



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

**AGENDA
Tuesday, November 5, 2013**

Mayor
Gayle McLaughlin

Vice Mayor
Courtland “Corky” Boozé

Councilmembers

Nathaniel Bates
Jovanka Beckles
Thomas Butt
Jael Myrick
Jim Rogers

Housing Authority Tenant Commissioners

Helen Hall
Jackie Thompson

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**

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509 at least three business days before the meeting date.

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):

Herson vs. City of Richmond
 - A-2. LIABILITY CLAIMS - (Government Code Section 54956.9):

Claimant: Jason Flaum (two claims)

Claimant: Timothy Saephanh

Agency claimed against: City of Richmond
 - A-3. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6):

Agency designated representatives: Bill Lindsay, Jack Hughes, Lisa Stephenson,
and Bruce Soublet
Employee organization: Service Employees International Union (Local 1021)

**REGULAR MEETING OF
THE RICHMOND CITY COUNCIL**

6:30 p.m.

- A. PLEDGE TO THE FLAG**
- B. ROLL CALL**
- C. STATEMENT OF CONFLICT OF INTEREST**
- D. AGENDA REVIEW**
- E. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE AND NON-CONFIDENTIAL DISCUSSIONS HELD DURING CLOSED SESSION**
- F. OPEN FORUM FOR PUBLIC COMMENT**
- G. CITY COUNCIL CONSENT CALENDAR**
 - G-1.** APPROVE a contract with Laborers' Community Service & Training Foundation for a series of three Hazardous Materials trainings at RichmondBUILD Academy. The contract term will be October 21, 2013 through June 30, 2015 for an amount not to exceed \$60,000 - Employment and Training Department (Sal Vaca 307-8023).
 - G-2.** ADOPT a resolution approving a Memorandum of Understanding (MOU) between the Richmond Police Officers' Association (RPOA) and the City of Richmond. The MOU will be effective from July 1, 2013, through June 30, 2016, and provides for a 3% annual salary increase each September 1 for the years 2013, 2014, and 2015. The salary increase is offset by RPOA members contributing an additional 1% per year toward CalPERS pension cost (3% over the life of the contract, for a total contribution of 12% at the end of the term) - Human Resources Management Department (Lisa Stephenson 620-6600).
 - G-3.** INTRODUCE an ordinance (first reading) to establish wages, salaries, and compensation for the classifications represented by the Richmond Police Officers' Association (RPOA) in the City's classified service, and repealing Ordinance No. 39-06 N.S. - Human Resources Management Department (Lisa Stephenson 620-6600).
 - G-4.** APPROVE a two-year License and Service Agreement between the City of Richmond and the Richmond Certified Farmers' Market Association, commencing November 1, 2013, 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 - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).

