



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA

Tuesday, February 17, 2015

Link to City Council Agendas/Packets

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Mayor

Thomas K. Butt

Vice Mayor

Jael Myrick

Councilmembers

Nathaniel Bates

Jovanka Beckles

Eduardo Martinez

Gayle McLaughlin

One Vacancy

Housing Authority Tenant Commissioners

Jackie Thompson

One Vacancy

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 who has knowledge of the subject material, 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.

CONDUCT AT MEETINGS: **Richmond City Council meetings are limited public forums during which the City strives to provide an open, safe atmosphere and promote robust public debate. Members of the public, however, must comply with state law, as well as the City's laws and procedures and may not actually disrupt the orderly conduct of these meetings. The public, for example, may not shout or use amplifying devices, must submit comment cards and speak during their allotted time, may not create a physical disturbance, may not speak on matters unrelated to issues within the jurisdiction of the City Council or the agenda item at hand, and may not cause immediate threats to public safety.**

CITY HARASSMENT POLICY: The City invites public comment and critique about its operations, including comment about the performance of its public officials and employees, at the public meetings of the City Council and boards and commissions. However, discriminatory or harassing comments about or in the presence of City employees, even comments by third parties, may create a hostile work environment, if severe or pervasive. The City prohibits harassment against an applicant, employee, or contractor on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, mental disability, marital status, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, age or veteran status, or any other characteristic protected by federal, state or local law. In order to acknowledge the public's right to comment on City operations at public meetings, which could include comments that violate the City's harassment policy if such comments do not cause an actual disruption under the Council Rules and Procedures, while taking reasonable steps to protect City employees from discrimination and harassment, City Boards and Commissions shall adhere to the following procedures. If any person makes a harassing remark at a public meeting that violates the above City policy prohibiting harassment, the presiding officer of the meeting may, at the conclusion of the speaker's remarks and allotted time: (a) remind the public that the City's Policy Regarding Harassment of its Employees is contained in the written posted agenda; and (b) state that comments in violation of City policy are not condoned by the City and will play no role in City decisions. If any person makes a harassing remark at a public meeting that violates the above City policy, any City employee in the room who is offended by remarks violating the City's policy is excused from attendance at the meeting. No City employee is compelled to remain in attendance where it appears likely that speakers will make further harassing comments. If an employee leaves a City meeting for this reason, the presiding officer may send a designee to notify any offended employee who has left the meeting when those comments are likely concluded so that the employee may return to the meeting. The presiding officer may remind an employee or any council or board or commission member that he or she may leave the meeting if a remark violating the City's harassment policy is made. These procedures supplement the Council Rules and Procedures relating to disruption of orderly conduct at Council meetings.

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**

6:00 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. LIABILITY CLAIMS -(Government Code Section 54956.9):

Robin Poindexter vs. City of Richmond

**REGULAR MEETING OF THE SUCCESSOR AGENCY TO THE
RICHMOND COMMUNITY REDEVELOPMENT AGENCY
AND 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. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

E-1. PRESENTATION to City Clerk Diane Holmes to congratulate her on her retirement from the City of Richmond after a dedicated 30 years of service; 15 years as the City Clerk - Mayor Butt and City Council (620-6503).

F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION

G. OPEN FORUM FOR PUBLIC COMMENT

H. SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY REDEVELOPMENT AGENCY CONSENT CALENDAR

H-1. ADOPT a resolution approving the Successor Agency to the Richmond Community Redevelopment Agency's Recognized Obligation Payment Schedule for the period July 2015 to December 2015 (ROPS 15-16a) pursuant to AB 1X26 and AB 1484 - Successor Agency to the Richmond Community Redevelopment Agency (Chadrick Smalley 412-2067).

I. CITY COUNCIL CONSENT CALENDAR

I-1. RECEIVE a report on the Richmond Municipal Sewer District for the month of January 2015 - Engineering Services Department (Chad Davisson 620-5486).

I-2. ADOPT a resolution ordering the preparation of the Engineer's Report for fiscal year 2015-2016 regarding improvements and costs for the Hilltop Landscape Maintenance District - Public Works Department (Yader A. Bermudez 231-3008).

