



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

**AGENDA
Tuesday, July 10, 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.

Any law enforcement officer on duty or whose service is commanded by the presiding officer shall be Sergeant-at-Arms of the Council meetings. He/she, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings (City Council Rules of Procedure and Order Section III F, RMC Section 2.12.030).

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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. **LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9):**
 - Johnny Woodard vs. City of Richmond
 - Joseph Silva vs. City of Richmond
 - A-2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):**
 - Guidiville Rancheria of California et al vs. United States of America et al
 - City of Richmond vs. Upstream Point Molate LLC

**MEETING OF THE CITY OF RICHMOND AS SUCCESSOR
AGENCY FOR THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY/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. **AGENDA REVIEW**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND
NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- H. **CITY OF RICHMOND AS SUCCESSOR AGENCY FOR THE RICHMOND
REDEVELOPMENT AGENCY CONSENT CALENDAR**
 - H-1. ADOPT a resolution authorizing a transfer of funds from the Successor Agency to the U.S. Department of Housing and Urban Development local (City of Richmond) HOME program account as repayment for funds previously used for acquisition of 45 1st Street (HUD activity 214), with transferred funds only to be used for eligible expenditures consistent with HOME regulations, such as home development, down payment assistance, home rehabilitation, or any other HOME eligible activity (This item was reviewed and recommended for approval by the Finance Committee at its July 6, 2012, meeting) - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch 307-8140).
- I. **CITY COUNCIL CONSENT CALENDAR**
 - I-1. APPROVE a lease agreement with Hendrick Automotive Group (El Cerrito Honda) for use of approximately two acres of Port-controlled property to store their new car inventory. The proposed lease term is one year, with four one-year extensions by mutual agreement, providing annual lease payments to the Port of \$78,000 - Port of Richmond (Jim Matzorkis 215-4600).

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- I-2.** APPROVE standing purchase orders with Bay Area Barricade and Hawkins Traffic Safety Supply for traffic signs and lines materials in an amount not to exceed \$50,000 per fiscal year per vendor for Fiscal Year 2012-13, with an option to extend these purchase orders for an additional two years. (This item was reviewed and recommended for approval by the Finance Committee at its July 6, 2012, meeting) - Public Works Department (Yader A. Bermudez 231-3008).
- I-3.** APPROVE an agreement with the Richmond Community Foundation, and AUTHORIZE the Library and Cultural Services Director to accept the Richmond Community Foundation's grant in the amount of \$12,146, and APPROVE an amendment to the Fiscal Year 2012-13 operating budget to increase library fund revenue and expenditures in the amount of \$12,146 for the purpose of providing literacy services to SparkPoint West Contra Costa participants - Library and Cultural Services Department (Katy Curl 620-6554).
- I-4.** ADOPT an ordinance (second reading) requiring the City of Richmond to manage pests using Integrated Pest Management principles and techniques at City-maintained properties and facilities - Public Works Department (Yader A. Bermudez 231-3008).
- I-5.** ADOPT a resolution to support the local consensus alignment for the San Francisco Bay Trail connection from Point Richmond to the Richmond-San Rafael Bridge, and authorize the city manager to execute the required Cooperative Agreement for Caltrans Project Initiation Document Assistance and CEQA/NEPA clearance - Engineering Services Department (Edric Kwan 621-1825).
- I-6.** ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (James Goins/Antonio Banuelos 620-6741).
- I-7.** APPROVE an amendment to the grant-funded agreement with MP Nexlevel of California, Inc. to construct the City of Richmond Municipal Network - Security and First Responders Project, increasing the project scope to install additional network elements, and increasing the contract amount by \$950,000 to an amount not to exceed \$3,943,258.54 (This item was reviewed and recommended for approval by the Finance Committee at its July 6, 2012, meeting) - Port of Richmond (Jim Matzorkis 215-4600).
- I-8.** APPROVE the minutes of the May 22 and 29, 2012, and June 5, 2012, meetings - City Clerk's Office (Diane Holmes 620-6513).
- I-9.** APPROVE the purchase of a four-year license to access OverDrive's digital

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content, including audio books, eBooks, music and video, from the library's WebOPAC in an amount not to exceed \$80,000 for a term from January 31, 2012, to January 31, 2015 - Library and Cultural Services Department (Katy Curl 620-6554).

