



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

**AGENDA  
Tuesday, June 5, 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).

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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.** PROCLAMATION honoring Richmond's Annual Juneteenth Community Celebration and recognition of the National Brotherhood Association for its contribution to the event - Mayor McLaughlin (620-6503).
  - G-2.** ACKNOWLEDGE the Honorable George D. Carroll who was the first African-American City Councilmember and Mayor of Richmond, as well as the first African-American Judge in Contra Costa County - Mayor McLaughlin (620-6503), Councilmember Bates (235-7044), and Councilmember Boozé (620-6593).
- H. CITY COUNCIL CONSENT CALENDAR**
  - H-1.** ADOPT a resolution appropriating funds and approving the purchase of 50 portable radios at a net cost to the City of Richmond of \$52,000, representing 20% of the total cost of the purchase, with the remaining funding provided through a regional Federal Emergency Management Agency (FEMA) Assistance to Firefighter's Grant sponsored by the City of El Cerrito Fire Department - Fire Department (Chief Michael Banks 307-8041).

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- H-2.** ADOPT a resolution appropriating funds and approving the purchase and installation of two base station radios and five mobile radios at a net cost to the City of Richmond of \$13,669, representing 20% of the total equipment cost plus installation, with the remaining funding provided through a regional Federal Emergency Management Agency (FEMA) Assistance to Firefighter's Grant sponsored by the San Ramon Valley Fire District - Fire Department (Chief Michael Banks 307-8041).
- H-3.** ADOPT a resolution approving the placement of Sjoberg Evashenk Consulting Inc., Pun & McGeady, Burr Pilger Mayer (BPM), Municipal Resource Group LLCm and Kevin W. Harper CPA & Associates on the list of qualified consultants for the internal audit program (This item was reviewed and recommended for approval by the Finance Committee at its May 4, 2012, meeting) - Finance Department (James Goins 620-6740).
- H-4.** APPROVE an agreement with the Richmond Community Foundation (RCF); AUTHORIZE the Library & Cultural Services Director to accept a grant from RCF in the amount of \$5,000 for a capacity-building initiative for the Richmond Public Library/Literacy for Every Adult Program (LEAP); and, APPROVE an amendment to the Fiscal Year 2011-2012 operating budget, increasing library revenue and increasing expenditures in the amount of \$5,000 - Library and Cultural Services Department (Katy Curl 620-6555).
- H-5.** APPROVE an emergency contract with Global Diving, Inc. (Global) in an amount not to exceed \$84,327 for the ongoing security and technical care for the abandoned tugs, Lion and Tiger, at their mooring basins at Point Potrero Marine Terminal until they can be transferred into the hands of a contractor for their removal and destruction - Port Department (Jim Matzorkis 215-4600).
- H-6.** APPROVE a one-year lease agreement with Pio's Trucking Company for their use of property at Port of Richmond Terminal 4, providing lease revenue of \$54,000 - Port Department (Jim Matzorkis 215-4600).
- H-7.** APPROVE a grant-funded contract with CMC Rescue, Inc. for Rope Technician I & II training and certification for 45 firefighters in an amount not to exceed \$38,250 - Fire Department (Chief Michael Banks 307-8041).
- H-8.** APPROVE the minutes of the April 3, 2012, and May 1, 2012, meetings - City Clerk's Office (Diane Holmes 620-6513).

- H-9.** ADOPT an ordinance (second reading) approving the Marin Energy Authority Joint Powers Agreement and AUTHORIZING the Implementation of a Community Choice Aggregation Program - City Manager's Office (Bill Lindsay 620-6512).
- H-10.** APPROVE three contracts totaling \$65,000 for mini-grants for the Neighborhood Public Art Program as allocated in the Fiscal Year 2011-12 budget: (1) Richmond Art Center (\$8,000 grant); (2) Husser Education Consulting, Inc. (\$27,870 grant); and (3) Higher Gliffs, Inc./Community Rejuvenation Project (\$29,130 grant) - Library and Cultural Services Department (Katy Curl 620-6554).
- H-11.** APPROVE a sole-source contract with the Richmond Main Street Initiative in the amount of \$80,000 for a term of July 1, 2012, through March 31, 2013, to provide funding to continue support for vital operations and programs to revitalize Downtown Richmond until the anticipated Downtown Richmond Property Business Improvement District is implemented - City Manager's Office (Bill Lindsay 620-6512).
- H-12.** ACCEPT the work completed by Whiteside Construction Corporation for the Wharf Street At-Grade Railroad Crossing Improvements Project at a final construction cost of \$29,289 - Engineering Services Department (Edric Kwan/Steven Tam 307-8112).
- H-13.** ACCEPT the work completed by Republic ITS for the Traffic Safety Improvements Project at a final construction cost of \$265,363 - Engineering Services Department (Edric Kwan/Steven Tam 307-8112).
- H-14.** APPROVE travel by the City Manager, Port Executive Director and Port Marketing/Operations Manager to China to attend the Second Annual Mayor's Economic Conference at the invitation of the Mayor of Zhoushan, and to meet with Zhoushan City officials to continue to explore the potential for China auto manufacturing companies entering the U.S. market through the Port of Richmond's recently renovated facility. Travel costs for the conference and port meetings will be reimbursed by the City of Zhoushan; approximately \$2,000 in costs will be incurred by the Port Director for additional meetings to continue development of the business plan with the Port of Zhoushan and Auto Warehousing Company - Port Department (Jim Matzorkis 215-4600).