- I-3.** ADOPT a resolution ordering the preparation of the Engineer's Report for fiscal year 2015-2016 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District - Public Works Department (Yader A. Bermudez 231-3008).
- I-4.** APPROVE a second contract amendment with Infrastructure Engineering Corporation to continue providing sewer flow monitoring data collection and reporting services at various locations throughout the City for a period of three years, increasing the contract amount by \$300,600 for a total contract amount of \$366,380 - Engineering Services Department (Chad Davisson 307-8091).
- I-5.** ADOPT a resolution approving agreements with the California State Board of Equalization to provide for the collection of the extra half-cent sales tax that was approved by Richmond voters in the November 4, 2014, election - Finance Department (James Goins/Antonio Banuelos 620-6741).
- I-6.** APPROVE a contract amendment with R&S Erection to perform maintenance, repairs, and installations of commercial roll up garage doors and automatic gate systems at various City-owned buildings, increasing the contract amount by \$20,000 for a total of \$129,000 - Public Works Department (Yader A. Bermudez, 231-3008).
- I-7.** INTRODUCE an ordinance (first reading) amending the Richmond Municipal Code Section 14.40.060 to prohibit overnight parking of vehicles intended for sale to include privately-owned vehicles - Engineering Services Department (Yader Bermudez 231-3008/Steven Tam 307-8091).
- I-8.** ADOPT a resolution to extend the limited parking restriction and enforcement along 23rd Street between Bissell Avenue and Maricopa Avenue to 24 hours, seven days-a-week to address the problem of unrestricted parking during evening hours and weekends crowding out available merchant parking spaces in the area. (This item was previously recommended for an engineering study with the collaboration of the Police Department by the Public Safety Standing Committee at its September 25, 2014, meeting) - Engineering Services Department (Yader Bermudez 231-2008/Steven Tam 307-8091).
- I-9.** APPROVE a contract with Fehr & Peers in an amount not to exceed \$96,500, and for a term ending June 30, 2016, to complete an expanded traffic impact analysis for the South Shoreline Specific Plan EIR to be paid by developer fees - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-10.** ADOPT a resolution approving standing contracts for as-needed construction management services for capital improvement project work with three Richmond engineering firms (The Hanna Group, BKF Engineers, and Ghirardelli Associates) in an amount not to exceed \$600,000 per firm over a three-year period, with an option to extend the contracts for two years - Public Works Department (Yader A. Bermudez 231-3008).

- I-11.** APPROVE a contract with: (1) Public Resources Advisory Group and (2) Backstrom, McCarley Berry & Co., LLC to provide financial advisory services in an amount not to exceed \$150,000 per vendor, and for a term of three years, with the option to renew each contract for an additional two years - Finance Department (James Goins/Susan Segovia 307-8022).
- I-12.** APPROVE an emergency contract with Conflo Services, Inc. for asbestos removal at the Richmond Public Library in an amount not to exceed \$45,000 - Public Works Department (Yader A. Bermudez 231-3008).
- I-13.** ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Assistant City Clerk (Salary Range No. 052C: \$5,659 - \$6,853/month) - Human Resources Management Department (Lisa Stephenson 620-6600).
- I-14.** APPROVE a construction contract with California Pavement Maintenance, the lowest responsive bidder, to perform the 2015 Slurry Seal Project - Phase 1 in an amount not to exceed \$450,915.85 with an additional construction contingency not to exceed 10%, or \$45,091.59 - Engineering Services Department (Yader Bermudez 231-3008/Tawfic Halaby 621-1612).
- I-15.** ADOPT an ordinance (second reading) amending the contract with the California Public Employee's Retirement System for employees sharing additional costs of two percent for all "classic" local safety members - Human Resources Management Department (Lisa Stephenson 620-6600).
- I-16.** APPROVE a contract with David Taussig and Associates in an amount not to exceed \$58,365 to prepare the Hilltop and Marina Assessment Districts Annual Engineer's Reports necessary to levy assessments for the 2015-2018 fiscal years. The contract term will be from February 18, 2015 to February 17, 2018, with two optional one-year extensions - Public Works Department (Yader A. Bermudez 231-3008).
- I-17.** ADOPT a resolution adopting the Final Report for the Richmond Livable Corridors Sustainable Communities Strategy Planning Grant Project and certifying it as complete and accurate - Planning and Building Services Department (Richard Mitchell 620-6706).
- I-18.** APPROVE the minutes of the February 3 and 10, 2015, meetings - City Clerk's Office (Diane Holmes 620-6513).
- I-19.** ADOPT a resolution to support and endorse the 2015 Annual Homeless Workforce conference by waiving the rental fee for the use of the Richmond Memorial Auditorium – Councilmember McLaughlin (620-5431) and Vice Mayor Myrick (620-6636).

