



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, February 7, 2017

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
Jovanka Beckles

Councilmembers

Ben Choi
Eduardo Martinez
Gayle McLaughlin
Jael Myrick
Melvin Willis

Housing Authority Tenant Commissioners

Jaycine Scott
Tanise Smith

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).

**OPEN SESSION TO HEAR PUBLIC COMMENT BEFORE
CLOSED SESSION**

5:00 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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957.6):

Title: City Clerk

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Parcel FM, Marina Bay
Agency negotiators: Bill Lindsay, Richard Mitchell
Negotiating party: Orton Development
Under negotiation: Price and terms of payment

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

Upstream vs. City of Richmond

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. **REPORT FROM THE CITY MANAGER**
- G. **OPEN FORUM FOR PUBLIC COMMENT**
- H. **CITY COUNCIL CONSENT CALENDAR**

H-1. APPROVE a contract with Community Violence Solutions for the continuation of services by on-site advocates at the Family Justice Center to assist victims of domestic violence and sexual violence, and human trafficking, in an amount not to exceed \$86,066 and for the period January 1, 2017, to December 31, 2017 - Police Department (Chief Allwyn Brown 621-1802).

H-2. APPROVE a two-year, grant-funded, sole-source contract with the Richmond Community Foundation, in connection with the California Board of State and Community Corrections (BSCC) Strengthening Law Enforcement and Community Relations grant program, in the amount of \$85,000 per year, to provide fiscal agent services for funding to non-profit service providers supporting the Ceasefire program - Police Department (Allwyn Brown 621-1802).

H-3. ADOPT a resolution authorizing the acceptance and appropriation of funds from the United States Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) FY 2016 Port Security Grant Program in the amount of \$200,969, divided between a FEMA award of 75% (\$150,727) and a City of Richmond cost share of 25% (\$50,242), to support continuing implementation of the Marine Emergency Response Program - Fire Department (Chief Adrian Sheppard 307-8041).

H-4. ADOPT a resolution ordering the preparation of the Engineer's Report for Fiscal Year 2017-2018 regarding improvements and costs for the Hilltop Landscape Maintenance District - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).

- H-5.** ADOPT a resolution ordering the preparation of the Engineer's Report for Fiscal Year 2017-2018 regarding improvements and costs for the Marina Bay Landscape and Lighting Maintenance District - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).
- H-6.** APPROVE a contract with Robertson Industries, Inc. for playground rubberized safety surfacing repairs at La Moine Park, Nevin Park, Southside Park, Burg Park and Barbara & Jay Vincent Park in an amount not to exceed \$32,824.00. The contract term will be from February 8, 2017, to June 30, 2017 - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).
- H-7.** APPROVE a sole-source, Environmental and Community Investment Agreement (ECIA) -funded contract with the Richmond Community Foundation to provide and manage a series of capacity building trainings for Richmond-serving non-profits in an amount not to exceed \$25,000 for a term commencing February 8, 2017, and ending June 30, 2018 - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).
- H-8.** ADOPT an ordinance (second 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).
- H-9.** 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 (Bill Lindsay 620-6512). **This item was continued from the January 17, 2017, meeting.**
- H-10.** APPROVE the minutes of the regular City Council meetings held Tuesday, December 6, December 20, 2016, and January 17, 2017 - City Clerk's Office (Pamela Christian 620-6513).

I. RESOLUTIONS

- I-1.** ADOPT a resolution in opposition to the closure of the United States Post Office at 1025 Nevin Avenue, and direct the city manager to draft a letter on behalf of the City of Richmond - Councilmember Eduardo Martinez (620-6593).

J. ORDINANCES

J-1. ADOPT an urgency ordinance, effective immediately, temporarily prohibiting land uses in General Plan Change Area 12 (Northshore) that may conflict with a contemplated General Plan Amendment for this area - Councilmember Gayle McLaughlin (620-5431) and Vice Mayor Jovanka Beckles (620-6568).

K. COUNCIL AS A WHOLE

K-1. DIRECT staff to bring to the Planning Commission an amendment of the Zoning Ordinance to conditionally allow medical marijuana cultivation in the AG, Agricultural District - Councilmember Gayle McLaughlin (620-5431).

K-2. RECEIVE a presentation and APPROVE the proposed Fiscal Year 2016/17 - 2020/21 Five-Year Strategic Business Plan - City Manager's Office (Bill Lindsay/LaShonda White 620-6512).

K-3. APPROVE appointments for the Mayor and Councilmembers to Regional Committees, Ad-Hoc Committees and Liaison Positions for the year of 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).

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

M. 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.