



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

**AGENDA  
Tuesday, September 18, 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).

\*\*\*\*\*

## **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):
    - Jenkins vs. City of Richmond
    - Settlement between various State Attorneys General and GE Funding Capital Market Services, Inc.
  - A-2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):
    - Initiation of Litigation (One Case)
  - A-3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):**
    - Property: Port of Richmond
    - Agency negotiators: Port of Richmond
    - Negotiating parties: AWC
    - Under negotiation: Price and terms of payment

## **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. AGENDA REVIEW**
- F. OPEN FORUM FOR PUBLIC COMMENT**
- G. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
  - G-1.** WELCOME and introduce delegates from Zhoushan, China as part of the Sister City relationship between Zhoushan, China and Richmond, California - Councilmember Bates (620-6743) and Mayor McLaughlin (620-6503).
- H. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- I. CITY COUNCIL CONSENT CALENDAR**
  - I-1.** APPROVE an agreement with Gordon & Rees, Attorneys for legal services associated with the City's Wastewater Operations (as contracted by Veolia Water North America), and the legal review of documents regarding the Sludge Ponds Lease Agreement with West County Wastewater District, for an amount not to exceed \$75,000 and for a term extending to December 31, 2013 - (Alan Wolken/Mary Phelps 621-1269).
  - I-2.** APPROVE a contract with the Mirarchi Management Group for the "Reset the Clock" comprehensive police management training in an amount not to exceed \$11,575.25 for two eight-hour training presentations - Police Department (Chief Chris Magnus 621-1802).

Tuesday, September 18, 2012

- I-3.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Chapter 11.76 (Vehicle Abatement) relating to abandoned, wrecked, dismantled, or inoperable vehicles - Councilmembers Bates (620-6743) and Boozé (620-6593).
- I-4.** 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-5.** APPROVE the following appointment and reappointments: Library Commission: Ron Shoop, incumbent, term expiring July 1, 2015; Richmond Housing Advisory Commission: Delores Johnson, term expiring September 18, 2014; Demetria Saunders, incumbent, term expiring May 19, 2015 - Mayor McLaughlin (620-6502).
- I-6.** ADOPT a resolution calling for action to reduce chronic absenteeism in our nation's schools - Mayor McLaughlin (620-6503).
- I-7.** REVIEW and APPROVE the revised Fiscal Year 2012-13 General Fund Budget - Finance Department (James Goins 620-6740). This item was continued from the September 11, 2012, meeting.
- I-8.** APPROVE a project to install three wayside horns at the railroad crossing at 34th Street near Regatta Boulevard and ACCEPT funding in the amount of \$37,500 from Richmond Pacific Railroad to match funding provided by the City of Richmond to complete this project - City Manager's Office (Bill Lindsay 620-6512).

**J. RESOLUTIONS**

- J-1.** ADOPT a resolution supporting Proposition 37, "The California Right to Know Genetically Engineered Food Act" for the November 2012 election - Mayor McLaughlin (620-6503) and Councilmember Ritterman (620-6636).

**K. ORDINANCES**

- K-1.** INTRODUCE an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2012-13 at 0.14% – Finance Department (James Goins/Antonio Banuelos 620-6741).

- K-2.** ADOPT an ordinance (second reading) to: (1) amend Section 2.42.075 of the Richmond Municipal Code to specify the information that must be included on a mass mailing in support of, or in opposition to, a candidate for Richmond elective office, or a Richmond City ballot measure, and to specify which types of political committees are subject to these requirements; and (2) amend Section 2.42.080 of the Richmond Municipal Code to repeal the provision of that section imposing criminal penalties for violations of Chapter 2.42 of the Richmond Municipal Code - Vice Mayor Rogers (867-5725).

**L. COUNCIL AS A WHOLE**

- L-1.** 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). This item was continued from the September 11, 2012, meeting.
- L-2.** 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 - Councilmembers Bates (620-6743) and Boozé (620-6593). This item was continued from the September 11, 2012, meeting.
- L-3.** DISCUSS and PROVIDE direction to staff regarding the rehabilitation and historical designation of the International Hotel in Richmond - Councilmember Boozé (620-6593).

**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](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.*