



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

**AGENDA
Tuesday, April 20, 2010**

**Mayor
Gayle McLaughlin**

**Vice Mayor
Jeff Ritterman**

**Councilmembers
Nathaniel Bates
Thomas K. Butt
Ludmyrna Lopez
Jim Rogers
Maria T. Viramontes**

The Richmond City Council also serves as Board Members and Commission Members for the following:

**Community Redevelopment Agency
Housing Authority
Joint Powers Financing Authority
Surplus Property Authority
Local Reuse Authority**

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.

The City Council’s adopted Rules of Procedure recognize that debate on policy is healthy; debate on personalities is not. The Chairperson has the right and obligation to cut off discussion that is too personal, too loud, or too crude.

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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):
 - Toll Bros. Inc. vs. City of Richmond, et al.
 - Littlehale vs. City of Richmond, et al.
 - Coalition of Concerned Citizens of Point Richmond, et al. vs. City of Richmond,
et al.
 - Chevron vs. City of Richmond (two cases)
 - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(Initiation of litigation pursuant to Subdivision (c) of Section 54956.9):
 - Four cases

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SPECIAL MEETING 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. **RESOLUTIONS**

F-1. ADOPT a resolution authorizing the executive director to execute a contract with F. P. Construction to provide public housing maintenance services for a one-year term with three optional one-year extensions, at a cost of \$170,000 annually (this item was reviewed and recommended for approval by the Housing Advisory Commission at its February 8, 2010, meeting and the Finance Committee at its April 2, 2010, meeting) - Richmond Housing Authority (Tim Jones 621-1310).

- G. **ADJOURNMENT**

JOINT MEETING OF RICHMOND REDEVELOPMENT

AGENCY/RICHMOND CITY COUNCIL

6:30 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. OPEN FORUM FOR PUBLIC COMMENT

D. AGENDA REVIEW

E. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. Presentation by Richard Kochan, City of Richmond representative in Washington, DC, on the status of federal legislation - City Manager's Office (Bill Lindsay 620-6512).

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

G. REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR

G-1. APPROVE joint actions of the Redevelopment Agency Board and the City Council as follows: (1) ADOPT a City Council resolution making certain findings and addressing written concerns received during the comment period for the Amended and Restated Redevelopment Plan for the Richmond Merged Project Area; (2) ADOPT a joint resolution making certain findings and certifying the Environmental Impact Report for the Amended and Restated Redevelopment Plan for the Richmond Merged Project Area; and (3) INTRODUCE an ordinance (first reading) to adopt the Amended and Restated Redevelopment Plan for the Richmond Merged Redevelopment Project Area - Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).

G-2. ADOPT a resolution authorizing submittal of an application for grant funds for the Miraflores Housing Development from the State of California Strategic Growth Council's Urban Greening Program in an amount not-to-exceed \$3,000,000, and authorizing the execution of related documents to accept the grant and expend as approved by the state Housing and Community Development Department - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

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- G-3.** APPROVE the minutes for the Redevelopment Agency's February 16, 2010, meeting - City Clerk's Office (Diane Holmes 620-6513).

H. CITY COUNCIL CONSENT CALENDAR

- H-1.** APPROVE a sole-source contract with Solar Richmond to provide solar technology and solar installation training for RichmondBUILD students in a grant-funded amount not to exceed \$135,000 and for a term from April 20, 2010, to April 30, 2011 (this item was reviewed and recommended for approval by the Finance Committee at its April 2, 2010, meeting) - Employment and Training (Sal Vaca/Fred Lucero 307-8006).
- H-2.** APPROVE the purchase of a small pickup truck from Michael Stead's Hilltop Ford, for use in enforcing code enforcement regulations, in an amount not to exceed \$15,000.00 - Public Works (Yader A. Bermudez 231-3009).
- H-3.** APPROVE the purchase of two ¾-ton pickup trucks from Michael Stead's Hilltop Ford, for use by the Fire Department, in an amount not to exceed \$57,000.00 - Public Works (Yader A. Bermudez 231-3009).
- H-4.** APPROVE the emergency purchase of six fuel dispensers from Shields Harper with installation by MSI Fuel Management, Inc. at the city's three fueling locations (corporation yard, wastewater treatment plant, and parks maintenance yard), in an amount not to exceed \$84,000.00. The new equipment is necessary to meet operability and air quality standards - (Yader A. Bermudez, Director of Public Works 231-3009).
- H-5.** 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).
- H-6.** APPROVE the Third Amended Interagency Agreement between the City of Richmond and Contra Costa County for the implementation of the North Richmond Waste and Recovery Mitigation Fee Expenditure Plan, extending the term through June 30, 2012, and maintaining the not-to-exceed payment limit of \$1,560,861; and AUTHORIZE the city manager, or his designee, to enter into and administer mitigation funds in a manner consistent with the terms of the agreement - City Manager's Office (Bill Lindsay 620-6512).
- H-7.** APPROVE the minutes for February 16, 2010 - City Clerk's Office (Diane

Holmes 620-6513).

