



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

**AGENDA
Tuesday, May 18, 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 18, 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.

Tuesday, May 18, 2010

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
 - A-2. 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, May 18, 2010

**SPECIAL MEETING OF THE
RICHMOND HOUSING AUTHORITY**

6:25 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. PUBLIC HEARING

F-1. ADOPT a resolution authorizing submission of the U.S. Department of Housing and Urban Development required 2010 One-Year and Five-Year 2010 Agency Plan. (This item was reviewed and approved by the Housing Advisory Commission at its March 8, 2010, meeting.) - Richmond Housing Authority (Tim Jones 621-1310).

G. HOUSING AUTHORITY CONSENT CALENDAR

G-1. ADOPT a resolution authorizing the executive director to revise the Section 8 and Public Housing Program Utility Allowances to reflect the new rates for FY2010/2011. (This item was reviewed and approved by the Housing Advisory Commission at its March 8, 2010, meeting.) - Richmond Housing Authority (Tim Jones 621-1310).

H. ADJOURNMENT

Tuesday, May 18, 2010

**JOINT MEETING OF THE RICHMOND REDEVELOPMENT
AGENCY/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. RECEIVE a presentation from Dan Burden, Principal, Senior Urban Designer/Executive Director of Walkable Communities on the pedestrian and bike plan for Richmond - Councilmember Butt (620-6581).
- 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 a resolution authorizing the application for grant funds from the California Department of Housing and Community Development's (HCD) CalHOME program in an amount not to exceed \$900,000, and authorizing the execution of related documents to accept and expend the grant as approved by HCD - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).
 - G-2. ADOPT a resolution authorizing the executive director to execute a contract with Civil Engineering Associates, Inc. to provide design and engineering services for the proposed Meade Street bypass road in an amount not to exceed \$392,620. The contract term will be May 19, 2010, to June 30, 2011. (This item was reviewed and recommended for approval by the Finance Committee at its May 7, 2010, meeting.) - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

Tuesday, May 18, 2010

- G-3.** ADOPT a joint resolution of the Richmond Community Redevelopment Agency Board and the Richmond City Council authorizing the acceptance of the Department of Commerce Economic Development Administration's \$50,000 planning grant and the transfer of \$20,500 in matching funds to the City of Richmond for administration of the grant by the city - Richmond Community Redevelopment Agency (Steve Duran 307-8104).

H. CITY COUNCIL CONSENT CALENDAR

- H-1.** APPROVE a three-year service contract with American Technologies for as-needed bio-hazard removal services to clean, disinfect, and transport hazardous material from properties that require abatement, in an amount not to exceed \$300,000 for the period of June 1, 2010, through May 31, 2013. (This item was reviewed and recommended for approval by the Finance Committee at its May 7, 2010, meeting.) - Police Department (Chief Chris Magnus 621-1802).
- H-2.** APPROVE a contract with David Wellhouse & Associates to prepare and file claims for reimbursement of costs for state-mandated programs in an amount not to exceed \$ 20,000 - Finance Department (James Goins/Antonio Banuelos 620-6741).
- H-3.** APPROVE a contract with Just Fencing Inc. to provide emergency fence replacement and repairs around contamination cap sites along the Richmond Parkway in an amount not to exceed \$14,770. The contract term will be April 12, 2010, to June 30, 2010 - Public Works Department (Yader A. Bermudez 231-3009).
- H-4.** APPROVE a renewal of a lease agreement between the City of Richmond (as lessor) and the YWCA of Contra Costa County (as lessee) for the use of space at the west wing of the Richmond Recreation Complex for operation of a daycare program. The lease is for a five-year term from April 1, 2010, through March 31, 2015, at a rate of \$2,700 per month - Recreation Department (Keith Jabari 620-6791).
- H-5.** APPROVE a grant of easement to the East Bay Regional Park District for use as a non-motorized recreational trail commonly known as the East Ridge or the Highland-Knox Trail - Engineering Services (Edric Kwan 621-1825).

