



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

**AGENDA
Tuesday, November 13, 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**

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

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):
 - Yvette Turner vs. City of Richmond
 - Chevron vs. Contra Costa County
 - Jenkins vs. City of Richmond
 - Booker vs. City of Richmond
 - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):
 - One case
 - A-3. PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):
 - Confidential Investigative and Appeals Officer

**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. **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
 - G-1. PROCLAMATION honoring Community Foundation Week - Mayor McLaughlin (620-6503).
- H. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- I. **SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR**
 - I-1. ADOPT a resolution authorizing the execution of a Highway-Railroad Crossing Safety Account Project Baseline Agreement and Program Supplement/Master Agreement with the California Department of Transportation, providing for \$4.23 million in Proposition 1B funds for the Officer Bradley A. Moody Memorial Underpass Project through the Highway-Railroad Crossing Safety Account - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8091).

J. CITY COUNCIL CONSENT CALENDAR

- J-1.** APPROVE a contract with Innovative Data Solutions, Inc. to purchase PowerDMS software in the amount of \$22,702.30, covering the period from December 2012 through December 2015. This software will assist the Police Department in distributing, tracking, and measuring staff retention of departmental policies and procedures - Police Department (Chief Chris Magnus 621-1802).
- J-2.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Equipment Parts Storekeeper - Human Resources Management Department (Leslie Knight 620-6600).
- J-3.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Equipment Parts Storekeeper (Salary Range No. 123: \$4,240 - \$4,675/month) - Human Resources Management Department (Leslie Knight 620-6600).
- J-4.** INTRODUCE an ordinance (first reading) amending Section 2.12.010 of the Richmond Municipal Code to reduce the number of Councilmembers needed to constitute a quorum or to approve a business item from five to four in conformity with the City's Charter - City Clerk's Office (Diane Holmes 620-6514).
- J-5.** ACCEPT the grant award and APPROVE the expenditures associated with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Mentoring Enhancement Demonstration Program grant for year one, fiscal year 2012, issued by the United States Department of Justice, to include approval to enter into contracts and negotiate all program and budgetary amendments approved by OJJDP with: Be A Mentor Inc. (\$50,000); Bay Area Community Resources (\$75,225); East Bay Asian Youth Center/OASES (\$75,009.47); Oakland Police Athletic League (\$75,225); and Richmond Police Activities League (\$74,912.50); other costs and contractors approved by OJJDP to support this grant; in addition to the ONS personnel and fringe benefits costs for a total amount of \$397,671.97 - Office of Neighborhood Safety (DeVone Boggan 620-5421).
- J-6.** ADOPT a resolution to accept and approve the use of the grants from the Clara-Belle Hamilton Trust (\$83,439.41) and California ReLeaf 2012-13 (\$9,904.89) - Finance Department (James Goins 620-6740).

Tuesday, November 13, 2012

- J-7.** APPROVE the purchase of four Scott Air-Pak 75 self-contained breathing apparatus (SCBA) cylinders, AV3000 face pieces and other accessories from Allstar Fire Equipment, Inc. in the amount of \$22,506.90 - Fire Department (Chief Michael Banks 307-8041).
- J-8.** APPROVE a five-year contract with two one-year options with Aramark Uniform Services to provide uniform rental and laundry services for the Public Works Department in an amount not to exceed \$102,000 per year - Public Works Department (Yader A. Bermudez 231-3008).
- J-9.** 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 620-6740/Antonio Banuelos 620-6741).
- J-10.** APPROVE an agreement with the California State Library to provide funding for literacy services provided by the City of Richmond, AUTHORIZE the Library and Cultural Services Director to ACCEPT the State funds in the amount of \$45,110, and APPROVE an amendment to the FY 2012-13 operating budget to increase library fund revenue and expenditures in the amount of \$45,110 for the purpose of providing literacy services to City of Richmond residents - Library and Cultural Services Department (Katy Curl 620-6554).
- J-11.** APPROVE an agreement with the Richmond Community Foundation and AUTHORIZE the Library & Cultural Services Director to accept a grant in the amount of \$10,000 to provide literacy services for the residents of Richmond for the grant period from October 1, 2012 - September 30, 2013. APPROVE an amendment to the FY 2012-2013 operating budget increasing library fund revenue and expenditures in the amount of \$10,000 - Library and Cultural Services Department (Katy Curl 620-6554).
- J-12.** APPROVE the purchase of Christy boxes and galvanized diamond plate lids from Alameda Electric Supply Inc. for use by the Public Works Facilities Maintenance Division Electrical Section, for a street light wire replacement project on West Cutting Boulevard, in an amount not to exceed \$15,000 - Public Works Department (Yader A. Bermudez 231-3008).
- J-13.** APPROVE an agreement with Motorola Solutions Corporation for the maintenance of the City's public safety Motorola portable and mobile radio equipment, effective June 1, 2012, through June 30, 2013, in an amount not to exceed \$67,756 - Police Department (Chief Magnus 621-1802).