- G-5.** APPROVE an amendment to the existing lease agreement between the Port of Richmond and J.E.B.S. and Associates, increasing the rent from \$6,000 per month to \$10,000 per month, with future increases tied to the CPI, extending the term to October 2014, with three one-year extension options, and increasing the leased area by approximately 25,500 square feet - Port of Richmond (Jim Matzorkis/Lucy Zhou 215-4600).
- G-6.** APPROVE a contract with Network Fleet for use of a GPS tracking and vehicle maintenance management system for police patrol vehicles in an amount not exceed \$98,000 and for a term from October 1, 2013, to June 30, 2015 - Police Department (Chief Chris Magnus 621-1802).
- G-7.** ADOPT a resolution authorizing a two-year extension to the current three-year standing contracts for as-needed architectural, landscape architectural, and structural engineer services with 10 architects, eight landscape architects and three structural engineering firms for a total of five-years-standing contracts, the contract amounts will remain at \$350,000 per firm over the five-year period - Public Works Department (Yader A. Bermudez 231-3008).
- G-8.** APPROVE a contract with the Contra Costa County District Attorney's Office for the dedicated services of a Deputy District Attorney who is specifically assigned as the Police-Prosecutor Liaison, for a term extending from July 1, 2013, through June 30, 2014, and at a cost not to exceed \$200,000 (This item was reviewed and recommended for approval by the Finance Committee at its October 11, 2013, meeting) - Police Department (Chief Chris Magnus 621-1802).
- G-9.** APPROVE the use of U.S. Communities contract with Home Depot for the purchase of citywide maintenance and hardware supplies in an amount not to exceed \$95,000 per year for a period of three years (This item was reviewed and recommended for approval by the Finance Committee at its October 11, 2013, meeting) - Finance Department (James Goins 620-6740).
- G-10.** ADOPT a resolution authorizing as-needed emergency construction services contracts to perform emergency work throughout the City with five contractors: Astro Construction, Bay Hawk Inc., Empire Engineering, Malachi Paving, and McNabb Construction in an amount not to exceed \$50,000 per firm per year for a three-year period with two optional one-year extensions (This item was reviewed and recommended for approval by the Finance Committee at its October 11, 2013, meeting) - Public Works Department (Yader Bermudez 231-3008).
- G-11.** APPROVE a three-year contract with Navex Global, Inc., to provide legally mandated training to all city supervisory employees on the prevention of workplace harassment, in an amount not to exceed \$30,000 - Human Resources Management Department (Lisa Stephenson 620-6600).

- G-12.** APPROVE the purchase of ten 2014 Chevrolet Caprice police cars from Team Chevrolet to replace existing units for use by the Richmond Police Department in an amount not to exceed \$340,000 - Public Works Department (Yader A. Bermudez 231-3008).
- G-13.** APPROVE a contract with CRW Systems for licensing and implementation of new and upgraded planning and permitting systems software for an amount not to exceed \$26,000 for an initial one-year license term - Information Technology Department (Sue Hartman 620-6874).
- G-14.** APPROVE the purchase of one Toro Groundmaster 5900 mower to replace an existing unit in the Public Works Department Parks Division from TurfStar in an amount not to exceed \$95,000 - Public Works Department (Yader Bermudez 231-3008).
- G-15.** APPROVE a contract with the Oakland Private Industry Council to procure goods and services on behalf of RichmondWORKS in support of East Bay Works One-Stop Career Center System. The contract term will be November 5, 2013, through September 30, 2014, for an amount not to exceed \$35,696 - Employment and Training Department (Sal Vaca/Rosemary Viramontes 307-8008).
- G-16.** APPROVE a contract with CSG Consultants, Inc. to provide on-call fire plan review services and technical support at the permit counter for the Fire Prevention Bureau in an amount not to exceed \$56,000 - Fire Department (Chief Michael Banks 307-8041).
- G-17.** ACCEPT grant funds and APPROVE the expenditures associated with year two of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Mentoring Enhancement Demonstration Project for fiscal year 2013-2014, including approval of program and budgetary amendments approved by OJJDP, and contracts with Be A Mentor Inc. (\$59,100), Bay Area Community Resources (\$75,225), East Bay Asian Youth Center/OASES (\$75,000), Oakland Police Athletic League (\$75,225), and Richmond Police Activities League (\$74,912.50) in the total amount of \$399,462.50 - Office of Neighborhood Safety (Devone Boggan 620-5422).
- G-18.** ADOPT a resolution approving two separate applications for grant funds pursuant to the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for urban greening improvements: (1) along the eastern half of the Richmond Greenway, and (2) at the parking lot adjacent to Baxter Creek and the Booker T. Anderson Community Center - Public Works Department (Yader A. Bermudez 231-3008).

