



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

**AGENDA
Tuesday, May 4, 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**

Tuesday, May 4, 2010

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):

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

Booker vs. City of Richmond

Jenkins vs. City of Richmond

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

(Two 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): SEIU Local 1021; IFPTE Local 21; Richmond Police Officers Association (RPOA); Richmond Police Management Association (RPMA); International Association of Fire Fighters Local 188 (IAFF); and Richmond Fire Management Association (RFMA)

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A-4. 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

**JOINT MEETING OF THE RICHMOND REDEVELOPMENT
AGENCY/RICHMOND CITY COUNCIL**

6:30 p.m.

PLEDGE TO THE FLAG

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. Proclamation declaring May 3 - May 7 Public Service Week- Mayor McLaughlin (620-6503).

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

G. REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR

- G-1.** ADOPT the following resolutions related to approval of a contract with Ghilotti Bros., Inc. for the construction of the Transit Village Westside Bike and Pedestrian Linkages Improvements: (1) A resolution of the City Council accepting redevelopment funds for certain public improvements to Nevin Avenue, making findings and approvals pursuant to the California Community Redevelopment Law, and authorizing the city manager to execute a contract with Ghilotti Bros., Inc. in an amount not to exceed \$1,145,482 to provide construction of the Transit Village Westside Bike and Pedestrian Linkages Improvements for a term beginning May 4, 2010, through December 31, 2010; and (2) A resolution of the members of the Richmond Community Redevelopment Agency Board approving redevelopment funds for certain public improvements to Nevin Avenue, and making findings, and approvals pursuant to the California Community Redevelopment Law, and allocating \$1,145,482 for the funding of those public improvements (this item was reviewed and recommended for approval by the Finance Committee at its April 2, 2010, meeting) - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
- G-2.** ADOPT a resolution making certain findings and approving a Grant Agreement to facilitate a \$500,000 grant from the Richmond Community Redevelopment Agency and the Rosie the Riveter Trust for the rehabilitation of the Maritime Daycare Center located at 1014 Florida Avenue, Richmond, California adjacent to Nystrom Elementary School - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

H. CITY COUNCIL CONSENT CALENDAR

- H-1.** APPROVE a three-year contract with ParcelQuest to prepare quarterly reports used to project property tax revenue in an amount not to exceed \$5,000 per year for a total contract amount of \$15,000 - Finance Department (James Goins/Antonio Banuelos 620-6741).
- H-2.** ADOPT a resolution authorizing the city manager to execute a cooperative agreement with the State of California Department of Transportation for maintenance of pedestrian/bicycle path and lighting in the City of Richmond for the Richmond Greenway - Engineering Services (Edric Kwan 621-1825/Steven Tam 307-8112).

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- H-3.** ADOPT a resolution accepting \$20,000 from the City of El Cerrito and \$23,300 from the San Francisco Bay Area Rapid Transit District, and appropriating these funds for the Greenway/Ohlone Gap Closure Project - Engineering Services (Edric Kwan 621-1825/Joel Camacho 621-5482).
- H-4.** APPROVE a fourteen-month contract with Opportunity West for provision of intensive case management services to the YouthBUILD Academic and Vocational Training Program. The contract term will be from May 5, 2010, through June 30, 2011. The contract amount will not exceed \$64,175 and is funded by a Federal Department of Labor grant - Employment and Training Department (Sal Vaca/Jay Leonhardy 307-8006).
- H-5.** APPROVE a fourteen-month contract with West Contra Costa Youth Services Bureau for provision of intensive case management services to the YouthBUILD Academic and Vocational Training Program. The contract term will be from May 5, 2010, through June 30, 2011. The contract amount will not exceed \$64,175 and is funded by a Federal Department of Labor grant - Employment and Training Department (Sal Vaca/Jay Leonhardy 307-8006).
- H-6.** ADOPT an ordinance (second reading) amending and restating the Redevelopment Plan for the Richmond Merged Redevelopment Project Area - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
- H-7.** APPROVE the minutes of the February 23, 2010, regular meeting and the March 2, 2010, special joint meeting - City Clerk's Office (Diane Holmes 620-6513).
- H-8.** ADOPT a resolution revising the list of authorized broker-dealers available to conduct investment trading business with the Finance Department in accordance with Government Code 53601 (this item was reviewed and recommended for approval by the Finance Committee at its April 2, 2010, meeting) - Finance Department (James Goins 620-6740).
- H-9.** APPROVE a contract with Morrison & Foerster LLP to provide remediation and development counsel for Point Molate as recommended by the Council committee consisting of Mayor McLaughlin and Councilmembers Butt and Lopez. The contract term will be from April 21, 2010, through June 30, 2011, with an initial amount not to exceed \$150,000 - City Attorney's Office (Randy Riddle 620-6509).

