



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

**AGENDA
Tuesday, March 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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Citizens of East Shore Park vs. City of Richmond

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

Chevron vs. City of Richmond (two cases)

A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

Eight cases

A-3. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

City designated representative(s): Bill Lindsay, Leslie Knight, Jack Hughes, Lisa Stephenson, and Bruce Soublet

Employee organization or unrepresented employee(s): Local 21

A-4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code

Tuesday, March 2, 2010

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

JOINT MEETING OF HOUSING AUTHORITY/RICHMOND

Tuesday, March 2, 2010

COMMUNITY REDEVELOPMENT AGENCY/CITY COUNCIL

6:30 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. OPEN FORUM FOR PUBLIC COMMENT

D. PUBLIC HEARING

D-1. DISCUSS revisions to the Housing Authority's Procurement Policy Requirements and amendments to the Annual and Five Year Agency Capital Fund Plans as required by the Department of Housing and Urban Development (HUD), and adopt a resolution authorizing the Executive Director of the Housing Authority to execute a Capital Fund Program Amendment to the Consolidated Annual Contributions Contract (Grant Number CA39S01050109) in the amount of \$1,446,269. This item was reviewed and supported by the Housing Advisory Commission at their February 8, 2010 meeting - Richmond Housing Authority (Tim Jones 621-1310).

E. CONSENT CALENDAR

E-1. APPROVE the minutes for the Richmond Housing Authority Meeting held on November 3, 2009 - City Clerk's Office (Diane Holmes 620-6513).

F. ADJOURNMENT

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. Present Certificates of Appreciation to several major employers in the City of Richmond - Mayor McLaughlin and Councilmembers Bates and Lopez (620-6581).

E-2. Presentation honoring Richmond Local Business "SunPower Corporation" for its contribution to a healthy local-clean-green economy - Mayor's Office (Mayor McLaughlin 620-6503).

E-3. Proclamation declaring March 2010 as International Women's Month in Richmond, inviting the public to attend Richmond's Third International Women's Day event, Women in Solidarity: Healing our Beloved Community - Mujeres en Solidaridad: Sanando Nuestra Querida Comunidad, at Lovonya DeJean Middle School from 10:00 am - 3:00 pm on March 13, 2010 - 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 contract with Willdan Financial Services to provide professional services related to the administration of the Hilltop Landscape Maintenance District and the Marina Bay Landscape and Lighting Main in an amount not to exceed \$14,500.00. The proposed contract term is from March 3, 2010, to June 30, 2011 - Public Works Department (Yader A. Bermudez 231-3009).

G-2. ADOPT a resolution ordering the preparation of an Engineer's Report for Fiscal Year 2010-2011 regarding improvements and costs for the Hilltop Landscape

Tuesday, March 2, 2010

Maintenance District - Public Works Department (Yader A. Bermudez 231-3009).

- G-3.** ADOPT a resolution ordering the preparation of an Engineer's Report for Fiscal Year 2010-2011 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District - Public Works Department (Yader A. Bermudez 231-3009).
- G-4.** APPROVE a contract with Morgan Fence and Iron Co. for fencing services related to abatement action on foreclosed and/or vacant properties where there is a history of chronic dumping and/or criminal activity in an amount not to exceed \$30,000 for the period January 1, 2010 - December 31, 2010 - Police Department (Chief Chris Magnus 621-1802).
- G-5.** ADOPT a resolution authorizing the city engineer to file an application with the California Cultural and Historical Endowment's California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 for \$135,000 in grant funds for the Richmond Plunge - Engineering Services (Edric Kwan 621-1825).
- G-6.** APPROVE a contract with Jennielynn Dino Rossi to provide youth job development services for a contract term of April 1, 2010, through December 31, 2010. The contract amount will not exceed \$40,000 - Employment and Training Department (Sal Vaca/Jay Leonhardy 307-8019).
- G-7.** APPROVE a contract with Harris Corporation for the maintenance of the city's existing 800MHz radio system in an amount not to exceed \$599,679. This contract provides services for the period effective August 8, 2009, through August 7, 2010 (this item was reviewed and recommended for approval by the Finance Committee at its January 8, 2010, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-8.** ACCEPT grant award from the East Bay Community Foundation for the Office of Neighborhood Safety (ONS) in the amount of \$35,000 for general and emergency support services for ONS clients supported by street outreach work - Office of Neighborhood Safety (DeVone Boggan 620-5421).
- G-9.** ADOPT a resolution supporting the March 4th Day of Action Rallies around the Bay Area and the State of California to Defend Public Education - Mayor's Office (Mayor McLaughlin 620-6503).
- G-10.** APPROVE the following reappointments: Housing Advisory Commission: Jackie Thompson, incumbent, term expiring February 28, 2012; Texanita Bluit, incumbent, term expiring March 21, 2012; Arts and Culture Commission: Terri

Tuesday, March 2, 2010

Hinte, incumbent, term expiring January 31, 2014 – Mayor’s Office (Mayor McLaughlin 620-6503).

G-11. APPROVE a contract with the Richmond Police Activities League (RPAL) to provide case management and program coordination services for the Office of Neighborhood Safety (ONS) California Gang and Intervention Program, in an amount not to exceed \$150,000; contract term is from January 1, 2010, through March 31, 2011. This contract is fully funded by a state grant (this item was not reviewed by the Finance Committee due to its cancellation of the meeting scheduled for February 12, 2010) - Office of Neighborhood Safety (DeVone Boggan 620-5421).

H. PUBLIC HEARINGS

H-1. INTRODUCE an ordinance (first reading) amending Chapter 15.04 of the Richmond Municipal Code to prohibit Tobacco-Oriented Retail Establishments in all Zoning Districts within the city - Vice Mayor Ritterman and Councilmembers Butt and Rogers (620-6581).

I. ORDINANCES

I-1. ADOPT an urgency ordinance, by four-fifths vote, pursuant to Government Code Section 65858 extending the moratorium on the acceptance, processing and approval of applications to establish medical marijuana dispensaries and cooperatives in any zoning district within the city until January 20, 2011, or such time as the Zoning Ordinance is amended to address land uses related to medical marijuana - Planning and Building Services Department (Richard Mitchell 620-6706).

J. COUNCIL AS A WHOLE

J-1. DISCUSS and provide direction to staff to prepare required documents to submit to the voters at the June 2010 primary election a ballot proposal to levy a special parcel tax to fund enhanced paramedic and public safety services in the City of Richmond and DIRECT the appropriation of monies from the City's reserve fund sufficient to fund that election - Councilmembers Lopez and Viramontes (620-6581).

J-2. CONSIDER only extending the Point Molate LDA with Upstream Point Molate LLC only for a second period ending April 20, 2010. Consideration will include only monthly payments of \$90,000 to the City of Richmond to cover ongoing expenses beginning with the first extension on January 15, 2010. This agenda

Tuesday, March 2, 2010

item is limited to only the specific extension time and the monthly payment - Councilmember Butt (236-7435).

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.