



**City Hall
1401 Marina Way South
Richmond, CA 94804**

**AGENDA
Tuesday, February 3, 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**

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.

EVENING OPEN SESSION

5:00 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 - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Section 54956.9):

Two cases
 - A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

City Designated Representative(s): Bill Lindsay, Leslie Knight, Jack Hughes, Lisa Stephenson, Michael Banks, and Bruce Soublet
Employee Organization or unrepresented employee(s): Firefighters Local 188 and Richmond Firefighters Management Association (RFMA) negotiations
 - A-3. LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9):

Martin vs. City of Richmond

Citizens for Eastshore Parks and Sustainability vs. City of Richmond

Riley vs. City of Richmond

Tuesday, February 3, 2009

RICHMOND HOUSING AUTHORITY

6:30 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **OPEN FORUM FOR PUBLIC COMMENT**
- E. **CONSENT CALENDAR**

E-1. ADOPT a resolution (1) approving a \$3 million Lead Hazard Control Grant contract with the U.S. Department of Housing and Urban Development (HUD) and authorizing the Executive Director to execute and administer this and subsequent contracts relevant to the successful implementation and delivery of this grant-funded program; and (2) directing staff to adjust the Housing Authority budget to reflect this additional program revenue and expenditures - Housing Authority (Tim Jones 621-1310).

- F. **ADJOURNMENT**

RICHMOND COMMUNITY REDEVELOPMENT AGENCY

6:55 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **OPEN FORUM FOR PUBLIC COMMENT**

D. CONSENT CALENDAR

D-1. ADOPT a resolution approving the transfer of \$50,000 to the City of Richmond associated with the purchase and installation of cameras at Nevin Park - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

E. 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 a presentation on the Inauguration Ceremony of Barack Obama, the 44th President of the United States of America - Councilmember Bates (620-6581).

D-2. Proclamation celebrating February as Black History Month by honoring and recognizing the life and contributions of Bobby Seale, co-founder of the Youth Jobs North Richmond Tutorial Program (1964) and of the Black Panther Party (1966) - Mayor's Office (Mayor McLaughlin 620-6503).

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

F. CONSENT CALENDAR

F-1. RECEIVE a report on solar building permit activity from October 1, 2007, through November 30, 2008, and ADOPT a resolution extending the moratorium on the collection of residential solar building permit fees for photovoltaic and domestic solar hot water installations for an additional period of two years - Planning and Building Regulations (Richard Mitchell 307-8159).

Tuesday, February 3, 2009

- F-2.** APPROVE a contract and funding with Life Fitness from Schiller Park, Illinois, in the amount of \$200,000 to provide and install fitness equipment at the Richmond Recreation Complex, Martin Luther King, Jr., Booker T. Anderson, Shields-Reid, Parchester, and May Valley Community Centers - Recreation Department (Keith Jabari 620-6791).
- F-3.** APPROVE the purchase of Globe Millenia G-Xtreme personal protective equipment items, 30 coats and 35 pairs of pants, from L.N. Curtis & Sons in the amount of \$88,087.50 - Fire Department (Fire Chief Michael Banks 307-8041).
- F-4.** APPROVE the sole-brand justification and purchase of fitness equipment for the fire stations from the Gym Doctors in the amount \$90,801.54, substantially funded by the Department of Homeland Security, 2007 Assistance to Firefighters Grant for the implementation of a health and wellness program - Fire Department (Fire Chief Michael Banks 307-8041).
- F-5.** APPROVE a contract with Creative Recreational Systems, Inc. for purchasing and installation of Kern Play Lot play equipment in an amount not to exceed \$30,352.88 - Public Works (Yader A. Bermudez 231-3009).
- F-6.** APPROVE a contract with Doug Gourley Playground Design, Inc. for the Judge Carroll Park Equipment Installation Project in an amount not to exceed \$31,105.02 - Public Works (Yader A. Bermudez 231-3009).
- F-7.** APPROVE a payment to Ferris Hoist and Repair, Inc. under an emergency contract for the removal of an in-ground lift that was leaking oil and for the backfill of the resulting hole with concrete at the Public Works Equipment Services Corporation Yard Shop in an amount not to exceed \$25,000.00 - Public Works (Yader A. Bermudez 231-3008).
- F-8.** APPROVE a second contract amendment with MBN Services Inc. (DBA as Bob Murray & Associates) for \$21,000, for a total approved contract payment limit not to exceed \$99,000, to develop and administer the recruitment processes for the position of Wastewater Contract Administrator - Engineering (Rich Davidson 307-8105).
- F-9.** APPROVE the first amendment to the contract between the City and ADT Security Services, Inc. in the amount of \$50,000 for the installation of cameras as part of the Nevin Park Reconstruction Plan and ADOPT the resolution of the City Council accepting the transfer of funds from the Redevelopment Agency to fund this contract amendment - Police Department (Police Chief Chris Magnus 620-6655).

Tuesday, February 3, 2009

- F-10.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Sections 2.12.010, 7.72.110, 7.76.020, and 12.04.110, changing the number of members of the City Council necessary to constitute a quorum to conform to the recent reduction in the Council's size - City Attorney's Office (Randy Riddle 620-6509).
- F-11.** ADOPT an ordinance (second reading) amending Chapter 2.43 of the Richmond Municipal Code to increase the level of public funding provided to candidates who wish to run for City office. This ordinance was introduced at the January 20, 2009, meeting of the City Council - Councilmember Rogers (867-5725).
- F-12.** APPROVE the first amendment to the Memorandum of Agreement (MOA) between the United States Department of the Navy and California State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800.6(c) for the Leasing, Disposal, and Reuse of Naval Fuel Depot, Point Molate - Planning and Building Services (Richard Mitchell 307-8159).

G. PUBLIC HEARINGS

H. OPEN FORUM FOR PUBLIC COMMENT

I. AGREEMENTS

J. RESOLUTIONS

- J-1.** ADOPT a resolution in support of renaming the Contra Costa County Superior Courthouse in Richmond to the George D. Carroll Courthouse - Councilmembers Bates, Rogers, and Viramontes (620-6581).

K. ORDINANCES

L. COUNCIL AS A WHOLE

- L-1.** Discuss and provide policy direction to staff regarding proposals by the West Contra Costa Unified School District (WCCUSD) to close several Richmond schools – City Manager’s Office (Bill Lindsay).
- L-2.** Review Mid-Year Budget Financial Forecast and approved the Mid-Year Proposed Budget Fiscal Year 2008-2009 adjustments - Finance Department (James Goins 620-6740).

Tuesday, February 3, 2009

- L-3. Direct staff to make the enforcement of Richmond Municipal Code Chapter 9.45 (Restriction of Tobacco Advertising and Promotion) a budgetary priority and to suspend for a period of 120 days the use of City staff time and other resources to process and issue licenses pursuant to Richmond Municipal Code Chapter 7.104 (Tobacco Retailer License) pending review of those Chapters - Councilmembers Butt and Rogers (620-6581).
- L-4. Receive staff report and give direction to staff concerning staff actions to get Union Pacific to clean up graffiti on the East side of I-580 and dumped concrete on their property on the West side of I-580 - Councilmember Rogers (620-6581).

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

N. **ADJOURNMENT**

This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website 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 1401 Marina Way South.