



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

**AGENDA
Tuesday, May 7, 2013**

**Mayor
Gayle McLaughlin**

**Vice Mayor
Courtland "Corky" Boozé**

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

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):
 - Booker vs. City of Richmond
 - Jenkins 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. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):
 - Property: Terminal One
 - Agency negotiator(s): Bill Lindsay, Richard Mitchell, and Jim Matzorkis
 - Negotiating parties: Suzhou Webang Property Management, LLC, CMA, Sares Regis, and Virtual Development Corporation
 - Under negotiation: Price and terms of payment

**REGULAR MEETING OF
THE RICHMOND CITY COUNCIL**

6:30 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. OPEN FORUM FOR PUBLIC COMMENT

F. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

F-1. PROCLAMATION acknowledging May 9, 2013, as Bike to Work Day in the City of Richmond - Mayor McLaughlin (620-6503).

F-2. PROCLAMATION acknowledging May 5 -11, 2013, as Drinking Water Week in the City of Richmond - Mayor McLaughlin (620-6503).

G. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION

H. CITY COUNCIL CONSENT CALENDAR

H-1. ADOPT a resolution authorizing an agreement between the City and County of San Francisco and the City of Richmond to accept grant funds from the Fiscal Year 2012 Urban Area Security Initiative (UASI) in the amount of \$32,300 to purchase rescue equipment, and a storage container to secure the equipment, associated with the development of a Marine Response Program - Fire Department (Chief Michael Banks 307-8041).

H-2. APPROVE a three-year agreement with the Native American Health Center for the lease of City-owned property at 2566 Macdonald Avenue from June 1, 2013, to May 31, 2016, with two additional one-year extension options, to provide health-related prevention and early intervention services for the local Native American community - City Manager's Office (Bill Lindsay 620-6512).

- H-3.** APPROVE a contract with BioMax Environmental Services, LLC for on-call services for monitoring the level of hydrogen sulfide gas at and around the wastewater treatment plant, Point Richmond, Washington Elementary School, and other neighboring communities, in the amount of \$80,000 and for a term extending to December 31, 2014 - Engineering Services Department (Chad Davisson 307-8091).
- H-4.** APPROVE the purchase of equipment with State Homeland Security Grant Funds for the Fire Department's Urban Search and Rescue (USAR) Training Program from the Mallory Company and L.N. Curtis & Sons in the amounts of \$21,106.50 and \$7,936.04, respectively - Fire Department (Chief Michael Banks 307-8041).
- H-5.** ADOPT a resolution approving the Engineer's Report for Fiscal Year 2013-2014 for the Hilltop Landscape Maintenance District ("HLMD"), declaring the Council's intention to increase the annual assessment in the HLMD, and setting a public hearing concerning the proposed increased assessment for June 4, 2013, at 6:30 p.m., in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 231-3008).
- H-6.** ADOPT a resolution approving the Engineer's Report for Fiscal Year 2013-2014 for the Marina Bay Landscaping and Lighting Maintenance District, declaring the Council's intention to increase the annual assessment in the Marina Bay Landscaping and Lighting Maintenance District, and setting a public hearing concerning the proposed increased assessment for June 4, 2013, at 6:30 p.m., in City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 231-3008).
- H-7.** APPROVE the purchase of fitted AS-501 threat level IIIA ballistic helmets, to replace existing Police Department equipment, from Armor Source, LLC, in an amount not to exceed \$18,000 - Police Department (Chief Chris Magnus 621-1802).
- H-8.** ADOPT a resolution amending the City of Richmond's Position Classification Plan adding the new classification of Buyer II to create a flexibly-staffed classification series - Human Resources Management Department (Leslie Knight 620-6600).
- H-9.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Buyer II (Salary Range No. 52D: \$5,824 - \$7,050/month) - Human Resources Management Department (Leslie Knight 620-6600).

Tuesday, May 7, 2013

- H-10.** APPROVE a contract amendment with Softfile to provide additional digital archiving services to the Police Department in an amount not to exceed \$30,000, with a total combined contract amount not to exceed \$55,000, and for a term extending to June 30, 2014 - Police Department (Chief Chris Magnus 621-1802).
- H-11.** APPROVE an amendment to the contract with Meyers, Nave, Riback, Silver & Wilson to continue its legal representation of the City in the lawsuits entitled Booker vs. City of Richmond and Jenkins vs. City of Richmond in the amount of \$365,000 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- H-12.** APPROVE an amendment to the contract with Pacific Park Management (PPM) to provide parking management services at the 12th Street and Nevin Avenue garage and surface parking lot in downtown Richmond in the amount of \$10,000, increasing the total contract amount to \$20,000, and for a term extending to December 31, 2015 - City Manager's Office (Bill Lindsay 620-6512).
- H-13.** APPROVE the purchase of three half-ton pickup trucks from Hilltop Ford (Richmond, California) in an amount not to exceed \$60,000 - Public Works Department (Yader A. Bermudez 231-3008)
- H-14.** REVIEW budget status report and proposed budget review schedule, and provide direction to staff as appropriate - Finance Department (James Goins 620-6740).
- H-15.** APPROVE a contract with Pyro Engineering, dba Bay Area Fireworks, to provide a fireworks show for the City of Richmond on July 3rd at the Marina Bay Park in the amount of \$20,000 for July 3, 2013, \$20,000 for July 3, 2014, and \$20,000 for July 3, 2015 - Recreation Department (Keith Jabari 620-6791).
- H-16.** ADOPT a resolution approving the revised Administrative Plan governing the U.S. Department of Commerce Economic Development Administration (EDA) City of Richmond Revolving Loan Fund (RLF) Grant - City Manager's Office (Bill Lindsay/Janet Johnson 307-8131).
- H-17.** AUTHORIZE a transfer of funds from the Insurance Reserve Fund to the Workers' Compensation Operating Budget in the amount of \$810,000 to provide for the necessary funding for claims payments - Human Resources Management Department (Leslie Knight 620-6600).
- H-18.** APPROVE the minutes of the regular March 19 and April 2, 2013, meetings - City Clerk's Office (Diane Holmes 620-6513).

