



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

**AGENDA
Tuesday, July 2, 2013**

Mayor
Gayle McLaughlin

Vice Mayor
Courtland "Corky" Boozé

Councilmembers

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

Housing Authority Tenant Commissioners

Helen Hall
Jackie Thompson

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):
 - Chevron vs. Contra Costa County (2)
 - City of Brentwood vs. Contra Costa County
 - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):
 - One Case

**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. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- F. OPEN FORUM FOR PUBLIC COMMENT**
- G. CITY COUNCIL CONSENT CALENDAR**
 - G-1.** 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/Antonio Banuelos 620-6741).
 - G-2.** APPROVE the placement of a memorial plaque on a bench in Civic Center Plaza in recognition of the late Eula M. Barnes as the first female and first African-American City Clerk for the City of Richmond - City Clerk Diane Holmes (620-6513), Councilmember Bates (620-6743), and Vice Mayor Boozé (620-6593).
 - G-3.** APPROVE a contract with the Oakland Private Industry Council to be the contracting/ vendor pay agent for individual training accounts and on-the-job training activities for the Workforce Investment Act Program participants, in an amount not to exceed \$99,000, and a contract term July 2, 2013, through June 30, 2014 - Employment and Training Department (Rosemary Viramontes/Sal Vaca 307-8006).
 - G-4.** APPROVE international travel by Employment and Training Department staff member Nicholas Alexander for participation in a workshop in Rio de Janeiro, Brazil, July 7-13, 2013, with all travel expenses covered by the US Environmental Protection Agency - Employment and Training Department (Sal Vaca 307-8006).
 - G-5.** ADOPT an ordinance (second 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-6.** APPROVE an emergency contract with Bay Hawk, Inc. to install 24 upgraded electrical traffic rated boxes, to replace existing vandalized electrical boxes on Kelsey Street from Alamo Avenue to Vernon Avenue to restore street lighting to the area, in an amount not to exceed \$15,000 - Public Works Department (Yader A. Bermudez 231-3008).
- G-7.** APPROVE the following re-appointment: Planning Commission: Sheryl Lane, incumbent, term ending June 30, 2015 - Mayor McLaughlin (620-6503).
- G-8.** A. ADOPT a single-use bag ordinance (second reading) 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. ADOPT amendments to the food ware ordinance (second reading) 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).
- G-9.** DIRECT the city attorney to draft revisions to our graffiti abatement ordinance to increase the penalties for repeated non-compliance on property within 200 feet of I-580 and I-80 - Councilmember Rogers (867-5725).
- G-10.** APPROVE the minutes of the May 28, 2013, Special City Council Meeting - City Clerk's Office (Diane Holmes 620-6513).

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-11.** 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). **This item was continued from the June 18, 2013, meetings.**
- G-12.** 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). **This item was continued from the June 18, 2013, meeting.**

- G-13.** 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). **This item was continued from the June 18, 2013, meeting.**
- G-14.** 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). **This item was continued from the June 18, 2013, meeting.**

H. ORDINANCES

- H-1.** INTRODUCE an ordinance adding Chapter 2.65 to the Richmond Municipal Code entitled "Ban the Box" requiring any contractor, lessee, recipient of financial aid or their subcontractors to refrain from any inquiries regarding employment applicants' prior criminal convictions - Councilmember Beckles (620-6568).

I. COUNCIL AS A WHOLE

- I-1.** DISCUSS and provide direction to staff regarding items placed on the City Council Agenda - Vice Mayor Boozé (620-6593) and Councilmember Bates (620-6743). **This item was continued from the May 21, June 4, and June 18, 2013, meetings.**
- I-2.** 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 Boozé (620-6593). **This item was continued from the May 21, June 4, and June 18, 2013, meetings.**
- I-3.** 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, June 4, and June 18, 2013, meetings.**

I-4. 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, June 4, and June 18, 2013, meetings.**

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

K. 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.