



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

**AGENDA
Tuesday, September 11, 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).

Tuesday, September 11, 2012

EVENING OPEN SESSION

5:30 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):

Community Coalition Against Beverage Taxes et al vs. City of Richmond

Tuesday, September 11, 2012

**MEETING OF THE SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY AND 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. 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. SUCCESSOR AGENCY TO THE RICHMOND REDEVELOPMENT AGENCY
CONSENT CALENDAR**
 - H-1.** ADOPT a resolution approving the Successor Agency to the Richmond Community Redevelopment Agency's corrected third Recognized Obligation Payment Schedule (ROPS) pursuant to AB 1X26 and AB 1484 - Successor Agency to the Richmond Community Redevelopment Agency (Ted Ferrer/Patrick Lynch 307-8140).
 - H-2.** ADOPT a resolution approving a contract amendment with Susan G. Mayer for management consulting services related to finance issues applicable to the Successor Agency to the Richmond Community Redevelopment Agency, increasing the contract amount by \$63,000 to a total amount of \$73,000, and extending the term to December 31, 2012 - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8140).

- H-3.** ADOPT a resolution approving a contract with Robert Half International, Inc. for accounting and finance support for the Successor Agency to the Richmond Community Redevelopment Agency in an amount not to exceed \$32,130 and for a term ending December 31, 2012 - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8140).

I. CITY COUNCIL CONSENT CALENDAR

- I-1.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 11.76 (Vehicle Abatement) relating to abandoned, wrecked, dismantled, or inoperable vehicles - Councilmembers Bates and Boozé (620-6581).
- I-2.** APPROVE a contract with Municipal Resource Group, LLC to conduct an internal performance audit to evaluate the effective use of TeleStaff scheduling and personnel management system within the Police Department - Finance Department (James Goins 620-6740).
- I-3.** ADOPT a resolution setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2012-2013 at 0.14% – Finance Department (James Goins/Antonio Banuelos 620-6741).
- I-4.** APPROVE the purchase of a traffic signal light conflict monitor tester for the Public Works Department, Facilities Maintenance Division Electrical Section, from Western Systems in an amount not to exceed \$20,500 - Public Works Department (Yader A. Bermudez 231-3008).
- I-5.** APPROVE a contract with HALO Group Inc., to provide a firearms range facility for use by the Police Department for the period July 1, 2012, to June 30, 2014 in an amount not to exceed \$50,000 - Police Department (Chief Chris Magnus 621-1802).
- I-6.** APPROVE a contract with SOFTFILE, to provide digital archiving services to the Police Department for the period January 1, 2012 to June 30, 2014 in an amount not to exceed \$25,000 - Police Department (Chief Chris Magnus 621-1802).

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- I-7.** ADOPT a resolution to accept and appropriate the 2012 California Emergency Management Agency (CALEMA) grant funds in the amount of \$178,979 and APPROVE the continuation of a contract funded by the CALEMA grant with STAND-Against Domestic Violence for on-site advocates to assist victims of domestic violence for the period January 1, 2012, to December 31, 2012, in an amount not to exceed \$91,175 - Police Department (Chief Chris Magnus 621-1802).
- I-8.** APPROVE the minutes of the June 12, 2012, and July 31, 2012, meetings - City Clerk's Office (Diane Holmes 620-6513).
- I-9.** APPROVE an amended lease agreement with Foss Maritime for Finger Pier 2 and Basin 5 at the Port of Richmond, effective October 1, 2012, through September 30, 2017, providing annual lease revenue of \$328,476, with two percent annual increases - Port Department (Jim Matzorkis 215-4600).
- I-10.** APPROVE a legal services agreement with Colantuono & Levin, P.C. for legal advice regarding options to increase revenues, issues related to Proposition 218, and procedures required for implementation of revenue measures, in an amount not to exceed \$30,000, and with a term expiring June 30, 2013 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-11.** APPROVE a legal services agreement with Renne Sloan Holtzman & Sakai, LLP for advice regarding general municipal law matters and elections law assistance, in an amount not to exceed \$30,000, with a term expiring June 30, 2013 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-12.** APPROVE a contract amendment with DP Security, LLC (DP Security), adding an amount not to exceed \$425,000 to provide security services at 440 Civic Center Plaza and 450 Civic Center Plaza for a term extending to June 30, 2013 - City Manager's Office (Bill Lindsay 620-6512).
- I-13.** APPROVE an amendment to the agreement between George Hills Company, Inc. and the City of Richmond to establish the compensation for an additional 14 months of service at an amount not to exceed \$215,000, for a contract total not to exceed \$635,000 (This item was not reviewed by the Finance Committee due to the cancellation of the September 2012 meeting) - Human Resources Management Department (Leslie Knight 620-6600).
- I-14.** DIRECT staff to submit a letter to Governor Jerry Brown urging him to veto AB 976 (Hall): Public contracts: consulting services: community choice aggregators - Mayor McLaughlin (620-6503) and Councilmember Butt (236-7435).

