



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

**AGENDA
Tuesday, March 6, 2012**

Mayor
Gayle McLaughlin

Vice Mayor
Jim Rogers

Councilmembers
Nathaniel Bates
Jovanka Beckles
Courtland "Corky" Boozé
Jeff Ritterman
Thomas K. Butt



The Richmond City Council also serves as Board Members and Commission Members for the following:

**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.

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. PLEDGE TO THE FLAG**
- B. ROLL CALL**
- C. READING OF THE CODE OF ETHICS**
- D. STATEMENT OF CONFLICT OF INTEREST**
- E. OPEN FORUM FOR PUBLIC COMMENT**
- F. AGENDA REVIEW**
- G. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- H. CITY COUNCIL CONSENT CALENDAR**
 - H-1.** APPROVE a contract with Western Roofing Service to replace the existing auditorium roof hatch at Civic Center Plaza, and to install a rail system with a ladder extension to improve safety in accessing the auditorium roof, in an amount not to exceed \$15,000 - Public Works Department (Yader A. Bermudez 231-3008).
 - H-2.** APPROVE a contract with Sesco Electrical, Inc. for maintenance of the Natatorium pool overhead lighting system located at #1 East Richmond Avenue, in an amount not to exceed \$10,800 - Public Works Department (Yader A. Bermudez 231-3008).
 - H-3.** ADOPT an order of vacation for the cul-de-sac portion of South 11th Street, adjacent and south of Florida Avenue, and currently bisecting the campus of the Richmond College Prep Charter School - Engineering Services Department (Edric Kwan/Joel Camacho 620-5482).
 - H-4.** ADOPT a resolution approving the Sewer System Management Plan as required by the State Water Resource Control Board adopted Order No. 2006-0003-DWQ to eliminate sanitary sewer overflows - Engineering Services Department (Edric Kwan/Chad Davisson 621-1825).

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- H-5.** ACCEPT the Port of Richmond Audit report as prepared by Kevin W. Harper, Performance Auditor, and the Five Year Operating Pro-Forma as prepared by Port of Richmond staff - Finance Department (James Goins 620-6740).
- H-6.** APPROVE a contract with Precision Concrete Cutting to provide concrete sidewalk cutting services to eliminate sidewalk tripping hazards in an amount not to exceed \$40,000 per year on an as-needed basis, and subject to funding availability for a term of three years - Public Works Department (Yader A. Bermudez 231-3008). *This item was continued from the February 28, 2012, meeting.*
- H-7.** APPROVE the minutes of the January 17 and 24, 2012, and February 21 and 28, 2012, meetings - City Clerk's Office (Diane Holmes 620-6513).
- H-8.** ADOPT a resolution authorizing the acceptance and appropriation of \$379,720 in grant funding from the Contra Costa County Health Services Haz Mat Division, as well as approving a two-year agreement from July 1, 2011, to June 30, 2013, between the City of Richmond and Contra Costa County Health Services Haz Mat Division, in support of the Fire Department's Hazardous Material Response Program - Fire Department (Chief Michael Banks 307-8041).
- H-9.** ADOPT a resolution accepting and appropriating \$373,813 in grant funding from the Contra Costa County Health Services Haz Mat Division, as well as approving a two-year interagency agreement from July 1, 2011, to June 30, 2013, between the City of Richmond and the Contra Costa County Health Services Haz Mat Division, in support of the Fire Department's Hazardous Material Response Program for AB 2185 inspections, and hazardous material release response plans and inventory program - Fire Department (Chief Michael Banks 307-8041).
- H-10.** ADOPT a resolution designating the Standard Oil Administration Building, located at 841 Chevron Way, as a historic resource listed on the Richmond Historic Register, as recommended by the Historic Preservation Commission - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-11.** APPROVE an annual payment of up to \$6,500 to ActiveNetwork for maintenance and support of the Recreation Department's CLASS System used for program registration and facility reservation, and APPROVE a one-time payment of \$9,900 for software and training for the CLASS System - Recreation Department (Keith Jabari 620-6791).

