



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

**AGENDA
Tuesday, January 14, 2014**

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).

**OPEN SESSION TO HEAR PUBLIC COMMENT
ON CLOSED SESSION ITEMS**

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 - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One case

- A-2. 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-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Port of Richmond General Warehouse
Agency negotiators: Bill Lindsay, Jim Matzorkis, Michael Williams
Negotiating party: Golden Solar Power Group
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. STATEMENT OF CONFLICT OF INTEREST

D. AGENDA REVIEW

E. ELECTION OF VICE MAYOR

E-1. Election of a vice mayor for 2014 - Mayor's Office (Mayor McLaughlin 620-6503).

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

G. OPEN FORUM FOR PUBLIC COMMENT

H. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

H-1. ADOPT a resolution authorizing execution of a contract with Susan G. Mayer to provide strategic financial management consulting services to the Successor Agency to the Richmond Community Redevelopment Agency in an amount not to exceed \$112,875 and for a term extending to June 30, 2014, with two renewal options thereafter not to exceed \$114,000 per additional year and extending to June 30, 2016 (This item was not reviewed by the Finance Standing Committee due to cancellation of their January 3, 2014, meeting) - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch 307-8140).

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

- H-2.** DIRECT staff to design and implement a program to mitigate negative economic impacts due to the construction of the Officer Bradley A. Moody Memorial Underpass Project, and AUTHORIZE the expenditure of funds available in the Project Owner's Reserve for mitigation of negative economic impacts - Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch/Chadrick Smalley 307-8091). **This item was continued from the December 17, 2013, meeting.**

I. CITY COUNCIL CONSENT CALENDAR

- I-1.** APPROVE an amendment to the existing contract with Holland & Knight LLP for legal representation in connection with the Revised Environmental Impact Report for the Chevron Refinery Modernization Project, increasing the payment limit by \$1,500,000 for a contract payment limit of \$4,750,000 (to be paid by Chevron, the project applicant), and extending the term of the contract to June 30, 2015 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
- I-2.** APPROVE an amendment to the existing contract with ENVIRON for preparation of a Revised Environmental Impact Report for the Chevron Refinery Modernization Project, increasing the payment limit by \$1,500,000 (to be paid by Chevron, the project applicant) for a total contract payment limit of \$8,000,000 and extending the term of the contract to June 30, 2015 - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-3.** APPROVE the purchase of one replacement John Deere 5075M utility tractor from Turf & Industrial Equipment for use by the Public Works Department Parks Division in an amount not to exceed \$50,000 - Public Works Department (Yader A. Bermudez 231-3008).
- I-4.** ADOPT a resolution authorizing the City of Richmond to accept and appropriate \$355,340 in grant funding from the Contra Costa County Health Services Emergency Medical Services Division, and approve a two-year agreement from July 1, 2013 to June 30, 2015 with the Contra Costa County Health Services Emergency Medical Services Division in support of the Fire Department's Measure H program - Fire Department (Chief Michael Banks 307-8041).
- I-5.** APPROVE the acceptance and appropriation of \$16,340 in donated funds from the Chevron Corporation for the Fire Department's Office of Emergency Services' Richmond Community Emergency Response Team (CERT) Training Program - Fire Department (Chief Michael Banks).

- I-6. APPROVE the minutes of the regular December 3, 2013, and special January 7, 2014, City Council Meetings - City Clerk's Office (Diane Holmes 620-6514).
- I-7. APPROVE 2014 appointments to City Council Standing Committees, Regional Committees, Ad Hoc Committees and Liaison positions - Mayor McLaughlin (620-6503)

Should any of the following continued items be removed from the Consent Calendar, the item(s) 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.

