



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 6, 2014

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
Register to receive notification of new agendas, etc.
<http://www.ci.richmond.ca.us/list.aspx>

Mayor
Gayle McLaughlin

Vice Mayor
Jovanka Beckles

Councilmembers
Nathaniel Bates
Courtland “Corky” Boozé
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 first complete a speaker’s card and discuss the item with a City staff person prior to filing the card with the City Clerk and **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).

**OPEN SESSION TO HEAR PUBLIC COMMENT ON CLOSED
SESSION ITEMS**

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. PUBLIC EMPLOYEE DISCIPLINE (Pursuant to Government Code 54957):

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

- A. **ROLL CALL**
- B. **STATEMENT OF CONFLICT OF INTEREST**
- C. **AGENDA REVIEW**
- D. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- E. **OPEN FORUM FOR PUBLIC COMMENT**
- F. **CITY COUNCIL CONSENT CALENDAR**
 - F-1. RECEIVE the quarterly report on Point Molate property management activities - Engineering Services Department (Alan Wolken/Craig Murray 307-8091).
 - F-2. APPROVE a two-year contract Bernardini Enterprises Inc. to provide and service portable toilets on an as needed basis for special events, and at various City parks that have no permanent facilities, in an amount not to exceed \$36,000 and for a term from July 1, 2014, to June 30, 2016 - Public Works Department (Yader A. Bermudez 231-3008).
 - F-3. ADOPT a resolution authorizing the City of Richmond to participate in the Public Agency Retirement System (PARS) alternative retirement system (ARS) for its part-time, seasonal, and temporary employees (PTS) who are not eligible for a Qualifying Retirement Plan. **(This item was reviewed and recommended for approval by the Finance Committee at its April 4, 2014, meeting)** - Finance Department (James Goins 620-6740).
 - F-4. ADOPT a resolution approving the installation of four-way stop signs at the intersection of 33rd Street and Clinton Avenue in the North and East Neighborhood. (This item was reviewed and recommended for approval by the Public Safety Committee at its April 17, 2014, meeting) - Engineering Services Department (Alan Wolken/Steven Tam 307-8091).
 - F-5. APPROVE an emergency contract with, and associated payment to, Conflo Services, Inc. for emergency flooding remediation at the West Side Branch Library/Community Center in an amount not to exceed \$10,769.00 - Public Works Department (Yader A. Bermudez 231-3008).

- F-6.** APPROVE a one-year contract extension with D & H Landscaping, Inc. for landscape management services at Point Molate in an amount not to exceed \$99,000 which includes a 10% cost contingency. The contract term will be July 1, 2014, to June 30, 2015 - Public Works Department (Yader A. Bermudez 231-3008).
- F-7.** APPROVE the City Council minutes of the regular meetings held on February 18, 2014, April 1 and 15, 2014, and the special meetings held on February 25, 2014, and March 25, 2014 - City Clerk's Office (Diane Holmes 620-6514).
- F-8.** ADOPT a resolution to accept and appropriate \$1,500,000 of Measure J funds from the Contra Costa Transportation Authority for the Richmond Parkway Lighting Project and to accept Measure J Funding for CIP projects - Engineering Services Department (Alan Wolken 307-8137).
- F-9.** APPROVE contract amendment no. 1 with Malachi Paving & Grading, Inc. to increase the scope of work and the value of the Miscellaneous Concrete Repairs Project contract by \$62,392 for a total of \$620,892 - Engineering Services Department (Alan Wolken/Andy Yeung 307-8091/621-1612).
- F-10.** ADOPT a resolution approving the Engineer's Report for Fiscal Year 2014-2015 for the Marina Bay Landscaping and Lighting Maintenance District, declaring the Council's intention to increase the annual assessment in the Marina Bay Landscaping and Lighting Maintenance District, and announcing a public hearing concerning the proposed increased assessment on June 3, 2014, at 6:30 p.m., or soon thereafter, in City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 231-3008).
- F-11.** ADOPT a resolution approving the Engineer's Report for Fiscal Year 2014-2015 for the Hilltop Landscape Maintenance District ("HLMD"), declaring the Council's intention to increase the annual assessment in the HLMD, and announcing a public hearing concerning the proposed increased assessment on June 3, 2014, at 6:30 p.m., or soon thereafter, in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 231-3008).
- F-12.** APPROVE an amendment to the contract with CPS HR Consulting to provide employment testing services, increasing the amount by \$24,500, for a total contract amount not to exceed \$79,500, and extending the term to December 31, 2016 - Human Resources Management Department (Lisa Stephenson and Donna Newton, 620-6600).
- F-13.** ADOPT an ordinance (second reading) to establish wages, salaries, and compensation for the classifications represented by the Richmond Police Management Association (RPMA) in the City's classified service, and repealing Ordinance No. 40-06 N.S. - Human Resources Management Department (Lisa Stephenson 620-6609).

