



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, April 4, 2017

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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).

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 MANAGER**
- F. **OPEN FORUM FOR PUBLIC COMMENT**
- G. **CITY COUNCIL CONSENT CALENDAR**
 - G-1. APPROVE an amendment to the contract with Oakland Private Industry Council to provide services as the Contracting & Vendor Pay Agent for Individual Training Accounts and On-the-Job Training activities for the Workforce Innovation & Opportunity Act (WIOA) program. The contract amount will be increased by \$80,425.52 for a total contract amount not to exceed \$251,352, and the contract term will be from July 26, 2016, through September 30, 2017 - Employment and Training Department (Sal Vaca /Rosemary Viramontes 307-8023).
 - G-2. APPROVE actions to update the Economic Development Commission; APPOINT Abayomi Jones, new appointment, seat #7, term expiration March 30, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - G-3. APPROVE appointments to the ECIA Grant Review Panel: Andrea Bailey, new appointment, seat #3, filling an unexpired term with an expiration date of April 30, 2017, Lidia Perdomo, new appointment, seat #4, filling an unexpired term with an expiration date of April 30, 2017 - Office of the Mayor (Mayor Tom Butt 620-6503).
 - G-4. APPROVE the purchase of two Toro 14.5hp mowers and one Z Master mower from Aloha Saw & Mower, Inc., in an aggregate amount not to exceed \$19,000, for use by the Abatement division - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
 - G-5. ADOPT an ordinance (second reading) adding Chapter 14.46 of the City of Richmond Municipal Code establishing parking regulations for certain parking zones and establishing a parking authority enterprise fund to fund parking improvements and parking authority activities - City Manager's Office (Bill Lindsay 620-6512/Denée Evans 621-1718).

- G-6.** APPROVE a second amendment to the contract with Van Iwaarden Associates for actuarial services necessary for pension fund and other post-employment benefits (OPEB) management, increasing the contract amount by \$81,400 for a new contract total of \$124,366, and extending the contract term to June 30, 2018 - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- G-7.** ADOPT a resolution revising the authorization list on the Local Agency Investment Fund (LAIF) accounts to reflect the current staff assignments in the Finance Department - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- G-8.** RECEIVE the City's Investment and Cash Balance Report for the month of February 2017 - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- G-9.** RECEIVE a report on the Richmond Municipal Sewer District for the month of February 2017 - Water Resource Recovery Department (Ryan Smith 620-5486).
- G-10.** ADOPT a resolution (1) adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and (2) adopting the citywide Urban Greening Master Plan - Planning and Building Services Department (Richard Mitchell 620-6706).
- G-11.** ADOPT a resolution to abandon the easement within parcel number APN 408-009-040, currently owned by Galaxy Desserts and located west of Protectocoat Lane in the unincorporated area of Contra Costa County, and authorize staff to quitclaim the easement - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Steven Tam 307-8112).
- G-12.** ADOPT a resolution setting a public hearing on May 2, 2017, regarding the City's intent to grant to SFPP, L.P. a 10 year franchise agreement 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 for a period of ten years - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- G-13.** ADOPT a resolution renewing and continuing the local emergency declaration on Rifle Range Road due to landslide damage, which was initially ratified by the City Council on March 7, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300).
- G-14.** ADOPT a resolution renewing and continuing the local emergency declaration on Via Verdi due to landslide damage, which was initially ratified by the City Council on February 28, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300).

- G-15.** APPROVE contracts with Richmond Friends of Recreation (\$271,271.00), as the contracting entity for Friends of Richmond Greenway, mack5 (\$173,910.00), C. Overaa & Co. (\$3,235,905.00), and Kompan, Inc. (\$126,017.00), and authorize the City Manager to execute all required documents and contracts to facilitate the construction of Unity Park, in an aggregate amount not to exceed the Proposition 84 and supplemental Housing-Related Parks Program funding, and for contract terms from April 4, 2017, to April 3, 2018 - Engineering and Capital Improvement Projects Department (Yader A. Bermudez 774-6300).
- G-16.** ADOPT a resolution approving the Final Map for Subdivision [9422], "Bottoms Property", authorizing the City to enter a Subdivision Improvement Agreement with the developer, Shea Homes LP, a California Limited Partnership, and authorizing the recording thereof - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300/Steven Tam 307-8112). **This item was continued from the March 21, 2017, meeting.**
- G-17.** APPROVE the minutes of the March 7, 2017, regular meeting of the Richmond City Council - City Clerk's Office (Pamela Christian 620-6513).

H. ORDINANCES

- H-1.** INTRODUCE an ordinance (first reading) adding Chapter 11.46 of Article XI of the City of Richmond Municipal Code establishing regulations concerning the use of unmanned aircraft systems (drones) in Richmond - Police Department (Chief Allwyn Brown 621-1802). **This item was continued from the February 21 and March 7, 2017, meetings.**
- H-2.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 9.52 entitled "Community Noise Ordinance" to prohibit the use of a compressor on a stationary refrigerated semitrailer or shipping container within 1,250 feet from an inhabited residential structure between the hours of 9:00 p.m. and 7:00 a.m. - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-5431).

I. PUBLIC HEARINGS

- I-1.** **CONTINUED to April 18, 2017**, the matter to consider an appeal, filed by Jacqueline Smart Steinberg, of the Planning Commission's decision on PLN16-366, conditional approval of a Conditional Use Permit modification to add three new panel antennas and three radio remote units on the rooftop of an existing building located at 5221 Central Avenue - Planning and Building Services Department (Richard Mitchell 620-6706).

J. COUNCIL AS A WHOLE

J-1. APPROVE the sub-naming of a portion of South 23rd Street between Ohio Avenue and Cutting Boulevard to "Galileo Club Way" as recommended by the Recreation and Parks Commission - Office of the Mayor (Mayor Tom Butt 620-6503).

J-2. DIRECT staff to write a letter to Assemblymember Tony Thurmond, Chair of Assembly Committee on Labor and Employment, in support of AB 1008 (Fair Chance Act) which would prohibit employers from inquiring into or reviewing a job applicant's conviction history until after that applicant has received a conditional offer - Councilmember Gayle McLaughlin (620-5431) and Vice Mayor Jovanka Beckles (620-6568).

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.