



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

**AGENDA
Tuesday, June 21, 2011**

**Mayor
Gayle McLaughlin**

**Vice Mayor
Thomas K. Butt**

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

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.

Tuesday, June 21, 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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):

California Regional Water Quality Control Board, Matter No. R2-2007-0067 (Port
of Richmond Terminal 4)

Thomas and Harris vs. City of Richmond
 - A-2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code
Section 54957.6):

Confidential Investigation and Appeals Officer

SPECIAL MEETING 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. HOUSING AUTHORITY CONSENT CALENDAR

F-1. ADOPT a resolution approving the Richmond Housing Authority's Fiscal Year 2011-2012 Operating Budget in the amount of \$31,157,869, with total proposed expenditures of \$30,209,934 - Richmond Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution authorizing the executive director to execute a contract with BBJ Electric to provide a fire alarm system and standpipe upgrade for the Nevin Plaza Senior Public Housing Development at a cost of \$682,811. This procurement process has been reviewed and approved by the Department of Housing and Urban Development (HUD) (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - Richmond Housing Authority (Tim Jones 621-1310).

F-3. ADOPT a resolution authorizing the Housing Authority staff to revise the Section 8 and Public Housing Program Utility Allowances to reflect the new rates for Fiscal Year 2011-2012 - Richmond Housing Authority - (Tim Jones 621-1310).

G. ADJOURNMENT

**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. PRESENTATION of certificates of accomplishment to King Elementary School TECHS All-Stars Reading is Fun Book Club participants - Mayor's Office (Mayor McLaughlin 620-6503).
 - E-2. RECEIVE a presentation from David Gray, City Council Public Policy Intern, that recognizes the 50th Anniversary of the Freedom Rides Movement and honors the selfless actions, courage, and commitment to human rights exemplified by all participants of the Freedom Rides, particularly those from the Richmond community - (Mayor McLaughlin 620-6503, Councilmembers Ritterman and Beckles 620-6581).
 - E-3. RECEIVE a report from Councilmember Nathaniel Bates on the recent delegation to Zhoushan, China and review of the Sister City Mutual Agreement - Councilmember Bates (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 resolutions approving the following: (1) a resolution of the City Council of the City of Richmond accepting Redevelopment funds for certain public improvements to the Bay Trail in Marina Bay (Harbour 11A Project Area) and making findings and approvals pursuant to the California Community Redevelopment Law; and (2) a resolution of the Richmond Community Redevelopment Agency Board authorizing the executive director to execute a contract with W.R.Forde Associates in an amount of \$450,000 (This item was reviewed and recommended for approval by the Finance Committee at its May 6, 2011, meeting) - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
- G-2.** ADOPT a resolution approving an amendment to the Predevelopment Loan Agreement by and between the City of Richmond, Community Housing Corporation of North Richmond, and Eden Housing Inc., adding \$200,000 to an existing loan for a total loan amount of \$1,465,000 for predevelopment activities, and extending the term of the loan to September 22, 2015, for the Miraflores Housing Development - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).
- G-3.** ADOPT a resolution approving and adopting the Fiscal Year 2011-2012 Budget for the Richmond Community Redevelopment Agency in the amount of \$75,260,364 (including operating costs of \$20,107,364 and project and program costs of \$55,153,000) and the Five-Year 2011-2016 Capital Project and Program Budget totaling \$59,363,000 - Richmond Community Redevelopment Agency (Steve Duran/Nickie Mastay 307-8140).

H. CITY COUNCIL CONSENT CALENDAR

- H-1.** APPROVE Contract Amendment No. 2 with New Image Landscape Company for vegetation management control needed in the Point Molate facilities and beach area. The original contract will expire on June 30, 2011. Contract Amendment No. 2 is in an amount not to exceed \$163,000 with a total contract amount not to exceed \$285,000. The contract term will be extended to June 30, 2012 (This item was reviewed and recommended for approval by the Finance Committee at its June 3, 2011, meeting) - Public Works Department (Yader A. Bermudez 231-3008).