- J-14.** ADOPT a resolution authorizing the city manager to: (1) execute a Memorandum of Understanding for participation in the Regional Renewable Energy Procurement Project (R-REP), a regional initiative that will utilize collaborative procurement to purchase on-site renewable energy systems for public agencies throughout Contra Costa, Alameda, San Mateo and Santa Clara Counties; and (2) execute all contracts and agreements necessary to complete site assessments in an amount not to exceed \$25,000 - City Manager's Office (Bill Lindsay 620-6512).
- J-15.** APPROVE a construction contract with AJW Construction in the amount of \$442,167, with a City-administered contingency and reserve not to exceed \$66,325, for the Safe Routes to School Cycle 2 Improvements Project. (This item was not considered by the Finance Committee due to cancellation of the most recent scheduled meeting.) - Engineering Services Department (Alan Wolken/Joel Camacho 307-8137).
- J-16.** ADOPT a resolution authorizing the city manager to apply for a 2013 EPA Brownfield Assessment Grant (EPA-OSWER-OBLR-12-07) in the amount of \$400,000 to fund the investigation of environmental conditions in the South Shoreline area and nearby properties - City Manager's Office (Bill Lindsay 620-6512).
- J-17.** ADOPT a resolution authorizing the city manager to apply for a 2013 EPA Brownfield Assessment Grant (EPA-OSWER-OBLR-12-08) in the amount of \$1 million to provide for a revolving fund to be administered by the City to make loans and provide subgrants to carry out cleanup activities at brownfield sites - City Manager's Office (Bill Lindsay 620-6512).
- J-18.** APPROVE a legal services agreement with Renne Sloan Holtzman Sakai, LLP for legal representation in the federal court lawsuit Community Coalition Against Beverage Taxes, et al vs. City of Richmond, for a total amount of \$43,140.42 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- J-19.** APPROVE the minutes of the October 2, and 16, 2012, meetings - City Clerk's Office (Diane Holmes 620-6513).
- J-20.** ADOPT a resolution adjusting Fiscal Year 2012-13 appropriations for the Recreation Department budget, adding \$3,550 for the Richmond Tennis Center based on grant revenue received in Fiscal Year 2011-12 from the Northern California Tennis Foundation - Recreation Department (Keith Jabari 620-6791).

J-21. ADOPT a resolution approving a contract with City Data Services to provide monitoring and reporting services for the HOME and Community Development Block Grant Programs in an amount not to exceed \$48,000 and for a term extending to June 30, 2013 - Housing and Community Development (Patrick Lynch 412-2053).

K. COUNCIL AS A WHOLE

K-1. ADOPT a resolution: (1) approving the forms of and authorizing the execution and delivery of a site lease, lease-purchase agreement, and escrow agreement; and (2) authorizing certain additional actions, for financing up to \$2 million of tenant improvements through a 10-year capital lease at a building located at 256 24th Street, to be used as the West Contra Costa Family Justice Center - Finance Department (James Goins 620-6740).

K-2. RECEIVE a report from staff on the Marin Clean Energy Community Choice Aggregation program regarding the source of energy and the "opt out" process for Richmond consumers - Councilmember Boozé (620-6593).

K-3. RECEIVE a report from staff on the Dornan Drive Tunnel Project - Councilmember Boozé (620-6593).

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.