



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

**AGENDA  
Tuesday, October 18, 2011**

**Mayor**  
Gayle McLaughlin

**Vice Mayor**  
Thomas K. Butt

**Councilmembers**  
Nathaniel Bates  
Jovanka Beckles  
Courtland "Corky" Boozé  
Jeff Ritterman  
Jim Rogers



**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):  
  
City of Richmond vs. Upstream
  - A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
(Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9):  
  
One Case
  - A-3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):  
  
Property: Point Molate (site of former Naval Fuel Depot)  
Agency Negotiators: Bill Lindsay and Bruce Goodmiller  
Negotiating Party: Upstream Point Molate LLC  
Under Negotiation: Price and Terms of Payment

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**REGULAR MEETING OF  
THE JOINT POWERS FINANCING AUTHORITY**

6:25 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **STATEMENT OF CONFLICT OF INTEREST**
- D. **CONSENT CALENDAR**
  - D-1. ADOPT a resolution of the Joint Powers Financing Authority authorizing the issuance, sale and delivery of not to exceed \$6,250,000 principal amount of reassessment revenue bonds, approving the forms of amended and restated trust agreement, preliminary official statement, bond purchase agreement and escrow agreement, and authorizing certain related actions necessary to implement the proposed refunding program (This item was reviewed and recommended for approval by the Finance Committee at their October 4, 2011, meeting) - Finance Department (James Goins 620-6740).
  - D-2. APPROVE the minutes for the October 4, 2011, Joint Powers Financing Authority Meeting - City Clerk's Office (Diane Holmes 620-6514).
- E. **ADJOURNMENT**

**JOINT MEETING OF THE 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. PROCLAMATION commemorating the fourth Saturday in October as the Official Arbor Day in Richmond, California, and October 22, 2011, as the City of Richmond's Official Arbor Day in 2011 - Public Works Department (Yader A. Bermudez 231-3008).
- F. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- G. **REDEVELOPMENT AGENCY BOARD/CITY COUNCIL CONSENT CALENDAR**
  - G-1. ADOPT a joint City/Agency resolution approving and authorizing the acquisition of easements and right of entry with the State of California for work associated with the Officer Bradley A. Moody Memorial Underpass Project in an amount not to exceed \$81,250 - Richmond Community Redevelopment Agency (Alan Wolken 307-8140).
- H. **CITY COUNCIL CONSENT CALENDAR**
  - H-1. APPROVE the purchase of a replacement landscape loader, backhoe loader, and utility trailer from Pape Machinery of Newark, California in an amount not to exceed \$193,500 (This item was reviewed and recommended for approval by the Finance Committee at its October 7, 2011, meeting) - Public Works Department (Yader A. Bermudez 231-3008).

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- H-2.** APPROVE the purchase of a replacement stencil paint truck from Roadline Products Inc. of Downey, California, for use by the Signs and Lines Division of the Public Works Department, in an amount not to exceed \$96,500 - Public Works Department (Yader A. Bermudez 231-3008).
- H-3.** APPROVE the purchase of a replacement cone/emulsion truck from Roadline Products Inc. of Downey, California, for use by both the Street's Paving Division and the Parks and Landscape Division of the Public Works Department, in an amount not to exceed \$96,000 - Public Works Department (Yader A. Bermudez 231-3008).
- H-4.** APPROVE the purchase of a replacement mobile communications unit from Hi-Tech Emergency Vehicle Service, Inc. in Oakdale, California, for use by the Police Department, in an amount not to exceed \$575,000 (This item was reviewed and recommended for approval by the Finance Committee at its October 7, 2011, meeting) - Public Works Department (Yader A. Bermudez 231-3008).
- H-5.** APPROVE a sole-source maintenance agreement with Sympro, Inc., which provides software for fixed-income portfolio and cash-flow management, for a three-year term from November 1, 2011, to October 31, 2014, at a total cost of \$62,916 (\$20,972 annually) - Finance Department (James Goins 620-6740).
- H-6.** APPROVE a two-year Land Use Agreement with the Richmond Certified Farmers' Market Association, commencing November 1, 2011, for the free use of the northern section of the city-owned parking lot located on Barrett Avenue between 24th Street and 25th Street weekly on Fridays for the purpose of operating a farmers' market - City Manager's Office (Bill Lindsay 620-6512).
- H-7.** ADOPT a resolution authorizing as-needed mechanical building maintenance service contracts to perform major mechanical building maintenance services at various city facilities, including Civic Center Plaza, Main Library and the two Swim Centers, with Bay City Mechanical, Inc. (Richmond), Valley Facilities Management Corp. (San Jose), Legacy Mechanical & Energy Services Inc. (San Ramon) in an amount not to exceed \$150,000 per firm over a three-year period (This item was reviewed and recommended for approval by the Finance Committee at its October 7, 2011, meeting) - Public Works Department (Yader A. Bermudez 231-3008).

