



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, November 24, 2015

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 Butt

Vice Mayor
Jael Myrick

Councilmembers
Nathaniel Bates
Jovanka Beckles
Eduardo Martinez
Gayle McLaughlin
Vinay Pimplé

Housing Authority Tenant Commissioners
Barbara Sutton
Vacancy

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 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 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
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):

Mikell vs. City of Richmond

Reilly vs. City of Richmond

**A-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision [a] of Government Code Section 54956.9):**

Affordable Housing Land Consultants, LLC vs. City of Richmond

Texas vs. United States

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. PROCLAMATION declaring December 1, 2015, as World AIDS Day in the City of Richmond - Mayor Tom Butt (620-6503).
 - E-2. PROCLAMATION declaring Saturday, November 28, 2015, as Small Business Saturday in the City of Richmond - Mayor Tom Butt (620-6503).
 - E-3. ANNOUNCE City of Richmond Board, Commission and Committee vacancies as of November 24, 2015, and ask that interested residents send applications to the City Clerk - 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. APPROVE actions to update the Police Commission: ACCEPT the resignation of Yenny Velazquez who was serving in seat #9 for a term ending November 1, 2016; DECLARE Seat #9 vacant, and DIRECT the City Clerk to post the seat's vacancy - Mayor Tom Butt (620-6503).
 - I-2. APPROVE actions to update the Commission on Aging: APPOINT Commieolla Duncan, New Appointment, Seat # 13, Term Expiring May 19, 2017 - Mayor Tom Butt (620-6503).

- I-3.** APPROVE actions to update the Housing Advisory Commission: APPOINT Jaycine Scott, Re-appointment, Seat #6, Term Expiring November 1, 2017; ACKNOWLEDGE the resignation of Dolores Johnson who was serving on seat #3 for a term ending November 1, 2016; DECLARE vacant Seat #3 of the Richmond Housing Advisory Commission and DIRECT the City Clerk to post the vacancy - Mayor Tom Butt (620-6503).
- I-4.** APPROVE actions to update the Youth Council: APPOINT Raul H. Garcia, New Appointment, Seat #6, Term Expiring October 1, 2016; Stephanie Estrada, New Appointment, Seat #7, Term Expiring October 1, 2016; Aniceto Leon Jr., New Appointment, Seat #8, Term Expiring October 1, 2016; Joseph Jackson, Re-appointment, Seat #9, Term Expiring October 1, 2016 - Mayor Tom Butt (620-6503).
- I-5.** RECEIVE the attached Certificate of Sufficiency of Initiative Petition dated November 18, 2015, indicating that the initiative petition titled "A proposed amendment to the Richmond Municipal Code requiring the city manager to publicize compensation paid to exempt city service officials and employees, obligating the City Council to set annual compensation for city exempt service officials and employees and prohibiting the City Council from compensating the city manager in excess of five times the median household income for the City" has a sufficient number of valid signatures to be submitted to the voters at a special election. There is no other action at this time - City Clerk's Office (Pamela Christian 620-6513).
- I-6.** ADOPT a resolution authorizing the mayor to: (1) act as an alternate when both a primary and alternate member of an external or regional board, commission or committee - or as a primary member when there is no designated alternative - is unable to attend a meeting; and (2) if the mayor is unable to attend as an alternate or there is more than one temporary vacancy, authorize the mayor to appoint any City Council member as an alternate for a specific meeting - Mayor Tom Butt (620-6503).
- I-7.** DIRECT staff to initiate a Planning Commission hearing, pursuant to RMC Article XV Chapter 15.04.990, of the Conditional Use Permit issued to Richmond Wholesale Meats at 2920 Regatta Boulevard - Mayor Tom Butt (620-6503) and Councilmember Gayle McLaughlin (620-5431).
- I-8.** RECEIVE three resolutions approved by the West Contra Costa Integrated Waste Management Authority and AUTHORIZE the City Manager to: (1) enter into an Indemnification Agreement with the West Contra Costa Integrated Waste Management Authority; and (2) execute any agreements necessary to facilitate the receipt of the funds subject to approval as to form by the City Attorney - City Manager's Office (Bill Lindsay 620-6512).
- I-9.** ADOPT a resolution incorporating a No Alphabet Soup (acronyms) practice at City Council meetings - Mayor Tom Butt (620-6503).

- I-10.** RECEIVE the Health in All Policies (HiAP) Annual Report and INTRODUCE an ordinance (first reading) amending certain provisions of Richmond Municipal Code Chapter 9.15, Health in All Policies, relating to definitions and frequency of reporting - City Manager's Office (Bill Lindsay/Shasa Curl 620-6512). **This item was continued from the November 17, 2015, meeting.**

J. COUNCIL AS A WHOLE

- J-1.** RECEIVE a report regarding the impacts of the initiative to amend the Richmond General Plan 2030 to allow a 59 unit single family detached project on a site south of the intersection of Marina Way South and Hall Drive (the "Initiative") ordered by the City Council on September 22, 2015, pursuant to Election's Code 9212; and either (a) ADOPT the Initiative by ordinance, without alteration; OR (b) immediately order a special election pursuant to subdivision (a) of Section 1405 at which time the Initiative shall be submitted to the voters, most likely at the June 7, 2016, Presidential Primary election - City Clerk's Office (Pamela Christian 620-6513). **This item was continued from the November 17, 2015, meeting. FOR COUNCIL DELIBERATION AND DETERMINATION ONLY.**

- J-2.** DIRECT staff to review current "best practices" to improve compatibility in transitional areas of zoning districts such that land use permit standards in commercial and industrial areas reflect current best regulatory standards while providing industrial uses with adequate opportunity and reasonable time to adapt to upgraded operating standards - Councilmember Gayle McLaughlin (620-5431). **This item was continued from the November 17, 2015, meeting.**

K. STUDY SESSION/STUDY AND ACTION SESSION

- K-1.** RECEIVE a presentation on the Summer of Minecraft training provided to community youth during the month of July 2015, through a collaboration with Building Block for Kids (BBK), UC Berkeley, and Connected Camps - Information Technology (Sue Hartman 620-6874). **This item was continued from the September 29, 2015, meeting.**

- K-2.** RECEIVE a presentation on the Community Wi-Fi Project, a collaborative effort among the City of Richmond, the West Contra Costa Unified School District (WCCUSD), Internet Archive, and Building Blocks for Kids (BBK), to provide free internet to the underserved communities of Richmond - Information Technology Department (Sue Hartman 620-6874). **This item was continued from the September 29, 2015, meeting.**

K-3. DISCUSS recommendations for revisions to the Police Commission enabling ordinance and administrative procedures and INTRODUCE an ordinance (first reading) of the City Council of the City of Richmond amending Article III, Chapter 3.54 of the Richmond Municipal Code pertaining to the Police Commission, increasing the time allowed for complaints against police officers to be filed, and removing the outdated hearing process for those complaints - Mayor Tom Butt (620-6503). **This item was continued from the October 27, 2015, meeting.**

L. RESOLUTIONS

L-1. ADOPT a resolution directing staff, when placing an item on the agenda to: (1) disclose a one year history of contract awards by the department; (2) disclose a three year history of contracts awarded to the vendor by the department; (3) include a list of change orders submitted by the vendor, and approved by the city; and (4) summarize the competing initial bids, including the local sourcing status of those bids, when council approval is requested for a change order - Councilmembers Eduardo Martinez and Vinay Pimplé (620-6581). **This item was continued from the November 17, 2015, meeting.**

M. REPORTS OF OFFICERS: 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.