



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

**AGENDA  
Tuesday, September 7, 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**

Tuesday, September 7, 2010

## 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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Tuesday, September 7, 2010

## **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):
    - Communities for a Better Environment vs. City of Richmond, et al.
    - Booker vs. City of Richmond
    - Jenkins vs. City of Richmond
  - A-2. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):
    - Labor Negotiations: City-designated representative(s): Bill Lindsay, Leslie Knight, Jack Hughes, Lisa Stephenson, and Bruce Soublet
    - Employee organization or unrepresented employee(s): SEIU Local 1021 and IFPTE Local 21, RFMA and Local 188
    - Labor Negotiations: City-designated representative(s): Randy Riddle and Leslie Knight; Unrepresented Employee - City Manager

Tuesday, September 7, 2010

**JOINT MEETING OF THE RICHMOND COMMUNITY  
REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL**

6:30 p.m.

**PLEDGE TO THE FLAG**

**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 of a certificate to SunPower, winner of the Bike to Work Team Bike Challenge, for bicycling the most miles in Contra Costa County during Bike to Work Month in May 2010 - City Manager's Office (Bill Lindsay 620-6512).

**E-2.** Present proclamations to Monique le Conge, Janet Schneider, and Richard Davidson in recognition of their contributions to the City of Richmond - Mayor Gayle McLaughlin (620-6503) and Councilmember Maria Viramontes (620-6581).

**E-3.** THIS ITEM WAS REMOVED FROM THE AGENDA

**E-4.** Presentation by East Bay Center for the Performing Arts Director Jordan Simmons regarding progress made on the Winter's Building - 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. REDEVELOPMENT AGENCY BOARD CONSENT CALENDAR**

**G-1.** APPROVE the minutes of the Agency Board, for the March 16, April 6 and 20, and May 4 and 18, 2010, meetings - City Clerk's Office (Diane Holmes 620-6513).

**H. CITY COUNCIL CONSENT CALENDAR**

- H-1.** APPROVE a contract amendment with Morrison & Foerster for remediation, development, and litigation services regarding Point Molate, increasing the contract amount by \$250,000, with funding from the Navy for remediation related legal services, from the developer for litigation related services, and from the developer and the City Point Molate account for development services (This item was not reviewed by the Finance Committee due to the time sensitive need for services) - City Attorney's Office (Randy Riddle 620-6509).
- H-2.** APPROVE a contract amendment with California Restoration On-Call Inc., dba Avalon Construction Co., for additional roof repairs at the main library in an amount not to exceed \$74,000, for a total contract amount of \$154,000 - Public Works Department (Yader A. Bermudez 231-3009).
- H-3.** APPROVE a contract with Daktronics, Inc. for the replacement of the Civic Center marquee in an amount not to exceed \$80,000 - Public Works Department (Yader A. Bermudez 231-3009).
- H-4.** APPROVE a contract with the Oakland Private Industry Council to procure goods and services on behalf of RichmondWORKS and in support of East Bay Works One Stop Career Center System. The contract term will be September 7, 2010, through June 30, 2011, and the amount will not exceed \$41,207 - Employment and Training Department (Sal Vaca/Rosemary Viramontes 307-8008).
- H-5.** APPROVE the appointment of Councilmember Nat Bates as City Council Liaison to the Youth Baseball Advisory Commission - Mayor's Office (Mayor McLaughlin 620-6503).
- H-6.** AUTHORIZE the port director's marketing travel to China to initiate a business development plan with the Port of Zhoushan, and to explore the potential for China auto manufacturers entering the U.S. market through the Port of Richmond's recently renovated automobile facilities - Port (Jim Matzorkis 215-4600).
- H-7.** APPROVE a contract with Todd Jersey Architecture to provide design and construction administration services for additional work associated with the renovation project at the Richmond Natatorium, related to completion of the irrigation system, in an amount not to exceed \$20,000 and for a term ending December 31, 2010 - Engineering Services (Edric Kwan 621-1825).

Tuesday, September 7, 2010

- H-8.** AUTHORIZE travel out of the United States for the assistant city manager to visit and participate in the 2010 Annual Australian Local Government Managers Conference as part of the League of California Cities Official Exchange Program. Expenses for the program are partially funded by the League of California Cities, in recognition of the assistant city manager receiving the John H. Nail Memorial Award for outstanding contributions to city government - Human Resources Management (Leslie Knight 620-6600).
- H-9.** APPROVE an emergency contract with Bay Hawk Inc. to perform sidewalk repairs in an amount not to exceed \$34,409.42, pursuant to an Emergency Justification Form executed on July 28, 2010 - Engineering Services (Edric Kwan 621-1825).
- H-10.** APPROVE a contract with the Contra Costa County Workforce Investment Board for intensive case management services for qualifying West County youth, summer work experience and academic support to 100 West County youth residents. The contract term will be September 8, 2010, through June 30, 2011, and the grant-funded contract amount will not exceed \$190,000. (This item was not reviewed by the Finance Committee due to time sensitive grant funding) - Employment and Training (Sal Vaca/Jay Leonhardy 307-8019).
- H-11.** APPROVE an amendment to the contract with Sam Charles, dba SCIV Construction, to provide additional services as the Construction Coordinator of the Richmond YouthBUILD Program. The grant-funded contract amount will be increased by \$73,500 for an amount not to exceed \$138,500. The revised contract term will be February 2, 2011, through December 31, 2011. (This item was not reviewed by the Finance Committee due to time sensitive grant funding) - Employment and Training (Sal Vaca/Jay Leonhardy 307-8019).
- H-12.** ADOPT a resolution accepting grant funds from the Bay Area Urban Area Security Initiative (UASI) and APPROVE a contract with Lee & Associates Rescue Equipment, Inc. to provide Urban Search and Rescue (USAR) training in an amount not to exceed \$74,300 - Fire Department (Chief Michael Banks 307-8041).
- H-13.** ADOPT a resolution authorizing city departments to enter into service contracts with consultants from a pre-qualified consultant list generated through a Request for Proposals to provide grant writing, grant seeking, or other grant-related services on an as-needed basis for fiscal years 2010-2011 and 2011-2012 in an amount not to exceed \$15,000 per job per consultant, with a total not to exceed the amount of \$100,000 per consultant per fiscal year - City Manager's Office (Bill Lindsay 620-6512).

