



Community Services Building
440 Civic Center Plaza
Richmond, CA 94804

AGENDA
Tuesday, April 18, 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 a contract with First Student Inc. to provide bus transportation services to the City of Richmond Community Services Department for 2017 summer camp excursions, in an amount not to exceed \$15,000, and for a seven-month term beginning June 1, 2017, and ending December 31, 2017 - Community Services Department (Rochelle Monk 620-6511).
- G-2. APPROVE a contract with the non-profit Rising Sun Energy Center to employ and train local youth to install energy efficiency and water conservation measures for residences for a total amount not to exceed \$25,000 and for a term ending December 31, 2017 - City Manager's Office (Bill Lindsay 620-6512/Adam Lenz 620-5537).
- G-3. ADOPT a resolution authorizing the city manager to execute all documents on behalf of the City of Richmond in support of the renewal of the Downtown Richmond Property and Business Improvement District - City Manager's Office (Bill Lindsay/Janet Johnson 620-6512).
- G-4. APPROVE actions to update the Citizens Police Review Commission; APPOINT Carol Hegstrom, new appointment, seat #3, term expiration April 18, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-5. APPROVE actions to update the Workforce Development Board; APPOINT Jack Welsh, new appointment, seat #25, term expiration March 1, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-6. APPROVE actions to update the Design Review Board; APPOINT Tom Leader, re-appointment, seat #5, term expiration March 17, 2019 - Office of the Mayor (Mayor Tom Butt).

- G-7.** PROCLAMATION declaring April 22, 2017, as Earth Day in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).
- G-8.** APPROVE the sole source purchase of Globe firefighter personal protective equipment through L.N. Curtis & Sons, the exclusive distributor of Globe Manufacturing protective clothing, for a cost of \$162,000 over a three-year period ending June 30, 2019 - Fire Department (Chief Adrian Sheppard 307-8041).
- G-9.** APPROVE the purchases of a thermal imaging camera for the Hazardous Materials Unit and ten Scott face masks and voice amplifiers for new firefighters from Industrial Safety Supply, Corp. in the amount of \$12,419.07 - Fire Department (Chief Adrian Sheppard 307-8041).
- G-10.** APPROVE the contract with Jordan Consulting & Investigations to conduct pre-employment background investigations for firefighter recruits at a cost not to exceed \$30,000 over a three-year period - Fire Department (Chief Adrian Sheppard 307-8041).
- G-11.** ADOPT an ordinance (second 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).
- G-12.** APPROVE a Voluntary Collection Agreement with Airbnb, Inc. for the collection of Transient Occupancy Tax owed by its users to Richmond pursuant to Richmond Municipal Code Chapter 7.88 - Finance Department (Belinda Warner/Antonio Banuelos 620-6741).
- G-13.** APPROVE a first amendment to the contract with Public Resources Advisory Group to provide financial advisory services, increasing the contract amount by \$100,370 for a new contract total of \$250,370 - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- G-14.** ADOPT a resolution permitting the City of Richmond to reimburse certain expenditures of the Wastewater Enterprise from the proceeds of long-term bonds - Finance Department (Belinda Warner/Latha Ravinder 620-6739).
- G-15.** APPROVE the minutes of the March 21 and March 28, 2017, regular meetings of the Richmond City Council - City Clerk's Office (Pamela Christian 620-6513).

- G-16.** APPROVE an amendment to the grant-funded contract with Groundwork Richmond for community outreach, training, project management, tree-planting, tree inventory, data collection and maintenance related to the "Ten Thousand Trees 2.0" project, increasing the contract amount by \$75,000 for a total amount not to exceed \$449,000, while maintaining the initial expiration of December 31, 2017 - Department of Infrastructure and Maintenance Operations (Tim Higaes 231-3008).
- G-17.** APPROVE a contract with Applied Landscape Materials, Inc. to install blown-in engineered wood fiber safety surfacing that is compliant with applicable American Society for Testing and Materials (ASTM) and Consumer Product Safety Commission standards at the Nicholl Park playground in an amount not to exceed \$21,933.98. The contract term will be from April 19, 2017, to June 30, 2017 - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).
- G-18.** APPROVE a contract with First Serve Production, Inc. for completion of tennis court resurfacing at Nicholl Park, in an amount not to exceed \$12,888.00, and for a term from April 19, 2017 to September 30, 2017 - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).
- G-19.** APPROVE a contract with Remediation Risk Management, Inc. (RRM, Inc.) for activities related to the assessment, monitoring and reporting of soil and groundwater conditions in and adjacent to the City of Richmond's Corporation Yard, as required by the Regional Water Quality Control Board, in an amount not to exceed \$75,000 over three-years with a maximum of \$25,000 per budget year for fiscal years 2016/17, 2017/18, and 2018/19 - Department of Infrastructure Maintenance and Operations (Dee Karnes 231-3044/Tim Higaes 620-6508/Craig Murray 307-8188).
- G-20.** APPROVE an emergency contract with, and associated payment to, NEMA Construction to supply and install twenty-six (26) LED overhead pool light fixtures at the Richmond Plunge in an amount not to exceed \$36,400 - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).
- G-21.** ADOPT a resolution approving the filing of a proposal for \$823,033 in funding from the urban forestry grant program entitled, "Green Trees for the Golden State," as provided through the California Greenhouse Gas Reduction Fund and/or U.S. Department of Agriculture Forest Service Federal Funds - Infrastructure Maintenance and Operations Department (Tim Higaes 231-3008).

