



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, April 7, 2015**

*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**  
Thomas K. Butt

**Vice Mayor**  
Jael Myrick

**Councilmembers**  
Nathaniel Bates  
Jovanka Beckles  
Eduardo Martinez  
Gayle McLaughlin  
Vinay Pimplé

**Housing Authority Tenant Commissioners**  
Two Vacancies

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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).

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**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. LIABILITY CLAIMS -(Government Code Section 54956.9):**

Albert Harris vs. City of Richmond

Jesse Ney vs. City of Richmond

**A-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
(Significant exposure to litigation pursuant to Subdivision (b) of Government  
Code Section 54956.9):**

One case

**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.** PROCLAMATION declaring April 7, 2015, as National Service Recognition Day in the City of Richmond - Mayor Tom Butt (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 resolutions approving and authorizing the execution of the following documents for the construction of the Nevin Avenue Bicycle and Pedestrian Improvements 19th to 27th Street Project: (1) a construction agreement with O.C. Jones & Sons, Inc., in an amount not to exceed \$5,234,450 and the establishment of an Owner's Reserve in the amount of \$1,053,368 for contingencies and add-alternate construction items; (2) a construction management contract with Ghirardelli Associates in an amount not to exceed \$898,695; (3) a design services during construction contract with Vallier Design Associates in an amount not to exceed \$163,577; and (4) authorization to expend funds for utilities, permits and other miscellaneous project costs in an amount not to exceed \$50,000 - Successor Agency to the Richmond Community Redevelopment Agency (Chadrick Smalley 307-8091).

**I. JOINT CITY COUNCIL AND SUCCESSOR AGENCY BOARD CONSENT CALENDAR**

**I-1.** ADOPT a joint resolution of the City Council and the Successor Agency Board authorizing the application for funds to the State of California Strategic Growth Council (SGC) under the Department of Housing and Community Development (HCD) Affordable Housing and Sustainable Communities (AHSC) Program in the amount of Five Million One Hundred Thousand Dollars (\$5,100,000) of which approximately \$4,100,000 is to be used for certain fees and costs related to the development of the Miraflores Affordable Senior Housing Development Project, and approximately \$1,000,000 of which is to be used for public owned city improvements, and if awarded, APPROPRIATE the funds to the Successor Agency's CIP budget for the Miraflores Project - Successor Agency to the Richmond Community Redevelopment Agency and Engineering Services Department (Chadrick Smalley 412-2067).

**J. CITY COUNCIL CONSENT CALENDAR**

**J-1.** ADOPT a resolution approving the 2015 Emergency Operations Plan (EOP), and a resolution approving the 2015 Continuity of Government City Council Standby Officers - Fire Department (Adrian Sheppard 307-8041).

**J-2.** APPROVE a contract with Contra Costa ARC dba: Commercial Support Services (CSS) to employ adults with intellectual and developmental disabilities to wash Richmond Police Department vehicles for the period November 1, 2014, to June 30, 2016, in an amount not to exceed \$25,000 - Police Department (Chief Chris Magnus 621-1802).

**J-3.** REVIEW the City's Investment Report and Cash Balance Report for the months of December 2014 to January 2015 - Finance Department (Belinda Warner 620-6740).

**J-4.** APPROVE a contract with Alex Kushner General Contractor to perform Americans with Disabilities Act (ADA)-related restroom improvements at the Richmond Senior Center in an amount not to exceed \$370,000 - Public Works Department (Yader A. Bermudez 231-3008).

**J-5.** RECEIVE a written report on the Richmond Municipal Sewer District for the month of February 2015 - Engineering Services Department (Chad Davisson 620-5486).

**J-6.** APPROVE a three-year contract with CRW for continued maintenance and support of the CRW TRAKiT permitting, business license and code enforcement software application for a total amount of \$95,036.75 (\$30,750 in the first year, \$31,968.75 in the second year, and \$32,318 in the third year - Information Technology Department (Sue Hartman 620-6874).

