



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

**AGENDA  
Tuesday, April 21, 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

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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. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Subdivision [a] of Government Code Section 54956.9):  
  
Warren vs. Marcus

**SPECIAL MEETING OF  
THE RICHMOND HOUSING AUTHORITY**

6:20 p.m.

**A. PLEDGE TO THE FLAG**

**B. ROLL CALL**

**C. STATEMENT OF CONFLICT OF INTEREST**

**D. OPEN FORUM FOR PUBLIC COMMENT**

**E. AGENDA REVIEW**

**F. HOUSING AUTHORITY CONSENT CALENDAR**

**F-1.** ADOPT a resolution approving the Section 8 Management Assessment Program (SEMAP) Confirmatory Review Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development (HUD) - Richmond Housing Authority (Tim Jones 621-1310).

**F-2.** ADOPT a resolution approving and authorizing execution of the amended Public Housing Agency Recovery and Sustainability (PHARS) Agreement with the U.S. Department of Housing and Urban Development - Richmond Housing Authority (Tim Jones 621-1310).

**F-3.** ADOPT a resolution authorizing the Housing Authority to revise the Section 8 Housing Choice Voucher Program Housing Payment Standards (HPS) to reflect the new Contra Costa County Fair Market Rents effective 2015 - Richmond Housing Authority (Tim Jones 621-1310).

**F-4.** APPROVE the appointment of Dolores Johnson and Barbara Sutton as Tenant Commissioners to the Housing Authority Board of Commissioners - Mayor's Office (Mayor Tom Butt 620-6503).

**G. ADJOURNMENT**

## 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. APPROVE an amendment to the Chevron Environmental and Community Investment Agreement (ECIA), accelerating the availability of funds pursuant to the agreement for completion of Richmond's Climate Action Plan and zoning ordinance update, and making changes to the residential roof-top solar and energy retrofit programs to provide consistency with the City's Richmond Recovery Rebates (R3) program, without changing the amounts allocated to specific projects described in the ECIA - City Manager's Office (Bill Lindsay 620-6512).
  - G-2. ADOPT a resolution authorizing submittal of a grant application to Cal Fire for funding under the Urban Forestry Grant Program, "Green Trees for the Golden State", as provided through the California Greenhouse Gas Reduction Fund and/or USDA Forest Service Federal Funds - Public Works Department (Yader Bermudez 231-3008).
  - G-3. ADOPT a resolution authorizing execution of a contract with A-N West, Inc., to modify and update the plans and specifications for the Richmond-Ohlone Greenway Gap Closure Project and to provide engineering services during construction, in an amount not to exceed \$124,613 - Engineering Services Department (Chad Smalley 412-2067/Tawfic Halaby 621-1612).
  - G-4. APPROVE a contract with MobilePD, Inc. for the development and maintenance/support of a software application (app) to promote information exchange between the police and community, in an amount not to exceed \$42,300 for three years, with the option of two one-year extensions in an amount not to exceed \$11,600 each year - Police Department (Chief Chris Magnus 621-1802).

- G-5.** APPROVE the grant-funded purchase of foul weather equipment consisting of 35 jackets, 45 trousers, and 45 pairs of boots from West Marine Products, Inc. in the amount of \$11,736.59, in support of the department's Marine Emergency Response Program and with funding by the Fiscal Year 2012 Port Security Grant - Fire Department (Chief Adrian Sheppard 307-8041).
- G-6.** APPROVE the minutes of the March 17, 2015, and March 24, 2015, City Council Meetings - City Clerk's Office (Pamela Christian 620-6513).
- G-7.** ADOPT a resolution authorizing execution of the First Amendment to the Construction Agreement for the Plunge Bay Trail Gap Closure Project with W.R. Forde Associates, increasing the payment limit by \$48,220 to a total contract amount not to exceed \$417,358, to address unforeseen ground water issues discovered during construction, to be funded by the existing budget for surface drainage needs - Engineering Services Department (Chadrick Smalley 412-2067/Michael Williams 307-8147).
- G-8.** APPROVE international travel for the Community Services Director and four Community Services staff to participate in the XIII International Conference on Law, Policing, and Justice Conference hosted by the World Academy of Science, Engineering and Technology (WASET) in London, England, including related travel to Paris, France, with all travel and meeting expenses paid for by The California Wellness Foundation and the Richmond Community Foundation/California Endowment Peacemaker Fellowship Fund - Community Services Department (Devone Boggan 620-6950).
- G-9.** APPROVE a two-year lease agreement with the Rosie the Riveter Trust for the use of approximately 600 square feet of City-owned property at 440 Civic Center Plaza as office space for a two-year period from January 1, 2015, to December 31, 2016, and at a lease rate of \$600 per month - City Manager's Office (Bill Lindsay 620-6512).
- G-10.** ADOPT an ordinance (second reading) amending certain sections of Chapter 7.102 of the Richmond Municipal Code (second reading) reducing the number of medical marijuana collective permits from six to three, establishing three medical marijuana products manufacturing permits, and providing clarifying language for certain sections of the ordinance - Police Department (Chief Chris Magnus 621-1802) on behalf of City Councilmembers Jovanka Beckles and Gayle McLaughlin.

- G-11.** ADOPT a resolution authorizing the city manager to negotiate and execute an amendment to the existing loan documents between the City of Richmond and the RHA Housing Corporation, which include regulatory agreements, promissory notes, and deeds of trusts, as required to effectuate the use of the City's in-lieu fee funds and HOME loan funds in an aggregate amount not to exceed \$5,800,000, for the Rental Assistance Demonstration (RAD) Program rehabilitation projects at Friendship Manor and Triangle Court - Housing and Community Development (James Goins 620-6740).
- G-12.** APPROVE a two-year contract with Pursuit North to outfit police department vehicles for the 2014-2015 and 2015-2016 Fiscal Years in an amount not to exceed \$125,000 per year - Public Works Department (Yader A. Bermudez 231-3008).
- G-13.** APPROVE the purchase of services from Diamond Truck Body to refurbish a chipper body for the use by the Public Works Department, Parks Division in an amount not to exceed \$13,000 - Public Works Department (Yader A. Bermudez 231-3008).

**H. ITEMS CONTINUED FROM PREVIOUS MEETINGS**

**-Continued Resolutions**

- H-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, and April 7, 2015, meetings.**

**-Continued Council as a Whole**

- H-3.** REVIEW options for an augmented street paving program using Measure U funds, and provide direction to staff - Finance Department (James Goins 620-6740). **This item was continued from the April 7, 2015, meeting.**

**I. PUBLIC HEARINGS**

**I-1.** CONSIDER appeals by the applicant, Alexis Gevorgian, and the Richmond Annex Neighborhood Council of the Planning Commission's ADOPTION of a Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting Program, and approval of a Conditional Use Permit for a Density Bonus with three concessions: reduced parking, reduced open space, and an increase in height for a 155-unit affordable housing development at 5620 Central Avenue, and deny, modify, or approve the proposed project - Planning and Building Services Department (Richard Mitchell 620-6706).

**J. COUNCIL AS A WHOLE**

**J-1.** ESTABLISH a 45-day moratorium on rent increases in the City of Richmond to allow time for the discussion and development of tenant protection policies that can be implemented to prevent displacement - Vice Mayor Jael Myrick (620-6636).

**J-2.** APPROVE revisions to 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions - Mayor Tom Butt (620-6503).

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

**L. 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.*