- H-8.** APPROVE the following appointment and re-appointments: Youth Commission: Inez Hudson, term expiring April 20, 2012; Economic Development Commission: William R. Dabney, Incumbent, term expiring March 30, 2013; Darlene Drapkin, Incumbent, term expiring March 30, 2013; Quiana Riley, Incumbent, term expiring March 30, 2013 - Mayor's Office (Mayor McLaughlin 620-6503).
- H-9.** ADOPT an ordinance (second reading) amending Chapter 2.56 of the Municipal Code to revise the City of Richmond Local Employment Ordinance (52.06 N.S.) (the first reading was on April 6, 2010) - Employment and Training (Sal Vaca/Thomas Mills 307-8006).
- H-10.** APPROVE a contract with Sheppard Mullin Richter & Hampton LLP to provide remediation and development counsel for Point Molate as recommended by the Council committee consisting of Mayor McLaughlin and Councilmembers Butt and Lopez. The contract term will be from April 21, 2010 through April 20, 2011 with an initial amount not to exceed \$150,000 - City Attorney's Office (Randy Riddle 620-6509).
- H-11.** APPROVE a contract with Tribal Financial Advisors to perform a review of certain financial information offered by Upstream Pt. Molate LLC, for an amount not to exceed \$35,000. The contract term will be from April 20 through June 30, 2010 -- Finance Department (James Goins - 620-6740).
- H-12.** ADOPT an ordinance (second reading) that makes it an unlawful, with certain exceptions, for any minor subject to compulsory education to be in or upon any public street, highway, road, alley, park, playground, or other public ground, public place, place of amusement, eating establishment, or vacant lot 30 minutes after school commences until 30 minutes before school concludes on days when said minor's school is in session - Police Department (Chief Chris Magnus 621-1802).
- H-13.** ADOPT a resolution authorizing applications for grant funds pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 for development of an "Urban Greening Plan" for the City of Richmond - Public Works Department (Yader A. Bermudez, 231-3009).
- H-14.** AUTHORIZE the City Manager to enter into a contract for the demolition of the Martin Luther King Jr. Community Center to mitigate damage due to recent major copper theft and flooding; and DIRECT staff to incorporate the

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replacement of the center into the Nystrom United Revitalization Effort (NURVE) plans -- City Manager's Office (Bill Lindsay, 620-6512).

I. PUBLIC HEARINGS REDEVELOPMENT AGENCY BOARD

I-1. RECEIVE testimony regarding the proposed 2010-11 Annual Consolidated Action Plan; ADOPT a City Council Resolution approving the Annual Consolidated Action Plan, authorizing the submittal of the 2010-2011 Annual Consolidated Action Plan to the U.S. Department of Housing and Urban Development (HUD), and recognizing that the funding allocations listed in this report are estimates that will be finalized and adjusted once HUD releases its official funding to the City of Richmond; and ADOPT a Richmond Community Redevelopment Agency Resolution (Attachment 2) for the administration of the Community Development Block Grant (CDBG) and HOME Programs that also authorizes the executive director to negotiate and execute all contracts with vendors and professional services consultants as detailed in this Agenda Report, make any adjustments to the recommendations to ensure HUD funds are allocated in their entirety, and to enter into a two-year contract for Public Services for a contract period beginning July 2010 and ending June 2012 - Richmond Community Redevelopment Agency (Steve Duran/Patrick Lynch 307-8140).

J. PUBLIC HEARING CITY COUNCIL

J-1. CONTINUE TO MAY 4, 2010, to hear public comment regarding the proposed wastewater rate increase to allow for additional information dissemination to the public - Engineering/Wastewater (Chad Davisson 620-5486).

K. ORDINANCES

K-1. INTRODUCE an ordinance (first reading) adding Chapter 47 to Article XIII of the Richmond Municipal Code to create a comprehensive framework for the administration of pipeline franchises in the City of Richmond - City Attorney (Randy Riddle 620-6509).

L. COUNCIL AS A WHOLE

L-1. DIRECT staff to request inclusion in grant applications to help develop urban field studies programs for Richmond students - Councilmembers Rogers,

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Viramontes and Lopez (510-867-5725).

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

N. 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.