



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

**AGENDA  
Tuesday, July 31, 2012**

**Mayor**  
Gayle McLaughlin

**Vice Mayor**  
Jim Rogers

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

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**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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Subdivision [a] of Government Code Section 54956.9):
    - McMaster vs. City of Richmond
    - Booker vs. City of Richmond
    - Jenkins vs. City of Richmond
  - A-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):**
    - Property: Terminal One
    - City Negotiator: Bill Lindsay
    - Other Negotiating Parties: KB/Bakewell
    - Other Negotiating Parties: New Home Company
    - Under Negotiation: Price and terms of payment
  
    - Property: Port of Richmond
    - City Negotiators: Bill Lindsay and Jim Matzorkis
    - Other Negotiating Party: AWC
    - Under Negotiation: Price and terms of payment

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**SPECIAL 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. **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
  - G-1. PROCLAMATION recognizing Richmond business owner and resident, John Edward Clinton, upon his retirement - Mayor McLaughlin (620-6503) and Councilmember Butt (620-6581).
- H. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- I. **CITY OF RICHMOND AS SUCCESSOR AGENCY FOR THE RICHMOND REDEVELOPMENT AGENCY CONSENT CALENDAR**
  - I-1. ADOPT a resolution approving the Successor Agency for the Richmond Community Redevelopment Agency's third Recognized Obligation Payment Schedule (ROPS) pursuant to AB 1X26 AB1484 - Successor Agency for the Richmond Community Redevelopment Agency (Patrick Lynch 307-8006).

**J. CITY COUNCIL CONSENT CALENDAR**

- J-1.** APPROVE a sole-source contract with the Richmond Main Street Initiative (RMSI) in the amount of \$50,000 for a term of July 1, 2012, through March 31, 2013, to provide funding to continue support for vital operations and programs to revitalize Downtown Richmond until the anticipated Downtown Richmond Property Business Improvement District (DRPBID) is implemented - City Manager's Office (Bill Lindsay 620-6512). This item was continued from the June 1, 2012, meeting.
- J-2.** ADOPT resolutions authorizing participation in the Lifeline Transportation Program, allowing for the receipt of Metropolitan Transportation Commission (MTC) funding in the amount of \$343,291 for the Congestion Mitigation and Air Quality Improvement (CMAQ), and Job Access and Reverse Commute (JARC) Programs that support the Greenprint Transportation Project (Easy Go) for improved transportation mobility options for low-income residents in Richmond - City Manager's Office (Bill Lindsay 620-6512).
- J-3.** APPROVE an amendment to the grant-funded contract with Thomas Pyun of THP Capacity Advisors, LLC, to continue strategy and planning consulting services to implement the Cities of Service model in Richmond, increasing the contract by \$8,000, to an amount not to exceed \$18,000 - City Manager's Office (Bill Lindsay 620-6512).
- J-4.** APPROVE a Memorandum of Understanding with the Richmond Art Center (RAC) at 2540 Barrett Avenue to sustain current operations, strengthen infrastructure, and expand arts education programs for the community at a cost not to exceed \$375,000 annually for a term of five years from July 1, 2012 to June 30, 2017 - Library and Cultural Services (Katy Curl 620-6554).
- J-5.** ADOPT a resolution approving an agreement between Auto Warehousing Company (AWC) and the City of Richmond effective June 1, 2012, through May 31, 2013, which will provide payment to the City for providing specified services on behalf of AWC while conducting business development planning in China, including exploring potential automotive import and export business partnership opportunities between the City and Port of Zhoushan - Port Department (Jim Matzorkis 215-4600).
- J-6.** APPROVE a contract with D & H Landscaping, Inc. for landscape management services at Point Molate in an amount not to exceed \$99,000, which includes a 10% cost contingency. The contract term will be August 1, 2012, to June 30, 2013 - Public Works Department (Yader A. Bermudez 231-3008).

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- J-7.** APPROVE a grant-funded construction contract with Alten Construction, Inc. (Alten) of Richmond, the lowest responsive bidder, for labor and materials per the plans and specifications for the construction and remodel of the Port's Riggers Loft/Operations and Security Center at Point Potrero Marine Terminal Project in an amount not to exceed \$3,008,566 - Port Department (Jim Matzorkis 215-4600).
- J-8.** APPROVE a contract amendment with TPA Construction, Inc., increasing the amount by \$35,000 to complete additional roof and gutter repairs at the Booker T. Anderson Community Center, for a total amount not to exceed \$94,668 - Public Works Department (Yader A. Bermudez 231-3008).
- J-9.** APPROVE a one-year contract extension with D.M.G. Janitorial Services in an amount not to exceed \$23,030 for restroom cleaning services at the Jay & Barbara Vincent Park, Shimada Park, Lucretia Edwards Park, Nevin Park, Nicholl Park, Martin Luther King Jr. Park, and the North Richmond Ballfield. The contract term will be September 14, 2012, to June 30, 2013 - Public Works Department (Yader A. Bermudez 231-3008).
- J-10.** APPROVE the Port Executive Director's request for travel to China, at a cost of approximately \$6,000, to continue the business development plan and 2012 marketing plan in conjunction with the Port of Zhoushan and Auto Warehousing Company (AWC), to continue to explore the potential for China auto manufacturing companies entering the U.S. market through the Port of Richmond's recently renovated facility, and to meet with China automobile industry representatives - Port Department (Jim Matzorkis 215-4600).
- J-11.** APPROVE a one-year contract extension with United Site Services to provide portable toilet services at John F. Kennedy Park, Booker T. Anderson Park, Shields-Reid Park, Elm Playlot, and at the Marina in an amount not to exceed \$19,500. The contract term was previously extended to June 30, 2013 - Public Works Department (Yader A. Bermudez 231-3008).
- J-12.** ADOPT a resolution confirming the City of Richmond Investment Policy, as recommended by the City's auditors, and as recommended by the Association of Public Treasurers' of the United States and Canada (APT US&C). (This item was reviewed and recommended for approval by the Finance Committee at its June 1, 2012, meeting) - Finance Department (James Goins 620-6740).
- J-13.** APPROVE the minutes of the July 10, 17, and 24, 2012, meetings - City Clerk's Office (Diane Holmes 620-6513).
- J-14.** ADOPT a resolution authorizing the City of Richmond to accept a \$28,627 University of California, Berkeley, School of Public Health Grant for a Sobriety

