



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

## **AGENDA**

**Tuesday, February 19, 2013**

**Mayor**

Gayle McLaughlin

**Vice Mayor**

Courtland “Corky” Boozé

### **Councilmembers**

Nathaniel Bates  
Jovanka Beckles  
Thomas K. Butt  
Jael Myrick  
Jim Rogers

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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**

### **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).

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**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. **LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9):**

Aaron Nunley vs. City of Richmond

Pamelar Kimbal vs. City of Richmond

- A-2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):**

Property: 2566 Macdonald Avenue  
Negotiating Party: Native American Health Center  
Agency Negotiator: Bill Lindsay  
Under negotiation: Price and Terms of Payment

Property: 440 Civic Center Plaza, Third Floor  
Negotiating Party: National Park Service  
Agency Negotiator: Bill Lindsay  
Under Negotiation: Price and Terms of Payment

**REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE  
RICHMOND COMMUNITY REDEVELOPMENT AGENCY AND  
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.** RECOGNIZE Fred Jackson and Bobby Lee Bowens for their contribution to Black History in Richmond - Councilmembers Beckles, Myrick, and Mayor McLaughlin (620-6568).
- 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 approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule for the period July 2013 to December 2013 (ROPS 13-14a) pursuant to AB 1X26 and AB 1484 - Successor Agency to the Richmond Community Redevelopment Agency (Ted Ferrer/Patrick Lynch 307-8140).
  - I-2.** ADOPT a resolution approving a contract with Susan G. Mayer for management consulting services related to finance issues applicable to the Successor Agency to the Richmond Community Redevelopment Agency in an amount not to exceed \$104,000 and for a term extending to June 30, 2013 - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8140).

- I-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, for an amount not to exceed \$36,000 and for a term ending June 30, 2013 - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8140).

**J. CITY COUNCIL CONSENT CALENDAR**

- J-1.** APPROVE standing orders with Hanson Aggregates and Dutra Materials to provide asphalt for paving and pothole repairs in an amount not to exceed \$2,000,000 per fiscal year, per vendor for five years - Public Works Department (Yader A. Bermudez 231-3008).
- J-2.** APPROVE a second contract amendment with V.W. Housen & Associates in the amount of \$100,000, for a total amount of \$199,750, for the evaluation and technical review of the City's wastewater operations and capital improvement projects (as contracted by Veolia Water North America), and for technical review of the wastewater alternatives analysis currently being prepared by the East Bay Municipal Utility District Feasibility Study. The term of the contract is through June 30, 2014 - Engineering Services Department (Alan Wolken/Mary Phelps 621-1269).
- J-3.** APPROVE an amendment to the original contract between the City of Richmond and Tatoe Installation, LLC, for services related to the maintenance of the 800 MHz and very high frequency (VHF) radios located in the City's fire stations, changing the expiration date to September 30, 2013, and increasing the payment limit to \$45,100 - Fire Department (Chief Michael Banks 307-8041).
- J-4.** APPROVE emergency justification and contract with Midstate Barrier, Inc. to replace 200 feet of damaged metal beam guard railings (traffic safety barrier) along westbound Richmond Parkway at the Giant Road on-ramp in an amount not to exceed \$12,500 - Public Works Department (Yader A. Bermudez 231-3008).
- J-5.** APPROVE an amendment to the contract with Nichols Consulting Engineers, Chtd., for additional engineering consulting work for the final phase of the Via Verdi Restoration Project. The contract value will increase by \$136,500 for a total of \$2,035,500 and the term will be extended to June 30, 2014 - Engineering Services Department (Alan Wolken 307-8137/Tawfic Halaby 621-1612).

