



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, May 19, 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 Souble, 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 - ANTICIPATED LITIGATION
(Significant exposure to litigation pursuant to Subdivision (b) of Government
Code Section 54956.9):

Two Cases

**SPECIAL MEETING OF
THE RICHMOND HOUSING AUTHORITY**

6:25 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 purchase of 100 sets of SmartBurners, stove top temperature limiting heating elements, from Pioneering Technology at a cost of \$189.73 per set, for a total amount not to exceed \$20,000. The purpose of these heating elements is to reduce the risk of kitchen fires in the Nevin Plaza Public Housing Development - Richmond Housing Authority (Tim Jones 621-1310).

F-2. ADOPT a resolution authorizing the Housing Authority to revise the Public Housing Flat Rent Schedule in response to the Department of Housing and Urban Development (HUD) increased Fair Market Rent rates, effective July 1, 2015 - Richmond Housing Authority (Tim Jones 621-1310).

F-3. APPROVE the minutes of the April 21, 2015, and May 5, 2015, meetings - 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. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- E. **OPEN FORUM FOR PUBLIC COMMENT**
- F. **CITY COUNCIL CONSENT CALENDAR**
 - F-1. ACCEPT the City's Investment and Cash Balance Report for the month of February 2015 - Finance Department (Belinda Warner 620-6740/Tracey Angelo 620-6750).
 - F-2. APPROVE a contract amendment with NEMA Construction, expanding the scope of work to install video detection systems for purposes of traffic signal management on the Richmond Parkway at Gertrude and Goodrick Avenues, and increasing the original contract amount by \$150,000 for a total contract amount not to exceed \$450,000 - Public Works Department (Yader A. Bermudez 621-1238).
 - F-3. APPROVE the following appointments and re-appointments: Commission on Aging: Myrtle Braxton, re-appointment, term expiring May 19, 2017; Kathleen Good, re-appointment, term expiring May 19, 2017; Rose Brooks, re-appointment, term expiring May 19, 2017; Dolores Johnson, re-appointment, term expiring May 19, 2017; Economic Development Commission: Larry Fleming, re-appointment, term expiring March 30, 2018; Point Molate Citizens Advisory Committee: Bruce Brubaker, new appointment, term expiring May 30, 2017; Bruce Beyaert, new appointment, term expiring May 30, 2017; Katrinka Ruk, new appointment, term expiring May 30, 2017; Urban Forest Advisory Committee: Toody Maher, new appointment; Libby Smith, new appointment; Lon Sun, new appointment; Liz Bittner, new appointment; Felix Hunziker, new appointment - Mayor Tom Butt (620-6503).

- F-4.** ADOPT an ordinance (second reading) 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).
- F-5.** APPROVE appointments and updates to the 2015 appointments to Regional Committees, Ad Hoc Committees and Liaison Positions - Mayor Tom Butt (620-6503).
- F-6.** ADOPT a resolution defining the role of City Council members appointed to serve as liaisons for City boards, commissions and committees - Mayor Tom Butt (620-6503).
- F-7.** INTRODUCE an ordinance (first reading) to disestablish the Richmond Tourism Business Improvement District, which is being reformed as the Richmond Tourism Marketing District (RTMD), a form of business improvement district, pursuant to State law - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).

G. ITEMS CONTINUED FROM PREVIOUS MEETINGS

- Continued Council as a Whole

- G-2.** ADOPT a resolution supporting increased local, state and federal regulation of the storage and handling of coal and petroleum coke ("petcoke"); calling on the Bay Area Air Quality Management District board to regulate air quality as it pertains to the storage, handling, and transportation of coal and petcoke; and directing staff to research similar pollution mitigation measures; and ADOPT a resolution opposing mining, export and burning of coal, and the transportation of coal and petroleum coke ("petcoke") along California waterways and through densely populated areas including the City of Richmond - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-6503). **This item was continued from the March 17, 2015, April 7 and 21, 2015, and May 5, 2015, meetings.**
- G-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 and 21, 2015, and May 5, 2015, meetings.**
- G-4.** ADOPT a resolution adopting the Yellow Brick Road Iron Triangle Walkable Neighborhood Plan as an appendix to the City of Richmond Pedestrian Plan - Planning and Building Services Department (Richard Mitchell 620-6706). **This item was continued from the April 28, 2015 agenda.**

H. PUBLIC HEARINGS

H-1. APPROVE Richmond Compassionate Care Collective's request for a modification of their marijuana dispensary permit to relocate from their previously approved location to a new location at 3190 Klose Way - Police Department (Chief Chris Magnus 6210-1802).

H-2. ADOPT a resolution adopting the Addendum to the Richmond General Plan 2030 EIR and the draft 5th Cycle Housing Element Update - Planning and Building Services Department (Richard Mitchell 620-6706).

I. RESOLUTIONS

I-1. ADOPT a resolution in support of the Space Preservation Act and the Space Preservation Treaty to permanently ban space-based weapons - Councilmember Jovanka Beckles (620-6568).

J. COUNCIL AS A WHOLE

J-1. DIRECT the City Manager to work with the City Clerk to develop a schedule to make the agenda packet available to the public seven days prior to the City Council meeting - Councilmember Vinay Pimplé (412-2050), Councilmember Jovanka Beckles (620-6568), and Councilmember Eduardo Martinez (620-6593).

J-2. CONSIDER requesting that the West Contra Costa Transportation Advisory Committee recommend that the Contra Costa Transportation Authority include funding for CyberTran International Inc. in the 2016 Measure J Expenditure Plan - Mayor Tom Butt (620-6503).

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

L. ADJOURNMENT

L-1. ADJOURN the meeting in memory of George Schmidt - Mayor Tom Butt (620-6505).

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.