



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, March 17, 2015

Link to City Council Agendas/Packets
<http://sireweb.ci.richmond.ca.us/sirepub/meet.aspx>
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Mayor
Thomas K. Butt

Vice Mayor
Jael Myrick

Councilmembers
Nathaniel Bates
Jovanka Beckles
Eduardo Martinez
Gayle McLaughlin
Vinay Pimplé

Housing Authority Tenant Commissioners
Two Vacancies

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**

5:30 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):

Hernandez vs. City of Richmond et al

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 DURING CLOSED SESSION**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **CITY COUNCIL CONSENT CALENDAR**
 - G-1. ADOPT an ordinance (second reading) establishing the wages, salary, and compensation for the new classification of Deputy Fire Chief (Executive Management Salary Range 5.1 \$10,728-\$16,743/month) - Human Resources Management Department (Lisa Stephenson 620-6600).
 - G-2. APPROVE an agreement with Califa Group, a California public benefit corporation, to provide high speed Internet networking to the Richmond Public Library through fiscal year 2018 with the option to renew for two additional years in an amount not to exceed 22,500 per year, and AUTHORIZE the library director to apply for the California Public Library Broadband Project Grant and accept and appropriate funds if awarded - Library and Cultural Services Department (Katy Curl 620-6554).
 - G-3. APPROVE an amendment to the existing contract with Malachi Paving & Grading, Inc. for the Miscellaneous Concrete Repairs Fiscal Year 2012/13 - 2013/14 Project, increasing the cost by \$130,000 for a total contract amount of \$750,892 - Engineering Services Department (Yader Bermudez 621-1825/Tawfic Halaby 621-1612).
 - G-4. APPROVE a three-year contract with CRW Systems, Inc. for licensing, ongoing maintenance, and hosting for the City of Richmond's mobile application in a total amount not to exceed \$64,900, including a one-time licensing cost (\$10,000), and annual hosting fees (\$18,000 for years one and two; \$18,900 in year three) - Information Technology Department (Sue Hartman 620-6874).

- G-5.** APPROVE a contract with Ellen E. Kersten to implement the objectives of the Digital Health Literacy Project for a period of 19 months in an amount not to exceed \$120,000 beginning April 1, 2015, and ending December 31, 2016 - Library and Cultural Services Department (Katy Curl 620-6554/Sherry Drobner 307-8082).
- G-6.** ACCEPT a \$75,900 grant from The California Endowment (TCE) in support of the implementation of Richmond's HiAP strategy; authorize the city manager to enter into all required contracts and agreements to facilitate the grant outcome; and appropriate funds into the City Manager's Office budget - City Manager's Office (Bill Lindsay/Shasa Curl 620-6512).
- G-7.** APPROVE an amendment to the contract with Oakland Private Industry Council to provide additional services as the contracting and vendor pay agent for Individual Training Accounts and On-the-Job Training activities for the Workforce Investment Act Program. The contract term is September 16, 2014, through September 30, 2015. The contract amount will increase by \$155,955.24 for a total contract amount not to exceed \$224,241.24 - Employment and Training Department (Sal Vaca/Rosemary Viramontes 307-8006).
- G-8.** ADOPT a proposed ordinance (second reading) for 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).
- G-9.** APPROVE the purchase of one SMART electric vehicle from Beshoff Motorcars Mercedes Benz for use in enforcing parking regulations, in an amount not to exceed \$25,720 - Police Department (Chief Chris Magnus 621-1802).
- G-10.** ADOPT a resolution renewing standing orders/outline agreements for technology related goods and services from ESRI in an amount not to exceed \$25,000 per year for fiscal years 2014-2015 through 2016-2017 - Information Technology Department (Sue Hartman 620-6874).
- G-11.** APPROVE a contract with the East Bay Center for the Performing Arts to support ongoing performing arts programs and collaborations with the City in an amount not to exceed \$60,000, as included in the adopted fiscal year 2014-15, for the term from January 1, 2015, to June 30, 2015 - Library and Cultural Services Department (Katy Curl 620-6554).
- G-12.** APPROVE a contract in an amount not to exceed \$60,000 for the NIAD Art Center to support ongoing arts programs and collaborations with the City as allocated in the Fiscal Year 2014-15 operating budget for the period from January 1, 2015, to June 30, 2015 - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952).

