



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

**AGENDA
Tuesday, February 2, 2010**

**Mayor
Gayle McLaughlin**

**Vice Mayor
Jeff Ritterman**

**Councilmembers
Nathaniel Bates
Thomas K. Butt
Ludmyrna Lopez
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 the Community Services Building

A. CITY COUNCIL

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

Browne vs. City of Richmond

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

City and County of San Francisco et al. vs. Regal Stone LTD, et al. (Cosco Busan)

Citizens of East Shore Parks vs. City of Richmond

Booker vs. City of Richmond

Jenkins vs. City of Richmond

Communities for a Better Environment vs. City of Richmond, et al.

- 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

Tuesday, February 2, 2010

RICHMOND CITY COUNCIL

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. **AGENDA REVIEW**
- 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 contract with RGA Environmental to update the City's asbestos management program and provide training to affected City employees in an amount not to exceed \$20,000 - Human Resource Management (Leslie Knight 620-6600).
 - G-2. APPROVE a second amendment to the contract with Armistead Investigative Services to conduct confidential investigations into allegations of employee misconduct and provide a confidential written report to the City Attorney containing the results of the investigations, increasing the contract amount by \$50,000.00, for a total contract amount of \$75,000.00, and extending the term to December 31, 2010 - City Attorney's Office (Randy Riddle 620-6509).
 - G-3. ADOPT a resolution authorizing the submittal of a grant application to the Metropolitan Transportation Commission for TDA funding of the Bay Trail Gap Closure Project from the western shoreline of the City's Point Potrero Marine Terminal to Seacliff Drive - Engineering Department (Edric Kwan 621-1825).
 - G-4. APPROVE the following appointments: Arts and Culture Commission: Amber Castravani, term expiring January 31, 2014; Police Commission: Felix Hunziker, term expiring November 1, 2012 (filling vacancy left by resignation of Jim Jenkins) - Mayor's Office (Mayor McLaughlin 620-6503).

- G-5.** ADOPT the following resolutions: (1) a resolution authorizing the acceptance of allocated funds from the Contra Costa County Health Services Division and the related two-year Interagency Agreement #22-276-18, in support of the department's Hazardous Material Release Response Plans and Inventory Program for \$373,813 over a two-year period; (2) a resolution authorizing the acceptance of allocated funds from the Contra Costa County Health Services Division and the related two-year Interagency Agreement #22-351-14, in support of the department's Hazardous Materials Training Program for \$312,775 over a two-year period; and, (3) a resolution authorizing acceptance of allocated funds from the Contra Costa County Health Services Division and the related two-year Interagency Agreement #22-402-12, in support of the department's Hazardous Materials Response Unit for \$379,720 over a two-year period (resolutions were reviewed and recommended for approval by the Finance Committee at its January 8, 2010, meeting) - Fire Department (Chief Michael Banks 307-8041).
- G-6.** ADOPT a resolution authorizing the City Manager to enter into an agreement with the California Public Utilities Commission ("CPUC") under which the City of Richmond will receive compensation in an amount not to exceed \$151,875 for safety improvements at the Burlington Northern Santa Fe (BNSF) grade crossing on Wharf Street (PUC 002-1191.10-C) - Engineering Department (Edric Kwan 621-1825/Steven Tam 307-8112).
- G-7.** APPROVE the minutes for the regular meeting held on November 3, 2009 - City Clerk's Office (Diane Holmes 620-6513).
- G-8.** ADOPT an ordinance (second reading) adding fees for inspections of businesses selling alcohol and/or tobacco products to the Master Fee Schedule - City Attorney's Office (Randy Riddle 620-6509).
- G-9.** APPROVE a contract between the City of Richmond and Zoll Data Systems, Inc. to provide technical support, maintenance services, upgrades and mobile licenses for the Fire Department's Records Management System (RMS), Computer Aided Dispatching (CAD), and Telestaff interfaces in an amount not to exceed \$10,092 - Fire Department (Chief Michael Banks 307-8041).
- G-10.** APPROVE the purchase of an asphalt paver and roller from Nixon-Egli Equipment Company at a cost not to exceed \$300,000, and a skid steer loader (bobcat) from Bobcat West at a cost not to exceed \$65,000, for replacement of existing worn equipment used in maintaining City-owned streets (this item was reviewed and recommended for approval by the Finance Committee at its January 8, 2010, meeting - Public Works Department (Yader A. Bermudez 231-3009).

- G-11.** ADOPT a resolution approving applications for grant funds pursuant to the Statewide Park Development and Community Revitalization Program of 2008, with eligible projects being Elm Park, Martin Luther King Jr. Park, Richmond Greenway, the Plunge and Wendell Park - Public Works Department (Yader A. Bermudez 231-3009).
- G-12.** APPROVE a contract with Sam Charles, dba SC IV Construction, to serve as Construction Coordinator for the Richmond YouthBuild Program in an amount not to exceed \$65,000. The contract term will be from February 2, 2010, through February 2, 2011 - Employment and Training Department (Sal Vaca 307-8006/ Ron Shaw 412-2048).

H. RESOLUTIONS

- H-1.** RECEIVE a report and ADOPT a resolution in recognition of the 350 ppm CO2 as the sensible limit to prevent extreme climate change - Mayor McLaughlin (620-6503), Vice Mayor Ritterman and Councilmember Rogers (620-6581).
- H-2.** ADOPT a resolution in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 - City Manager's Office (Bill Lindsay 620-6512).

I. ORDINANCES

- I-1.** INTRODUCE an ordinance (first reading) amending Sections 15.04.820.030 through 15.04.820.035 of the Richmond Municipal Code to provide for technical amendments to the City's Wireless Telecommunications Ordinance, and the related definitions section of the Zoning Ordinance - City Attorney's Office (Randy Riddle 620-6509).
- I-2.** INTRODUCE an ordinance (first reading) amending Chapter 2.50 of the Municipal Code to revise the City of Richmond Business Opportunity Ordinance (53-06 N.S.) - Employment and Training Department (Sal Vaca 307-8006).

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

K. 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.