- H-15.** 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.*
- H-16.** APPROVE a loan agreement for \$161,200 by and between the City of Richmond and the Richmond Art Center (RAC), located at 2540 Barrett Avenue, Richmond, California, to cover Fiscal Year 2011-2012 year-end operational costs and to assist the RAC in transitioning to a more community-based model of educational programming in the schools and City-operated community centers, and authorize the City Manager to execute all necessary documents - Library and Cultural Services Department (Katy Curl 620-6554)
- H-17.** APPROVE the following appointments and reappointments: Commission on Aging: Doris Jones, term expiring May 19, 2014; Naomi Williams, term expiring May 19, 2014; Community Development Commission: Jessica Navarrete Montiel, incumbent, term expiring March 21, 2015; Jackie Thompson, term expiring March 21, 2015; Housing Advisory Commission: Jackie Thompson, term expiring February 28, 2014; and Economic Development Commission: Mark Garcia, term expiring April 21, 2015 - Mayor's Office (Mayor McLaughlin 620-6503).

**I. PUBLIC HEARINGS**

- I-1.** ADOPT a resolution approving the levy and collection of assessments in the Hilltop Landscape Maintenance District for Fiscal Year 2012-2013 - Public Works Department (Yader A. Bermudez 231-3008).
- I-2.** ADOPT a resolution approving the levy and collection of assessments in the Marina Bay Landscaping and Lighting Maintenance District for Fiscal Year 2012-2013 - Public Works Department (Yader A. Bermudez 231-3008).
- I-3.** CONSIDER awarding medical marijuana collective permits to: (1) 7-Stars Healing Center to operate a medical marijuana collective at 3288 Pierce Street, Ste. #M126; and (2) Granddaddy Purp Collective dba GDP Collective to operate a medical marijuana collective at 2924 Hilltop Mall Road in substantial compliance with the applications submitted on or about May 2, 2011 - Councilmember Bates (620-6743).

**J. ORDINANCES**

- J-1.** INTRODUCE an ordinance (first reading) requiring the City of Richmond to manage pests using Integrated Pest Management principles and techniques at City-maintained properties and facilities - Public Works Department (Yader A. Bermudez 231-3008). *This item was continued from the May 15, 2012, meeting.*
- J-2.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Section 2.42.075 to clarify the disclosure requirements for campaign mass mailings - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

**K. COUNCIL AS A WHOLE**

- K-1.** PROVIDE direction regarding the following two alternatives related to development of the Operations and Security Center (OSC) at Port of Richmond Terminal 3: Alternative 1 - Reject all previous bids, revise the design of the OSC at 1411 Harbour Way South, and rebid the project to be consistent with the remaining grant funds; or Alternative 2 - Reject all previous bids and move the OSC to the Riggers Loft located in the Point Potrero Marine Terminal, and authorize all related work to facilitate this relocated project. Staff recommends that the Council select Alternative 1 - Port Department (Jim Matzorkis 215-4600).
- K-2.** RECEIVE a report and provide direction to staff regarding the Riggers Loft - Councilmember Boozé (620-6593).
- K-3.** 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, 15, and 22, 2012, meetings.*
- K-4.** 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, and 22, 2012, meetings.*
- K-5.** CONSIDER instructing staff to apply to NRG for free electric vehicle charging stations - Vice Mayor Rogers (867-5725). *This item was continued from the May 22, 2012, meeting.*

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**K-6.** CAST a vote of confidence in support of the Port Operations, City Manager, Port Director, and Finance Director - Councilmember Bates (620-6743).

**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.*