I-20. APPROVE the following appointments and re-appointments: Richmond-Shimada Friendship Commission: Marilyn Alford, new appointment, term expiring December 31, 2017; Commission on Aging: Naomi Williams, re-appointment, term expiring May 19, 2016; Commission on Aging: Beverly Wallace, re-appointment, term expiring May 19, 2016; Human Rights and Human Relations Commission: Courtney Cummings, re-appointment, term expiring March 30, 2018; Human Rights and Human Relations Commission: Joyce Harris, re-appointment, term expiring March 30, 2017; Historic Preservation Commission: Paul Scolari, re-appointment, term expiring July 31, 2018; Planning Commission: Nancy Baer, completing the unexpired term of Eduardo Martinez, term expiring June 30, 2016; Public Art Advisory Committee: Kathryn Sibley, re-appointment, term expiring January 31, 2017; Richmond Youth Council: Quelane Levi, new appointment, term expiring October 1, 2015 – Mayor’s Office (Mayor Tom Butt/Alex Knox 620-6503).

J. ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Ordinances

J-2. INTRODUCE a proposed ordinance (first reading) adopting the zoning text amendments to Section 15.06 of the Sign Ordinance and Chapter 4.04 of the Sign Code. - Planning and Building Services Department (Richard Mitchell 620-6706). **This item was continued from the December 16, 2014, January 20, 2015, and February 3, 2015, meetings.**

Continued Resolutions

J-3. ADOPT a resolution declaring our intent to communicate with the major owners of delinquent loans in regard to a nonprofit program to acquire troubled mortgages, save homes from foreclosure, and create affordable housing - Councilmember McLaughlin (620-5431). **This item was continued from the February 3, 2015, meeting.**

Continued Council as a Whole

J-4. DIRECT staff to draft an ordinance that best suits the City of Richmond in establishing a Just Cause requirement for evictions, and consider the use of a Rent Board as in other cities or a smaller Tenant Protection Commission appointed by the Mayor which would potentially have smaller overhead, or other options for enforcement - Vice Mayor Myrick (620-6636). **This item was continued from the February 3, 2015, meeting.**

J-5. CONSIDER a letter urging the Federal Communications Commission (FCC) to ensure Internet For All Now by requiring Comcast to extend and increase subscribership for its Internet Essentials Program, and AUTHORIZE the mayor to submit the letter to the FCC on behalf of the Richmond City Council - Mayor Tom Butt (620-6503). **This item was continued from the February 3, 2015, meeting.**

J-6. APPOINT a candidate to fill the vacant seat on the City Council that occurred on January 13, 2015 - Mayor Butt (620-6503). **This item was continued from the February 10, 2015, meeting. No further public comments will be accepted. This item is for Council deliberation and voting only.**

K. RESOLUTIONS

K-1. ADOPT a resolution opposing the fast-track of the Trans-Pacific Partnership (TPP) Agreement, the Trans-Atlantic Free Trade Agreement (TAFTA) and the Trade in Services Agreement (TiSA) - Councilmember McLaughlin (620-5431), Councilmember Martinez (620-6593), and Mayor Butt (620-6503).

K-2. ADOPT a resolution in support of establishing a Community Benefits Agreement with the UC Berkeley Global Campus - Vice Mayor Myrick (620-6636) and Councilmembers Beckles and Martinez (620-6581).

L. ORDINANCES

L-1. INTRODUCE an ordinance (first reading) amending Chapters 2.52, 2.62, and 7.102 of the Richmond Municipal Code to eliminate the Public Safety and the Finance Standing Committee - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

M. COUNCIL AS A WHOLE

M-1. CONSIDER directing staff to reduce the number of permits from six to three for the operation of medical marijuana establishments in the City of Richmond - Councilmembers Beckles (620-6568) and McLaughlin (620-5431).

M-2. DIRECT staff to send a letter to the WCCUSD Board in support of the Healthy School Food Campaign to include salad bars in Richmond schools - Councilmember Beckles (620-6568) and Councilmember Martinez (620-6593).

M-3. ADOPT a resolution that calls on Chevron to cooperate in a safe and orderly shutdown of the Chevron Richmond Refinery in the event that its permanent employees, who operate the Chevron Richmond Refinery, exercise their right to refuse work should a strike occur, and further calls on Contra Costa County to take all necessary steps, in cooperation with the City of Richmond, to ensure that Chevron will comply with the Richmond Industrial Safety Ordinance (RISO) during the strike; and DIRECT City of Richmond staff to take all necessary steps, in cooperation with Contra Costa County staff, to ensure that Chevron will comply with the RISO during the strike, and to ensure that Chevron, Contra Costa County, and the United Steelworkers are timely provided a true and complete copy of this Resolution - Mayor Butt (620-6503), Councilmember McLaughlin (620-5431), and Vice Mayor Myrick (620-6593).

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

O. 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.