- J-7.** ADOPT a resolution of intention to establish the Richmond Tourism Marketing District (RTMD), and set the public meeting date on May 5, 2015, and the public hearing date on the establishment of the RTMD for June 2, 2015 - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512)
- J-8.** ADOPT resolutions authorizing the execution of: (1) a funding agreement with the Association of Bay Area Governments (ABAG) for a grant of \$63,000 in Bay Trail Planning Grants funds; and (2) a contract for design and environmental services with BKF Engineers in an amount not to exceed \$155,761, to be funded by the ABAG Bay Trail Planning Grant funds and Measure U proceeds - Capital Improvements Program - Engineering Services Department (Chadrick Smalley 412-2067/Michael Williams 307-8147).
- J-9.** ADOPT an ordinance (second reading) amending certain sections of Chapter 7.102 of the Richmond Municipal Code reducing the number of medical marijuana collective permits from 6 to 3, establishing 3 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).
- J-10.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to revise and re-title the classification of Crime Analysis Assistant to Crime Analysis Technician - Human Resources Management Department (Lisa Stephenson 620-6609/Donna Newton 621-1218).
- J-11.** ADOPT a resolution in support of providing financial services at United States Post Offices, as recommended by the Inspector General of the United States Post Office - Councilmember Gayle McLaughlin (620-5431).
- J-12.** ADOPT a resolution authorizing the application for funds to the State of California Strategic Growth Council (SGC) under the Department of Housing and Community Development (HCD) Affordable Housing and Sustainable Communities (AHSC) Program for funding in an amount not to exceed \$6,800,000 to be used for certain fees and costs related to the development of the Filbert Townhomes Multifamily Rental Housing Development Project, and, if awarded, APPROPRIATE the funds to the Housing and Community Development's CIP budget for the Filbert Townhomes Project - Housing and Community Development (James Goins 620-6935).
- J-13.** APPROVE the minutes of the February 24, 2015 and March 3, 2015, City Council Meetings - City Clerk's Office (Pamela Christian 620-6513).
- J-14.** APPROVE a contract with State Roofing Systems, Inc. for roof replacement at the Recreation Center in an amount not to exceed \$144,340 - Public Works Department (Yader A. Bermudez 231-3008).

- J-15.** ADOPT resolutions approving and authorizing: (1) the execution of a contract with Marcy Wong Donn Logan Architects in an amount not to exceed \$80,000 for schematic design of the MLK Community Center; and (2) amendment of the 2014-2015 CIP Budget to appropriate \$90,000 in MLK Community Center insurance claim proceeds for schematic design of the MLK Community Center - Engineering Services Department (Chadrick Smalley 412-2067).
- J-16.** APPROVE a contract with Lisa Wise Consulting, Inc. in an amount not to exceed \$35,000 to assist in the preparation of the City's Housing Element Update, required to be adopted and certified by May 31, 2015, with funding from the comprehensive planning fee generated by building permit activity - Planning and Building Services Department (Richard Mitchell 620-6706).
- J-17.** APPROVE an emergency contract with CE Harris, Inc., dba Harris Electric, to perform electrical repairs to the high voltage system at Point Molate in an amount not to exceed \$14,183 - Public Works Department (Yader A. Bermudez 231-3008).
- J-18.** APPROVE a contract amendment with Tracey Elizabeth Webb Associates for strategic planning facilitation services, increasing the payment limit by \$3,500 to a total amount not to exceed \$13,400 - City Manager's Office (Bill Lindsay 620-6512).

**K. ITEMS CONTINUED FROM PREVIOUS MEETINGS**

**-Continued Resolutions**

- K-2.** 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). **This item was continued from the March 17, 2015, meeting.**

**L. PUBLIC HEARINGS**

- L-1.** ADOPT a resolution, Order of Vacation No. 909, vacating South Hampton Court south of Lancaster Drive in the Westridge Apartments Development - Engineering Services Department (Yader Bermudez 231-3008/Steven Tam 307-8091).
- L-2.** APPROVE a modification to the permit granted to the Green Remedy Collective, changing the permit location from a C-2 zone to a C-3 zone - Police Department (Chief Chris Magnus 621-1802).

**M. RESOLUTIONS**

- M-1.** ADOPT a resolution to extend the limited parking restriction and enforcement to twenty-four hour, seven days-a-week along 23rd Street between Bissell Avenue and Maricopa Avenue. (This item was recommended for engineering study with the collaboration of Police Department by the Public Safety Committee at its September 25, 2014 meeting) - Engineering Services Department (Yader Bermudez 231-3008/Steven Tam 307-8091).
- M-2.** ADOPT a resolution to prohibit City staff from using public funds to travel to Indiana; terminate contracts, in accordance with applicable terms and conditions, and prohibit City Departments from entering into new contracts with vendors that have corporate headquarters in Indiana in response to Indiana's passage of SB101 - Mayor Tom Butt (620-6503) and Councilmember Jovanka Beckles (620-6568).

**N. COUNCIL AS A WHOLE**

- N-1.** DISCUSS and APPROVE a requested contribution by the City of Richmond in the amount of \$10,000 to The Trust for Public Land's contract with Lynn Sedway, a respected Bay Area real estate and urban economics expert/consultant, to conduct a high level "best use" market study for Point Molate - Councilmember Gayle McLaughlin (620-5431) and Mayor Tom Butt (620-6503).
- N-2.** REVIEW options for an augmented street paving program using Measure U funds, and provide direction to staff - Finance Department (James Goins 620-6740).
- N-3.** DIRECT staff to amend Section 15.04.810.020 of the Richmond Municipal Code within 60 days by relaxing restrictions and streamlining the approval process of Second Dwelling Units (SDU's) to comply with the California Second Unit Law and to explore SDU's as affordable housing types - Councilmember Jovanka Beckles (620-6568) and Vice Mayor Jael Myrick (620-6636).

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

**P. 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.*