



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 5, 2015

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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
Dolores Johnson
Barbara Sutton

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**

5:45 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):

Sherry Matthews vs. City of Richmond

Jean Carney vs. City of Richmond

**REGULAR 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 a Fixed Asset Inventory Policy for the Richmond Housing Authority - Richmond Housing Authority (Tim Jones 621-1310).

F-2. APPROVE the minutes of the January 20, 2015, meeting - City Clerk's Office (Pamela Christian 620-6513).

G. **ADJOURNMENT**

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

A. ROLL CALL

B. STATEMENT OF CONFLICT OF INTEREST

C. AGENDA REVIEW

D. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

D-1. PROCLAMATION recognizing May 14, 2015, as Bike to Work Day - Mayor Tom Butt (620-6503).

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 a contract with Jim Libien of Renne Sloan Holtzman Sakai to provide consultant services to assist in developing workers' compensation "carve-out" agreements in an amount not to exceed \$75,000 - Human Resources Management Department (Lisa Stephenson/Kim Greer 620-6605).

G-2. APPROVE a contract with Jim Libien of the law firm Renne Sloan Holtzman Sakai to provide consultant services regarding closing open workers' compensation claims in an amount not to exceed \$28,500 - Human Resources Management Department (Lisa Stephenson 620-6600).

G-3. APPROVE the four-year lease acquisition of 77 automatic external defibrillator (AED) devices from Univest, pediatric defibrillator pad/battery packs, and related compliance services from Devices for Life, for a combined total cost of \$106,937.50 - Human Resources Management Department (Lisa Stephenson/Kim Greer 620-6605).

G-4. ADOPT a resolution approving standing contracts for as-needed engineering design services with six firms (A-N West, BKF Engineers, Harris & Associates, Mark Thomas & Company, NCE, and PSOMAS) 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 - Engineering Services Department (Yader Bermudez 621-1238).

- G-5.** APPROVE a contract amendment with Yannet Torres, DBA Cardio Dance Studio, to continue the Richmond Senior Center Zumba Gold Program, increasing the contract amount by \$6,000 for a total contract amount not to exceed \$16,000, and extending the term to December 31, 2015 - Community Services Department (DeVone Boggan 620-6950).
- G-6.** APPROVE the purchase of three (3) 2015 Ford Explorer Utility Vehicles from Wondries Fleet Group (Alhambra, CA) in an amount not to exceed \$98,000, with funding for the purchase from the fire prevention services contract with Chevron - Fire Department (Chief Adrian Sheppard 307-8031).
- G-7.** ADOPT a resolution approving the FY 2015-2016 Engineer's Report 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 about the proposed increased assessment on June 16, 2015, at 6:30 PM in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 621-1238).
- G-8.** ADOPT a resolution approving the FY 2015-2016 Engineer's Report 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 about the proposed increased assessment on June 16, 2015, at 6:30 PM in the City Council Chambers at 440 Civic Center Plaza in the City of Richmond - Public Works Department (Yader A. Bermudez 621-1238).
- G-9.** APPROVE revisions to 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions - Mayor Tom Butt (620-6503)
- G-10.** DIRECT staff to initiate a 45-Day Notice for a Public Hearing to consider the adoption of a multi-year sewer service rate structure in compliance with noticing requirements of Proposition 218 - Wastewater Department (Chad Davisson 620-5486).
- G-11.** DIRECT staff to send a letter to Governor Brown in support of state funding of all Adult Education programs in the state and send copies of the letter to State Senator Hancock and State Assembly Member Thurmond - Councilmember Gayle McLaughlin (620-5431).
- G-12.** RECEIVE a written report on the Richmond Municipal Sewer District for the month of March 2015 - Engineering Services Department (Chad Davisson 620-5486).
- G-13.** PROCLAMATION to Their Angels declaring May 2015 as National Military Appreciation Month - Mayor Tom Butt (620-6527).

- G-14. CONTINUED TO MAY 19, 2015, 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 and 21, 2015, meetings.**

- G-15. APPROVE** a contract with Environmental Science Associates (ESA) to complete a City of Richmond Climate Action Plan (CAP), in an amount of \$299,832, with a City-controlled contingency amount of \$15,000, for a total contract amount not to exceed \$314,832, with contract costs and related costs for project management, legal and environmental review funded by the Chevron Environmental and Community Investment Agreement - City Manager's Office (Bill Lindsay 620-6512).

H. ITEMS CONTINUED FROM PREVIOUS MEETINGS

- H-1. Continued Council as a Whole**

- H-2.** 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 and 21, 2015, meetings.**

- H-3.** RECEIVE the first monthly update from the members of the WCCUSD/City Coordination Ad Hoc Committee - Mayor's Office (Mayor Tom Butt 620-6503). **This item was continued from the April 28, 2015, meeting.**

I. PUBLIC HEARINGS

- I-1.** HEAR testimony regarding formation of the Richmond Tourism Marketing District and ADOPT a Resolution of Intention to Disestablish the Richmond Tourism Business Improvement District - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).

- I-2.** RECEIVE testimony regarding the Five Year Consolidated Plan for 2015-2020 and ADOPT a resolution approving the Five Year Consolidated Plan and authorizing its submittal to the Department of Housing and Urban Development (HUD) - Housing and Community Development (James Goins 620-6740).

J. ORDINANCES

J-1. INTRODUCE an ordinance amending the definitions in Richmond Municipal Code Section 15.04.020, the uses listed in Sections 15.04.100 through 15.04.250; and provisions relating to homeless shelters and transitional housing in Section 15.04.810.040, to bring the City's land use regulations into compliance with adopted amendments (Senate Bill (SB) 2 and SB 745) to Government Code Sections 65582, 65583 and 65589.5 - Planning and Building Services Department (Richard Mitchell 620-6706).

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

L. 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.