- H-2.** APPROVE Contract Amendment No. 1 with Jane Lofgren, dba Central Cleaning, for restroom cleaning services at Jay & Barbara Vincent Park, Shimada Park, Lucretia Edwards Park, Nevin Park, Nicholl Park, Martin Luther King Jr. Park (MLK), and the North Richmond Ballfield, to extend the contract term by one year to June 30, 2012, and increase the contract amount by \$18,300 to an amount not to exceed \$33,600 - Public Works Department (Yader A. Bermudez 231-3008).
- H-3.** APPROVE an agreement with the Richmond Community Foundation, AUTHORIZE the Library and Cultural Services Director to accept the Richmond Community Foundation grant in the amount of \$22,500, and APPROVE an amendment to the Fiscal Year 2011-12 Operating Budget to increase library fund revenue and expenditures in the amount of \$22,500 for the purpose of providing literacy services to the SparkPoint West Contra Costa - Library and Cultural Services (Michael Oliver 620-6554).
- H-4.** ACCEPT a grant award from the East Bay Community Foundation for the Office of Neighborhood Safety (ONS) in the amount of \$15,000 for general and emergency support services for ONS clients supported by street outreach work - Office of Neighborhood Safety (DeVone Boggan 620-5422).
- H-5.** APPROVE an amendment to the contract with Bartel Associates, LLC for actuarial services necessary for pension fund management, revising the scope of services and increasing the contract in an amount not to exceed \$20,000. The term of expiration of the contract is still maintained at March 31, 2012 - Finance Department (James Goins 620-6740)
- H-6.** APPROVE a contract with Lee & Associates Rescue Equipment, Inc. for water rescue operations training and certification for 36 firefighters in an amount not to exceed \$16,000, using grant funds from the Bay Area Urban Area Security Initiative (Bay Area UASI) - Fire Department (Chief Michael Banks 307-8041).
- H-7.** APPROVE a contract with CMC Rescue, Inc. for Rope Technician I & II training and certification for 36 firefighters in an amount not to exceed \$40,690, funded by the Bay Area Urban Area Security Initiative (Bay Area UASI) grant - Fire Department (Chief Michael Banks 307-8041).

- H-8.** APPROVE a construction contract to perform the Traffic Safety Improvements Project Fiscal Year 2010/-2011 with Republic ITS, the lowest responsive bidder, in an amount not to exceed \$231,363.00, including contingency and City-controlled reserve (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - Engineering Services Department (Edric Kwan/Steven Tam 621-1825).
- H-9.** APPROVE a contract with Kevin W. Harper, CPA for auditing services at the Port of Richmond from April 1, 2011, to July 31, 2011, in an amount not to exceed \$29,000 as part of the city's internal audit program - Finance Department (James Goins 620-6740).
- H-10.** APPROVE a contract with Liebert Cassidy Whitmore MP in an amount of \$150,000 to continue contract negotiations, legal consultation, and employee training for the period July 1, 2011, through December 31, 2012 (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - Human Resources Management (Leslie T. Knight 620-6600).
- H-11.** ADOPT a resolution establishing application fees and other payments for pipeline franchises as authorized by Richmond Municipal Code Chapter 13.47 - City Attorney's Office (Randy Riddle 620-6509).
- H-12.** APPROVE a contract with Trans Metro, Inc. to provide transportation shuttle services in support of clean air policies in an amount not to exceed \$293,750, with funding provided by the Transportation Fund for Clean Air (TFCA) Regional Funds, administered by the Bay Area Air Quality Management District (BAAQMD) (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - City Manager's Office (Bill Lindsay 620-6512).
- H-13.** APPROVE an amendment to the grant-funded contract with Rising Sun Energy Center to provide additional energy efficiency training for RichmondBuild participants as part of the Green Energy Training Services (GETS) Program, increasing the contract amount by \$45,701 to an amount not to exceed \$225,111 and extending the term through June 30, 2011 - Employment and Training Department (Sal Vaca/Fred Lucero 307-8059).
- H-14.** APPROVE the Transportation Fund for Clean Air (TFCA) Funding Agreement between the City of Richmond and the Bay Area Air Quality Management District (BAAQMD) for the operation of three transportation shuttles to commence by July 1, 2011 - City Manager's Office (Bill Lindsay 620-6512).