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- H-10.** APPROVE a contract with Net Electric, Inc. for a series of vocational electrical training programs at the RichmondBUILD III training facility. The contract term will be May 24, 2010, through December 31, 2011. The contact amount will not exceed \$60,000 and is funded by a grant from the California Department of Labor - Employment and Training Department (Sal Vaca /Fred Lucero 307-8006).
- H-11.** APPROVE a sole-source contract with Build it Green to provide a series of energy efficiency vocational training programs. The proposed contract term is from May 10, 2010, through December 31, 2011. The contract will be in an amount not to exceed \$30,000 and is funded by a grant from the California Department of Labor - Employment and Training Department (Sal Vaca /Fred Lucero 307-8006).
- H-12.** APPROVE the purchase of 30 pairs of Millenia XT G-Xtreme personal protective pants and coats from L.N. Curtis and Sons to replace worn and damaged equipment in the amount of \$82,971 - Fire Department (Chief Michael Banks 307-8041).
- H-13.** APPROVE the following two contracts for on-site advocates to assist domestic violence/sexual assault victims at the Richmond Police Department for the period from January 1, 2009, to March 31, 2010: (1) STAND! Against Domestic Violence in the amount of \$70,260.00; and (2) Community Violence Solutions in the amount of \$54,072.00. Funding for both of these contracts has already been disbursed to the Richmond Police Department by the State of California Office of Emergency Services - Police Department (Chief Chris Magnus 621-1802).
- H-14.** CONTINUED FROM MAY 4, 2010, TO JUNE 1, 2010, to hear public comment regarding the proposed wastewater rate increase to allow for additional information dissemination to the public - Engineering/Wastewater (Chad Davisson 620-5486).
- H-15.** ACKNOWLEDGE receipt of proposed fiscal year 2010-11 Annual Operating Budget and proposed Fiscal Year 2011-15 Five-Year Capital Improvement Budget pursuant to Section 2.61.010 of Ordinance 42-07, and confirm the schedule for the final adoption. (The proposed FY 2010-11 Annual Operating Budget will be placed on the agenda for review and discussion at the May 18, 2010, City Council meeting) - Finance Department (James Goins 620-6740).

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H-16. APPROVE a contract with Tribal Financial Advisors (TFA) to perform a review of certain financial information offered by Upstream Pt. Molate LLC, in an amount not to exceed \$35,000, and authorize and direct the city manager to retain a qualified independent firm to provide a peer review of TSA's report to the City Council. The contract term will be from May 5, 2010, through June 30, 2010 - Finance Department (James Goins 620-6740).

I. PUBLIC HEARING RICHMOND CITY COUNCIL

I-1. HOLD a public hearing on the proposed street vacation of a portion of South 1st Street located south of Maine Avenue and ADOPT a resolution ordering the vacation of a portion of South 1st Street - Planning and Building Services Department (Richard Mitchell 620-6706).

I-2. HOLD a joint City Council and Redevelopment Agency Board Public Hearing to receive testimony regarding the proposed Five-Year Consolidated Plan and Analysis of Impediments to Fair Housing for 2010-2015; and ADOPT a City Council Resolution approving the 2010-2015 Five-Year Consolidated Plan and Analysis of Impediments and authorizing its submittal to Housing and Urban Development (HUD) - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

J. RESOLUTIONS

J-1. ADOPT a resolution of the Council of the City of Richmond opposing Proposition 16 on the June 8, 2010, statewide General Election ballot, the "New Two-Thirds Vote Requirement for Public Electricity Providers" Initiative - Mayor McLaughlin (620-6503) and Councilmember Tom Butt (620-6581).

J-2. ADOPT a resolution reaffirming support for AB 32 and supporting SB 375 global warming solutions and clean cars - Mayor McLaughlin (620-6503) and Councilmember Tom Butt (620-6581).

J-3. ADOPT a resolution opposing Arizona Law SB1070 and urging its immediate repeal - Mayor McLaughlin (620-6503) and Vice Mayor Ritterman (620-6581).

K. ORDINANCES

K-1. INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Section 15.06 (Use and Display of Signs) to clarify and simplify the process for obtaining a permit for multiple temporary signs - City Attorney's Office (Randy Riddle 620-6509).

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L. COUNCIL AS A WHOLE

L-1. DECLARE opposition, as a City Council, to Chevron's proposed "City of Richmond Utility Users Tax Reform Act," currently being circulated for voter signatures to qualify for the ballot - Mayor McLaughlin (620-6503) and Vice Mayor Ritterman (620-6581).

L-2. DISCUSS and CONSIDER action to suspend the potential disbursement of \$25,000 per candidate for public matching funds available to qualified candidates seeking election for the upcoming November 2010 election - Councilmember Bates (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 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.