

Community Services Building 440 Civic Center Plaza Richmond, CA 94804

# AGENDA Tuesday, October 5, 2010

**Mayor**Gayle McLaughlin

following:

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

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 <u>prior</u> 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**

6:00 p.m.

- A. ROLL CALL
- B. <u>PUBLIC COMMENT</u>
- C. <u>ADJOURN TO CLOSED SESSION</u>

# **CLOSED SESSION**

Shimada Room of the Community Services Building

- A. <u>CITY COUNCIL</u>
  - **A-1.** LIABILITY CLAIMS PENDING LITIGATION (Government Code Section 54956.9):

Janeth Perez vs. City of Richmond

**A-2.** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Subdivision [a] of Government Code Section 54956.9):

Arce vs. City of Richmond

- B. RICHMOND JOINT POWERS FINANCING AUTHORITY AND THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY
  - **B-1.** CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION (Initiation of litigation pursuant to Subdivision (c) of Government Code Section 54956.9):

One Case

# JOINT MEETING OF THE RICHMOND REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL

6:30 p.m.

- A. PLEDGE TO THE FLAG
- B. ROLL CALL
- C. <u>STATEMENT OF CONFLICT OF INTEREST</u>
- D. <u>OPEN FORUM FOR PUBLIC COMMENT</u>
- E. <u>AGENDA REVIEW</u>
- 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. ADOPT resolutions authorizing the filing of applications to the Contra Costa Transportation Authority ("CCTA") and Metropolitan Transportation Commission ("MTC") for grant funding under the CCTA Block Grant program for: (1) the Nevin Avenue (Transit Village Phase II) Street and Transit Access Improvement Project; and (2) the Barrett Avenue Bicycle Lanes Project Richmond Community Redevelopment Agency (Steve Duran/Alan Wolken 307-8140).
  - **G-2.** APPROVE the minutes for the June 15, 2010, and September 7, 2010, meetings City Clerk's Office (Diane Holmes 620-6513).

### H. <u>CITY COUNCIL CONSENT CALENDAR</u>

H-1. ADOPT a resolution authorizing the acceptance of a \$10,000 Community Grants/Family Friendly Community Grant from First 5 Contra Costa Children and Families Commission to implement safety improvements to purchase a new piece of play equipment for the Solano Play Lot - Public Works Department (Yader A. Bermudez 231-3009).

- H-2. APPROVE the payment for annual support and licensing for fleet management software provided by Faster Asset Solutions, Inc. for use in maintaining fleet data records of city-owned equipment, in an amount not to exceed \$10,400 for Fiscal Year 2010/11 and in an amount not to exceed \$11,200 per year for Fiscal Years 2011/12 and 2012/13 Public Works Department (Yader A. Bermudez 231-3009).
- H-3. APPROVE a nine-month contract with CPS Human Resource Services to develop and administer promotional examinations for Fire Inspector and Fire Marshal in an amount not to exceed \$27,400 for a term from September 1, 2010, to June 30, 2011 Human Resources Management Department (Leslie Knight 620-6600).
- H-4. ADOPT a resolution approving a lease agreement between the City of Richmond and the Richmond Police Activities League ("RPAL") (as lessee) for the construction and maintenance of a parking lot at 175 23rd Street for 55 years at an annual rate of \$1.00 per year City Attorney's Office (Randy Riddle 620-6509).
- H-5. ADOPT a resolution revising the authorized signatures list on the Local Agency Investment Fund (LAIF) accounts to reflect the current staff assignments in the Finance Department. (This item was reviewed and recommended for approval by the Finance Committee at its September 17, 2010, meeting) Finance Department (James Goins 620-6740).
- H-6. ADOPT a resolution authorizing the transfer of \$271,481 in unencumbered funds from the approved Fiscal Year 2009-2010 Budget to the Fiscal Year 2010-2011 Budget for the purposes of funding the enhancement of the Computer Aided Dispatch (CAD) portion of the Regional Public Safety Consolidated Radio System Police Department (Chief Chris Magnus 621-1802).
- H-7. APPROVE a two-year contract with Valley Oil Company to deliver bulk fuel to all city fuel sites in an amount not to exceed \$1,095,000 for the 2010-2011 budget years. (This item was reviewed and recommended for approval by the Finance Committee at its September 17, 2010, meeting) Public Works Department (Yader A. Bermudez 231-3009).