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- H-8.** APPROVE a contract with Farwest Safety, Inc. to provide traffic control services to support maintenance operations including landscaping, electrical, and pavement repairs along the Richmond Parkway and other major city arterials in an amount not to exceed \$24,500 and for a term ending June 30, 2012 - Public Works Department (Yader A. Bermudez 231-3008).
- H-9.** AUTHORIZE the city manager or his designee to execute the Crossing Closure Agreement and the Crossing Improvement Agreement with Union Pacific Railroad Company for work associated with the Meade Street Bypass Road in an amount not to exceed \$60,000 - Richmond Community Redevelopment Agency (Alan Wolken 307-8140).
- H-10.** APPROVE a contract with Nichols Engineering Consultants to provide annual surveys, reports, investigations and inspections of the Operating Unit 1 and Operating Unit 2 areas at Point Potrero Marine Terminal in compliance with the Department of Toxic Substances Control (DTSC) operations and maintenance plan for this site, in an amount not-to-exceed \$98,938 - Port Department (Jim Matzorkis 215-4600).
- H-11.** APPROVE the purchase of green seal cleaning and paper products for all City of Richmond buildings from Universal Building Services & Supply Co. and Waxie Sanitary Supply in an amount not to exceed \$35,000 per year for each of the two vendors for a three-year period - Public Works Department (Yader A. Bermudez 231-3008).
- H-12.** APPROVE an amendment to a contract with A-N West, Inc. Consulting Engineers to provide on-call plan review support services, increasing the amount by an additional \$250,000 to an amount not to exceed \$345,000, funded by plan check and inspection fees paid by applicants (This item was reviewed and recommended for approval by the Finance Committee at its October 7, 2011, meeting) - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-13.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new promotional classification of Senior Human Resources Administrator - Human Resources Management Department (Leslie Knight 620-6600).
- H-14.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new promotional classification of Senior Human Resources Administrator (Salary Range No. 068E; \$7,643 - \$9,290/month) - Human Resources Management Department (Leslie Knight 620-6600).

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- H-15.** APPROVE the purchase of replacement play equipment for the Solano Play Lot, under the California Multiple Award Schedule (CMAS) Contract #4-99-78-0006A, from Miracle Recreation Equipment Company of Alamo, California in an amount not to exceed \$99,991.22 - Public Works Department (Yader A. Bermudez 231-3008).
- H-16.** APPROVE the purchase of Rescue Systems II training for up to 20 West County Firefighters from Lee & Associates Rescue Equipment, Inc. in the amount of \$15,500 using grant funds from the Bay Area Urban Area Security Initiative - Fire Department (Chief Michael Banks 307-8041).
- H-17.** ADOPT a resolution adjusting the Fiscal Year 2011-2012 Employment and Training Department Budget, increasing both grant revenues and program expenditures in the amount of \$684,000 to account for grant funds authorized subsequent to the approval of the budget in June 2011, awarded to the RichmondWORKS National Emergency Grant (NEG) On-the-Job-Training (OJT) Program, the YouthBuild Educational component of the Muir Career Technical Academy, the Clean Energy On-the-Job Training Program, and the YouthWorks Academic Program - Employment and Training (Sal Vaca 307-8006).
- H-18.** APPROVE the Right-of-Entry Agreement by and between the City of Richmond (City) and the West Contra Costa Unified School District (District) to allow the District to build and occupy a temporary campus at the site of the demolished Martin Luther King Jr. Community Center for the students and staff of Nystrom Elementary School to utilize during the renovation of the existing Nystrom classroom buildings - City Manager's Office (Bill Lindsay 620-6512).
- H-19.** ADOPT an ordinance (second reading) of the City Council of the City of Richmond amending Richmond Municipal Code Chapter 7.102 (Medical Marijuana Collectives) to increase the number of permits available from three to four - Councilmembers Bates and Boozé (620-6861).
- H-20.** ADOPT a resolution authorizing the acceptance and appropriation of \$27,842 from the State of California Department of Conservation's 2010/11 City/County Payment Program - City Manager's Office (Bill Lindsay 620-6512).
- H-21.** APPROVE the expenditures associated with the CalGRIP IV Grant to include service contracts with the City of Richmond Police Department (\$119,655), Omega Boys Club (\$35,000), Neighborhood Housing Services of the East Bay (\$40,000), and Pacific Institute - Safe Return Project (\$40,000) - Office of Neighborhood Safety (Devone Boggan 620-5421).
- H-22.** ADOPT a resolution authorizing submission of the Fiscal Year 2012-2013



