



**Richmond Memorial Auditorium  
403 Civic Center Plaza  
Richmond, CA 94804**

**AGENDA  
Tuesday, September 10, 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

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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**

5:00 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):
    - Wells Fargo vs. City of Richmond
    - Bank of New York vs. City of Richmond
    - Chevron vs. Contra Costa County
  - A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):
    - Agency designated representatives: Bill Lindsay, Jack Hughes, Michael Banks, Bruce Soublet, and Lisa Stephenson
    - Employee organization: Richmond Fire Management Association (RFMA)
  
    - Agency designated representatives: Bill Lindsay, Jack Hughes, Lisa Stephenson, Bruce Soublet, and Chris Magnus
    - Employee organization: Richmond Police Officers' Association (RPOA)

## **SPECIAL 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.** INTRODUCE an ordinance (first reading ) updating Chapter 12.22 of the Richmond Municipal Code that pertains to Stormwater Management and Discharge Control in order to comply with regulatory requirements - Engineering Services Department (Chad Davisson/Lynne Scarpa 620-8091).
  - G-2.** RECEIVE the Grand Jury Report No. 1311, "Assessing Financial Risk," and review and approve the response to this report - Finance Dept (James Goins 620-6740).
  - G-3.** APPROVE the annual support and user license agreement with Faster Asset Solutions by CCG Systems, Inc. for fleet management software used in maintaining data records of city-owned equipment, in an amount not to exceed \$11,350 for Fiscal Year 2013/14 and in an amount not to exceed \$12,000 per year for Fiscal Years 2014/15 and 2015/16 - Public Works Department (Yader A. Bermudez 231-3008).
  - G-4.** REJECT all bids received for the Urban Runoff Treatment Retrofits at 1st Street and Cutting Boulevard, and re-advertise this project - Engineering Services Department (Chad Davisson/Lynne Scarpa 307-8135).
  - G-5.** APPROVE a Memorandum of Understanding (MOU) between Rubicon Programs, Inc. and Richmond Public Library-LEAP, allowing the LEAP Program to receive \$32,030 for the period of July 1, 2013, through June 30, 2014, in exchange for providing basic literacy and GED preparation for Rubicon, and APPROVE an amendment to the Fiscal Year 2013-2014 Operating Budget increasing library fund revenue and expenditures in the amount of \$32,030 - Library and Cultural Services Department (Katy Curl 620-6554).

- G-6.** APPROVE a Memorandum of Understanding (MOU) between Bay Area Community Resources (BACR) and Richmond Public Library-LEAP to allow BACR to place a VISTA position at Richmond Public Library-LEAP to support volunteer recruitment at a cost to LEAP of \$14,664 - Library and Cultural Services Department (Katy Curl 620-6554).
- G-7.** APPROVE an agreement with the California State Library allowing the Richmond Public Library-LEAP to receive funding to provide literacy services for the City of Richmond, AUTHORIZE the Library and Cultural Services Director to accept the State funds in the amount of \$10,000, and APPROVE an amendment to the Fiscal Year 2013-14 Operating Budget to increase library fund revenue and expenditures in the amount of \$10,000 - Library and Cultural Services Department (Katy Curl 620-6554).
- G-8.** ADOPT an ordinance (second reading) to establish wages, salaries, and compensation for the classifications represented by the International Federation of Professional and Technical Employees (IFPTE Local 21) in the city's classified service, and repealing Ordinance No. 38-06 N.S. - Human Resources Management Department (Lisa Stephenson 620-6600).
- G-9.** APPROVE the grant-funded purchase of a mobile office/storage combination trailer for the Richmond Fire Department Marine Response Program from Mark Holmes, dba Holmes Construction, using Fiscal Year 2012 Bay Area Urban Area Security Initiative (UASI) funds in an amount not to exceed \$24,500 - Fire Department (Chief Michael Banks 307-8041).
- G-10.** APPROVE a contract amendment with TPA Construction Inc. for completion of the Dornan Drive Tunnel Project, increasing the contract amount by \$330,000 for a total of \$1,405,328 - Engineering Services Department (Andy Yeung/Melissa Tigbao 307-8091).
- G-11.** ADOPT a resolution approving a Memorandum of Understanding (MOU) between RFMA and the City of Richmond. The MOU will be effective from July 1, 2013, through June 30, 2016, and provides for a 3% annual salary increase each September 1 for the years 2013, 2014, and 2015. The salary increase is offset by RFMA members contributing an additional 1% per year toward CalPERS pension cost (3% over the life of the contract, for a total contribution of 12% at the end of the term) - Human Resources Management Department (Lisa Stephenson 620-6600).
- G-12.** INTRODUCE an ordinance (first reading) to establish wages, salaries, and compensation for the classifications represented by the Richmond Fire Management Association (RFMA) in the City's classified service, and repealing Ordinance No. 39-06 N.S. - Human Resources Management Department (Lisa Stephenson 620-6600).

