



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

**AGENDA
Tuesday, May 22, 2012**

Mayor
Gayle McLaughlin

Vice Mayor
Jim Rogers

Councilmembers
Nathaniel Bates
Jovanka Beckles
Courtland "Corky" Boozé
Jeff Ritterman
Thomas K. Butt



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**

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).

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):
 - Guidiville Rancheria of California et al vs. United States of America et al
 - City of Richmond vs. Upstream Point Molate LLC
 - A-2. **CONFERENCE WITH LABOR NEGOTIATORS** (Government Code Section 54957.6):
 - City designated representative(s): Jack Hughes and Lisa Stephenson
 - Employee organization or unrepresented employee(s): SEIU Local 1021; IFPTE Local 21; Richmond Police Officers Association (RPOA); Richmond Police Management Association (RPMA); International Association of Fire Fighters Local 188 (IAFF); and Richmond Fire Management Association (RFMA)

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**MEETING OF THE CITY OF RICHMOND AS SUCCESSOR
AGENCY FOR THE RICHMOND COMMUNITY
REDEVELOPMENT AGENCY/RICHMOND CITY COUNCIL**

6:30 p.m.

- A. **PLEDGE TO THE FLAG**
- B. **ROLL CALL**
- C. **READING OF THE CODE OF ETHICS**
- D. **STATEMENT OF CONFLICT OF INTEREST**
- E. **AGENDA REVIEW**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
 - G-1. INTRODUCE the first place winners of the 2012 Junior Fire Chief Program - Fire Department (Michael Banks 307-8041).
 - G-2. PROCLAMATION recognizing the Richmond Bicycle/Pedestrian Advisory Committee and declaring that May 2012 is National Bike Month in Richmond - Mayor McLaughlin (620-6503) and Councilmember Butt (620-6581).
 - G-3. PROCLAMATION recognizing the contributions and the ongoing struggles of the Lesbian, Gay, Bisexual, and Transgender (LGBT) community and declaring the month of June as PRIDE MONTH in the City of Richmond - Mayor McLaughlin (620-6503) and Councilmember Beckles (620-6581).
- H. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**

I. CITY OF RICHMOND AS SUCCESSOR AGENCY FOR THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

- I-1.** ADOPT a resolution directing staff to reject the sole bid received April 24, 2012, for the Officer Bradley A. Moody Memorial Underpass Project and request new bids for this project - City of Richmond as Successor Agency to the Richmond Community Redevelopment Agency (Patrick Lynch 307-8140). *This item was continued from the May 15, 2012, meeting.*

J. CITY COUNCIL CONSENT CALENDAR

- J-1.** APPROVE a contract with U.S. Matrix Construction, Inc. (Pittsburg, CA) to construct gender specific restroom improvements at Station 61, located at 140 West Richmond Avenue, in an amount not to exceed \$115,000 (This contract was reviewed and recommended for approval by the Finance Standing Committee at its May 4, 2012, meeting.) - Public Works Department (Yader A. Bermudez 231-3008). *This item was continued from the May 15, 2012, meeting.*
- J-2.** APPROVE a sixth 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 \$400,000, extending the term expiration to June 30, 2013 - City Attorney's Office (Bruce Reed Goodmiller 620-6509). *This item was continued from the May 15, 2012, meeting.*
- J-3.** APPROVE the expenditure plan associated with the 2011 CalGRIP Grant Award to include the authorization to negotiate and enter into contracts with Be a Mentor (\$49,000), Richmond PAL (\$72,000), Boys and Girls Club of El Sobrante (\$27,000), The RYSE Center (\$27,000), and Richmond Employment and Training Department (\$50,000) and to execute all budgetary amendments approved by CALEMA - Office of Neighborhood Safety (Devone Boggan 620-5418). *This item was continued from the May 15, 2012, meeting.*

K. PUBLIC HEARINGS

- K-1.** ADOPT a resolution approving a reversion to acreage proposed by the applicant to re-combine a three-lot subdivision into one parcel located at 125-127 Western Drive in the Point Richmond neighborhood - Planning and Building Services Department (Richard Mitchell 620-6706). *This item was continued from the May 15, 2012, meeting.*

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- K-2.** AUTHORIZE amendments to the 2011-2012 Annual Plan, including increasing funding to the Home Improvement Loan Program (HILP) by \$189,297, Richmond Ownership Dream (ROD) by \$200,000, Neighborhood Stabilization Program (NSP) by \$200,000 and Section 108 Repayment by \$19,085 - Housing and Community Development (Patrick Lynch 307-8140). *This item was continued from the May 15, 2012, meeting.*
- K-3.** RECEIVE testimony regarding the proposed 2010-2011 Consolidated Annual Performance and Evaluation Report (CAPER), and ADOPT a resolution approving this report - Richmond Community Development (Patrick Lynch 307-8140). *This item was continued from the May 15, 2012, meeting.*
- K-4.** ADOPT a resolution approving the Annual Consolidated Action Plan, which outlines priorities and uses of Community Development Block Grant (CDBG), CDBG Program Income, Home Investment Partnership Program (HOME) funding and HOME Program Income, and authorizing the submittal of the 2012-2013 Annual Consolidated Action Plan to the U.S Department of Housing and Urban Development (HUD) - Housing and Community Development (Patrick Lynch 308-8140). *This item was continued from the May 15, 2012, meeting.*

L. STUDY SESSION

- L-1.** *This item will not be heard prior to 7:30 p.m.* RECEIVE a presentation by Brendon Levitt of KLMR Environmental Design, who is not affiliated with any potential developer, purchaser or project, regarding the envisioning of possible future uses at Point Molate - Mayor McLaughlin (620-6503).

M. STUDY AND DIRECTION TO STAFF SESSION

- M-1.** RECEIVE a report regarding options related to the wastewater treatment system infrastructure within the Richmond Municipal Sewer District, and provide direction to staff regarding development of a project implementation plan for a preferred alternative, including a further detailed evaluation of the necessary facility design and construction costs, project financing options, regulatory approach, the most beneficial institutional arrangement, and impacts on current plant operations - Engineering Services Department (Edric Kwan/Chad Davisson 620-5486).

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- M-2.** DIRECT staff to prepare an amendment for Council consideration of Richmond Municipal Code Chapter 2.38 regarding acceptance and disclosure of certain contributions of more than \$250 to incorporate the requirements of California Government Code Section 84308 - Councilmember Butt (236-7435). ***This item was continued from the May 1 and 15, 2012, meetings.***

- M-3.** DISCUSS and consider amendments to the Code of Conduct for the City Council - Councilmember Bates (620-6743). ***This item was continued from the May 15, 2012, meeting.***

- M-4.** CONSIDER instructing staff to apply to NRG for free electric vehicle charging stations - Vice Mayor Rogers (867-5725).

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.