



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

**AGENDA
Tuesday, December 1, 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.

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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):

Citizens for Eastshore Parks vs. City of Richmond

Booker 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 Negotiator: Bill Lindsay and Janet Schneider

Negotiating Party: Upstream Point Molate LLC

Under Negotiation: Price and Terms of Payment

Tuesday, December 1, 2009

RICHMOND CITY COUNCIL

6:30 p.m.

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. Presentation of certificates honoring La Plazuela, La Selva Taqueria, and Pepito's Deli Mexicatessen restaurants as Richmond small businesses of the month for December 2009 - Mayor's Office (Mayor McLaughlin 620-6503).

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 professional service contract with Republic Intelligent Transportation Services, Inc. to prepare a Street Light Master Plan in amount not to exceed \$110,000 (this item was reviewed and recommended for approval by the Finance Committee on November 6, 2009) - Engineering Services (Rich Davidson 307-8105/Edric Kwan 621-1825).

G-2. APPROVE a third amendment to the contract with Solar Richmond to coordinate the solar installation component for the RichmondBUILD Training Program, increasing the contract amount by \$20,000 for a total contract amount of \$220,000, and setting December 31, 2009, as the contract termination date - Employment & Training (Sal Vaca 307-8006).

G-3. APPROVE a one-year contract with Rogers, Joseph, O'Donnell, P.C. for continuing legal services regarding the Regional Water Quality Control Board (RWQCB) clean-up order pertaining to Port Terminal 4, in an amount not to exceed \$25,000.00 - Port (Jim Matzorkis 215-4600).

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- G-4.** APPROVE a revised one-year lease of property located at 636 Spring Street for use as the primary training site for the YouthBUILD Program. The lease period commences December 1, 2009, and ends November 30, 2010. The rent is \$2,700 per month for a total 12-month rental cost not to exceed \$32,400 - Employment & Training (Sal Vaca 307-8006).
- G-5.** ADOPT an ordinance (second reading) to add Chapter 12.29 (Street Opening and Pavement Restoration Regulations) to the Richmond Municipal Code, establishing a moratorium against excavating in newly resurfaced streets - Engineering Services (Rich Davidson 307-8105/Edric Kwan 621-1825).
- G-6.** ADOPT a resolution authorizing the acceptance of the grant funds awarded to the Richmond Public Library's Literacy for Every Adult Program (LEAP) by the California State Library through the California Library Literacy Services (CLLS) Program and increasing LEAP's FY2009/2010 state grant revenue and expenditure budget by \$29,242 to \$112,237 - Library and Cultural Services (Monique le Conge 620-6555).

H. ORDINANCES

- H-1.** INTRODUCE an ordinance (first reading) adding Chapter 6.46 to Richmond Municipal Code establishing Green Building Standards for construction and/or renovation of commercial and residential buildings - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-2.** DIRECT STAFF to explore alternative legislative approaches to addressing public safety threats posed by large capacity magazines in guns, and INTRODUCE AN ORDINANCE (first reading) repealing Richmond Municipal Code Chapter 11.98, which bans the possession of large capacity magazines for guns - City Attorney's Office (Randy Riddle 620-6509).
- H-3.** ADOPT an urgency ordinance under Government Code Section 65858 declaring a moratorium on the acceptance, processing and approval of applications to establish medical marijuana dispensaries and cooperatives in any zoning district within the City. This ordinance will require a 4/5 vote of the Council - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-4.** INTRODUCE an ordinance (first reading) to extend the sunset date of the Business Opportunity Ordinance (Richmond Municipal Chapter Code 2.50) for a period of 60 days from January 29, 2010, to March 31, 2010 - Employment & Training (Sal Vaca 307-8006).

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I. STUDY AND DIRECTION TO STAFF SESSION

I-1. 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).

J. COUNCIL AS A WHOLE

J-1. Direct staff to review and report findings regarding the City of Richmond's current bonding requirements to determine if the minimum amounts necessary to do business with the City are an impediment for small local businesses - Mayor's Office (Mayor McLaughlin 620-6503).

J-2. RECEIVE a report and DIRECT staff regarding options for a Paramedic and Public Safety revenue measure to be placed on the June 2010 primary election ballot - Councilmember Viramontes (620-6571).

J-3. DISCUSS Phase 1 and 1A expenditures for the Civic Center Revitalization Project funded by the Redevelopment Agency, consider returning the balance of the construction reserve (estimated at \$1.9 million) to the Redevelopment agency upon completion of project, and consider reimbursement of the additional unforeseen cost incurred by the Redevelopment agency in the amount of \$5 million during Phase 1 of the Project - Councilmember Viramontes (510-620-6581).

J-4. CONSIDER AND COMMIT to restoring the Richmond Plunge to its original usage upon opening. This commitment requires the city to continue the Therapeutic, Handicap, and Senior Citizen Programs at the Plunge - Councilmember Bates (620-6581).

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 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.