- G-13.** APPROVE a contract with NEMA Construction to install 50 street light poles, to replace old, corroded street light poles in the Fairmede Hilltop Neighborhood, in an amount not to exceed \$63,000.00 - Public Works Department (Yader A. Bermudez 231-3008).
- G-14.** ADOPT an ordinance (second reading) amending the wages, salary, and compensation for the classification of Fire Chief (Salary Range No.5.2: \$11,800 - \$18,417/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- G-15.** APPROVE the following appointments and re-appointments: Arts and Culture Commission: Rosalle Fay Barnes, new appointment, term expiring January 31, 2019; Design Review Board: Michael Woldemar, re-appointment, term expiring March 17, 2017; Jonathan Livingston, new appointment, term expiring March 17, 2017; Eileen Whitty, re-appointment, term expiring March 17, 2017; Brant Fetter, re-appointment, term expiring March 17, 2017; Housing Advisory Commission: Barbara Sutton, new appointment, term expiring November 1, 2016; Dolores Johnson, re-appointment, term expiring November 1, 2016; John M Thorp Jr., new appointment, term expiring November 1, 2016; Police Commission: David A Brown, new appointment, term expiring November 1, 2017; Therese Barquet, re-appointment, term expiring November 1, 2017; Public Art Advisory Committee: Fletcher Oakes, re-appointment, term expiring January 31, 2017; Dayna Holz, re-appointment, term expiring January 31, 2017; Recreation and Parks Commission: Christa 'Sequoia' Erasmus, new appointment term expiring October 26, 2017; Otheree Christian, new appointment, term expiring October 26, 2017 - Mayor's Office (Mayor Tom Butt 620-6503).
- G-16.** ADOPT a resolution authorizing service contracts with two firms (Lisa's Word Processing [transcription] and Language People [translation]) for as-needed transcription and translation services, in not to exceed \$100,000 per firm over a five-year period - Planning and Building Services Department (Richard Mitchell 620-6706).

H. PUBLIC HEARINGS

- H-1.** CONSIDER an appeal by Richmore Village/Metro Square Residents of the Planning Commission's APPROVAL of a modification to an existing Conditional Use Permit to change the existing Type 41 Alcoholic Beverage Control (ABC) license (On-Sale Beer and Wine for Bona Fide Public Eating Place) to a Type 47 license (On-Sale General for Bona Fide Public Eating Place) and expand the hours of operation at El Campesino restaurant located at 232 23rd Street and render a decision - Planning and Building Services Department (Richard Mitchell 620-6705).

I. RESOLUTIONS

I-1. ADOPT a resolution by the City Council of the City of Richmond opposing the transportation of hazardous fossil fuel materials including coal and petroleum coke ("petcoke") along California waterways, through densely populated areas and through the City of Richmond; calling on the Bay Area Air Quality Management District board to regulate the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-5431).

J. ORDINANCES

J-1. INTRODUCE an ordinance (first reading) for an amendment to Chapter 7.102 of the Richmond Municipal Code reducing the number of medical marijuana collective permits from 6 to 3, establishing 2 medical marijuana products manufacturing permits, and providing clarifying language for certain sections of the ordinance - Councilmembers Jovanka Beckles (620-6568) and Gayle McLaughlin (620-5431) and Police Department (Chief Chris Magnus 621-1802).

K. COUNCIL AS A WHOLE

K-1. APPROVE an annual budget of \$50K for the Richmond Youth Council to effectively perform its advisory role to the City Council in advancing the needs and priorities of Richmond youth city-wide - Councilmember Gayle McLaughlin (620-5431), Councilmember Jovanka Beckles (620-6568) and Vice Mayor Jael Myrick (620-6636).

K-2. ANNOUNCE City of Richmond Board and Commission vacancies as of March 17, 2015, and ask that interested residents send applications to the City Clerk - Mayor Tom Butt (620-6503).

K-3. DISCUSS and consider installing a memorial bench at the Nevin Community Center in honor of Mr. Anthony C. Allen's contributions to the community - Councilmember Jovanka Beckles (620-6568).

K-4. DIRECT the city manager to allocate funding to the Shields Reid Renovation Project to include restrooms in phase one - Councilmember Jovanka Beckles (620-6568).

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

M. 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.*