



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, January 17, 2017**

*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**  
Eduardo Martinez

**Councilmembers**  
Jovanka Beckles  
Ben Choi  
Gayle McLaughlin  
Jael Myrick  
Melvin Willis

**Housing Authority Tenant Commissioners**  
Jaycine Scott  
Tanise Smith

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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, 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 up to TWO (2) MINUTES to address the City Council on NON-PUBLIC HEARING items listed on the agenda. Speakers are allowed up to THREE (3) minutes on PUBLIC HEARING items.**

**OPEN FORUM FOR PUBLIC COMMENT:** Individuals who would like to address the City Council on matters not listed on the agenda or on items remaining on the consent calendar 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 BEFORE  
CLOSED SESSION**

5:30 p.m.

- A. **ROLL CALL**
- B. **PUBLIC COMMENT BEFORE CLOSED SESSION**
- C. **ADJOURN TO CLOSED SESSION**

**CLOSED SESSION**

Shimada Room of the Community Services Building

**CITY COUNCIL**

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

California Apartment Owners vs. City of Richmond

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: Citizens Police Review Commission Investigative Officer

## 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. **PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS**
  - E-1. ELECTION of Vice Mayor for 2017 - Mayor Tom Butt (620-6503).
- F. **REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE DURING CLOSED SESSION**
- G. **REPORT FROM THE CITY MANAGER**
- H. **OPEN FORUM FOR PUBLIC COMMENT**
- I. **CITY COUNCIL CONSENT CALENDAR**
  - I-1. ADOPT a resolution setting a public hearing for February 21, 2017, regarding the City's intent to grant to SFPP, L.P. a 10-year franchise to use or lay and use oil pipes and appurtenances for the purpose of transmitting and distributing oil and oil products within the City's rights-of-way - Engineering and Capital Improvement Projects (Yader A. Bermudez 774-6300).
  - I-2. APPROVE a three-year agreement with OpportunitySpace, Inc. for use of data management software to assist in code enforcement and other property-related activities. The cost of the contract will be shared equally with the Richmond Community Foundation, for a net cost to the City of \$18,000 over a three-year period - Department of Infrastructure Maintenance and Operations (Tim Higare 620-6508).
  - I-3. APPROVE the payment of tuition costs for three (3) police officer trainees at the basic police academy at the Office of the Sheriff, Contra Costa County Law Enforcement Training Center, in an amount not to exceed \$14,000 - Police Department (Chief Allwyn Brown 621-1802).

- I-4.** APPROVE a contract with Allied Universal to provide security services at 325 Civic Center Plaza, 403 Civic Center Plaza, 440 Civic Center Plaza, 450 Civic Center Plaza, 330 25th Street, 2525 Macdonald Avenue and 326 27th Street for a period from March 1, 2017, to December 31, 2019, for a total not to exceed contract amount of \$ 733,688 and APPROPRIATE Fiscal Year (FY) 2017-18 funds in the amount of \$244,556; FY 2018-19 funds in the amount of \$244,556 and FY 2019-20 funds in the amount of \$122,278 to cover the cost of the contract - Police Department (Chief Allwyn Brown 621-1802).
- I-5.** RECEIVE a report on the Richmond Municipal Sewer District for the month of November 2016 - Water Resource Recovery Department (Ryan Smith 620-5486).
- I-6.** ADOPT a resolution authorizing the Business License Division to offer an Amnesty Program for a period of five months, allowing businesses with unpaid business licenses and transient occupancy taxes, including hotels, motels, and short term rentals, to pay fees and taxes owed without incurring late fees and penalties - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- I-7.** ADOPT an ordinance (second reading) amending Richmond Municipal Code Sections 9.20.150 and 9.20.155 to update the solid waste collection rates to reflect: (1) an annual Consumer Price Index rate adjustment of three percent (3.00%) that will go into effect on January 1, 2017; and (2) approval of \$.12 per month surcharge on residential accounts resulting from the high 2016 bulky item participation rate that exceeded the 2016 bulky item program budget - City Manager's Office (Shasa Curl/Adam Lenz 620-5537).
- I-8.** APPROVE an amendment to a legal services agreement with Downey Brand, LLP for assistance with environmental and implementation issues associated with the 'Zeneca' site and the Richmond Bay Specific Plan, in the amount of \$100,000 for a total contract amount of \$150,000 with a term ending December 31, 2018 - City Attorney's Office/Planning and Building Services Department (Bruce Reed Goodmiller 620-6509/Richard Mitchell and Lina Velasco 620-6506).
- I-9.** APPROVE the Fiscal Year 2017-18 Environmental and Community Investment Agreement (ECIA) competitive grant program guidelines and application - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).
- I-10.** APPROVE actions to update the Commission on Aging; APPOINT Beverly Wallace, seat #2, term expiration date May 19, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-11.** APPROVE actions to update the Economic Development Commission; APPOINT Brandon Evans, seat #2, term expiration date March 30, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).