- G-13.** APPROVE a contract with Networkfleet for Global Positioning System (GPS) tracking and management in an amount not exceed \$95,000 for a two-year term, and the option for two one-year extensions in an amount not to exceed \$47,500 per year - Public Works Department (Yader A. Bermudez 231-3008).
- G-14.** APPROVE a contract with AAA Fence Company, Inc. for chain link fence repair and replacement surrounding the sport courts at Belding-Garcia Park and Lucas Park in an amount not to exceed \$40,582.30 which includes a 10% city controlled cost contingency. The contract term will be from September 11, 2013 to June 30, 2014 - Public Works Department (Yader A. Bermudez 231-3008).
- G-15.** APPROVE a service contract with BMW Motorcycles of San Francisco to provide regular maintenance and repair services for the Richmond Police Department's BMW motorcycle fleet, at a cost not to exceed \$60,000 (\$30,000 per year, for a two-year term) from July 1, 2013, through June 30, 2015 - Police Department (Chief Chris Magnus 621-1802).
- G-16.** ACCEPT and APPROPRIATE a grant from Cities of Service in the amount of \$25,000 to expand writing support to high school students through the WritersCoach Connection Program at Richmond High School; and APPROVE the appropriation of a bonus grant of up to \$5,000, contingent upon the grantee meeting the year-one impact benchmarks specified in the Cities of Service Impact Volunteering Fund Memorandum of Understanding - City Manager's Office (Bill Lindsay/Rochelle Monk 620-6512).
- G-17.** APPROVE the following appointments and re-appointments: Historic Preservation Commission: Kimberly Butt, incumbent, term expiring July 31, 2017; Robin Cawelti, incumbent, term expiring July 31, 2017; Point Molate Community Advisory Committee: Eduardo Martinez, incumbent, term expiring May 30, 2015; Workforce Investment Board: Uche Justin Uwahemu, new appointment; Jake Sloan, new appointment; Economic Development Commission: David Schoenthal, new appointment, term expiring March 30, 2016; D. Dexter Vizinau, new appointment, term expiring March 30, 2016; and Commission on Aging: Kathleen Good, new appointment, term expiring May 19, 2015 - Mayor McLaughlin (620-6503).
- G-18.** APPROVE the minutes of the July 23 and 30, 2013, special meetings - City Clerk's Office (Diane Holmes 620-6513).
- G-19.** DIRECT the Richmond City Councilmembers that represent the City of Richmond on the West Contra Costa Integrated Waste Management Authority ("RecycleMore") Board of Directors to place on that agency's agenda, and to vote in support of, an amendment to the West Contra Integrated Waste Management Authority Joint Powers Authority Agreement that provides more flexibility to members wishing to withdraw from the Authority - City Manager's Office (Bill Lindsay 620-6512).

- G-20.** INTRODUCE an ordinance to ban alcohol billboards near schools, in order to reduce the number of minors who become at risk for alcohol abuse due to starting to drink before they can make an informed, adult choice - Councilmembers Rogers, Beckles, and Myrick (620-6861).
- G-21.** DESIGNATE Councilmember Butt as voting delegate to represent the City of Richmond at the Annual Business Meeting of the League of California Cities 2013 Annual Conference to be held September 18-20, 2013, at the Sacramento Convention Center, Sacramento, California - City Clerk's Office (Diane Holmes 620-6513). This item was continued from the July 23, 2013, meeting.
- G-22.** ADOPT a resolution authorizing the city manager to enter into and execute all agreements necessary to amend and assess franchise fees for the collection and processing of trash, recyclables, and green waste to compensate the city for fiscal impacts caused by roadway maintenance, litter abatement, and Storm Water Program management - City Manager's Office (Bill Lindsay 620-6512).

**H. PUBLIC HEARINGS**

- H-1.** CONTINUE TO SEPTEMBER 17, 2013, RECEIVE testimony regarding the proposed Consolidated Action Plan Evaluation Report (CAPER) and APPROVE the 2012-2013 CAPER - Housing and Community Development (Patrick Lynch 307-8140).

**I. COUNCIL AS A WHOLE - NOT EARLIER THAN 7:00 P.M.**

- I-1.** DIRECT the city manager to withdraw any offers made to servicers of mortgage loans to purchase such mortgages based on fair market value (letters dated July 31, 2013), and to amend the advisory services agreement with Mortgage Resolution Partners, LLC to eliminate the option of utilizing eminent domain as an option to acquire mortgages - Vice Mayor Boozé (620-6593 and Councilmember Bates (620-6743).
- I-2.** HEAR a report from staff on Richmond CARES - the Local Principal Reduction Program, and DIRECT staff to: (1) to work to set up a Joint Powers Authority (JPA) together with other interested municipalities, as a next step forward in the development of this program; (2) to confirm that no loans will be acquired by the City through eminent domain before coming back to the full City Council for a vote; and (3) to continue working with MRP to resolve any remaining legal issues - Mayor McLaughlin (620-6503).
- I-3.** CONSIDER informing Mortgage Resolution Partners (MRP) that if they fail to provide insurance to protect the City of Richmond from litigation and related damages due to the city exercising its power of eminent domain to acquire underwater mortgages, the city will not proceed with eminent domain actions - Councilmember Rogers (620-6581).

**I-4. NOT EARLIER THAN 10:00 P.M.** - OPPOSE appeals to modify or remove conditions of Alcohol Beverage Licenses for Val Mar Market located at 3630 Barrett Avenue, and Family Market located at 700 Pennsylvania Avenue - Councilmember Butt (236-7435) and Councilmember Rogers (867-5725).

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

**K. 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.*