- H-8. APPROVE a three-year (2010-2013) contract with Du-All Safety, LLC to provide safety program compliance services, in an amount not to exceed \$370,908 for three years beginning in Fiscal Year 2010-2011 through Fiscal Year 2012-2013, with annual adjustments as specified in the contract, and with an option to extend the contract for two one-year additional terms. (This item was reviewed and recommended for approval by the Finance Committee at its September 17, 2010, meeting) Human Resources Management Department (Leslie Knight 620-6600).
- H-9. APPROVE an agreement with the Contra Costa County Office of the Sheriff-Coroner Crime Laboratory to continue providing a dedicated Forensic Firearms Technician to examine Richmond firearms evidence as well as other services, at a cost not to exceed \$201,000 from March 1, 2010, to February 28, 2012 (\$100,500 per year, for a two-year term). (This item was reviewed and recommended for approval by the Finance Committee at its September 17, 2010, meeting) Police Department (Chief Chris Magnus 621-1802).
- **H-10.** APPROVE a vehicle lease agreement with Saadeh Corporation, dba Auto World, to provide the Richmond Police Department with undercover vehicles for use in its narcotics and special investigation operations in an amount not to exceed \$300,000 from July 1, 2010, to June 30, 2012 (\$150,000 per year, for a two-year term). (This item was reviewed and recommended for approval by the Finance Committee at its September 17, 2010, meeting) Police Department (Chief Chris Magnus 621-1802).
- **H-11.** ADOPT a resolution declaring the official intent of the City of Richmond to reimburse itself for certain capital expenditures from the proceeds of indebtedness relating to the potential issuance of Qualified Energy Conservation Bonds under the American Recovery and Reinvestment Act. (Adoption of this resolution does not obligate the City of Richmond to issue the bonds if it deems that the financing will not be practicable) Finance Department (James Goins 620-6740).
- **H-12.** ADOPT an ordinance (second reading) setting the tax rate for the Pension Tax Override Fund for Fiscal Year 2010-11 at 0.14% Finance Department (James Goins and Antonio Banuelos 620-6740).
- **H-13.** ADOPT the revised guidelines governing the Private Sewer Lateral Grant Program to include a mutual homes association acting on behalf of each of its members individually Councilmember Butt (621-6581).

**H-14.** APPROVE the minutes for the June 15, 2010, and September 7, 2010, meetings - City Clerk's Office (Diane Holmes 620-6513).

### I. <u>RESOLUTIONS</u>

- I-1. ADOPT a resolution authorizing submittal of Measure C 2008 & 2009 "Growth Management Program Compliance Checklist" to Contra Costa County Transportation Authority (CCTA) to allow the City of Richmond to receive its allocation of Fiscal Year 2009-10 and 2010-11 Local Street Maintenance and Improvement Funds Planning and Building Services Department (Richard Mitchell 620-6706).
- **I-2.** ADOPT a resolution in support of Robles-Wong v. California, and Campaign for Quality Education v. California litigation challenging the state's school finance system Mayor's Office (Mayor McLaughlin 620-6503).

### J. ORDINANCES

- J-1. INTRODUCE an ordinance (first reading) amending Chapter 3.58 of the Municipal Code (Human Relations and Human Rights Commission) to change the word order in the name of the Commission; add sections for findings, definitions, purpose and scope; and add to the list of functions a new item devoted to actively promoting a culture of peace Mayor's Office (Mayor McLaughlin 620-6503).
- J-2. INTRODUCE an ordinance (first reading) amending the ordinance regulating Medical Marijuana Collectives adopted on September 21, 2010, to: (1) eliminate the requirement that a Medical Marijuana Collective submit a Determination Letter from the Franchise Tax Board indicating that the Collective is exempt from income taxes; (2) permit a Medical Marijuana Collective to be located in a C-2 zoning district if certain specified findings are made; and (3) clarify and make technical amendments to that ordinance City Attorney's Office (Randy Riddle 620-6509).

### K. <u>COUNCIL AS A WHOLE</u>

**K-1.** ADOPT a resolution amending the Personnel Rules to give preference points in examinations to Richmond residents after passing the Civil Service Exam. This will only apply to non-sworn personnel and first-time hires to fill a vacancy - Councilmembers Lopez and Viramontes (620-6581).

- **K-2.** DESIGNATE a voting delegate and an alternate to vote and represent the City of Richmond at the Annual Business Meeting of the National League of Cities on December 4, 2010, in Denver, Colorado City Clerk's Office (Diane Holmes 620-6513).
- **K-3.** CONSIDER creating an expenditure fund to receive donations designated for the John F. Kennedy High School Girls Book Club Councilmember Viramontes (620-6581).
- L. REPORTS OF OFFICERS: STANDING COMMITTEE REPORTS, REFERRALS
  TO STAFF, AND GENERAL REPORTS (INCLUDING AB 1234 REPORTS)
- M. <u>ADJOURNMENT</u>

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This agenda may be previewed on KCRT – Channel 28, Richmond Television,
City website <a href="www.ci.richmond.ca.us">www.ci.richmond.ca.us</a>. 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.