- F-14.** ADOPT an ordinance (second reading) to establish the wages, salaries, and compensation for the classifications in the Exempt and Confidential Management unit, and repealing Ordinance No. 21-05 N.S. - Human Resources Management Department (Lisa Stephenson 620-6600).
 - F-15.** ADOPT a resolution in support of the San Francisco Bay Area Water Trail, a nine-county, growing network of launching and landing sites for non-motorized small boat users to safely enjoy the historic, scenic, and environmental richness of San Francisco Bay - Mayor McLaughlin 620-6503.
 - F-16.** APPROVE a contract with Bartel Associates, LLC for actuarial services necessary for pension fund management in the amount of \$17,537.50 and with a termination date of June 30, 2014 - Finance Department (James Goins 620-6740).
 - F-17.** APPROVE the following commission appointments and re-appointments: Economic Development Commission: Amanda Elliott, incumbent, term ending March 30, 2017; Community Development Commission: Alysia Cox, new appointment (Coronado district), term ending March 21, 2017; Richmond-Shimada Friendship Commission: Josh Miklich, incumbent, term ending January 18, 2017 - Mayor McLaughlin (620-6503)
 - F-18.** ADOPT a resolution accepting and appropriating \$77,177.30 of Community Transformation Grant funds to the City Manager's Office for work with Contra Costa Health Services and Youth Enrichment Strategies to improve public health through educational initiatives and physical infrastructure improvements ("Be Smarter, Drink Water" project) - City Manager's Office (Bill Lindsay 620-6512).
- G. ITEMS CONTINUED FROM PREVIOUS MEETINGS - NOT EARLIER THAN 7:00 P.M.**
- G-1. Continued Consent Calendar**

Should any of the following continued items be removed from the Consent Calendar, they will be heard immediately following the approval of the Consent Calendar under this section.
 - G-2.** APPROVE a contract amendment with Security Signal Devices, Inc. for intrusion and fire alarm system services for City buildings, increasing the original contract amount by \$400,000 for a total of \$550,000, with a term extending through June 30, 2017 (This item was reviewed and recommended for approval by the Finance Committee at its April 4, 2014, meeting) - Public Works Department (Yader Bermudez 231-3008). **This item was continued from the April 15, 2014, meeting.**

- G-3.** APPROVE the purchase of a pre-fabricated restroom building from CXT Inc. Precast Products to be placed at Marina Bay Park in an amount not to exceed \$166,778.54 and APPROVE a contract with Maloney Construction Inc. for the demolition and site preparation for the new restroom building at Marina Bay Park in an amount not to exceed \$205,359, which includes a 10% city-controlled cost contingency. The contract term will be April 16, 2014, to December 31, 2014 - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the April 15, 2014, meeting.**
- G-4.** APPROVE the purchase of four Flash Cam-880SX security camera units from Q- Star Technologies for installation at the Corporation Yard in an amount not to exceed \$30,000, to improve security and to assist with the apprehension and prosecution of those illegally accessing the facility - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the April 15, 2014, meeting.**
- G-5.** APPROVE a Framework Agreement and Memorandum of Understanding (MOU) with the University of California, Berkeley for infrastructure development and municipal services associated with the proposed Richmond Bay Campus project - City Manager's Office (Bill Lindsay 620-6512). **This item was continued from the April 15, 2014, meeting.**
- G-6.** APPROVE a two-year contract with D.M.G. Janitorial Services for restroom cleaning services at Jay and Barbara Vincent Park, Shimada Park, Lucretia Edwards Park, Nevin Park, Nicholl Park, Martin Luther King Jr. Park (MLK), Booker T. Anderson Park (BTA) and the North Richmond Ballfield, in an amount not to exceed \$84,420 (\$42,210 per year), and for a term from July 1, 2014, to June 30, 2016 - Public Works Department (Yader A. Bermudez 231-3008). **This item was continued from the April 15, 2014, meeting.**
- G-7.** APPROVE a contract with Liebert Cassidy Whitmore MP in the amount of \$100,000 to continue contract negotiations, legal consultation, and employee training for the period April 15, 2014, through December 31, 2014 (This item was reviewed and recommended for approval by the Finance Committee at its April 4, 2014, meeting) - Human Resources Management Department (Lisa Stephenson 620-6600). **This item was continued from the April 15, 2014, meeting.**
- G-8.** APPROVE a grant-funded contract with TransMetro Inc. for the continuation of the Greenprint "Easy Go" bicycle lease and Kids CAB programs in the amount of \$224,408; and ACCEPT and APPROPRIATE \$203,291 in Congestion Mitigation Air Quality (CMAQ) grant funds to the Fiscal Year 2013-2014 and Fiscal Year 2014-2015 budgets, and \$21,117 for staff support as a local match - City Manager's Office (Bill Lindsay/Lori Reese-Brown 620-6512). **This item was continued from the April 15, 2014, meeting.**

