



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, March 3, 2015

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
Jael Myrick

Councilmembers
Nathaniel Bates
Jovanka Beckles
Eduardo Martinez
Gayle McLaughlin
One Vacancy

Housing Authority Tenant Commissioners
Two Vacancies

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**

5:30 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. LIABILITY CLAIMS - (Government Code Section 54956.9):

Deorian vs. City of Richmond

David Funk vs. City of Richmond

A-2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Government Code Section 54956.8):

Property: Terminal 3

Negotiator: Bill Lindsay and Jim Matzorkis

Negotiating party: Sims Metals and RJJ Resources

Under negotiation: price and terms of payment

REGULAR MEETING OF THE RICHMOND CITY COUNCIL

6:30 p.m.

A. PLEDGE TO THE FLAG

B. ADMINISTER THE OATH OF OFFICE TO COUNCILMEMBER APPOINTEE

B-1. Administer the Oath of Office to Councilmember Appointee Vinay Pimplé - City Clerk's Office (Pam Christian 620-6513).

C. ROLL CALL

D. STATEMENT OF CONFLICT OF INTEREST

E. AGENDA REVIEW

**F. REPORT FROM THE CITY ATTORNEY OF FINAL DECISIONS MADE
DURING CLOSED SESSION**

G. OPEN FORUM FOR PUBLIC COMMENT

H. CITY COUNCIL CONSENT CALENDAR

H-1. APPROVE the purchase of one SMART electric vehicle from Beshoff Motorcars Mercedes Benz to replace existing equipment used in enforcing parking regulations, in an amount not to exceed \$20,000 - Police Department (Chief Chris Magnus 621-1802).

H-2. ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (James Goins/Antonio Banuelos 620-6741).

H-3. REVIEW the City's Investment Report and Cash Balance Report for the months of August 2014 to November 2014 - Finance Department (James Goins 620-6740).

H-4. ADOPT a Resolution of Intention to vacate the cul-de-sac at South Hampton Court within the property of Westridge Apartments, previously owned by Richmond Housing Authority, at the request of current property owners Menlo Westridge Affordable Partners, and set the public hearing on the matter for April 7, 2015 - Engineering Services Department (Yader Bermudez 231-3008/Steven Tam 307-8112).

- H-5.** APPROVE the recommendation of the City Council to provide an annual base salary of \$97,044 to the newly appointed City Clerk, effective March 2, 2015. The salary range for the City Clerk classification is \$97,044 to \$151,440 annually - Human Resources Management Department (Lisa Stephenson 620-6600).
- H-6.** APPROVE the purchase of Scott Pak-Tracker firefighter locator hand-held receivers, charging systems, and forty-four (44) licenses for Kit Pak-Tracker software for self-contained breathing apparatus (SCBA) cylinders in the amount of \$19,521.92 - Fire Department (Chief Adrian Sheppard 307-8041).
- H-7.** APPROVE a contract amendment with, and associated payment to, NEMA Construction for the final construction change order for the renovation of the Richmond Parkway lighting system, in an amount not to exceed \$389,660 for a total contract amount of \$1,069,660 - Public Works Department (Yader A. Bermudez 231-3008).
- H-8.** AUTHORIZE the City Manager to enter into a Memorandum of Understanding (MOU) with 15 inner East Bay communities, the counties of Alameda and Contra Costa and the Association of Bay Area Governments (ABAG), to establish the East Bay Corridors Initiative (Initiative), the goal of which is to support projects and programs that promote complete communities and economic vitality for the East Bay - Planning and Building Services Department (Richard Mitchell 620-6706).
- H-9.** RECEIVE a report on Point Molate activities - Engineering Services Department (Chad Smalley/Craig Murray 307-8091).
- H-10.** APPROVE a contract amendment with Turner Group Construction, Inc. to provide additional unforeseen general contracting services for the Family Justice Center Project at 256 24th Street in an amount of \$25,375.00 for an amended total contract amount not to exceed \$1,566,900 - Police Department (Chief Chris Magnus 621-1802).
- H-11.** ADOPT an ordinance (second reading) amending the wages, salary, and compensation for the classification of Crime Analysis Assistant (Salary Range No. 42A: \$4,588 - \$5,413/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-12.** INTRODUCE an ordinance (first reading) amending the wages, salary, and compensation for the classification of Fire Chief (Salary Range No.5.2: \$11,800 - \$18,417/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600).
- H-13.** APPROVE the minutes of the February 17, 2015, meeting - City Clerk's Office (Pam Christian 620-6513).

- H-14.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new classification of Deputy Fire Chief - Human Resources Management Department (Lisa Stephenson 620-6600).
- H-15.** INTRODUCE an ordinance (first reading) establishing the wages, salary, and compensation for the new classification of Deputy Fire Chief (Executive Management Salary Range 5.1 \$10,728-\$16,743/month) - Human Resources Management Department (Lisa Stephenson 620-6600).
- H-16.** ADOPT a resolution authorizing the execution of a Memorandum of Understanding with the City of San Pablo for the design and construction of the San Pablo Avenue Complete Streets Project (Project), which provides that the City of Richmond and the City of San Pablo will each contribute up to \$615,000 for design and construction of the Project, with the City of Richmond's contribution provided by Measure U proceeds - Engineering Services Department (Chadrick Smalley 412-2067/Tawfic Halaby 621-1612).
- H-17.** ADOPT an ordinance (second reading) amending Chapters 2.52, 2.62, and 7.102 of the Richmond Municipal Code to eliminate the Public Safety and the Finance Standing Committee - City Attorney's Office (Bruce Reed Goodmiller 620-6509).

I. ITEMS CONTINUED FROM PREVIOUS MEETINGS

Continued Council as a Whole

- I-2.** REVIEW the fiscal year 2014-15 operating and capital improvement budgets at mid-year, and ADOPT a resolution approving the proposed FY2014-15 budget adjustments - Finance Department (James Goins 620-6740). **This item was continued from the February 24, 2015, meeting.**

Continued Ordinances

- I-3.** INTRODUCE a proposed ordinance (first reading) adopting the zoning text amendments to Section 15.06 of the Sign Ordinance and Chapter 4.04 of the Sign Code. - Planning and Building Services Department (Richard Mitchell 620-6706). **This item was continued from the December 16, 2014, January 20, 2015, and February 3 and 24, 2015, meetings.**

J. PUBLIC HEARINGS

J-1. CONSIDER an appeal by Richmore Village/Metro Square Residents of the Planning Commission's APPROVAL of a modification to an existing Conditional Use Permit to change the existing Type 41 Alcoholic Beverage Control (ABC) license (On-Sale Beer and Wine for Bona Fide Public Eating Place) to a Type 47 license (On-Sale General for Bona Fide Public Eating Place) and expand the hours of operation at El Campesino restaurant located at 232 23rd Street and render a decision - Planning and Building Services Department (Richard Mitchell 620-6705).

K. RESOLUTIONS

K-1. ADOPT a resolution supporting California Senate Bill 203, and DIRECT staff to send a copy of the resolution to California State Senator William Monning, California State Senator Loni Hancock, and California Assemblymember Tony Thurmond - Mayor's Office (Mayor Tom Butt 620-6503).

L. COUNCIL AS A WHOLE

L-1. DIRECT the City Manager to schedule a joint meeting of the City Council and the West Contra Costa Unified School Board for the purpose of gathering information about the bond measure and current financial situation of Richmond schools - Councilmember Martinez (620-6593).

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

N. 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.