



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

**AGENDA  
Tuesday, May 17, 2011**

**Mayor**  
Gayle McLaughlin

**Vice Mayor**  
Thomas K. Butt

**Councilmembers**  
Nathaniel Bates  
Jovanka Beckles  
Courtland "Corky" Boozé  
Jeff Ritterman  
Jim Rogers

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**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**

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## 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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Tuesday, May 17, 2011

**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):**

Larry Warren vs. City of Richmond

Alec Griffin vs. City of Richmond

- A-2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):**

One Case

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

City designated Representatives: Jack Hughes, Leslie Knight, and Lisa Stephenson

Employee Organization or Unrepresented Employees: SEIU Local 1021, IFPTE Local 21, RPOA, RPMA, IAFF Local 188, and RFMA.

- A-4. **PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):**

City Attorney

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**JOINT MEETING OF THE RICHMOND REDEVELOPMENT  
AGENCY/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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
  - F-1.** PROCLAMATION recognizing Public Works Week May 15th - 21st - Mayor's Office (Mayor McLaughlin 620-6503).
- G. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- H. REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR**
  - H-1.** APPROVE a contract with DP Security, LLC (DP Security) to provide security services to former Naval Fuel Depot Point Molate for a period from July 1, 2011, through June 30, 2012, in an amount not to exceed \$253,331, with a city option to extend the contract for up to three additional one-year terms - Community and Economic Development (Steve Duran 307-8140).
- I. CITY COUNCIL CONSENT CALENDAR**
  - I-1.** APPROVE a lease with Barbara Kringle, owner, for approximately 10,000 square feet of outdoor parking lot space located at 516 23rd Street to provide additional parking and outside training space for the RichmondBUILD III Training Facility, in an amount not to exceed \$12,000, and for a term from June 1, 2011, through June 30, 2012 - Employment and Training Department (Sal Vaca/Nicholas Alexander 307-8009).

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- I-2.** ACCEPT the Historic Preservation Commission's Annual Report for Fiscal Year 2009-10 - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-3.** APPROVE a contract with Ghilotti Construction Company, Inc., the lowest responsive bidder, to perform the Fiscal Year 2010/2011 Pavement Rehabilitation, in an amount not to exceed \$2,255,278, with an additional city-controlled construction contingency not to exceed 10%, or \$225,527.80 (This item was reviewed and recommended for approval by the Finance Committee at its May 6, 2011, meeting) - Engineering Services Department (Edric Kwan/Tawfic Halaby 621-1825).
- I-4.** APPROVE a contract with California Constructores, the lowest responsive bidder, to perform the Sidewalk Gap Closure Improvements (Stege Avenue) and Surface Drainage Improvements (Ohio Avenue/41st Street) for Fiscal Year 2010/11, in an amount not to exceed \$189,455.04, with an additional city-controlled contingency and reserve not to exceed \$18,945.50 (This item was reviewed by the Finance Committee at its May 6, 2011, meeting and referred to the City Council without a recommendation) - Engineering Services Department (Edric Kwan/Andy Yeung 621-1825).
- I-5.** APPROVE an amendment to the existing grant-funded contract with LSA Associates, Inc., increasing the contract amount by \$11,785 to \$36,570 to cover the cost of services related to completing the preparation of a Mitigated Negative Declaration for the Bicycle Master Plan and Pedestrian Plan, and extending the term to December 15, 2011 - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-6.** APPROVE the purchase of three pickup trucks from Serramonte Ford in Colma to replace existing vehicles used by the Code Enforcement Division of the Police Department and the Streets Division of the Public Works Department, in an amount not to exceed \$92,000 - Public Works Department (Yader A. Bermudez 231-3008).
- I-7.** APPROVE the purchase of three pickup trucks from Michael Stead's Hilltop Ford in Richmond for use by the Facilities Maintenance and Parks and Landscaping Divisions of the Public Works Department, and the Wastewater Divisions of the Engineering Services Department in an amount not to exceed \$61,000 - Public Works Department (Yader A. Bermudez 231-3008).

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- I-8.** APPROVE the budget amendment for the North Richmond Waste and Recovery Mitigation Expenditure Plan (FY 2010-11) - City Manager's Office (Bill Lindsay 620-6512).
- I-9.** APPROVE the minutes for the March 22, 2011, meeting - City Clerk's Office (Diane Holmes 620-6513).
- I-10.** APPROVE the following re-appointments: Historic Preservation Commission: Amanda Elliott, incumbent, term expiring May 19, 2013; Rosemary Corbin, incumbent, term expiring July 31, 2013; Human Rights and Human Relations Commission: Rock Brown, incumbent, term expiring March 30, 2014; Wendy Gonzalez, incumbent, term expiring March 30, 2011; Richmond-Shimada Friendship Commission: Marilyn Chan Alford, incumbent, term expiring December 31, 2013 - Mayor's Office (Mayor McLaughlin 620-6503).
- I-11.** ADOPT an ordinance (second reading) repealing Richmond Municipal Code Chapters 9.52 and 14.70 and adding a new Chapter 9.52, to combine various noise regulations, clarify noise standards, and improve the process for enforcing noise violations in the City of Richmond - Police Department and City Attorney's Office (Chief Magnus 621-1802/Randy Riddle 620-6509).
- I-12.** ACKNOWLEDGE receipt of proposed Fiscal Year 2011-12 Annual Operating Budget and proposed Fiscal Year 2012-16 Five-Year Capital Improvement Budget pursuant to Section 2.61.010 of Ordinance 42-07, and confirm the schedule for the final adoption - Finance Department (James Goins 620-6740).

**J. RESOLUTIONS**

- J-1.** ADOPT a resolution in support of the Food and Drug Administration (FDA) banning menthol in cigarettes and flavoring in other tobacco products - Councilmember Ritterman and Vice Mayor Butt (620-6581).
- J-2.** ADOPT a resolution adopting the precautionary principle as policy and upholding the environmental justice laws of the State of California - Mayor McLaughlin (620-6503), Vice Mayor Butt, and Councilmember Ritterman (620-6581).

**K. COUNCIL AS A WHOLE**

- K-1.** CONFIRM or vacate City Council action of May 3, 2011, opposing the removal of the state-imposed conditions of approval for Rose and Mike's Liquors located at 12622 San Pablo Avenue - (Councilmember Rogers 620-6581).

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**K-2.** DISCUSS and direct staff regarding the proposed closure of United States Post Office Station A located at 200 Broadway in Richmond - Councilmember Boozé (620-6593).

**K-3.** DISCUSS and consider support of the People's Budget submitted by the Congressional Progressive Caucus and direct staff to hold a Town Hall Meeting to explain the People's Budget to the residents of Richmond - Councilmember Ritterman (620-6581).

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

**M. 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.*