



Community Services Building  
440 Civic Center Plaza  
Richmond, CA 94804

**AGENDA**  
**Tuesday, November 5, 2019**

*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**  
Ben Choi

**Councilmembers**  
Nathaniel Bates  
Demnlus Johnson III  
Eduardo Martinez  
Jael Myrick  
Melvin Willis

**Housing Authority Tenant Commissioners**  
Jaycine Scott  
Vacancy

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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 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 that is sponsored by City staff 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. Councilmembers who request to remove an item from the consent calendar must do so during 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**

3:00 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**

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957.6):

Title: City Manager

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(paragraph (1) of Subdivision [d] of Government Code Section 54956.9):

SPRAWLDEF vs. City of Richmond

Upstream vs. City of Richmond

## 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. INTRODUCE an ordinance (first reading) updating and amending Chapter 8.16 of the Richmond Municipal Code that pertains to Fire Prevention, including incorporating the 2019 California Fire Code and 2018 International Fire Code - Fire Department (Chief Adrian Sheppard 307-8041).
  - H-2. APPROVE a contract amendment with E-Lock Technologies to increase the payment limit by \$97,192.58 and extend the terms of the contract to December 31, 2024, in order to install additional electronic bike lockers and provide maintenance - Engineering and Capital Improvement Projects Department (Yader Bermudez 774-6300/Patrick Phelan 307-8111).
  - H-3. APPROVE an amendment to the contract with Liebert Cassidy Whitmore in an amount not to exceed \$75,000, bringing the total contract amount to \$85,000, to provide advice on human resources issues and represent the City during negotiations with the City's represented employee units through December 31, 2020 - City Attorney's Office (Bruce Reed Goodmiller 620-6509).
  - H-4. INTRODUCE an ordinance (first reading) to establish wages, salaries, and compensation for the new Police Records and Property Manager classification (Salary Range No. 070D \$9,535 - \$11,532/month) - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600). **This item was continued from the October 15, 2019, meeting.**

- H-5.** ADOPT a resolution amending the City of Richmond's Position Classification Plan to add the new Police Records and Property Manager classification - Human Resources Management Department (Lisa Stephenson/Donna Newton 620-6600). **This item was continued from the October 15, 2019, meeting.**
- H-6.** APPROVE the purchase of the subscription to an eBook and audiobook access platform and the licensing of eBooks and audiobooks for the Richmond Public Library from Overdrive, Inc. in an amount not to exceed \$70,000 per year for three years with the option of two one-year renewals for \$70,000 per year - Library and Cultural Services Department (Katy Curl 620-6554/Jane Pratt 620-5452).
- H-7.** RECEIVE the City's Investment and Cash Balance Report for the month of September 2019 - Finance Department (Belinda Brown 620-6740).
- H-8.** ADOPT a resolution authorizing placement of liens and special assessments for unpaid garbage collection service fees on County property tax records - Finance Department (Belinda Brown/Antonio Banuelos 620-6741).
- H-9.** ADOPT an ordinance (second reading) repealing Section 15.04.610.270 (Medical Marijuana Uses Ordinance) and adopting revised Section 15.04.610.270 (Marijuana/Cannabis Commercial Uses) and new Section 15.04.610.275 (Marijuana/Cannabis: Personal Use) - Planning and Building Services Department (Lina Velasco 620-6706).
- H-10.** APPROVE appointment(s) to the Richmond Youth Council: APPOINT Laiba Noor, new appointment, seat #9, term expiration date October 1, 2020 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-11.** APPROVE appointment(s) to update the Library Commission: APPOINT Mimi Vitetta re-appointment, seat #2, term expiration date July 1, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-12.** APPROVE appointment to the Recreation and Parks Commission: APPOINT Brendan Havenar-Daughton, new appointment, seat #2, term expiration date of October 26, 2021 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-13.** APPROVE appointment(s) to the ECIA Transportation Oversight Committee; APPOINT Carolyn Douglas, re-appointment, seat #5, term expiration date of July 25, 2022 - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-14.** PROCLAMATION declaring November 17-23, 2019 as United Against Hate Week in the City of Richmond - Office of the Mayor (Mayor Tom Butt 620-6503).

- H-15.** AUTHORIZE the city manager and staff to explore potential revenue enhancement measures, including researching and preparing potential ballot measures for City Council consideration - Office of the Mayor (Mayor Tom Butt 620-6503).
- H-16.** APPROVE appointment(s) to the Richmond Fund for Children and Youth Oversight Board: **Mayor Tom Butt Appointments:** Geselle Alvarado, new appointment, seat #1 and Katherine Lee, new appointment, seat #2 and Kapris S James, new appointment, seat #3; **Vice Mayor Ben Choi Appointments:** Destiny E. Caster, new appointment, seat #4 and Miriam Stephanie Sequeira, new appointment, seat #5; **Councilmember Nathaniel Bates Appointments:** Chastity Ochoa, new appointment, seat #6 and Madiha Qader, new appointment, seat #7; **Councilmember Demnlus Johnson Appointments:** Zeonta Johnson, new appointment, seat #8 and Kristin Kilian Lobos, new appointment, seat #9; **Councilmember Eduardo Martinez Appointments:** Khaliaghya Dandie-Evans, new appointment, seat #10 and Carol Hegstrom, new appointment, seat #11; **Councilmember Jael Myrick Appointments:** Christian M. Mendizabal, new appointment, seat #12 and Teyona R. Galloway, new appointment, seat #13; **Councilmember Melvin Willis Appointments:** Angel Godinez, new appointment, seat #14 and Guadalupe Enllana, new appointment, seat #15 - Offices of the Mayor and City Council (Mayor Tom Butt 620-6503 and Vice Mayor Ben Choi 620-6565).

**I. PUBLIC HEARINGS**

- I-1.** HOLD a public hearing to review the districting process for City Council elections and receive public input regarding the composition of potential City Council districts - City Attorney's Office/City Clerk's Office (Bruce Reed Goodmiller 620-6509/Pamela Christian 620-6513).
- I-2.** HOLD a public hearing and APPROVE the Amended Judgment in connection with the litigation entitled The Guidiville Rancheria of Cal. et al. vs. The United States of America, et al., No. CV 12-1326 YGR (N.D. Cal.) - City Attorney's Office (Bruce Reed Goodmiller/Rachel Sommovilla 620-6509).
- I-3.** **CONTINUED TO DECEMBER 3, 2019**, the matter to INTRODUCE an ordinance adding Article 15.04.615 to the Richmond Municipal Code ("RMC") to prohibit new land uses and phase out existing land uses related to the storage and handling of coal and petroleum coke, and make conforming amendments to the RMC to ensure that it is internally consistent with said prohibition - Planning and Building Services Department (Lina Velasco 620-6706).

**J. COUNCIL AS A WHOLE**

**J-1.** RECEIVE a report summarizing the status of major land use development projects in Richmond - Councilmember Nathaniel Bates (620-6743), Councilmember Eduardo Martinez (620-6593), and Director of Planning and Building Services Lina Velasco (620-6706). **This item was continued from the October 22, 2019, meeting.**

**J-2.** RECEIVE a presentation from the Department of Infrastructure Maintenance and Operations (DIMO) regarding blight in Richmond, including challenges, operational realities and steps DIMO is taking to reduce blight throughout the City - Department of Infrastructure Maintenance and Operations (Tim Higaes 620-6508).

**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.*