



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

**AGENDA  
Tuesday, September 21, 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 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):  
  
Astro Constructions vs. Malachi Construction, City of Richmond, et al.
  - 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): RFMA and Local 188

## **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 a proclamation in recognition of National Hispanic Heritage Month - September 16, 2010, through October 16, 2010 - Mayor McLaughlin and Councilmembers Lopez and Viramontes (620-6503/620-6581).

**E-2.** Proclamation declaring September 27, 2010, and every fourth Monday in September as "Family Day - A Day to Eat Dinner with Your Children" as designated by the National Center on Addiction and Substance Abuse - Mayor's Office (Mayor McLaughlin 620-6503).

**E-3.** Proclamation declaring September 19 to 25, 2010, Falls Prevention Awareness Week - 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 the activities and expenditures associated with the CalGRIP III Grant Award in the amount of \$382,639, including authorization to negotiate and enter into contracts with the City of San Pablo (\$114,791), City of Richmond's Employment and Training Department (\$66,961), RYSE Inc. (\$114,791), Office of Neighborhood Safety Administrative Cost (\$9,569), and contract services for a Job Development and Placement Specialist (\$76,527) (This item was reviewed and recommended for approval by the Finance Committee at its meeting of July 16, 2010.) - Office of Neighborhood Safety (Devone Boggan 620-5421).

- G-2. THIS ITEM WAS MOVED FROM THE CONSENT CALENDAR TO ORDINANCES.**
- G-3.** ADOPT a resolution authorizing the execution of a grant agreement with the California Cultural and Historical Endowment allowing the city to receive the amount of \$134,193 to fund additional authorized work associated with the renovation of the Richmond Natatorium (the Plunge) - Engineering Services (Edric Kwan 621-1825).
- G-4.** APPROVE - the purchase of 80 Blauer All Purpose 3-in-1 protective jackets for firefighters from the Banner Uniform Center in the amount of \$14,078.34 - Fire Department (Chief Michael Banks 307-8041).
- G-5.** APPROVE a contract with Tribal Financial Advisors ("TFA") to perform a review of certain financial information offered by Upstream Point Molate LLC, in an amount not to exceed \$35,000 and for a term ending June 30, 2011 - Finance Department (James Goins 307-8022).
- G-6.** APPROVE a contract with Bay Cities Paving and Grading, Inc. to construct a temporary channel on Via Verdi, in the amount of \$974,764.30. The Emergency Justification Form was approved and signed on September 1, 2010, and final approval by the City Council is recommended - Engineering Services (Edric Kwan 621-1825/Tawfic Halaby 621-1612).
- G-7.** ADOPT an ordinance (first reading) setting the tax rate for the Pension Tax Override Fund for Fiscal Year 2010-11 at 0.14% - Finance Department (James Goins and Antonio Banuelos 620-6740).
- G-8.** APPROVE a service contract with San Francisco Bavarian Motor Works (BMW) Inc. to provide regular maintenance and repair services for the Richmond Police Department's BMW motorcycle fleet, at a cost not to exceed \$60,000 (\$20,000 per year, for a three-year term) from July 1, 2010, through June 30, 2013 - Police Department (Chief Chris Magnus 621-1802).
- G-9.** APPROVE the use of \$89,400 from the 2009/10 Code Enforcement budget fund balance (last year's fund) to purchase three pickup trucks for use in enforcing code enforcement regulations - Police Department (Chief Magnus 621-1802).
- G-10.** APPROVE contract with Nichols Consulting Engineers to provide environmental remediation oversight consulting services at Point Molate in an amount not to exceed \$60,000 - Public Works (Yader A. Bermudez 231-3009).

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- G-11.** ADOPT an ordinance (second 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).
- G-12.** ADOPT a resolution authorizing the acceptance of \$20,000 from Contra Costa Transportation Authority and appropriation to Phase II of the Central Richmond Greenway Bicycle/Pedestrian Trail Project - Engineering Services (Edric Kwan 621-1825).
- G-13.** APPROVE a Purchase Order amendment with CXT Incorporated Precast Products, related to the purchase of a second prefabricated concrete restroom as part of the Martin Luther King Park Improvement Project, increasing the amount by \$43,689 for a total amount not to exceed \$142,714 - Engineering Services (Edric Kwan 621-1825/Jim Bissell 620-5417).
- G-14.** AMEND Resolution 75-10 of the City Council of the City of Richmond approving applications for grant funds pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, and River and Coastal Protection Bond Act of 2006 for funding the planning and development of the Central Richmond Greenway's nature education related facilities by adding a statement affirming that the city will comply with all applicable federal, state and local laws, ordinances, rules, regulations, and guidelines - Public Works (Yader A. Bermudez 231-3009).
- G-15.** ADOPT a resolution of the City Council providing for the issuance of one or more series of the City's Wastewater Revenue Bonds, Series 2010; authorizing the execution and delivery of a Fourth Supplemental Indenture, A Bond Purchase Agreement, Credit Support Documents, and an Official Statement; approving a Form of Preliminary Official Statement and a Continuing Disclosure Agreement in connection therewith, and authorizing certain other actions in connection therewith - Finance Department (James Goins 307-8022).

**H. ORDINANCES**

- H-1.** ADOPT an ordinance (second reading) adding Chapter 7.102 (Medical Marijuana Collectives) to the Richmond Municipal Code - City Attorney's Office (Randy Riddle 620-6509).

**I. COUNCIL AS A WHOLE**

- I-1.** REVIEW AND APPROVE the Port of Richmond's Clean Air Action Plan (CAAP) in accordance with Mitigation Measure 6-2 of the Honda Port-of-Entry's (HPOE) Final Environmental Impact Report - Port (Jim Matzorkis 215-4601).
- I-2.** RECEIVE a status report on the Greenprint transportation program to reduce greenhouse gas emissions - Councilmember Bates (620-6581).
- I-3.** CONSIDER sending an Open Letter to President Barack Obama requesting a "Change We Can Believe In" concerning the Castro Cove water quality settlement - Vice Mayor Ritterman and Councilmembers Rogers and Butt (620-6581).

**J. ADJOURNMENT**

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*This agenda may be previewed on KCRT – Channel 28, Richmond Television, City website [www.ci.richmond.ca.us](http://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.*