



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

**AGENDA
Tuesday, June 18, 2013**

Mayor
Gayle McLaughlin

Vice Mayor
Courtland “Corky” Boozé

Councilmembers
Nathaniel Bates
Jovanka Beckles
Thomas 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Clerk
 - A-2. LIABILITY CLAIMS - PENDING LITIGATION (Government Code Section 54956.9):

Ricardo Paez vs. City of Richmond

Maureen Hallisey vs. City of Richmond
 - A-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

Two cases

**SPECIAL MEETING OF
THE RICHMOND HOUSING AUTHORITY**

6:25 p.m.

A. PLEDGE TO THE FLAG

B. ROLL CALL

C. STATEMENT OF CONFLICT OF INTEREST

D. OPEN FORUM FOR PUBLIC COMMENT

E. AGENDA REVIEW

F. HOUSING AUTHORITY CONSENT CALENDAR

F-1. ADOPT a resolution authorizing Richmond Housing Authority (RHA) Housing Corporation to serve in the role of Managing General Partner to facilitate the Tax Exempt Bond/Low Income Housing Tax Credit financing to rehabilitate the Friendship Manor, Triangle Court, and Nevin Plaza Public Housing sites, and further authorizing the executive director of the Richmond Housing Authority to transfer an amount not to exceed \$650,000 from Richmond Housing Authority resources to the RHA Housing Corporation for predevelopment financing - Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution setting forth the Richmond Housing Authority's official intent to issue revenue bonds for the rehabilitation of Friendship Manor, Triangle Court, and Nevin Plaza Public Housing sites in an amount not to exceed \$50,000,000 - Richmond Housing Authority (Tim Jones).

F-3. APPROVE the minutes of the March 26, April 16, and May 28, 2013, meetings - City Clerk's Office (Diane Holmes 620-6513).

G. ADJOURNMENT

**MEETING OF THE SUCCESSOR AGENCY TO THE RICHMOND
COMMUNITY REDEVELOPMENT AGENCY AND
RICHMOND CITY COUNCIL**

6:30 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **AGENDA REVIEW**
- D. **OPEN FORUM FOR PUBLIC COMMENT**
- E. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND
NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- F. **SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY CONSENT CALENDAR**

F-1. ADOPT resolutions approving and authorizing the execution of the following documents for the construction of the Officer Bradley A. Moody Memorial Underpass Project: (1) a construction contract with Gordon N. Ball, Inc., in an amount not to exceed \$27,382,470.10 and the establishment of an owner's reserve, in the amount of \$5,223,724 for contingencies and add-alternate construction items; (2) a construction management contract with The Hanna Group, in an amount not to exceed \$4,499,423.43; (3) a design contract with BKF Engineers, in an amount not to exceed \$1,127,631; (4) a reimbursement agreement with Richmond Pacific Railroad Company, in an amount not to exceed \$230,000; (5) a reimbursement agreement with East Bay Municipal Utility District (EBMUD) for the payment by EBMUD of \$593,125 towards specific project costs; and (6) authorization to expend funds for utilities, contract compliance, and other miscellaneous project costs, in an amount not to exceed \$280,000 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8091).

