Richmond as partial repayment of the bridge loan approved by the City Council in connection with the restoration of the Maritime Center - Mayor McLaughlin (620-6503) and Councilmember Butt (620-6581).
- H. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**

**I. CITY OF RICHMOND AS SUCCESSOR AGENCY FOR THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**

**I-1.** ADOPT resolutions authorizing: 1) execution of a contract with Questa Engineering Corporation in an amount not to exceed \$615,235; and 2) execution and submission of an allocation request to MTC for Regional Measure 2 funds, for the design and engineering improvements along Nevin Avenue between the Richmond BART Station and 19th Street (This item was not reviewed by the Finance Committee due to the cancellation of its January 6, 2012, and February 3, 2012 meetings) - Successor Staff to the Richmond Community Redevelopment Agency (Alan Wolken 307-8140).

**J. CITY COUNCIL CONSENT CALENDAR**

**J-1.** APPROVE a contract with Precision Concrete Cutting to provide concrete sidewalk cutting services to eliminate sidewalk tripping hazards in an amount not to exceed \$40,000 per year on an as-needed basis, and subject to funding availability for a term of three years - Public Works Department (Yader A. Bermudez 231-3008). This item was continued from the February 7, 2012, meeting.

**J-2.** APPROVE the purchase of a replacement trencher from Ditch Witch Bay Area for use by the Parks and Landscape Division of the Public Works Department in an amount not to exceed \$58,000 - Public Works Department (Yader A. Bermudez 231-3008). This item was continued from the February 7, 2012, meeting.

**J-3.** APPROVE the minutes of the February 7, 2012, meeting - City Clerk's Office (Diane Holmes 620-6513).

**J-4.** APPROVE a contract with CPS HR Consulting to develop and administer an examination for Firefighter Trainee in an amount not to exceed \$39,500 for a term from March 1, 2012, to December 31, 2012 - Human Resources Management Department (Leslie Knight 620-6600).

- J-5.** ADOPT a resolution approving the final mitigated negative declaration and APPROVE a Construction Contract with Bay Cities Paving and Grading, the lowest responsive bidder, for the Via Verdi Repair Project: San Pablo Creek Culvert Replacement in an amount not to exceed \$5,840,075.40 with an additional construction contingency not to exceed 15%, for a total budget of \$6,716,086.71 (This item was not reviewed by the Finance Committee due to the time sensitivity nature of this project and outside agency deadlines) - Engineering Services Department (Edric Kwan 621-1825/Tawfic Halaby 621-1612).
- J-6.** APPROVE a three-year contract, with the option of two one-year extensions, with Bay Marine Boatworks for boat maintenance services in an amount not to exceed \$48,054 for three years, and \$16,018 each year thereafter, if the contract is extended - Police Department (Chief Chris Magnus 621-1802).
- J-7.** ADOPT a resolution authorizing the City Manager to execute loan agreement(s) and all agreements necessary to obtain financing through the On-Bill Financing (OBF) and On-Bill Repayment (OBR) programs with Pacific Gas & Electric for City facility and streetlight energy upgrades and improvements - City Manager's Office (Bill Lindsay 620-6512).
- J-8.** APPROVE a contract with Sheldrake & Mumford, Inc. for the restoration of four tennis court surfaces at Nicholl Park and one at the Richmond Natatorium in an amount not to exceed \$29,280.30, which includes a five percent cost contingency. The contract term will be February 22, 2012, to December 31, 2012 - Public Works Department (Yader A. Bermudez 231-3008).

**K. RESOLUTIONS**

- K-1.** ADOPT a resolution welcoming the Lawrence Berkeley National Laboratory to Richmond, and direct the City Manager to prepare for City Council signature an appropriate memento of the press event announcing the Lab's decision to be presented to the Lab Director and staff, representatives of the University of California, Berkeley, and other officials who participated in the event and provided support to the City of Richmond in the selection process - City Manager's Office (Bill Lindsay 620-6512).
- K-2.** ADOPT a resolution opposing the sale and purchase of rat and mouse poisons deemed an unreasonable risk to children, pets and wildlife in the City of Richmond - Councilmember Butt (620-6581), Mayor McLaughlin (620-6503), and Vice Mayor Rogers (620-6581). This item was continued from the February 7, 2012, meeting.

**L. COUNCIL AS A WHOLE**

**L-1.** APPROVE the allocation of \$5,000 from the Fiscal Year 2011-2012 General Fund, source of which to be identified by the City Manager, for the 3rd annual Richmond Native American Pow Wow, to be held on Saturday, June 23, 2012, and include the Richmond Pow Wow in subsequent years as one of the standard City of Richmond supported festivals - Mayor McLaughlin (620-6503).

**L-2.** CONSIDER sending a letter to State Superintendent of Public Instruction Tom Torlakson in support of the request from the West Contra Costa Unified School District to be removed from State control - Vice Mayor Rogers (620-6581). This item was continued from the February 7, 2012, meeting.

**L-3.** DIRECT staff to prepare an advisory ballot initiative urging a Constitutional amendment to overturn the Citizens United case giving special interests unlimited rights to make campaign expenditures, and to clarify that free speech does not mean letting those with the most money drown out the speech of the 99% - Vice Mayor Rogers and Councilmember Butt (620-6581). This item was continued from the February 7, 2012, meeting.

**L-4.** Discuss and consider ideas for reducing the length of City Council meetings, and provide direction to staff regarding changes to meeting rules and procedures - City Manager's Office (Bill Lindsay 620-6512).

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

**N. ADJOURNMENT**

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*This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website [www.ci.richmond.ca.us](http://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.*