- I-15.** APPROVE the following appointments and reappointments: Design Review Board: Brant Fretter, new appointment, term expiring September 11, 2014; Planning Commission: Melvin Willis, new appointment, term expiring September 11, 2014; Personnel Board: Yvonne Nair, new appointment, term expiring September 11, 2017; Richmond-Shimada Friendship Commission: Ernest Holland Jr., incumbent, term expiring September 11, 2015; Richmond-Zhoushan Friendship Commission: Matthew Jean, incumbent, term expiring September 11, 2014 - Mayor McLaughlin (620-6503).

Item L-1 will be heard by the Council at this time.

J. PUBLIC HEARINGS

- J-1.** HOLD a public hearing regarding the proposed 2011-2012 Consolidated Annual Performance and Evaluation Report (CAPER), and ADOPT a resolution approving the 2011-12 CAPER, and authorizing its submission to the U.S Department of Housing and Urban Development - Housing and Community Development (Patrick Lynch 307-8140).
- J-2.** HOLD a public hearing relating to the proposed incurrence of one or more loans by the California Municipal Finance Authority ("CMFA") to Tissue Banks International, Inc. in an amount not to exceed \$11,000,000; ADOPT a resolution for the City of Richmond to become a member of the CMFA; and to approve the proposed financing by the CMFA - Finance Department (James Goins/Susan Segovia 620-7140).

K. RESOLUTIONS

- K-1.** APPROVE a resolution affirming the Council's intent that the City's mass mailing campaign disclaimer requirements in section 2.42.075 of the Municipal Code, as amended, apply to all mass mailings funded by a committee primarily formed to support or oppose a Richmond ballot measure, including a mass mailing relating to the ballot measure the committee was primarily formed to support or oppose - Vice-Mayor Rogers (867-5725), Mayor McLaughlin (620-6503) and Councilmember Butt (236-7435).
- K-2.** ADOPT a resolution requesting to rename Breuner Marsh as "Dotson Marsh" - Councilmember Butt (236-7435) and Mayor McLaughlin (620-6503).

L. COUNCIL AS A WHOLE

- L-1.** RECEIVE an update from the US Chemical Safety and Hazard Investigation Board (CSB) on its investigation thus far of the August 6, 2012, Chevron refinery fire - Mayor McLaughlin (620-6503).
- L-2.** RECEIVE a report from staff regarding the contractual compliance of Salt Water Construction on the Marina Bay Yacht Harbor Maintenance Dredging Project - Councilmember Boozé (620-6593).
- L-3.** RECONSIDER the July 31, 2012, City Council action regarding the allocation of \$669,000 in funds received for settlement of the Cosco Busan oil spill litigation, and revise this allocation to include funding for the Marina Bay Trail Rehabilitation Project - Councilmember Bates (620-6743).
- L-4.** REVIEW and APPROVE the revised Fiscal Year 2012-13 General Fund Budget - Finance Department (James Goins 620-6740).
- L-5.** RECEIVE a report from the City Attorney's Office and provide direction to staff regarding the amount of tax payers' dollars used to hire attorneys Louise Renne and Randy Riddle to represent the City of Richmond in the lawsuit filed by the Community Coalition Against Beverage Taxes - Councilmember Boozé (620-6593) and Councilmember Bates (620-6743).
- L-6.** DISCUSS and CONSIDER amendments to the Industrial Safety Ordinance relative to safety operations and assessments - Vice Mayor Rogers (867-5725) and Councilmember Butt (620-6861).
- L-7.** CONSIDER endorsement of the West Contra Costa Unified School District: (1) bond proposition, Measure E, authorizing the district to borrow \$360 million on a 10 year repayment plan; and (2) parcel tax, Measure G, authorizing the school district to extend its current parcel tax beyond the scheduled expiration of 2014 (November 2012) - Vice Mayor Rogers (867-5725).

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.