



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, November 1, 2016**

*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**

Nathaniel Bates  
Jovanka Beckles  
Gayle McLaughlin  
Jael Myrick  
Vinay Pimplé

**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 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).

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

5:45 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**

LIABILITY CLAIMS (Government Code Section 54956.9):

Daniel Colvig vs. City of Richmond

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code  
Section 54957.6):

Title: City Attorney

## 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 grant-funded contract with the Local Government Commission (LGC), in an amount not to exceed \$69,730 and for a term ending June 30, 2018, to assist in the development and implementation of a First Mile / Last Mile Transportation Strategic Plan, as included in the scope of work of the Department of Transportation (Caltrans) sustainability grant to the City of Richmond - City Manager's Office (Bill Lindsay/Lori Reese-Brown 620-6513).
  - H-2. APPROVE payment in the amount of \$21,364.55 to Nichols Consulting Engineers (NCE) for work within the budget of the prior contract related to technical and budgetary oversight for environmental remediation activities at Pt. Molate, and approve a new contract with NCE for continued technical assistance on this project, in an amount not to exceed \$80,000 and with a term extending through December 31, 2017 - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
  - H-3. APPROVE the purchase of two 2017 Ford Super Duty F350 trucks from National Auto Fleet Group, in an aggregate amount not to exceed \$190,000, as replacement vehicles in the Parks Division and Facilities Maintenance Division, respectively - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).
  - H-4. APPROVE the purchase of three replacement Toro Z580D mowers from Aloha Saw & Mower, Inc., in an aggregate amount not to exceed \$45,000, for use by the Parks Division - Department of Infrastructure Maintenance and Operations (Tim Higaes 231-3008).

- H-5.** APPROVE actions to update the Point Molate Community Advisory Committee; ANNOUNCE the vacancy of seat #15 previously held by Al Guggemos, term expiration May 30, 2017; and DIRECT the City Clerk to post the vacancy - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-6.** APPROVE actions to update the Workforce Development Board; APPOINT: Paul Shatswell, new appointment, seat #22, term expiration March 1, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-7.** APPROVE actions to update the Recreation and Parks Commission; APPOINT Mark Torres, re-appointment, seat #7, term expiration October 26, 2019 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-8.** APPROVE actions to update the Recreation and Parks Commission; APPOINT Steven Paskowitz, new appointment, seat #1, term expiration October 26, 2018 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-9.** APPROVE actions to update the Economic Development Commission; ANNOUNCE the vacancy of Seat #3 previously held by Brian McKeown, term expiration April 28, 2017; and DIRECT the City Clerk to post the vacancy - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-10.** APPROVE the minutes of the regular City Council meetings held Tuesday, September 27, 2016, and October 4, 2016 - City Clerk's Office (Pamela Christian 620-6513).
- H-11.** INTRODUCE an ordinance (first reading) to remove Robert H. Miller Drive as a designated truck route, and designate Hilltop Drive from Robert H. Miller Drive to the Richmond Parkway as a truck route, as part of the project to construct pedestrian and bicycle improvements along San Pablo Avenue between Rivers Street and Hilltop Drive - Engineering and Capital Improvement Projects (Yader Bermudez/Tawfic Halaby 621-1612).
- H-12.** APPROVE a contract with NEMA Construction to provide and install 130 Christy traffic rated boxes and to re-wire the Richmond Parkway traffic signal interconnect system from Hensley Street to Ohio Avenue and on Castro Street, and to install video detection systems along Richmond Parkway at Hensley Street, Atlas Road, Lakeside Drive and Bella Vista Avenue in an amount not to exceed \$500,000.00 - Engineering and Capital Improvements Projects Department (Yader A. Bermudez 774-6300).

**I. PUBLIC HEARINGS**

**I-1.** ADOPT a resolution approving Addendum to the General Plan EIR and INTRODUCE an ordinance (first reading) repealing Article XV Zoning and Subdivisions, Chapter 6.06 Historic Structures Code, and Chapter 7.102, Medical Marijuana Collectives of the Richmond Municipal Code, and adopting revised Article XV, Zoning and Subdivisions, and new Zoning Map - Planning and Building Services Department (Richard Mitchell/Lina Velasco 620-6706).

**J. COUNCIL AS A WHOLE**

**J-1.** DISCUSS notification from the California Department of Alcoholic Beverage Control (ABC) about a petition to extend the alcoholic beverage sale hours at the ARCO AM/PM at 12890 San Pablo Avenue in Richmond, and DIRECT staff to respond to ABC's notification by the department's deadline to file a written response to the modification of the conditions - Office of the Mayor (Mayor Tom Butt 620-6503).

**J-2.** REVIEW a draft ordinance limiting the use of information by landlords about past convictions of potential tenants in leasing activity related to public and subsidized housing ("Fair Chance Access to Affordable Housing Ordinance"), and provide direction to staff - Housing and Community Development Department (Tim Jones 621-1310).

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

**L. 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.*