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Checkpoint Program, and to appropriate these funds for overtime costs incurred by sworn and general personnel for the associated expenses - Police Department (Chief Chris Magnus 621-1802).

- J-15.** APPROVE the expenditures associated with the 2012-13 SAMHSA Grant Award to include the right to negotiate and enter into contracts with the Native American Health Center (NAHC) in the amount of \$255,000, and for the Office of Neighborhood Safety (ONS) to provide administrative support and outreach support services, providing revenue to the ONS in the amount of \$45,000 - Office of Neighborhood Safety (DeVone Boggans 620-5418).
- J-16.** APPROVE the following appointments and reappointment: Youth Baseball Commission: Michael Coleman, term expiring July 31, 2015; David Gaskin, term expiring July 31, 2015; DeWayne Williams, term expiring July 31, 2015; Delphine Smith, term expiring July 31, 2015; Library Commission: Kavaragu Mtambuzi (incumbent), term expiring July 31, 2015; Police Commission: Laverne Vaughn, term expiring July 31, 2015 - Mayor McLaughlin (620-6503).
- J-17.** ADOPT a policy that requires all items for City Council meetings brought forward by members of the City Council to be framed by that member of the Council rather than by a member of the public with the exception of study sessions, which require the name of the presenter or presenting organization identified as part of the agenda title - Mayor McLaughlin (620-6503) and Councilmember Butt (620-6581).
- J-18.** ADOPT an ordinance (second reading) repealing Chapter 14.72 of the Richmond Municipal Code pertaining to the solicitation of vehicle occupants - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- J-19.** ADOPT an ordinance (second reading) amending the Richmond Municipal Code by adding Chapter 2.39 thereto to regulate contributions by parties and participants to entitlement proceedings, and to require that the Mayor and City Councilmembers disqualify themselves from participating in such proceedings where they have received more than \$250 from parties and participants to the proceeding in the previous twelve months - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

- J-20.** APPROVE the appropriation of Fiscal Year 2011-2012 budget balances for three grant-funded Port of Richmond capital projects into the Fiscal Year 2012-2013 capital budget: Municipal Fiber Optic Network (Project 28E01) in the amount of \$4,243,488; Integrated Video I (Project 28G01) in the amount of \$2,263,520; and Integrated Video II (Project 28G02) in the amount of \$754,507 - Finance Department/Port Department (Jim Goins 620-6935/Jim Matzorkis 215-4600).

**K. RESOLUTIONS**

- K-1.** ADOPT a resolution in support of efforts by the City of Hercules to have the section of Highway 4 in Hercules named in honor of former Hercules Mayor and Councilmember Joe Eddy McDonald, who was instrumental in securing funding for safety improvements and widening of that section of roadway - Councilmember Bates (620-6581).

**L. ORDINANCES**

- L-1.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 11.76 (Vehicle Abatement) relating to abandoned, wrecked, dismantled, or inoperable vehicles (This item was reviewed and recommended for approval by the Public Safety Committee at its July 19, 2012, meeting) - Councilmembers Bates and Boozé (620-6581).

**M. COUNCIL AS A WHOLE**

- M-1.** PROVIDE direction to staff regarding the use of \$669,000 in funding to be received by the City of Richmond resulting from the consent decree settling the Cosco Busan Oil Spill litigation. Staff is recommending that \$235,000 of these funds be used to complete the Shipyard 3/Brickyard Cove Bay Trail Gap Closure, and that \$434,000 be used to partially fund the Marina Bay Trail Rehabilitation Project - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the July 24, 2012, meeting.**
- M-2.** RECEIVE a report from the city attorney regarding prohibited use of public resources including public facilities such as the Council Chambers for campaign activities, including prohibiting campaign speeches at Council meetings - City Attorney/City Clerk's Offices (Bruce Reed Goodmiller/Diane Holmes 620-6509/620-6514). **This item was continued from the July 24, 2012, meeting.**
- M-3.** DISCUSS and direct staff regarding priority street pavement on Cutting and Carlson Boulevards, at South 37th Street, and the 200 block of South 46th Street - Councilmembers Bates and Boozé (620-6861).

N. **ADJOURNMENT**

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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.*