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- H-12.** ADOPT a resolution authorizing the city manager to execute a contract with Catalog Choice to implement a one-year opt-out program to eliminate unwanted junk mail and phone books in Richmond in an amount not to exceed \$3,500 - City Manager's Office (Bill Lindsay 620-6512).
- H-13.** APPROVE the following appointment: Revolving Loan Fund Board: Abiud Amaro Diaz – Mayor's Office (Mayor McLaughlin 620-6503).
- H-14.** ADOPT a resolution authorizing the City of Richmond to accept and appropriate \$312,775 in grant-funding from the Contra Costa County Health Services Haz Mat Division, and approving a two-year agreement from July 1, 2011, to June 30, 2013, between the City of Richmond and the Contra Costa County Health Services Haz Mat Division to support the training and administrative functions of the Fire Department's Hazardous Material Response Program - Fire Department (Chief Michael Banks 307-8041).
- H-15.** DIRECT the city attorney to urge the State Board of Equalization, through Betty T. Yee, First District Member, to seek review by the California Supreme Court in Western States Petroleum Association vs. State Board of Equalization, a case regarding the property tax assessment method for refineries which was decided against the State Board and which will result in reduced property taxes for refineries in California - City Attorney's Office (Randy Riddle 620-6509).
- H-16.** REVIEW and ACCEPT the progress report for the Greenprint Transportation Project - City Manager's Office (Bill Lindsay 620-6512).
- H-17.** APPROVE the purchase of annual geographic information system (GIS) software maintenance from Environmental Systems Research Institute (ESRI), in an amount not to exceed \$25,000 per year, with the option to renew for two years - Information Technology Department (Sue Hartman 620-6874).
- H-18.** APPROVE a contract with Community Playgrounds for construction services relating to the renovation of the Solano Play Lot in an amount not to exceed \$178,930.40. The contract term will be March 21, 2012, to December 31, 2012 (This item was reviewed and recommended for approval by the Finance Standing Committee at its February 24, 2012, meeting) - Public Works Department (Yader A. Bermudez 231-3008).

H-19. APPROVE a contract with the newly-appointed City Attorney Bruce Goodmiller that will provide for a three-year term starting March 8, 2012, with an initial base salary of \$16,786 per month with subsequent salary increases subject to a satisfactory performance evaluation, and other specified employment terms - City Manager's Office (Bill Lindsay 620-6512).

I. RESOLUTIONS

I-1. CONSIDER placing a non-binding advisory measure on the November 6, 2012, ballot asking whether Richmond's congressional representatives should be instructed to propose, and Richmond's state legislators instructed to ratify, an amendment to the United States Constitution to provide that corporations are not entitled to the Constitutional rights of real people, and that there should be limits on all spending in political campaigns, including ballot measures and "independent" expenditures - Vice Mayor Rogers (867-5725).

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 7.102 (Medical Marijuana Collectives) to: (1) allow the City of Richmond to issue up to six permits to operate a medical marijuana collective, (2) ensure that collectives are not over-concentrated within one area of the City of Richmond, and (3) provide a process for permitted medical marijuana collectives to seek City of Richmond approval to change locations (This item was placed on the agenda at the direction of the Public Safety Committee) - City Attorney's Office (Randy Riddle 620-6509).

K. COUNCIL AS A WHOLE

K-1. ADOPT a resolution authorizing the City of Richmond to enter into Memorandum of Understanding No. 15.00.06 Among the California Department of Transportation and Local Agencies of Alameda and Contra Costa County for I-80 Integrated Corridor Mobility Strategies - Engineering Services Department (Edric Kwan/Steven Tam 307-8112).

K-2. APPROVE City of Richmond sign-on to the letter to Governor Jerry Brown and the California Department of Food and Agriculture Secretary Karen Ross, urging their support for an alternative to the costly "Statewide Pest Prevention Programmatic Environmental Impact Report" (Pest PEIR) - Mayor McLaughlin (620-6503) and Vice Mayor Rogers (620-6581).

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K-3. RECEIVE a report from the city manager and the City Council ad hoc committee (Bates, Beckles, and Booze) concerning the Richmond Rockets basketball team - City Manager's Office (Bill Lindsay 620-6512).

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

M. 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.