G. CITY COUNCIL CONSENT CALENDAR

- G-1.** APPROVE a contract with Jet Dock Systems, Inc. in an amount not to exceed \$58,000 for the purchase of a boat docking system to be used for the replacement Marine Unit police boat to be purchased as part of the Homeland Security/FEMA Grant Program - Police Department (Chief Chris Magnus 621-1802).
- G-2.** APPROVE a contract with Moose Boats for the purchase of a 37-foot police boat (M2-37) in an amount not to exceed \$700,500, primarily funded through a Homeland Security/FEMA Grant (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-3.** AUTHORIZE the mayor to sign a letter to the Contra Costa Transportation Authority Board in support of the grant application by the cities of Richmond and San Pablo for the San Pablo Avenue Complete Streets Project under the OneBayArea Grant (OBAG) Program.
- G-4.** APPROVE the purchase of one replacement street sweeper from Owen Equipment Sales in an amount not to exceed \$275,000 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Public Works Department (Yader A. Bermudez 231-3008).
- G-5.** APPROVE a contract with Hire Counsel to provide cost-effective privilege review of electronic documents for pending federal court litigation against the City by Upstream Point Molate, LLC and the Guidiville Band of Pomo Indians, with a term of May 21, 2013, to June 30, 2014, in an amount not to exceed \$48,000 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- G-6.** INTRODUCE an ordinance (first reading) setting the tax rate for the Tax Override Pension Fund for Fiscal Year 2013-2014 at 0.14% - Finance Department (James Goins/Antonio Banuelos 620-6740).
- G-7.** APPROVE a purchase with Laner Electric Supply Company, Inc. for electrical wiring for the rehabilitation of the Richmond Parkway lighting system in an amount not to exceed \$25,000 - Public Works Department (Yader A. Bermudez 231-3008).
- G-8.** APPROVE a purchase with Royal Wholesale Electric for 122 Christy Traffic Rated Boxes for the rehabilitation of the Richmond Parkway lighting system in an amount not to exceed \$23,500 - Public Works Department (Yader A. Bermudez 231-3008).

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- G-9.** ADOPT a resolution supporting federal Title VI nondiscrimination laws and regulations as required by the funding agreement with the Metropolitan Transportation Commission (MTC) administering Federal Transit Administration program funds - City Manager's Office (Bill Lindsay 620-6512).
- G-10.** APPROVE a contract with DP Security Services, LLC to provide unarmed security services for rentals at various recreation facilities for a three-year period, with two one-year renewal options. The term of the contract is July 1, 2013, ending on June 30, 2016, in an amount not to exceed \$75,000 - Recreation Department (Keith Jabari 620-6950).
- G-11.** APPROVE an agreement with Motorola Solutions Corporation for the maintenance of the City's public safety Motorola portable and mobile radio equipment in an amount not to exceed \$192,908.88, and for a term from July 1, 2013, through June 30, 2016 (\$64,302.96 a year for three years) - Police Department (Chief Chris Magnus 621-1802).
- G-12.** APPROVE the purchase of emergency trauma kits from Rescue Essentials in an amount not to exceed \$30,000, for placement in marked police patrol vehicles and for use by police officers to render immediate medical aid to stricken officers and victims - Police Department (Chief Chris Magnus 621-1802).
- G-13.** APPROVE the minutes of the April 23, 2013, Special City Council Meeting, and the May 21, 2013, Regular City Council Meeting - City Clerk's Office (Diane Holmes 620-6513).
- G-14.** APPROVE a contract with the Contra Costa County Office of the Sheriff-Coroner Crime Laboratory for a dedicated forensics firearms technician to examine Richmond firearms evidence as well as other services, in an amount not to exceed \$100,500 from February 29, 2012, through June 30, 2013, extending the term of a prior contract - Police Department (Chief Chris Magnus 621-1802).
- G-15.** APPROVE a contract with Bay Hawk, Inc. to construct an ADA compliant pathway and picnic pad at Point Molate Beach Park in an amount not to exceed \$18,360, as part of the effort to reopen the park facility to the public. The term of the contract is June 19, 2013, to December 31, 2013 - Public Works Department (Yader A. Bermudez 231-3008).
- G-16.** ACKNOWLEDGE receipt of the City of Richmond's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2012 (The Finance Standing Committee received the report at its June 7, 2013, meeting) - Finance Department (James Goins 620-6740).