- I-8. APPROVE a 20-year master lease agreement with Golden Solar Power Group (GSPG) for the General Warehouse located at the Point Potrero Marine Terminal, providing for approximately \$4,900,000 of lease revenue to the Port, with the Port retaining the value of the building rehabilitation and restoration which is anticipated to be a minimum of \$1,000,000 - Port Department (Jim Matzorkis 215-4600). **This item was continued from the December 3, 2013, meeting.**
- I-9. ADOPT a resolution amending the City of Richmond's Conflict of Interest Code - City Attorney's Office (Bruce Reed Goodmiller 620-6509). **This item was continued from the December 17, 2013, meeting.**
- I-10. ADOPT a resolution accepting and appropriating \$100,774 into the City's Fiscal Year 2013-15 Budget from the Metropolitan Transportation Commission (MTC) New Freedom grant program, which supports the Title VI nondiscrimination laws and regulations for disabled persons and seniors, and committing in-kind City services with a total value of \$100,774 as a local funding match - City Manager's Office (Bill Lindsay 620-6512). **This item was continued from the December 17, 2013, meeting.**
- I-11. APPROVE a grant-funded amendment to the construction contract with Turner Group Construction for construction and construction related services relating to the renovation of Elm Play Lot and community building, expanding the scope of work to include additional park and building components, increasing the amount by \$89,500 for a total contract amount of \$1,335,436, and maintaining the contract term ending June 30, 2014 - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the December 17, 2013, meeting.**
- I-12. APPROVE the purchase of an aerial/bucket truck in an amount not to exceed \$87,478.02, to be used by the Police Department's CCTV technician for continuous maintenance, repair, and installation of all wireless camera devices - Police Department (Chief Chris Magnus 621-1802). **This item was continued from the December 17, 2013, meeting.**

- I-13.** ACCEPT and appropriate the 2013/2014 grant from the California Office of Traffic Safety (OTS) in the amount of \$37,400 to fund sobriety checkpoints aimed at reducing the number of victims killed and injured in alcohol-involved crashes - Police Department (Chief Chris Magnus 621-1802). **This item was continued from the December 17, 2013, meeting.**
- I-14.** RECEIVE a report regarding the results of the sale of the City's Fiscal Year 2013/14 Tax and Revenue Anticipation Notes in accordance with City Council policy - Finance Department (James Goins 620-6740). **This item was continued from the December 17, 2013, meeting.**
- I-15.** ADOPT an ordinance (second reading) to amend Richmond Municipal Code 9.56 to include electronic cigarettes in the smoking regulations - Councilmembers Butt (236-7435), Rogers (867-5725), and Myrick (620-6636). **This item was continued from the December 17, 2013, meeting.**
- I-16.** APPROVE a second amendment to the contract with Holland & Knight LLP for the continuation of federal and state advocacy services, increasing the amount by \$180,000 and extending the term to December 31, 2014 - City Manager's Office (Bill Lindsay 620-6512). **This item was continued from the December 17, 2013, meeting.**
- I-17.** APPROVE a contract with Nichols Consulting Engineers to provide technical and budgetary oversight concerning environmental remediation activities at Point Molate in an amount not to exceed \$187,500 (paid from the remediation account funded by the United States Navy) for a contract term commencing July 1, 2013, and ending December 31, 2014 (The item was reviewed and recommended for approval by the Finance Committee at its December 6, 2013, meeting) - Engineering Services Department (Alan Wolken/Craig Murray 307-8091). **This item was continued from the December 17, 2013, meeting.**
- I-18.** APPROVE a Memorandum of Understanding (MOU) between the City of Richmond and the Richmond Police Activities League (RPAL) to subsidize RPAL staff and programs as approved in the City's 2013/15 budget, ensuring that academic, athletic, and life-skills services offered by RPAL will continue for the period July 1, 2013, through June 30, 2015, in an amount not to exceed \$600,000, \$300,000 annually for two years (This item was reviewed and recommended for approval by the Finance Committee at its December 6, 2013, meeting) - Police Department (Chief Magnus 621-1802). **This item was continued from the December 17, 2013, meeting.**
- I-19.** APPROVE the City Manager's response to Grand Jury Report No. 1302 entitled, "Outsourcing Municipal Services", and submittal of the response to the foreperson of the 2012/2013 Contra Costa County Civil Grand Jury - City Manager's Office (Bill Lindsay 620-6512). **This item was continued from the December 17, 2013, meeting.**

J. RESOLUTIONS

J-1. ADOPT a resolution directing staff to draft three ballot measures within 60 days for City Council review and consideration for submission to the voters at the November 4, 2014 general municipal election to establish a minimum wage for employees of employers who maintain a facility within the city or are subject to the City Business License tax (exempting small and new businesses and certain categories) - Councilmember Beckles (620-6568), Councilmember Myrick (620-6636) and Mayor McLaughlin (620-6503).

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

L. 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.