Tuesday, September 7, 2010

- H-14.** APPROVE the following appointments and re-appointments: Commission on Aging: Rose Brooks, filling unexpired vacancy of John Melone who is deceased, term expiring May 19, 2011; Beverly Wallace, term expiring May 19, 2012; Housing Advisory Commission: Oras Washington, Sr., Incumbent, term expiring February 2, 2012; Human Relations and Human Rights Commission: Wendy Gonzalez, Incumbent being re-instated after absence, term expiring March 30, 2011; Richmond-Zhoushan Friendship Commission: Michelle Itagaki, term expiring July 22, 2012; Youth Baseball Advisory Commission: Augustine Flores, filling unexpired vacancy of Pamila Henderson who resigned, term expiring November 16, 2011; Imaayu Hancock, filling unexpired vacancy of Warren G. Spencer, Sr. who is deceased, term expiring July 22, 2011 - Mayor's Office (Mayor McLaughlin 620-6503).
- H-15.** ADOPT a resolution authorizing the acceptance of a \$128,419 Edward Byrne Memorial Justice Assistance Grant (JAG) from the American Recovery and Reinvestment Act of 2009 and the appropriation of this amount for law enforcement programs - Police Department (Chief Chris Magnus).
- H-16.** APPROVE the minutes for the following meetings: March 23; April 6, 20, and 27; May 4, 11, and 18; June 1; and August 2, 2010 - City Clerk's Office (Diane Holmes 620-6513).
- H-17.** APPROVE a first amendment to the contract with Burke Williams & Sorensen for legal representation regarding the cross-complaint in the matter of People of the State of California and City of Richmond vs. Dayem, 7 Stars Holistic Foundation, Inc. and related matters, increasing the contract amount by \$20,000, for a total of \$30,000, while maintaining the term expiration of July 2010 - City Attorney's Office (Randy Riddle 620-6509).
- H-18.** ADOPT a resolution approving the application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for development of a form-based code for various commercial corridors – Planning and Building Services Department (Lina Velasco 620-6706).
- H-19.** APPROVE a construction contract with Rosendin Electric, Inc., the lowest responsive bidder, for labor and materials as per the plans and specifications for lighting improvements at Point Potrero Marine Terminal in an amount not to exceed \$1,615,337. (This grant-funded project has not been reviewed by the Finance Committee due to time sensitivity for completion of the work) - Port (Jim Matzorkis 215-4600).

Tuesday, September 7, 2010

**H-20.** APPROVE a third amendment to the contract with the Law Firm of Meyers, Nave, Riback, Silver and Wilson to continue to represent the City in the lawsuits entitled Booker vs. City of Richmond, et al., and Jenkins vs. City of Richmond, et al. in the amount of \$300,000, bringing the total amount of the contract to \$1,650,000. (This item was not reviewed by the Finance Committee due to the time sensitive need for services) - City Attorney's Office (Randy Riddle 620-6509).

**H-21.** APPROVE an amendment to the FY 2010-11 authorized staffing in the City Manager's Office (no net financial impact) establishing the position of Senior Development Project Manager and leaving as unfilled the current authorized positions of Environmental Manager and Management Analyst - City Manager's Office (Bill Lindsay 620-6512).

**I. RESOLUTIONS**

**I-1.** ADOPT a resolution acknowledging the 75th Anniversary of the Works Progress Administration (WPA); calling on President Obama and Congress to deliver a real WPA Program; and supporting the goals of the October 2, 2010, March on Washington, in the words of the NAACP and SEIU: "Jobs, Economic Security, Comprehensive Immigration Reform, a Safe and Renewable Energy Policy, and a Reversal of National Priorities from Making Wars to Meeting Human Needs" - Mayor McLaughlin (620-6503) and Vice Mayor Ritterman (620-6581).

**I-2.** ADOPT a resolution condemning and disapproving of the hate crimes that have taken place in our University of California/California State University systems - Mayor's Office (Mayor McLaughlin 620-6503).

**J. ORDINANCES**

**J-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's Office (Randy Riddle 620-6509).



Tuesday, September 7, 2010

**K. COUNCIL AS A WHOLE**

**K-1.** Discuss concepts for an enhanced partnership between the West Contra Costa Unified School District (WCCUSD) and the City of Richmond, and: (1) provide a commitment of \$1.5 million in funds for the 2011-12 academic year that would allow Kennedy High School and Olinda and Grant elementary schools to remain open during that year; and (2) direct staff to work with WCCUSD on a detailed financial plan for a funding partnership, to include an evaluation of including a capital funding plan for repairs to the Richmond Swim Center and for rebuilding the Martin Luther King Community Center - Councilmembers Lopez and Rogers (620-6581).

ITEM K-1 WILL NOT BE HEARD PRIOR TO 8:15 P.M.

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

**M. 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.*