- I-10.** ADOPT a resolution approving the Fiscal Year 2011/12 - 2015/16 Five-Year Financial Plan (This item was reviewed and recommended for approval by the Finance Committee at its May 4, 2012, meeting) - Finance Department (James Goins 620-6740). **This item was continued from the June 26, 2012, meeting.**
- I-11.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 9.24 entitled "Animals" such that the term "guardian" is used in lieu of "owner" to more accurately describe the relationship between a person and an animal - Councilmember Ritterman (620-6636). **This item was continued from the June 26, 2012, meeting.**
- I-12.** APPROVE a contract with Friendly/Yellow/Greyline Cab Co. to provide taxi and van rides to Richmond Paratransit clients twenty-four hours, seven days a week, for a term of three years, with three one-year extensions beginning July 1, 2011, and ending June 30, 2017. The total contract amount is not to exceed \$180,000 - Recreation Department (Keith Jabari 620-6791).
- I-13.** ADOPT a resolution to adjust Fiscal Year 2011-12 appropriations for the Recreation Department, adding \$3,550.00 in grant revenue for the Richmond Tennis Center to account for the donation received from the Northern California Tennis Foundation, and adding \$3,550 in expenditures for the tennis program - Recreation Department (Keith Jabari 620-6791).
- I-14.** ADOPT a resolution authorizing the City Manager to sign a Memorandum of Understanding (MOU) for the Building Blocks for Kids (BBK) Collective Promise Neighborhoods Planning Grant and to carry out all commitments as a BBK Collaborative partner - City Manager's Office (Bill Lindsay 620-6512).
- I-15.** APPROVE the following appointments: Planning Commission: Andrew Butt (filling the term-ending vacancy left by Charles Duncan), term expiring July 10, 2014; Veolia Mitigation Fund Committee: Mike Temple, term expiring July 10, 2014; Ronald Paige, term expiring July 10, 2014; Dr. Henry Clark, term expiring July 10, 2104; Johnny White, term expiring July 10, 2014 - Mayor McLaughlin (620-6503).

J. ORDINANCES

- J-1.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 2.43 entitled “Matching Public Funding of Richmond Election Campaigns” to limit to \$40,000 the total amount of contributions a candidate may accept if that candidate receives public matching funds from the City of Richmond - City Attorney’s Office (Bruce Reed Goodmiller 620-6509).

K. COUNCIL AS A WHOLE

- K-1.** RECEIVE a status report from Engineering on the paving of Barrett Avenue and Cutting Boulevard - Councilmember Boozé (620-6593).
- K-2.** CONSIDER providing a letter of support for the RotaCare Richmond Free Medical Clinic at Brighter Beginnings, 2727 Macdonald Avenue in Richmond - Councilmember Ritterman (620-6636).
- K-3.** DIRECT the City Attorney to provide a legal opinion regarding the possible violation of the civic rights of public speakers during the City Council meetings - Councilmember Boozé (620-6593).
- K-4.** DIRECT staff to provide a report on the Red Oak Victory at Terminal One, including, but not limited to, the legality of collecting rent from 1999 through the duration of the ship being berthed at Terminal One - Councilmember Boozé (620-6593).
- K-5.** PROVIDE policy direction regarding entering into an agreement between the City of Richmond and the Richmond Museum of History that recognizes mutual benefits and confirms the City's obligation to provide long term free berthing in exchange for the Museum's obligation to continue maintaining the ship and making it publicly accessible. The City, at its discretion, may use internal accounting to offset the value of berthing by reducing the loan balance owed to the General Fund by the Port - Councilmember Butt (620-6581).
- K-6.** CONSIDER joining Common Cause and the League of Women Voters in opposing the "Special Exemptions Act" which has qualified for the November 2012 ballot and would severely limit the voice of unions but place no similar restrictions on corporate/business interests, and is therefore not evenhanded political reform - Vice Mayor Rogers (620-6581).

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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.