Tuesday, May 18, 2010

- H-6.** APPROVE a sole-source contract with the Carpenters Training Committee Northern California to provide a curriculum template, teaching methodologies and direct entry to Carpenters Apprenticeship Program for qualified RichmondBUILD graduates. Total amount of the contract will not exceed \$25,000, for the period of May 18, 2010, through May 31, 2011 - Employment and Training (Sal Vaca/Fred Lucero 307-8006).
- H-7.** APPROVE a three-year contract with Pyro Spectaculars North, Inc. for fireworks shows to be held at the Marina Bay Park in the amounts of \$29,000 for July 3, 2010; \$29,000 for July 3, 2011; and \$31,900 for July 3, 2012 - Recreation Department (Keith Jabari 620-6791).
- H-8.** ADOPT a resolution to adjust appropriations for the 2009/2010 Recreation Department Budget to add \$500 in mini grant funding from the National Recreation and Parks Association to be used to purchase materials for an introductory archery program - Recreation Department (Keith Jabari 620-6791).
- H-9.** APPROVE a contract with Maggiora & Ghilotti, Inc, for the construction of Point Richmond Retaining Wall Repairs, Phase 2, in the amount of \$336,633 (base bid), and approve a contract amendment with A-N West, Inc. in the amount of \$30,000, for a total authorization of \$366,633. (This item was reviewed and recommended for approval by the Finance Committee at its May 7, 2010, meeting.) - Engineering Services Department (Edric Kwan 621-1825).
- H-10.** ADOPT a resolution renewing and continuing the local emergency related to sinkhole damage on Via Verdi in the vicinity of El Portal Drive that was first proclaimed by the city manager on April 22, 2010, and ratified by the City Council on April 27, 2010 - Engineering Services (Edric Kwan 621-1825).
- H-11.** APPROVE a contract with the Richmond Art Center (RAC) to administer the 2010 Neighborhood Public Art (NPA) Program in the amount of \$65,000 as allocated in the FY 2009-10 General Fund Budget - Library and Cultural Services (Monique A. le Conge 620-6555).
- H-12.** APPROVE an amendment to the contract with Meredith, Weinstein & Numbers, LLP for legal representation in a dispute with the Employment Risk Management Authority (ERMA) over coverage in the cases of Booker vs. City of Richmond and Jenkins vs. City of Richmond, increasing the amount by \$50,000, for a total of \$59,000, while maintaining the term expiration of June 30, 2011 - City Attorney's Office (Randy Riddle 620-6509).

Tuesday, May 18, 2010

- H-13.** APPROVE a contract with Rising Sun Energy Center to perform energy efficiency testing and improvements to 20 to 25 moderate income residents' homes, utilizing RichmondBUILD Program graduates, at a total cost not to exceed \$125,000 funded by the Energy Efficient Conservation Block Grant for the period of May 18, 2010, through September 30, 2012. (This item was reviewed and recommended for approval by the Finance Committee at its May 7, 2010, meeting.) - City Manager's Office (Bill Lindsay 620-6512).
- H-14.** APPROVE a contract with the non-profit Community Energy Services Corporation to manage \$300,000 worth of lighting equipment retrofits within all city facilities to be paid with Energy Efficient Conservation Block Grant money during the period of May 18, 2010, through September 30, 2012. (This item was reviewed and recommended for approval by the Finance Committee at its May 7, 2010, meeting.) - City Manager's Office (Bill Lindsay 620-6512).
- H-15.** APPROVE the minutes for the regular meetings of March 2 and 16, and the special meeting of March 9, 2010 - City Clerk's Office (Diane Holmes 620-6513).
- H-16.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Section 15.06 (Use and Display of Signs) and adding Section 4.12.020 (Removal of Signs from Utility Poles or Public Property) to clarify and simplify the process for obtaining a permit for multiple temporary signs - City Attorney's Office (Randy Riddle 620-6509).
- H-17.** APPROVE the following appointments: Youth Commission: Claudia Ponce, term expiring May 18, 2012; Saeed Randle, term expiring May 18, 2012; Arts and Culture Commission: Andrea Vonny Lee, term expiring January 31, 2014 - Mayor's Office (Mayor McLaughlin 620-6503).

I. RESOLUTIONS

- I-1.** ADOPT a resolution in support of the City of Richmond seeking designation as a Contra Costa HeartSafe Community to promote healthy lifestyles that encourage heart safety - Vice Mayor Ritterman (620-6581).

J. ORDINANCES

- J-1.** INTRODUCE an ordinance (first reading) amending Chapter 15.04 of the Richmond Municipal Code to limit the types of land uses that may sell tobacco products - Planning and Building Services Department (Richard Mitchell 620-6706).

Tuesday, May 18, 2010

- J-2.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 6.06.074 to require special approval prior to demolition of a structure more than 50 years old - Mayor McLaughlin/Councilmember Butt (620-6581).
- J-3.** INTRODUCE an ordinance (first reading) adding Chapter 47 to Article XIII of the Richmond Municipal Code to create a comprehensive framework for the administration of pipeline franchises in the City of Richmond - City Attorney's Office (Randy Riddle 620-6509).

K. COUNCIL AS A WHOLE

- K-1.** APPROVE an amendment to the Land Disposition Agreement between the City of Richmond and Upstream Point Molate LLC extending the closing date to and including July 20, 2010, continuing the monthly payments to the city in the amount of \$90,000, and DIRECT the city attorney to prepare and the city manager to execute an agreement consistent with this action - (Councilmember Bates 620-6581).
- K-2.** DISCUSS the rights of the city to explore various development alternatives (apart from the Upstream proposal) for the Point Molate site and direct staff, in light of continuing controversy and legal complications that could well defeat the Upstream proposal or entangle the city in litigation for years to come, to receive ideas and suggestions for alternative plans so that the city may weigh the relative costs and benefits and responsibly rise from this economic downturn - Mayor's Office (Mayor McLaughlin 620-6503).

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.