Tuesday, May 7, 2013

- H-19.** REJECT three construction bids for the Marina Bay Park Restroom Facility, as a result of these bids exceeding the available budget, and direct staff to revise the scope of work and call for new bids - Public Works Department (Yader A. Bermudez 231-3008).
- H-20.** APPROVE the transfer and appropriation of \$10,000 from the insurance proceeds from the 2010 demolition of the Martin Luther King Jr. Community Center into the City Manager's Office budget to fund a contract with Wong Logan Architects to develop architectural concept documents for the new Martin Luther King Jr. Community Center - City Manager's Office and Engineering Services Department (Bill Lindsay 620-6512/Alan Wolken 307-8137).
- H-21.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Duplicating/Mail Specialist I (Salary Range No. 12: \$3,403 - \$4,137/month), and the new classification of Duplicating/Mail Specialist II (Salary Range No. 18: \$3,743 - \$4,551/month) - Human Resources Management Department (Leslie Knight 620-6600).
- H-22.** APPROVE a legal services agreement with Cotchett, Pitre & McCarthy, LLP to prosecute a civil action on a contingent-fee basis as directed in closed session - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- H-23.** APPROVE the following appointments and reappointments: Point Molate Community Advisory Committee: Jim Hite, incumbent, term ending May 3, 2015; Joan Garrett, incumbent, term ending May 3, 2015; Steven Rosing, incumbent, term ending May 3, 2015; Mary Sundance, incumbent, term ending May 3, 2015; Commission on Aging: Ella Sewell, incumbent, term ending May 19, 2015; Rose Brooks, incumbent, term ending May 19, 2015; Housing Advisory Commission: Antheia Farr, incumbent, term ending November 1, 2015; Sylvia Gray-White, new appointment, term ending November 1, 2015; Planning Commission: Eduardo Martinez, new appointment, term ending June 30, 2014 (completing an unexpired term) - Mayor McLaughlin (620-6503).
- H-24.** APPROVE a contract and scope of work with the Men and Women of Purpose for continued programs and services to assist the re-entry population in Richmond in an amount not to exceed \$10,000 - City Manager's Office (Bill Lindsay 620-6512).

I. RESOLUTIONS

- I-1.** ADOPT a resolution regarding the US California Safety Board recommendations to the City of Richmond regarding Refinery Safety - Mayor McLaughlin (620-6503), Councilmembers Butt (236-7435) and Beckles (620-6568).
- I-2.** ADOPT a resolution declaring it a policy of the City of Richmond to not invest in fossil fuel companies, and urging the board and management of the City's pension funds to divest from publicly-traded fossil fuel companies - Mayor McLaughlin (620-6503), Councilmembers Butt (236-7435) and Beckles (620-6568).
- I-3.** ADOPT a resolution in support of the proposed study of wBART: A BART or alternative rail extension in West Contra Costa County - Councilmember Butt (236-7435).

J. PUBLIC HEARINGS

- J-1.** CONDUCT a public hearing and consider an appeal by Barry and Su Thysell of the Design Review Board's denial for a Design Review Permit (PLN12-108) to construct a new ±2,750 SF single-family residence with an attached ±600 SF second dwelling unit at 5900 Tehama Avenue - Planning and Building Services Department (Richard Mitchell 620-6706) - **(Will not be heard before 8 p.m.)**

K. COUNCIL AS A WHOLE

- K-1.** DISCUSS and consider supporting community efforts to establish The Pride & Purpose Promise Scholarship Fund and direct staff to allocate funds in the amount of \$280,000 from the 2012-13 fiscal year to fund the program for two years - Councilmembers Myrick (620-6861) and Rogers (857-5725).
- K-2.** CONSIDER a ban of alcohol billboards near schools in Richmond - Councilmembers Rogers (857-5725), Beckles (620-6568), and Myrick (620-6861).
- K-3.** RECEIVE an update from the Port Director regarding port business development activities being undertaken in China, and other efforts to expand business opportunities for the Port of Richmond, and provide policy direction as appropriate - Councilmembers Bates and Myrick (620-6861).

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

Tuesday, May 7, 2013

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.*