- H-15.** APPROVE the write-off of delinquent, uncollectible accounts receivable in the amount of \$1,402,944.88 in accordance with established accounting policy (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - Finance Department (James Goins/Antonio Banuelos 620-6740).
- H-16.** APPROVE the following appointments and re-appointments: Commission on Aging: Dolores Johnson, Incumbent, term expiring May 19, 2013; Personnel Board: Vicki Winston, term expiring June 21, 2016; Public Art Advisory Committee: Dayna Holz, term expiring January 31, 2015; Fletcher Oakes, term expiring January 31, 2015; Kathryn Sibley, term expiring January 31, 2015; Richmond-Zhoushan Friendship Commission: Harvey Tai, term expiring July 22, 2013 - Mayor's Office (Mayor McLaughlin 620-6503).
- H-17.** ADOPT a resolution accepting additional grant funds of \$79,200 from the Bay Area Urban Area Security Initiative (UASI) for continued urban search and rescue (USAR) training in the Fire Department - Fire Department (Chief Michael Banks 307-8041).
- H-18.** APPROVE the second amendment to the Agreement for Legal Services with Holland & Knight to provide continued legal representation for the Revised Environmental Impact Report for the Revised Chevron Renewal Project in the amount of \$465,000 until December 31, 2012, for a total contract amount of \$500,000, with funding from Chevron for payment of the firm's invoices for this project, and DIRECT the city attorney to waive certain specified conflicts - City Attorney 's Office (Randy Riddle 620-6509).
- H-19.** APPROVE a sole-source contract with the Richmond Main Street Initiative (RMSI) in the amount of \$200,000 for a term of July 1, 2011, through June 30, 2012, including the cost of initiating a Business Improvement District for the Main Street area of Downtown Richmond (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - Community and Economic Development Agency (Steve Duran/Thomas Mills/Janet Johnson 307-8140).
- H-20.** APPROVE a contract amendment with DP Security, LLC (DP Security), adding an amount not to exceed \$450,000 to provide security services at 440 Civic Center Plaza and 450 Civic Center Plaza for a period from July 1, 2011, through June 30, 2012 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 10, 2011, meeting) - Community and Economic Development (Steve Duran 307-8140).

- H-21.** ADOPT a resolution authorizing the transfer of cash from various funds to the General Fund and Capital Funds (This item was reviewed and recommended for approval by the Finance Committee at its June 10, 2011, meeting) - Finance Department (James Goins 620-6740).
- H-22.** ADOPT a resolution approving a contract with Solar Richmond for the energy program marketing services in an amount not to exceed \$45,000 with a term ending December 31, 2012, and authorizing execution of any required agreements to implement the city's Residential Solar Rebate Program - City Manager's Office (Bill Lindsay 620-6512).
- H-23.** APPROVE the minutes for the April 12, 2011, meeting - City Clerk's Office (Diane Holmes 620-6513).

I. PUBLIC HEARINGS

- I-1.** CONSIDER adopting a resolution for the proposed increase in annual assessments for the Marina Bay Landscaping and Lighting Maintenance District for the 2011-2012 Fiscal Year - Public Works Department (Yader A. Bermudez 231-3008).
- I-2.** **CONTINUE the public hearing to July 19, 2011**, to consider adopting a resolution for the proposed increase in annual assessments for the Hilltop Landscape Maintenance District for the 2011-2012 Fiscal Year - Public Works Department (Yader A. Bermudez 231-3008).

J. RESOLUTIONS

- J-1.** ADOPT a resolution recommending that the California Citizens Redistricting Commission keep the City of Richmond in the Contra Costa County Congressional District (Councilmember Bates 620-6581).

K. ORDINANCES

- K-1.** INTRODUCE an ordinance (first reading) amending the Multi-unit Smoking Ordinance (Chapter 9.57 of Richmond Municipal Code) to clarify definitions, legal and evidentiary provisions, and strengthen legal and administrative remedies - City Attorney's Office (Randy Riddle 620-6509).

L. COUNCIL AS A WHOLE

L-1. CONSIDER forming an oversight committee of participants from the community, clergy, staff, law enforcement, medical community, and Council who can intervene and assist when the atmosphere in Council meetings becomes disrespectful and threatening with the potential for violence - Councilmember Boozé (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.