- I-12.** APPROVE actions to update the Citizens Police Review Commission; APPOINT Vinay Pimple, seat #3, term expiration November 1, 2019, Diego Garcia, seat #9, term expiration November 1, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-13.** APPROVE actions to update the Youth Council; APPOINT Brianna Alleyne, seat #2, term expiration date October 1, 2017; Fabienne Aubertin, seat #3, term expiration October 1, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-14.** APPROVE actions to update the Revolving Loan Fund Board; APPOINT: Fathia Macauley, new appointment, Seat #7 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-15.** APPROVE actions to update the Contra Costa Mosquito and Vector Control Board of Trustees; APPOINT Soheila Bana to the City of Richmond Seat on the Contra Costa Mosquito and Vector Control Board of Trustees, term expiring September 11, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- I-16.** ADOPT a resolution approving a Memorandum of Understanding (MOU) between the Richmond Police Officers' Association (RPOA) and the City of Richmond. The MOU will be effective from July 1, 2016 through June 30, 2021 - Human Resources (Lisa Stephenson 620-6609).
- I-17.** ADOPT a resolution approving a Memorandum of Understanding (MOU) between the Richmond Police Management Association (RPMA) and the City of Richmond. The MOU will be effective from January 1, 2017 through December 31, 2021 - Human Resources (Lisa Stephenson 620-6609).
- I-18.** APPROVE a contract amendment with Dyett & Bhatia Urban & Regional Planners, for an amount not to exceed \$80,000, through June 30, 2018, to assist with implementation and trainings related to Zoning Update - Planning and Building Services Department (Richard Mitchell 307-8159).
- I-19.** RECEIVE the Certificate of Sufficiency of Initiative Petition dated January 3, 2017, indicating that the initiative petition entitled "Richmond Hills Initiative" has a sufficient number of valid signatures to be submitted to the voters at the 2018 general election. This is the only Council action at this time - City Clerk's Office (Pamela Christian 620-6513).

**J. ITEMS CONTINUED FROM PREVIOUS MEETINGS - COUNCIL AS A WHOLE**

**J-1.** APPOINT a general employee representative to the Personnel Board from the following panel of three nominees elected at the Personnel Board Election held October 26, 2016, to November 9, 2016: (1) Robert Davila, (2) Charles Smith, and (3) Pamela Saucer-Bilbo - City Clerk's Office (Pamela Christian 620-6513). **This item was continued from the November 15, December 6, and 20, 2016, meetings.**

**J-2.** ADOPT a resolution recognizing International Federation of Professional and Technical Engineers' (IFPTE) Local 21 as the sole and exclusive bargaining agent for Executive Management employees pursuant to the Employer-Employee Relations Resolution (EERR) #134-96 - Human Resources Management (Lisa Stephenson 620-6609). **This item was continued from the December 20, 2016, meeting.**

**K. ITEMS CONTINUED FROM PREVIOUS MEETINGS - ORDINANCES**

**K-1.** INTRODUCE an ordinance (first reading) adding Chapter 14.56 to the Richmond Municipal Code (RMC) to establish a Neighborhood Permit Parking Program (NPP) that is intended to provide parking restrictions in residential communities located near major employers, colleges, medical institutions and those impacted by commuter spillover parking - City Manager's Office (Bill Lindsay 620-6512/Denée Evans 621-1718). **This item was continued from the December 6 and 20, 2016, meetings.**

**L. RESOLUTIONS**

**L-1.** ADOPT a resolution in support of increased funding from the State of California for adult education - Vice Mayor Eduardo Martinez (620-6593).

**M. COUNCIL AS A WHOLE**

**M-1.** APPROVE the proposal for renaming the bicycle and pedestrian trail on the Richmond Greenway as the Lillie Mae Jones Trail - Office of the Mayor (Mayor Tom Butt 620-6502).

**M-2.** DIRECT the City Manager to amend the planning process active for the Marina Bay Waterfront property known as Parcel FM to 1) establish a new parcel appropriate for the development of a full-service restaurant on the southern end of the property, and 2) revise the development plans for the site in accordance with existing planning regulations for the purpose of soliciting separate development proposals for a full-service restaurant on the new parcel - Office of the Mayor (Mayor Tom Butt 620-6503).

**M-3.** DIRECT staff to include three members of each bargaining unit in discussions, to start immediately, to create a fair and inclusive budget process in order to maintain employee morale and gain the best possible outcome for our community  
- Councilmember Gayle McLaughlin (620-5431).

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

**O. 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.*