- G-19.** ADOPT a resolution appropriating funds and approving the purchase of 26 self-contained breathing apparatus (SCBA) and 17 SCBA voice amplifiers at a net cost to the City of Richmond of \$33,701, representing 20% of the total cost of the purchase, with the remaining funds provided through a regional Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant, sponsored by the Contra Costa County Fire Protection District - Fire Department (Chief Michael Banks 307-8041).
- G-20.** ADOPT a resolution authorizing an agreement between the City and County of San Francisco and the City of Richmond to accept funds from the Fiscal Year 2013 Urban Area Security Initiative (UASI) Grant fund in the amount of \$300,000, and APPROVE the appropriation of these funds toward the purchase of an Urban Search and Rescue (USAR) heavy rescue vehicle - Fire Department (Chief Michael Banks 307-8041).
- G-21.** ADOPT an ordinance (second reading) rezoning the parcels between 1200-1300 Fred Jackson Way from SFR-3, Single-family Low Density Residential to MFR-2, Multifamily Medium Residential to conform to the Medium Density designation set forth in the recently adopted General Plan 2030 - Planning and Building Services Department (Richard Mitchell 620-6706).
- G-22.** APPROVE the minutes of the October 1, 2013, and October 15, 2013, regular meetings - City Clerk's Office (Diane Holmes 620-6513).
- G-23.** APPROVE the following appointments and re-appointments: Design Review Board: Ray Welter; new appointment, term ending August 1, 2015; Robin Welter, incumbent, term ending August 1, 2015; Police Commission: Therese Barquet, new appointment, term ending November 1, 2016; Scott Gillespie, incumbent, term ending November 1, 2016; Nemesio Bautista, incumbent, term ending November 1, 2016; Work Investment Board (WIB): Victor Rodriguez, new appointment; Commission on Aging: Betty Randle, incumbent, term ending May 19, 2015 - Mayor McLaughlin (620-6503).
- G-24.** APPROVE the write-off of accrued interest in the amount of \$36,379.89 owed by Richmond Police Activities League (PAL) to the City of Richmond stemming from two PAL loans made in 2007, the principal of which have been paid in full - Finance Department (James Goins/Antonio Banuelos 620-6740).

H. RESOLUTIONS - NOT EARLIER THAN 7:00 P.M.

- H-1.** ADOPT a resolution to establish the definition of "Sensitive Position", as required by Section 2.65.030(H) of Ordinance No. 14-13 N.S., which bans the requirement to provide information of prior criminal convictions on all employment applications ("ban the box") - City Attorney's Office (Bruce Goodmiller 620-6509).

I. COUNCIL AS A WHOLE - NOT EARLIER THAN 7:15 P.M.

- I-1.** DISCUSS and CONSIDER adopting measures to implement Urban Agriculture Incentive Zones in the City of Richmond - Councilmember Butt (236-7435), Councilmember Myrick (620-6861), and Councilmember Rogers (867-5725). **This item was continued from the October 22, 2013, meeting.**
- I-2.** DISCUSS and DIRECT the city attorney to draft an ordinance requiring labeling of food sold at retail grocery establishments in Richmond that contains genetically modified organisms - Mayor McLaughlin (620-6503) and Councilmember Butt (236-7435). **This item was continued from the October 22, 2013, meeting.**
- I-3.** RECEIVE a status report from the city manager on the use of city cars - Vice Mayor Boozé (620-6593).
- I-4.** REVIEW and APPROVE the revised Fiscal Year 2013-15 Operating Budget - Finance Department (James Goins 620-6740).
- I-5.** CONSIDER introducing an ordinance to amend Richmond Municipal Code, Article II, Chapter 2.39 - Regulation of Campaign Contributions from parties and participants in entitlement proceedings and Chapter 2.43 - Matching Public Funding of Richmond Election Campaigns - Councilmember Butt (236-7435) and Councilmember Rogers (867-5725).
- I-6.** RECEIVE an update from staff regarding the proposed LED digital sign for the Hilltop Mall business area, including obstacles for completion of the project and options to move forward with the approval of the project in a responsible fashion - Councilmember Myrick (620-6861) and Councilmember Bates (620-6743).

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

K. 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.