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- J-6.** ADOPT a resolution approving the Enforcement Response Plan for the Source Control Program as required in the Federal Code of Regulations (FCR) Part 403.8, for identifying and documenting violations of wastewater discharge permits, the Sewer Use Ordinance, or any other pretreatment program standards or requirements - Engineering Services Department (Alan Wolken/Mary Phelps 621-1269).
- J-7.** APPROVE the renewal of a lease agreement between the City of Richmond (as lessor) and the Parents Resource and More (PRAM), a California nonprofit corporation (as lessee), for the use of space at the Washington Field House building to provide programs and classes for 0-5 year old children and their parents. The lease is for a three-year term from January 1, 2013, through December 31, 2016, and has a rate of \$250 per month - Recreation Department (Keith Jabari 620-6791).
- J-8.** APPROVE a contract with Wendy Driver-Guinn, dba Shortstop Management, LLC, for a total amount not to exceed \$27,000, to continue providing tennis instruction for the Recreation Department's Youth and Adult Tennis Program participants. The term of this contract will be for the period beginning April 1, 2013, and ending June 30, 2014 - Recreation Department (Keith Jabari 620-6791).
- J-9.** INTRODUCE an ordinance (first reading) amending the wages, salary, and compensation for the classification of Risk Manager (Salary Range No. 071A; \$9,240 - \$11,232/month) (increase of 3.3%) - Human Resources Management Department (Leslie Knight 620-6600).
- J-10.** APPROVE the renewal of the contract with the Community Housing Development Corporation (CHDC) from March 20, 2012, through March 31, 2014, in the amount of \$25,425.51 to provide for the continuation of services and specific activities as described in the 2012/2013 Preliminary North Richmond Waste and Recovery Mitigation Expenditure Plan - City Manager's Office (Bill Lindsay 620-6512).
- J-11.** ADOPT a resolution setting aside City Council Resolutions No. 93-08 and 94-08 and any permits, authorizations, and approvals for the Chevron Energy and Hydrogen Renewal Project and otherwise complying with the Writ of Mandate issued by the Superior Court in and for the State of California for the County of Contra Costa in CBE, et al., vs. City of Richmond, et al., Case No. N08-1429 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- J-12.** RECEIVE the Marin Clean Energy (MCE) community outreach and implementation plan - City Manager's Office (Bill Lindsay 620-6512).

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- J-13.** APPROVE the minutes of the January 29, 2013, and February 4, 2013, special meetings and the February 5, 2013, regular meeting - City Clerk's Office (Diane Holmes 620-6513).
- J-14.** APPROVE the City Council 2013 Standing Committee, Regional Committee, Ad Hoc Committee, and Liaison position appointments - Mayor McLaughlin (620-6503).
- J-15.** APPROVE the following appointments and reappointments: Arts and Culture Commission: Silvia Ledezma, new appointment, term expiring January 31, 2017; Historic Preservation Commission: Joan Pavilinec, new appointment, term ending July 31, 2017; Housing Advisory Commission: Helen Hall, incumbent, term expiring November 11, 2014; Human Rights and Human Relations Commission: Jasmine Jones, new appointment, term expiring March 30, 2016; Workforce Investment Board: Brian Garber, new appointment, no term expiration - Mayor McLaughlin (620-6503).
- J-16.** RECEIVE the monthly report on the Richmond Municipal Sewer District for January 2013 - Councilmember Butt (236-7435).
- J-17.** APPROVE the grant-funded purchase of office chairs from The Chair Place, as part of improvements being made to the line-up room at the Police Department headquarters, in an amount not to exceed \$8,500 - Police Department (Chief Chris Magnus 621-1802).
- J-18.** ADOPT a resolution accepting \$496,000 in Priority Development Area Planning grant funds and authorizing the city manager to execute a funding agreement with the Metropolitan Transportation Commission for the South Shoreline Specific Plan and associated Program Environmental Impact Report - Planning and Building Services Department (Richard Mitchell 620-6706).
- J-19.** APPROVE a contract with Opticos Design, Inc., in an amount not to exceed \$600,000, to be partially funded by a Priority Development Area (PDA) Planning Grant in the amount of \$496,000 received from the Metropolitan Transportation Commission, to prepare the South Shoreline Specific Plan and associated Program Environmental Impact Report - Planning and Building Services Department (Richard Mitchell 620-6706).

**K. PUBLIC HEARINGS**

- K-1.** CONDUCT a public hearing to consider an appeal by William Randolph III, of the Planning Commission's denial of a project to subdivide the site, 5801 Knobcone Court, into four residential lots with one remainder parcel - Planning and Building Services Department (Richard Mitchell 620-6706).

**L. RESOLUTIONS**

**L-1.** ADOPT a resolution in support of selecting a site in Richmond for the California Health Benefits Exchange regional call center - Councilmembers Myrick, Rogers, and Beckles (620-6636).

**M. ORDINANCES**

**M-1.** INTRODUCE an ordinance (first reading) amending Chapter 6.38 of the Richmond Municipal Code requiring the registration of vacant buildings in the City - Police Department and City Attorney's Office (Chief Magnus 621-1802). **This item was continued from the January 15, 2013, meeting.**

**N. COUNCIL AS A WHOLE**

**N-1.** REVIEW the Fiscal Year 2012-13 Mid-Year Budget Financial Forecast and ADOPT a resolution approving the proposed budget adjustments - Finance Department (James Goins 620-6740).

**N-2.** REAFFIRMATION of the vote to appoint Jael Myrick to the Richmond City Council to request a unanimous vote to welcome Councilman Myrick for the purpose of unity - Councilmember Bates and Vice Mayor Booze - (620-6861).

**O. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)**

**P. ADJOURNMENT**

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*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.*