- G-17.** RECEIVE a monthly report on the Richmond Municipal Sewer District for May 2013 - Engineering Services Department (Chad Davisson 307-8091).
- G-18.** APPROVE a one-year contract extension to participate in the State of California rental vehicle program with Enterprise Holdings Incorporated, in an amount not to exceed \$173,000, from July 1, 2013, to June 30, 2014 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-19.** APPROVE a contract with TYCO (formerly ADT) to extend the warranty service for the existing City of Richmond CCTV Program, and to expand the current system through purchase, installation, and servicing of additional CCTV equipment for the period of December 19, 2012, through June 30, 2013, in an amount not to exceed \$171,000 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-20.** APPROVE a contract with Shot Spotter Inc., to continue providing maintenance and support for the ShotSpotter System, in an amount not to exceed \$184,950, from July 1, 2013, through June 30, 2014 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-21.** ADOPT a resolution amending the original as-needed electrical contractor services resolution to perform high voltage and major electrical contract services throughout the city with Kray Cabling, Inc. (Richmond) and Republic ITS, also known as Siemens Corporation (Novato), in an amount not to exceed \$75,000 per firm per year over a three-year period with two one-year extensions (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Public Works Department (Yader A. Bermudez 231-3008).
- G-22.** APPROVE an amendment to the existing contract with Maze & Associates to add \$230,750 for completion of additional audit work and other required financial reports for the Fiscal Year ended June 30, 2012, and approve a three-year extension through Fiscal Year 2015-16 to provide external auditing and other related services in an amount not to exceed \$942,020, for a total contract amount of \$2,231,545 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Finance Department (James Goins 620-6740).

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- G-23.** APPROVE a contract with Packet Fusion for five years for maintenance of the City's ShoreTel Telephone System in an amount not to exceed \$247,668.75 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Information Technology Department (Sue Hartman 620-6874).
- G-24.** ADOPT a resolution to renew standing orders and outline agreements for technology-related goods and services from Ricoh and Xerox in an amount not to exceed \$250,000 per year per vendor for Fiscal Year 2013-2014 through Fiscal Year 2015-2016 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Information Technology Department (Sue Hartman 620-6874).
- G-25.** APPROVE the 2013/2014 North Richmond Waste and Recovery Mitigation Fee Expenditure Plan; the Committee's recommended activities for July 1, 2013, through June 30, 2014; and the Third Amended Mitigation Fee Expenditure Plan for 2012/2013 - City Manager's Office (Bill Lindsay 620-6512).
- G-26.** APPROVE a contract with Nema Construction for the installation and connection of an existing emergency generator and upgrading the existing power source at the Corporation Yard, Equipment Services facilities, in an amount not to exceed \$250,000 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Public Works Department (Yader A. Bermudez 231-3008).
- G-27.** APPROVE Amendment No.1 to a contract with Carollo Engineers, in an amount not to exceed \$768,128 for engineering design services related to the final design for the Wet Weather Storage Facility Project. The original contract amount for preliminary design services was \$223,060. The total contract amount, including the proposed amendment, is \$991,188 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - Engineering Services Department (Chad Davisson 307-8091).
- G-28.** APPROVE a legal services agreement with Trisha A. Aljoe in the amount of \$175,000 to provide continued legal services with respect to the Police Department in connection with Code Enforcement activities, drug house abatement matters, and general legal matters, from July 1, 2013, through June 30, 2014 (This item was reviewed and recommended for approval by the Finance Standing Committee at its June 7, 2013, meeting) - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

Should any of the following continued items be removed from the Consent Calendar, they will be heard immediately following the approval of the Consent Calendar. All other items removed from the Consent Calendar will be placed at the end of the agenda for consideration.

- G-29.** APPROVE a legal services agreement with Renne Sloan Holtzman & Sakai, LLP for advice regarding elections, campaign law, and general municipal assistance, in an amount not to exceed \$30,000, with a term expiring on June 30, 2014 - City Attorney's Office (Bruce Reed Goodmiller 620-6509). **This item was continued from the June 4, 2013, meeting.**
- G-30.** APPROVE a purchase with Omega Pacific Electric Supply, Inc. to provide 14 - 40ft galvanized street light poles for the Richmond Parkway in an amount not to exceed \$26,500 - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the June 4, 2013, meeting.**

H. PUBLIC HEARINGS

- H-1.** A hearing related to the proposed issuance of multifamily housing revenue obligations by the California Statewide Communities Development Authority (CSCDA) in an amount not to exceed \$10,000,000, and ADOPT a resolution to approve the proposed financing by the CSCDA - Finance Department (James Goins 620-6740).
- H-2.** APPROVE the transfer of Richmond Compassionate Care's permit from a C-3 zone to a C-2 zone to continue to operate as a medical marijuana collective at 425 South 2nd Street in substantial compliance with the application submitted on or about May 2, 2011, and again on April 16, 2013 – Police Department (Chief Chris Magnus 621-1802).
- H-3.** CONSIDER adopting a resolution to rename 15th Street between Nevin Plaza and Macdonald Avenue, in the Metro Walk residential neighborhood, to "Village Lane" in response to a request by residents - Planning and Building Services Department (Richard Mitchell 620-6706).