- G-9.** APPROVE the following commission appointments and re-appointments: Community Development Commission: Jackie Thompson, incumbent, term ending March 21, 2017; Housing Advisory Commission: Sherry Lynn Fuzesy, new appointment to complete unexpired term of Anntheia Harrison-Farr, term ending November 1, 2015; Workforce Investment Board: Steve Bell, new appointment, no term expiration; Public Art Advisory Committee: Suzanne Tan, new appointment, term ending January 31, 2016 - Mayor McLaughlin (620-6503). **This item was continued from the April 15, 2014, meeting.**

Continued Resolutions

- G-10.** (1) ADOPT a resolution to refer to the Planning Commission Consideration of Revocation for an electronic sign at Pacific East Mall, and (2) DIRECT the Planning Commission to conduct a revocation hearing for the previous approval of the electronic billboard LED sign at Pacific East Mall - Councilmember Butt (236-7435). **This item was continued from the April 1 and 15, 2014, meetings.**
- G-11.** ADOPT a resolution amending Richmond's Policy Against Workplace Harassment to: specify time frame for initiating and concluding investigations, and provide for notification to all involved parties - Vice Mayor Beckles (620-6568). **This item was continued from the April 15, 2014, meeting.**
- G-12.** ADOPT a resolution to protect the Coastal Prairie at the Richmond Field Station - Vice Mayor Beckles (620-6865). **This item was continued from the April 15, 2014, meeting.**

Continued Ordinances

- G-13.** RECEIVE a report from the city manager regarding business outreach and potential impacts from increasing the minimum wage, and INTRODUCE an ordinance (first reading) increasing the minimum wage in the City of Richmond to \$12.30 an hour by 2017 - Mayor McLaughlin (620-6503), Vice Mayor Beckles (620-6568), and Councilmember Myrick (620-6636). **This item was continued from the April 15, 2014, meeting.**
- G-14.** CONSIDER introducing an ordinance to repeal Chapter 2.39 Regulation of Campaign Contributions from parties and participants in entitlement proceedings and change the spending limit in Chapter 2.43 - Matching Public Funding of Richmond Elections because these well intentioned reforms have proven to be counterproductive because they have strengthened the power of large unregulated Independent Spending PACs - Councilmember Rogers (867-5725). **This item was continued from the April 22, 2014, meeting.**

Continued Council as a Whole

- G-15.** APPROVE a budget for a City of Richmond Youth Council in the amount of \$250,000 over five years beginning in Fiscal Year 2014-15 to provide for meaningful resources for a viable way for Richmond's youth to participate formally in regard to issues and concerns of the City of Richmond - Mayor McLaughlin (620-6503). **This item was continued from the March 4 and 18, 2014, and April 1 and 15, 2014, meetings.**
- G-16.** ESTABLISH a hiring freeze of new and vacant positions until a balanced budget is approved - Councilmember Bates (620-6743). **This item was continued from the March 18, 2014, and April 1 and 15, 2014, meetings.**
- G-17.** DISCUSS and make recommendations regarding the legal authority the City has to educate the community on the ½ cent sales tax ballot measure in the upcoming November 4, 2014, General Election to secure funding for street repairs and maintenance - Councilmembers Bates, Rogers, and Boozé (620-6861). **This item was continued from the April 15, 2014, meeting.**
- G-18.** DISCUSS and consider directing staff to prepare draft amendments to the Industrial Safety Ordinance to require that any increases in emissions due to increases in potentially more problematic feedstocks in Richmond refineries would need to be mitigated 100% by decreases elsewhere in the refinery operations so that there is no net increase in any dangerous emissions - Councilmember Rogers (867-5725). **This item was continued from the April 22, 2014, meeting.**

H. COUNCIL AS A WHOLE

- H-1.** CONSIDER adopting a minimum wage ordinance with adjustments to ensure minimum job losses - Councilmember Rogers (867-5725).

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

J. 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.