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Transportation Fund for Clean Air Regional Fund application to the Bay Area Air Quality Management District for \$315,000, including a local match of \$54,000 for administrative services, to extend transportation shuttle services - City Manager's Office (Bill Lindsay 620-6512).

- H-23.** APPROVE an amendment to the contract with The Glen Price Group to develop proposal content, drafts, and attachments necessary to submit final copies of grant applications to various state and federal agencies or other funders by the agreed upon target dates to: (1) increase the amount from \$40,000 to an amount not to exceed \$112,000; and (2) extend the contract term from October 18, 2011, through June 30, 2012 (This item was reviewed and recommended for approval by the Finance Committee at its October 7, 2011, meeting) - Employment and Training Department (Sal Vaca 307-8021).
- H-24.** ADOPT a resolution of local support, as required by the State of California Natural Resources Agency, for the application for grant funding in the amount of \$1,272,311 for the Richmond/Ohlone Greenway Gap Closure - Baxter Creek Restoration Project, and AUTHORIZE the city manager to accept and appropriate any funds awarded pursuant to this grant program - Engineering Services Department (Edric Kwan/Joel Camacho 620-5482).
- H-25.** APPROVE the appointment of Councilmember Boozé as an alternate representative to the West County Agency - Mayor's Office (Mayor McLaughlin 620-6503).
- H-26.** APPROVE the minutes of the July 26, 2011 meeting - City Clerk's Office (Diane Holmes 620-6513).

**I. RESOLUTIONS**

- I-1.** ADOPT a resolution urging the Administrator of the Environmental Protection Agency, Lisa P. Jackson and President Barack Obama, to move swiftly to fully employ and enforce the Clean Air Act to do our part to reduce carbon in our atmosphere to no more than 350 parts per million - Mayor McLaughlin (620-6503), Vice-Mayor Butt and Councilmember Ritterman (620-6581).

**J. ORDINANCES**

**J-1.** INTRODUCE an ordinance (first reading) repealing Richmond Municipal Code Chapter 9.42 (prohibiting graffiti within the City of Richmond) in its entirety and enacting a new Chapter 9.42, which would prohibit and require abatement of tagging on private and public property - City Attorney's Office (Randy Riddle 620-6509).

**K. COUNCIL AS A WHOLE**

**K-1.** CONSIDER increasing the City of Richmond's financial contribution to the project to renovate the historic Maritime Child Care Center by authorizing a waiver of the building permit fees in the amount of approximately \$82,000 as requested by the Rosie the Riveter Trust - City Manager's Office (Bill Lindsay 620-6512).

**K-2.** Request and urge the City Clerk to reconsider accepting late ballots brought in by SEIU 1021 for recommended appointees to the Personnel Board, in order to avoid having an entire group of people disenfranchised due to a minor error of one person - Mayor McLaughlin 620-6503.

**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.*