- G-22.** ADOPT a resolution related to the development of the "Bottoms Property Residential Project" of Shea Homes, LP (1) authorizing a Right of Entry and Easement Agreement for a new driveway as a secondary ingress/egress at Canal Boulevard; and (2) accepting a Grant of Public Access Easement from Shea Homes, LP, and terminating the existing roadway easement recorded September 24, 2008 - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300/Steven Tam 307-8112).
- G-23.** 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 and April 4, 2017, meetings.**
- G-24.** APPROVE payments for emergency landslide investigation and design (NCE), project management (Mack5), construction inspection and construction services (Questa), and construction services (O.C. Jones) arising out of the Via Verdi Drive landslide in an aggregate amount not to exceed \$1,600,000.00 - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300).
- G-25.** ADOPT a resolution renewing and continuing the local emergency on Rifle Range Road due to landslide damage, which was first adopted by the City Council on March 7, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300).
- G-26.** ADOPT a resolution renewing and continuing the local emergency on Via Verdi due to landslide damage, which was first adopted by the City Council on February 28, 2017 - Engineering and Capital Improvement Projects Department (Yader Bermudez 620-5478).
- G-27.** APPROVE an amendment to the existing on-call construction management and inspection services contracts with three Richmond-based consulting firms (The Hanna Group, BKF Engineers, and Ghirardelli Associates), in an amount not to exceed \$600,000 each, for a total not to exceed an amount of \$1,200,000 each, and extending the term of their agreements to February 16, 2020 - Engineering and Capital Improvement Projects (Yader Bermudez 774-6300/Tawfic Halaby 621-1612).
- G-28.** APPROVE a contract with East Bay Center for the Performing Arts (EBCPA) to support ongoing performing arts programs and collaborations with the City in an amount not to exceed \$55,000. Contract dates are February 13, 2017, to December 29, 2017 - Library and Cultural Services Department (Michele Seville 620-6952/Katy Curl 620-6554).

- G-29.** APPROVE a contract with Nurturing Independence through Artistic Development (NIAD) to support ongoing art programs and collaborations with the City in an amount not to exceed \$55,000. Contract dates are February 13, 2017, to December 29, 2017 - Library and Cultural Services Department (Katy Curl 620-6554/Michele Seville 620-6952).

H. PUBLIC HEARINGS

- H-1.** CONTINUED to May 2, 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). **This item was continued from the April 4, 2017, meeting.**

I. RESOLUTIONS

- I-1.** ADOPT a resolution in support of Senate Bill 562 (Lara & Atkins), the Healthy California Act, that would establish a comprehensive universal single-payer health care coverage program and DIRECT staff to send copy of the resolution and a cover letter to State legislators, Assemblymember Tony Thurmond and State Senator Nancy Skinner to urge them to stand in support of the Healthy California Bill - Councilmember Gayle McLaughlin (620-5431), Vice Mayor Jovanka Beckles (620-6568), and Mayor Tom Butt (620-6503).

J. ORDINANCES

- J-1.** INTRODUCE an ordinance (first reading) amending Richmond Municipal Code Chapter 9.52 entitled "Community Noise Ordinance" to regulate the use of a compressor on a stationary refrigerated semitrailer or shipping container, the operation of a vehicle or equipment with an audible warning device, and the idling of diesel trucks, or the operation of gas, gasoline, or diesel-powered auxiliary power units between the hours of 9:00 p.m. and 7:00 a.m. - Office of the Mayor (Mayor Tom Butt 620-6503) and Councilmember Gayle McLaughlin (620-5431).
- J-2.** ADOPT an ordinance (second 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).

J-3. INTRODUCE an ordinance (first reading) amending Section 3.50.030 of the Richmond Municipal Code to change the residency requirement for members serving on the Commission on Aging, allowing for appointment of members residing within the boundaries of the West Contra Costa Unified School District, rather than only within the boundaries of the City of Richmond - Community Services Department (Rochelle Monk 620-6511).

K. COUNCIL AS A WHOLE

K-1. DIRECT staff to develop a process to solicit input from Housing Authority tenants in selecting the next Executive Director of the Richmond Housing Authority - Councilmember Jael Myrick (620-6636).

K-2. DIRECT staff to convene a homeless taskforce to include two or three City Councilmembers, volunteers from the community, and at least one or two homeless people for the purpose of exploring and implementing strategies that address the needs of the homeless in Richmond - Councilmember Gayle McLaughlin (620-5431).

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.