I. RESOLUTIONS

I-1. ADOPT an amended resolution, pertaining to City Council Rules and Procedures, to establish formally the following current practices: (1) to set the start time of regular City Council meetings to 6:30 p.m. and the time of adjournment to 11:00 p.m. with an option to extend by a majority of the Council to 11:30 p.m. as a firm end-time; (2) to establish a limit of three presentations/proclamations/commendations to be placed exclusively on fourth Tuesday meetings (unless time-sensitive), allowing five minutes per item; (3) to establish that items not completed shall be continued to the next regular business meeting or study session meeting (respectively) and placed at the beginning of the same category of the agenda; and (4) to establish that the mayor and the city manager shall meet to review the draft agenda as compiled by the city clerk and set the final agenda - Mayor McLaughlin (620-6503) and Councilmembers Butt and Myrick (620-6581).

J. ORDINANCES

J-1. A. INTRODUCE a single-use bag ordinance that will: (1) prohibit the distribution of single-use plastic bags at point of sale by retail establishments and (2) require retail establishments to charge all customers a fee of 5-10 cents for each paper bag distributed at point of sale to the customer; and B. INTRODUCE amendments to the food ware ordinance that will: (1) prohibit the retail sale of polystyrene foam products; (2) revise allowable food ware; (3) provide for the issuance of an administrative citation immediately following a violation of this chapter; and (4) include other technical revisions - City Manager's Office (Bill Lindsay 620-6512).

K. COUNCIL AS A WHOLE

K-1. RECEIVE a report on the proposed Fiscal Years 2013-15 budget checklist items identified by the City Council at its June 11, 2013, meeting, and PROVIDE direction to staff - Finance Department (James Goins 620-6740).

K-2. DIRECT the city attorney and city manager regarding a possible extension of the June 20, 2013, effective date of the legal services agreement with Cotchett, Pitre & McCarthy, LLP, in order to allow additional time for the mediation session currently set for June 27, 2013 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

- K-3.** DISCUSS and provide direction to staff regarding items placed on the City Council Agenda - Vice Mayor Booze (620-6593) and Councilmember Bates (620-6743). **This item was continued from the May 21 and June 4, 2013, meetings.**
- K-4.** DISCUSS and provide direction to staff regarding complaints from PG&E rate payers experiencing difficulty with opting out of the Marin Clean Energy Program - Vice Mayor Booze (620-6593). **This item was continued from the May 21 and June 4, 2013, meetings.**
- K-5.** DISCUSSION and direction to the city manager to present a plan and a funding source to demolish the Petromark building - Councilmember Rogers (867-5725). **This item was continued from the May 28 and June 4, 2013, meetings.**
- K-6.** RECEIVE a presentation and provide direction to staff regarding the coordination of a retreat for the Richmond City Council - Councilmember Bates (620-6743). **This item was continued from the May 28 and June 4, 2013, meetings.**
- K-7.** CONSIDER amending the City Council Meeting procedures to make Council meetings more accessible for the public and more efficient by: (1) instituting a three-month pilot program of having timed items; (2) moving advisory items to the third Tuesday meeting; and by (3) having a special period near the start of the meeting to discuss all items held over from the last meeting - Councilmember Rogers (867-5725). **This item was continued from the May 28 and June 4, 2013, meetings.**
- K-8.** DIRECT the city manager to present a plan which would phase in a drastic reduction, or elimination, of providing City cars to employees - Councilmember Rogers (867-5725). **This item was continued from the June 4, 2013, meeting.**

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.